58. Also, petition of the Central Doll Manufacturing Co., New York, urging protective tariff on dolls; to the Committee on Ways and Means.

59. Also, petition of Louis Amberg & Son, New York, urging protective tariff on dolls; to the Committee on Ways and Means.

60. Also, petition of the Progressive Toy Co., New York City, urging tariff on dolls; to the Committee on Ways and Means.

61. Also, petition of the American Character Doll Co., New York, urging tariff on dolls; to the Committee on Ways and Means.

62. Also, petition of the Universal Society of America, urging legislation for the betterment of war-tax legislation; to the Committee on Ways and Means.

63. Also, petition of publication office of Pharmacal Advance, New York, against the 10 per cent tax on medicines; to the Committee on Ways and Means.

64. Also, petition of the Remington Phonograph Co., New York, against present tax on phonographs; to the Committee on Ways and Means.

65. Also, petition of the Olympic Disk Record Corporation, New York City, against the present tax on phonographs; to the Committee on Ways and Means.

66. Also, petition of the Brooklyn Motor Vehicle Dealers' Association (Inc.), urging change in present tax laws; to the Committee on Ways and Means.

67. Also, petition of the National Institute of Invention, New York, urging the passage of the metric system bill; to the Committee on Coinage, Weights, and Measures.

68. Also, petition of the Arden-Bennett Corporation Co., New York, urging tariff on toys; to the Committee on Ways and Means.

69. Also, petition of the E. Goldberger Co., New York, urging tariff on dolls; to the Committee on Ways and Means.

70. By Mr. MACGREGOR: Petition of the Knights of Columbus of Buffalo, N. Y., protesting against the Smith-Towner bill; to the Committee on Education.

71. Also, petition of the Junior Order of the United American Mechanics of Buffalo, N. Y., favoring the Smith-Towner bill; to the Committee on Education.

72. Also, petition of citizens of Town Line, N. Y., protesting against French troops occupying German territory; to the Committee on Foreign Affairs.

73. Also, petition of the Buffalo Coca-Cola Bottling Co., favoring repeal of present tax on bottled carbonated beverages; to the Committee on Ways and Means.

74. By Mr. MADDEN: Petition of citizens of Chicago, Ill., urging and in favor of light wines and beers and against the Sunday blue laws; to the Committee on the Judiciary.

75. Also, petition of the Veterans of Liberty, Chicago, Ill., favoring beer and light wines and opposed to Sunday blue laws; to the Committee on the Judiciary.

76. By Mr. OLDFIELD: Petition of numerous citizens, most respectfully protesting against any revisions of the tariff on those classes of coal-tar products that are used in the manufacture of dips and disinfectants, such as creosote, phenol, naphthalene, and such other materials used in making insecticides; to the Committee on Ways and Means.

77. By Mr. RIORDAN: Petition of citizens of New York City, against the passage of the Smith-Towner bill; to the Committee on Interstate and Foreign Commerce.

78. Also, petition of citizens of Staten Island, N. Y., urging repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

79. By Mr. SINCLAIR: Petition of the pastor and trustees of the Evangelical Church at Bethel, N. Dak., protesting against the retention of colored troops in Germany; to the Committee on Foreign Affairs.

80. By Mr. SPROUL: Petition of sundry citizens of Chicago, Ill., opposing prohibition and the enactment of so-called blue laws; to the Committee on the Judiciary.

81. Also, petition of sundry citizens of Chicago, Ill., protesting against alleged conditions in territory occupied by French troops; to the Committee on Foreign Affairs.

82. By Mr. TAGUE: Petition of Conrad & Co., John W. Sanborn Co., F. L. Dunne & Co., Samuel Noyes & Co., C. A. Browning Co., and James A. Glass, all of Boston, Mass., concerning revision of existing tax and tariff laws; to the Committee on Ways and Means.

83. By Mr. TAYLOR of Colorado: Petition of the Auto Club, Montrose, Colo., protesting against the dumping of foreign automobiles in this country; to the Committee on Ways and Means.

84. By Mr. THOMPSON: Petition of the child's welfare committee of Hiram Louden Relief Corps, No. 210, Montpelier, Ohio, urging the passage of the Sheppard-Towner bill; to the Committee on Education.

85. Also, petition of Mark C. Sebring and others, of Fayette, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

86. Also, petition of Joel E. Dils and others, of Jewell, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

87. Also, petition of G. C. Burr and others, of Wauseon, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

88. Also, petition of Harry A. Clevenger and others, of Antwerp, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

89. Also, petition of Glenn W. Guthrie and others, of Delta, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

90. Also, petition of Earl J. Davis and others, of Bryan, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

91. By Mr. VARE: Petition of Vessel Owners' and Captains' Association, against Government operation of inland barges; to the Committee on the Merchant Marine and Fisheries.

SENATE.

THURSDAY, *April 14, 1921.*

(Legislative day of Wednesday, April 13, 1921.)

The Senate met at 11 a. m., on the expiration of the recess.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Brandegee	Harrison	McCumber	Shortridge
Broussard	Hitchcock	McLean	Simmons
Bursum	Johnson	McNary	Smith
Cameron	Jones, Wash.	Moses	Smoot
Caraway	Kellogg	Myers	Stanfield
Colt	Kendrick	Norbeck	Sterling
Culberson	Kenyon	Norris	Trammell
Cummins	Keyes	Overman	Walsh, Mont.
Curtis	Knox	Penrose	Warren
Dial	Ladd	Pomerene	Watson, Ga.
Dillingham	La Follette	Reed	Willis
Harris	Lodge	Sheppard	

Mr. CURTIS. I wish to announce the absence of the Senator from Nevada [Mr. ODDIE], due to illness.

The VICE PRESIDENT. Forty-seven Senator have answered to their names. A quorum is not present. The Secretary will call the roll of absentees.

The reading clerk called the names of the absent Senators, and Mr. BALL, Mr. CAPPER, Mr. ERNST, Mr. GOODING, and Mr. MCKELLAR answered to their names when called.

Mr. NEW, Mr. FRELINGHUYSEN, Mr. NELSON, Mr. WELLER, Mr. MCKINLEY, Mr. HALE, Mr. BORAH, Mr. MCCORMICK, Mr. HEFLIN, Mr. WALSH of Massachusetts, and Mr. NICHOLSON entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-three Senators having answered to their names, a quorum is present.

A. OWSLEY STANLEY, a Senator from the State of Kentucky, and OSCAR W. UNDERWOOD, a Senator from the State of Alabama, appeared in their seats to-day.

PETITIONS AND MEMORIALS.

Mr. PHIPPS presented a joint memorial of the Legislature of Colorado, which was referred to the Committee on Public Lands, as follows:

Senate joint memorial 3 of the Twenty-third General Assembly of the State of Colorado indorsing and urging upon Congress the passage of Senate bill No. 474, by Senator SMOOT.

To the honorable Senate and the honorable House of Representatives of the United States:

Whereas under the act of Congress of February 25, 1920, relating to the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain, it has been ruled by the Department of the Interior that upon the discovery of oil, oil shale, gas, etc., on any approved applications permitting prospecting, thereupon all unapproved applications for prospecting permits within any such known geological structure shall become void; and

Whereas under such construction of such act, every rule of law and practice and usage of the Great West, and which have promoted its development, are abrogated, to wit, the rule and practice founded upon equity and justice that, first in time is first in right; and

Whereas under such construction, the applicant, who has spent his time and money in perfecting his application, the approval of which is almost without exception delayed by the Federal Government, is thus deprived of his property and the fruits of his labor, without cause and wrongfully: Now, therefore, be it

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Resolved by the Senate (the House of Representatives concurring), That we respectfully petition and urge upon the Congress of the United States that it do pass, with all convenient speed, Senate bill No. 474, introduced by Senator SMOOT of Utah, which bill protects the applicant, whose application, without his fault, is unapproved, as well as the applicant who has been so fortunate as to secure an approval; be it further

Resolved, That copies hereof be forwarded to the honorable Speaker of the House of Representatives, the honorable President of the Senate of the United States, and to each Representative of Colorado in the House of Representatives and Senate of the United States.

FRANCES J. KNAUSS,
President pro tempore of the Senate.
ROYAL DAVIS,
Speaker of the House of Representatives.

Approved March 22, 1921.

OLIVER H. SHOUP,
Governor of Colorado.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a resolution of the Board of Commerce of Bay City, Mich., favoring legislation to restrict the immigration of aliens, which was referred to the Committee on Immigration.

He also (for Mr. NEWBERRY) presented memorials of S. M. Stevens Lodge, No. 150, Brotherhood of Locomotive Firemen and Enginemen, of Marquette; International Division, No. 116, Brotherhood of Locomotive Engineers, of Escanaba; and Wolverine Lodge, No. 332, Brotherhood of Locomotive Firemen and Enginemen, of Grand Rapids; all in the State of Michigan, remonstrating against the enactment of legislation to repeal the excess profits tax and the adoption of a sales tax, which were referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a petition of Detroit Retail Shoe Dealers' Association, of Detroit, Mich., praying for the enactment of legislation providing for a sales tax, which was referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a memorial of Women's Catholic Order of Foresters, of Escanaba, Mich., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. MOSES presented a resolution of Council Rev. C. Demers, No. 213, L'Union St. Jean-Baptiste d'Amerique, of Somersworth, N. H., protesting against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

EMPLOYMENT OF ADDITIONAL PAGES.

Mr. SMOOT, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 21, submitted by Mr. LODGE on the 12th instant, reported it without amendment, and it was considered by unanimous consent and agreed to as follows:

Resolved, That the Sergeant at Arms of the Senate be, and he hereby is, authorized and directed to employ five additional pages for the Senate Chamber, at $3 per day each, during the first session of the Sixty-seventh Congress, to be paid from the miscellaneous items of the contingent fund of the Senate.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

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

By Mr. HALE:

A bill (S. 743) granting an increase of pension to Arthur L. Manchester; and

A bill (S. 744) granting an increase of pension to Florence M. Luro (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 745) to amend section 24 and section 256 of the Judicial Code; to the Committee on the Judiciary.

A bill (S. 746) to provide compensation for seamen injured and the dependents of seamen killed in the course of employment, to create a Federal seamen's insurance fund, and for other purposes; to the Committee on Commerce.

By Mr. TOWNSEND (for Mr. NEWBERRY):

A bill (S. 747) authorizing the Secretary of War to donate to the Mackinac Island State Park, Mackinac Island, Mich., one German cannon; and

A bill (S. 748) to remove the charge of desertion from the military record of Charles F. Getchell; to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 749) to regulate the practice of osteopathy in the District of Columbia; to the Committee on the District of Columbia.

By Mr. OWEN:

A bill (S. 750) for the relief of Frank Carpenter; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 751) for the relief of the estate of Lemuel Thomas, deceased;

A bill (S. 752) for the relief of the estate of J. P. Dieter; and

A bill (S. 753) for the relief of Oscar C. Guessaz; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 754) for the adjudication by the Court of Claims of the claims of George Chorpenning under contracts with the United States for carrying the mails; to the Committee on Claims.

A joint resolution (S. J. Res. 25) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the dead of the First Division, American Expeditionary Forces, in the World War; to the Committee on Public Buildings and Grounds.

AMENDMENT TO IMMIGRATION BILL.

Mr. PHIPPS submitted an amendment intended to be proposed by him to the bill (S. 87) to limit the immigration of aliens, which was referred to the Committee on Immigration and ordered to be printed.

HEARINGS BEFORE COMMITTEE ON BANKING AND CURRENCY.

Mr. McLEAN submitted the following resolution (S. Res. 44), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Banking and Currency, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH submitted the following resolution (S. Res. 45), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Military Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON INTERSTATE COMMERCE.

Mr. CUMMINS submitted the following resolution (S. Res. 46), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

CENTENNIAL OF THE INDEPENDENCE OF PERU (S. DOC. NO. 3).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State recommending the resubmission to the present Congress of the invitation from the Government of Peru for participation by the Government of the United States in the ceremonies incident to the celebration of the first centennial of the proclamation of the independence of Peru which are to take place at Lima in July next.

The matter was presented to the Sixty-sixth Congress by my predecessor, whose message on the subject and the accompanying report of the then Secretary of State are contained in Senate Document No. 370, Sixty-sixth Congress, third session, a copy of which I attach hereto.

As pointed out by the present Secretary of State in his accompanying recommendation, the cordial relations which have always existed between the United States and Peru and the equality of treatment which we desire to accord to all the American Republics alike, would seem to emphasize the importance of Congress making provision for a no less imposing participation by the United States in the Peruvian celebration than it had in similar celebrations of other Latin-American countries.

I have, therefore, no hesitation in adding my own commendation of the matter to that of my predecessor, and in recommending to the Congress the passage of the joint resolution he transmitted.

WARREN G. HARDING.

THE WHITE HOUSE,
April 14, 1921.

TREATY WITH COLOMBIA.

Mr. POMERENE. Mr. President, I feel in justice to myself as well as to other Senators who desire to speak upon the subject of the treaty with Colombia that I ought to proceed with my remarks at this time.

Mr. LODGE. Then I move that the Senate, in open executive session, proceed to the consideration of the treaty with Colombia.

The motion was agreed to; and the Senate, in open executive session and as in Committee of the Whole, resumed the consideration of the treaty with Colombia.

Mr. POMERENE. Mr. President, I think as a matter of economy of time as well as my desire not to have the thread of my argument broken, I would prefer not to be interrupted during the delivery of my remarks. After I shall have concluded, if any Senator desires to ask me any questions, I shall to the best of my ability attempt to answer them.

Mr. President, I was delighted the other day to see that the distinguished Senator from Massachusetts [Mr. LODGE], on his way from the minority report of the Foreign Relations Committee in 1917 to the present report on the pending treaty, like Saul of Tarsus on the road to Damascus, "had seen a new light." I am very sorry that my distinguished friend from Minnesota [Mr. KELLOGG] did not follow his example. As yet he seems "to see through a glass darkly."

In what I have to say to-day it is my purpose to quote pretty liberally from messages, from speeches, and other documentary evidence, in order that I may lay the foundation on which my faith is builded.

Mr. President, when, several years ago, I took up for investigation the controversy between the United States and the Republic of Colombia relative to Panama, I indulged the hope that it would result conclusively to my own mind, at least, that our Government was altogether right and the Colombian Government altogether wrong. But the more I have studied this question the more convinced I am that the United States was wrong, in part, and the Colombian Government right, in part.

I do not lose sight of the fact that the Panama Canal is the greatest engineering feat of this generation, and that its construction and maintenance is and will be for all time to come the greatest boon to the commerce of the world. It is not only a tremendous benefit to the United States but to Colombia herself. I think all must concede, even if all the claims of the Colombian Government were fully established, she is better off to-day with the canal completed and in operation than she would have been if she had retained control of the Isthmus and the canal had not been constructed. Aye, even with the loss of the Department of Panama, she is the gainer with the canal. In a word, Colombia without the Department of Panama and with the use of the canal is better off than Colombia with the Department of Panama and without the canal.

But, Senators, the United States can never justify itself by doing the right thing in the wrong way. All America accepts, and at most times applauds, the sentiment of Decatur: "Our country, in her intercourse with foreign nations, may she always be in the right; but our country, right or wrong."

May I be pardoned if I suggest that international morals have advanced since that day. Now, the majority of our more than 100,000,000 people prefer the sentiment, "Our country, may she always be right; but if her statesmen so far forget themselves as to commit a wrong, even to the least of the family of nations of the earth, let us set her right." I prefer that our country shall be the big brother to all of the American Republics.

In the examination of the history of the Panama controversy I have been struck by a thought which was presented by the United States Minister to Colombia, Hon. James T. Du Bois, in a letter which he wrote on September 30, 1912, to our distinguished colleague, Hon. P. C. KNOX, when he held the honored position of Secretary of State. I quote from page 33 of the Diplomatic Correspondence and Documents submitted to the Committee on Foreign Relations of the United States Senate, Sixty-third Congress, third session:

> From 1810 to 1903 Colombia was the best friend the United States had south of the Rio Grande. Her Government respected us and her people looked upon our country as a true friend. They modeled their federal and provincial governments after our National and State Governments. They called the great liberator, Simon Bolivar, the George Washington of South America, and Bolivar did all in his power to teach his people to respect and admire us as a Nation. Between 1810 and 1903 Colombia welcomed our capitalists and guaranteed to them the most liberal concessions. They sent their young men to our halls of learning, and considered the United States as a trustworthy and loyal Nation.
>
> Nine years ago this was changed suddenly and unexpectedly when President Roosevelt denied to Colombia the right to land her troops upon her own soil to suppress a threatened revolt and maintain the sovereignty guaranteed by treaty stipulations. The breach came, and it has been growing wider since that hour. By refusing to allow Colombia to uphold her sovereign rights over a territory where she had held dominion for 80 years, the friendship of nearly a century disappeared, the indignation of every Colombian, and millions of other Latin Americans, was aroused and is still most intensely alive.

Certainly this language does not overstate conditions, whatever may be the attempted justification of the course our Government pursued in October and November, 1903, as well as since.

OUR TREATY WITH NEW GRANADA.

In 1846 the United States and New Granada—now Colombia—entered into a treaty of peace, amity, navigation, and commerce. By article 35 of this treaty the Government of New Granada guaranteed—

> to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist or that may be hereafter constructed shall be open and free to the Government and citizens of the United States and for the transportation of any articles of produce, manufacture, or merchandise, or lawful commerce belonging to the citizens of the United States.

No other tolls or charges could be levied or collected from the citizens of the United States or their merchandise in thus passing over any route or canal that may be made by the Government of New Granada or by the authority of same than is under like circumstances levied upon and collected from the Granadian citizens, and in consideration of this and other privileges the Government of the United States guarantee—

> positively and efficaciously to New Granada * * * the perfect neutrality of the before-mentioned Isthmus with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists, and in consequence the United States also guarantee in the same manner the rights of sovereignty and property which New Granada has and possesses over the said territory.

That treaty was in full force and effect during the revolution in Panama in 1903, and it still, legally at least, controls the relations which now exist between Colombia and the United States. May I call your attention again to this language? The United States guarantee—

> the rights of sovereignty and property which New Granada has and possesses over the said territory.

And if we shall bear this language in mind during the consideration of the treaty before us we shall be the better able to understand the dependence of Colombia on the United States during the so-called revolution as well as our own obligations to a feeble sister Republic.

THE REVOLUTION.

The revolution which resulted in the independence of Panama occurred at 6 o'clock on November 3, 1903. It was a very peaceful revolution. It was bloodless except that when the Colombian guns from the harbor fired three shots into the City of Panama one Chinaman was killed. Students of the subject are led to wonder what the circumstances were surrounding this peaceful revolution which resulted in Colombia being despoiled of one of, perhaps, her choicest departments with an area of 31,500 square miles, and nearly 300,000 people.

What was it that gave birth to the new Republic of Panama? Let us examine the history of the events shortly preceding November 3, 1903.

The Hay-Herran treaty between the United States and Colombia, authorizing the construction of the Panama Canal by the United States, was signed on January 22, 1903. On January 23 it was sent to the Senate. It was only signed by Dr. Herran after he had been advised that no modification of its terms would be admitted. On January 24, 1903, and before he knew the treaty had been signed, President Marroquin wired the Colombian minister at Washington:

> Do not sign canal treaty. You will receive instructions in letter of to-day.

On January 22, 1903, Dr. Herran, who had negotiated the treaty, advised the minister of foreign affairs at Bogota:

> Treaty signed to-day, accepting ultimatum $10,000,000 and $250,000 annuity.

In his letter of January 29, 1903, to Dr. Felipe F. Paul, minister at Bogota, he gave his reasons for the signing of the treaty and said:

> It is now incumbent upon the Colombian Congress finally to resolve this important matter, for without its acceptance the treaty signed has no value and the Congress is entirely at liberty to approve or reject it. (The Story of Panama, p. 323, House Committee Hearings before Committee on Foreign Relations, 1911–1913, vol. 30.)

Of course this was true. The treaty when signed was not binding upon the United States until it was ratified by the Senate. Likewise it was not binding upon Colombia until ratified under her constitution by the Congress of Colombia. It must be borne in mind that the members of the Colombian Congress had the same right to suggest amendments, or to vote for or against the ratification of the treaty, that the United States Senate had to propose amendments or to vote for or against the ratification of the treaty.

In 1903 the President and the Department of State did not accord to the Colombian Government the right to do anything with respect to the Hay-Herran treaty except to ratify it, unconditionally.

The Hay-Herran treaty was approved by the United States Senate on March 17, 1903. The Senate of Colombia proposed nine amendments to this treaty.

THE NINE AMENDMENTS.

The more important of them provided that—

(A) The Panama Railroad Co. and the new Panama Canal Co. should make satisfactory arrangements with the Colombian Government as to the conditions under which the Government would consent to transfer their rights to the United States.

(B) To a clear definition of the sovereign rights of Colombia in the Canal Zone and territory adjacent thereto, and at the same time to state with precision the rights of the United States as being in the nature of a tenancy in perpetuity but excluding the idea of ownership.

(C) To deny the application of the laws of the United States to Colombian territory as being contrary to article 10 of the Colombian constitution. This article declares:

It is the duty of all citizens and foreigners in Colombia to live in submission to the constitution and the laws, and to respect and obey the authorities.

That right they wanted to preserve.

(D) To provide for forfeiture in the event that the work is not executed within certain limitations.

The claimed purpose of these amendments was to compel Mr. Cromwell's clients, the new Panama Canal Co., to pay to the Colombian Government part of the $40,000,000 which it was to get from the United States for permission to transfer its concession, and clearly to protect the sovereignty of Colombia in the Canal Zone. They do not indicate that they were seeking to increase the amount of consideration provided for in the treaty to be paid by the United States itself to the canal company or to Colombia. (Story of Panama, p. 353.)

I do not wish to be understood as saying that these amendments would have been accepted by the United States. I am contending that the Senate of Colombia had the right to propose and insist upon them.

Those who contend that the Department of Panama and not the Republic of Colombia was the sovereign owner of the Panama Zone show little respect for the facts; and I may say that Senator Root, in a speech which he delivered at Chicago on the ethics of the Panama proposition, made the statement that the sovereignty in the territory was in Panama. But the constitution of the Republic of Colombia adopted in August, 1886, provides, Title 1:

ARTICLE 1. The Colombian nation is hereby constituted a centralized republic.

ART. 2. Sovereignty is vested essentially and exclusively in the nation, from which shall proceed all public powers, to be exercised within the limits prescribed by this constitution.

ART. 201. The Department of Panama shall be subject to the direct authority of the Government, and it shall be administered by laws especially enacted therefor.

Article 77, paragraph 20, of the Constitution of the Republic of Colombia, gives to its Congress the power by law "to approve or disapprove the treaties entered into by the Government with foreign powers."

Article 120, paragraph 10, provides:

All treaties shall be submitted to Congress for its approval and all conventions in the recesses of Congress shall be approved by the President with the consent of the ministers and the council of State.

So that they were not obliged to have the consent of the Government of the United States in order to approve or disapprove the treaty.

Colombian sovereignty never was questioned by the United States until it became necessary to make some defense of our rights after the revolution. And even if there was at any time a dispute between Colombia and Panama in this behalf, I am at a loss to understand how we could then dispute Colombia's title in view of our solemn pledge contained in the treaty of 1846 to "guarantee" to Colombia her "rights of sovereignty and property" in the Isthmus.

PANAMA RAILROAD.

Senators will remember also that in December, 1848, the United States of Colombia ceded to the Panama Railroad Co. the railroad which it had constructed between Colon and Panama for a term of 99 years. In 1867 this contract was modified and extended. At its expiration the railroad, all its fixtures, dependencies, and products, and all of its property were to revert to the United States of Colombia, and while it had this reversionary interest in the road, the company paid the Colombian Government for this leasehold the sum of $1,000,000 in cash, and agreed to pay $250,000 annually for 99 years. In 1903 the payments under this concession ceased. It then had 64 years to run. (Story of Panama, pp. 126 and 127. Letter of James T. Du Bois to Secretary KNOX, Doc. No. 1, 65th Cong., special session, p. 43.)

PANAMA CANAL.

Senators will remember also that on March 20, 1878, the Republic of Colombia entered into the original contract for the construction of an interoceanic canal across the Isthmus of Panama with Lucian Bonaparte Wyse. This contract or concession is ordinarily known as the Salgar-Wyse contract. The old Panama Canal Co. later succeeded to these rights. For the purposes of this argument it is not necessary for me to go into details. Suffice it to say the French company did not complete the canal, and Colombia claimed that under the terms of its concessions the Panama Canal and all the rights of the Panama Canal Co. would be forfeited to Colombia if not completed within the time prescribed. Later the United States paid to the authorized agents of the new Panama Canal Co., the successor to the old Panama Canal Co., $40,000,000. The Panama Canal Co. and its successor failed to keep their contract, and the canal was not completed. The Colombian authorities believed that if the United States was to succeed to the title of the Panama Railroad and to the Panama Canal at least a portion of the consideration so to be paid ought to go to Colombia under the reversionary rights which it claimed under the contracts for the construction and operation of the railroad and the canal.

Mr. REED. Mr. President, when did we pay that $40,000,000?

Mr. POMERENE. I think some time in 1904.

Mr. REED. After the revolution?

Mr. POMERENE. Oh, yes; after the revolution. I am not clear as to the date.

The Colombian Senators proposed to protect its rights in that behalf. Who shall say that they had no right to consider their obligation to their constituencies?

The President and his advisers were, of course, very anxious to build the canal. They were not going to permit the Colombian Government to change in any respect the treaty which had been submitted to it for its approval. On January 22, 1903, the very day the treaty was signed here in Washington, the Secretary of State wrote the following letter:

DEAR MR. HERRAN: I am commanded by the President to say to you that the reasonable time that the statute accords for the conclusion of negotiations with Colombia for the excavation of a canal of the Isthmus has expired, and he has authorized me to sign with you the treaty of which I had the honor to give you a draft, with the modification that the sum of $100,000, fixed therein as the annual payment, be increased $250,000. I am not authorized to consider or discuss any other change.

With sentiments of high consideration, etc.

JOHN HAY.

(Story of Panama, p. 322.)

On April 7, 1903, Secretary Hay cabled the American minister at Bogota:

Referring to the requests of Colombia to the canal and railroad companies for appointment of agents to negotiate cancellation of present concessions, etc., if the subject arises, inform the Colombian Government that the treaty covers the entire matter, and any change would be in violation of the Spooner law and not permissible.

I do not think Senators who will read the Spooner law will agree with that statement.

It is instructive to remember also that while Dr. Herran was in Washington engaged in negotiating the Hay-Herran treaty with the State Department, on September 19, 1902, when he felt an ultimatum was about to be issued, he said:

Mr. Shelby M. Cullom, Senator from Illinois and chairman of the Committee on Foreign Relations, maintains that in case Colombia does not lend itself to a satisfactory agreement, the Government of the United States can come to an understanding with the canal company direct, passing over the head of Colombia, and expropriating part of our territory, justifying itself on the ground of universal public utility, and leaving the compensation due to Colombia to be decided upon later. (Story of Panama, p. 317.)

Need we be surprised if after the arbitrary way in which we dealt with Colombia in an attempt to define and limit her rights to find that public sentiment in Colombia was adverse to the ratification of this particular treaty much as Colombia recognized the necessity for the canal?

Mr. Beaupre, our minister at Bogota, on March 30, 1903, wrote to Secretary Hay that—

public opinion is strongly against its ratification—

and that—

it is apparent lately that the French Canal Co. is to take a decided interest in securing the ratification of the convention, and that its influence to that end will be of large importance.

On April 15, 1903, he again writes Secretary Hay:

From approbation to suspicion, and from suspicion to decided opposition have been the phases of change in sentiment in the last month, and that this fact is clear that if the proposed convention were to be submitted to the free opinion of the people it would not pass.

On May 4, 1903, Mr. Beaupre again advised Secretary Hay that Alexander Mancini, agent of the French Canal Co. at Bogota, was emphatically of the opinion—

that the Congress will refuse to ratify the convention, and that he (Mancini) has written to his company to that effect.

On May 7, 1903, Mr. Beaupre again notified the State Department that the Colombian Congress had been called to meet June 20, 1903. He says:

The probabilities are that when the measure is presented to Congress there will be a lengthy debate and an adverse report. Then the representatives of the coast Departments of the Cauca, Panama and Bolivar will ask for a reconsideration and urge a ratification of the convention as the only means of preventing the secession of those departments and the attempt to constitute of their territories an independent republic. The debate will be resumed, and in the end the friends of the Government and of confirmation will prevail.

On May 12, 1903, Mr. Beaupre transmitted to the State Department a translation of an extract of an article written by Dr. Juan B. Perez Sota, Senator from the Department of Panama. In this article the Panama Senator said in part:

The Herran treaty will be rejected, and rejected by a unanimous vote in both chambers. That is what I hope, since there will not be a single representative of the nation who will believe the voice of the people who have sold themselves; who have had the brazenness to recommend the shameful compact. The insult, however, which Herran has cast upon the Colombian name will never be wiped out. The gallows would be a small punishment for a criminal of this class. (S. Doc. No. 51, 58th Cong., 2d sess., p. 16.)

On June 9, 1903, Mr. Hay cabled Mr. Beaupre as follows:

The Colombian Government apparently does not appreciate the gravity of the situation. The canal negotiations were initiated by Colombia and were energetically pressed upon this Government for several years. The propositions presented by Colombia, with slight modifications, were finally accepted by us. In virtue of this agreement our Congress reversed its previous judgment and decided upon the Panama route. If Colombia should now reject the treaty or unduly delay its ratification, the friendly understanding between the two countries would be so seriously compromised that action might be taken by the Congress next winter, which every friend of Colombia would regret. Confidential. Communicate substance of this verbally to the minister of foreign affairs. If he desires it, give him a copy in form of a memorandum.

HAY.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 18.)

William Nelson Cromwell was the attorney representing the French company, the new Panama Canal Co. After the independence of Panama was declared and the transfer of the French canal rights to the United States Government completed, Cromwell had a controversy with his clients relative to his fees. In it he says:

We expressed to him (Minister Herran) our personal conviction of what would be the consequences to the Isthmus of a violation by Colombia of her solemn undertakings. He fully recognized the gravity of the situation and sent his Government a cable message in support of that of Secretary Hay, which we had communicated to him with the approval of the latter. It is significant that at that time, June, 1903, he inserted in his cable the declaration to his Government that he was convinced that if the treaty were not soon ratified Panama would secede and conclude the treaty itself.

It was this attitude, taken by the American Government under the circumstances we have just set forth, that furnished the basis of a justification for the subsequent events, the consequence of which were so transcendent.

Mr. Henry N. Hall, of the New York World, testifying before the Committee on Foreign Relations of the House on February 13, 1912, basing his testimony on the brief of Mr. Cromwell, says, in substance:

On June 13 Cromwell had a conference at the White House with President Roosevelt. He sent his press agent, Mr. Richard L. Farnham, formerly in the employ of the World, over to the Washington Bureau of the World. Mr. Farnham wanted the World to print a story, but not to quote him. He assured the World correspondent that there would be an uprising on the Isthmus—

Mark you, this interview took place on June 13, 1903—

and the article printed on June 14, 1903, declared the revolution would probably take place on election day, November 3—

The very day on which it did occur—

and that five or six citizens of Panama would soon arrive in Washington to consult with the Secretary and other State Department officials concerning the proposed uprising. (Story of Panama p. 344.)

I do not vouch for these facts, but it is significant that the issue of the New York World for June 14, 1903, contains an article under a Washington date line, which in part is as follows:

President Roosevelt is determined to have the Panama Canal route.

* * *

* * * Advices received here daily indicate great opposition to the canal treaty at Bogota. Its defeat seems probable for two reasons. First. The greed of the Colombian Government, which insists on a largely increased payment for the property and concession. Second. The fact that certain factions have worked themselves into a frenzy over the alleged relinquishment of sovereignty to lands necessary for building the canal.

Information also has reached this city that the State of Panama, which embraces all the proposed Canal Zone, stands ready to secede from Colombia and enter into a canal treaty with the United States.

The State of Panama, in the view of the citizens of this State, prepared a form of government and were ready to establish the Republic of Panama. The making of this plan operative at that time was considered inexpedient, but it is now ready for prompt execution. It is known that the following suggestion has been communicated to representatives of the administration:

The State of Panama will secede if the Colombian Congress fails to ratify the canal treaty. A republican form of government will be organized. This plan is said to be easy of execution, as not more than 100 Colombian soldiers are stationed in the State of Panama.

The citizens of Panama propose, after seceding, to make a treaty with the United States, giving this Government the equivalent of absolute sovereignty over the Canal Zone. The city of Panama alone will be excepted from this zone, and the United States will be given police and sanitary control there. The jurisdiction of this Government over the zone will be regarded as supreme. There will be no increase in price of yearly rental.

In return, the President of the United States would promptly recognize the new Government when established—

And it turns out that he did, within three days after the revolution—

and would at once appoint a minister to negotiate and sign a canal treaty. This can be done expeditiously, as all the data have already been supplied.

President Roosevelt is said to strongly favor this plan if the treaty is rejected. The treaty of 1846, by which the United States guarantees the sovereignty of Colombia over the Isthmus of Panama, is now construed as applicable only to foreign interference and not to the uprisings of her own people. The formal abrogation of the treaty of 1846 is, however, under consideration.

It is known that the Cabinet favors the President's idea of recognizing the Republic of Panama, if necessary, to secure the canal treaty. The President has been in consultation both personally and by wire with leading Senators and has received unanimous encouragement.

* * *

It is intended to wait a reasonable time for action by the Colombian Congress, which convenes June 20, and then if nothing is done to make the above plan operative.

William Nelson Cromwell, general counsel of the Panama Canal Co., had a long conference with the President to-day. Mr. Cromwell's advices are that much opposition to the treaty has developed, but he still expects ratification. (Story of Panama, p. 345.)

Mr. SMITH. From what is the Senator reading?

Mr. POMERENE. That is an article which appeared in the New York World of June 14, 1903, four months before the revolution.

On July 5, 1903, Mr. Beaupre cabled Mr. Hay as follows:

(Confidential.)

Have received information privately that a paraphrase of your cipher telegram June 9 was read in the Senate secret session. Created sensation. Construed by many as a threat of direct retaliation against Colombia in case the treaty is not ratified. This, and the statement of just arrived members of Congress from Panama that this department would revolt if the treaty is not ratified, caused alarm, and the effect is unfavorable. (Printed in the document favorable.) Unusual honors extended legation of the United States 4th of July.

BEAUPRE.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 30.)

Mr. REED. Who was Beaupre?

Mr. POMERENE. Beaupre was our minister at Bogota at that time.

On July 9, 1903, Beaupre sent the following cable to Mr. Hay:

(Confidential.)

——— has requested me to say to you he does not think the treaty can be ratified without two amendments: To article 1, stipulating payment ten millions by the canal company for the right to transfer; to article 25, increasing payment to fifteen millions, and says that the treaty can be ratified at once with these amendments. He asks your views confidentially.

BEAUPRE.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 35.)

On July 11, 1903, Mr. Beaupre again cabled Mr. Hay:

(Confidential.)

The majority in the Senate are opposed to treaty. Apparently the Government is not defending the treaty, although it may intend to later. It fears public opinion and the criticism of the Liberal Party very great. The danger is delay, which opposition fights for. I think strong intimation from you through the Colombian minister or this legation that unnecessary delay should be avoided would be effective. Otherwise debate may continue until September, necessitating instructions communicated by telegraph for exchange of ratifications.

BEAUPRE.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 35.)

On July 13, 1903, Mr. Hay cabled Mr. Beaupre:

Neither of the proposed amendments mentioned in your telegram received to-day would stand any chance of acceptance by the Senate of the United States, while any amendment whatever or unnecessary delay in the ratification of the treaty would greatly imperil its consummation.

HAY.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 36.)

On July 21, 1903, again Mr. Beaupre wired Mr. Hay, in part, as follows:

The generality of the legislators here have thought that further and greater concessions could be obtained from the United States, and that in this particular the treaty could be amended with safety to the interests of Colombia. This has been and is the most stubborn stronghold of the enemy, at all times the most dangerous to us. (Senate Doc. No. 51, p. 38.)

On July 31, 1903, Mr. Hay wired Mr. Beaupre:

Instructions heretofore sent to you show the great danger of amending the treaty. This Government has no right or competence to covenant with Colombia to impose new financial obligations upon canal company, and the President would not submit to our Senate any amendment in that sense, but would treat it as voiding the negotiation and bringing about a failure to conclude a satisfactory treaty with Colombia. No additional payment by the United States can hope for approval by United States Senate, while any amendment whatever requiring reconsideration by that body would most certainly imperil its consummation. You are at liberty to make discreet unofficial use of your instructions in the proper quarters. The Colombian Government and Congress should realize the grave risk of ruining the negotiations by improvident amendment. (Senate Doc. No. 51, p. 40.)

On August 5, 1903, Mr. Beaupre again wired Mr. Hay:

I have addressed a note minister for foreign affairs concerning the report of the committee appointed to consider treaty to the effect that the proposed modification article 1 is tantamount rejection of treaty. * * * Closing with strong reminder of the dangerous consequences of further unnecessary delay, urging that if Colombia really desires to preserve friendly relations and to secure the advantages of canal, backed by so close an alliance of national interests, the treaty should be ratified without modification. (Senate Doc. No. 51, p. 46.)

On the same day, August 5, Mr. Beaupre sent a note to his excellency, Dr. Rico, the minister of foreign affairs, in which he said, among other things:

From them (former communications) it is clear that the committee's proposed modification of article 1 is alone tantamount to an absolute rejection of the treaty. I feel it my duty to reiterate the opinion I have before expressed to your excellency that my Government will not consider or discuss such an amendment at all. * * * For the moment disregarding the probable correctness, or otherwise, of my convictions, there is one point I would especially urge upon your excellency, and that is that the Senate should be reminded of the dangerous consequences to the whole negotiations that the undue delay hitherto experienced in arriving at conclusions will undoubtedly produce on the attitude of my Government.

And further adds:

I take this opportunity to respectfully reiterate what I have before expressed to your excellency, that if Colombia really desires to maintain the present friendly relations existing between the two countries and at the same time secure to herself the extraordinary advantages that the construction of the canal in her territory will undoubtedly produce, if backed by so close an alliance of national interests as would supervene with the United States, the pending treaty should be ratified exactly in its present form, without any modifications whatever. I say this from a deep conviction that my Government will not in any case accept amendments. (S. Doc. 51, p. 48.)

On the same day, August 5, he writes another letter to Dr. Rico, in which he, in part, says:

I may say that the antecedent circumstances of the whole negotiation of the canal treaty, from official information in the hands of my Government, are of such a nature as to fully warrant the United States in considering any modification whatever of the terms of the treaty as practically a breach of faith on the part of the Government of Colombia, such as may involve the very greatest complications in the friendly relations which have hitherto existed between the two countries. (S. Doc. 51, pp. 48, 49.)

From these somewhat lengthy recitals of the notes exchanged between our State Department and the United States legation at Bogota, and between the legation and Dr. Rico, minister for foreign affairs of the Republic of Colombia, it very clearly appears that the Hay-Herran treaty was wholly unsatisfactory, not only to the President and the Congress of Colombia, but to the people themselves, and that Colombia was seeking to secure important amendments to the treaty. Our Government had decided that no other modifications whatever should be made of the treaty as approved by the Senate of the United States, and it should be ratified by the Congress of the Republic of Colombia without any modifications whatever—without the dotting of an "i" or the crossing of a "t." In short, we told her that she must ratify, unconditionally, or be guilty of bad faith.

In view of the position that the Senate of the United States has taken upon the League of Nations during the past two years, it seems a little strange that our Government should attempt to deny to the Congress of the Republic of Colombia the right to amend the treaty in any form which her judgment might dictate.

So far as our present duty is concerned, it can make little difference that the authorities of Colombia did not see fit to ratify the treaty of Dr. Herran. To some it may be of no concern that Colombian Senators may have thought that duty to their fatherland required them to protect their sovereignty or to demand of the new Panama Canal Co. a part of the $40,000,000 we were to pay for its interest in the canal or its property, notwithstanding the fact that failure to complete the canal would work a forfeiture, and let us remember its contract specially provided that in no event should the new Panama Canal Co. dispose of its interests to another Government. To my mind, above every other consideration, stands the fact that the Canal Zone was Colombian territory, under Colombian sovereignty.

On October 22, 1903, Secretary Hay advised Mr. Beaupre:

If Colombia is disposed to ask terms more favorable than those heretofore negotiated you may indicate orally, but not in writing, that it will be useless to send a special envoy. (S. Doc. 51, p. 88.)

On October 30, 1903—bear in mind that this is four days before the revolution—Mr. Hay advised Mr. Beaupre, who was then at Bogota, the minister of this country:

You may avail yourself of leave of absence under authorization cabled to you July 9.

Naturally one wonders why the State Department should suggest at this critical time—just four days before the revolution—that Minister Beaupre should take a leave of absence authorized on July 9.

Mr. REED. Had he requested it in the meantime?

Mr. POMERENE. I am not advised as to that.

On October 31, 1903, Mr. Beaupre wired Mr. Hay:

Congress adjourned to-day. No action has been taken upon the last report concerning the canal. Therefore nothing more than the vote of August 12, rejecting treaty, done—

And then he adds significantly—

the people here in great anxiety over conflicting reports of secession movements in the Cauca and Panama. (Senate Document No. 51, p. 90.)

Bear in mind that this is just three days before the revolution.

On November 1, 1903, Mr. Beaupre wired Mr. Hay:

* * * With regard to canal states that the Colombian chargé d'affaires has been instructed to inform the Government of the United States that the Colombian Government would consider new negotiations which it is believed will be accepted by the next session of Congress. Therefore, if the Government of the United States still desires to open canal, which it is presumed that it does, as neither by act nor word has it showed any other intention, it is to be hoped that the great work will be carried out in the end through Colombia authority.

CONSPIRACY LEADING TO REVOLUTION.

I do not think it will be seriously contended that Dr. Amador, who later became President of the Republic of Panama; Bunau-Varilla, who represented the new Panama Canal Co. in New York, and who was later the envoy extraordinary and minister plenipotentiary of the Republic of Panama to this country; William Nelson Cromwell, who was the attorney for the new Panama Canal Co.; and others did not enter into a conspiracy or conspiracies during the summer and fall of 1903 to bring about a revolution in the Isthmus for the purpose of securing the independence of Panama and the subsequent concession to the United States by the new Republic to build and maintain the canal if Colombia should fail to ratify the Hay-Herran treaty.

On August 29, 1903, the Colombian minister of foreign affairs cabled Dr. Herran:

Please inform me by cable and in code what effect the rejection of the treaty has produced on the Government of the United States.

On September 5, Dr. Herran replied:

Disapproval of treaty has produced bad impression, but the Government of the United States awaits favorable action before September 22. Otherwise it is probable that the President of the United States will assume a hostile attitude. (Story of Panama, p. 361.)

On September 4, 1903, Dr. Herran, then representing Colombia in Washington, cabled his Government:

Revolutionary agents of Panama here. Yesterday the editor of the Estra de Panama had a long conference with the Secretary of State. If treaty is not approved by September 22 (date Hay-Herran treaty expired by limitation), it is probable that there will be a revolution with American support.

I refer to this dispatch because it clearly indicates what was an open secret here in the Capital, that if our Government did not get what it wanted in the way that it wanted it, it would come by revolution and with American support. And whether this course was contemplated at the time or not, the fact remains that the revolution became an accomplished fact by the aid of the American Navy.

On the same day Dr. Herran wrote to the Colombian consul general in New York, Dr. Arturo de Bigard:

Yesterday Mr. J. G. Duke, editor and proprietor of the Herald, had a long interview with the Secretary of State, and I understand that the plan for a revolution which he brought with him has been well received by the Government here, and it is most probable that in the event that the canal treaty is not approved before the 22d of this month there will be a revolutionary insurrection on the Isthmus with the powerful support of this country.

Dr. Rico, the minister of foreign affairs, inquired by cable of Dr. Herran:

Tell me in what hostile attitude will consist.

And on September 15 Dr. Herran replied:

Hostile attitude will consist in favoring indirectly a revolution in Panama.

Tell me, Senators, if this were not in contemplation at that time, how do you account for the correctness of the prophecy of Dr. Herran or of the New York World correspondent?

On September 11, 1903, Dr. Herran wired to the Colombian minister:

The warning that I gave relative to the probable future attitude of the President is founded on threatening statements which he has uttered in private conversations and which by indirect means have come to my knowledge. Special reference is made to the promptness with which the independence of our Department of Panama will be recognized. (Story of Panama, pp. 361, 362.)

On October 7, 1903, the New York Herald's Washington correspondent telegraphed his paper:

William Nelson Cromwell called on President Roosevelt to-day. Mr. Cromwell declared this afternoon, "The Panama Canal will be built, and by the United States Government." He would not say what new developments had made this possible. (Story of Panama, p. 366.)

Was there any risk during these troublous days of Colombia losing her sovereignty over Panama? Did we know about it? And if we did, did we notify Colombia to keep open our right of transit across the Isthmus, or did we expect to take advantage of our duty in that behalf to aid indirectly the revolutionists?

On October 10, 1903, he wrote to Dr. Albert Howard Shaw, editor American Review of Reviews, as follows:

I cast aside the proposition made at this time to foment the secession of Panama. * * * Privately I feel free to say to you that I should be delighted if Panama were an independent State, or if it made itself so at this moment, but for me to say so publicly would amount to an instigation of a revolt, and therefore I can not say it. (Story of Panama, p. 366.)

Mr. SIMMONS. Who wrote that?

Mr. POMERENE. That is said to be a letter written by Mr. Roosevelt to Dr. Shaw.

BUNAU-VARILLA AND DR. AMADOR.

Let us now turn for a moment to the activities of Bunau-Varilla and Dr. Amador.

Bunau-Varilla has written two books—one in 1914, under the title of "Panama, the Creation, Destruction, and Resurrection." The other in 1919, under the title "The Great Adventure of Panama." Both are monuments to his colossal egotism, and evidence the fact that when he is interested financially in a project, or seeks to further his own ambition, he has no respect for either the law of God or of man.

According to his story he landed in New York September 22, 1903 (The Great Adventure of Panama, p. 179). Dr. Amador, one of the Panama conspirators, was then in New York. Bunau-Varilla calls on a Mr. Linde, of Piza, Nephews & Co., who were bankers and commission merchants of Panama. He asks Mr. Linde, according to his story:

"Is the rumor true that the people of Panama are going to make a revolution?" Mr. Linde says, "They have no financial means." "What," replies Bunau-Varilla, "these people who are ever ready to make a revolution for insignificant causes are going to keep quiet when Colombia decrees that they must die of hunger?" Bunau-Varilla also learns from Mr. Linde that Dr. Amador is then in New York. He is advised that Dr. Amador came to New York to "obtain the wherewithal for bringing about a revolution, but he has failed and is sailing for Panama in a few days. * * * He is in despair." (The Great Adventure of Panama, p. 180.)

Bunau-Varilla and Dr. Amador had conferences at the Waldorf-Astoria. It is not necessary for my purpose to go into the details of what occurred at these conferences, except to say that it was arranged when Bunau-Varilla had occasion to phone to Dr. Amador, he was to call himself "Jones," and Dr. Amador was to take the name of "Smith."

Bunau-Varilla was now anxious to learn President Roosevelt's disposition with regard to Panama. On September 2, 1903, Le Matin published an article on the Panama question, suggesting a resort to force in the event that Colombia did not grant the right to construct the canal. He sent a copy of this article, so he says in his book on "Panama, the Creation, Destruction, and Resurrection," page 288, to President Roosevelt at Oyster Bay.

On page 186 of "The Great Adventure of Panama" Bunau-Varilla says:

An unexpected incident furnished me within seven days of my arrival in New York with the most positive knowledge of the intentions of the President. I am informed about this all-important and secret question as if I had been present at one of the Cabinet meetings at the White House and nobody betrayed any confidence and no improper question had passed from my lips.

Through a friend he met Dr. John Bassett Moore, professor of diplomacy at Columbia University. Bunau-Varilla had a copy of Le Matin of September 2 folded in his pocket. Mr. Moore recognized this paper before Bunau-Varilla had unfolded it. Bunau-Varilla claims to have been informed that Mr. Moore and President Roosevelt entertained substantially the same diplomatic views. He also claims to have learned that Mr. Roosevelt had shown this paper to Mr. Moore.

I do not personally attach any importance to these facts, as I have related them very briefly, except to draw the very necessary conclusion that statements of this kind must leave a very bad impression upon the Colombian mind as to what was in fact the course of the Government of the United States in this great crisis on the Isthmus.

Later Bunau-Varilla goes to Washington. He says, page 191 The Great Adventure of Panama:

One question remained to be cleared. Of the two ways open—coercion of Colombia by the United States or revolution of Panama by Amador—which was the practical one? All my inclinations were for the former, but without a single exception all my friends declared that the coercion of Colombia would never be carried out.

On October 9 Bunau-Varilla goes to Washington. He finds Mr. Frank B. Loomis, First Assistant Secretary of State, at his office. He had known him before. Mr. Loomis arranges a meeting with the President. (Page 192, The Great Adventure of Panama.) There is a conference about Panama.

Without going into this whole conversation as related by Bunau-Varilla, he records the President as asking:

"Well, what do you think is going to be the outcome of the present situation" (in Panama)? Bunau-Varilla answers, "Mr. President, a revolution." Bunau-Varilla then says the features of the President manifested profound surprise. "A revolution?" he repeated mechanically, and he turned instinctively toward Mr. Loomis, who had remained standing impassively, and said in a low tone, as if speaking to himself, "a revolution * * * Would it be possible? * * * But if it became a reality, what would become of the plan we had thought of?" * * * He (the President) quickly recovered himself, and asked, "What makes you think so?" There was no interest in going further. I answered, "General and special considerations, Mr. President. As you know, the revolutionary spirit is endemic on the Isthmus. There is almost a certainty of seeing an endemic disease spread violently when the circumstances favorable to its development have reached their maximum. Colombia has decreed the ruin of the people of the Isthmus. They will not let things go any further without protesting according to their fashion. Their fashion is revolution. I have, furthermore, certain special indications that corroborate these general considerations." The conversation ended there. Bunau-Varilla adds: "I had at last the direct confirmation of the deduction which thus far I had drawn solely from pure reasoning. The President of the United States is holding firm for Panama." (The Great Adventure of Panama, pp. 194, 195.)

Again, let me say to the Senate, I am not concerned about the details of these reputed conversations, except as indicating, first, the influence that declarations of this kind have on the Colombian, if not the entire South American, mind; and, secondly, as they tend to corroborate certain statements of the President himself, to which I shall hereafter refer.

After this incident, Bunau-Varilla claims to have planned the revolution. (The Great Adventure of Panama, p. 196, etc.)

There is another conference between him and Dr. Amador in New York on Tuesday, October 13. He agrees with Dr. Amador to raise $100,000 to pay arrears to the troops. A special private code is arranged between the two. Bunau-Varilla directs Dr. Amador to leave by the next boat, Tuesday, October 20, for the Isthmus. Meanwhile, Bunau-Varilla returns to Washington. Through Mr. Loomis he meets Secretary Hay. Let me give part of what occurred in the words of Bunau-Varilla:

Together we deplored the blindness of Colombia. I told him (Mr. Hay) what efforts I had made to show her the truth and how they had been baffled.

"When all the counsels of prudence and friendship have been made in vain," I said, "there comes a moment when one has to stand still and await events."

"These events," he asked, "what do you think they will be?"

"I expressed my sentiments on the subject some days ago to President Roosevelt," I replied; "the whole thing will end in a revolution. You must take your measures if you do not want to be taken yourself by surprise."

"Yes," said Mr. Hay, "that is unfortunately the most probable hypothesis. But we shall not be caught napping. Orders have been given to naval forces on the Pacific to sail toward the Isthmus."

Bunau-Varilla returns this same night to New York. As "Jones" he telegraphed to Amador as "Smith" to meet him.

On page 213 of his book, The Great Adventure of Panama, Bunau-Varilla writes:

"Dr. Amador," said I when he entered my room, "the moment has come to clear the deck for action. Be satisfied with my assertion. There is no more time for discussing their genesis.

"I can give you the assurance that you will be protected by the American forces 48 hours after you have proclaimed the new Republic in the whole Isthmus."

Bunau-Varilla insists that he shall be named as the diplomatic representative of the Republic of Panama at Washington. He arranges for the flag for the new Republic. His wife makes it. Dr. Amador sails from New York for the Isthmus October 20. He expects to arrive on October 27. The revolution is to occur on November 3. Dr. Amador wants two days longer time. This Bunau-Varilla refuses. He even prepares a cablegram to be sent by Amador to him, as follows:

The Government has just been formed by popular acclamation. Its authority extends from Colon, inclusive, to Panama, inclusive. I request you to accept the mission of minister plenipotentiary in order to obtain the recognition of the Republic and signature of canal treaty. You have full powers to appoint a banker for the Republic at New York and to open credit for immediate urgent expenses.

Bunau-Varilla further relates the following interesting circumstances:

On October 25—mark the date—the New York Sun had published a telegram from Philadelphia, which announced that the U. S. cruiser *Dixie* had sailed with sealed orders, taking with her 400 marines. That was nine days before the revolution.

Three days later a dispatch from Washington, printed in the New York Times on the 28th of October announced that the *Dixie* was to arrive at Guantanamo, Cuba. The dispatch added that in case of a revolution in the Isthmus the *Dixie* would be sent to Colon.

Another paper said that the marines would be landed on the Isthmus to maintain order along the line of interoceanic communication. The same dispatch announced that another cruiser, the *Nashville*, was at Kingston, Jamaica.

On page 232, The Great Adventure of Panama, Bunau-Varilla says:

The whole question of the life or death of the canal was condensed in the following words: "An American man-of-war must be sent to Colon." If I succeeded in this task, the canal was saved. If I failed, it was lost.

He goes to Washington, and now let me give his story briefly and in part in his own words (The Great Adventure of Panama, p. 234):

Everybody I met asked me the question, "What is going to happen at Panama?" I repeatedly answered: "Remember the date of November 3, 1903. That day will behold a repetition of what happened there on the 1st of April, 1885, the burning of Colon. The armed conflict, which will be the cause of the fire, is expected everywhere. It is spoken of publicly in the press. The only difference between 1885 and 1903 is that the blame will not be attributed to the captain of a man-of-war in the waters of Colon. It will rest on the Government of the United States itself. President Cleveland had sent a man-of-war, the *Galena*, which did not manage to interfere in time. To-morrow the disaster will be imputed to President Roosevelt for not having taken the slightest preventive measure. He will not have sent even a little cruiser."

This apparently was for public consumption. He then called on Mr. Loomis and had a conference with him. On the next day he meets him near the White House, and Bunau-Varilla relates: "I have thought over what you said to me yesterday," said he [Loomis]. "This situation is really fraught with peril for the town of Colon. It would be deplorable if the catastrophe of 1885 should be repeated to-day. If you have any news, please communicate it to me."

This request, says Bunau-Varilla, was to remain without results. * * * The words I had heard could have but one interpretation, "A cruiser has been sent to Colon."

On November 1, 1903, a dispatch in the New York Times read:

KINGSTON, JAMAICA, *October 31.*

The American cruiser *Nashville* left this morning with sealed orders. Her destination is believed to be Colon.

Under sealed orders, to protect the passageway from Colon to Panama! Why the secrecy?

On November 3, at about 10 o'clock, a telegram was handed to Bunau-Varilla at the Waldorf-Astoria:

Independence of Isthmus proclaimed without bloodshed.

AMADOR.

Naturally, it will occur to Senators that the evidence thus recited is largely taken from Bunau-Varilla and Dr. Amador, who were without doubt interested parties in the success of the conspiracy against Colombia; or from newspapers giving accounts of current events; and that we should not come to a hasty conclusion concerning the activities of the American Government based upon prejudiced or uncertain evidence of this character. I grant you this position is sound, and I would not permit myself to accept it if corroboration could not be found in the archives of the State and Navy Departments.

Let me now refer to some of the evidence bearing upon this subject as we shall find it recorded by the departments. I rely, in part, upon the testimony produced before the House Committee on Foreign Affairs as reported in volume 30 of the House committee hearings, but principally upon Senate Document No. 51, Fifty-eighth Congress, second session, for the accuracy of the messages which I am now about to quote.

On June 11, 1910, the Secretary of the Navy, Hon. George L. Von Meyer, gave permission to Mr. Henry N. Hall, of the New York World, to inspect his records and documents bearing on the Panama revolution of 1903, and to make such extracts from and copies of said papers as he might desire. These extracts and copies to be made in duplicate, and one of the duplicates to be initialed by Mr. Hall and placed on file in accordance with his suggestion.

On October 19, 1903—mark the date—which was the day before Dr. Amador sailed for Panama, Secretary of the Navy Moody sent to Admiral Glass, *Marblehead*, San Francisco, Calif., the following message:

Send *Boston* or other vessel ahead of squadron to Acapulco. (In cipher.) Send the *Boston* with all possible dispatch to San Juan del Sur, Nicaragua. She must arrive by November 1, with coal sufficient for returning to Acapulco. Secret and confidential. Her ostensible destination Acapulco only.

MOODY.

On the same day Secretary Moody sent a message to the navy yard, Brooklyn, N. Y.:

Desire *Dixie* sail for League Island in time embark battalion and be ready for sea 23d.

On the same day the following instructions were sent to Barker, *Kearsarge*, navy yard, Brooklyn, N. Y.:

Dixie must be ready to sail from League Island with battalion about 23d.

MOODY.

On October 29, 1903, Dr. Amador sent a cable to Bunau-Varilla:

This cable is for Bunau-Varilla. We have news of the arrival of the Colombian forces on the Atlantic side within five days. They are more than 200 strong. Urge warship Colon. (Story of Panama, p. 380.)

This cable was sent by "Smith," the name agreed upon for Dr. Amador with Bunau-Varilla.

Mr. Hall states in his Story of Panama that immediately upon receipt of this cable, Mr. Lindo took it in person to Bunau-Varilla at the Waldorf-Astoria Hotel, and Bunau-Varilla came to Washington at once. Bunau-Varilla says that he saw Secretary Hay, but he is not sure whether he saw President Roosevelt or not, but he says he went to the State Department and urged that the ships should be sent at once. As a result of his efforts an urgent cable was sent to Commander Hubbard, U. S. S. *Nashville*, to proceed at once to Colon with all possible speed. This cable was not submitted to Congress, says Mr. Hall. It is in the confidential files of the Navy Department, and reads as follows:

Nashville, Kingston, Jamaica: Hold vessel in readiness to return to Guantanamo.

That is in plain English, but the following is in cipher:

Secret and confidential. Proceed at once to Colon. Telegraph in cipher the situation after consulting with the United States consul. Your destination is a secret. Telegraph in cipher your departure from Kingston.

DARLING, *Acting.*

Again Mr. Hall testified that Bunau-Varilla on his way back to New York at Baltimore sent the following cable:

Smith, Panama, Thirty-six hours Atlantic. Forty-eight Pacific.

The following instructions by cable were sent to various warships. These are published in Senate Document No. 51, Fifty-eighth Congress, second session; and I may say, lest Senators may have some doubt about this proposition, that if they will turn to the messages of Roosevelt to the Congress of the United States in December, 1903, and January 4, 1904, they will find that he says he authorized messages to be sent out to these different vessels.

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

"NASHVILLE," *care American Consul, Colon:*

Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other point. Send copy of instructions to the senior officer present at Panama upon arrival of *Boston*. Have sent copy of instructions and have telegraphed *Dixie* to proceed with all possible dispatch from Kingston to Colon. Government force reported approaching the Isthmus in vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is required.

DARLING, *Acting.*

The following message was sent also at the same time to *Dixie*, Kingston, Jamaica:

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

"DIXIE," *Kingston, Jamaica:*

Secret and confidential. Proceed with all possible dispatch to Colon. Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other port. Send copy of instructions to the senior officer present at Panama upon arrival of *Boston*. Government force reported approaching the Isthmus in vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is required.

DARLING, *Acting.*

Now I want to read the message which was sent by Darling, Acting Secretary, to Admiral Glass, *Marblehead*, Acapulco:

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

GLASS, "Marblehead," *Acapulco:*

Proceed with all possible dispatch to Panama. Telegraph in cipher your departure. Maintain free and uninterrupted transit. If interruption is threatened by armed force occupy the line of railroad. Prevent landing of any armed force, either Government or insurgent, with hostile intent at any point within 50 miles of Panama.

All to protect the transit across the Isthmus.

If doubtful as to the intention of any armed force, occupy Ancon Hill strongly with artillery. If the *Wyoming* would delay *Concord* and *Marblehead*, her disposition must be left to your discretion. Government force reported approaching the isthmus in vessels. Prevent their landing if in your judgment landing would precipitate a conflict.

DARLING, *Acting.*

Also the following:

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

CRUISER "ATLANTA," *Kingston, Jamaica:*

Proceed with all possible dispatch to Colon. Acknowledge immediately. When will you sail?

DARLING, *Acting.*

(Senate Document No. 51, pp. 120–121. Story of Panama, pp. 382–383.)

Also the following:

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

"NASHVILLE," *Colon:*

In the interest of peace make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained. Acknowledge.

DARLING, *Acting.*

Also the following message:

NAVY DEPARTMENT,
Washington, D. C., November 4, 1903.

"NASHVILLE," *Colon:*

Gunboat of Colombia shelling Panama. Send immediately battery 3-inch field gun and 6-pounder with a force of men to Panama to compel cessation bombardment. Railroad must furnish transportation immediately.

DARLING, *Acting.*

Also:

WASHINGTON, D. C., *November 5, 1903.*

"BOSTON," *care American Consul, Panama:*

Prevent recurrence bombardment of Panama. Acknowledge.

MOODY.

Also:

WASHINGTON, D. C., *November 5, 1903.*

"NASHVILLE," *Colon:*

Prevent any armed force of either side from landing at Colon, Porto Bello, or vicinity.

MOODY.

WASHINGTON, D. C., *November 6, 1903.*

"MAINE," *Woods Hole, Mass.:*

Proceed at once to Colon, coaling wherever necessary to expedite your arrival. Acknowledge.

MOODY.

Also another:

WASHINGTON, D. C., *November 9, 1903.*

DIEHL, *Boston:*

Upon the arrival of the *Marblehead* sufficient force must be sent to watch movements closely of the British steamers seized at Buenaventura and to prevent the landing of men with hostile intent within limits of the State of Panama. Protect the British steamers if necessary.

MOODY.

Hubbard, commanding officer, U. S. S. *Nashville*, sent the following messages:

COLON, *November 3, 1903.*

SECRETARY OF NAVY,
Washington, D. C.:

Receipt of your telegram of November 2 is acknowledged. Prior to receipt this morning about 400 men were landed here by the Government of Colombia from Cartagena. No revolution has been declared on the Isthmus and no disturbances. Railway company have declined to transport these troops except by request of the Governor of Panama. Request has not been made. It is possible that movement may be made to-night at Panama to declare independence, in which event I will * * * [message mutilated here] here. Situation is most critical if revolutionary leaders act.

HUBBARD.

—

COLON, *November 4, 1903.*

SECRETARY OF NAVY,
Washington, D. C.:

Provisional Government was established at Panama Tuesday evening; no organized opposition. Governor of Panama, Gen. Tobar, Gen. Amaya, Col. Morales, and three others of the Colombian Government troops who arrived Tuesday morning taken prisoners at Panama. I have prohibited transit of troops now here across the Isthmus.

HUBBARD.

I may say in passing that the statement was made yesterday by the distinguished Senator from Minnesota [Mr. KELLOGG] that there were only 42 marines down there at this particular time, and that certain threats had been made against American citizens; but he neglected to state the whole story, a part of which is this:

When the Colombian troops arrived at Colon the officers in command of those troops were invited over to Panama, and when they got to Panama the insurgents put them in prison, and it was given out that the American warships were going to aid the insurgents, and it was with this information that the general made some statement about "killing Americans." Let us have the whole truth when we come to deal with the

COLON, *November 4, 1903.*

SECRETARY OF NAVY,
Washington, D. C.:

Government troops yet in Colon. Have prohibited transportation of troops either direction. No interruption of transit as yet. Will make every effort to preserve peace and order.

HUBBARD.

—

COLON, *November 4, 1903.*

SECRETARY OF NAVY,
Washington, D. C.:

I have landed force to protect the lives and property of American citizens here against threats Colombian soldiery. I am protecting water front with ship. I can not possibly send to Panama until affairs are settled at Colon.

HUBBARD.

A number of other messages are printed in this Senate Document No. 51, giving further details of the very great activities by our Navy upon the Isthmus. All of these dispatches from the Navy Department to the commanders of our warships, directing them to proceed to Colon and Panama, were by the direction of the President. (Messages, p. 6909.)

Now, let me call attention briefly to a few of the facts involved in these several messages which are worthy of our consideration. Remember it was our right, as well as our duty, to keep open the transit across the Isthmus. Presumably, whatever action our authorities were taking was in pursuance of this obligation. This being so, how can we explain the fact that these messages to our various commanders were sent secretly and for the most part in cipher?

Presumably, Colombia had the right to suppress a revolution which might arise anywhere within her boundaries. What danger was anticipated here? Why, first an uprising on the part of Panama, and secondly an attempt to suppress it. In the interest of free transit was it not just as much our duty to suppress the uprising as it was to prevent Colombia from landing her troops for that purpose?

Think of it, the *Nashville*, the *Dixie*, the *Marblehead*, the *Boston*, the *Concord*, the *Atlanta*, the *Wyoming*, all American ships of war, ordered to Panama and Colon for the purpose of keeping an open transit across the Isthmus. Why should the United States go to all of this expense, and at the same time prevent Colombia from landing her troops to do this very thing, which was primarily her obligation?

And then think of it, one of these messages was sent to our naval authorities as early as October 19, 1903, 15 days before the revolution, and other messages were sent almost daily from that time up until and on and after November 3, giving specific directions in this enterprise, whatever it was, and on October 29, 1903, Dr. Herran here in Washington cabled his Government:

The Government of the United States is unaware of the character of the invasion of the Isthmus. The Secretary of State declared to me to-day that the Government of the United States would only intervene to maintain traffic.

Up to the date of the revolution Panama did not have a warship. Colombia had. It was not to meet the uprising of the Panamans that these naval activities were taken. It was to prevent any military or naval operation by Colombia.

SOME ACTIVITIES OF THE STATE DEPARTMENT.

Bear in mind the newspapers, to whose dispatches I have heretofore referred, scheduled the revolution to take place on November 3. On October 29, Dr. Herran was advised by the State Department that the United States "would only intervene to maintain traffic." I have not been able to discover anything which would indicate that the traffic would be interfered with, and I have examined the records in this case, so far as they have been made public, with some care. Up to this time the United States was not thinking of the independence of Panama—I mean the people of the United States—much less of our taking part in its consummation. Of course not.

But I have often wondered why Acting Secretary Loomis became so nervous on this particular November 3, 1903. Note his inquiry. On November 3, 1903, at 3.40 p. m. he sent the following cablegram to the consulate at Panama and Colon:

DEPARTMENT OF STATE,
Washington November 3, 1903.
(Sent 3.40 p. m.)

Uprising on Isthmus reported. Keep department promptly and fully informed.

LOOMIS, *Acting.*

On the same day Mr. Felix Ehrman, our acting United States consul general at Panama, answered:

PANAMA, *November 3, 1903.*
(Received 8.15 p. m.)

I am not clear whether that means received here or received at the other end. Note this significant reply:

No uprising yet. Report will be in the night. Situation is critical.

EHRMAN.

And a little later the same night the following:

PANAMA, *November 3, 1903.*
(Received 9.50 p. m.)

Uprising occurred to-night six; no bloodshed. Army and Navy officers taken prisoners. Government will be organized to-night, consisting three consuls, also cabinet. Soldiers changed. Supposed same movement will be effected in Colon. Order prevails so far. Situation serious. Four hundred soldiers landed Colon to-day Barranquilla.

EHRMAN.

Then Mr. Loomis sends the following message:

STATE DEPARTMENT,
Washington, D. C., November 3, 1903.
(Sent 11.18 p. m.)

Message sent to *Nashville* to Colon may not have been delivered. Accordingly see that following message is sent to *Nashville* immediately:

"NASHVILLE," *Colon:*

In the interests of peace make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained. Acknowledge.

(Signed) DARLING, *Acting.*

Secure special train, if necessary. Act promptly.

LOOMIS, *Acting.*

On November 4, 1903, the following telegram was sent:

STATE DEPARTMENT,
Washington, D. C., November 4, 1903.
(Sent 12.02 p. m.)

Communicate with commander of gunboat *Bogota* and state plainly that this Government, being responsible for maintaining peace and keeping transit open across Isthmus, desires him to refrain from wantonly shelling the city. We shall have a naval force at Panama in two days, and are now ordering men from the *Nashville* to Panama in the interests of peace.

LOOMIS, *Acting.*

Now, bear in mind, Senators, that the record in this case shows the revolutionists bribed some of the Colombian soldiers, that the fire and police departments were called out by the insurgents, and some arms were distributed, but I have not seen anywhere an account of any activities on the part of the United States looking to the checking of the depredations which might be committed by the insurgents.

On November 4, 1903, Mr. Ehrman sends the following telegram to Mr. Hay:

PANAMA, *November 4, 1903.*
(Received 7.10 p. m.)

Mass meeting held. Independence publicly declared. Three consuls approved organize government, composed Federico Boyd, Jose Agustin Arango, Tomas Arias. *Bogota* in sight.

EHRMAN.

I shall not take the time to read further from the correspondence on this particular branch of the subject. Suffice it to say that there is an insurrection and the great Giant of the North, with its ships of war, their bristling guns, and our undaunted marines, prevent Colombia from landing her troops to protect her property and her sovereignty—the Republic of Colombia, the nation which Minister Du Bois declared to be the "best friend of the United States south of the Rio Grande from 1810 to 1903," and then remember our solemn pledge to protect "the sovereignty and property" of Colombia on the Isthmus.

RECOGNITION OF THE REPUBLIC OF PANAMA.

But our Government has not yet concluded its recognition of the Republic.

Note the following telegram to Mr. Ehrman authorizing recognition of the new Republic sent 12.51 p. m. November 6, 1903:

The people of Panama have, by an apparently unanimous movement, dissolved their political connection with the Republic of Colombia and resumed their independence. When you are satisfied that a de facto government, republican in form, and without substantial opposition from its own people, has been established in the State of Panama, you will enter into relations with it as the responsible government of the territory and look to it for all due action to protect the persons and property of citizens of the United States and to keep open the isthmian transit in accordance with the obligations of existing treaties governing the relation of the United States to that territory.

Communicate above to Malmros, who will be governed by these instructions in entering into relations with the local authorities.

HAY.

Malmros was in charge of our consulate at Colon.

Without stopping to recite more of the messages exchanged between our consular authorities at Colon and Mr. Loomis as Acting Secretary and Mr. Hay as Secretary, they were of substantially the same import as those which passed between Mr. Loomis and Mr. Ehrman. Colombian troops were not to be permitted to land, were not to cross the Isthmus to Panama.

The provisional government appointed Señor Phillipe Bunau-Varilla as the confidential agent of the Republic of Panama, and a telegram to that effect was sent to the Secretary of State at Washington on November 5, 1903.

On November 6, 1903, the provisional government advises the Secretary of State of the appointment of Bunau-Varilla as envoy extraordinary and minister plenipotentiary of the new Government with full powers to conduct diplomatic and financial negotiations. On November 7, Bunau-Varilla advises the Secretary of State of his appointment.

On November 6, 1903, within less than three days after the revolution, Mr. Hay sends the following message to Mr. Beaupre, our minister at Bogota:

NOVEMBER 6, 1903.

BEAUPRE, *Bogota:*

The people of Panama having by an apparently unanimous movement dissolved their political connection with the Republic of Colombia and resumed their independence, and having adopted a government of their own, republican in form, with which the Government of the United States of America has entered into relations, the President of the United States, in accordance with the ties of friendship which have so long and so happily existed between the respective nations, most earnestly commends to the Governments of Colombia and Panama the peaceful and equitable settlement of all questions at issue between them. He holds that he is bound not merely by treaty obligations, but by the interests of civilization, to see that the peaceable traffic of the world across the Isthmus of Panama shall not longer be disturbed by a constant succession of unnecessary and wasteful civil wars.

HAY.

(Senate Document No. 51, p. 117.)

On November 13, 1903, 10 days after the revolution, the President receives his excellency, the envoy extraordinary and minister plenipotentiary of the Republic of Panama.

On November 18, 1903, the treaty between the United States and the Republic of Panama is signed at Washington, just 15 days after the revolution. Remember, Panama was recognized on the 6th, within less than three days after the revolution. By its terms and the events leading up to its culmination, Colombia lost not only her reversionary interest in the canal and the railroad and the Panama Zone, but she lost the Department of Panama, containing an area of 31,500 square miles and a population of about 300,000.

And up to date, though she has appealed time and time again to arbitrate the differences between the United States and Colombia, we have refused to meet her before an impartial or any other kind of a tribunal. This is a sad commentary on our professions of faith in international arbitration.

Repeated efforts were made to negotiate a settlement. Finally they culminated in the treaty that is now before us. Does it not seem a little strange to Senators that the American Government should be so scrupulously anxious to keep an open transit across the Isthmus, and in our feverish attempts to meet our obligations in that behalf our efforts should result in the loss to Colombia of 31,500 square miles and a population of 300,000? Does the right to manicure a toenail include the right to amputate a leg? What explanation can we make to history for intervening to prevent Colombia from reclaiming that which was her own, and to permit the organization of a new Republic under the protection of our ships of war? There is no defense that can be made of this course of action either in the sight of God or of man. And we were so eager to protect this free transit that in less than 3 days we recognized the new Republic and in 15 days we signed the treaty with Panama, and agreed in the very first article of that treaty:

To guarantee and maintain the independence of the Republic of Panama.

When, before or since, did the United States ever so quickly recognize a new Government? Why did we deem it necessary to guarantee its independence?

Did we do all of this for free transit? Maybe we did, but as a result of it we got the Canal Zone, and all the reversionary interests of Colombia in the canal that the French had been building, and in the Panama Railroad.

When, in the language of the Declaration of Independence, did "a decent respect for the opinions of mankind" require the great United States of America to violate its solemn covenant with a sovereign friendly power, or to encourage insurrection among her people, or to prevent her authorities from defending her sovereign territory against internal rebellion, or to give aid and comfort to the dismemberment of a friendly Republic, and then to stand guard while a new Republic is organized—a Republic so weak that we were compelled to guarantee its independence from its very inception, and within 15 days after the revolution sign a treaty with a newly created power in order to secure the right to build a canal—and after all these things have been accomplished to refuse to arbitrate the grievances of that friendly power, thus dismembered and helpless, and even for a time to refuse to negotiate a settlement?

Of one thing I am quite certain. We would have pursued a different course if Colombia had been even a third-rate power.

There was a time in our history, Senators, when we sang a different song. We were not always in such a hurry. Surely, good faith ought to have given Colombia a reasonable time in which to suppress the revolution in order to retain her sovereignty over her territory. What a reasonable time is must depend upon the circumstances of each case.

When the Southern States attempted to secede, and organized a Confederacy, and this fair land of ours was in the throes of the great Civil War, and the South was seeking recognition by the foreign powers, the question as to the attitude of Great Britain toward the United States was discussed in the correspondence between the Secretary of State, Seward, and the Hon. Charles Francis Adams, United States minister in Great Britain. In his letter of instructions to Mr. Adams, under date of April 10, 1861, Mr. Seward said:

You will hardly be asked by responsible statesmen abroad "Why has not the new administration already suppressed the revolution?" Thirty-five days are a short period in which to repress, chiefly by moral means, a movement which is so active while disclosing itself throughout an empire.

Again, referring to the principle of secession:

The so-called Confederate States therefore * * * are attempting what will prove a physical impossibility. Necessarily they build the structure of their new government upon the same principle by which they seek to destroy the Union, namely, the right of each individual member of the Confederacy to withdraw from it at pleasure and in peace. A government thus constituted could neither attain the consolidation necessary for stability nor guarantee any engagements it might make with creditors or other nations.

If * * * you shall unhappily find Her Majesty's Government tolerating the application of the so-called seceding States, or wavering about it, you will not leave them to suppose for a moment that they can grant that application (for recognition) and remain the friends of the United States. You may even assure them promptly in that case that if they determine to recognize they may at the same time prepare to enter into an alliance with the enemies of this Republic.

Further he adds:

We freely admit that a nation may, and even ought, to recognize a new State which has absolutely and beyond question effected its independence and permanently established its sovereignty, and that a recognition in such a case affords no just cause of offense to the Government of the country from which the new State has so detached itself.

Was the independence of Panama effected and its sovereignty "permanently" established when we within three days recognized it as a Republic?

On the other hand, we insist that a nation that recognizes a revolutionary State, with a view to aid its effecting its sovereignty and independence, commits a great wrong against the nation whose integrity is thus invaded, and makes itself responsible for a just and ample redress.

On May 21, 1861, Mr. Seward again said, in instructions to Mr. Adams:

* * * You will say that by our laws and the laws of nature and the laws of nations this Government has a clear right to suppress insurrection.

Further on in the dispatch he says:

A concession of belligerent rights is liable to be construed as a recognition of them. No one of these proceedings will pass unquestioned by the United States in this case. Hitherto recognition has been moved only on the assumption that the so-called Confederate States are de facto a self-sustaining power. Now, after long forbearance, designed to soothe discontent and avert the need of civil war, the land and naval forces of the United States have been put in motion to repress insurrection. The true character of the pretended new State is at once revealed. It is seen to be a power existing in pronunciamento only. It has never won a field. It has obtained no forts that were not virtually betrayed into its hands or seized in breach of trust. It commands not a single port on the coast nor any highway out from its intended capital by land. Under these circumstances Great Britain is called upon to intervene and give it body and independence by resisting our measures of suppression. British recognition would be British intervention to create within our territory a hostile State by overthrowing this Republic itself. (Story of Panama, pp. 470–471.)

In what a humiliating position the United States would have been if the Panama incident had antedated the Civil War. Mr. Seward could hardly have said to Great Britain, as he did in his letter of instructions to Mr. Charles Francis Adams while the South was seeking recognition by Great Britain, in the face of the Panama precedent, "Thirty-five days is a short time in which to repress a revolution." He could hardly have said, as he did, Great Britain can not recognize the South until it has "effected its independence and permanently established its sovereignty." Neither could he have said to Mr. Adams, "You will say that by our laws and the laws of nature and the laws of nations this Government has a clear right to suppress insurrection."

This was the position of Lincoln and Seward during the Civil War. It was sound policy then. It was sound policy in 1903, and it ought to control our action in 1921 in the consideration of the pending treaty. And yet under the pretense of complying with our obligation to keep the transit open and free across the Isthmus we refused to allow Colombia to disembark her troops at any point within fifty miles of Panama, recognized the new Republic in 3 days, and made our treaty in 15. To keep the transit free and open was a mere pretense. Our real purpose was to let a new agency be created to take the property from its rightful owner in order that we might secure what we wanted upon our own terms.

I note that Bunau-Varilla says in his last book, on page 249:

Mr. Roosevelt during the first revolutionary attempts avoided anything which could resemble collusion. The abandonment of Amador by those who had promised him everything was the obvious demonstration that the American Government had refused to lend itself to anything of a compromising character. All action by President Roosevelt was as correct as it was active and resolute.

It is true that Amador came, hoping to get a direct pledge of aid from our Government, and it is likewise true that he got no pledge; but it is equally true, as I think I have clearly demonstrated from the authorities which I have quoted, that when Bunau-Varilla came on the stage of action he put new life into the conspiracy. The movements of the conspirators were known to our Government. A revolution in Panama was to be the initial step toward the creation of a new government, and our ships were on the scene, not as innocent observers of events in which we were not interested, but as eager and active participants in bringing about the result which we desired and by which we expected to profit. If we only desired to preserve the right of transit, would it not have been much easier for us to keep our obligation with Colombia by helping her quiet those who were the participants in the revolution? Surely, if we had kept them quiet or if we had permitted the superior force of Colombia to preserve the peace, there would have been little danger of blocking traffic. But that was not our purpose.

I realize when the newspapers spoke of revolution and predicted the day when it was to be pulled off, it is easy to assert they were merely guessing. That may be so, but the developments indicate that they guessed accurately, if it was a guess, and whether Mr. Roosevelt was actually engaged in aiding the revolutionists or not, at least he was thinking about it, because in his message to Congress on January 4, 1904, he said, in speaking of Colombia's refusal to enter into a proper arrangement with the United States, and I now quote his exact words:

My intention was to consult the Congress as to whether, under such circumstances, it would not be proper to announce that the canal was to be dug forthwith; that we give the terms that we had offered and no others, and that if such terms were not agreed to, we would enter into an arrangement with Panama direct or take whatever steps that were needful in order to begin the enterprise.

Of course, I have in mind the fact that between the years 1850 and 1903 there had been repeated riots, disturbances, and revolutions. Several times we landed marines to aid in keeping open the transit across the Isthmus. We were not strangers to the conditions in Colombia and South America when we entered into the treaty of 1846. We knew that it might be incumbent upon us at times to police the route or to suppress insurrection. We were willing to do that for the benefit we were to receive under the treaty, but it is a sufficient answer to Mr. Roosevelt to say that Colombia, either by her own efforts or by our efforts when we were aiding her as we agreed to aid her, was able to suppress all insurrection or revolution, and that the revolutionists only succeeded when we transferred our assistance from Colombia, whom we were solemnly pledged by treaty to help, to the insurgents to whom we owed nothing. Except for the course of our Government, the Republic of Panama would to-day be a Department of the Colombian Government.

Roosevelt was not making history, he was recording history, when on March 23, 1911, in his speech to the students of the University of California, at Berkeley, he said:

I am interested in the Panama Canal because I started it. If I had followed the precedent in such cases, I should have submitted a dignified state paper to the Congress and the debate would be going on yet. But I took the Canal Zone and let Congress debate, and while the debate goes on the canal does also.

LOSSES TO COLOMBIA INCIDENT TO THE REVOLUTION.

The United States agreed to pay under her treaty with Panama $10,000,000 for the Canal Zone and an annual rental of $250,000. Clearly this sum at least would have gone to Colombia had there been no revolution and the concession for the construction and operation of the canal had been made direct to Colombia instead of Panama. And in addition to this amount she has lost the Department of Panama.

The Spooner law directed the construction of an isthmian canal. By its terms the President was authorized to build it on the Panama route if the title could be secured within a reasonable time, at a reasonable rate—now note—from the Republic of Colombia. Otherwise he was to build it by the Nicaragua route. Surely Congress contemplated that Colombia and the United States should agree within a reasonable time, for a reasonable price, and if they failed to agree then the Nicaragua route was to be used. No other construction can be placed upon this language.

The President and Secretary of State contended both before and since the revolution that the title to the Canal Zone had to be acquired within a "reasonable time." When Colombia proposed modifications of the Hay-Herran treaty they opposed

them, claiming that the "reasonable time" within which the President was to get the title had expired, and any amendment meant delay and a corresponding violation of the Spooner law.

If any Senator takes that position and believes we had the right to exact the pound of flesh, let me remind him it was not "so nominated in the bond." Neither the President nor anyone else had any authority to get title to this property from Panama either by treaty or by force of arms, or in any other way. The President was authorized to secure title from Colombia alone, and not from Panama. The Spooner Act reads:

> The President is hereby authorized to acquire from the Republic of Colombia * * * perpetual control of a strip of land, the territory of the Republic of Colombia. * * *

Panama was not then in existence. Congress did not contemplate that there would be a revolution in the Department of Panama or that it would secede, or that a contract would be made with the new Republic to secure title to the Canal Zone. The people had not expressed themselves upon this subject. Neither had the Congress. If we could not secure a treaty with Colombia within a reasonable time, then President Roosevelt had the legal authority to do only one thing, namely, to provide for the construction of the canal along the Nicaragua route. Nowhere was he given even a semblance of authority to contract with any Government save Colombia for the Canal Zone.

Nowhere in the Constitution or under the Statutes of the United States, or under international law, or in the forum of good conscience or good morals, can we find authority which will justify our standing by in case of revolution, with our warships bristling with guns, and preventing a sovereign country from quelling an insurrection, and then, while a new government is organized under our protection, make a contract with the new possessor, the new sovereign, to get that which we want on terms that will suit us.

I can not understand how anyone can read the record of our proceedings in connection with Panama and say to the American people that Colombia has no cause for complaint.

Many of those who defend the course of our Government are prone to hold up their hands and say, as has been repeatedly said, "No nation will ever undertake to submit its political rights, or acts, to arbitration."

I recognize that principle of international law, of uncertain origin. It was conceived in iniquity and born in sin. It is a principle of law, no matter how well recognized, that was established by the power of might. Does anyone believe for a minute that those who were responsible for the course we pursued in Panama would refuse to submit to arbitration this controversy if he was certain that the award of the arbitrators would be in our favor? In my humble judgment they know the United States could not sustain its case before any arbitral court in the world.

But it may be asked, "Would you be willing, now, to submit the entire controversy to arbitration?" That is a purely academic question now, and it is not necessary to give direct answer because Colombia consented to negotiate our differences and has made a settlement. In my judgment, if the people of the United States had been consulted in advance, neither the people nor the Congress would have approved the course which was taken by our Government, and there would have been no occasion to arbitrate. Individuals ordinarily do not secure their contracts at the point of a gun, and nations can not with honor to themselves tie the hands of a sovereign nation while she is despoiled of her possessions, then share in those spoils with the new possessor, and go into court with clean hands.

Now, Senators, let us examine the question from the viewpoint of Colombia herself. We can not doubt that her people believe they were radically wronged, and that as the result of the revolution she has lost—the distinguished Senator from Massachusetts the other day referred to an estimate of the damages which were claimed by Colombia; I have substantially the same figures—

First. One of the most prized of her Departments, Panama, with an area of 31,500 square miles and a population of approximately 300,000, and this for all time.

Second. In 1867 Colombia ceded the Transisthmian Railroad to the Panama Railroad Co. for a period of 99 years, with the proviso that at the end of that time the railroad, with all of its improvements, would revert to Colombia. Colombia was to receive during this period an annual rental of $250,000.

Mr. REED. Was payment to be made during the remainder of the lease?

Mr. POMERENE. Yes; during the 99 years. In 1903, when the payments to Colombia ceased, the contract had 64 years to run, the total rentals during the term of the lease aggregating $16,000,000. In 1906 the Panama Railroad was valued by Mr. Bristow—who was a former colleague in the Senate—in a report to the Secretary of War, at $16,446,942.75.

Third. The French company had expended approximately $200,000,000 toward the building of the canal. We paid the new Panama Canal Co. of France for it $40,000,000. Colombia claimed that as the French Government could not complete this canal within a few years the company's rights would be forfeited to Colombia. If it was completed in accordance with the terms of the contract, then Colombia was to receive for the first 25 years 5 per cent of the gross receipts; for the second 25 years, 6 per cent; for the third 25 years, 7 per cent; and 8 per cent thereafter to the end of the concession; but the annual payment in no event was to be less than $250,000 a year. The canal concession would have expired in 1984. If the canal had been opened in 1914, Colombia would have been entitled to 70 annuities of at least $250,000 each, or $17,500,000.

I have stated this claim from the standpoint of Colombia. Whether rightly or wrongly, she has lost this valuable territory and 300,000 of her people, with her reversionary interests in the canal and the railroad, whatever may be their value. And, now, Senators, all this can be settled for all time to come by the ratification of this treaty, the payment of $25,000,000, and giving to Colombia the right to use the canal. More than all this, we will have proved to the world that we can be just, even to the least of the nations of the world.

I know that the claims which Colombia has been making since 1904 have been referred to as "blackmail." Harsh language this. If it is blackmail, I have not yet arrived at the point where I have so little confidence in the integrity of the world that I would not be willing to submit a blackmailing proposition to arbitration if it were necessary to get a proper adjustment.

Mr. REED. Generally, blackmail is only possible where a crime has been committed.

Mr. POMERENE. Absolutely so.

Let us not forget in dealing with this subject that whether right or wrong, the fact is that what we did in November and December, 1903, has so discredited the United States in the minds of the Republics south of the Rio Grande that they look with suspicion upon every move we make, and our delay in making settlement confirms that suspicion. I am glad of the opportunity to vote for the ratification of this treaty, whose terms we are advised will be acceptable to Colombia. But I shall always have one regret connected with this affair. It is this: While we have conferred upon the world a great boon by the construction of the canal for which the world gives and will continue to give us great credit, I regret it is not within my power to blot out of the memory of man, and for all time, the methods we pursued in securing title to the Canal Zone.

Now and forever hereafter let our shibboleth be: Our country can only work out her great destiny by doing unto other nations, great and small, as we would have them do unto us.

Our President, under the solemn obligation of his oath of office, has seen fit to rise above personal and party controversy, think only of his duty to our country and the world, and urge the ratification of the pending treaty, thereby doing tardy justice to the Republic of Colombia. I congratulate him and the American people with all my heart.

Mr. SHEPPARD. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER (Mr. KENYON in the chair). The Secretary will call the roll.

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

Borah	Hale	McCormick	Simmons
Broussard	Harreld	McCumber	Smith
Calder	Harris	McKellar	Smoot
Capper	Harrison	McNary	Stanfield
Caraway	Heflin	Moses	Stanley
Colt	Hitchcock	New	Sterling
Cummins	Johnson	Nicholson	Swanson
Curtis	Jones, N. Mex.	Norbeck	Townsend
Dial	Kellogg	Norris	Trammell
Dillingham	Kendrick	Overman	Underwood
Elkins	Kenyon	Penrose	Wadsworth
Ernst	Keyes	Phipps	Walsh, Mass.
Fletcher	Knox	Pomerene	Walsh, Mont.
Gerry	Ladd	Ransdell	Warren
Glass	La Follette	Sheppard	Watson, Ga.
Gooding	Lodge	Shortridge	Willis

The PRESIDING OFFICER. Sixty-four Senators have responded to the roll call. A quorum is present.

Mr. KNOX. Mr. President, I wish to make some observations in connection with the Colombian treaty; and I want to say to my associates in the Senate that I have taken particular care to verify every historical statement and every diplomatic exchange to which I refer, and for the convenience of those who wish to go through this case with the care that it deserves

I have had printed upon the margin of my notes the public documents and the diplomatic correspondence, with volume and page, that will sustain these assertions. I think, perhaps, those marginal notes will appear in the RECORD; but for the comfort of our older eyes I have had printed in pamphlet form a copy of my remarks, and will at once transmit a copy to each Member of the Senate, so that he will have in a legible form the statements of history and the matters of diplomacy to which I refer, and a reference to the volumes and documents to which they refer.

Almost from the beginning of this Government and certainly as early as 1825 the question of a transisthmian ship canal was officially considered by this Government. In 1835, pursuant to a resolution of the Senate of the United States, a special agent, sent to investigate the feasibility of a ship canal across the Isthmus of Darien, secured from the Legislature of Colombia a privilege to construct a road across the Isthmus. (See House Ex. Doc. No. 228, 25th Cong., 2d sess.)

From this time on the creation of some means of interoceanic communication either across the Isthmus of Tehuantepec or by way of the San Juan River and Lake Nicaragua or by way of the Isthmus of Panama—or Darien as it was earlier known—was made the subject of recurrent investigations, reports, and negotiations. By the year 1902 the sentiment of the people of the country had so far crystallized that Congress passed the Spooner Act, which authorized the President of the United States to enter into a treaty with Colombia for the building of a canal across the Isthmus of Panama; or if an arrangement with Colombia should prove unobtainable within a reasonable time and upon reasonable terms, that then a treaty should be made for the construction of a canal by way of the Nicaraguan route.

Acting under this statutory authorization to acquire foreign territory or interests therein, President Roosevelt directed John Hay, Secretary of State, to negotiate with the Colombian minister the treaty which has been since known as the Hay-Herran treaty—signed January 22, 1903—under which the United States was granted certain rights for the construction of a ship canal across the Isthmus. The essential provisions of this treaty will be discussed later.

This treaty was immediately submitted to the United States Senate, which gave its advice and consent thereto without amendment. The Colombian Congress being not then in session, the treaty was not submitted to it until its assembling in the following June, when it was taken up and discussed during the summer until August 12, 1903, when the Colombian Senate, acting unanimously, rejected it.

From that time until October 31, when the Colombian Congress adjourned, the treaty was subject to more or less discussion by the Congress, in the course of which on the 27th of October, the possibility of a revolution in Panama, which seemingly had been for some time known in Government circles, was openly discussed on the floor of the Colombian Senate, and the existing attitude of Colombia with reference to the happening of such an eventuality was criticized.

[For. Rel., 1903, pp. 134, 136, 143, 154, 184.]

On the evening of November 3, 1903, or eight days after the fact of an impending revolution in Panama had been thus discussed on the floor of the Colombian Congress, the revolution broke in Panama City. As a matter of fact, there had been much prior discussion of such an eventuality, the public press in the United States having since August 31 repeatedly reported the probable uprising. Indeed, in the course of the discussion in the Colombian Senate, as above noted (October 27), an extract had been read from the New York Herald containing an interview with the Colombian governor of the Department of Panama, in which the governor stated that "he was before all an isthmanian," and that should the Department of Panama rise in favor of the canal he would be with the Department.

[For. Rel., 1903, p. 220.]

The revolution did not come therefore unheralded, and there was ample time for Colombia to have shaped her course to meet the situation, but for some unexplained reason she refused to do so.

Thus forewarned of the possibilities of the situation, and knowing from the experiences of the two years immediately preceding, then freshly in mind, what would have to be met, the Navy Department on November 2 instructed the commander of its vessels in the vicinity that he should maintain free and uninterrupted transit; that if interruption was threatened by armed force, he should occupy the line of railroad; that he should prevent the landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other points; and that he should not allow a Government force reported approaching the Isthmus in vessels to land if, in the judgment of the officers, this would precipitate a conflict.

[H. Doc. No. 8, 58th, 1st, p. 19.]

On the 3d, 400 Colombian soldiers were landed at Colon, but the Departments of both State and Navy issued instructions that such troops should not be permitted to proceed to Panama City. Thereupon the Navy officers directed the railway company, in order to preserve the free and uninterrupted transit of the Isthmus, not to transport the troops of either party. This was adhered to notwithstanding the revolutionary leaders in Panama wished the Government troops sent over from Colon. The American troops were never actually employed to prevent the use of the railway for that purpose.

[H. Doc. No. 8, 58th, 1st, pp. 2, 8.]
[S. Doc. No. 53, 58th, 2d, p. 18.]

On November 4 the Colombian gunboat *Bogota* shelled Panama City, killing one Chinaman; the revolutionary leaders held a mass meeting in Panama, and publicly declared Panaman independence, a committee of three being appointed to organize the Government.

[H. Doc. No. 8, 58th, 1st, p. 3.]
[H. Doc. No. 8, 58th, 1st, p. 3.]

On November 5 the committee of three issued a circular letter announcing Panaman independence. The American consul at first refused to accept the letter, but later upon instructions from the Department of State he did merely accept it and acknowledge its receipt on the same day, November 5. The Navy Department directed the *Boston* to prevent a threatened recurrence of the bombardment of Panama.

[H. Doc. No. 8, 58th, 1st, pp. 3, 4.]
[H. Doc. No. 8, 58th, 1st, p. 20.]

Before the reembarkation of the Colombian troops, which took place on this day, the officer actually in command, Col. Torres, threatened to kill every American unless the colonel's superior officer, Gen. Tobar (who with five officers who had gone to Panama City the previous day and had been taken prisoners) was released by 2 p. m. of that day, whereupon the *Nashville*, acting by reason of the threat, landed 50 men, stationing them in and near the railroad office where the Americans had collected together, and had been armed. This threat was a real menace for several hours, and an attempt to massacre the civilian Americans in Colon seemed not improbable. This was the only purpose for which any troops were landed during the revolution.

[H. Doc. No. 8, 58th, 1st, p. 9.]
[S. Doc. No. 53, 58th, 2d, p. 16.]

By November 6 word was received both from Colon and Panama that everything was peaceful, that the Republic of Panama had been proclaimed, and its authority obeyed throughout its territory.

[H. Doc. No. 8, 58th, 1st, p. 9, 11.]

Concerning the attitude and actions of the naval forces of the United States in Panama during this revolution, Commander Hubbard, reporting to the Navy Department under date of November 8, 1903, stated:

> I beg to assure the department that I had no part whatever in the negotiations that were carried on between Col. Torres and the representatives of the provisional government; that I landed an armed force only when the lives of American citizens were threatened, and withdrew this force as soon as there seemed to be no grounds for further apprehension of injury to American lives or property; that I relanded an armed force because of the failure of Col. Torres to carry out his agreement to withdraw an announced intention of returning, and that my attitude throughout was strictly neutral as between the two parties, my only purpose being to protect the lives and property of American citizens and to preserve the free and uninterrupted transit of the Isthmus.

[S. Doc. No. 53, 58th, 2d, p. 20.]

The entire account bears out the accuracy of Commander Hubbard's report as to the precise action which was taken.

On November 7, Bunau-Varilla announced to this Government in a telegram dated at New York that he had been appointed by the Government of Panama as its envoy extraordinary and minister plenipotentiary near the Government of the United States.

[H. Doc. No. 8, 58th, 1st, p. 11.]

On the 11th he requested an appointment with the President to present his letters of credence, and on the following day an appointment was made for him for the next following day, the 13th, when he presented his letters of credence to the President, and the Republic of Panama was recognized.

[H. Doc. No. 8, 58th, 1st, p. 16.]
[H. Doc. No. 8, 58th, 1st, p. 17.]

Secretary Hay tells us that by January 5 the independence of Panama had been recognized by the United States, France, Germany, Great Britain, Austria-Hungary, Russia, Italy, Japan, China, Denmark, Sweden and Norway, Belgium, Switzerland, Peru, Nicaragua, Costa Rica, and Cuba.

[For. Rels., 1903, p. 294.]

The Government of Colombia contends that the various acts above outlined, including our recognition of Panama as an independent State, were violative of the provisions of article 35 of the treaty between the United States and New Granada of 1846. The Government of the United States, on the other hand, has defended its course as against the Colombian charges, and has insisted that its actions were legal and in accord with its treaty obligations, with the practice of the two countries thereunder, and with its obligations under the principles of sound international morality.

The provisions of the treaty of 1846 applicable to the situation deserve the most careful analysis. They read as follows:

First. For the better understanding of the preceding articles it is and has been stipulated between the high contracting parties that the citizens, vessels, and merchandise of the United States shall enjoy in the ports of New Granada, including those of the part of the Granadian Territory generally denominated Isthmus of Panama, from its southernmost extremity until the boundary of Costa Rica, all the exemptions, privileges, and immunities concerning commerce and navigation which are now or may hereafter be enjoyed by Granadian citizens, their vessels, and merchandise; and that this equality of favors shall be made to extend to the passengers, correspondence, and merchandise of the United States in their transit across the said territory from one sea to the other. The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist or that may be hereafter constructed shall be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce, manufactures, or merchandise of lawful commerce belonging to the citizens of the United States; that no other tolls or charges shall be levied or collected upon the citizens of the United States or their said merchandise thus passing over any road or canal that may be made by the Government of New Granada, or by the authority of the same, than is under like circumstances levied upon and collected from the Granadian citizens; that any lawful produce, manufacture, or merchandise belonging to citizens of the United States thus passing from one sea to the other, in either direction, for the purpose of exportation to any other foreign country, shall not be liable to any import duties whatever; or, having paid such duties, they shall be entitled to drawback upon their exportation; nor shall the citizens of the United States be liable to any duties, tolls, or charges of any kind to which native citizens are not subjected for thus passing the said Isthmus. And in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages, and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantee positively and efficaciously to New Granada by the present stipulation the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence the United States also guarantee in the same manner the rights of sovereignty and property which New Granada has and possesses over the said territory.

[Malloy's Treaties, Vol. I, p. 312.]

It may not be amiss here to remark that this treaty was negotiated at a time when the question as to who would control, ourselves or Great Britain, transisthmian commerce and the means employed to effect it was looming large in our foreign policy. Already in 1846, Great Britain had taken steps to cement her influence over the Mosquito Protectorate, thus insuring her control over one end of the Nicaraguan route. We on our part, as one step in what developed to be a general plan to secure preeminent rights not only over the Isthmus of Panama but also over the Isthmus of Tehuantepec and the Nicaraguan route, negotiated this treaty with the Colombian Government.

It will be observed that the treaty after providing that the citizens, vessels, and merchandise of the United States shall enjoy in Colombian ports including those of the Isthmus of Panama "all the exemptions, privileges, and immunities concerning commerce and navigation which are now or may hereafter be enjoyed by Granadian citizens, their vessels and merchandise; and that this equality of favors shall be made to extend to the passengers, correspondence, and merchandise of the United States, in their transit across the said territory, from one sea to the other," also stipulates mutual guarantees on the part of New Granada and the United States. On its side the Colombian Government guaranteed to the United States that the right of way or transit across the Isthmus "shall be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce, manufactures or merchandise, of lawful commerce, belonging to the citizens of the United States"; that there should be an equality of tolls and other charges over any road or canal that might be built across the Isthmus; that there should be no import duties levied on goods merely crossing the Isthmus or if duties were paid there should be drawbacks thereon; and that no duties, tolls, or charges of any kind should be levied on American citizens which were not also levied on Colombian citizens.

The United States on its part, in order "to secure to themselves (the United States) the tranquil and constant enjoyment of these advantages" (that is the advantages specified in the guarantees given by and the undertakings of Colombia), guaranteed "positively and efficaciously * * * the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists." The United States also guaranteed "in the same manner, the rights of sovereignty and property which New Granada has and possesses over the same territory."

Thus, the two countries gave guaranties, the one to the other and the other to the one that the right of way and transit across the Isthmus should be open and free, and the United States to the end that it might have the tranquil and constant enjoyment of the advantages it stipulated for, further guarantees "the perfect neutrality" of the Isthmus to the end that "the free transit from the one to the other sea may not be interrupted or embarrassed."

It would thus appear that in case the free and open transit across the Isthmus were threatened or destroyed the United States might look to Colombia for its preservation or reestablishment, and that if, on the other hand, Colombia failed or was unable to keep the transit open and free, we guaranteed so to do, if we desired to enjoy the advantages as to the transisthmian traffic for which we had bargained. It may as well be added here as anywhere, that more than half a century of practical experience had shown in 1903, Colombia's entire inability to make good its guaranty in this respect.

But our guaranty goes further than this mutual guaranty, for we guarantee "positively and efficaciously, * * * the perfect neutrality" of the Isthmus. That is to say, and the language can mean nothing else than this when it is considered that we are stipulating with a State regarding a portion of its own territory, we are guaranteeing the absence of belligerent operations thereon, and we do so to the end "that the free transit from the one to the other sea may not be interrupted or embarrassed," a thing which Colombia has herself granted and guaranteed to us. Therefore any action we might take to secure "the perfect neutrality," would be in aid of Colombia's own guaranty to us.

There can be no question but that the Colombian Government in entering into these mutual guaranties and in accepting from the United States the guaranty set out, thereby consented that the United States should have in its discretion the right to take measures necessary to make that guaranty good, including the landing and operations of troops on the Isthmus during, as the treaty expresses it, "any future time while this treaty exists." Nor can it be doubted that the United States by its guaranty undertook to exercise that right and see that it enjoyed uninterrupted and unembarrassed free transit across the Isthmus so long as the treaty did exist and so long as we desired to have the benefit of the advantages stipulated for in the earlier part of the article. That is to say, we were given as a practical matter control over this route, so far as protection went.

And in this connection it is well to have in mind that all the difficulties which in the middle of the last century arose between the United States and Great Britain with reference to all these lines of interoceanic communication had their roots primarily in the question of the protection, and therefore control, of those routes and their preservation from interruption. By this treaty the United States in 1846 gained from the Colombian Government the absolute right to protect and defend this canal route or any other means of interoceanic communication, subject, nevertheless, to the principle that all measures should be taken with the view that the free transit from the one to the other sea might not be "interrupted or embarrassed," and this "in order to secure to (ourselves) the tranquil and constant enjoyment" of the advantages stipulated for. But—and to this I ask your particular attention—these were the only things we guaranteed and were the only purposes to secure which we might intervene in Isthmian affairs, with one exception, namely, the protection and sovereignty and property of Colombia, which, as I shall later show, is not involved in the present discussion.

Turning now to the events of 1903 and their character in the light of and their relationship to the treaty, it appears from the correspondence between the United States and Colombia that the meaning of this treaty and the obligations of the United States under it had, in so far as these events of 1903 were concerned, been in the main agreed to and put into practice by both Governments for nearly half a century.

In order to clear this ground let us in the first place dispose of the meaning of those final clauses of the treaty provision which contain our guaranty of the sovereignty and property of Colombia. The records show that in 1865 Attorney General Speed held that this guaranty was directed "against other and foreign Governments" and was not applicable to threatened disturbances of sovereignty as the result of revolutions. This

[11 Op. Atty. Gen., p. 392.]

interpretation was adopted by the Department of State and later by the Colombian Government itself, as is set forth in a communication from the Colombian secretary of interior and foreign relations in a communication addressed to the American minister at Bogota under date of September 14, 1866. The minister of foreign relations said:

[S. Doc. No. 143, 58th, 2d, p. 27.]

As to the interposition due from the Government of the United States by the treaty existing between the two nations in the event that an insurrection by armed force should take place on the Isthmus for the purpose of segregating it from the Union, the Government of Colombia understands that, if such a movement should be effected, with the view of making that section of the Republic independent and attaching it to any other foreign nation or power—that is to say, in order to transfer by any means whatever the sovereignty which Colombia justly possesses over that territory to any foreign nation or power whatever—the case will then have arisen when the United States of America, in fulfillment of their obligation contracted by the thirty-fifth article of the treaty existing between the two Republics, should come to the assistance of Colombia to maintain its sovereignty over the Isthmus, but not when the disturbances are confined to Colombian citizens.

[S. Doc. No. 143, 58th, 2d, p. 41.]

This view seems to have been unchallenged by either party down to the time of the revolution in Panama in 1903; it must therefore be accepted as the established interpretation of the clause guaranteeing sovereignty; therefore our failure to hold the Isthmus for Colombia as against the revolting Panamanians was not a violation of our treaty obligations.

But the other guarantees made by us and affecting free and open transit raise further questions which must be considered. It may at this point make for clearness if we recall precisely what our action was in 1903.

We took no part whatsoever either for or against either party involved in the revolution; we acted of our own motion and landed American troops to preserve free and open transit, and to protect the lives and property of American citizens; we forbade the bombardment of an unfortified town; we prepared to forbid the landing of belligerent troops near enough to the railroad to threaten uninterrupted and unembarrassed transit; and we forbade the railroad to transfer Government troops.

One of the questions involved in our action in 1903 had come up even before the determination of the meaning of the clause guaranteeing Colombian sovereignty; and out of it came the interpretation just set out regarding our duty under such guaranty.

This first question was, Should the United States interfere on behalf of either side in revolutionary activities occurring on the Isthmus? and the decision was reached and concurred in by both parties that the United States had no business or concern with Colombian revolutionary activities. As Mr. Seward said:

[S. Doc. No. 143, 58th, 2d, p. 27.]

It could not have been contemplated that we were to become a party to any civil war in that country by defending the Isthmus against another party. As it may be presumed, however, that our object in entering into such a stipulation was to secure the freedom of transit across the Isthmus, if that freedom should be endangered or obstructed, the employment of force on our part to prevent this would be a question of grave expediency to be determined by circumstances.

We may therefore disregard as having no foundation in fact the contention that anything in the treaty bound us to participate in the revolution to make secure Colombian sovereignty over the Isthmus as against a local revolution.

A second question was whether we were under obligation to land troops and make good our guaranty of free transit during revolutions or disturbances. Among the early, if not the earliest, occasions when we landed troops at the request of the Colombian Government or its officials was in 1856, when our naval officer, in consultation with the American consular officer, acceded to Colombia's request and landed troops.

[S. Doc. No. 143, 58th, 2d, p. 4.]

In a memorandum transmitted by the Colombian representative with a note addressed to the Secretary of State—June 26, 1862—the Colombian minister, after calling attention to apprehended belligerent operations on the Isthmus as a result of revolutionary activities, set forth the Colombian view of the time in these words:

[S. Doc. No. 143, 58th, 2d, p. 14.]

The guaranty of neutrality stipulated for with the United States was "with the view that the free transit from the one to the other sea may not be interrupted or embarrassed," and hence it follows that a state of things such as exists on the Isthmus of Panama constitutes a violation of the neutrality established and contemplated by the treaty of 1846.

A year prior to this time the Colombian intendente general for the State of Panama addressed a note to the American representative on the Isthmus advising our representative—

[S. Doc. No. 143, 58th, 2d, pp. 7, 8.]

that a lawless expedition was fitting out in Cartagena with the avowed object of invading this Isthmus and requesting, in the event of its landing at Aspinwall (Colon) or any other of the Isthmian ports, the interposition of the United States naval forces stationed here and at the Atlantic terminus of the Panama Railroad to assist in maintaining the neutrality of this Isthmus in accordance with the thirty-fifth article of the existing treaty of peace, amity, etc., between the United States and the Republic of New Granada and the protection of the transit from violence of a lawless character, which he had every reason to apprehend in case a landing was effected by the expedition.

Frequent similar requests were made from time to time thereafter, but seemingly the chief concern of Colombia in making the requests was not the maintenance of free, open, and unobstructed transit but of supporting a tottering Colombian régime. We did land troops upon and after a request in 1861, in 1862, in 1885, and in 1901.

[S. Doc. No. 143, 58th, 2d, pp. 7, 8, 12 et seq., 53, 66, 72.]

Moreover, when disturbances occurred interrupting or threatening to interrupt transit or affect its security and Colombia neither made a request for the landing of our troops nor invoked the treaty stipulations, our Government determined that the United States might act independently and without such request from Colombia or Colombian officials. Accordingly, in 1860, in 1873, in 1885, in 1901, and in 1902, we made landings seemingly without a previous request in order to keep the transit open and to safeguard American life and property.

[S. Doc. No. 143, 58th, 2d, pp. 5, 45, 53, 70, 73.]

This course was acquiesced in by the Government of Colombia, and so far as has been observed no protest was ever made at any time against it.

A third question involved our right to direct that the Isthmanian ports should not be bombarded by the Colombian Navy. It seems unnecessary to labor this point; first, in view of the well-established right of a Government thus to protect the lives and property of its citizens resident in unfortified coastal cities of foreign countries, a right repeatedly exercised by the United States against the more unstable governments of the world; and secondly, in view of the like actions taken by us as against Colombia in 1901 and 1902, when also we refused to permit bombardment.

[S. Doc. No. 143, 58th, 2d, p. 203.]

[S. Doc. No. 143, 58th, 2d, p. 231.]

[S. Doc. No. 10, 58th, specl. sess., pp. 16, 21.]

A fourth point involved our right to forbid in times of local revolution the landing of Colombian troops within certain areas adjacent to the railroad or its terminals. But here again we have repeatedly exercised this right of limiting the operations of Colombian troops on the Isthmus, the more conspicuous examples being in 1885 and in 1901.

[S. Doc. No. 143, 58th, 2d, pp. 108, 116, 123, 206.]

The fifth question is whether the United States might, in order to keep the transit open, prevent Government troops from using the railroad for transportation from one point to another. As this point requires a little fuller consideration, attention is called to the fact that according to the treaty the guaranties of the United States were made, first, "in order to secure (to ourselves) tranquil and constant enjoyment of these advantages" which had been given, and second, "as an especial compensation for the said advantages and for the favors (we) acquired by the fourth, fifth, and sixth articles of this treaty"; and in return for these guaranties the United States, so ran the treaty, "guarantees positively and efficaciously the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists."

Thus we had not only a right but a duty; and it is clear that if the United States permitted a violation of the perfect neutrality of the Isthmus—that is to say, if it permitted fighting on the Isthmus, and certainly along the course of the transit route, so that the free transit was either interrupted or embarrassed—this guaranty would be violated and our duty would not be discharged.

It was manifest soon after the making of the treaty that Colombia was unable adequately to protect the transit, and that her efforts to do so instead of facilitating actually impeded and at times stopped transit.

Accordingly the American commanders charged with maintaining open transit on the Isthmus in times of local disturbance early found it necessary to impose restrictions upon the use of the railway and its facilities by Colombian troops. For example, in 1885 Colombian troops were carried from Colon toward Panama, but were compelled, in order to prevent a conflict within the limits of Colon, to detrain at some distance outside of that city. Later in the course of the same revolution the American forces occupied the railroad, the wharves, the passenger stations, and refused to allow the Colombian forces to land within the American lines.

[S. Doc. No. 143, 58th, 2d, p. 116.]

In 1901 Capt. Perry, commanding the American troops at the Isthmus, after reporting that fighting along the railway lines, with consequent endangering of lives and property, immediately followed the effort to carry Colombian troops across the Isthmus, reported further that he was forced to send forward an armed force to stop fighting and to clear the railway lines of both parties. Moreover, in order to preserve the neutrality of the Isthmus and to keep the transit free, open, uninterrupted, and unembarrassed, he refused for four days during these same disturbances to permit the railroad to carry the Colombian Government troops from one place to another. Although the commanding officer of the Colombian troops protested this action, no official record is available showing that the Government itself ever did so. Indeed, it is to be observed that this course was adopted after express notification to the Colombian authorities of the purpose so to do.

[S. Doc. No. 143, 58th, 2d, p. 211.]

The same course was followed in connection with the uprising of 1902. The American commander in September of that year notified the commanding officers of both the regular Colombian forces and the revolutionary forces—

that the United States naval forces are guarding the railway trains and the line of transit across the Isthmus of Panama from sea to sea, and that no persons whatever will be allowed to obstruct, embarrass, or interfere in any manner with the trains or the route of transit. No armed men except forces of the United States will be allowed to come on or use the line.

[S. Doc. No. 10, 58th, specl. sess., p. 46.]

On the following day the Navy Department instructed the American commander as follows:

United States guarantee perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed, United States of Colombia guarantee right of way or transit across Isthmus open and free to Government and citizens of the United States and their property. Any transportation of troops which might contravene these provisions of treaty should not be sanctioned by you, nor should use of road be permitted which might convert the line of transit into theater of hostility. Transportation of Government troops not in violation of treaty and which will not endanger transit or provoke hostilities may not be objectionable. The department must rely on your judgment to decide such questions, as the conditions may change from day to day. Consult department freely when in doubt.

[S. Doc. No. 10, 58th, specl. sess., p. 45.]

Acting upon these instructions, and as a result of the original announcement which the commander made as above quoted, neither Government nor revolutionary troops were permitted to use the Panama Railway for a period of nearly a month and a half.

So far as the records at my disposal show, the Colombian Government made no protest against our exclusion of their troops from transit privileges on either of these occasions.

In the face of these principles the mutually conceded interpretation of the treaty obligations and rights and of the precedents accepted by all parties as legitimate exercises of the rights and duties of the United States in the premises, it seems idle to labor to establish that our action in 1903, paralleled as it is by repeated actions of the precise kind in former years, was other than legal. Moreover, as reports of the naval officer show, troops were landed in 1903 for the sole purpose of protecting American life and property. Troops were not used to keep open the transit nor to prevent the railroad being used for the transportation of either of the belligerent factions, although it appears from the reports from the officers that both factions desired it. Troops were not used to compel the embarkation of Government troops at Colon nor to prevent other troops landing at any place in the Isthmus.

[S. Doc. No. 53, 58th, 2d, pp. 15, 21.]

The United States simply took the same steps it frequently and uniformly has taken before to see to it that the transit across the Isthmus remained free and open and that the perfect neutrality of the Isthmus—that is, the complete absence of belligerent operations—was "positively and efficaciously" maintained. And in doing so we took no action that had not been theretofore approved or acquiesced in by the Colombian Government.

Thus, up to the point where the independent Republic of Panama was set up, our action had been in strict accord with our international obligations in fact and in spirit, as shown by the repeated acts of both parties.

Thereafter, Panama having declared herself to be an independent State, we were at liberty to deal with it as we would deal with any other people making a like declaration. Accordingly, when the new State applied for recognition the usual investigations showed that the authority of the new Government was not only recognized by all the inhabitants of the Isthmus, but actively and cordially supported by them. It gave promise of fulfilling its international obligations. In all other respects it appeared entitled to recognition. It was immaterial that its independence had not been recognized by the mother Government. The United States was recognized as free and independent by other powers before the mother country gave its recognition. Moreover, the length of time which is permitted to elapse between the establishment of the Republic and its recognition is a matter of no legal consequence or significance.

[Malloy's Treaties, see France and Great Britain.]

Having recognized the Republic we were, of course, entirely free to enter into negotiations with it upon any subject which we chose and which seemed to us important. Accordingly, on November 18 a treaty was concluded with the new Republic which provided for the construction of the Panama Canal. This treaty was submitted to the Senate of the United States on December 7; was approved by that body on February 23, 1904; and ratifications were exchanged on February 24, 1904.

Our attitude toward the new Republic was challenged almost immediately upon our assumption of diplomatic relations with it, and December 8 Gen. Reyes, accredited to this Government on special mission from Colombia, inquired:

what attitude would be assumed by the Government of the United States in the event which may take place of Colombian troops or forces under the Colombian flag making their appearance on the Isthmus, or attempting a landing on that territory, for the defense of the sovereignty and integrity of Colombia, and respecting the railroad line and the terminal points in accordance with the stipulation of the treaty of 1846, which my country is ever ready to observe.

[S. Doc. No. 53, 58th, 2d, p. 31.]

To this Secretary Hay replied under date of December 11, and under instructions from the President made the following declaration:

That the Republic of Panama proclaimed its independence on the 3d of last month; that in consequence of this movement the independence of Panama has been recognized by this Government and by many others; that a treaty has been signed between the United States and Panama, which has been ratified by the latter State and is now waiting ratification by the American Senate; that by the provisions of the said treaty the United States agrees to maintain the independence of the Republic of Panama; that although the treaty has not yet become law by the action of the Senate, there are already inchoate rights and duties created by it which place the responsibility of preserving peace and order on the Isthmus in the hands of the Government of the United States and of Panama, even if such responsibilities were not imposed by the historical events of the last 50 years.

In view of these facts, I am instructed to say to your excellency that the Government of the United States would regard with gravest concern any invasion of the territory of Panama by Colombian troops, for the reason that bloodshed and disorder would inevitably result throughout the whole extent of the Isthmus, and for the broader reason that, in the opinion of the President, the time has come, in the interest of universal commerce and civilization, to close the chapter of sanguinary and ruinous civil war in Panama.

[S. Doc. No. 53, 58th, 2d, pp. 31, 32.]

This may be regarded as the closing incident in the birth of the new State of Panama.

Our entire course from the beginning to the end of the whole transaction squared to our rights and duties and to the governing rules and principles of international law. Within two months and a half practically the whole of Europe, including all of the great powers, together with Japan, China, and four Latin American countries, including Nicaragua and Costa Rica, who were neighbors of Colombia, had recognized the new Republic.

As a matter of law therefore we are and have been under no obligation whatsoever to make amends to Colombia for the action which we took. If through her own acts she deprived herself of something which she would have obtained had her course been different, the resulting loss must as a matter of law lie where it falls.

But for reasons of state and looking to all the circumstances of the case it would appear that the people of the United States ought not to permit the loss to lie where it fell, and that on the contrary we ought to make to the Colombian Government and people some suitable compensation for the self-inflicted loss which they sustained, at least to the extent that we were direct gainers by that loss.

And at this point attention is directed to the fact that by reason of the disparity in strength of the two countries, too apparent to need comment, Colombia has not been able to invoke the principle of self-help to right her wrongs (as she conceives them) and has had available to her only peaceful means. Therefore, to secure an adjustment she has asked us to refer our differences to an international tribunal of arbitration. We on our part have declined, and properly so, so to submit the matter, for the reason that all such requests have upon analysis shown that the difference we were asked to arbitrate was in essence the policy involved in our recognition of Pan-

ama, and as Mr. Secretary Hay so well said in reply to a request for arbitration:

> Questions of foreign policy and of the recognition and nonrecognition of foreign States are of a purely political nature, and do not fall within the domain of judicial decision.
>
> [For. Rel., 1903, p. 306.]

We have thus declined to meet Colombia before an arbitral tribunal, the only forum she has open to her for a meeting on equal terms, and her final resort, from which she has no recourse, no matter what the decision, is to the American people themselves, as represented by the National Executive and by the Senate of the United States. In approaching us Colombia comes as a petitioner to the Nation she feels has gained much that she has lost and asks that Nation to do her justice. We, the beneficiaries of Colombia's mistakes become now the judges of the broad equities involved.

When Colombia presents herself before the bar of the Senate for a hearing and determination of her case that body sits in two capacities. In the one it is a political body, to judge and weigh political facts and considerations which involve and affect the questions of high foreign policy which are involved in this dispute. But it is not intended now to enter into a discussion of the political aspect of this controversy, which for present purposes is the least important aspect.

In its other capacity the Senate sits as a judicial body—as a court not so much of law as of equity, having in its keeping, even as it were a great chancellor of the Nation, the conscience of the sovereign people of the United States; and so sitting it must take as its compelling guide the principle that the sovereign can do no wrong, meaning thereby not that every act which the sovereign does is right, but that the sovereign will see that no one suffers by its act.

It is with the Senate, sitting in this latter capacity, that the following considerations should weigh:

No man can read fairly the record of our course during those literally fateful October days of 1903 and escape the conviction that at any rate we were not ill disposed toward the revolution; that our attitude was what it was because in part we realized the possibility that a successful revolution might be to our advantage in the matter of working out a plan whereby the great canal, as beneficial relatively to Colombia as to any nation on the earth, might be constructed; and that we wasted no time in seizing the real opportunity which the successful revolution presented to us of providing for the building of that canal. And by making these observations there is no intention of even hinting at a suggestion that "the United States took a collusive part in fomenting or inciting the uprising upon the Isthmus of Panama which ultimately resulted in the revolution." The public knowledge of those who were the chief actors in this great drama is convincing that we took no such part, and that charges to that effect having no real basis in fact are calumnious. But in spite of this, is there not here a situation which in equity and good conscience commands consideration at the hands of the Senate, the keepers of our national conscience, bearing in mind that in affairs of state as in dealing between man and man adjustment of differences to be useful and practical must be such as to leave no irritation or ill feeling, even if such an adjustment requires the doing by one of the parties of more than is his legal due.

> [For. Rel., 1906, p. 421.]

With a view to showing that there are in this situation fundamental facts with which the national conscience may be properly and legitimately concerned in considering its obligations ex aequo et bono, it is proposed to show roughly but essentially what the United States actually gained through the successful revolution of Panama and the establishment of a new State. In order to do this, argument will, after briefly summarizing the provisions of the treaty of 1846, list the essential provisions, first, of the Hay-Herran treaty, which Colombia refused to complete, and then the Hay-Bunau Varilla treaty, which we concluded with Panama.

Aside from the mutual guaranty in the treaty of 1846, already sufficiently discussed for my purposes, attention is again invited to certain rights given by the first paragraph of article 35 in any Isthmian means of communication. In the first place, citizens, vessels, and merchandise of the United States were to enjoy in the ports of New Granada, including those of the Isthmus of Panama, "all the exemptions, privileges, and immunities concerning commerce and navigation which are now or may hereafter be enjoyed by Granadian citizens, their vessels and merchandise."

In the next place, it was stipulated that an "equality of favors shall be made to extend to the passengers, correspondence, and merchandise of the United States in their transit across the said territory from one sea to the other."

Again, in addition to the guaranties by Colombia that the right of way and transit across the Isthmus should "be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce, manufactures, or merchandise, of lawful commerce belonging to the citizens of the United States," Colombia also guarantees "that no other tolls or charges shall be levied or collected upon the citizens of the United States, or their said merchandise, thus passing over any road or canal that may be made by the Government of New Granada, or by the authority of the same, than is under like circumstances levied upon and collected from the Granadian citizens."

Colombia also guaranteed that the lawful produce, manufactures, or merchandise belonging to citizens of the United States and "passing from one sea to the other in either direction for the purpose of exportation to any other foreign country shall not be liable to any import duties whatever; or, having paid such duties, they shall be entitled to drawback upon their exportation."

And, finally, Colombia guaranteed that citizens of the United States should not "be liable to any duties, tolls, or charges of any kind, to which native citizens are not subjected for thus passing the said Isthmus."

These are the rights of which we stood in possession when we began negotiations for the Hay-Herran treaty, but which were insufficient to enable us to carry out our purposes on the Isthmus with reference to interoceanic communications.

The Hay-Herran treaty was to give us rights requisite for our purposes.

The theory of the Hay-Herran treaty as the instrument finally appeared from the hands of the negotiators was this: Colombia granted to the United States the equivalent of an easement of right of way, and all the rights and privileges which the United States was to enjoy by reason thereof were specifically set forth in the treaty, it being stipulated, however—and this I direct especial attention to—that "the rights and privileges granted to the United States by the terms of this convention shall not affect the sovereignty of the Republic of Colombia over the territory within whose boundaries such rights and privileges are to be exercised," and further, that "the United States freely acknowledges and recognizes this sovereignty and disavows any intention to impair it in any way"; that is to say, the treaty constituted a grant by Colombia of named specific powers and rights, with all residual rights and powers left in Colombia the grantor.

Briefly, the rights so granted to the United States by this treaty were, first, the right "to excavate, construct, maintain, operate, control, and protect" a maritime canal and necessary similar rights for a railroad; the grant of a zone in which we might exercise such a right; a separate grant to construct ports of entrance to the canal; the specific authorization to use and occupy within the zone such part of the coast line and the lands and islands adjacent to the ports as were necessary to erect breakwaters, coaling stations, docks, and so forth, necessary for the construction of the maintenance of the works; special authority for the sanitation of the zone itself; and a specification of the things which we might do to the Chagres River and other water bodies, not alone when lying without the zone within certain definite limits, but actually within the zone as well.

The zone granted was only a little over 6 miles wide, and the islands in the Bay of Panama were excluded from the zone. Among the most defective provisions was that which stipulated—and squarely in the face of the provisions which gave us the right to "protect" the canal or the railroad—that any employment of armed forces for the protection of the canal must be furnished by the Republic of Colombia, which agreed "to provide the forces necessary for such purposes," according to the circumstances of the case, but if the Government of Colombia can not effectively comply with this obligation, then, with the consent of or at the request of Colombia, or of her minister at Washington, or of the local authorities, civil or military, the United States shall employ such force as may be necessary for that sole purpose; and as soon as the necessity shall have ceased will withdraw the forces so employed. Under exceptional circumstances, however, on account of unforeseen or imminent danger to said canal, railways, and other works, or to the lives and property of the persons employed upon the canal, railways, and other works, the Government of the United States is authorized to act in the interest of their protection, without the necessity of obtaining the consent beforehand of

the Government of Colombia; "but the United States must give immediate advice of the measures adopted for the purpose stated; and as soon as sufficient Colombian forces shall arrive to attend to the indicated purposes, those of the United States shall retire." [See art. 23.]

It is unnecessary to point out that we could not in practice have complied with these particular provisions, or that they made impossible any permanent system of fortifications by which alone an effective defense of the canal would be possible.

Moreover, both civil and criminal jurisdiction in the zone was to be divided roughly in the way in which jurisdiction is divided in extra-territorial countries, but with the addition of a joint tribunal which should take cognizance of certain classes of acts specified. The United States, it is true, was given some measure of police control, but it was illy defined and does not appear to have been exclusive. Authority to establish tolls was specifically given, limited by the provisions of the Hay-Pauncefote treaty. Finally a time limit was set within which it was necessary that work should be begun on the canal, as also within which the work must be completed.

In compensation for these privileges and for the relinquishment of the rights which Colombia had in the existing Isthmian railroad and canal concessions, Colombia was to be given $10,000,000 in gold coin of the United States and an annual payment of $250,000 per year beginning nine years after the date of the convention during the life of the convention.

These are, for present purposes, the essential rights and privileges for which in 1903 we were negotiating in place of those which we possessed under the treaty of 1846 and which Colombia refused to give us by refusing to complete the treaty containing them, which refusal resulted, as I have pointed out, in the cession of Panama with all the results following therefrom.

Under this treaty, as already stated, the United States, whenever it wished to do anything, even as to the zone itself, must find the specific authority therefor in the treaty, and the specific authority failing, the right to do the thing contemplated failed. All the residuum of rights and powers was left in the Colombian Government.

Viewing the Hay-Herran treaty thus in retrospect, and looking particularly at this inherent and fatal defect of its fundamental theory, it seems perfectly clear that it never provided a workable scheme, and that attempts to proceed under it would have ended either in failure or in embroiling us in such continual difficulties with Colombia as must ultimately and inevitably have led to situations far more serious for us than exist to-day.

The treaty which we negotiated with Panama is based upon a theory fundamentally different from that underlying the Hay-Herran treaty. In the Panama treaty the United States is granted over the zone and over all the auxiliary lands and waters mentioned and described the full right of sovereignty, Panama retaining only a reversionary sovereign right in case the United States should abandon the enterprise. The United States may therefore govern the zone and deal with and in it, so far as the building, operation, maintenance, and protection of the canal is concerned, as if it were the sovereign thereof, save only in those things which are specifically denied to the United States in the treaty. All the residuum of power rests in the United States; the treaty is consulted not to determine what the United States may do in the zone or with reference thereto, but to determine what the United States may not do. The United States may do anything it is not forbidden to do. The reserved rights, not the granted rights, are specified.

The vital importance of the advantages possessed under this form of treaty need no elaboration or statement.

But this was not the only advantage we obtained. The width of the zone was extended from 6 miles to 10 miles; the islands in Panama Bay, which were specifically excluded from the zone in the Hay-Herran treaty, were by express words granted to the United States under the general grant. Moreover, there naturally flows from the nature of the grant an exclusive executive, judicial, and legislative power over all persons and things in the zone, in place of the divided powers under the Hay-Herran treaty. Further, the United States possessing the sovereign powers which it possesses is entitled to fortify the canal. Indeed, the right to fortify it—a right which the light of current history shows clearly indispensable to an effective use of the canal in war time—is expressly given. [See art. 23.]

Or, to put it another way, this entire treaty is and has proved to be a workable plan, whereas the other in every human probability would have proved unworkable and would have served merely and only as a caustic irritant of the relations between Colombia and the United States.

In exchange for these concessions and grants by Panama, we offered two matters of compensation. In the first place, we guaranteed and promised to maintain the independence of the Republic of Panama, a guarantee which is probably the vital essence of Panaman existence, and therefore to Panama inestimable. It has thus far cost us nothing, but, like all guarantees, we may be asked to make it good; and if so, none can now hazard a guess at the cost. It may be noted in passing that this guarantee to Panama is a derogation of the rights which we recognized in Colombia under the treaty of 1846.

In the second place, we agreed to give Panama $10,000,000 in cash and $250,000 annually beginning nine years after the date of the convention, so long as the convention shall be in force.

This, it will be observed, is the precise compensation which we originally offered to Colombia for the fatally defective rights and privileges which Colombia proposed to grant to us in the unworkable Hay-Herran treaty.

Recalling our relationship to the revolutionary situation in Panama in 1903, and recalling our acts and attitude toward the setting up of the new Republic and our denial to Colombia of the opportunity to attempt to reassert by force of arms her sovereignty over the Isthmus, the Senate must decide whether or not the advantages which we thus obtained are of a character to require from us ex aequo et bono some payment by way of compensation for the loss suffered by Colombia, albeit through her own act, and if so, what the amount of this compensation should be.

From the time the original Panama ship canal treaty was before the Senate for advice and consent to its ratification until the present time, those who were primarily responsible for the course of the United States at the time this difficulty arose have always felt and declared that Colombia should be compensated for what we gained as the result of Colombia's loss of Panama, and they have systematically, and more or less continuously, sought to reach an agreement with Colombia regarding the kind and the amount of the compensation to be made. The basis upon which they have proceeded will appear from the correspondence and unperfected adjustments to which I shall next invite your attention:

On December 23, 1903, Gen. Reyes, on a special mission from Colombia to the United States, submitted a "statement of grievances" setting forth Colombia's attitude toward the events which had just transpired. To this Secretary Hay made reply on January 5, and, after discussing in some detail the various points made in the "statement of grievances," he concluded his note with the following paragraphs:

> Under all the circumstances the department is unable to regard the complaints of Colombia against this Government, set forth in the "statement of grievances," as having any valid foundation. The responsibility lies at Colombia's own door rather than at that of the United States. This Government, however, recognizes the fact that Colombia has, as she affirms, suffered an appreciable loss. This Government has no desire to increase or accentuate her misfortunes, but is willing to do all that lies in its power to ameliorate her lot.

In 1906 discussions were renewed which merged into negotiations for some treaty adjustment, and these in turn culminated in the signing between the United States, Panama, and Colombia of the tripartite treaties of January 9, 1909, initiated by the Government of Colombia itself. It would be beside the mark to show, even were the necessary records available, the details of this negotiation, further than to say that in the course thereof one Colombian minister was recalled and another substituted supposedly more in harmony with his Government's policies. On the part of the United States all of this negotiation was conducted under the direction of President Roosevelt.

The provisions of those treaties, in so far as they are pertinent to our present discussions, were as follows:

The provisions of the Panama Ship Canal treaty were amended so that the annuity of $250,000 due thereunder became payable at the end of four years from the signing of that treaty instead of nine years. Panama then assigned to Colombia the first 10 annual installments falling due under the treaty as amended and the United States undertook to make the payment of such installments to Colombia. This obviously provided for the payment to Colombia of $2,500,000 in cash.

Moreover, the Republic of Panama recognized that it had no title of ownership of any sort to the 50,000 shares of the capital stock of the New Panama Canal Co. standing in the name of the Republic of Colombia on the books of said company at Paris, and the Republic of Panama confirmed the abandonment of all right and title which with respect to said shares it made in the courts of justice of France.

There is reason to believe that the above payment and this relinquishment were made in lieu of the assumption by Panama

of its share of the "mutual pecuniary liabilities" referred to by Mr. Hay in January, 1903, and to carry out this idea Colombia and Panama, respectively, released and discharged the other from all pecuniary claims and obligations of any nature whatever, including the external and internal debt of the Republic of Colombia, which either had against the other on the 3d of November, 1903.

Colombia and Panama agreed as to the boundary line from Cape Tiburon, on the Atlantic, to the Heights of Aspave, and agreed to submit to arbitration the boundary from the latter point to the Pacific. This provides for the adjustment of boundary likewise suggested by Mr. Hay.

Aside from temporary provisions granting to Colombia exceptional and preferential rights over the railroad and in the Canal Zone during the period of the construction of the canal—which, because of the fact that the canal is now completed, need not be here referred to—the United States agreed with Colombia to grant to Colombia the following exceptional rights in the canal, the railroad, and the zone.

Colombia was to have the right at all times to convey through the canal—

> The troops, materials for war, and ships of war of the Republic of Colombia without paying any duty to the United States, even in the case of an international war between Colombia and another country—

Save, however, that the preferential treatment should not apply in case of war between Colombia and Panama.

It was also and further provided that—

> The prodacts of the soil and industry of the Republic of Colombia, such as provisions, cattle, etc., shall be admitted to entry in the Canal Zone subject to such duty as will be payable on similar products of the United States of America under similar conditions; so far as the United States of America has any right or authority to fix the conditions of such importations.

Another article of the treaty with the United States stipulated that—

> Colombia mails shall have free passage through the Canal Zone and through the post office of Ancon and Cristobal in the Canal Zone, paying only such duties or charges as are paid by the mails of the United States.

Colombia on its part granted a right of refuge for vessels employed in the canal enterprise or passing, or bound to pass through the canal with an exemption from anchorage or tonnage dues; and further renounced—

> All rights and interests in connection with any contract or concession made between it and any corporation or person relating to the construction or operation of a canal or railroad across the Isthmus of Panama.

These provisions went beyond the suggestions made by Mr. Hay, but they had the approval of Mr. Roosevelt, then President, who has said to the Committee on Foreign Relations that—

> Every act of this Government in connection with these negotiations and with other proceedings for taking possession of the Canal Zone, and beginning the building of the canal, was taken by my express direction, or else in carrying out the course of conduct I, as President, had laid down. I had full knowledge of everything of any importance that was done in regard thereto by any agent of the Government, and I am solely responsible for what was done.

These treaties failed to take effect because Colombia, again repudiating the action of her representatives and executive in negotiating them, refused to ratify them.

Thereafter, after several feints at reopening negotiations, the Secretary of State under Mr. Taft instructed, under date of December 6, 1912, the American minister at Bogota, Mr. Du Bois, informally to sound out the Colombian Government as to the possibility of reaching an adjustment of the differences existing between the two countries. The results of that attempt are set forth in a letter dated February 20, 1913, from the Secretary to President Taft, who on March 1 transmitted it to Congress.

Does the treaty now before the Senate for approval square with our previous action with respect to this matter?

A mere glance at the treaty shows that it does.

The treaty contains in principle nothing whatsoever which has not heretofore been proposed to Colombia in the various attempts which have been made to adjust our differences.

It adjusts the boundaries between Colombia and Panama.

It undertakes to use our good offices to secure the reestablishment of diplomatic relations between Colombia and Panama.

It undertakes to use our good offices in the adjustment of questions of pecuniary liability as between Colombia and Panama.

It grants to Colombia exceptional treatment and advantages in the use of the Panama Railway and Canal.

It grants to Colombia exceptional privileges in the matter of certain importations.

It provides for the payment to Colombia of a sum of money.

On this latter point it is to be observed that the mere amount of money to be paid, so long as the sum is not really exorbitant, would seem to be of minor interest and importance.

As I have shown under the treaty of 1846 the duty of the United States was to be passive toward domestic revolutions in Panama and active in the maintenance of free transit across the Isthmus. But if in exercising the power conferred on the United States by Colombia to keep transit open and exercising it "in the protection of our own right" and for the benefit of a world enterprise for which it is claimed we were trustee, serious damage resulted to Colombia, the grantor of the power, and corresponding benefits accrued to us, the grantee, we are, in my judgment, morally bound to compensate Colombia, not for what she lost but for what we gained.

What we gained is the differences between the proposed Hay-Herran treaty with Colombia and the Hay-Bunau Varilla treaty with Panama, which I have heretofore summarized.

The value of these differences to us is the measure of our moral liability. We gained, primarily, sovereignty and jurisdiction over a 10-mile zone in a friendly and dependent country as against a qualified right to occupy a 6-mile zone in an arrogant, if not unfriendly, country.

The fact is under the Hay-Bunau Varilla treaty we practically took Panama. We did not take it from Colombia; we took it with their consent from the Panamans, and this is the only sense in which the statement that we took Panama is true.

It has been frequently asked what we are getting under this treaty. That is not the point; it is what we have already received that makes the treaty conscionable and just.

We are dealing in this matter with no ordinary international situation. The case in hand has no parallel in history. The pioneer whose eye first visioned at a glance that the hand that gave the seas and formed the land left it possible to divide the hemisphere that halted western progress, even as Moses had divided the Red Sea that the children of Israel might pass, made a discovery that he bequeathed to civilization.

The imagination of the early navigators grasped the possibility of its realization, but their hands were unskilled for its accomplishment.

Perhaps the most tragic of all the strange national and personal disappointments connected with the great idea is that coincident with Spain's loss of the last vestige of her sovereignty in the New World the final act of the realization of the dreams of her great navigators began.

After many vicissitudes and failures the completion of this stupendous work devolved upon the people of the United States, who are thus thrown into relations with the countries of the isthmian region which, with our geographical propinquity, make a broader understanding and a more sympathetic reciprocal interest between us an essential basis for the realization of the splendid possibilities which seem to have been decreed from the beginning of time.

Let the curtain fall on no just resentments. Let our generous justice indicate our entire fitness to have received from the ages the mandate to have done for man the greatest work of all time.

Mr. REED. Mr. President, before the Senator takes his seat, I would like to get his opinion in regard to one matter connected with the treaty. He has spoken of the sovereignty which we acquire over the canal strip. The first article of the treaty as it now stands, formerly the second article, recites that—

> The Republic of Colombia shall enjoy the following rights in respect to the interoceanic canal and the Panama Railway, the title to which is now vested entirely and absolutely in the United States of America without any encumbrances or indemnities whatever.

Should not the word "sovereignty" be added either before or after the word "title"?

Mr. KNOX. If it were a matter between the United States and Panama, I would say yes; but I do not see what Colombia has to do with the question of sovereignty over the canal.

Mr. REED. Have we any treaty with Panama by which we have been given the sovereignty?

Mr. KNOX. Oh, yes.

Mr. REED. In express terms?

Mr. KNOX. The Hay-Bunau Varilla treaty gives us all the essentials of sovereignty. The entire sovereignty is ceded over the strip, and when you come to analyze what sovereignty is, and read that treaty, and see what we get, I think you will have no difficulty in making up your mind that we have sovereignty for all practical purposes.

Mr. REED. I remember that in that treaty the word is not used. While there are many very broad rights granted, it seems to me that the word ought to be used for the sake of avoiding future disputes. I was in hopes that it might be asserted in

this instrument; but I simply wanted to get the Senator's opinion, and I have that, and I thank him.

Mr. KNOX. The Senator from Missouri sees the legal difficulty I suggested. Panama not being a party to this pact, I do not see how her sovereignty could be affected by stipulations between Colombia and the United States.

Mr. REED. Except that it might be hereafter claimed that in drawing this instrument we had not asserted sovereignty, but had contented ourselves with simply reciting that we had the title to this property. In view of the fact that there is no absolute assertion of sovereignty in the Panama Canal treaty, it seems to me only the part of wisdom to insert the word here. It would at least be an assertion in this instrument by the United States that it did possess sovereignty over the Canal Zone.

I do not desire to argue it. I wanted to get the Senator's opinion. It has seemed to me very unfortunate, when we are dealing with Panama or with Colombia, that the United States has not used the one word which expresses clearly the complete control by the United States. I shall not discuss it, however.

Mr. BORAH. Mr. President, Panama claims she still holds the sovereignty.

Mr. REED. I will add that I can not understand, in dealings between men, and especially in dealings between nations, why there should be any hesitancy in saying directly and positively the thing you mean. We have had enough experience with treaties, we have been having enough experience in regard to our treaties with Colombia, to teach us that we can not be too specific.

I would like to see this treaty employ the term "sovereignty." It has always seemed to me ridiculous, under the circumstances, that in dealing with such a country as Panama, which was our creature, which not only could not have been born without our assistance but could not live an hour except that we act as wet nurse for it, we should not have plainly written into our treaty the statement that the United States has forever complete sovereignty over the Canal Zone. I think we ought to have covered the islands adjacent to the termini of the canal, because I understand they are now in dispute.

Mr. CUMMINS. Mr. President, will the Senator from Pennsylvania permit me to ask him a question?

Mr. KNOX. Certainly.

Mr. CUMMINS. As I understand the position of the Senator from Pennsylvania, it is that Colombia has a moral claim against the United States, not for what Colombia has lost but for what the United States has gained. Does the Senator mean for what the United States has gained by the construction of the canal or does he mean what the United States has gained in comparing the terms of the treaty proposed with Colombia and the treaty actually consummated with Panama?

Mr. KNOX. I think I would prefer to state my proposition just the other way, not that Colombia has a moral claim against the United States for what she has lost but that the United States is under moral obligation to Colombia for what she has lost. In saying what she has lost I tried to make it perfectly plain that the measure of our obligation was the difference in value to us of a charter, as it were, and the foundation upon which the canal was built. In other words, I shall attempt to illustrate what I mean by a little incident that occurred in my life not many years ago.

I was coming from the Pacific coast with a very distinguished gentleman, a man well known in this country, a man of great wealth, who asked me to stop at one of the midway cities; he had a little business he wanted to attend to and wanted me to look after it. When we arrived there I discovered that the business was this: About 20 years before he had purchased from a gentleman who had adjacent property several hundred acres of coal land which afterwards turned out to be immensely valuable, worth twenty times what he had paid for it. He had heard that the widow of the gentleman who had sold him the coal land at a mere nominal price was residing in the city and that she was in distress. He looked up the status and found there was a $20,000 mortgage on her house, which he paid, not because he owed her a cent, but because he had made so much out of what the husband had sold him. I think that is a pretty respectable attitude for individuals and for nations to take toward each other. We received through the Hay-Bunau Varilla treaty all the great benefits that have made the Panama Canal a workable scheme, which we would not have had if it had not been for the revolution of which we took advantage.

Mr. CUMMINS. I wished to understand thoroughly the Senator from Pennsylvania. I know now what is the limitation that he places upon our moral liability, and I only wish to suggest that his reasoning seems to lead to the conclusion that the United States ought to pay Colombia a sum commensurate with all the advantages which the people of the United States enjoy by reason of the existence of the canal.

Mr. KNOX. I do not think the Senator can work that out of the language I used.

Mr. BORAH. Mr. President, whether we agree with the conclusions of the able Senator from Pennsylvania [Mr. KNOX] or not, we must all agree that he has presented his view of the matter with extraordinary power. If there can be any ground upon which to base the treaty, it has been stated by the Senator from Pennsylvania, to wit, a gracious gift for the injury Colombia inflicted upon herself! I observe, however, that there is a wide difference of opinion among the advocates of the treaty upon this side of the Chamber as to why it should be ratified. There is, I think, almost complete unanimity of opinion upon the opposite side of the Chamber as to why it should be ratified.

The Senator from Massachusetts [Mr. LODGE] stated day before yesterday that he felt that we should assuage the wounded feelings of Colombia; to state it another way, that we were really purchasing the friendship of Colombia. I can understand readily how we could compensate a country for injury done or a wrong inflicted or for property taken or for a material disadvantage suffered, but it is very difficult for me to understand how we can go into the market and purchase the friendship of a nation. In the first place to any self-respecting nation it would be an insult to offer to do so. Colombia, as we all know, has always assumed to treat any such suggestion as an insult. Colombia claims that she was greatly injured by reason of our aiding and abetting one of her States to secede from the Colombian union, and it is upon that ground that she rests her claim, and upon no other. If anyone desires to know whether Colombia will accept the construction placed upon the proposed treaty by either the Senator from Pennsylvania or the Senator from Massachusetts, let him write into the treaty even a suggestion that this treaty is to purchase Colombia's good will, or compensate her for her own folly.

That has in effect been attempted with Colombia, and Colombia has universally rejected it, disclosing thereby much greater self-respect than we disclosed upon our part in offering it.

On the other hand, differing with the Senator from Massachusetts, the Senator from Pennsylvania says that we are compensating Colombia for her self-inflicted injury to the extent at least which we have advantaged by reason of such self-inflicted injury. I shall discuss a little later in the debate the question of how much we have advantaged by her self-inflicted injury, but permit me to say now that that is not the basis upon which the treaty was negotiated, it is not the basis upon which it is accepted, and it is not the construction which the world at large will place upon it.

For 17 years this controversy has been going on. It was initiated in the claim upon the part of Colombia that the United States Government had violated international law, that its President usurping power had oppressed a helpless people or a weaker people, and that we had aided and abetted in the tearing asunder of the Colombian Republic. The discussion has gone on around that proposition from that time until the opening of this session. Never prior to the opening of this session has the controversy changed so far as the debates disclose. That, in my opinion, is the one thing concerning which we are treating in this treaty according to the terms of the treaty itself and according to the understanding of the parties. So the great fundamental underlying proposition in this controversy which we must first settle before we can get our proper direction as to our duty is whether we did a wrong to Colombia in 1903.

It is true the Senator from Pennsylvania says that we did not, but the able Senator from Ohio [Mr. POMERENE] in a very accomplished speech demonstrated to his satisfaction, and perhaps to many, that that is the sole basis of the treaty, and for that reason we should make it. We are forced therefore to come back to the fundamentals of the proposition or what we did to Colombia in 1903.

There is a great deal of feeling, of course, associated with the consideration of the treaty upon the part of many people by reason of the two distinguished Americans who took part in the affair, so called, of 1903, to wit, Col. Roosevelt and John Hay. In that feeling I share to a very great extent. But there is a broader, a deeper question, and that is the charge made against this Government and against this Nation of wrongdoing, which is much more important than the individual acts of any particular representative who represented the Government at that time. Some other time at a later date in the discussion it may be permissible to discuss the question of the acts of those two individuals, but this afternoon I am primarily concerned in the attitude in which this treaty will leave before the world the

Nation itself. How is it possible to escape the condemnation which has been placed upon us by Colombia and by all the advocates of the treaty prior to this time if we ratify the treaty, thereby in my judgment confessing the charges.

It is said, of course, that we can afford to be generous, and so we can, Mr. President, always afford to be generous. In all misunderstandings between this country and other countries we can afford to assume an attitude of compromise except when the attitude of compromise involves a confession of wrongdoing or of degradation upon the part of the country, of which we are not guilty. No concession is admissible, so far as I am concerned, which involves a confession of wrongdoing upon the part of the Government unless the facts support the charge of wrongdoing. I would not exercise my generosity to the loss of my self-respect or to the compromise of my Nation's honor before the people of the world. More important than the respect of Colombia or the friendship of Colombia is the regard in which the nations of the world will hold us as a nation if we confess before the world by ratifying this treaty that we were guilty of a violation of international law and of lawlessness toward a weaker nation. So we come back again to the underlying proposition whether or not this Government was guilty of wrongdoing in 1903.

Mr. President, I am not going to undertake, of course, to recount the entire history of the relationship between Colombia and Panama from 1821 to 1903. It is too long, too unhappy, and, in many respects, irrelevant. But there are a few salient features of the relationship of those two countries which we must necessarily go back into history to develop; and, with the exercise of your patience, I am going to undertake to do that for a few moments.

I am going to undertake to show, in the first place, that Panama never had any relationship with Colombia after 1861 which entitled Colombia to land a single soldier within the boundary lines of Panama for any purpose other than to keep open transit; that by reason of the relationship which had been established at that time, so far as Panama was concerned, Colombia had no more right to land soldiers in Panama for any other purpose than Germany had to land soldiers in Belgium; and that when she undertook to land soldiers there in 1903 she did so as a mere act or exertion of brute force and in violation of the understanding or arrangements which she had had with Panama as far back as 1861.

Secondly, while that would not justify us in improperly interfering, I am going to undertake to show that we did not in any respect aid Panama in achieving that which she was entitled to have, the independence which she enjoyed until it was taken away by brute force.

Panama declared her independence of Spain in 1821. The declaration of independence was promulgated about the time that most of the Spanish-American countries were seceding or separating themselves by revolutionary force from Spain. After Panama had declared her independence of Spain the question immediately arose as to whether she should undertake to go alone or, in view of the exigency which then existed, should associate herself with some other power. At about this time Gen. Bolivar came upon the scene in South America, and it was through his great influence and the compelling power of his great character that a number of these seceding States were drawn together. Panama finally concluded to associate herself with Colombia. It was a very loose association, something like the Colonies under the confederacy. But even in 1821, under the exigency which then existed, the majority of the people of Panama were opposed to associating Panama with Colombia. That sentiment remained among the people of Panama to the extent of the majority of the people from that time until the independence of Panama was finally acquired.

One of the reasons why Panama was opposed to joining with Colombia was because lying between inhabited Colombia and Panama was a vast region of country uninhabitable and untraversable, and therefore it was believed Panama was associating herself with a power which was far removed from her people and which she believed would not be able to govern her in sympathy with the people of Panama. In other words, the people of Panama felt that in a great measure they were subjecting themselves to the jurisdiction of an entirely foreign power. That sentiment remained among them, and nine years after Panama associated herself with Colombia the first revolution or effort at separation took place. It was led by Gen. Espinar, one of the veterans of the struggle for independence. But Panama was again brought back into association with Colombia, not as a result of war or the result of conflict but as the result of counsel and advice and, if I remember correctly, Gen. Bolivar, who was then near his death, took part in these negotiations.

In 1840 Panama again asserted her independence and acquired her complete independence, and remained an independent State for nearly two years. When she reassociated herself with Colombia she did not become in any sense in which we use the term a part of the Colombian Government or a member of the Colombian union. She was bound to Colombia by ties more loose than the ties which bound our Colonies together under the old confederation. In fact, she dealt with Colombia not through her representatives as members of a union, but she dealt with Colombia through her diplomats, through the channels of diplomatic negotiation. However, in 1842, or some two years after the separation, the two countries again assumed a closer relationship, with the distinct understanding and agreement that Colombia should at all times recognize the complete sovereignty and self-governing power of the Panamans with reference to all their affairs; that the Government of Colombia should decentralize, as it were, their Government and should organize a truly federal government, recognizing even to a larger extent than we do the self-governing powers of the respective States.

This condition of affairs continued, with a great deal of dissatisfaction upon the part of Panama by reason of the fact that Colombia did not carry out her agreement, until 1851. In 1851 Colombia inserted in her constitution a provision that any member of her confederacy should have the right to withdraw at any time that particular member desired. That was a part of the fundamental law of Colombia, growing out of this condition of affairs, to wit, that she was unable to exercise and maintain her control or government over those dissatisfied colonies. In 1851, I repeat, Colombia put in her constitution the provision to which I have alluded, and in 1857 Panama and other members of the Colombian union availed themselves of the provision and set up independent governments.

In 1861 Panama declared as a fundamental law these two provisions, which Panama herself has never, so far as I can ascertain, changed:

> First. That there shall not be in the State of Panama other public employees, with jurisdiction and command, than those created by the laws of the State [of Panama].

That was to exclude all authority, all exercise of power, all sovereignty of any kind upon the part of the supposed agents of Colombia, or of Colombia, and whatever relationship existed between Panama and Colombia after 1861 existed by reason of Colombia designating some particular officer of Panama to discharge some duty in which the two States had a common interest. After 1861 Panama refused to permit any Colombian authority to be represented in the State of Panama other than the authority which had been created by the people and laws of the State of Panama.

> Second. The Government of the United States—

That is, the United States of New Granada or Colombia—

> shall not be allowed the military occupation of any portion of this State without the express consent of the governor of the latter, so long as the State maintains the necessary force to insure the transit from one sea to the other.

That provision of law, so far as Panama was concerned, remained unchanged. As a confirmation of this I call your attention to a work written by a Colombian, which will be found in our public libraries, in which he makes this statement:

> In 1873 there occurred a matter creating great alarm for the Republic (of Colombia). There was a conflict in the city of Panama, and the Government of that State requested that the troops from a North American ship of war should be disembarked. Such disembarkation was effected, and on the city hall, or municipal buildings, of that settlement was seen flying the flag of the United States of America, and the soldiers of the same country with arms on their shoulders gave that protection and security which legally could not be extended by the General Government to Colombia.

It was recognized that after 1861 Colombia could not legally land troops in Panama or exercise military authority in Panama. I have been unable to find any exceptions to that. The Panamanians have claimed at all times that that rule remained unchanged.

In 1876 what was known as the Wyse concession concerning the Panama Canal was granted, and the politicians of Bogota looked upon Panama in a different light to what they had before. So in 1880 Gen. Nuñez declared a dictatorship over Colombia, and by proclamation suspended or annulled all laws. There was no law in Colombia other than his will and discretion. He established at this time a military government over Panama, resting entirely upon military authority or martial law, suspended all her powers of self-government, took away from her citizens their civil rights and where they contested them arrested them without warrant, incarcerated them, tried them by drumhead court-martial, and shot them. A reign of brutality and exploitation began which had its end November 3, 1903.

From 1880 until 1903 Panama was governed by Colombia, in so far as she was governed at all, under a dictatorship, by the uncontrolled, uncircumscribed will and discretion and power of ruthless despots, and in violation of the fundamental laws of Panama and in violation of the understanding and agreement which had existed between those countries since 1861.

It is not necessary to recount in full the sufferings and the hardships of the people of Panama from 1880 to 1903, and yet I think they have a bearing here. If we are going to settle this question on the question of equities, of what Colombia lost, let us see just what she lost—a territory which she was never able to govern by herself and which she never undertook to govern from 1880 except by military force.

Our minister at Bogota in 1886 says:

No generous mind can contemplate the disasters which have befallen this people or meditate on the ills that may flow from their reckless experiment of violent political change without feeling a deep sorrow for the pains endured by a weak and long-suffering race, who mourn the destruction of their chartered rights as the loss of a cherished freedom that must be recovered at the cost of every peril.

In 1886 the consul at Panama said:

The people of the Isthmus are ground down by excessive taxation, and they fear to acquire property lest they shall not only be robbed by the taxgatherers but also imprisoned to cloak the robbery under a false charge. At the present time the revenue derived from the cities of Panama and Colon and intermediary villages is at the rate of $1,000,000 a year. Not one-tenth of this revenue is spent for the benefit of the people. It is used to keep the forces to keep them in subjection.

Again, in December, 1886, the same consul wrote as follows:

Three-fourths of the people of this Isthmus desire separation and the independence of the extinguished State of Panama. They feel but little more affection for the governor of Panama than the Poles did 40 years ago for their masters at St. Petersburg. They would revolt if they could get arms and if they felt that the United States would not interfere.

From an article appearing in December, 1903, in a paper published in Bogota, I read as follows:

We have converted the lords and masters of that territory into pariahs of their native soils. We have cut off their rights and suppressed all their liberties unexpectedly. We have robbed them of the most precious faculty of a free people—that of electing their mandataries, their legislators, their judges. We have restricted for them the right of suffrage; we have falsified the count of votes; we have made prevalent over the popular will the will of a mercenary soldiery and that of a series of employees entirely strange to the interests of the department; we have taken away from them the right of lawmaking. In the face of the world we have punished with imprisonment, with expulsion, with fines, and whippings the writers for the innocent expression of their thought. Since December, 1884, to October, 1903, the presidents, governors, secretaries, prefects, mayors, chiefs of police, military chiefs, officials, and soldiers, inspectors of police, the police itself, captains and surgeons of harbors, magistrates, judges of all descriptions, state attorneys—everybody came from the high plains of the Andes and from other parts of the Republic to impose on the Isthmus the will, the law, or the whims of the more powerful; to sell justice or speculate with the treasury.

Senator Morgan, speaking in this Chamber in 1902, said:

The people of Panama can never forget that their State, once sovereign and independent, was the first State of this hemisphere, after the United States of North America, that achieved their independence and sovereignty. Neither can they forget that the church party has stripped that badge of honor and power from their national flag and has reduced Panama to a department of Colombia, ruled by a governor appointed at Bogota. * * * Our people will never aid Colombia in the infliction of wrong and injustice upon the people of Panama at the will and pleasure of that Government. * * * They will never extinguish or prevent the rekindling of the light of liberty, independence, and sovereignty in that once brilliant star that has been stricken from the galaxy of American Republics by the fratricidal hand of Colombia.

Permit me to give you an illustration of the way in which Colombia raised taxes in Panama during the military régime. We are hastening here to make a treaty with Colombia and we draw back from recognizing in any way the soviet government in Russia; yet I challenge any man upon either side of this Chamber to show me a practice of lawlessness and despotism in Russia during the last two years that can not be reduplicated in Panama over and over again from 1880 to 1903. There was no kind of punishment or persecution which was not inflicted upon these people by the military power exercised upon them from Bogota. Here is the method of collecting taxes as gathered from one of their decrees:

By decree issued by the dictator they would send out a gentleman with a list to the different people in the different towns and villages, which list stated the amount of property which they had, as understood by the Government, and called upon them to pay $1,000, $5,000, or $10,000, 15 per cent of which was to go to the gentleman who should collect it. If there was any hesitation about paying, the property was to be confiscated and the owner put in prison.

That is what Colombia lost in 1903. That is the condition of affairs which is to set in motion this generosity of ours at the expense of the American taxpayer.

One other thing before I come to the revolution of 1903.

Panama began a struggle for her independence again, or rather for her release from the military authority at Bogota, in 1898, and that contest was continued for three long years incessantly.

From 1898 to the latter part of 1902 Panama carried on a war for her independence against the State of Colombia, and do not permit this fact to pass unnoted, my friends, that to all practical purposes she had won her independence in 1902. She had reduced Colombia to such a condition that Colombia was conscripting her boys 9 to 15 years of age to send to Panama to fight her into subjection, and the revolution of 1903 was in reality but a continuation of the revolutionary fight which had gone on from 1898 until the latter part of 1902, and was then only composed by the interposition of the United States. Had the United States not interposed at the request of Colombia in 1902, instead of the revolution being a success in 1903 it would in all probability have been a success in 1902. I will show you in a few moments that Colombia confessed to the United States that she was wholly unable to reduce Panama to subjection, and asked the United States to interpose and compose the difficulties between the two countries.

Now, Mr. President, let us take up for a moment the revolution of 1903. Before I do that I want to call your attention to the Hay-Herran treaty and its rejection, because the rejection of this treaty was the event which started up again the revolution in Panama.

The Panamanians had notified Colombia many times that the only reconciliation which could possibly come about between the two countries would be by reason of Colombia ratifying the treaty and building this canal. As early as 1901 Colombia began negotiations, herself initiating them, with the United States, urging the abandonment of the Nicaragua route, the taking up of the Panama route, and the concluding of a treaty with the United States. This was at the instigation of Colombia. At that time, as you know, this country was almost entirely committed to the Nicaragua route. Had the Nicaragua canal been built instead of the Panama Canal, you can see what Colombia would have lost. So she was very active, and her friends were very active, in securing and directing the attention of the United States toward the Panama route, and these activities began as early as 1901.

Mr. Conchu came to the United States as a representative of Colombia in the latter part of 1901 to initiate these negotiations, and on April 22, 1902, a formal treaty or protocol was entered into between the United States and Colombia granting a right of way for the building of the canal, and the amount which was set in this protocol at Colombia's own suggestion was $7,000,000.

On June 28, 1902, after the protocol had been signed, the Spooner law was passed, which not wholly but practically committed us to the Panama route. At least it advised the President, if certain understandings and agreements could be had, he was to go ahead with the building of the canal over the Panama route. So on the 28th of June the Spooner law was passed, and in September of the same year Colombia requested the United States to assist in composing the difficulties to which I have referred between Colombia and Panama, and she stated in her communication that until those difficulties were composed—in other words, until Panama was reduced to subjection—she could not proceed to carry out her obligation, and it was through the interposition of the United States that the difficulties in 1902 were adjusted, awaiting action of Colombia on the treaty.

After these disturbances were composed, and after the passage of the Spooner law, Colombia immediately rejected the protocol and notified the United States she wanted, instead of seven million, ten million dollars and two hundred and fifty thousand annually. So they again took up negotiations, and after a great deal of discussion and much objection, because Mr. Hay thought it was exorbitant, they agreed to the Hay-Herran treaty, to pay $10,000,000 for the right of way and $250,000 a year.

On January 22 the Hay-Herran treaty was signed by the representatives of the different Governments, and on March 17, 1903, the Senate ratified it. At this particular time Marroquin was President of Colombia, or, rather, the dictator of Colombia. He had not called the congress in session for five years. The only law of Colombia was his will. It was through his acts that the treaties were negotiated. It was at his instigation that they were consummated, so far as the executives were concerned, and he was as complete a dictator of Colombia as any man who ever exercised authority over any South American country. He had been elected vice president. He had arrested and put in prison the President, and the President conveniently died while he was in prison, which left Marroquin the sole dictator of the Colombian Government.

On June 20, 1903, he called the first Colombian Congress which had been convened in five years, for the purpose of considering this treaty.

On June 10, 1903, this treaty having been negotiated at Marroquin's instigation, and the figure fixed by the Colombian Government, it was in effect rejected without the consideration of Congress, because the Colombian Government notified the Panama Canal Co. that it could not be ratified unless the Panama Canal Co. would pay them an additional $10,000,000.

On July 9, 1903, while the Congress was in session, Gen. Reyes, speaking for the Colombian Government, notified the American minister that the treaty could not be ratified unless the Panama Canal Co. would pay $10,000,000 additional, and unless the United States would pay an additional $15,000,000. We were committed now practically to the Panama route. The Spooner law had been passed. The difficulties had been composed in Panama, and the treaty which had been negotiated at their instance and at their figure, it was said, could not be ratified unless we would pay an additional $15,000,000 and unless the Panama Canal Co. would pay an additional $10,000,000.

On October 12 the Colombian Senate rejected the treaty by unanimous vote, and the motion for the rejection of the treaty, as we are informed, was made by the son of President Marroquin, who was a member of the senate.

After this treaty was sent from Washington to Marroquin his first act of rejection was to refuse himself to sign the treaty. He called his congress, and his son led the fight for its rejection. I think the question of good faith ought to have something to do with any decision by this court of equity in which the Senator from Pennsylvania says we are sitting. No one can get into a court of equity with unclean hands.

Mr. President, what bearing has this upon the revolution? Weeks before, and perhaps months before, the people of Panama had notified the Colombian Government that unless this treaty was ratified, and the Panama Canal should go forward, the people of Panama would again take up arms, which they had laid down at the instance of the United States in 1902.

The man who was appointed the governor of Panama by Marroquin, Baldia, notified Marroquin and the Colombian Government that in his opinion, if the treaty was not ratified, the Panama people would again take up the cause of secession, and it was just as well understood in Colombia that that was a matter which Colombia would have to deal with in case she did not ratify the treaty as it was understood upon the night of November 3, 1903, that she would have to deal with it; and the moving force behind the revolution in 1903 was not Col. Roosevelt or John Hay or the United States Government, but it was the Panamanian people, who had been fighting for their independence for three years, but were reconciled through the influence of the United States, who declared that unless the treaty was ratified and the canal built they would take up arms again, and they did so.

The evidence of this is upon every hand, not only in the press dispatches coming to the State Department; it was published in the Washington Post, in the New York Herald, in the New York Times, and published throughout the United States. For weeks and weeks the information had been carried to the people of this country that the revolution would go forward.

Therefore in considering the revolution of 1903 in Panama we should take into consideration that Panama was never a part of Colombia after 1861, except as she was made so by the military power of a dictator.

Mr. SIMMONS. Mr. President——

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

Mr. BORAH. I yield.

Mr. SIMMONS. The Senator has been telling us of the successive attempts at revolution in Panama. It seems that all of these attempts were resisted by Colombia and finally put down. I wanted to ask the Senator if Colombia made any attempt to resist and put down the revolution of November 3, 1903; and, if they did not, why?

Mr. BORAH. I shall come to that in just a moment. I will show the Senator why in just a little while. It is in the line of my argument.

Mr. REED. Mr. President——

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

Mr. BORAH. I yield.

Mr. REED. The Senator has spoken of the last revolt prior to that of 1903 having been stopped by the intervention of the United States. Just what did the United States do in that matter, as the Senator understands?

Mr. BORAH. It seems that the part which the United States played in it was purely that of negotiator, expressing to the Panama people the belief that the canal would be built. That was the thing which the Panama people wanted, and that was what started the fight in 1898. At that time, if the Senator will remember, the people at Bogota had extended what is known as the concession to France, to which the Panama people objected. They were opposed to the extension, and when the extension was made they started their effort to get their freedom again.

Then the Hay-Herran treaty having been negotiated, the Spooner law having been passed, and the choice of the Nicaraguan route somewhat discouraged, there was that assurance to give Panama that the thing which she desired, the building of the canal, would go forward, and Panama was satisfied to test that out, and she so notified the Colombian people.

Mr. REED. I do not want to divert the Senator, but I wish to get this point clear in my own mind if I can. When the war did cease between Panama and Colombia, upon what conditions was the peace made with reference to the independence or integrity of Panama?

Mr. BORAH. There were no conditions attached to it at all. They simply ceased hostilities.

Mr. REED. That left her, then, in the same condition she had been in under the last treaty she had with Colombia, of which the Senator spoke?

Mr. BORAH. Precisely so. Panama never by her consent changed her relationship from that which she established in 1861. Actual hostilities ceased. The condition of war, I presume, really continued, but actual hostilities ceased upon the supposition that the canal would be built.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Florida?

Mr. BORAH. Just a moment. One of the first statements which was sent to Colombia after the opening of the Colombian Congress, and announced publicly by people from Panama and agents whom the people had sent, was that the treaty must be ratified, otherwise Panama would not consider that she was under any obligation to cease her opposition to the jurisdiction of Colombia. That was made in the beginning of the consideration. It was discussed upon the floor.

Now I yield to the Senator from Florida.

Mr. FLETCHER. The Senator stated that the Vice President of Colombia, who was then acting as President and dictator, appointed the governor of Panama, and that this governor announced that Panama would secede.

Mr. BORAH. Yes.

Mr. FLETCHER. Did the Senator mean to infer that the President of Colombia was in any wise bringing on, or attempting to bring on, or appointing a governor who was favorable to bringing on, that revolution in Panama?

Mr. BORAH. There is a difference of opinion about that. My interpretation of it is this: That the governor, who was appointed by the President, expressed to the President what he believed would take place in Panama. He knew the situation, and he stated to the President that in his opinion if the treaty was not ratified Panama would secede. I do not know that that expressed the governor's sentiments with regard to the matter. He was expressing to the President a condition of affairs which he believed to exist in Panama. What the governor had said was also a matter of public discussion, and the Colombian Congress raised objection to this governor by reason of the fact that he had expressed that opinion. I take it, therefore, that in all probability he was simply stating that which he thought was a fact. There is another construction placed upon it by the late Senator Clarke, of Arkansas, in his exceedingly able speech of February, 1904. I refer the Senator to that speech for an exceedingly interesting discussion of the matter.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I yield.

Mr. NORRIS. Were there any representatives from Panama in the Congress at Bogota which rejected this Hay-Herran treaty?

Mr. BORAH. The people who purported to represent Panama, if there were any there at all—I have never been able to ascertain—and all officers in Panama at that time were either appointed from Bogota or their elections secured by the methods heretofore described in the article which I read.

Mr. NORRIS. That is, by the dictator?

Mr. BORAH. Yes.

Mr. NORRIS. Was the Congress which unanimously rejected the Hay-Herran treaty appointed? They were not elected?

Mr. BORAH. As to whether they were elected from other parts of Colombia I could not say, but not from Panama, because all officers in Panama at that time were appointed or their elections manipulated by Colombia.

Mr. NORRIS. So whatever members of Congress there were from Panama were appointed by the President?

Mr. BORAH. Exactly. For instance, when the constitution of 1886 was promulgated, which was merely the will and expression of the dictator at that time, they appointed two parties to represent Panama who lived in Bogota, and had never been in Panama—were not residents or representatives of Panama and never had been. I do not know who represented Panama at that particular time. I only know that whoever did was appointed by the same dictatorial power in Colombia.

Mr. LODGE. Let me ask the Senator a question in regard to a historical point. Was not the Hay-Herran treaty, as a matter of fact, rejected by the Congress at Bogota?

Mr. BORAH. Yes.

Mr. LODGE. That is what I thought.

Mr. BORAH. I have so stated.

Mr. LODGE. I was not in the Chamber when the Senator stated that.

Mr. FLETCHER. If that Congress was selected by the dictator, or the acting President of Colombia, and after Congress rejected the treaty and adjourned, why was it that the President gave notice to the American minister that he would like to enter into negotiations with this country with a view of having a new Congress called together and having that treaty ratified?

Mr. BORAH. I will tell the Senator why, in my opinion, although that involves the passing of a judgment upon them, which, perhaps, would require more evidence than I could submit upon the question.

There is no doubt that the President connived at the rejection of the treaty. For instance, he refused to sign it after it got to Bogota. The belief was that if he had signed it, his influence was such that it would have gone through. The second proposition is we are informed his son went into the Senate and led the fight for its rejection. Another proposition is that the Colombian Government, which was the President, notified the canal company that they would have to pay $10,000,000 before it would be ratified. That, in my opinion, represented the President and one of his reasons why he wanted it rejected. Another proposition was that he had demanded $15,000,000 in addition from the United States.

Here was the situation: It was the belief and so expressed in Bogota that the United States was now committed to the Panama route, that the Nicaraguan route had been rejected practically. They could not, as our representatives there telegraphed to Mr. Hay, be made to understand that there was any possibility now of our building over any route except that of Panama. Therefore, what they were doing, in my humble judgment, was seizing the situation for a larger demand upon the United States. That is confirmed by the fact that within five or six days after Panama had rebelled, the President notified the United States Government that he would ratify that treaty by military decree if they would restore the status quo in Panama.

Mr. KELLOGG. Or would call a new Congress which would ratify it.

Mr. BORAH. Yes; or call a new Congress which would ratify it. In other words, the reason for rejecting the treaty, as stated at the time they rejected it, was absolutely answered within six days thereafter by offering to ratify, a power which they had in October just as fully as they had it upon the 9th of November. I think it was venality from beginning to end.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from Idaho yield to the Senator from Florida?

Mr. BORAH. I yield.

Mr. FLETCHER. Yet I understand the Senator to say that the President of Colombia fully expected that revolution in Panama and was warned in advance that it was going to take place.

Mr. BORAH. He was warned in advance. Of course I do not know what he thought he could do with it, but he evidently would rather speculate on getting $25,000,000 additional than upon taking the smaller amount and leaving Panama in peace. The wiles and guiles of Colombian politicians, I must say, are very difficult to unravel; but there is one golden thread running through the whole transaction, and that is more money.

I was going to say something about the revolution of 1903, and I desire to recall to your consideration the fact that there had been, as I said before, a revolution going on for three years, and the further fact that it really ceased for the consideration of the Colombian treaty, and the further fact that the Colombian people were notified that the treaty must be ratified or it would go forward. This was the condition which existed at the time the treaty was rejected—a state of revolution for years, a revolutionary mind, a threat to go forward, and the actual going forward of the secession movement.

The revolution was in progress as early as October, when the treaty was rejected. Immediately upon its rejection the civil authorities, in so far as they existed—that is, in their community organizations, the only method by which the people could express themselves—began to gather together and to prepare for the revolution, and from the 22d of October until the 3d of November this preparation had gone on. Upon the 2d of November under these conditions Col. Roosevelt ordered the *Nashville*, the *Boston*, and the *Dixie* to Panama. His instructions to the commanders of those ships were no different in substance and effect from the instructions which were issued in 1901 and 1902. If Senators will examine the telegram which was sent in 1901 to the commander of the *Iowa* with reference to the conditions in Panama at that time and the duty which he should perform with reference to the keeping open of transit, they will find that the telegram is almost exactly, in all its import, as the telegrams sent in 1903. By reason of the obligation that rested upon us under the 1846 treaty, those telegrams had been sent from time to time from 1846 until 1903, and the orders which were given to those commanders were no different in effect and scarcely different in language from those which had often been sent before.

What actually took place after they arrived there? On November 8, 1903, Commander Hubbard, the only American officer who was on the Isthmus prior to the declaration of the independence of Panama, made his report, and in this report he said this—I shall not read his language, but take the exact facts as he stated them:

The *Nashville* arrived at Colon at 5.30 p. m. on November 2. He heard talk of a proclamation of independence upon the evening of November 2. At daylight on the morning of the 3d it was found that a vessel, a Colombian gunboat, had come in, carrying about 400 troops. These troops, it was learned, were for garrison purposes at Panama.

Hubbard said in his report that he did not feel authorized to prevent the landing of these troops, and therefore at 8.30 in the morning these 400 Colombian troops disembarked without any interference upon the part of the authorities of the United States. At 5.30 p. m. on November 3 Commander Hubbard heard of the proclamation of independence and that the Colombian Generals Tobal and Amaya, who had gone over to Panama in the morning, were seized and were held in prison. This information was brought to him. The Panamans at this time, said Hubbard, had organized a force of 1,500 men. On the morning of November 4 Hubbard sent word to both forces, the Panamans and the Colombians, that no troops of either force could be transported across the Isthmus, and it is an interesting fact here that the Panamans were just as insistent upon having the Colombian troops transported as the Colombian troops were to be transported, and a good deal more so. In my opinion that was for this reason. Fully 600 of the troops at Panama had deserted the Colombians and had gone over to the Panamans, and the Panamans believed that if the troops at Colon were transported to Panama they would desert and go over to their columns also. Therefore the Panamans were asking that the troops be transported, but Commander Hubbard said that neither would be permitted to transport troops.

At 1 o'clock on November 4 Hubbard went ashore and met the vice consul and Col. Shaler, of the Panama Railroad Co. The consul informed Hubbard that Torres had sent word that if the Colombian Generals Tobal and Amaya, who had been captured by the Panamanians, were not released by 2 o'clock Torres would fire upon the town of Colon and kill every United States citizen in it.

Up to this time no American soldiers had been landed in Panama, and not until the threat to attack was made were any troops landed, and then only 42 against the 400 Colombians. The United States citizens were then congregated in a building, and that building was put in a state of defense and marines to the number of 42 were landed under the command of Commander Witzel. At 3.15 on the 4th Torres asked for an interview with Hubbard, and when he came he expressed himself as being friendly to the Americans, and stated that he would withdraw his (Torres') troops to Monkey Hill if Hubbard would withdraw the Nashville forces, and they would leave the town and the Isthmus in the control of the police. What followed? Hubbard accepted his proposition. Hubbard was perfectly willing to leave the situation in the control of the local police, provided Torres would withdraw his threat and withdraw his

forces, so that there would be no danger of American citizens being attacked, and he did reembark his 42 men and leave the situation entirely under the control of the police.

After this he discovered, on November 5, that the commander of the Colombian troops had not withdrawn his troops from the town as he had agreed. Upon inquiry Torres assigned a trivial reason, which was not satisfactory to Hubbard, and Torres stated furthermore that it was his intention to occupy Colon again upon the arrival of the alcalde. The situation became serious and, says Hubbard:

I immediately again landed an armed force and reoccupied the same building in which the American citizens were congregated, and informed Torres that I had done it because he had not kept his word in withdrawing his troops as he agreed.

Then the report says—and I am quoting his exact language:

I had no interest in the affairs of either party. My attitude was strictly neutral.

That is his report to the Secretary of the Navy. He continues:

That the troops of neither side should be transported. My sole purpose in landing was to protect the lives and property of American citizen and maintain free and uninterrupted transit of the isthmus.

He then asked Torres to carry out the agreement which he had made to withdraw his troops to Monkey Hill, which Torres declined at that time to do. In the afternoon several propositions were made to Col. Torres by the representatives of the new Panaman Government.

Senators, I ask you to pay particular attention to this; it is important and it answers the question of the Senator from North Carolina. He said that in the afternoon several propositions were made to Col. Torres by the representatives of the new Panaman Government and he was finally persuaded by the representatives of Panama to embark on the Royal Mail steamer *Orinoco* with his troops and return to Cartagena. The *Orinoco* left her dock with those troops at 7.35 p. m.

Then Mr. Hubbard concludes:

I beg to assure the department that I had no part whatever in the negotiations that were carried on between Col. Torres and the representatives of the provisional government, but I landed an armed force only when the lives of American citizens were threatened, and withdrew this force as soon as there seemed to be no ground for further apprehension of injury to American lives or property; that I relanded an armed force because of the failure of Col. Torres to carry out his agreement to withdraw, and announced intention of returning, and that my attitude throughout was strictly neutral as between the two parties, my only purpose being to protect the lives and property of American citizens and to preserve the free and uninterrupted transit of the isthmus.

It seems to me that the very best evidence of what actually transpired would be the dispatch from the naval commander to the Secretary of the Navy, reporting precisely what he did. There is no dispute at all as to the fact that he only landed 42 marines, and that, too, after a threat against the lives of American citizens; and, also, as to the fact that Colombia finally withdrew her troops after an interview with the Panamans voluntarily, and left Panama.

Why did they leave? About 12 o'clock noon of the 4th Melendez, the alcalde of Colon, and Gen. Torres had a meeting, an interview in a restaurant in Panama—a rather public meeting. Immediately after the interview Torres went out and asked for a special train to carry Melendez to the city of Panama to interview the Panamans. The special train was given him, and Melendez went to Panama to have an interview with the representatives of the new Government. He returned the next morning at 10.45 o'clock. He carried with him $8,000; that $8,000 was paid over to Torres on the pier of the Royal Mail Line without apparently any attempt at concealment. In a few hours afterwards the boat was sailing away with the troops for Cartagena.

Mr. REED. And the money.

Mr. BORAH. And the money. Whether it was money that moved the departure or not, certainly the American troops did not compel them to go; they left after an interview with the Panaman Government, after the money was paid over to the general in charge of the Colombian troops.

Mr. REED rose.

Mr. BORAH. Just a moment. Take into consideration also the fact that 600 of the Colombian troops deserted Colombia and went over to Panama, and Panama always claimed that if she could have gotten the other troops from Colon there they would have done the same thing. It will be found that the entire public sentiment of Panama, even to those who were there representing Colombia and her military force, was in sympathy with Panama.

The Colombian troops did not propose to fight against Panaman independence any longer, especially if they could be compensated. [Laughter.] Now, I yield to the Senator from Missouri.

Mr. REED. I was going to ask the Senator if there is evidence as to where the $8,000 actually came from? The Senator told us of the trip and of the interview, but he did not tell us where the money came from. I wonder whether the record shows that.

Mr. BORAH. No; the record does not show; but if the Senator will study the record as industriously as I have done for the last six weeks he will come to a conclusion about it. I might be wrong; I do not want to say, but I think there has been a gentleman in this business from the beginning handling a vast amount of money, and I think I know where the money came from. But I really could not prove it.

Mr. NORRIS. Will there be any money left? [Laughter.]

Mr. BORAH. To recapitulate: It is my contention that Panama was never, after April, 1861, a part of Colombia except as she was dominated and controlled by military force, and that she was in practically a constant struggle from that time on to 1903 to secure her independence. This independence Panama had practically won in the long fight from 1898 to 1902. During that time she had reduced Colombia to such a state that her treasury was bankrupt and she was conscripting boys 9 years of age for the army. That as soon as Panama learned that the Colombian treaty had been rejected she renewed her effort to secure her independence. That this movement was not instigated, aided, or abetted by the United States or its representatives. Furthermore, she was entitled to her independence by every rule of international morality, justice, and every maxim of liberty and independence. That she acquired her independence, as she had a right to do, and when we treated with her we treated with her as an independent nation, the sole owner and possessor of the property which we purchased. That in no way and in no respect did this Government violate the treaty of 1846 or trespass upon the principles of international law in any matters connected with our presence upon the Isthmus in November, 1903. That if Colombia has suffered a loss she has suffered a loss by reason of her own acts and doings and not by reason of any wrongful acts of this Government. Our title is clear. Our record is unassailable.

Mr. President, I have presented one phase of this controversy in a somewhat hurried way. But these, Mr. President, are the salient facts touching the secession of Panama. Anyone who has the patience and the determination to go through the records will find them to be the facts. This Government did not foster revolution in Panama. The spirit of revolution in the ancient springs which fed it was nearly a century old. For decades, sometimes covertly and sometimes openly, the people of Panama had schemed and intrigued and fought for their independence. They never felt they were a part of Colombia, and Colombia never treated them as if they were really a part of her in any true and proper sense of the term. Not the slightest federal spirit ever pervaded Panama. The achievement of 1903 was but the fruition of this old struggle. In the passions and purposes of the final effort there was nothing new. Our Government did not sink to the level of a coconspirator of base and brutal intrigue. Roosevelt did not take on the part of a common adventurer. John Hay was not a liar. We owe Colombia nothing. Not the United States aided Panama, but the short-sighted, selfish, and deceptive policy of Colombia aided Panama. Colombia has no claim against this Government, legal or moral. The name of Roosevelt should not be dishonored. The brand of shame should not be put upon our country. The legend of fraud should not be inscribed upon this great achievement. We do ourselves dishonor and our country a disservice if we yield to these false charges and to this unjust demand. No one can ever justify connivance at his own country's unjust degradation. You can afford in misunderstandings between nations to be always in a yielding, compromising mood, except where compromise means the admission of a false charge of dishonor. To compromise under such a charge, to voluntarily take on the stain of dishonor, is to take your place among the weak and pusillanimous nations of the world. It makes no difference what your wealth may be, how vast the territory over which you exercise dominion, when you shall have lost all sense of honor as in confessing to wrongs of which you are innocent you will be regarded ever after as the easy victim of the unscrupulous, the avaricious, and the daring.

The VICE PRESIDENT. The treaty is before the Senate as in Committee of the Whole and open to amendment.

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

The VICE PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

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

Borah	Colt	Gooding	Kellogg
Brandegee	Cummins	Harrison	Kenyon
Broussard	Curtis	Heflin	Knox
Bursum	Fletcher	Jones, N. Mex.	Ladd
Capper	Gerry	Jones, Wash.	Lenroot

Lodge	Norris	Sheppard	Trammell
McNary	Overman	Simmons	Underwood
Moses	Pittman	Smoot	Warren
Nelson	Pomerene	Stanfield	Watson, Ga.
Nicholson	Reed	Stanley	Willis

The VICE PRESIDENT. Forty Senators having answered to their names, no quorum being present, the Secretary will call the names of the absent Senators.

The Assistant Secretary called the names of the absent Senators, and Mr. JOHNSON, Mr. KEYES, and Mr. LA FOLLETTE answered to their names when called.

The VICE PRESIDENT. Forty-three Senators having answered to their names, no quorum is present.

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

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. WELLER, Mr. STERLING, Mr. ERNST, Mr. CAMERON, Mr. SHORTRIDGE, Mr. NEW, and Mr. WALSH of Massachusetts entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators having answered to their names, a quorum is present.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in secret session.

The motion was agreed to, and the Senate proceeded to deliberate with closed doors. After 10 minutes the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate, as in legislative session, took a recess until to-morrow, Friday, April 15, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 14 (legislative day of April 13), 1921.

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY.

FRANCE.

Myron T. Herrick, of Ohio, to be ambassador extraordinary and plenipotentiary of the United States of America to France.

GREAT BRITAIN.

George Harvey, of New Jersey, to be ambassador extraordinary and plenipotentiary of the United States of America to Great Britain.

REPRESENTATIVE IN INTERNATIONAL CONFERENCE ON TELEGRAPH, TELEPHONE, ETC.

Henry P. Fletcher, of Pennsylvania, Undersecretary of State, to be a representative of the Government of the United States to participate in an international conference to be held in Washington to consider all international aspects of communication by telegraph, telephone, cable, wireless telephone, and wireless telegraphy, and to make recommendations with a view to providing the entire world with adequate facilities for international communication on a fair and equitable basis, to which office he was appointed during the last recess of the Senate.

ASSISTANT ATTORNEY GENERAL.

William D. Riter, of Utah, to be Assistant Attorney General, vice Leslie C. Garnett, appointed during recess.

DEPARTMENT OF JUSTICE.

UNITED STATES DISTRICT JUDGES.

William Eli Baker, of West Virginia, to be United States district judge for the northern district of West Virginia, vice Alston G. Dayton, deceased.

Claude Z. Luse, of Wisconsin, to be United States district judge for the western district of Wisconsin, vice A. L. Sanborn, deceased.

UNITED STATES ATTORNEYS.

William H. Dougherty, of Wisconsin, to be United States attorney for the western district of Wisconsin, vice Albert C. Wolfe, term expired.

A. D. Walton, of Wyoming, to be United States attorney, district of Wyoming, vice Charles L. Rigdon, resigned.

UNITED STATES MARSHAL, EASTERN DISTRICT OF TEXAS.

Phil. E. Baer, of Texas, to be United States marshal for the eastern district of Texas, vice W. B. Harper, appointed by court.

TREASURY DEPARTMENT.

COLLECTORS OF INTERNAL REVENUE.

Newton M. Miller, of Ohio, to be collector of internal revenue for the eleventh district of Ohio, in place of Boriah E. Williamson, resigned.

Mr. Miller is now serving under temporary commission issued during the recess of the Senate.

Louis A. Spellier, of Reno, Nev., to be collector of internal revenue for the district of Nevada, to fill an existing vacancy.

Mr. Spellier is now serving under temporary commission issued during the recess of the Senate.

Benigno C. Hernandez, of New Mexico, to be collector of internal revenue for the district of New Mexico, to fill an existing vacancy.

Mr. Hernandez is now serving under a temporary commission issued during the recess of the Senate.

John C. Noel, of Virginia, to be collector of internal revenue for the district of Virginia, in place of Richard C. L. Moncure, resigned.

Mr. Noel is now serving under temporary commission issued during the recess of the Senate.

COAST GUARD.

Cadet Norman Ryder Stiles to be ensign in the Coast Guard of the United States, to take effect from date of oath.

PUBLIC HEALTH SERVICE.

Following to be officers in the Public Health Service, to rank from dates indicated:

Surgeon to be senior surgeon.

George B. Young, March 12, 1920.

Passed assistant surgeons to be surgeons.

Paul Preble, August 29, 1920.
Randolph M. Grimm, August 29, 1920.
Joseph R. Ridlon, August 29, 1920.
Charles M. Fauntleroy, August 29, 1920.
Hermon E. Hasseltine, August 29, 1920.
James P. Leake, August 29, 1920.
Lawrence Kolb, August 29, 1920.
David C. Turnipseed, August 29, 1920.
Carlisle P. Knight, August 29, 1920.
Warren F. Draper, August 29, 1920.
George Parcher, August 29, 1920.
Louis Schwartz, August 29, 1920.
Robert H. Heterick, August 29, 1920.
Charles L. Williams, August 29, 1920.
Grover A. Kempf, August 29, 1920.
Louis R. Thompson, August 29, 1920.

Assistant surgeons to be passed assistant surgeons.

Clifford R. Eskey, August 19, 1920.
William D. Heaton, July 15, 1920.
Robert R. Ivey, July 20, 1920.
John D. Reichard, May 12, 1920.
James F. Worley, September 25, 1918.
Edwin O. Woods, September 6, 1920.
Walter T. Harrison, October 26, 1920.
Charles Armstrong, October 27, 1920.
Rolla E. Dyer, October 31, 1920.
Justin K. Fuller, October 27, 1920.
Robert W. Hart, January 30, 1921.

Doctors to be assistant surgeons.

Lynn A. Fullerton, October 4, 1920.
Marion R. King, October 4, 1920.
Lester C. Scully, October 4, 1920.
Floyd C. Turner, September 30, 1920.
Fortunat A. Troie, from date of oath.

DEPARTMENT OF THE INTERIOR.

REGISTERS OF THE LAND OFFICE.

James Frederick Drake, of Pueblo, Colo., to be register of the land office at Pueblo, Colo., vice George M. Dameron, deceased.

Charles D. Voris, of Monte Vista, Colo., to be register of the land office at Del Norte, Colo., vice Hubbard H. Abbott, deceased.

Joseph Montgomery, of Lewistown, Mont., to be register of the land office at Lewistown, Mont., vice Harry J. Kelly, resigned.

Albert Halen, of Vernal, Utah, to be register of the land office at Vernal, Utah, vice Albert F. Young, failed of confirmation.

RECEIVERS OF PUBLIC MONEYS.

William Ashley, of Sandpoint, Idaho, to be receiver of public moneys at Coeur d'Alene, Idaho, vice Arthur J. Ewing, term expired.

William Q. Ligon, of Gloster, Miss., to be receiver of public moneys at Jackson, Miss., vice H. Clay Sharkey, resigned.

Mrs. Caroline S. King, of Minnesota, who was appointed during the recess of the Senate, September 13, 1920, but failed of confirmation, to be receiver of public moneys at Cass Lake, Minn., to fill the unexpired term of Fred A. King, deceased, ending January 20, 1922.

Roy Henry Fuller, of Havre, Mont., to be receiver of public moneys at Havre, Mont., vice B. Frank Chestnut, term expired.

Harry R. Grier, of Tonopah, Nev., to be receiver of public moneys at Carson City, Nev., vice Adelbert B. Gray, resigned.

Mrs. Addie Longhurst, of Vernal, Utah, to be receiver of public moneys at Vernal, Utah, vice Miss Nellie E. Rodabaugh, failed of confirmation.

DEPARTMENT OF COMMERCE.

COAST AND GEODETIC SURVEY.

The following-named officers of the Department of Commerce to occupy the positions held by them under recess appointments in the United States Coast and Geodetic Survey:

Ralph Woglom Woodworth, of New Jersey, to be aid, with relative rank of ensign in the Navy.

Frederick Estill Joekel, of Texas, to be aid, with relative rank of ensign in the Navy.

The following were appointed during the recess of the Senate:

FIRST ASSISTANT SECRETARY OF THE INTERIOR.

Edward C. Finney, of Kansas, March 16, vice Alexander T. Vogelsang, resigned.

COMMISSIONER OF THE GENERAL LAND OFFICE.

William Spry, of Salt Lake City, Utah, March 17, vice Clay Tallman, resigned.

COMMISSIONER OF INDIAN AFFAIRS.

Charles H. Burke, of South Dakota, March 31, vice Cato Sells, resigned.

COMMISSIONER OF PENSIONS.

Washington Gardner, of Michigan, March 22, vice Frank D. Byington, resigned.

COMMISSIONER OF PATENTS.

Thomas E. Robertson, of Maryland, March 31, vice Melvin H. Coulston, resigned.

REGISTERS OF LAND OFFICES.

Spencer E. Burroughs, of California, March 29, at Susanville, Calif., vice James A. Nutting, resigned.

Alfred M. Bergere, of New Mexico, March 17, at Santa Fe, N. Mex., vice Francisco Delgado, resigned.

POST OFFICE DEPARTMENT.

FIRST ASSISTANT POSTMASTER GENERAL.

Hubert Work, of Colorado, vice John C. Koons, resigned.

SECOND ASSISTANT POSTMASTER GENERAL.

Edward H. Shaughnessy, of Illinois, vice Otto Praeger, resigned.

PUBLIC PRINTER.

George H. Carter, of Iowa, to be Public Printer, to which office he was appointed during the last recess of the Senate.

GOVERNOR OF THE PANAMA CANAL.

Col. Jay J. Morrow, Corps of Engineers, United States Army, for appointment as governor of the Panama Canal, provided for by the Panama Canal act, approved August 24, 1912, vice Brig. Gen. Chester Harding, United States Army (retired).

GOVERNOR OF THE VIRGIN ISLANDS.

Capt. Sumner E. W. Kittelle, United States Navy, to be governor of the Virgin Islands, ceded to the United States by Denmark, to which office he was appointed during the last recess of the Senate.

INTERSTATE COMMERCE COMMISSIONER.

John Jacob Esch, of Wisconsin, to be an Interstate Commerce Commissioner for the term expiring December 31, 1927, to which office he was appointed during the last recess of the Senate.

DIRECTOR OF THE WAR FINANCE CORPORATION.

Dwight Davis, of Missouri, to be a director of the War Finance Corporation for the unexpired term of four years from May 17, 1918, to which office he was appointed during the last recess of the Senate.

MEMBER OF FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Harry L. Fidler, of Indiana, to be a member of the Federal Board for Vocational Education, to which office he was appointed during the last recess of the Senate for a term of three years.

UNITED STATES ARMY.

OFFICERS' RESERVE CORPS.

To be brigadier general.

Charles Gates Dawes, late brigadier general, United States Army, from March 18, 1921. (For appointment in the Officers' Reserve Corps of the United States Army under the provisions of section 37 of an act of Congress approved June 4, 1920.)

UNITED STATES NAVY.

Judge Advocate General of the Navy.

Capt. Julian L. Latimer to be Judge Advocate General of the Navy, with the rank of rear admiral, for a term of four years.

Paymaster General.

Pay Director David Potter to be Paymaster General and Chief of the Bureau of Supplies and Accounts in the Department of the Navy, with the rank of rear admiral, for a term of four years.

MARINE CORPS.

To be captains with rank from June 4, 1920.

George W. Hamilton.
Leroy P. Hunt.
Clifton B. Cates.
John H. Fay.
Gaines Moseley.
Leo D. Hermle.
Lemuel C. Shepherd.
Frank Whitehead.
Roswell Winans.
Robert Blake.
Alfred H. Noble.
James F. Robertson.
Charles I. Murray.
Percy D. Cornell.
Jonas H. Platt.
Francis J. Kelly, jr.
Samuel C. Cumming.
Gilder D. Jackson, jr.
John P. Harvis.
Augustus B. Hale.
Thomas J. Curtis.
James F. Moriarity.
Peter Conachy.
Robert E. Williams.
Walter T. H. Galliford.
Fred G. Patchen.
Edwin P. McCaulley.
Graves B. Erskine.
James A. Holms.
Louis R. Jones.
William B. Croks.
Robert Yowell.
William W. Ashurst.
Francis P. Mulcahy.
Bailey M. Coffenberg.
Edward D. Kalbfleisch.
Robert M. Montague.
Francis S. Kieren.
William F. Beattie.
Oliver C. Hine.
William J. Crosson.
Daniel E. Campbell.
Maurice G. Holmes.
James E. Betts.
Wethered Woodworth.
James W. Webb.
John M. Tildsley.
Louis E. Woods.
William McN. Marshall.
George H. Scott.
Eugene F. C. Collier.
Evans O. Ames.
William H. Davis
Franklin A. Hart.
George Franklin Adams.
George W. Spotts.
Emmett W. Skinner.
Jesse J. Burks.
William L. Crabbe.
Thomas B. Gale.
Field Harris.
Charles M. Jones.
Lewis L. Gover.
Roy C. Swink.
Leon L. Dye.
Lee W. Wright.
Reuben B. Price.
George P. Doane.
Walter J. Green.
James E. Reich.
Carl S. Schmidt.
Charles Ubel.
Charles C. St. Clair.
John Waller.
Eugene L. Pelletier.
Otto Salzman.
Harry V. Shurtleff.
Francis E. Pierce.
Harry W. Gamble.
Roscoe Arnett.
Francis C. Cushing.
Charles L. Eickmann.
Frank E. Becker.
Nathan E. Landon.
Eugene L. Mallaly.
Walter E. McCaughtry.
John P. McCann.
Maurice A. Willard.
Harry A. Ellsworth.
Charles B. Hobbs.
Warren C. Barnaby.
Maurice C. Gregory.
Gustav F. Bloedel.
Thomas Dwight.
John J. Haley.
Walter Wooding.
Frank D. Creamer.
William Mills.
Robert W. Maxwell.
William F. Thalheimer.
Howell Cobb.
Thomas F. Joyce.
Charles Grimm.
William Frederick Brown.
Augustus T. Lewis.
Robert W. Williams.
Arthur J. Stout.
Andrew E. Cressy.
Arthur H. Page.
Donald Curtis.
Jesse L. Perkins.
Clarence N. McClure.
Michael Kearney.
Edward H. W. Holt.
Bror G. Brodstrom.
Angus Wilson.
Ery M. Spencer.
James P. Smith.
Frank E. Verner.
Norman M. Shaw.
John F. Duffy.
John A. McDonald.
Clarence H. Medairy.
Stephen F. Drew.
Edward G. Huefe.
James H. McGan.
James E. Snow.
Hans O. Martin.

Louis J. Hughes.
Augustus Aiken.
William Merrill.
Joseph Jackson.
Earl C. Nicholas.
Martin J. Kelleher.
Martin Canavan.
Joseph M. Swinnerton.
Leslie G. Wayt.
Archie Farquharson.
Robert W. Winter.
Glen C. Cole.
Max Cox.
Charles M. Lott.
Russell A. Presley.
Ernest L. Russell.
William F. Becker.
Charles H. Martin.
Charles F. Kienast.
Earl B. Hammond.
Timothy J. Holland.
Charles D. Sniffin.
Robert J. Archibald.
Franklin T. Steele.
Newton Best.
William A. Worton.
Glenn E. Hayes.
Stewart B. O'Neill.
John F. Talbot.
John W. Thomason.
George F. Hill.
Merritt B. Curtis.
Charles T. Brooks.
Herbert Hardy.
Richard B. Buchanan.
Charles E. Muldrow.
John T. Walker.
Oliver P. Smith.
Hugh Shippey.
Joseph G. Ward.
Robert C. Anthony.
James D. McLean.
Henry D. Linscott.
William T. Clement.
Ralph E. West.
Keith E. Kinyon.
Frank D. Strong.
Benjamin Goodman.
Lyman Passmore.
Clifford O. Henry.
Joseph T. Smith.
Raymond E. Knapp.
Hiram R. Mason.
Edward L. Burwell, jr.
Omar T. Pfeiffer.
John F. Blanton.
Campbell H. Brown.
Lewie G. Merritt.
George F. Smithson.
Ernest E. Eiler.
Harold D. Shannon.
Claude A. Larkin.
Wesley W. Walker.
Lucian W. Burnham.
Shaler Ladd.
John C. Wood.
Clyde P. Matteson.
Richard H. Jeschke.
Robert L. Nelson.
John H. Craige.
Louis S. Davis.
Horace W. Mitchell.
Joseph I. Nettekoven.
James Maguire.
Harry H. Shepherd.
Ralph G. Anderson.
William P. T. Hill.
William E. Riley.
Ray A. Robinson.
Robert L. Montague.
Ross L. Iams.
Richard B. Dwyer.
David R. Nimmer.

To be first lieutenants with rank from June 4, 1920.

Louis Cukela.
Jacob Lienhard.
Frederick Israel.
Victor F. Bleasdale.
Merwin H. Silverthorn.
George Bower.
Cecil J. Widdifield.
Walter Sweet.
Fred J. Zinner.
Prentice S. Geer.
John Groff.
William W. Rogers.
Curtis T. Beecher.
Vernon Bourdette.
George F. Stockes.
Tom E. Wicks.
Murl Corbett.
James P. Schwerin.
William M. Radcliffe.
John H. Parker.
Walter S. Gaspar.
Elton C. Hersman.
William K. MacNulty.
Alfred Dickerson.
Thomas R. Shearer.
Jacob M. Pearce.
Charles C. Gill.
Norman S. Hinman.
Donald R. Fox.
Bruce J. Millner.
William P. Richards.
Willett Elmore.
John F. McVey.
Harry E. Horner.
Francis Fisk.
Wilbur G. Gunn.
Julius T. Wright.
Samuel J. Bartlett.
Oliver A. Dow.
Louie W. Putnam.
Robert J. Woodrich.
Harry Paul.
Austin G. Rome.
Samuel F. Birthright.
Clate C. Snyder.
Edgar S. Tuttle.
Charles E. Rice.
Bert A. Bone.
Robert C. Thaxton.
Euvelle D. Howard.
Harlan Pefley.
Harold D. Campbell.
Samuel W. Freeny.
William H. Harrison.
John P. Adams.
Otto E. Bartoe.
Ramond J. Bartholomew.
Bruce B. MacArthur.
Erwin Mehlinger.
Gilbert D. Hatfield.
George H. Morse.
William K. Snyder.
William T. Evans.
Benjamin W. Gally.
Alfred W. Ogle.
Donald J. Kendall.
Alton A. Gladden.
Lewis B. Reagan.
Dudley S. Brown.
Robert H. Pepper.
John B. Wilson.
James D. Colomy.
Galen M. Sturgis.
Joseph W. Knighton.
James A. Mixson.
Lades R. Warriner.
Oakley K. Brown.
Gus L. Gloeckner.
Leo F. S. Horan.
John M. Popham.
Thomas A. Tighe.
Richard O. Sanderson.
Chaplain G. Hicks.
Frank R. Armstead.
Henry S. Hausmann.
Frederick M. Howard.
Edwin J. Mund.
Lee H. Brown.
Robert E. Mills.
Albert B. Sage.
John D. Lockburner.
Gustaf A. Brodstrom.
Richard Livingston.
Fred B. Hoyt.
Harold C. Major.
Jesse A. Nelson.
Fred S. Robillard.
Blythe G. Jones.
Herman R. Anderson.
Clarence M. Ruffner.
Hu H. Phipps.
Frederick C. Lusk.
Willis F. Ostrander.
James H. Williamson.
George T. Hall.
Willard P. Leutz.
Hal N. Potter.
Walter S. Hallenberg.
Jack H. Tandy.
Lewis R. Stickles.
Oliver T. Francis.
Carlos H. McCullough.
Edward A. Fellowes.
Robert C. Kilmartin, jr.
Edward A. Craig.
Julian P. Brown.
Andrew L. W. Gordon.
Bernard Dubel.
Earle M. Randall.
Leland S. Swindler.
Howard N. Stent.
Donald Spicer.
Ford O. Rogers.
Walter G. Farrell.
William L. Harding, jr.
John B. Neill, jr.
Henley M. Goode.
Ralph R. Robinson.
Walter E. Bilisoly.
John K. Martenstein.
Charles M. Portis.
St. Julian R. Childs.
Hamilton M. H. Fleming.
Frederick E. Stack.
Edward S. Shaw.
Merritt A. Edson.
Edward O. Bogert.
John A. Tebbs.
John C. Wemple.
Curtis W. LeGette.
Joseph H. Fellows.
Louis G. De Haven.
Lester A. Dessez.
Andrew R. Holderby.
Merton A. Richal.
John Kaluf.
George Nielsen.
Charles D. Baylis.
William G. Kilgore.
William F. McDonnell.
George W. Shearer.
Eli Savage.
Grover C. Wright.
Edward B. Moore.
David Kipness.
Earl W. Garvin.
Sherman L. Zea.
Harold W. Whitney.
Claude A. Phillips.
John W. Beckett.
Harold F. Swindler.
John Halla.
Edward E. Mann.
Kenneth A. Inman.
Lester N. Medaris.
Charles C. Cameron.
Albert W. Paul.
Frank X. Bleicher.
Frank B. Geottge.
Joseph C. Grayson.
Donald G. Oglesby.
Byron F. Johnson.
Nicholas E. Clauson.
Alfred C. Cottrell.
Wallace G. Gibson.
John T. Selden.
Elmer E. Hall.
Henry A. Carr.
Orrel A. Inman.
James E. Smith.
Frederick D. Harbaugh.
Albert E. Benson.
Frank S. Flack.
William J. Livingston.
Carl F. Merz.
Howard M. Peter.
Sydney J. Handsley.
Donald M. Taft.
Miller V. Parsons.
Basil G. Bradley.
Charles J. Lohmiller.
Henry F. Adams.
Charles W. Henkle.
Spencer N. Phillips.
Solon C. Kemon.
Harry B. Liversedge.
Merton J. Batchelder.
George E. Monson.
Arthur Challacombe.
Stewart P. Corning.
William J. Mosher.
Joseph F. Burke.
John F. Connaughton.
John W. McNamara.
Marvin Scott.
James W. Flett.
Harry W. Bacon.
William C. Hall.
Edward T. Bayman.
Fitzhugh L. Buchanan.
Arnold C. Larsen.
William J. Wallace.
William Floyd Brown.
James J. McClelland.
Harvey D. Alban.
Amor L. Sims.
Aubrey L. Johnson.
Moses J. Gould.
Basil H. Pollitt.
George W. Walker.
Marshall E. Simmons.
George R. Rowan.
James E. Stanners.
Theodore H. Cartwright.
Lucas I. Bruns.
Richard H. Schubert.
Herbert V. Hansen.
Grover C. Moore.
Kenneth R. Berkey.
William J. Whaling.

To be second lieutenants with rank from June 4, 1920.

William H. Faga.
Herman H. Hanneken.
Daniel R. Fox.
William Ulrich.
Ralph W. Culpepper.
Herbert C. Bluhm.
Thomas M. O'Sullivan.
Lloyd R. Pugh.
Henry A. Rickers.
Brownlo I. Byrd.
Paul F. Howard.
Lemuel A. Haslup.
Harry E. Leland.
Charles Gorkum.
Herbert C. Joerger.
John A. McShane.
Hans G. Hornbostel.
Brady L. Vogt.

Edward J. Keenan.	William L. Bales.
Thomas J. Kilcourse.	Ralph C. Battin.
Frank H. Fleer.	Frederick C. Biebush.
Romain B. Julian.	Edmund M. Callaway.
Irving E. Odgers.	Gale T. Cummings.
Joseph Ascheim.	Roy W. Conkey.
Harry P. Smith.	Terrell J. Crawford.
Harry E. Darr.	Howard B. Enyart.
William E. Quaster.	George Esau.
Elmer E. Liebensperger.	William S. Fellers.
Charles W. Lavlett.	Augustus H. Fricke.
Francis Kane.	Julian N. Frisbie.
James J. Brennan.	Carl Gardner.
Lester E. Power.	Gordon Hall.
Clinton W. McLeod.	Guy B. Hall.
Charles A. Ingram.	Frank W. Hanlen.
Paul A. Lesser.	James B. Hardie.
Edward Selby.	Allen S. Heaton.
Chauncey H. Applegate.	George L. Hollett.
Edward F. O'Day.	Herbert S. Keimling.
Jacob J. Kesel.	Herman Kingsnorth.
James D. Waller.	Ralph D. Leach.
Clifford Prichard.	George W. McHenry.
Cyril W. Martyr.	William L. McKittrick.
Frank S. Gilman.	Arthur A. Nelson.
Ogbourne A. Hill.	Otto B. Osmondson.
Melvin E. Fuller.	John M. Patton, jr.
Francis I. Fenton.	Charles W. Pohl.
John W. Cunningham.	Bernard W. Pravitz.
Charles H. Hassenmiller.	Stanley E. Ridderhof.
Ralph W. Luce.	Edward A. Robbins.
Marshall Y. Chapman.	David A. Stafford.
Harmon J. Norton.	William J. Stamper.
Stanley Klos.	Chesley G. Stevens.
Willard R. Enk.	Jay D. Swartwout.
Minter L. Lowther.	George H. Towner.
Gerald C. Thomas.	George S. Van Riper.
Stephen Skoda.	Leslie H. Wellman.
Wilbur Summerlin.	Walter W. Wensinger.
Joseph F. Driscoll.	Ervin R. Whitman.
Adolph Stahlberger.	Goodyear W. Kirkman.
William P. Kelly.	Walter V. Brown.
Bert Van Moss.	Lawson H. M. Sanderson.
Harry W. Miller.	Jacob F. Plachta.
Walter B. Casey.	Harold D. Rosecrans.
Eric W. Ojerholm.	Louis F. Knorr.
Monitor Watchman, jr.	Joseph L. Moody, jr.
Edgar G. Kirkpatrick.	Thomas M. Ryan.
Clarence H. Yost.	Leo Sullivan.
John T. Sheffield.	Horace D. Palmer.
John D. O'Leary.	Duncan W. Lewis.
Clyde H. Hartsel.	Hayne D. Boyden.
Grover C. Darnall.	Franklin G. Cowie.
Delmar Byfield.	Christian F. Schilt.
Charles Connette.	Cornelius McFadden, jr.
Arthur C. Small.	Robert D. Foote.
James Ackermann.	Arthur J. Burks.
Henning F. Adickes.	James S. Monahan.
Ralph C. Alburger.	John A. Bemis.
Benjamin W. Atkinson.	Raymond W. Hanson.

CONFIRMATION.

Executive nomination confirmed by the Senate April 14 (legislative day of April 13), 1921.

PUBLIC PRINTER.

George H. Carter, to be Public Printer.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 14, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Our Heavenly Father upon earth, Thy mercies elicit our new gratitude. We beseech Thee to give us this day honorable purpose that will enable us to do our work well. May nothing stand between our convictions and obedience, and be Thou our security of our best desires and our holiest loves; through Jesus Christ our Lord. Amen.

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

SWEARING IN OF A MEMBER.

Mr. BENHAM appeared at the bar of the House and took the oath of office prescribed by law.

EMERGENCY TARIFF.

Mr. YOUNG. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenues; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes; and pending that, Mr. Speaker, I wish to ask the gentleman from Tennessee if we can agree upon the time for general debate.

Mr. GARRETT of Tennessee. Mr. Speaker, I have just sent for the gentleman from North Carolina. I understood there was some agreement in the committee as to time. I will ask the gentleman from Michigan if there was any agreement reached in the committee in regard to the time for general debate.

Mr. FORDNEY. No; it was generally understood that we were to run to-day on general debate, but I want to suggest that we have four and a half hours of general debate and that it shall not extend beyond 5 o'clock. I think that will be agreeable to the gentleman from Texas, because I had a conversation with him and the gentleman from North Carolina [Mr. KITCHIN] at the same time, and the gentleman from North Carolina said he would refer the matter to the gentleman from Texas [Mr. GARNER].

Mr. GARRETT of Tennessee. If the gentleman can state that that was the understanding, I have no objection.

Mr. FORDNEY. The exact time of four and a half hours was not agreed upon, but it was agreed that general debate should run to-day. I want to limit it to four hours and a half.

Mr. LONGWORTH. May I suggest that the gentleman ask that the general debate be continued until 5 o'clock.

Mr. SABATH. I would like to ask the gentleman if it is the intention to adjourn at 5 o'clock or take up the bill under the five-minute rule.

Mr. FORDNEY. Oh, no; we will not take it up under the 5-minute rule until to-morrow. We want to conclude general debate to-day.

Mr. YOUNG. And pass the bill before adjournment to-morrow.

Mr. MONDELL. If this request is agreed to, the gentleman expects to take the bill up under the 5-minute rule to-morrow morning?

Mr. FORDNEY. Yes.

Mr. CAREW. It was the understanding in committee that general debate should continue to-day and that it should be taken up under the 5-minute rule to-morrow.

Mr. YOUNG. The understanding is that we shall complete the consideration of the bill to-morrow.

Mr. CAREW. That was not a part of the agreement. If the gentleman makes that request, there will be no objection from this side.

Mr. GARNER. Will the gentleman from Michigan state his request again; I was out for the moment.

Mr. FORDNEY. My request is to have general debate to-day, to be concluded at 5 o'clock p. m.

Mr. GARNER. Why conclude it at 5 o'clock?

Mr. FORDNEY. Because we want to get away from here at that time.

Mr. GARNER. Are you going to have a conference or a caucus this afternoon?

Mr. FORDNEY. That is rather a personal question. No; there is no Republican caucus, but I might have a caucus myself with other gentlemen.

Mr. GARNER. If it is a matter only of general debate, we ought to have all the general debate that we can get.

Mr. FORDNEY. This will give us five hours, or nearly five hours, and it seems to me that is long enough. Nearly every man in the House has spoken on every item in the bill and expressed himself on it heretofore.

Mr. GARNER. Let me suggest to the gentleman from Michigan this thought: That there is no reason why Members should not speak after 5 o'clock, if they desire, even though there may not be more than 25 or 30 Members present. Since there is no vote to be taken and no contest, it seems to me that we ought to have all the general debate that we can possibly get, as long as gentlemen want to speak on the bill.

Mr. GREEN of Iowa. If the gentleman will permit me, some of us are working very early and late on the permanent tariff bill, and at the same time the members of the committee feel

that they should stay here during general debate, and we might want to have a little time outside. It seems to me that this matter has been discussed so much that there is scarcely anything new that can be said on the subject.

Mr. GARNER. I have a great many requests for time, and it occurred to me that the gentleman from North Dakota could remain here——

Mr. YOUNG. I have not had many requests for time on this side, and I do not think there is any great desire for general debate on the bill.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that the time for general debate be equally divided between Mr. YOUNG and the gentleman from Texas [Mr. GARNER], and let us run along and see what we can do to-day; the gentleman from North Dakota to control the time on this side and the gentleman from Texas [Mr. GARNER] on the minority side.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the time for general debate be equally divided between the two sides, one half to be controlled by the gentleman from North Dakota [Mr. YOUNG] and the other half by the gentleman from Texas [Mr. GARNER]. Is there objection?

Mr. MONDELL. Mr. Speaker, I think we ought to have an understanding as to when general debate is to close. The House is entitled to know when general debate is to close. The gentleman from Texas objects to general debate being closed at 5 o'clock, but that is about as late as Members care to stay in the House. If we attempt to carry general debate beyond that time, some one will be making the point of no quorum; and this request means five hours, practically, of general debate.

Mr. GARNER. Why not say not later than 5.30?

Mr. MONDELL. I think there would be no objection to that, that general debate shall not be continued beyond 5.30.

The SPEAKER. The gentleman from Michigan modifies his request that general debate shall not extend later than 5.30 o'clock this afternoon. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, the gentleman from Michigan stated that every Member in the House had spoken and voted upon every provision of this bill. I want to remind him that there are 121 new Members here who have never voted upon any bill.

Mr. FORDNEY. But they are real modest and do not care to talk about a matter so well settled and so thoroughly understood as that presented in this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from North Dakota that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2435, the emergency tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2435, with Mr. CAMPBELL of Kansas in the chair.

Mr. YOUNG. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

Mr. McCLINTIC. Mr. Chairman, reserving the right to object, this is a short bill and none of us has seen a copy of it until this morning. I think the bill ought to be read.

Mr. GARNER. Mr. Chairman, may I suggest to the gentleman from Oklahoma that the bill must be read under the five-minute rule? Printed copies of the bill can be had. We want to have as much general debate as possible.

Mr. McCLINTIC. Very well.

The CHAIRMAN. Is there objection?

Mr. WINGO. Mr. Chairman, reserving the right to object, of course, if gentlemen insist upon dispensing with the reading I shall not object, but I think the gentleman from Michigan [Mr. FORDNEY] is very much in error in saying that this is an identical bill with that which we passed in the last session. I have read it just once, but it is quite different from the other bill.

Mr. FORDNEY. How does it differ? It limits the operation to 6 months instead of to 10.

Mr. WINGO. Oh, no; there are other differences.

Mr. FORDNEY. That is all the difference there is in the tariff bill. The antidumping matter is something that was disposed of here without a record vote.

Mr. WINGO. Mr. Chairman, it is so apparent that the gentleman has not read the bill that I shall object to dispensing with the first reading of it. The bill is certainly different from that which was passed in the last session.

The CHAIRMAN. The gentleman from Arkansas objects.

Mr. WINGO. I want the RECORD to show what it is, because it is different.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc.—

TITLE I.

EMERGENCY TARIFF.

That on and after the day following the passage of this act, for the period of six months, there shall be levied, collected, and paid upon the following articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila), the rates of duty which are prescribed by this section, namely:

1. Wheat, 35 cents per bushel.
2. Wheat flour and semolina, 20 per cent ad valorem.
3. Flaxseed, 30 cents per bushel of 56 pounds.
4. Corn or maize, 15 cents per bushel of 56 pounds.
5. Beans, provided for in paragraph 197 of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, 2 cents per pound.
6. Peanuts or ground beans, 3 cents per pound.
7. Potatoes, 25 cents per bushel of 60 pounds.
8. Onions, 40 cents per bushel of 57 pounds.
9. Rice, cleaned, 2 cents per pound, except rice cleaned for use in the manufacture of canned foods, on which the rate of duty shall be 1 cent per pound; uncleaned rice, or rice free of the outer hull and still having the inner cuticle on, 1½ cents per pound; rice flour and rice meal, and rice broken which will pass through a No. 12 wire sieve of a kind prescribed by the Secretary of the Treasury, one-fourth of 1 cent per pound; paddy, or rice having the outer hull on, three-fourths of 1 cent per pound.
10. Lemons, 2 cents per pound.
11. Oils: Peanut, 26 cents per gallon; cottonseed, coconut, and soya bean, 20 cents per gallon; olive, 40 cents per gallon in bulk, 50 cents per gallon in containers of less than 5 gallons.
12. Cattle, 30 per cent ad valorem.
13. Sheep: One year old or over, $2 per head; less than 1 year old, $1 per head.
14. Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per cent ad valorem.
15. Cattle and sheep and other stock imported for breeding purposes shall be admitted free of duty.
16. Cotton having a staple of 1⅛ inches or more in length, 7 cents per pound.
17. Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.
18. Wool commonly known as clothing wool, including hair of the camel, angora goat, and alpaca, but not such wools as are commonly known as carpet wools: Unwashed, 15 cents per pound; washed, 30 cents per pound; scoured, 45 cents per pound. Unwashed wools shall be considered such as shall have been shorn from the animal without any cleaning; washed wools shall be considered such as have been washed with water only on the animal's back or on the skin; wools washed in any other manner than on the animal's back or on the skin shall be considered as scoured wool. On wool and hair provided for in this paragraph, which is sorted or increased in value by the rejection of any part of the original fleece, the duty shall be twice the duty to which it would otherwise be subject, but not more than 45 cents per pound.
19. Wool and hair of the kind provided for in paragraph 18, when advanced in any manner or by any process of manufacture beyond the washed or scoured condition, and manufactures of which wool or hair of the kind provided for in paragraph 18 is the component material of chief value, 45 cents per pound in addition to the rates of duty imposed thereon by existing law.
20. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, one and sixteen one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, four one-hundredths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40°, 24 per cent ad valorem; testing above 40° and not above 56°, 3½ cents per gallon; testing above 56°, 7 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.
21. Butter, and substitutes therefor, 6 cents per pound.
22. Cheese, and substitutes therefor, 23 per cent ad valorem.
23. Milk, fresh, 2 cents per gallon; cream, 5 cents per gallon.
24. Milk, preserved or condensed, or sterilized by heating or other processes, including weight of immediate coverings, 2 cents per pound; sugar of milk, 5 cents per pound.
25. Wrapper tobacco and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries or dependencies when mixed or packed together, if unstemmed, $2.35 per pound; if stemmed, $3 per pound; filler tobacco not specially provided for in this section, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound.

The term "wrapper tobacco" as used in this section means that quality of leaf tobacco which has the requisite color, texture, and burn, and is of sufficient size for cigar wrappers, and the term "filler tobacco" means all other leaf tobacco.

26. Apples, 30 cents per bushel.
27. Cherries in a raw state, preserved in brine or otherwise, 3 cents per pound.
28. Olives, in solutions, 25 cents per gallon; olives, not in solutions, 3 cents per pound.

SEC. 2. The rates of duty imposed by section 1 (except under paragraphs 17 and 19) in the case of articles on which a rate of duty is imposed by existing law shall be in lieu of such rate of duty during the six months' period referred to in section 1.

SEC. 3. After the expiration of the six months' period referred to in section 1, the rates of duty upon the articles therein enumerated shall be those, if any, imposed thereon by existing law.

SEC. 4. The duties imposed by this title shall be levied, collected, and paid on the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the duties imposed by such act of 1913.

SEC. 5. That this title shall be cited as the "emergency tariff act."

TITLE II.

ANTIDUMPING.

SEC. 201. That the term "United States" wherever used in this title shall mean the United States and any Territory or place subject to the jurisdiction thereof, except the Philippine Islands, the islands of Guam and Tutuila, the Virgin Islands, and the Panama Canal Zone.

SEC. 202. That the term "person" wherever used in this title means and includes any individual, partnership, corporation, association, or other body.

SEC. 203. That the term "foreign home value" wherever used in this title means the value plus the cost, when not included in such value of packing and packing charges, at which such or similar merchandise comparable therewith in material, quality, and use is freely offered for sale in the principal market or markets of the country of exportation for consumption or use in said country in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class provided for in this title is freely offered for sale in the United States, and shall not include any excise tax levied against such merchandise.

SEC. 204. That the words "the value to countries other than the United States" wherever used in this title mean the value plus the cost, when not included in such value of packing and packing charges at which such or similar merchandise comparable therewith in material, quality, and use is freely offered for exportation to countries other than the United States in the principal market or markets of the country of exportation in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class provided for in this title is sold in the United States: *Provided*, That any import duties rebated or not paid by reason of the exportation of such merchandise from the country of production or sale to the country other than the United States shall be added to the export price.

SEC. 205. That the term "cost of production" wherever used in this title means the cost of labor and material of the merchandise exported to the United States at the time of production plus the actual general expenses and a profit which is usually and ordinarily added to the cost of labor, material, packing charges, and general expenses by manufacturers in the country of production of merchandise similar in material and production or manufacture.

SEC. 206. That the term "sales price" wherever used in this title means—

(a) The price plus the cost, when not included in such price, of the package and the packing charges at which the person in the foreign country or his agent sells the merchandise to the person in the United States or his agent: *Provided*, That the person in the United States has no financial or other interest in the business of the person in the country of exportation shipping or selling the merchandise to the person in the United States.

(b) If it shall appear to the satisfaction of the appraiser, or the person acting as such, that the person in the United States, buying directly or through his agent in the United States or through a foreign agent, has any financial or other interest in the business of the person in the country of exportation shipping or selling the merchandise to the person in the United States, the appraiser, or the person acting as such, will secure from the person in the United States his sale price in the United States of the imported merchandise plus the cost, when not included in such price, of the package and the packing charges, and compare this price after due allowance has been made for all expenses included in said price incurred from the place of manufacture or purchase in the foreign country to the place of delivery in the United States with the sales price that the person importing the merchandise pays or has agreed to pay to the foreign shipper, manufacturer, or owner and report to the collector as the sales price the lower of the two.

(c) If the merchandise imported into the United States has been procured from the foreign owner, manufacturer, or shipper otherwise than by purchase, the sales price plus the cost, when not included in such price, of the package and the packing charges, will be the price at which the person importing the merchandise sells or agrees to sell the merchandise in the United States plus the cost, when not included in such price, of the package and the packing charges, packed ready for shipment, either prior or subsequent to the date of importation, less all expenses, included in said price incurred from the place of shipment or manufacture in the foreign country to the place of delivery in the United States.

SEC. 207. That whenever merchandise, whether dutiable or free, is exported to the United States, of a kind or class identical or comparable in material, quality, or use with a kind or class made or produced wholly or in part in the United States, or with a kind or class sold in competition with merchandise made or produced wholly or in part in the United States, and the sales price of any such is less than the foreign home value, or in the absence of such value is less than the value to countries other than the United States, or in the absence of both such values is less than the cost of production, there shall be levied, collected, and paid in addition to the duties on imported merchandise prescribed by law a special duty in an amount equal to the difference, at the time of exportation, between the said sales price and the foreign home value or the value in the countries other than the United States or the cost of production, whichever may be the highest, as the case may be: *Provided*, That whenever the sales price of merchandise imported into the United States, which has been procured from the foreign owner, manufacturer, shipper, or agent otherwise than by purchase, is not at the time of entry for consumption fixed or agreed to be fixed and determined, a bond shall be given under regulations to be prescribed by the Secretary of the Treasury, conditioned that upon and as soon as the sales price thereof shall be fixed and determined by bona fide sale or agreement for sale, notice shall be given and evidence thereof submitted that the additional duties herein provided will, as ascertained, fixed, and liquidated, be paid: *Provided further*, That no sale or pretended sale or sales shall be held to establish "value" as herein provided; and that to constitute any such, having regard to the customs and usages of trade, there must be a reasonably extended and continued course of sales in substantial wholesale quantities sold or offered for sale to all purchasers on equal terms under like conditions.

SEC. 208. That the appraiser, or the person acting as such, shall report and return to the collector his "decision" as to the foreign home value, or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price. That the collector or person acting as such shall ascertain, fix, and liquidate the amount of additional duties herein provided, which action shall be deemed and held to be the "decision" of the collector.

SEC. 209. That the provisions of section 3 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, and of the Judicial Code, relating to the authority, duties, and decisions, of appraising officers, general appraisers, and appeals from the decisions thereof, and of the Board of General Appraisers, and to the duties and decisions of collectors, protests of the decisions thereof, and to appeals from the decisions of a board of general appraisers to the United States Court of Customs Appeals shall be, and the same are hereby, made applicable to the "decision" of the appraiser and collector by this title authorized and provided.

SEC. 210. That if any person engaged in the manufacture, production, or importation of merchandise into the United States or engaged in dealing in such imported merchandise, directly or indirectly, shall fail or refuse to submit for inspection of a duly accredited investigating officer of the United States upon request so to do from or by the collector, appraiser, general appraiser, Board of General Appraisers, or any person duly acting as or for such, or any other officer of the United States customs duly authorized by law, any or all of his books or records, accounts, documents, or other papers pertaining to the value or classification of any such imported merchandise, then the Secretary of the Treasury, while such failure or refusal continues, shall direct the collector of customs to withhold delivery of the particular importation the subject of investigation and also prohibit the future importation of any merchandise into the United States, directly or indirectly, by or for the individuals, partnerships, corporations, or associations, their agents or representatives, so refusing, and by or for the particular individuals, partnerships, corporations, or associations, their agents or representatives, importing the particular merchandise into or exporting the same to the United States, and if the importer or his agent shall continue to refuse to comply with the requirements of this title for a period of one year from the date of importation, the collector shall cause the imported merchandise to be sold at public auction as in the case of seized goods.

SEC. 211. That the statement accompanying the invoice, or statement in the form of an invoice, of merchandise described in section 207 of this title shall contain, in addition to the facts and details required by existing law, the foreign home value, or, in the absence of such value, the value to countries other than the United States, or, in the absence of both such value, the cost of production, as the case may be. That the declaration to be filed with and as a part of the entry shall set forth, in addition to the facts and details required by existing law, whether or not the merchandise has been sold or agreed to be sold; and if so, to whom, the place where, the time when, and price at which said merchandise was sold or agreed to be sold.

SEC. 212. That if any person engaged in the manufacture, production, or importation of merchandise into the United States shall give or receive a rebate or concession from the sales price whereby the United States shall be deprived of the lawful duties or any portion thereof accruing upon the merchandise, or any portion thereof, without notifying the collector of such rebate or concession from the sales price, either at time of entry or afterwards, he shall upon conviction be fined for each offense a sum not exceeding $5,000 or be imprisoned for a time not exceeding two years, or both, in the discretion of the court; and the collector of customs, or the person acting as such, at the port where such merchandise shall have been entered shall have the power, and is hereby authorized, to reliquidate such entry and assess duty, as provided by this title or by existing law, upon such merchandise, and any provision of existing law inconsistent with this provision is hereby accordingly amended.

SEC. 213. That the special duty herein provided for shall be treated in all respects as regular customs duties within the meaning of sections 2977 and 3015 of the Revised Statutes and paragraph O of section 4 of the tariff act of October 3, 1913, and all other statutes providing for drawback customs duties upon exportation of imported merchandise or articles manufactured or produced in the United States with the use of imported merchandise.

SEC. 214. That section 25 of an act entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," approved August 27, 1894, be, and is hereby, amended by adding thereto a further proviso, so as to read, when so amended, as follows:

"SEC. 25. That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint and be proclaimed by the Secretary of the Treasury immediately after the passage of this act and thereafter quarterly on the 1st day of January, April, July, and October in each year. And the values so proclaimed shall be followed in estimating the value of all foreign merchandise exported to the United States during the quarter for which the value is proclaimed, and the date of the consular certification of any invoice shall, for the purposes of this section, be considered the date of exportation: *Provided*, That the Secretary of the Treasury may order the reliquidation of any entry at a different value, whenever satisfactory evidence shall be produced to him showing that the value in United States currency of the foreign money specified in the invoice was at the date of certification at least 10 per cent more or less than the value proclaimed during the quarter in which the consular certification occurred: *Provided further*, That in the estimation and liquidation of duties upon any imported merchandise the collector of customs, or person acting as such, shall not in any case estimate the depreciation in currency at more than 66⅔ per cent."

SEC. 215. That this title shall be cited as the "antidumping act."

SEC. 216. That the Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary for the enforcement of this title.

Mr. YOUNG. Mr. Chairman and gentlemen of the committee, the gentleman from North Carolina [Mr. KITCHIN], who, I am very sorry to say, is not on the floor at this time, detained by illness, seems to think, from his report of the views of the minority, that there is some political significance in respect to the change of the name of this bill. I call the attention of the committee, first of all, to the fact that this is very largely a new bill. In addition to the emergency tariff, so called, covering agricultural products, we have added a very important provision in respect to the dumping of foreign merchandise on our markets, and also a still more important provision in respect

to the regulation of the value of foreign money. I regret that I was not able to read the views of the minority prepared by the gentleman from North Carolina, because they did not come to my attention until a few moments ago. I notice, however, by the morning paper Mr. KITCHIN was quoted as having said that the provision last referred to is a joker. A joker is supposed to be something hidden or concealed in a bill. If the Members will read the views of the majority, as contained in the report prepared by me and filed yesterday, they will find that special attention was called to that feature of the bill and attention was called to its probable operation and effect.

The bill is still emergent in character all the way through, every paragraph of it. It has simply been enlarged in scope.

Our friends across the main aisle have never seemed to quite make up their minds whether a tariff on wheat will raise the price and make living dearer or would have absolutely no effect at all. In every debate we have ever had on this subject we have always had representatives of both views on that side of the aisle. Those of us who come from the West would rather be considered selfish than foolish. We entertain the view that a tariff on wheat will be of distinct value to the wheat raisers of the country. If we did not believe so, we would not ask for this duty. It ought not to be considered selfish, however, to ask protective duties upon farm products when other industries, to which farmers pay tribute, are protected.

The consideration of a few outstanding facts in respect to wheat, it seems to me, will completely dissipate the idea that a duty on that commodity is of no value. Up to the time that wheat was put on the free list we seldom had a term of United States court in North Dakota when there was not some one there charged with smuggling wheat into the United States. Men do not take the risk of being arrested, tried, and sent to prison for nothing. That fact ought to have some significance.

There are three great transcontinental railroads in Canada—the Canadian Pacific, the Grand Trunk, and the Canadian Northern. Naturally those roads want to have the long hauls, and naturally the Government of Canada and the people of that country want to see the grain hauled on those lines east and west, particularly now since large portions of those roads are owned by the Government of Canada. In spite of the fact that it would be natural for them to stand for a long haul on the east and west Canadian railroads, the wheat has been coming straight south to the railroads of the United States, and there has been a constant flood of wheat importations. The great bulk of the western wheat in Canada has been coming south to and over the roads of the United States, instead of going east over their own transportation lines. If that means anything, it means that we have a better market for wheat here than Canada can find, either in Canada or abroad, when shipped direct from their country. From September 1, 1920, to December 31, 1920, 37,800,000 bushels of wheat were shipped into the United States for domestic consumption. We notice at times flippant remarks in the newspapers about how this wheat is simply going through the country in bond for a foreign destination. These figures were obtained from the Secretary of Agriculture and were prepared by the Bureau of Markets and declared to be all for consumption in the United States. In January and February 6,800,000 bushels of wheat came in, making a total importation up to the end of February from September 1, 1920, of over 44,000,000 bushels of wheat. Quite a little has come in since. Still more important is the fact that there are over 20,000,000 bushels of wheat at Port Williams and at Port Arthur awaiting shipment just as soon as navigation opens, also 13,000,000 bushels in storage west of there in Canada. Mr. Wylie Nielson, of Valley City, N. Dak., has sent me a large number of newspaper clippings indicating these market movements, and prints in large letters at the end these words, "Rush relief before it is too late."

Mr. J. E. Davis, of Goodrich, N. Dak., wired me recently, saying a large convention at Devils Lake had passed resolutions urging the passage of emergency tariff legislation with all possible speed.

A telegram has just been handed to me from H. N. Owen, editor of the Farm, Stock, and Home, Minneapolis. Mr. Owen has made a life-long study of marketing. He says:

> In January Minneapolis millers bought Canadian wheat for future delivery. They knew there was not enough millable spring wheat here to supply needs to new crop. Forty-three million bushels Canadian wheat has come in for United States consumption on this crop year. More than twice our present visible supply. Unless Canadian wheat is embargoed a drastic cut in wheat acreage certain. A 50-cent advance in wheat would cost a family of five $12.50 a year. Eight hundred million crop adds $400,000,000 to purchasing power of farmers. Steady employment at good wages offset increased bread price.

Now, just one other thought in respect to wheat. The statistics of the Department of Agriculture show that it cost one-third less to raise wheat in Canada than in the United States. That should be borne in mind as a justification for this duty. It is also important to bear in mind the matter of exchange which——

Mr. HARDY of Texas. Will the gentleman answer one question?

Mr. YOUNG. If it is very brief.

Mr. HARDY of Texas. How much wheat was exported by the United States at the time of these imports and during the same period?

Mr. YOUNG. Very much more than we imported, and that is why a great many people have fallen into the mistake of believing it is of no value for us to have a duty on wheat.

Mr. HARDY of Texas. Will the gentleman answer one other question?

Mr. YOUNG. Very well.

Mr. HARDY of Texas. This exported wheat may be taken out of the imported wheat and a rebate gotten for the duty paid on it, may it not? In other words, the exporter of the imported wheat will get a rebate of 99 per cent of the taxes he may pay.

Mr. YOUNG. That is possible from the legal standpoint under the drawback law but it is very little used in the United States. The amount of business done under the drawback is negligible.

Mr. KNUTSON. And there is a difference in the exchange.

Mr. YOUNG. Yes; I will come to that if I have time. The facts I have been giving you, I think, demonstrate beyond any doubt, in spite of the fact we export more wheat than we import, that our market in the United States is decidedly better than the Canadians can find, either in their own country or abroad.

I was going to speak of the price of bread. Notwithstanding the fact that the price of wheat has been cut in half, the price of bread remains the same in most of the cities, and it is highly improbable that the passage of this law will make bread dearer. The effect in respect to the cost of other items in the bill, to the consumers, will be similar.

Now, in respect to flax. That is a good deal easier to consider because even my friend from Texas can not say that we have exported any.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. YOUNG. I can not very well as I want to leave some time for others favoring the bill. The annual consumption of flax in the United States is 25,000,000 bushels. We imported 24,000,000 bushels in 1920. In other words, we imported all of our needs excepting 1,000,000 bushels. We raised in this country last year about 11,000,000 bushels. That leaves 10,000,000 bushels of flax to flood this market and depress the price.

The CHAIRMAN. The gentleman has consumed 10 minutes.

Mr. YOUNG. As the time is in my control, I shall proceed for five additional minutes. I will give you a few figures to just show how this works out to the man who raises flax. The total acreage of the United States was 1,785,000 acres in 1920. The total production was 10,990,000 bushels, giving an average yield per acre of 6.2 bushels. About one-third of that flax was grown in North Dakota. The average there was 5.3 bushels per acre. The last quotations, which reached me last night, in the Grand Forks Herald, gives the price at $1.22 for flax. That would mean $6.47 per acre as the gross return from flax; $6.47 per acre is scandalously below the cost of production. The average cost of raising flax in North Dakota was $15.70 per acre, according to the United States Bureau of Markets. The cost in Minnesota was $21.40 per acre. Think of that, you Members from Minnesota!

The situation in respect to live stock is of a highly emergency character. During the winter of 1918 and 1919 there was very little snow in the Northwest and in the Mountain States, and in the following summer there was a very severe drought which dried up the pastures and meadows, and during the winter of 1919–20 there was need for buying hay and other feed to winter the stock. It is true that during the war the growers of live stock had been able to do fairly well and to accumulate something, but during that winter they had to buy hay that used to cost $4 to $6 a ton and pay $20 to $25 a ton. So that in the spring of 1920 it was a very rare stock raiser of the West who did not owe more to the bank than his stock was worth after the slump came. In other words, after the price of live stock and meat had been deflated, the stock was mortgaged for more than it was worth, and it was impossible for the banks to secure liquidation. I want to call attention to the fact that we imported during 1920 over 101,000,000 pounds of lamb and mutton; also that the cost in the United States for raising lamb and mutton is 24 cents per carcass pound. In New Zealand the cost is 14 cents per carcass pound, or 10 cents per

pound less. The duty carried in this bill is only 2 cents per pound.

Attention is further called to the fact that we have now two full years' supply of wool in this country. We not only have this immense supply of wool in this country, which has practically made wool unsalable—a man can not sell wool to-day for anything even if it is supposed to have some nominal value, but there is nobody buying it—and on top of that there are 100,000,000 pounds of wool loaded on ships and headed for United States ports.

The CHAIRMAN. The gentleman has used 15 minutes.

Mr. YOUNG. I shall conclude in five minutes. These are some of the reasons why we are anxious to speed the passage of this bill. It would require hours to detail all of them.

Mr. JOHNSON of Mississippi. Will the gentleman yield for a question?

Mr. YOUNG. I can not yield very well. I must save time for gentlemen on this side. I do not desire to rob them.

Mr. JOHNSON of Mississippi. That is, the gentleman will yield to Republicans?

Mr. YOUNG. I have yielded to your side for questions and have tried to be courteous. The gentleman from Texas [Mr. GARNER] has control of one-half of all the time for general debate.

Here is an extract I cut out of the newspaper yesterday showing that five banks have closed in one day in Idaho and Washington. It goes on to give the names of the banks that have closed in those two States, one of them a national bank.

The reason given for closing these five banks is contained in the last three lines, where it says that the inability to realize on farm paper was the reason assigned for each closing. The fact is that farm products have been deflated to such an extent that mortgages taken upon them at the time they were given, presumably for only a proper portion, from the securities standpoint of the value have now reached the point where the banks do not foreclose because they could get practically nothing out of the stock if sold after paying the freight. One instance is given of a shipment from Idaho, where, after paying the freight and all other charges, they got 33 cents a head for lambs shipped to Chicago.

The Secretary of Agriculture, Mr. Wallace, has just sent up a telegram which he received from Chicago showing that May wheat dropped 4⅛ cents and corn 1¾ cents yesterday upon the receipt of news that navigation was to open at Port Williams and Port Arthur and further shipments of wheat were to come from Canada. Mr. Wallace in his letter to me says this:

> I inclose herewith our regular market telegram from Chicago to-day. I call your attention to the sentence marked showing that parties in Winnipeg, "Wired country holders liquidating wheat in effort to rush into United States in anticipation proposed tariff bill." I am told by our markets people that informal advice indicates that the first boats may leave from Port Williams and Port Arthur as early as April 21.

That is another reason why we will ask the House to sit to-morrow long enough to pass this bill before we adjourn. We want to set an example for the other end of the Capitol of speedy action in respect to this bill, which is of a very high emergency character. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, I desire to speak on a subject which is closely connected with that which we are discussing to-day, and yet is not the emergency tariff bill. I would that others more capable could have undertaken it, but I do not believe I have any right to remain silent in view of conditions that should be disclosed to the House at this time.

A day or so ago the President of the United States said in his message that we will be obliged to raise $4,000,000,000 annually to carry on the affairs of government, and he gave the Treasury as authority for that statement, and we realize that to be the fact. If we raise $4,000,000,000, based upon the estimates of 1922, and cut down the Military and Naval Establishments, as was proposed in the last session of the Congress, we will have nearly nine hundred millions of excess that can be saved over expenditures out of that $4,000,000,000. But there is an effort being made—and possibly successfully made—to repeal the excess-profits tax and reduce the surtaxes on incomes. If that passes, it will wipe out the balance of $900,000,000. In 1921 the excess-profits tax and personal income tax will produce $3,050,000,000, and estimates in 1922 are $2,600,000,000, or two-thirds of our total income. Of this amount excess profits contribute nearly one-third.

A number of proposals have come from the Secretary of the Treasury to meet the loss we will suffer of $900,000,000 or more that will be taken out of excess-profit taxes and reduced surtaxes. One of these propositions, as you may understand, and as has been suggested in the bill of the gentleman from Ohio [Mr. LONGWORTH], seems to me can not be successfully attacked. It proposes to raise an additional amount of $400,000,000 or more by a 6 per cent annual tax upon the net incomes of corporations. Another proposal, which came from ex-Secretary Houston, is to raise in the neighborhood of $600,000,000 from a tax on undistributed profits at 20 per cent, as estimated by him.

I will not discuss the different proposals in detail, but I am showing herewith a number of different methods of raising this tax that can be adopted, amounting in all to $2,500,000,000, if the Congress sees fit to adopt them.

Additional annual revenue proposals before Congress.

Tariff increase	$350,000,000
Increase of corporation normal tax, 6 per cent	465,000,000
Undistributed profits tax, 20 per cent	190,000,000
Income released thereby for income tax	400,000,000
Automobile license, 50 cents per horsepower	100,000,000
Cigarette increased tax, $2 per 1,000	70,000,000
Admission to theaters increase, 10 per cent	70,000,000
Gasoline increase, 2 cents per gallon	90,000,000
Miscellaneous (p. 45, Treasury Report)	300,000,000
	2,035,000,000

These are proposals of Secretary Houston, contained in his 1920 report, to which may be added $1,000,000,000 balance in excess receipts over disbursements for 1922, if military and naval bills are cut to proposed reduction.

The increase of normal tax above could only be considered if the excess-profits tax is repealed.

Additional proposals are:

Increase normal income tax, estimated	$150,940,000
Abolishing corporation $2,000 exemption	58,000,000
Stamp taxes, National Tax Committee	130,000,000
Sugar, 2 cents per pound, National Tax Committee	200,000,000
Total	2,574,000,000

These estimates do not include interest on foreign loans or other items, like increased postage to 3 cents, reaching several hundred million dollars more annually, whereas no new tax law is needed unless we repeal existing laws.

These propositions are before the Congress to-day. But there is an element, not in the House particularly, but in the country, that is insisting on a tax on everything we eat, drink, or wear through a turnover sales tax, and effort is being made to put that through at this time. I want to discuss that proposal briefly.

Let me say, first, that the National Industrial Conference Board, which represents millions of dollars in capitalization and represents millions of men in its employ, has reported, through its committee, against this tax. The United States Chamber of Commerce Tax Committee, similarly constituted, representing all of the chambers of the United States, has reported against that tax, and so has the National Credit Men's Association. What do you suppose would be the verdict if it was submitted to the millions and millions of farmers and men working in the factories and shops to-day, as well as the clerks and others, if they were to decide upon paying the tax that is to be shifted from the excess profits? That is the proposition proposed at this time.

Now, I have to-day on my desk 145 letters received from candy makers alone demanding a sales tax. I have between 500 and 600 from jewelers, from druggists, from various classes of people who want to have the tax shifted from them over on the backs of the people of the country, and therefore demand a sales tax. We have newspapers and pamphlets galore for a sales tax. Let me read to you from some of them, so that you will understand the extent of the propaganda.

Here is a full-page advertisement headed "The bubble has burst." It is from the Wall Street Journal that editorially has criticized me severely for the position I have taken against a sales tax. I want to call your attention to the words of this full-page advertisement. And I understand it was carried in other papers throughout the country.

On page 7 of the Wall Street Journal of March 17, 1921, it says:

> M. Francois-Marsal, the banker finance minister, is credited with having discovered a veritable philosopher's stone in the new tax on turnover. The yield is already proving unexpectedly satisfactory, and there appears to be every reason that it will produce a much greater amount than had been anticipated in the budget estimates.

As a matter of fact every intelligent man familiar with the French sales tax—and the man who wrote that is intelligent—knows that only 37 per cent of sales-tax estimates is being collected in France.

If France is unsuccessful how can we hope for different results? In France the budget estimates of 487,000,000 and 413,000,000 francs for January and February fell down to 187,000,000 and 151,000,000 for those months as stated, or to 37 per

cent of estimates, and are dropping proportionately every month. In the April monthly letter, Hamilton Institute, I quote a French cable:

The yield of the French business turnover tax, which became effective July 1, 1920, has proved decidedly disappointing. * * * The measure has proved cumbersome and unpopular. * * * In each month so far the proceeds have been less than those of the preceding month.

The "letter" further says:

The Government can not cope with the present crises unless payments of the indemnity are soon forthcoming. * * * France has been less progressive in her tax legislation than England and the United States. She depends less upon the taxation of individual and corporation incomes and more upon sales taxes and other obsolete methods of collecting revenue.

In cable March 27 (Washington Post) it says of the French economic crisis:

This it is asserted here is not due to overproduction, but instead to willful underconsumption as a result of prevailing high prices which are likely to continue.

HIGH PRICES, UNDERCONSUMPTION, AND DISTRESS FOLLOW THE SALES TAX.

The above contains a clean-cut survey of the experience of the only large country which has adopted a turnover sales tax.

The Philippine sales tax offers no solution. Receipts in 1919 were $6,865,624 (₱13,731,248) and in 1920 $7,521,000 (₱15,042,000) collected from 10,500,000 people, or about 75 cents per capita. That rate is 1 per cent. (Sec. 1459 P. I.)

The Smoot rate of 1 per cent would bring 75 cents per capita, or about $75,000,000, in this country at same proportionate consumption. It is useless to speculate how much more we would consume. These are the figures. As well compare a skiff on a mill pond or on a large lake subject to heavy winds and waves as to compare the Philippines with a nominal budget and ours with $4,000,000,000 annually.

Canada's sales tax is not a sales tax and has proven a notorious revenue disappointment, filled with exemptions, administered by a body possessing practically legislative functions, to change or add further exemptions.

Mr. McCoy, the Treasury expert, I am informed, estimated $185,000,000 annually on our luxury taxes, whereas only about $50,000,000 has been collected, or less than one-third of the estimates. This is a final sales tax and speaks for itself.

Here is the San Francisco Chronicle; I have no criticism, but it publishes a full-page advertisement on the sales tax by the Fidelity & Deposit Co. of Baltimore. It was also published here in the city of Washington, and presumably published generally throughout the United States. Who pays the enormous amount of money to finance this one advertisement, and what was the purpose? The public is entitled to know. Who pays for the lobby that is to be established here in Washington? Who is paying for all this large expenditure of money, and who is instigating the work?

I have here an original letter from one of the men who appeared before the Committee on Ways and Means. His name is Jules S. Bache, of New York City. His letter is dated March 28, two weeks ago. It went all over the country. Thousands of copies, I understand, have been circulated among financial interests that, in the aggregate, have $1,000,000,000 annual excess-profits tax and income tax at stake that is to be shifted to a sales tax:

[President, Hazen J. Burten, Minneapolis, president Plymouth Clothing House; executive vice president, Henry G. Opdycke, New York; treasurer, Jules S. Bache, J. S. Bache & Co., members New York Stock Exchange.]

THE TAX LEAGUE OF AMERICA (INC.)
TO LIFT THE BURDEN OF UNWISE TAXATION,
NATIONAL HEADQUARTERS, 1270 BROADWAY,
New York City, March 28, 1921.

DEAR SIR: It is stated that business men in this country are paying out in fees for expert services in the preparation of their income-tax returns about $100,000,000 annually. * * *

The Government does not receive any part of this vast sum nor does it receive the hundreds of millions which for one reason or another are never collected under the present inadequate and bunglesome tax system.

To simplify and improve the present system a tax on all gross sales is proposed. Such a tax is easily collected, and this is a big thing in its favor. Clearly a sales tax would be inexpensive in its operation and no burden to anyone, and would fairly and equitably spread the obligation of Government expense to all in the fair and just proportion each should bear. Moreover, it will be simple in operation and will return a sufficient revenue.

I am writing to you because men like you and me may, as well as anyone else, take up the fight for an adequate taxing system. It is our job since it is our money which is now being taken inequitably from us under a system which constitutes undoubtedly the greatest blight upon legitimate business initiative now existing.

I ask your cooperation in a plan now organizing to conduct an educational campaign in favor of a general sales or turnover tax throughout the country.

For this purpose the Tax League of America has been created and has already done work which is showing results. Will you, therefore, please send your check for $50 payable to Jules S. Bache, treasurer, and mail same to the Tax League of America (Inc.), 1270 Broadway, New York City?

Yours, very truly, JULES S. BACHE.

(First vice president, John Williams, New York; vice president Irving National Bank.)

Mr. Bache, from his testimony before our committee, has presumably contributed twenty or fifty times $50. His taxes make the stake worth while.

How many thousands of these letters are being circulated throughout the country, and what is to be done with the enormous sum of money which will be raised? Mr. Bache was before our committee. He stated he is investing as fast as possible all his money in municipal bonds, in order to escape taxation. He stated to the industrial tax committee that the average man spends 11 months of the year trying to legally evade his taxes. He said at the same time the way to escape consumption taxation under his proposition is not to consume. This is the gentleman who is going to crack the whip over the Congress of the United States. His lobby will be working full force in a few days, and then we will be given the benefit of his many publicity agencies in earnest.

From the New York Times, several days ago, I quote:

Plans for uniting individuals and trade associations who favor a general sales tax in support of a measure now being drawn (the Smoot bill) for presentation before Congress have been made by the Tax League of American (Inc.) (Julius Bache), whose headquarters are at 1270 Broadway. The program includes a "campaign of education" in every congressional district in the country.

The article continues in an extended statement of what Mr. Bache and his aids proposes to do with the new organization.

Let me read you another statement. This comes from Mr. Meyer Rothschild, who was before our committee. This letter is signed by Mr. N. R. Fuller and pays a high compliment to Mr. Rothschild.

NATIONAL WHOLESALE JEWELERS' ASSOCIATION URGES MEMBERS TO SUPPORT JEWELERS' WAR REVENUE TAX COMMITTEE.

The following letter to members was sent out on March 2 by the National Wholesale Jewelers' Association, urging support of the fight on taxation being led by Mr. Rothschild's special committee:

"This letter is written to emphasize and call your attention to the necessity of actively supporting—morally, financially, and physically—the work of the jewelers' war revenue tax committee, which is being so capably guided by its chairman, Meyer D. Rothschild.

"As you already know, this committee and the entire jewelry industry are fighting not only to prevent an additional tax being placed on jewelry but to remove altogether the excise tax on our industry and work for the adoption of a turnover sales tax in lieu of our present inequitable tax system.

"The points regarding this proposition are too well known to need further discussion, but I do want to emphasize the necessity for ample finances for this committee to use in prosecuting their work effectively and without embarrassment.

"The present plan for financing the work of the jewelry war revenue tax committee is to select 28 of the leading cities and estimate on a percentage basis what was thought each city ought to raise.

"A letter has been addressed to you or some one in your city requesting that the quota for your city or district be promptly raised. Experience has shown that unless these matters are followed up and "put across" by some one of ability and initiative the work is never done.

"Trusting that each member of our association will take it upon himself to be a committee of one to see that Mr. Rothschild and his committee has the financial and active support this cause would justify and with kindest regards, I am,

"Yours, very truly,

"NOBLE R. FULLER, *President.*

"KEYSTONE, *April, 1921.*

"N. B.—The treasurer of the jewelers' war revenue committee is A. L. Brown, 68 Nassau Street, New York, to whom checks may be sent or communications directed."

From the same publication I quote:

Let all your friends and neighbors in these lines know what you are doing, and suggest that they also see their Congressman and Senators while they are at home and talk to them on this important subject.

If you can not see your Congressman, write to him, and again to your Senators, unless you have had replies to your last letter.

Please let us know the result of your interviews, and do what you can to get your friends outside of the jewelry trade, who are taxed under Title IX, to work along the same lines.

You must work quickly, as the special session of Congress will probably be called for April 4.

We are looking forward to your usual loyal cooperation, and hope to hear from you shortly.

JEWELERS' WAR REVENUE TAX COMMITTEE,
MEYER D. ROTHSCHILD, *Chairman.*

35,000 JEWELERS' LETTERS $27,000.

I quote from page 91 of the Jewelers' Circular, April 13, 1921, a public statement of Chairman Larter, of the "Jewelers' Vigilance Committee," known as "the governor of the jewelry industry." He said:

Do you know that the Jewelers' Vigilance Committee has paid the jewelry trade's share of the expenses of the business men's tax committee, and this amount up to date for tax matters is in excess of $27,000? About the 1st of January we sent over 35,000 letters to every jeweler in the United States, asking them to write their Congressmen and Senators in favor of the turnover sales tax and to send us contributions. Recently we selected 26 cities in the United States and prorated the amount we thought each city should contribute.

Candy men, jewelers, retailers, druggists, stock brokers, newspapers are all on the job.

Here they are dividing the United States up into 26 districts to get money in behalf of their organization to help put over the sales tax. I received yesterday a New York paper in which it says some New York man claiming to represent the traveling salesmen says of the sales tax opposition:

That a powerful group of large tax accountants and experts were banded together to defeat the sales tax, because it would wipe out the need of their services, for which $100,000,000 a year is now paid.

This sounds so much like Mr. Bache's letter that further comment as to its source is unnecessary. They are trying to find the $100,000,000 accountants, and we ought to have them testify where they exist. Let us have the facts.

Many editorials and news items are being received supporting a sales tax. What will the effect of the excess profits tax be on the newspapers, the great newspapers, the powerful newspapers of the country? I do not criticize them, but I am speaking of their interests in the subject, for the interest of every witness should be known to the jury. What is the effect of a profits tax on the great newspapers, what do they now pay, and what will be the effect of a sales tax and what difference will it make when advertising contracts go free? We understand the tremendous power they exercise to-day. They have a right to protect their interests, but what are those interests? Both of these gentlemen—Mr. Bache and Mr. Rothschild—speak of the educational campaigns they are now carrying on in all congressional districts. That same kind of education was carried on by a notorious body of New Yorkers known as the National Security League. We made an investigation of that organization in Congress. What was the result? A discovery of $600,000 or more for an educational fund which was used as a slush fund to aid in the defeat of Members of Congress.

What part of this Bache and Rothschild fund is a slush fund? I do not know, but I am asking for an investigation by Congress to ascertain what is being done back in our districts. Members of Congress have a right to know their methods, and I am asking for an investigation to-day. I read:

Resolution.

Whereas Jules S. Bache, stock broker of New York, organizer of the National Tax League, and Meyer D. Rothschild, wholesale jeweler, of New York, known as the wholesale jewelers' tax committee, have organized propaganda wherein large contributions have been made variously estimated at from several hundred thousand to a million dollars or over for pushing through Congress a $1,250,000,000 annual sales tax bill introduced during the present session; and

Whereas the Rothschild plan for financing the work is to select 28 of the leading cities and estimate on the percentage basis what each city ought to pay in pressing this bill through Congress and advising the proper course to be pursued toward Senators and Congressmen; and

Whereas the Bache circular demands $50 contributions from thousands of contributors, stating that a campaign is on in every congressional district in the country with an implied threat therein against Members who oppose a general sales tax during the present session of Congress; and

Whereas the amount at stake is upwards of a billion dollars annually in excess profits that these interests seek to shift to the backs of men, women, and children of the country under a turnover sales tax; and

Whereas a well-financed lobby is to be established with the proceeds in Washington to further such sales-tax legislation; and

Whereas an enormous amount of propaganda in pamphlets, advertisements, letters, and peremptory demands has been received by Members from various sources that invite public scrutiny; and

Whereas the country is entitled to know what amount of money, what methods, and what interests are engaged in pressing this tax upon the people of the congressional districts:

Resolved, That the Committee on Rules of the House be empowered and instructed to bring before it the officers of the two organizations, together with such other witnesses as may have knowledge of the activities of these and various other organizations and ascertain what efforts have been made to secure funds, the amount of such contributions and purposes for which contributed and expended, and the methods pursued in efforts to force this tax measure through Congress. That the committee is authorized and empowered to issue subpœnas, swear and examine witnesses, and to procure all documents bearing upon the matters referred to and to employ needed stenographers and clerks in the prosecution of such inquiry.

One of the leading men on the Democratic side, a man of high character, stated to me that the amount of the sales-tax contributions would be a million dollars. That was at the close of the last session, before he knew of the many agencies and funds and lobbies that are being organized.

The CHAIRMAN (Mr. REAVIS). The time of the gentleman from Wisconsin has expired.

Mr. FREAR. May I have 15 additional minutes?

Mr. KINDRED. Mr. Chairman, I hope the gentleman may have additional time.

Mr. YOUNG. I yield to the gentleman 15 minutes more.

Mr. FREAR. I am asking for an investigation in order to stop this tremendous propaganda, or in order to permit Members of Congress to decide these questions upon their own merits and not upon the representations of men who are demanding we shift a billion dollars in taxes from them over to the backs of the 100,000,000 who can not escape. I have received probably 600 letters demanding a sales tax. How many have you Members received? All the letters received from this propaganda are on one side, practically, with not 10 letters to the contrary, whereas the sentiment of the country is just the reverse. One million men want to escape excess-profits taxes and are trying to shift their taxes onto the remaining 105,000,000 through a sales tax. To pyramid the costs of living for every man with a family of five to from $100 to $200 or more annually. What will these people say if we pass a sales tax?

I have here a letter received last night from my home city, sent out by the Rothschild organization. It says that there is going to be raised $4,000,000,000 by the 1 per cent sales tax. What a dishonest and false statement to make. Every district is to be flooded with letters, my friends, and I ask for an investigation. I do not think Congress ought to sit mute when these matters are pressed upon the country by irresponsible "incorporated" concerns, and that is a reason why there should be an investigation.

I am not going to discuss the sales tax now. I did so in my speech of January 31. I want you to understand the propaganda on this revenue sales tax bill financed by the man who has the money, the excess profits, and who is trying to shove his taxes onto the poor people of the country. He should pay according to his ability to pay, a principle that has stood for generations and is supported by the organizations quoted against a sales tax. The best tax experts in the country insist on that principle. Why not? Why should every dollar's worth of necessities a poor man buys, his coffee and tea and sugar and clothes, be taxed to relieve the men who will pay nearly a billion dollars in excess-profits taxes in 1921 after deducting their $3,000 exemption and 8 per cent on their invested capital, which is now exempt? The United States Steel Corporation the other day reported that it made 43 per cent more in 1920 than it made in 1919, or $109,000,000 profit. Texas Oil the other day reported a profit of $85,000,000, and it made 56 per cent more in 1920 than in 1919. Are you going to relieve those people from that excess-profits tax? I can not believe it possible, unless some equally just tax is to be substituted.

I have here an editorial from the Wall Street Journal, of over a column, criticizing me because I made a speech here against the sales tax on January 31.

I delivered the speech and sent it out, because I am thoroughly opposed to a turnover sales tax to run the Government. I wish other Members who are better able to do so would undertake the task of presenting opposition, because it calls for action and because, as the gentleman from Iowa [Mr. GOOD] said on this floor, any party that undertakes to put a sales tax through will be defeated the next time at the polls. I fear he is right. The editorial was unjust, made many misstatements, and failed to mention facts that could not have escaped the attention of any fair-minded writer. My answer says:

APRIL 14, 1921.

EDITOR WALL STREET JOURNAL,
New York City, N. Y.

MY DEAR SIR: Your column editorial in the Wall Street Journal of April 5 is received, wherein I am chastised editorially by B. S. Orcutt because in my speech of January 31 I opposed a sales tax and because I recently stated: "All sales-tax people desire to force that tax on the people before it can fully be understood." That statement I repeat, while the Journal confesses its truth and avoids by saying an "educational" propaganda demanding a sales tax is now on. A strong tax propaganda has been on for months, although it misrepresents, misstates, and theorizes without basis or reason. Members have been deluged with sales-tax letters urging a discredited tax, generally abandoned centuries ago by civilized governments. I have received 500 letters, including 145 from candy makers alone, all demanding to be exempted from taxes they now pay and also demanding that Congress substitute a sales tax. This kind of "education" is admitted.

A powerful lobby with an enormous slush fund is planned in Washington to push the sales tax through Congress.

Is that the "educational" medium to which you refer? Highly paid publicity men and men who crack the whip in Wall Street are about to crack their whips over Congress, according to this propaganda, in an effort to shift $1,000,000,000 in taxes they now pay annually over to the backs of the hundred million men, women, and children of the country who consume. These millions have no lobby, but they are to be sales-taxed over a billion dollars on everything they eat, drink, and wear, so that Wall Street profits may go untaxed or may be undertaxed. This lobby includes scores of men now taxed who are expected to appear before the Senate committee to voice their woes, while the sales-tax lobby is as boastful and brutal as the National Security League of like membership and fame, that blew up when its $600,000 "educational" slush fund and Wall Street methods were exposed by Congress.

The Wall Street Journal is recognized as a leader in this present sales-tax propaganda, for apart from its editorials the Journal printed a full-page "advertisement" on March 17, page 7, demanding a sales tax—

I referred to a page advertisement in the Wall Street Journal that favored a sales tax—

Therein this advertisement said of the recently enacted French sales tax: "The yield is already proving unexpectedly satisfactory and there appears to be every reason that it will produce a much greater amount than had been anticipated in the budget estimates."

The Wall Street Journal carried that false statement throughout the country on March 17, although long prior to that date the New York press printed the fact that French budget estimates of January and February, 1921, were 487,000,000 francs and 413,000,000 francs, respectively, yet the actual receipts by the French Government for the same months had only been 187,000,000 francs and 151,000,000 francs, in round numbers, or a little over one-third of the estimates. At present values this reached only $11,000,000 monthly for France, or less than 10 per cent of what is predicted here. In other words, the Journal was 63 per cent wrong on the most important statement in its full-page advertisement of March 17.

No greater injustice could be done Congress than to send broadcast this glaring misstatement of the most important fact on which a sales tax law was to be based. Was it a mistake on your part?

Your Orcutt editorial of April 5 pretends to explain why a packed sales tax crowd led by Bache and Rothschild, tax leaders, failed to capture a meeting of the National Industrial Tax Conference which had previously denounced a sales tax.

The National Industrial Conference Tax Committee represented thousands of great industries, billions of dollars in the aggregate, and millions of laboring men employed, whereas Bache and Rothschild are New York stock brokers or jewelers. That committee squarely rejected the sales tax. Its authority was limited to its report, but you complain because a handful of Wall Street tax dodgers failed to capture the meeting That is the burden of your editorial. Three members there present state your editorial criticism is a misstatement of fact.

Three members of that committee in my office all said that I had stated the facts correctly in the speech of January 31, and that there was no correction they had to make. And let me say this, that all men of great means are not in favor of a sales tax. Mr. R. P. Hazzard, who is at the head of the Hazzard Shoe Co., said in my office two or three days ago, "Mr. FREAR, it would be $200,000 more a year interest to me to have the sales tax provision passed, and yet I have been opposing it at every place I could, speaking against it constantly." Mr. Hazzard realizes, as he says, not only the injustice of putting this enormous tax burden upon the shoulders of the people, but beyond that comes the question of destroying many small companies that compete with his big company and other integrated concerns where he and they would have a great advantage through a turnover sales tax.

I am continuing to read from my letter to the Wall Street Journal:

Your deliberate purpose to mislead and deceive is again emphasized. The contributor of your editorial, Mr. Orcutt, had an intimate knowledge of the tax meeting referred to and of my speech. That you admit. He knew that I quoted in my speech of January 31 at length from official reports of two important committees, the national industrial tax committee and the United States Chamber of Commerce tax committee. Both committees requdiated any sales tax. Why did you not state in your editorial that the tax committee of the United States Chamber of Commerce, represening hundreds of thousands of business men of the country, not only reported unqualifiedly against any sales tax, but on February 21 reported on a referendum to the chambers of America, which was widely published in the press? Why did you not state that in this referendum 1,221½ votes favored an excise tax but opposed its imposition on articles of first necessity, with only 504½ votes opposed, contrary to the Journal's position. On the referendum of Should a sales tax be substituted for an excess-profits tax and excise tax? the vote was 706½ for and 857½ against, or a majority of 151 unit votes against. On the referendum of Should a sales tax be levied in addition to excess profits and excise? the vote was 767½ for and 894½ against, or 127 majority unit votes against. Why did you not give the facts where hundreds of thousands of business men were represented, as by these organizations, distinguished from a handful of Wall Street sales-tax boosters, whose money and publicity is their capital in trade?

What more significant evidence of deliberate concealment of facts and of misstatement could be afforded than your unfair reference to one committee and concealment of the other? What effect does the excess-profits tax have on the advertising profits of your paper and of all the other large papers? Will you escape many thousands of dollars tax annually under a general sales tax law?

ONE HUNDRED MILLION PEOPLE AGAINST A SALES TAX.

What do you honestly believe, Mr. Editor, is the sentiment of the 10,000,000 farmers and an equal number of laborers on whose backs the Wall Street Journal and its bulls and bears are trying to shift a billion dollar tax burden now paid by the rich out of their profits? What is the sentiment of the millions upon millions of women and children who have no powerful lobby, no Wall Street Journal, no great slush fund, and no wide propaganda, but who confidently depend on Congress to protect them now and always? Is their opinion to be ignored?

What answer do you make, Mr. Editor, to the statement of Chairman GOOD, of the Appropriations Committee of the House, that "a sales tax is a tax on the backs and bellies of the people, and any party passing such a law is certain to go down to defeat"? Yet you approve that iniquitous tax.

The country knows those you represent are less than 5 per cent of the American people, men whose politics and principles are measured by personal interest or by the dollar mark, and many of them regard millions of jobless and of God's patient poor with unconcern or worse. Business interests such as you represent sent a great political party down to defeat eight years ago by use of money and the same tactics you now pursue.

Do you not believe men responsible for placing a sales-tax burden on the people will be remembered for their action, even as those who burdened the people with the 1909 tariff bill, and do you not believe this effort of greed and extortion on the part of those who have profiteered in the past and who now lead the sales-tax effort in putting screws on the people is unjust?

Do you believe it is fair for the Journal to open on a humble Member of Congress with over a column editorial of misstatement and concealment in a cuttle-fish effort to obscure the issue? If you do not—and I assume you have an element of fairness that the advertising pages affected by existing excess profits tax laws can not control—will you please give publicity to this needed correction of your editorial equal to that given your manifestly untrue editorial of April 5?

Very truly, yours.

JAMES A. FREAR.

Mr. Chairman, the other day I sent to the Members of the House my speech of January 31. I did it simply because you, like myself, have received some 600 letters with little to the contrary. All I wish to do is to bring this before your attention, and as long as I sit in Congress I shall try to bring to your attention propaganda presented only on the one side when the people back home have had no voice on the other side. No case as flagrant has occurred in years as this sales tax lobby and sales tax propaganda.

Mr. CONNALLY of Texas. If the excess-profits tax is to be repealed, what is the gentleman's idea as to how revenue shall be raised?

Mr. FREAR. One way in part is the bill of the gentleman from Ohio [Mr LONGWORTH], which is a good one, supported by Mr. Houston, of the Treasury Department, to put 6 per cent additional to the 10 per cent on the net profits of corporations, which will raise about $450,000.000 according to their estimates. Rather than have a sales tax I am willing to accept practically anything. Next we might put a tax on undistributed profits, if necessary, which will raise about $190,000,000 by the tax proper, according to Treasury estimates, and would realize about $400,000,000 more according to the statement of the Treasury experts at that time, or nearly $600,000,000 or over a billion dollars by those two items of revenue alone, in addition to nearly a billion dollars excess under present revenues for 1921, according to estimates.

Mr. CONNALLY of Texas. The gentleman recalls the statement in the President's message the other day that you gentlemen were committed to the repeal of the excess-profits tax.

Mr. FREAR. I heard the President's statement. I have no issue to join with him. I do not care to have any political issue raised about this. Let me say this, if you gentlemen are sincere and honest in this thing, regarding your opposition to a sales tax, come and help us now to let Congress and the country know what efforts are being made to put through a sales tax. Do not wait until we do something on this side of the aisle and then complain about it. Why did you not pass a resolution against a sales tax yesterday in your caucus? Then was the time to help those of us who feel the same way about it, for I know many of you are opposed to that kind of a tax.

Mr. GARNER. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Texas.

Mr. GARNER. Does the gentleman favor the taxes he has just suggested instead of the excess-profits tax?

Mr. FREAR. I would favor any of them by far in preference to a sales tax.

Mr. GARNER. I did not ask the gentleman that. I ask the gentleman personally whether he favors those taxes that he has enumerated instead of the excess-profits tax?

Mr. FREAR. I am glad the gentleman has asked me that, because the experts in the Treasury Department say there is no tax more fair than the excess-profits tax. I believe the men who are able to pay the taxes should pay them, and there is no one better able to pay than those who make excess profits.

Mr. BANKHEAD. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Alabama.

Mr. BANKHEAD. Does the gentleman think there is any serious danger of his party imposing a sales tax as a revenue scheme?

Mr. FREAR. Oh, I wish I could tell the gentleman some things that I believe but do not know and that I can not speak of here. [Laughter.] Let me say that they are not of a political character, but I do know the situation, and the serious menace of a sales tax, and you know what is being done as well as I do in regard to it, because I have laid before you some of the data in my possession.

Mr. LONGWORTH. Let me suggest that a very large portion of the amount that would be lost by the repeal of the excess-profits tax will be raised at the customhouse under a bill which I trust will be shortly reported to the House.

Mr. FREAR. A good suggestion coming from the gentleman from Ohio—three hundred millions is an item of additional income which will be received from the customhouse under the new tariff bill, according to Treasury estimates. We also have proposals that will raise about $2,500,000,000, so no possible excuse exists, in my judgment, for putting through a sales tax. I thank you. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message was received, in writing, from the President of the United States, by Mr. Latta, one of his secretaries.

EMERGENCY TARIFF BILL.

The committee resumed its session.

Mr. GARNER. Mr. Chairman and gentlemen of the committee, it is rather unusual in any consideration of a tariff bill

for a Democratic member of the Ways and Means Committee to follow a Republican of the Ways and Means Committee and agree with him in his argument. But I want to say that I am in hearty accord with the argument presented by the gentleman from Wisconsin [Mr. FREAR]. [Applause.]

I want to say to the gentleman from Wisconsin and those who agree with him on the Republican side that if he has enough votes on that side in accord with him to join with the minority, there will be no sales tax put on during this administration. [Applause.]

But I am like the gentleman from Wisconsin, very fearful as to what the result may be when these gentlemen who do not believe in a sales tax hear from their leaders, and especially the leader at the other end of the Avenue; their views will be changed, and they will say that they regret very much that they were compelled in order to get the revenue necessary to run the Government on account of the expenditures made necessary by the Democrats to put on this sales tax.

It is not only remarkable, gentlemen, that a Democrat following a Republican of the Ways and Means Committee should agree with him, but it is the usual thing that the first speaker on the tariff bill in a Republican administration should defend the bill against the charge of having a joker, as did the gentleman from North Dakota [Mr. YOUNG]. How natural that is with a Republican administration. [Laughter.] Have you heard of a tariff bill being passed by a Republican administration within 25 years that did not have a joker in it?

I never shall forget the scene should I live many scores of years when that magnificent man, a great orator and I think a great statesman, Senator Dolliver, from Iowa, stood on the floor of the Senate and called attention to the joker that was contained in the Payne-Aldrich bill.

Now, we have a popgun bill a temporary relief measure, and behold, what do we find? We find the identical measure, letter for letter, comma for comma, t for t, i for i, so far as the tariff feature is concerned, embodied in the proposed bill that was vetoed by President Wilson.

We also find embodied in that bill an antidumping provision which was passed by the last Congress without a record vote, except that we find provided further in that particular measure—and I want to call this "provided-further" clause to the attention of the new Members, because you might just as well get used to these jokers now as a little later on—for these gentlemen, Republican leaders, are going to put that on unless a few independent spirits like the gentleman from Wisconsin [Mr. FREAR], who will not take the party lash at all times, will adhere to candid and honest methods in passing tariff laws. There are some to be found even with the tremendous majority the Republicans have who will join an honest and conscientious minority that may compel you to at least call a halt in the effort to put through a Republican joker in a Republican Congress.

Now, what do we find in this bill? We have a bill before you, gentlemen, of 16 pages. It is the identical bill, as I understand it, because the gentleman from Michigan insists that it is, and I perfectly agree with him, of the bill that was passed upon by the Sixty-sixth Congress, except that on page 16, just before we closed the services, the gentleman from Michigan [Mr. FORDNEY], I imagine, and the gentleman from Connecticut [Mr. TILSON], and I would not be surprised if the gentleman from Massachusetts [Mr. TREADWAY] did not have something to do with preparing that "kick"—

Provided further, That in the estimation and liquidation of duties upon any imported merchandise the collector of customs, or person acting as such, shall not in any case estimate the depreciation in currency at more than 66⅔ per cent.

Now, that looks simple to the ordinary mind. To the farmer or the merchant whom you represent in the West it means nothing, but when you apply it to the conditions existing in the world to-day it is preposterous, wicked, and indefensible, and the gentlemen who drew it knew it. It means an absolute embargo on goods coming from central Europe. Not one dollar's worth of goods under that provision can come from Germany or Italy or any central part of Europe, and very little from France. Let me illustrate it to you. At the present time you go to Germany for the purpose of buying goods. You buy goods to the amount of a thousand marks in a German market where the present mark is worth 2 cents.

In ordinary times the thousand marks would amount to about $240 in American money. At the present time at a valuation of 2 cents, it will amount to less than $20. Therefore, in importing those goods into the United States at the present time you would pay a rate of duty under the present law on manufactured articles upon a valuation of $20—and that law has been on the statute books for nearly 20 years—but what will this bill do? It will compel you to pay on those identical goods imported from Germany a duty of $80 value, whereas I say you pay at the present time a duty on only $20 value; and think of it, this is put onto a "farmers' emergency bill." Remember, this is not a general tariff law, this is not a manufacturers' bill, but it is a bill introduced to grant temporary relief to you farming people of the West and South who need it.

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

Mr. GARNER. Yes.

Mr. LONGWORTH. Would it relieve the gentleman's apprehension if I should confide to him that in my judgment this provision will not be in force more than a month or so?

Mr. GARNER. That is some consolation.

Mr. LONGWORTH. Because we intend to change the method of valuation.

Mr. GARNER. Mr. Chairman, that is indeed consoling. They plead guilty to the indictment, but they say that they are not going to commit the wrong for more than about 30 days. [Laughter and applause.] I speak now to you farmers who come from the West, you people who came here believing that you ought to be granted relief, and that as their Representatives you gentlemen should relieve the farming and the stock breeding interests of this country. I believe so, too, and I voted for the Fordney bill in the face of criticism from my colleagues, because I knew the conditions were such that they ought to be relieved, and I thought that bill would grant that relief. But I ask you gentlemen, in your own conscience, this question: In coming here to pass a six months' relief bill for the farmer, do you believe that you can defend the putting of a stinger in it, or, worse yet, a joker, as it has been correctly described by the gentleman from North Dakota [Mr. YOUNG]? There are not 10 men in this House who would know what that language meant unless they would analyze conditions throughout the world. The gentleman from Ohio [Mr. LONGWORTH] says that this outrageous perpetration will last only for 30 days. The gentleman from Ohio really knows better than that. The gentleman from Ohio knows as well as he is sitting in his seat that the powers that be who compelled him and the chairman of his committee and forced them to put this provision in this bill will amend it in another body, and you will have your American valuation plan in the bill before it is signed by the President. The gentleman knows that.

Mr. LONGWORTH. But the point which the gentleman fails to observe is that with the American valuation plan in force this provision will be inoperative.

Mr. GARNER. I am not so certain about that.

Mr. LONGWORTH. The gentleman should be certain about that.

Mr. GARNER. Let me ask the gentleman this question: If you adopt the American valuation plan, then you will eliminate this from the law?

Mr. LONGWORTH. Yes.

Mr. GARNER. I am very glad to have that assurance. That is at least some relief.

Mr. LONGWORTH. Oh, we are dealing with you in a frank way.

Mr. GARNER. Oh, the gentleman from Ohio is always frank, and I want to say now that the gentleman from Ohio is not always in entire agreement with what the party lash compels him to submit to.

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

Mr. GARNER. Yes.

Mr. FORDNEY. Will not the gentleman tell the membership, with the percentage of depreciated currency as compared with the moneys of other countries, what duty Germany now pays on her goods coming into this country?

Mr. GARNER. All I know is this, and I challenge the contradiction of it by the speakers who follow, that this provision in this bill will increase the duties now being paid on German imported goods over 400 per cent.

Mr. YOUNG. I would ask the gentleman——

Mr. GARNER. Oh, I decline to yield now. I am going to give these percentages, and I am talking now to Republicans, for we do not need to talk to our side of the House. I am appealing to the honest men who have come here, who are new, before they have been debauched by these fellows who have been here for some time. [Applause and laughter.] This "joker" increases the duty over 400 per cent on goods now coming from Germany and over 200 per cent on those coming from Italy, under the language in this bill which I have quoted to you. Mark you this, that we are constantly trading with these countries. This will amount to a duty of over 2,000 per cent on goods now coming from Austria. Can you gentlemen

go back to your constituents and tell them that you voted for a bill which was offered for their relief, for the relief of the farming districts, and at the same time permitted the machine of your party to put such an infamous matter over in their name? Can you do it? If you gentlemen go home and tell your constituents when challenged that in order to put over this emergency tariff bill you gave to the manufacturers of New England a duty of from 25 per cent to 2,500 per cent on goods coming from central Europe over what they now have under the law, what will your constituents say to you, and what will they do to you?

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

Mr. GARNER. Yes; but first I must yield to the gentleman from North Dakota.

Mr. YOUNG. I want to ask the gentleman this question, and I know that he will be frank——

Mr. GARNER. I always try to be.

Mr. YOUNG. And I am not meaning to admit that his statement is accurate in respect to the percentages, but admitting that there will be a substantial and a large increase in duties over those in the present law, will those countries to which he has referred pay any more for the privilege of putting their goods into our market than the other nations of the world, and should we make favorites of those countries and let them put their goods into our markets at a less rate than Cuba or South America or Canada?

Mr. GARNER. I want to say to the Republican membership of this House something which the leaders of your party now know and which the Democrats know, that I am not a free trader, and neither am I in favor of a protective wall around this country that will impede the freedom of commerce with the nations of the world. I am going to tell you what you are going to do, but before I do that I would say to my friends, FREAR and many others on the Republican side, that in my humble judgment the political contest in the near future for the next two, four, or six years, until we have established a positive economic policy, will not be a discussion in respect to the customhouse, unless you absolutely prohibit the importation of goods, but it will be on the question of the internal-revenue policy of the Government.

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

Mr. GARNER. In a moment. Your party, in the very nature of things, if your leaders have their way, is going to insist that the masses shall pay the bills, while our party, as it has always done in the past, is going to insist that the taxes shall be laid where they are best able to pay.

And that is going to be the issue between the two parties, and let me say further to you Republican gentlemen that you are going to make in my judgment a very great mistake in drawing your tariff bill. We must do business with the world if we expect to sell the excess farm production produced in this country throughout the world. You have a lot of wheat to sell, we have a lot of cotton to sell. Now, I ask you how we are to sell those goods? What method can we pursue to dispose of our surplus? We must sell them to the peoples of the world. How can they pay us for those goods? They have no gold. We have more gold to-day than we ought to have under proper economic conditions throughout the world. So they have no gold to buy with. There are only three ways by which they can pay for our goods. One is with gold, the other service, the other is exchange of their goods for ours. We do not propose they shall pay us in service, because we expect to carry our own goods across the ocean in our own merchant marine, so there is but one other way, and only one, that they can pay us, and that is to send us their manufactured products.

Now, if you make it so that they can not send us that product by making an American valuation, by putting in this clause and estimating the value of their currency and then put in what you term a modest protective tariff, you will close all the customhouses and there will be no way by which we can sell our goods. That is my honest judgment about it. I tell you gentlemen on the Republican side, prefacing that by telling you that I am not in favor of free trade, the most economic blunder that can be made, in my judgment, in this country is to put a clause like this on this bill making an American valuation and pass what you term even a moderate tariff bill and stop all commercial relations with the peoples of the world. I will now yield to the gentleman from Illinois.

Mr. MADDEN. If the proviso on page 16 to which the gentleman has alluded results in an increase in the import duties to be paid by Germany and Austria, even though it only places them on an equality with England, France, and other nations of Europe, does not the gentleman think it would be worth while to adopt this scheme if, in addition to putting them on a basis of equality with other European nations, it will yield employment to the 5,000,000 idle men in this country, the result of the Underwood law?

The CHAIRMAN. The gentleman from Texas has consumed the additional time he allotted himself.

Mr. GARNER. Mr. Chairman, I will not take time to even answer that, because the question answers itself. [Applause on the Democratic side.]

Mr. YOUNG. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. FORDNEY]. [Applause.]

Mr. FORDNEY. Mr. Chairman and gentlemen of the committee, I will say to my friend from Texas [Mr. GARNER] a thing that he well knows, that the Republican Party believes in the policy of protection, and that is not only true but a very large percentage of the people who live in the Southern States whose Representatives sit there now believe in protection, and 42 of your Members in December last voted for this bill, and you are going to vote for it again or you are going to run, because you have recently been in caucus with the full membership of the Democratic Party——

Mr. GARNER. Will the gentleman allow me to correct him? I know the gentleman from Michigan does not desire to make a statement that is not absolutely correct.

Mr. FORDNEY. I never desire to make an intentional misstatement to the gentleman from Texas or anyone else.

Mr. GARNER. I know that, and I wish to correct the gentleman. The bill passed in December is not this bill. Now, if the gentleman had said that 42 gentlemen voted for this bill in December and 23 voted in February he would have been absolutely correct.

Mr. FORDNEY. Now, let me correct the gentleman from Texas, please. This bill, so far as duties are concerned, is the bill identical, word for word, except that we have reduced the time from 10 months to 6 months as the life of this bill. The antidumping bill is practically word for word substantially and exactly the same as the bill which passed this House less than a year ago, except the alleged joker [laughter on the Democratic side] to which the gentleman referred relating to the payment of duties on goods coming, we will say, from Germany and from central European countries. The Democratic conception of a joker is any provision to afford protection against the products of cheap foreign labor. Let me explain to the gentlemen of the House the present system of collecting duties on imports from Germany and some of the central European States under the Executive order of Woodrow Wilson to the customs officials in November, 1919. The German mark, with its declared gold value of 23.8 cents, is worth in this country to-day less than 2 cents in gold in purchasing power, but in Germany it has a purchasing power of 8 cents; but when the goods purchased in Germany—and the mark in hiring labor is worth 8 cents—are landed in the United States and duty is collected thereon, the duty is collected on less than 2 cents. That is why this measure is in this bill, and it is there to stay, my friends. [Applause on the Republican side.]

Mr. GARNER. I guess the gentleman has got them lined up pretty well.

Mr. OLDFIELD. The gentleman means for 30 days?

Mr. FORDNEY. It will stay there until the new tariff bill takes effect, and we hope that can be in the next 30 or 60 days from this day. Now, no American valuation can be drafted, in our opinion, that can be equitably applied to the rates in the Underwood tariff law and at the same time be suited to rates that may be carried in a new tariff bill, and that is why this paragraph is in this bill, to prevent these people in central Europe from robbing Uncle Sam's Treasury, and we are going to stop it this week. Your President, our President, the retiring President, made that possible, and we are creating a remedy. You say the political machine on this side works admirably. It did work most admirably the 2d day of November last. [Laughter and applause on the Republican side.]

The antidumping provisions of this bill are in all essential particulars the same as paragraph R of section 4 of the Underwood bill as passed by the House in 1913. It likewise accords with the Canadian antidumping law of 1904, as amended in 1917, and the antidumping act of the South African Customs Union of 1914 now in effect. This bill follows closely, both in the prescribed method of calculating the special duty and methods of enforcement, House bill 10918, which passed the House December 9, 1919.

The principle underlying the adopted measure of additional duty to be added in prevention of dumping, particularly where the tariff valuations are upon foreign market values, is to add such an amount of duty as will equalize sales at less than the foreign home market value or foreign export value or cost of production with profit added, whichever may be the highest, thereby making it unprofitable to dump goods on the markets

of the United States at less prices. If the seller of the goods is compelled to add as duty the difference between the sales price and what he would receive by selling in the otherwise highest obtainable market, all reward or inducement to dumping is removed.

Several countries of the world in the presence of the experience now being undergone by this country have enacted such legislation. It protects our industries and labor against a now common species of commercial warfare of dumping goods on our markets at less than cost or home value, if necessary, until our markets are destroyed, whereupon the dumping ceases and prices are raised at above former levels to recoup dumping losses. By this process, while temporarily cheaper prices are had, our industries are being destroyed, after which we more than repay in higher prices. Moreover, the provisions as drafted will compel payment when the export price is less than the home-market sales price as now exists in many lines of industry of a corresponding equalizing duty.

This bill contains the additional and necessary safeguard that where the goods are consigned and not sold or agreed to be sold until after they pass out of customs custody, bond to pay any additional antidumping duty herein provided and subsequently determined shall be given. Without this provision the law would be of no possible effect. All goods intended to be dumped on American markets could be, and experience shows would be, consigned, cleared of customs duties, delivered from customs custody, and then sold or agreed to be sold, whereby lien thereupon for the additional duty would be lost and the duty probably never known to the customs officials. To meet this situation a bond is herein required, conditioned that so soon as bona fide sale of goods not sold or agreed to be sold at the time of entry for consumption—at which time they pass out of customs custody—report thereof shall be made to the customs officials and the duty herein provided be paid. Without this provision the law would be so easily avoided as to be a dead letter upon the statute books. This bond, it is herein provided, shall be as prescribed by the Secretary of the Treasury. It is probable that it will entail no new bond, but that one of the several presently required bonds can be made applicable, like the bond for return of packages. As presented, however, the bill secures in every way the stated objects, and, as the experience of other countries shows, is well calculated to and will discourage, if not entirely stop, the practice of dumping, so disastrous to our industries and trade.

Section 214 of the bill is calculated to equalize foreign exchange values for customs purposes. Under existing law all duties are liquidated on the basis of the currency of the invoice or appraised value. If that currency be found to be depreciated, the duties are assessed on the exchange value of such depreciated currency as found on the day of exportation. The exchange value of the currency of such foreign countries importing goods into the United States is in some instances so low that the amount of duty collected is very small. It is the practice of some foreign sellers to require our merchants to pay for their goods in American dollars, and to state in their invoices that the home value is of a lower unit price stated in the depreciated currency of that country. If the price paid by the American purchaser were converted into the currency of the exporting country on the basis of the standard coin value, the difference in the two figures would to a great extent disappear, and the values both for home and export in some instances would be alike. This, of course, does not apply to goods which are sought to be dumped upon our market.

To require the payment of duties on the basis herein provided for will to a great extent remedy the evil mentioned. It is at least possible by the bill presented to partially check the practice now in vogue in the underpayment of customs duties. By limiting currency depreciation to 66⅔ per cent we will be able to collect at least some portion of the duties which Congress intended to impose on imported merchandise. This method of checking the greatly reduced value of currency in the collection of duties has been adopted by at least one foreign country whose goods are largely imported into the United States.

To illustrate its application: The German mark is now worth, let us say, 2 cents in our money. As a matter of fact, its exchange value is less than 2 cents, while the gold value of the German mark is 23.8 cents. Two German marks will purchase in the home markets of Germany a quantity of goods which when exported to and delivered into this country are valued at and sold for a sum ten times greater. Under existing law, however, we collect duties only upon the exchange value of the mark, to wit, upon 2 cents. This would result on an invoice for 1,000 marks in the collection of only $5 in duty upon a 25 per cent ad valorem basis, whereas when the depreciated currency is limited as provided for in this act 1,000 marks would equal $80 and the duty collected would be $20. Under present conditions, while the importer pays duty only on the depreciated mark and the goods are so invoiced, he, in fact, frequently pays the foreign seller a much greater price because the export price is much greater than the foreign home market value. Where the invoice is in American currency and the importer enters in marks duty is collected upon the depreciated value of those marks. He thus pays duty upon a much less sum than actually paid for his goods.

The provision of this bill will result in a much more adequate duty.

Let me call your attention to an important matter. By the way, the lowest duties collected under any of our tariff laws for more than half a century—yes, for more than three-quarters of a century—are the ones provided for in the Underwood tariff law. The rates collected on imports last year were less than 6 per cent ad valorem, and there is not an important country in the world that does not have higher rates of duty. The amount of duty collected last year was $325,527,000 on imports, dutiable and free, with an average of ad valorem of less than 6 per cent, as I have said. More than $5,000,000,000 worth of foreign imports came into this country in the calendar year 1920. Seventy-two per cent of the duties collected last year were collected on nine items in that tariff bill. Twenty-five per cent of all duties collected were collected on sugar, gentlemen, and the ad valorem duty on sugar was 8.58 per cent.

Let me show you how you have taken care of the South in the Underwood tariff bill. The rate of duty on sugar was 8.58; on manufactures of cotton, 31.68 ad valorem. Pretty fair, was it not? It is a pretty fair difference between cotton and sugar. Cotton is the principal product of the South. I do not blame you. I would have only gone further and have protected every industry in the United States. I would not have stopped with the South. It has been stated by opponents of protection that if we pass measures to increase import duties, Canada and other countries will retaliate. I hold in my hand a report of a tariff commission of Canada, made on the 19th of July last. The Hon. E. J. Davis is chairman, and this is what he says in the headlines of his report, a photographic copy of which I have:

Tariff situation thoroughly discussed. Official records show that there is not one country in the world to-day making any pretension to industrial development that is without a protective tariff. Where Canada stands in tariff matters.

The report states further:

Every resident of the United Kingdom paid a customs tariff tax on the average of about $16 last year. In Canada last year the average per capita tariff tax, including the war tariff, now removed, was about $23, or, without the war tariff, about $19.50. Yet some people describe Great Britain as a free-trade country and Canada as a high-tariff country.

Further on the report of the committee states:

The total value of all free importations during the fiscal year ended March 31, 1920, was $370,872,966. The total value of all dutiable importations into Canada during the same period was $693,643,211. The total amount of duty collected during the said fiscal year was $187,520,613.

All dutiable imports paid a tariff of 27.03 per cent.

The report shows the imports and exports from Canada to the United States and from the United States to Canada for the period from 1907 to and including the year 1920 to be as follows:

Fiscal year.	Value of imports from United States.	Value of exports to United States.
1907 (9 months)	$155,943,029	$79,021,480
1908	210,652,825	113,520,500
1909	180,026,550	92,604,357
1910	223,501,809	113,150,778
1911	284,934,739	119,396,801
1912	356,354,478	120,534,634
1913	441,141,562	167,110,382
1914	410,786,091	200,459,373
1915	428,616,927	215,409,326
1916	398,693,720	320,225,080
1917	677,631,616	486,870,690
1918	791,906,125	441,390,920
1919	746,920,654	477,745,659
1920	802,096,817	464,029,273

This table shows that in the year 1920 the balance of trade in our favor with Canada was $336,000,000.

The committee further reports:

Last year each inhabitant of the United States bought $4.21 worth of Canadian goods, while each Canadian bought $102.62 worth of United States goods.

Commenting on the advisability of protection, the committee states:

It is the Canadian tariff which has caused large numbers of United States industries to establish branch factories in this country, and these branch factories now number over 600 and employ over 87,000 Canadian people.

My friends, these quotations are taken from the report of the Canadian tariff committee, only recently made, pointing out the advisability of protection. All through the report comments from various people, generally manufacturers who appeared before the committee at its hearings at different times, advocated protection to Canadian capital and labor. Some critics opposed to the measure have said that Canada and other foreign Governments are likely to retaliate if we impose increased duties on foreign imports. I have searched diligently through the various reports made by the Canadian tariff committee and statements made by people who appeared before that committee touching the matter of protection and have failed to find a single word uttered by any Canadian in the way of threats or otherwise in regard to retaliating against our Government should we increase our rates of duty on imports.

Canada will continue to protect her industries regardless of our tariff policy. Moreover, we are not questioning the right of Canada to protect her industries—Canada would not approve of such unwarranted interference—and Canada is not disputing our right to protect American industries.

Talk of retaliation originates on this side of the line. It is the smoke screen of American importers under the cover of which they hope to secure tariff legislation advantageous to themselves at the expense of American industries. Canadians are talking "Canada first." They are patriotic and loyal, and we admire them for it, and they in turn will admire us for being patriotic and loyal to American industries and American labor. When they adjust their tariff rates they do it with an eye single to Canada's welfare. The spirit of retaliation does not influence their legislation any more than it influences ours, and during the tariff discussions which are opening to-day we must not allow friends of free trade to cloud the issue.

Talk about Canada retaliating! Last year she collected on her imports $19.50 per capita. We collected $3.15 per capita. Great Britain collected $16.21 per capita on imports last year, and yet Great Britain is said to be the great free-trade nation of the world and we the great protective nation. We were the great protective nation before 1913 and we will be again within 30 days. [Applause on the Republican side.] Last year, my friends, Canada purchased from this country over $800,000,000 worth of our goods and sold to us 50 per cent of that amount. You talk about Canada retaliating because we increase our duties, when her rates of duty are more than three times greater than ours. Why, little Japan, lying over in the eastern seas, said by some people to be an uncivilized people, last year collected 17.64 per cent ad valorem on all of her imports, dutiable and free, while, I repeat, that we collected less than 6 per cent under the laws that you, my Democratic friends, forced upon our statute books against the wishes of protectionists. Now, we are determined, whether you are willing or not, to protect you and take care of you. [Laughter.]

My friends, we have a reciprocity treaty with Cuba, and I want to show you how we get along with countries that we are trying to deal with on more liberal terms than the most-favored clause in our law. For 17 years prior to the adoption of Cuban reciprocity our trade balance against us was $538,000,000. For 17 years, ever since we adopted that reciprocity treaty with Cuba, the balance of trade has been $1,250,000,000 against us. At the same time with Canada, where we have charged a rate of duty, full duty on goods coming from Canada, the same as from other countries where we have no commercial treaties, the balance of trade in our favor in the last 17 years has been $3,196,000,000. The American market is the best in the world, and every attempt to swap a portion of it for a market elsewhere has been to our detriment. We have always been the loser, gentlemen.

Now, it is a most difficult problem to arrange a rate of duty that is equitable and just to all of the countries of the world in the sending of their goods here. As to that let me say to you that Canada's cost of production is nearer our cost of production than that of any other country in the world; say 10 per cent, to be conservative. Her cost of production is not more than 10 per cent below our cost of production.

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

Mr. FORDNEY. Yes.

Mr. BLANTON. Would the gentleman mind placing in the RECORD in connection with his speech figures showing the trade balances of all the nations to which we send our products?

Mr. FORDNEY. I do not have them all here, but I have many of them, and I will put them in.

Mr. BLANTON. I wish the gentleman would.

Mr. FORDNEY. I would be glad to do that if I may be permitted to extend my remarks.

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

Mr. FORDNEY. Will the gentleman from North Dakota yield two minutes more to me?

Mr. YOUNG. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes more.

Mr. FORDNEY. An article that can be produced in Canada at 10 per cent below our cost can be produced in Europe at from 20, 30, 40, or 50 per cent below our cost, while in the Orient the same article can be produced, because of the cheap labor of that country, at from 75 to 80 per cent below our cost. There is no way under existing law by which we can apply a duty that will be equitable and just to all those countries. We must have one rate for all the world. We have a constitutional right, however, to impose a maximum and a minimum provision in our tariff laws and direct the President of the United States to find out the difference between the domestic and the foreign costs in every country in the world and apply an amount of duty to offset that difference in cost and bring the goods from every country in the world into the United States exactly on the same basis with ours. That we have a constitutional right to do, but it would be a very wide departure from existing law.

My friends, as far as rates are concerned, this is purely an agricultural relief bill, covering the article described in this bill. Last year, the calendar year of 1920, we imported $1,060,000,000 of those goods from foreign countries. Will any man within the sound of my voice study those figures and then say that those importations into this country have not been a most serious menace and interference with the producers of those articles in this country? Certainly he will not, because of the facts.

There is a duty on sugar here in this bill of 2 cents on 96-degree sugar. That is the highest grade of raw sugar imported and takes that low rate of duty when entering this country. The Cubans will be permitted to import that same grade of sugar into this country at 20 per cent below those rates, or at $1.60 per hundred pounds. We produced in the United States last year 1,060,000 tons of sugar from beets, my friends; 860,000 acres of land were planted in sugar beets in the United States last year; a wonderful field. Why, it would constitute a field a mile wide reaching clear across this continent. Will you say that that is not an important industry?

We produced from beets last year one-fourth of our total consumption of sugar, and the gentlemen on that side of the House that do not agree with us on the protective theory will say that any duty that is placed upon sugar will be added to the price paid by the consumer in this country. Let us see whether that is true or not. Let us furnish the proof. Ever since the time we established the beet industry in this country, while domestic beet sugar is on the market, then is the time when the consumers of sugar in this country buy sugar at the lowest possible price, and the very minute our domestic sugar is disposed of and we are at the mercy of the refiners of imported sugar, then up goes the price.

In 1920 I appealed to the President of the United States to purchase the Cuban sugar crop, that then could have been purchased at 6½ cents a pound, and thus insure to the consumers of this country cheap sugar. But no; the President, at the advice of Prof. Taussig, refused to follow the advice of the Sugar Equalization Board and declined to do so. What was the result? They fixed the price on domestic beet sugar at 12 cents a pound, and it was not sold at a price above that during the whole year. They fixed the price of domestic sugar from the South, sugar produced from cane, at 17 and 18 cents, depending on the grade. But, my friends, we paid as high as 30 cents a pound on imported sugar, and the difference between the price paid for imported sugar above the price, namely, 6½ cents, for which we could have contracted, amounted to $588,000,000 in six months, which the consumers of this country paid. Why? We have control of monopolies in this country by our laws—I mean domestic monopolies—but we have no control whatever over foreign monopolies, and because of the fact that we did not produce the amount of sugar that our people consumed in this country we were obliged to go abroad for it, and we paid the penalty; and that penalty, gentlemen, would have built more than 500 beet-sugar factories at a cost of a million dollars per factory.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. YOUNG. Mr. Chairman, I yield to the gentleman three minutes more.

Mr. FORDNEY. That would have built, I say, 500 factories, each of which would grind a thousand tons of beets per day, and would have furnished more sugar than all the people of the United States consume annually. We threw that money away because of unwise administration. We throw money away every year because we do not foster our home industries more than we do. If we were to have a great war such as Germany had, and were driven from the high seas in time of war, as Germany was, what would we do for sugar when we produce but 25 per cent of our consumption in this country? Why, we would go without it. Then, my friends, when it is true, and when you know it is true, that when our domestic sugar is upon the market the consumers buy sugar at the lowest price, why should we not foster that industry and encourage American capital and American labor and build up productive institutions at home, and not come here to legislate in the interest of the foreigner?

Let me say to you, my Democratic friends, without criticism and with all sincerity, every man on that side of the House who votes against this bill votes in the interest of the foreigner and to the detriment of your own people who sent you here. There is no question about that, gentlemen. Millions of men are out of employment to-day in the United States, and yet we are importing $300,000,000 worth of foreign goods every 30 days into this country to the detriment of our own people and our own institutions. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

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

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. McCLINTIC. I have no objection to the gentleman putting in statistical tables. Is that all the gentleman wants to put in?

Mr. FORDNEY. I imagine so, unless it would be an explanation of those tables.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. YOUNG. Will the gentleman from Texas use some of his time?

Mr. GARNER. I yield 30 minutes to the gentleman from New York [Mr. COCKRAN]. [Applause.]

Mr. COCKRAN. Mr. Chairman, this is an emergency tariff. That is the way in which it is described. It is a little difficult to say which is the emergency and which is the tariff. [Laughter.] If there be an emergency, as, indeed, there is—and a graver one than the framers of this bill, I think, conceive—I would be the last to oppose any measure that might tend to relieve the difficulties it has produced or threatens to produce. But I think this measure, far from relieving the emergency, will aggravate it enormously. In fact, I think it is difficult to calculate the evil results that may flow from its enactment.

Now, my friends, I ask you to believe that this is not any attempt at rhetoric. It is the sober statement of a conclusion which I think is inevitable from facts that are indisputable.

What is this emergency? There is a paralysis of production and of trade throughout the world; not, perhaps, a complete paralysis, but such a contraction of it as is seriously endangering the prospects of livelihood to countless millions abroad and which, I think, portends serious calamities to us here at home.

Now, let me describe to you what I think is the character of the emergency, and then I believe you will appreciate the force of the objections to this measure which I shall have the honor to submit to you. But I do want especially to declare in advance—and I ask you gentlemen to believe in the sincerity of the declaration—that I do not regard this as a time when Congress can afford to extend any consideration whatever to matters of party advantage. You have had protection for a great many years. You have rioted in it, and you have had a fine time. But protection as you enforced it formerly was a method of distributing the profits of industry so that many producers had to contribute some of their products to the enrichment of the favorites and beneficiaries of tariff legislation.

It was vicious then and it is vicious now; but this pending proposal would be absolutely fatal under the conditions now prevailing throughout the country and the world. The condition with which we are now compelled to deal is not a distribution of profits. The period of profits has gone by. The question which confronts us is how to meet losses growing every hour, and which, in my judgment, portend results that it is difficult now to forecast.

The emergency which confronts us is a condition of industrial paralysis, and the paralysis is due to causes that are without precedent or parallel in the history of the world. I do not believe even the fall of the Roman Empire precipitated a more desperate condition in human affairs than that which under present conditions threatens humanity. I ask you to remember that you are not now considering conditions on which we can get any light from the past. Even the very terminology that I am compelled to use here will be wholly inadequate to describe the desperate character of the crisis confronting us. Terminology is bankrupt when it comes to describing either the late war or the conditions that it has produced. We all know that the function of words is to convey thought. Now, thinking is largely recollecting. Philosophers call it classifying concepts. I am employing a homelier but I hope plainer definition. If I speak of a table you know precisely what I mean, because your recollection calls up before your minds tables that you have seen. If I speak of a glass, why, it may recall recollections of gayer and livelier times [laughter], but it certainly arouses in your minds recollections of a certain useful vessel. When we talked of a battle, formerly, it called up before the mind a conflict waged between a few hundred thousand men at the most, over an area 7 or 8 miles long, and lasting at the utmost perhaps three days. To-day a battle line extends over a thousand miles, the battle lasts for five years, it is conducted not by a separate part of some population trained to arms, but by whole populations. Formerly the ravages of a war were largely repaired by the harvest of a single year.

But in carrying on the conflict just closed the resources of the whole world have largely been destroyed, in fire and smoke and violence. Ten millions of human beings have been killed. Ten millions more were wounded, maimed, rendered incapable of effective industry. And these men were not old or decrepit or indifferent industrial forces. They were in the very flower of their industrial capacities. Three-fifths of all the capital of the world has been destroyed in that conflict. This world is now emerging from that desperate cataclysm and staggering and in danger of total collapse.

My friends, perhaps I may ask you to consider these conditions a little further, so that you may understand more clearly the unparalleled character of the task before the world. The peculiar feature of the progress which marked the last century was, as everybody knows, an enormous growth of population throughout the world. Now, that growth of population centered almost entirely in cities. Rural populations have been stagnant where they have not declined. The city of New York had about 30,000 inhabitants at the end of the last century. To-day 6,000,000 human beings are dwelling there, and must gain their subsistence there. Other cities show exactly parallel conditions. Perhaps no other city has shown such an enormous growth, but growth on a continuing scale has been the rule of cities everywhere. Now not one human being among all these vast aggregations of men and women in cities produce the means of his own subsistence.

For everything that enters into the conditions of his life, for the food that he eats, the clothes that he wears, the elements of the building that shelters him, the raw materials of his industry, he is dependent upon labor exercised in every part of the world. Not by the labor exercised here in this country alone can the millions of New York keep alive. Labor exercised wherever human hands are active, wherever a man is working; whether it be cultivating an agricultural field or tending flocks on the Australian plains, or delving in subterranean galleries for the mineral treasure which the earth contains, or gathering from bending boughs under tropical skies the fruits that constitute the luxuries of our breakfast tables is contributing to the life of cities. Every human being who toils on the earth, though conscious perhaps of no greater motive than to gain means for his own subsistence, is producing the commodities which constitute that upon which the existence of every city depends. I do not believe that anybody will dispute that assertion, although the fact may not have occurred to some.

Now, before the war, in every city of the world at least 90 per cent of the population even in New York—and there I think the conditions of urban life were at the highest—lived literally from hand to mouth; that is to say, they depended for subsistence on the wages they could gain from their daily toil. But if they lived from hand to mouth while the world was more than twice as rich, while every part of the world was engaged in active industry and sending here to our marts products of human labor, there to be exchanged for the products of our own

industry, how are these communities to live now; how are they to be supported?—not in affluence but in possession of the barest necessities.

My friends, there are a good many here I am sure—among them the chairman of the Ways and Means Committee—who can remember the panic of 1873. Many more can remember the panic of 1893, and a great many more the panic of 1897. Some of us even are familiar with the panic of 1857, not by personal recollection, but by what they gathered in their younger days from persons who had been observers or victims of it. Each of these panics was caused by what? By a slight derangement in the processes of exchange. The panic of 1873 was caused by the necessity of bringing a currency depreciated about 17 per cent to par under the operation of a resumption act which was very salutary and well worth the price that its enforcement cost. The panic of 1893 was caused by a slight doubt as to the value of the coinage that this country would emit. I mention these two cases because they are within the recollection of many of us. Is it not well before our minds that after each of these disturbances there followed a period of depression extending from four to six years—a period of dismal, dreadful recollections—a period when men in countless thousands were driven day by day out into the highway seeking a market for their labor, and driven back at night unsuccessful in the search, driven back to homes where the fires of plenty had long since died out on the hearthstones, where they were often compelled to confront the dismal spector of famine as the gaunt wolf that we call hunger tugged with ferocious fangs at the breast of the mother or breathed a pestilential breath on the cheek of the infant? And during all those dismal times the earth was just as full of treasure as ever it was, the fields were just as fertile as ever they had been. The farmers whose harvests were abundant burned corn for fuel because the people of the cities had produced nothing to exchange for agricultural products, or at least the products of urban industry were greatly reduced.

Thus we see how a slight disturbance in the machinery of exchange brought the farmer to the verge of ruin and at the same time brought destitution and desolation into countless homes that sheltered American labor.

Now, my friends, I ask you, if conditions such as those followed six years' industrial disturbances which were comparatively slight, what must be the conditions we are facing now, where industry has not only been disturbed but largely destroyed, where exchange has not simply been restricted but where three-fifths of the capital of the world has been sacrificed, and where the flower of industrial youth in a large part of the world has been destroyed? How long do you suppose the panic now upon us must last? Panic is not the proper word to describe it, because panic means exaggerated fear. But the gravest feature of present conditions is that disaster, which no amount of wisdom can entirely avert, is approaching inexorably and the world does not seem to realize it. I wish to assure the Republican side from the bottom of my heart that as I sat here in my seat and listened to the President of the United States describe the task that confronts him I extended to him a sympathy deeper than I ever before extended to a human being. I know the difficulties of his task. I think I appreciate them even more keenly than he. For I know that we are to-day facing conditions graver and darker than the world has ever known in its whole history. Teeming populations called into existence during the last century through abundance created by the march of invention and ever-improving organizations of industry are now confronted with a diminution of supplies absolutely essential to the support of human life. Unemployment projects over cities the black shadow of a distress so terrible that the mind recoils from contemplating it. What is the remedy that is proposed here? Why, we are told that there have been too many commodities received into this country. While the cost of existence has been mounting skywards, we are told that means of subsistence have been made too abundant by importation. The chairman of this committee absolutely complains that supplies embracing necessaries of life have come from abroad. Gentlemen, there are not many places in the world that can furnish us with supplies of food to-day. I wish there were. My apprehension is that you will see soup houses and long, dreary lines of famishing men and women driven again to ask from the hand of charity the bread they will no longer have an opportunity to produce by the labor of their own hands.

And how is this situation to be met? We have a bill here deliberately and avowedly designed to erect barriers between these multitudes threatened with dire distress and the supply of commodities essential to their existence. I repeat, Mr. Chairman, I am not now discussing an ordinary tariff proposal as a matter of politics. I am not speaking now of different plans to increase or diminish our prosperity. I am appealing for the very existence of vast multitudes dwelling in cities, and I am warning you of conditions more dreadful than we can even conceive. The gloomy periods that followed former panics which we recollect, when we saw men and women suffering in silent woe from the distress caused by a slight derangement of the industrial machine, were very different, I fear, from the conditions now looming dark and sinister on the horizon. My apprehension is now that when these bread lines reappear, as they will unless we can take effective measures to avoid the perils overhanging our cities, starving men and women may not stand in silent, submissive woe as they did in the past. We have been passing for five years through a period where men who work have been instructed and encouraged to believe that they are entitled to a comfortable means of livelihood. And so they are, if God Almighty supplies the means. But the difficulties about wages which to-day are agitating the world—threatening the very fabric of society in England at this moment as it has never been threatened before—we can not avoid by legislation, because the sources from which wages must be paid have run low by diminution of production. There is no source from which a laborer can be paid wages except the product of his own labor. If he is making tables, he must be paid from the sale of tables. If he is working on a railway, he must be paid from the earnings of that railway. Whatever his occupation may be, his wages and the profit of his employer must come from the same source; that is to say, the property produced by their cooperation. Whenever that product is diminished, then the source of wages as well as of profit is drying up. Then the world is face to face with the problem that now confronts it and which is pressing on us for solution.

I would not state this so clearly as I am doing now if there were not a way out, and there is. But it lies not through making things scarcer, but by making them more abundant. Here is a measure avowedly intended to make commodities scarcer by shutting out foreign supplies and thus put up the cost of living in cities. My friends, you come here with a bill for the relief of the farmer. No one is more anxious to relieve him than I. But when you offer him relief I want to ask you where did you get it? You are not magicians who can call anything from the earth by any other method than the labor which God Almighty declared was the condition of all production. You have no power by legislation to produce a single thing that a human being can use. All you can do is to divert from men who have produced commodities some of their products for the benefit of others. If you intend here to benefit the farmer by getting him higher prices, the people in the cities must pay what you purpose to give him. And people in the cities by millions, as the gentleman from Illinois declared a few moments age, are now unemployed. How, then, can they pay the farmer anything for his product? Surely it must be clear that if unemployment spreads the farmer will be without any market whatever, and you will have again exactly the condition you had before, no matter what tariff law you pass——

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

Mr. COCKRAN. In a moment. You will have the same condition that prevailed when the farmer was compelled to burn his corn for lack of a market. I yield to the gentleman from Illinois.

Mr. MADDEN. Does the gentleman think that the unlimited influx of commodities from abroad to the American markets will aid in giving new employment to the unemployed?

Mr. COCKRAN. That would be precisely the effect which it would produce. But I want to compose my friend from Illinois and possibly remove any apprehension he may have about such a flow of goods into these markets.

The things which you give the people who send goods here must be produced by our own laborers. They must be taken from the bosom of the earth; and in exchanging your products for theirs you furnish the means by which commerce and industry will be made active and human beings fed from the profits of both.

Now, my friends, I repeat that it is not an occasion for seeking partisan advantage. Believing, as I do, that the country and the world are face to face with a crisis such as never before confronted the human family, I know that the world would now be in sight of relief if there were an abundant flow of commodities amounting to millions, aye, to billions of dollars into our ports and there made available for the subsistence of human beings. For such goods could not be paid for otherwise than by the fruits of labor exercised by Americans on their own soil. The first essence of prosperity, aye, of subsistence—remember we are not talking of prosperity now, but of subsistence—and the condition of prosperous subsistence is to bring abundant supplies into our cities and send other supplies out,

thus quickening the movement of industrial life throughout the world. My friends, I feel that before sitting down I ought to say one word to show I am not preaching solely a gospel of despair. I do think, desperate as these conditions are, that they may be made the means of reaching prosperity in this world such as never before has been achieved—greater than we now can conceive. After every great war that has devastated the world one of two consequences always followed. Where the war was dynastic, waged for the gratification of political ambitions, a period of profound depression ensued, lasting through generations. Such was the result of the Thirty Years' War and the War of the Spanish Succession, that terminated with the peace of Utrecht in 1715. On the other hand, after the wars of the French Revolution, the most devastating that up to that time ever occurred, the world passed into a stage of prosperity such as it never had before known. The exhaustion caused by 25 years of practically continuous conflict caused men and women everywhere to turn from destructive military enterprises to productive industrial enterprises. And providence, as if pleased to encourage a disposition so wholesome, reinforced the productive power of human hands by a succession of extraordinary inventions, which in the course of little more than a generation produced the most profound revolution ever effected in conditions of human life.

A revolution so profound that anyone who contrasts conditions of life 30 years after the Battle of Waterloo with any the world had ever known before would seem to be considering a wholly different planet, inhabited by an entirely separate race of animated beings. It was said by some one, whose name I can not now recall, that it took William Pitt as long to make the journey from York to London as it did Julius Cæsar. When we realize the great care which the Roman rulers bestowed upon highways to their outlying Provinces I think it safe to say that the Roman conqueror made the journey in less time before the Christian era than it took the English statesman to make it at the close of the eighteenth century. Now, the significance of that remark is this: In the 18 centuries which elapsed between the death of Julius Cæsar and the death of William Pitt industrial conditions throughout the world had undergone practically no improvement whatever. Means of communication were no better. Implements of production were no more effective. The industrial capacity of men's hands was no greater. But just as soon as the world turned from destructive enterprises of war to productive enterprises of peace and absorbed itself in them those great inventions appeared by which darkness was dispelled and every hour of the 24 made available for the great task of production. Distances were annihilated and journeys were accomplished in a few hours which formerly took months to complete. The very atmosphere through which men had formerly hurled missles of destruction at each other became an effective agency for exchange of human thoughts, through which their cooperation was promoted. All these were the results of a war which had wiped out economic conditions which had long been outgrown and which therefore had become oppressive. The abolition of feudalism made possible effective cultivation of the soil. The economic effect of the French Revolution was to enable land to be freely alienated or sold. It became possible for a man to buy land and cultivate it, and the result was a greater advance in the nineteenth and the beginning of the twentieth century than all the centuries that had preceded them.

Now, to-day the world is face to face, I think, with an opportunity to achieve even greater advantages.

Let the world disarm—not partially or in the future, but completely and at once—let all human energies be turned into production, none diverted to war or preparation for war, and the ravages of the dreadful conflict just closed would be remedied in five years. With men everywhere employing for production all the inventions that have been produced by human ingenuity, a state of society would be produced where six hours of labor would be sufficient to give every man abundant support for himself and his family. There is only one way by which the world can reach prosperity, and that is by putting out of the hands of men all weapons of destruction and putting into them—into all of them—implements of production. It is not a question whether the world will disarm or continue to maintain huge military establishments by land and sea. It has become a question whether nations will disarm now, when something is left by which industrial conditions can be restored, or whether they will delay disarmament until the weapons are forced out of men's hands by collapse of the whole industrial structure.

The burdens of war and preparation for war are seriously menacing the very existence of civilized society. You see in England the whole social system rocking on its foundations and in imminent danger of total collapse. In a few hours it may be in actual desolation. It is assailed not by foreign faces or domestic rioters but by men on whose cooperation in production the life of the community depends. Those miners are not anarchists or socialists or soviets. They are Englishmen, I think, profoundly attached to the institutions of their country and eager to maintain the civilization from which they have derived great benefits in the past. But they are face to face with conditions under which they can not live. Their employers are unable to pay the wages necessary to support them in comfort or even in decency, because the industry is no longer profitable and there is no other source from which wages can be paid. The Government is not able to supplement from the Treasury the inadequate wages which the employers can offer. Remember that money can not be taken out of the Treasury by an appropriation until it is first put into the Treasury by taxation. And the English treasury is in difficulty because the power to produce increased revenue in England is exhausted, as it is being rapidly exhausted here. You can not obtain the revenue necessary to support this Government unless industry is maintained; nay, unless industry receives a stimulus. The decline of revenues already is very sinister. Let us beware how we depress any further the power of people in cities to support the Treasury by increasing the cost of subsistence to them through legislation such as this. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. Mr. Chairman, I yield eight minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I am glad to follow the distinguished statesman and orator who, as I did, served in this body some years ago, and I want to get you friends of mine on this side of the Chamber to know him well and not judge him entirely by his remarks of to-day. [Laughter.] When you hear his silvery tones and witness his magnetic presence pleading for self-determination, you will get his real spirit and the breadth and depth of his heart and conscience. But he flounders some when he attempts to reestablish the doctrine that he used to maintain years ago, that the way to make people happy in this country and the way to give employment to the farmer and the laborer is to buy what they make and produce from some other country. [Applause on the Republican side.] We tried his policy. As he remembers, I voted for the McKinley bill, that gave prosperity. There were no farmers burning corn under the McKinley bill. The men in the towns were busy, and their stomachs were full, because they had a job and could buy what the farmer was producing. You can not help the man in the factory without helping the man on the farm, and you can not help the man on the farm without helping the man in the factory. [Applause.]

But they rejected the McKinley bill temporarily and put the Wilson bill in place of it. That was when Grover Cleveland, the great statesman, became the great smoke extinguisher of this country. All the fires went out. The farmers might as well have burned their corn in Illinois and Iowa, as they had no market for it. Why? Because the factories were idle. Men were hungry, because they did not have the price to pay for what the farmer raised. Those were days in which the farmer was not prosperous. Those were the days that my dear old friend and my honored colleague is pleading shall come back again, when you shall make the farmer happy by encouraging the shipment of farm products of other countries into this country and make the shoemaker happy by buying shoes somewhere else.

Now, Mr. Chairman, I was given this eight minutes in which to say a word to you in regard to the present peace proposition, because this is the only way I can get it before my colleagues. It is one of very deep importance to the people. We Republicans committed ourselves to a declaration of peace, and under this rule as to general debate I may be allowed to simply call your attention to the wishes of the President as expressed by his message here the other day. There is pending in this House a straight resolution, which I first introduced a year and a half ago, setting forth that this country is in a state of peace. Under the decisions of the Supreme Court of the United States, if that resolution is passed the President can either sign it as a joint resolution or he may let it go as a concurrent resolution and by his proclamation fix the date of peace.

The President in his message said:

> Such resolution should undertake to do no more than thus to declare the state of peace, which all America craves.

We are having called to our attention a resolution offered by one of the most distinguished statesmen, honored and beloved in his own State of Pennsylvania, as he is in Illinois, a resolution of peace, that in my humble judgment puts the President in leading strings and tells him under what condi-

tions he shall make terms of peace. If you will be kind enough to do yourselves the justice to read that resolution you will find it does not mean peace but that it means a continuation of war. The resolution itself provides for a repeal of the declaration of war; a simple declaration of peace does that without any special act of Congress. Second, after going on to say that that is repealed, the resolution says the war is declared to be at an end, "*Provided, however.*" Then are set out conditions which tend directly to instruct the President of the United States as to how he shall proceed and what shall be contained in the commercial treaty that he may negotiate between the United States and the German people.

A declaration of peace is one thing; a treaty—commercial, political, or a treaty of peace—is quite another thing. For the legislative branch to attempt to negotiate a treaty of peace, or for the Congress to attempt to instruct the President as to what must be in a treaty of peace, is a usurpation of Executive power by the legislature. We have had that usurpation by the Executive of legislative power, but that would not justify retaliation by the legislature on the present Executive. The Senate, being a part of the treaty-making power, might within its rights say what must or must not be in the treaty with Germany, though it would be almost without precedent and certainly without reason at the present time; but to ask the House to pass a joint resolution saying what shall be in the treaty with Germany is to ask us to assume a power we do not have under the Constitution.

The proposed Senate resolution is in fact an instruction and a declaration by Congress, saying to the President of the United States that all claims of Germany must be yielded, and that in certain things the claims of the German nationals must be yielded. There are no claims that can be presented under international law against this Government by Germany. War ends all treaties, and when Germany went into Belgium she threw into the wastebasket all the treaties she had with all the nations of the world that went to war against her. It is a mere imaginary thing that Germany may bring such claims.

Suppose we, as the legislative branch of Congress, should pass that resolution to-day. Do not, for Heaven's sake, my colleagues, get it into your minds that this body is not just as important in declaring war or declaring peace as the Senate of the United States.

We can not be simply hand washers here and leave it all to the President and the Senate. We must do our share. We are part of the war-making power and we are part of the peace-making power, but we are not a part of the power under the Constitution to negotiate treaties. Suppose we pass that resolution as it should come from the Senate, and the German Government, having three or four different factions in the Reichstag, should hold it for a year?

I only desire to set out in connection with these remarks the statement by the President.

If we should pass a resolution which opens negotiations and the German Government declines to accept it we are still left in the position of being in a technical state of war when, as the President of the United States said here the other day, that should be ended. It can be ended by a straight declaration of peace and a proclamation by the President of the United States, as Andrew Johnson did at the close of the Civil War. That makes peace. That does not assume to put the President in leading strings or attempt to tell him anything about what the foreign policy of this Government should be. That is in the power of the Senate and the President. If Germany should reply that they are not satisfied with the resolution, then we are usurping the power of the Executive in attempting to negotiate the provisions of a treaty, or that which amounts to a treaty of peace.

I have only a few minutes now, but at some other time I hope to discuss this matter, at the first opportunity I get, and I ask you, gentlemen, to realize that you are part of the peace-making power and not a part of the treaty-making power, and I ask you to consider the statement of the President as to the declaration of peace, without stating to him what shall be the conditions of the treaties that he makes. [Applause.]

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

Mr. GARNER. Mr. Chairman, I yield 20 minutes to the gentleman from Arkansas [Mr. OLDFIELD].

The CHAIRMAN. The gentleman from Arkansas is recognized for 20 minutes.

Mr. OLDFIELD. Mr. Chairman and gentlemen of the committee, of course there is no denying the proposition that serious conditions confront the country, not only in the farming sections but also in the manufacturing sections. The farmers can not sell their products because there is no market. In the industrial centers of the country 4,000,000 men are out of employment because their employers can not sell the products of their factories. Hence I say this is a serious proposition.

I have tried to study this question impartially and without any partisanship, and I concede frankly that that is somewhat difficult to do; but, gentlemen, I can not for the life of me understand how any gentleman on either side of this House can afford to tell his constituents or to tell the country that a duty of 35 cents a bushel on wheat will help the wheat farmer, because while we imported 35,000,000 bushels of wheat last year, we exported 218,000,000 bushels. And in addition to that, gentlemen, the imports of wheat are decreasing every day at this time. In other words, there was more wheat imported into this country during September, October, and November of last year than has been imported into this country during December, 1920, and January and February of this year, 1921.

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

The CHAIRMAN. Does the gentleman from Arkansas yield to the gentleman from Minnesota?

Mr. OLDFIELD. Yes.

Mr. KNUTSON. Is it not true that the imports are always greatest at the time the crop movements are at their heaviest?

Mr. OLDFIELD. Yes; and the exports are also greater at that time, I will say to the gentleman.

Mr. KNUTSON. Of course, that follows.

Mr. OLDFIELD. Yes; both exports and imports are probably greater. But on the whole we import 35,000,000 bushels of wheat in a year and we export 218,000,000 bushels of wheat in a year. Then why put a prohibitory tariff on wheat? I can not see the sense of it, gentlemen.

They have done that same thing all through this bill with respect to other agricultural products. You have placed 15 cents a bushel duty on corn, and every person who will stop and think will realize that 15 cents a bushel duty on corn is not going to help the farmer. It is silly and ridiculous, as I believe, and I do not think that you can make the farmers of this country believe in any such thing as that.

On beans and other food products, where exports and imports are practically the same, a duty is also imposed. You want the consumers of beans to pay an additional price of $1.17 a bushel for their beans, because in that case the tariff will be added to the price in this country, because, as I say, the exports and imports are about equally divided.

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

Mr. OLDFIELD. Yes.

Mr. KNUTSON. Has the gentleman differentiated between the different kinds of beans—navy beans, Lima beans, and soy beans, and so on?

Mr. OLDFIELD. If they are not the same kind of beans, there should be no duty at all.

Mr. KNUTSON. This is on Lima beans, not the navy beans.

Mr. OLDFIELD. They are beans that people eat, I presume. Take rice. I know the rice producers are in a bad way, because they produce rice in my district. There is a serious condition with them. Last year we imported 60,000,000 pounds of rice and we exported 392,612,000 pounds of rice.

And yet you put 2 cents a pound on rice, when we export more than six times as much rice as we import. How do you expect that to help the rice farmers of this country?

Last year we imported 2,295,000 pounds of pork. Yet we exported 900,000,000 pounds of pork. You put 2 cents a pound on fresh meat and pork in this bill. Gentlemen, why have you done that? You can not help the farmer on a proposition of that kind. It is impossible to do it. But I will tell you whom you will help in this bill. Since you have introduced this bill again and are seriously asking the Congress to pass it, I believe I understand now why in the last Congress you defeated the bill known as the packers' bill. You would not pass the packers' bill through the last Congress to regulate the Meat Trust of the country, but, on the contrary, you come here to-day and ask the people, the consumers of this country, to pay 2 cents a pound additional on every pound of pork and beef that the packers of this country control and sell to the people. That is not fair or square to the people who are the consuming masses of this country. [Applause.] The farmers can not add this tariff to their product, because they export more than they import, and the packers of the country furnish and sell to the consumers of this country 99 per cent of the meat products consumed in the country. They have a strangle hold on the farmers and stock growers on the one hand, because there is nobody for them to sell their live stock to except the Packing Trust. They control the farmers and stock raisers on the one hand, and on the other hand they have a grapple hold on the consumers of America, and you are helping the Meat Trust if you support this bill, because they are in a position to add the tax

to their price, and if you give them an excuse they are going to add the tax unless the people of this country quit eating meat. That is the situation. I do not think you ought to do it. I do not think you ought to try to mislead the American farmer in that sort of a way, because he can not possibly get anything out of it, and at the same time turn over not only the farmers but all the consumers of the country to the Packing Trust on this proposition of beef and pork, if you please.

What else? They have tried to fool the cotton farmer here by placing a duty on cottonseed oil. Yet last year, while we imported 9,422,000 pounds of cottonseed oil, we exported 184,753,000 pounds of cottonseed oil, and when they appeared before the committee we made them admit that they did not need a tariff duty on cottonseed oil, but they said they needed it on some other oils. Yet the committee insisted on putting it in the bill after they knew that the witnesses had testified that it was not necessary from any protective or other viewpoint.

What else have they done in this bill? Of course, you can not help the farmers in this way. It is impossible to do it. But I will tell you when the farmers will be helped. They will be helped when they have a market for their surplus products, and not before. When Europe, our great purchaser of surplus farm products, gets on her feet again, when the people of Europe become stabilized socially, politically, and economically, then we will find a market for our surplus farm products, and not before.

What else have you done? You have given the Beef Trust the best of it here, and every man in this House must know it. What else have you done? You have given the Sugar Trust the best of it. Why? Because you boost this tariff to 2 cents a pound on sugar. What does that mean to the consumers of America? I should like to ask you Republicans over here, especially those of you who live in the districts where there are three or four million men out of employment, where do you expect the laboring man who is out of employment to get money to pay this extra cent on sugar? You are placing a burden on the people who have to eat sugar and meat products. If they are not employed, how do you expect them to pay the price? Do you think it is fair and just to those people that you increase the cost of living to them, and at the same time do absolutely nothing for the farmers of America? Yet you have placed in this bill a provision which, in this duty of 2 cents a pound on sugar, will mean $190,000,000 to the American consumers of this country, and only half of that money will go into the Treasury of the United States. One-half of it will go into the pockets of the sugar producers and refiners of the country. It seems that you Republicans can always get together on propositions of this kind. I expect you all to vote for this bill, because I have always noticed that when Democrats and others attack the Sugar Trust, the Beef Trust, and these other trusts, it invariably lines up the Republican Party in their support.

Now, gentlemen, what else have you done in this bill? I want to say a word about wheat. The imports of wheat are decreasing right now, and in the last three months those imports decreased 983,462 bushels. Our exports of wheat have also decreased 26,899,066 bushels. Of course they decreased, because our former purchasers in Europe have nothing with which to buy. But the imports also decreased. Take peanuts. The imports decreased 3,000,000, but our exports also decreased 1,138,000 pounds. Our imports of rice decreased 3,786,000 pounds, but our exports also decreased 80,945,000 pounds.

My friend the gentleman from North Dakota [Mr. YOUNG], of whom I am personally very fond, talked about 100,000,000 pounds of wool being on ships now to be unloaded in our ports. Great God, who is going to buy that wool? Because every word of the testimony before the Ways and Means Committee showed absolutely, if you can believe anything they say—and I am inclined to believe what they said, because I know the conditions in Arkansas and Oklahoma and my part of the country in regard to cotton, and they are the same in regard to wool—every word of testimony before the Ways and Means Committee showed that you can not sell it at any price. They testified that they could not sell wool at any price. Then how is the gentleman from North Dakota going to unload the 100,000,000 pounds of wool from these ships when they can not sell the wool at any price?

Mr. YOUNG. Store it.

Mr. OLDFIELD. If they store it, who are they going to sell it to? You are going to help the wool speculator instead of the wool producer. [Applause.]

Mr. YOUNG. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. YOUNG. If we pass this bill when we ought to we will send that wool back on the ships that it came over on.

Mr. OLDFIELD. I very much doubt if you get it through the Senate in time to do that.

Mr. KNUTSON. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. KNUTSON. The gentleman will admit that if that hundred million pounds of wool is landed here it will be used to further depress the market on wool?

Mr. OLDFIELD. I doubt if it would have that effect, for the reason that it is shown that there are 700,000,000 pounds of wool now stored in Boston. They say that they have a two years' supply on hand. How could 100,000,000 pounds affect the wool market? Now, let me show what the United States Market Reporter said on April 2, 1921:

> The rush to get wool inside the customs district of the United States in anticipation of a tariff duty is largely responsible for the heavy imports of wool during the months of January and February, when the quantity received amounted to more than 63,000,000 pounds. The very interesting fact brought out by a study of the wool import trade of the United States during the past year, however, is that the actual imports for January and February were nearly 3,000,000 pounds less than for the same period of 1920.

What does that mean, gentlemen? It means that the people of this country will not buy the surplus product of other countries when they can not sell the surplus product of our own country. That is the trouble with the automobile business in your city to-day—the export trade is cut off. Gentlemen, we can never get back to the normal state of affairs until the world is settled. You can not do it by a tariff bill like this, or any sort of tariff legislation.

I think you are going to be the worst disappointed set of gentlemen in the country when you find out the result of this bill. You must know that 35 cents a bushel on wheat is not going to raise the price of wheat. It will enable the Sugar Trust to do it; it will enable the Beef Trust to add the tariff to the price of their products. It will enable the wool speculators of this country, who have stored up 700,000,000 pounds of wool, a two years' supply—it will help them and nobody else.

Now, I am getting tired of discussing this bill—it was discussed two or three times during the last session—but I do want to put this statement in the RECORD:

What the farmers of the country need is not a tariff on farm products but a market for products of the farm. They can not sell their products in many instances at any price. Anybody would be foolish to import farm products into this country when we have more now than we can sell. There is a provision in this bill which will automatically increase the tariff rates as against Germany 500 per cent; Austria, 2,000 per cent or 3,000 per cent; Italy 100 per cent; yet Italy is one of our allies in the World War and owes us a great deal of money. Why should we discriminate against her? Conditions have changed since the Payne-Aldrich high protective tariff bill was written. Then we were a debtor Nation; now we are a creditor Nation. Europe owes us some $15,000,000,000, and she can not pay us or her other debts if she is not permitted to sell her products in the markets of the world, and our country is a big part of the world. The South is greatly interested in this bill, because you are attempting to crush economically some of the purchasers of our great crop—cotton. In 1920 we exported more than a billion dollars worth of raw cotton. Great Britain took $489,000,000 worth; France, $114,500,000 worth; Germany, $110,000,000 worth; yet you by this bill would raise the tariff 500 per cent, which would cut off trade between our country and Germany. She can not buy our cotton unless she sells us something. Italy bought $103,000,000 worth of our cotton last year; yet you want to boost the tariff wall against Italy, one of our associates in the war, 100 per cent and make it impossible for her to buy our cotton, because she can not buy our cotton unless she sells us some of her products.

President Harding stated in his message on Tuesday last that we can not sell unless we buy. The result of this legislation is going to be retaliatory tariffs by the other nations against us. Canada, Argentina, Spain, Italy, and France—some of our greatest customers—are preparing to pass retaliatory tariff laws against this country, and will do it if this bill becomes a law. This means trade war, and trade war is only a step in advance of war with shot and shell. A fierce trade war preceded and led up to and caused the recent World War, in which 10,000,000 lives were lost and $300,000,000,000 worth of property destroyed. I appeal to all Democrats not to be a party to bringing on another such holocaust. [Applause.]

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the minority views by Mr. KITCHIN. He has made one correction.

There was no objection.

The minority views are as follows:

VIEWS OF THE MINORITY.

"Mr. KITCHIN, on the part of the minority, submitted the following views of the minority:

"The policies and principles advocated by the Democratic Party and inspiring the continued maintenance of its organization for nearly 100 years forbid our approval of the pending bill and impel us to vigorously protest against its passage.

"Approval of this bill by the Democrats in Congress would be a complete surrender of such principles and abandonment of such policies, and a confession that for over a half century the Democratic Party has been wrong and the Republican Party right on the tariff. Further, it will be an admission that there is no need for the continued organization of the Democratic Party. Such approval would be an urgent invitation to the farmers of the country, especially of the West and South, to go bodily into the Republican Party—the party of tariff robbery—as the only means of their future salvation.

"The rates in this bill are higher than those of the Dingley Act or of the Payne-Aldrich Act, although the Republican platform of 1912 declared that its rates were too high and should be reduced, or of any tariff bill ever enacted by Congress since the beginning of the Government, and higher on similar articles than any tariff ever enacted by any civilized country in the world in the last 250 years.

"We appreciate the embarrassment of the Republican Party in the present situation. In the recent campaign it promised the farmers of the West, if elected, it would restore the high prices for wheat, corn, live stock, and other agricultural products, and to the people of the East it promised to reduce the high cost of living, especially with respect to food products. Finding in the present situation that it is impossible to restore wheat to $1.50 to $3 per bushel, corn to $1.50 to $1.90, and cattle and hogs to 10 to 20 cents per pound, and at the same time reduce the cost of bread and meat to the consumers, they have now decided to break faith with both the farmers of the West and the consuming masses of the East and to keep faith with the Sugar Trust, the Meat Trust, and the Woolen Trust, and the wool speculators, the direct beneficiaries of the pending bill.

"If the pending bill does what its authors and advocates claim to the farmers it will do, and operates according to the theory of Republican protection, the price of wheat will be increased after its passage 35 cents a bushel, wheat flour to 20 per cent ad valorem, corn 15 cents a bushel, meat and beef 2 cents a pound to 25 per cent ad valorem, sugar 1½ cents per pound, wool in the grease 15 cents per pound, scoured 45 cents per pound, rice a cent a pound, beans 2 cents a pound, all woolen goods and wearing apparel 20 to 30 per cent ad valorem, potatoes 25 cents per bushel, onions 40 cents per bushel, butter 6 cents per pound, cheese 23 per cent ad valorem, milk 2 cents per gallon, apples 30 cents per bushel, all of which except sugar, wool, and rice are largely export products, and all of which are absolute necessities. According to the Republican claims and protection theory, the pending bill will add to the present cost of living over $2,000,000,000—all of this amount will go to swell the fortunes of the profiteers and speculators.

"This bill, if passed, is worth to the Sugar Trust a year at least an additional $125,000,000; to the Meat and Beef Trust, the packers, over $550,000,000; to the Woolen Trust over $100,000,000, and the cost of living to the consumers will be increased on these articles alone, controlled by these trusts, over $775,000,000. Who but a trust-controlled Republican can afford to put these burdens on the people for the benefit of the trusts and speculators in farm products even if he does get a few cents protection on some article produced in his district?

"We take this opportunity to reassure the Democracy of the Nation that the Democrats in Congress will take no back track on the tariff. To us Republican protection is no better now than when the Tilden platform of 1876 denounced it 'as a masterpiece of injustice, inequality, and false pretense.' It is no better now than when the Cleveland platform of 1892 denounced it as 'a fraud—a robbery of the great majority of the American people for the benefit of a few.' It is no better now than when the Parker platform of 1904 denounced it 'as a robbery of the many to enrich the few.' It is no better now than when the Wilson platform of 1912 denounced it 'as a system of taxation which makes the rich richer and the poor poorer,' and when it further declared that 'under its operation the American farmer and the laboring man are the chief sufferers. It raises the cost of the necessaries of life to them, but does not protect their products and wages. The farmer sells in free markets, but buys almost entirely in protected markets.' We give unqualified approval to the clear and emphatic declaration of the Democratic platform of 1920: 'We reaffirm the traditional policy of the Democratic Party in favor of a tariff for revenue only.' It is a sorry time for Democrats now to repudiate all these party declarations of its policies and principles.

"*We remind our fellow Democrats in and out of Congress that while by the crushing defeat of last November the Democrats were compelled to surrender to the Republican Party the offices, that defeat, however disastrous, obligated no Democrat to surrender to the Republicans the principles of his party.* Let us ask, When did the principle of Republican protection become sound to the Democratic mind? When did these professions of principles and policies lose their virtue? This country is not big enough for two protective tariff parties. It needs but one party in this country to make the millions pay tribute to the favored few. The country already has a party that has made a triumphant success of legalized plunder for more than 50 years, and we are opposed to the Democratic Party entering the field of competition with it. If there is a Democrat in Congress or elsewhere who is fooling himself into the belief that by our party embracing the doctrine of protection, or his vote for protection, though it be on his home industry, he is going to keep within the folds of the Democratic Party or bring into its ranks the men who favor such protection, then he should at once undeceive himself. A sensible protectionist will go to the party that has taught and practiced protection for 50 years, and not to the party that has always opposed it. Every man who desires special legislation for his special interest knows that his place is in the Republican Party. He will join the party that has made a success of robbing all the people for the benefit of the few.

"While one may have been justified in voting for the original Fordney emergency bill in December of last session there can be no justification for one to vote for this bill on the plea that it is in the interest of the farmers. The original Fordney emergency bill, if there was any benefit at all in it, inured to the advantage of the farmer. The importations of several agricultural products for the three or four months preceding the passage of the Fordney bill in the House, to one who had not had the time to study or investigate the situation (and it was rushed through in such a hurry that no one had the time to do it) looked somewhat alarming. *The present bill is as unlike the original Fordney bill as night is day.* Conditions now are entirely different. Then the bulk of the crops of 1920 were in the hands of the farmers; the bulk of the crops are now in the hands of the speculators and trusts, and this bill will expire in six months, before the crops of 1921 are harvested. The original Fordney bill had no protection or gratuity in it to the Sugar Trust. The present bill has added at least $125,000,000 bounty to the Sugar Trust. The original bill had no gratuity to the Packers Trust. The pending bill has hundreds of millions of dollars protection or gratuity to the Packers Trust. For the last three months instead of imports of agricultural products increasing, as they did for the three months preceding the Fordney bill, they have been rapidly decreasing—from 50 to 75 per cent decrease from the imports in the three months preceding the passage of the Fordney bill. In fact, the former bill had the appearance of protecting or relieving the farmer. An analysis of the pending bill shows that it has not the appearance of protection or benefit to the farmer, and a purpose of protecting or relieving the farmer is absolutely absent from it. It has been converted into a trusts and speculators relief or profiteering bill.

"As an evidence of the insincerity of the Republican leaders in Congress in their pretended efforts to benefit the farmers, according to the Washington Post, an organ of the Republican administration and Congress, the leaders in the Senate and the leaders in the House, including the leading members of the Ways and Means Committee of the House and Finance Committee of the Senate, met and unanimously resolved not to reintroduce and pass the so-called farmers emergency tariff bill; in other words, if they were sincere in the last Congress, they had decided in this Congress, so far as they were concerned, the farmers of the country might be ruined and bankrupted and go to the 'bowwows.' This Republican organ further stated that a week thereafter the President called them together and urged that they reintroduce and pass the same bill which President Wilson had vetoed, and they agreed to do it, after, no doubt, they found what a benefit this bill would be to the trusts and speculators and how much it would actually increase the high cost of living by giving the profiteers a better chance, and excuse to gouge the people.

"The Republicans in the last national platform, on which Mr. Harding and the present Congress were elected, declared 'We pledge ourselves to an earnest and consistent attack upon the high cost of living.' With this pledge fresh upon their lips and upon the ears of the people of the country an extra session is called, and the very first step made to redeem that pledge is

the introduction and rushing through with the least possible delay the pending bill, which, according to the claims of its authors and the theory of Republican protection, will increase the cost of living, especially with respect to the necessities of life, at least $2,000,000,000, more than three-fourths of a billion going directly into the hands of three big trusts—the Packers Trust, the Sugar Trust, and the Woolen Trust. The Republicans can not wait a day, not an hour, before proceeding with the bill. They proceed with its passage in the House the day after it is reported out of the committee. They are unwilling to consider it long enough to investigate the facts, or give the opponents of the bill hardly an hour's time to study it—so fearful that these trusts may lose a day or an hour in beginning their exactions from the people provided for in this bill.

"An analysis of this bill will show that it is the most transparent fraud and deception ever attempted to be perpetrated upon the farmers and people of the country.

"We notice that the bill has been changed since the last session from the *Fordney farmers' emergency bill* to the *Young emergency tariff bill.* Why the Ways and Means Committee thought that the name of its chairman, Mr. FORDNEY, attached to the bill would discredit it, or believed that by attaching the name of YOUNG from the agricultural State of North Dakota, it would more easily fool our farmers, we can not undertake to say, but certainly there must be some political significance to it.

"The State of Michigan, from which the chairman hails, having many large beet-sugar corporations, probably is the reason that the shrewd political members of the Ways and Means Committee and the Republican leaders in Congress suggested that a Member from an agricultural State should father the bill in order to dissociate from the people's mind the thought that the sugar corporations and trust had a hand in the conception and preparation of this bill.

"Is this really, and was it intended to be, a farmers' emergency relief bill, and will it actually relieve the farmers of the West and the country?

"WHEAT.

"The rate in the bin on wheat is 35 cents a bushel—the highest ever carried in any bill since the beginning of the Government. Are importations of wheat really depressing the price of wheat?

"Ten days before the Republican leaders in the last session of Congress concocted the political scheme in the so-called Fordney farmers' emergency bill to embarrass the Democrats in Congress and fool the farmers in the country, no farmer or farmers' organization and no man in the United States ever suggested that a tariff would give relief and restore prices to the farmers' products, or that the absence of a tariff or that foreign importations caused the financial distress of the farmers in the country, especially of the West and South.

"As proof that the importations of 1920 did not cause the falling of prices in farm products our importations in 1919 of wool, cattle, hogs, sheep, corn, cottonseed oil, beans, and rice were considerably larger than in 1920, yet the prices for such products in 1919 and the first of 1920 were 100 per cent higher than now. Refusing to come to the direct relief of the farmers, as they did to the railroads, the Republican leaders in Congress then started the propaganda that what the farmers needed was a high protective or prohibitive tariff, and that the Fordney farmers' emergency bill was their salvation—that its passage would fully restore to them the former high level of prices. Does the wheat grower in this country really need protection against foreign wheat? Let us see. In 1920 our domestic production was 787,000,000 bushels. Our total imports from all the nations of the earth amounted only to 35,848,648. We consume in this country about 650,000,000 bushels of wheat a year. It will be seen, therefore, that for every 100 bushels of wheat used or consumed in the United States our domestic producers furnish 95 bushels, and all the foreign nations furnish only 5 bushels. In addition to this, of the crop of 1920 and of the crop left over of the year 1919 we exported for the year 1920 218,000,000 bushels in competition with all the nations of the world, shipping this wheat thousands of miles across the sea and there meeting the world in competition.

"In the face of these facts will blind partisan Republicans contend that American wheat is in any danger of competition at home with foreign wheat? These facts show conclusively that not a bushel of foreign wheat competes with a bushel of wheat raised in the United States, for we ship out in competition with all the world six times more than is shipped in.

"We call attention to the fact that for the months of December, 1920, and January and February, 1921, only 20,000,000 bushels of wheat were imported into this country in spite of the fact that the majority report of the Ways and Means Committee of the last session on the Fordney farmers' emergency bill stated that from December 3 to December 20, 1920, 17 days, 56,000,000 bushels of wheat landed at two Lake Superior ports. Of course this statement in the report was a misrepresentation, perhaps in order to intimidate many Members of the House into voting for the bill and frightening the farmers of the wheat-growing States of the West into a closer loyalty to Republican protection.

"It will be noticed for the three months, including the whole of December, there is a difference between the report of the Ways and Means Committee and the actual fact of 36,000,000 bushels.

"It seems difficult for Republican protectionists to get any nearer the facts than this. In addition to this we exported during those three months, in competition with the nations of the world, over 65,000,000 bushels of wheat. We may venture the opinion that perhaps this palpable misstatement of facts is one of the reasons why the shrewd political members of the Ways and Means Committee selected another Member at this session to make the report on the pending bill, which is in every respect identical in rates with the Fordney bill of last session as it passed the House and Senate and as vetoed by President Wilson.

"Since we have referred to this misstatement in the report of last session we wish to call attention to some other phenomenal statements as to revenue which would be raised and of the importations which it is claimed would be received for a year under the operation of the Fordney bill.

"Take peanuts, for instance: The existing rates on shelled peanuts is three-fourths of a cent per pound, and on unshelled peanuts three-eighths of a cent per pound. The rates under the Fordney and Young bills are increased to 3 cents a pound. For the calendar year 1920 there were imported of shelled peanuts, with a duty of only three-fourths cent per pound, 110,810,000 pounds, but the committee's report of last session, to be used in connection with the report of this session (no doubt in order to give some Democrats an excuse to vote for the bill on the grounds of a revenue tariff), states that under this bill, with a tariff duty raised from three-fourths of a cent per pound to 3 cents a pound, four times as high, there would be imported 146,847,000 pounds; that is, 36,000,000 pounds more would be imported under the Fordney and Young bills, with the high protective tariff of 3 cents per pound, than under existing law, with the three-fourths cent per pound.

"Of unshelled peanuts, with the low existing rate of three-eighths cent a pound, there were imported in 1920, 8,703,000 pounds, but this report would have the peanut growers and Members of Congress from peanut districts to believe that under the Fordney-Young bills, with a rate of 3 cents a pound—that is, for the large peanut 66 cents and for the small Spanish peanut 90 cents a bushel—there would be imported into this country in competition with our peanut growers 11,418,000; that is, there would be imported under the Fordney and Young bills, with the high 3-cent rate, 2,715,000 pounds more of unshelled peanuts than were imported in 1920 under the existing low rate of three-eighths cent a pound.

"Again, as to peanut oil: In 1920, with a 6-cent rate a gallon on peanut oil, there were imported into the United States 12,683,000 gallons, but according to this report of the committee, with the high rate of 26 cents a gallon, four times as high, there will be imported 16,667,000 gallons; that is, 4,984,000 gallons more under the Fordney-Young bills with the 300 per cent increase in the rate than in 1920 with the 6 cents per gallon rate.

"Again, as to cottonseed oil: In 1920, with cottonseed oil on the free list, we imported 9,437,000 pounds, yet the committee's report states that with the Fordney-Young bills' high rate of 20 cents a gallon, or 2½ cents a pound, 96,000,000 pounds would be imported; that is, there will be imported 86,000,000 pounds more, or ten times as much, of cottonseed oil under the high rate of 20 cents a gallon, or 2½ cents a pound, than when it was on the free list; but as said above, this is about as near the facts as Republican protectionists generally get. This was certainly an appeal with a vengeance to southern Democrats in peanut districts to support the Fordney bill on the ground that it was a tariff bill for revenue only. Such statements as these are enough to mislead any Democrat in peanut districts into supporting the Fordney bill.

"As to rice: With the existing rate of 1 cent a pound on rice there were imported in 1920, 111,694,000 pounds of rice, but according to the majority report at the last session with 2 cents a pound duty—100 per cent increase in the rate—145,330,000 pounds of rice will be imported; that is, 33,000,000 pounds more will be imported into this country with a 100 per cent higher rate than with a tariff of 1 cent a pound under existing law.

"As to corn: In 1920, with corn on the free list, we imported 7,744,000 bushels, but according to the majority report, with a duty of 15 cents a bushel, 9,175,000 bushels will be imported; that is, 1,750,000 bushels more with the high tariff of 15 cents a bushel will be imported than when corn was on the free list.

"*Now, take scoured wool: Perhaps the most phenomenal misstatement or misrepresentation in the report of the Fordney farmers' emergency bill was the so-called estimate of the actuary of the Treasury Department with respect to the importations and revenue to be derived from wool. In 1920, with wool on the free list, there was imported of washed wool less than 8,000,000 pounds, yet this report has it that under the Fordney bill, with a tariff of 30 cents a pound, there would be imported in 1921, 95,000,000 pounds; that is, there would be imported with the high duty of 30 cents a pound twelve times as much as when wool was on the free list.*

"*In 1920, with scoured wool on the free list, we imported only 14,000,000 pounds, and yet the majority report has it that under the Fordney-Young bill, with a tariff rate of 45 cents a pound, we would import 100,000,000 pounds; that is, with the high duty of 45 cents a pound, fourteen times as much would come in as when it was on the free list—another example of the nearness a Republican Ways and Means Committee is able to get to the facts on a tariff bill.*

"We now see the motive in rushing the bill in the last session of Congress through the committee and the House, without giving the Members an opportunity to investigate and ascertain the facts.

"On many items in the report, such as beans, potatoes, rice, etc., under the Fordney-Young bills, with over 100 per cent increase in the rates, this report shows a large increase of imports over the imports of 1920 with lower rates and on the free list.

"*It is not strange, with such misstatement of facts, that the report was able to state that we would receive over $130,000,000 revenue from the Fordney bill, and that the bill was not one for protection only, but a bill for revenue. The fact is that instead of getting, according to the committee's report, $130,000,000 under the Fordney emergency bill, according to the Treasury Department's estimates of March 1, 1921, the items in the Fordney bill as it passed the House would not produce revenue in excess of $30,000,000.*

"With these misleading statements no wonder some Members were under the impression that it was a revenue tariff.

"CORN.

"In the calendar year 1920 the importations of corn from all the foreign countries of the world amounted to 7,744,000 bushels. Our domestic production in 1920 was 3,322,367,000 bushels. For December, 1920, and January and February, 1921, our importations of corn were 127,000 bushels. Our importations for February, 1921, were 3,256 bushels. *The above figures show that out of every 100 bushels used and consumed in the United States our home producers furnish 99 bushels and 3 pecks, and all the nations of the world furnish a little less than 1 peck. It further shows that in 1920 we exported two and one-half times more than we imported, and that for the months of September, October, and November, 1920, we exported more than two and one-half times more than we imported, and for the months of December, 1920, and January and February, 1921, we exported one hundred and thirty times as much as we imported.*

"For the month of February, 1921, we exported two thousand five hundred times more than we imported. Yet, in the face of these facts, the Republicans have the audacity to look the corn grower in the face and tell him that the 'flood of importations' of foreign corn is depressing the home market and has driven the price of corn down from $1.85 a bushel in July, 1920, to 50 and 60 cents at the present time.

"They are attempting to fool the corn farmer by this bill into believing that this 1 bushel furnished by the foreigner out of every 400 bushels furnished by our domestic producers has forced the price down of the entire 3,000,000,000 bushels, and they expect the intelligent corn farmer of the West to be fully satisfied with this deception and to believe that the 15 cents tariff a bushel on corn provided for in the pending bill will send the price of corn back up to $1 and $1.85 a bushel. Basing the importations of corn in 1921 upon the three months of December, 1920, January and February, 1921, our total importations for this year will be 510,000 bushels. If our production this year equals the production for the year 1920, this 'flood of imports of corn by foreign competitors' which Republican leaders are 'hollering' about in order to deceive the farmer will stand thus: *Out of every 100 bushels of corn consumed in the United States the home producer will furnish 99 bushels and 63 pints, while all the foreign nations of the world, with their 'flood of imports,' will furnish only 1 pint,* and yet the Republican leaders in Congress would have the corn-growing farmers of the West believe that they are in distress because of this 'tremendous flood of imports' and unless the pending bill is passed with the 15 cents tariff on corn he will be ruined and bankrupted and the home corn grower will have to go out of business. If there is a man in the United States who believes such a humbug claim as Republican leaders in Congress are making, he ought to be in the insane asylum or in the Republican Party.

"CATTLE.

"In 1920 we imported 379,000 head of cattle. We exported in 1920, 85,000, showing net imports of 284,000 head. We have in this country about 70,000,000 head of cattle. We slaughter a year about 25,000,000 or 30,000,000 head. For the months of September, October, and November, 1920, we imported 151,000 and exported 19,506. For December, 1920, January and February, 1921, we imported 71,784 and exported 21,065. This shows a rapid falling off of importations—over 50 per cent over the three preceding months. During the month of February, 1920, we imported 24,509 and exported 2,689, while during the month of February, 1921, we imported 8,066 and exported 7,488 head of cattle, showing that imports are still decreasing and exports increasing. For every head of net imported cattle we produce in this country 250 head. Out of every 100 head of cattle in the United States our net imports of cattle amount to less than one-half of a head, and for every 100 head of cattle slaughtered and consumed in this country all the nations in the world furnish 1, while the home producers furnish 99.

"Basing net importations for 1921 upon the net imports for the three months of December, 1920, January and February, 1921, for every 100 head of cattle consumed in the United States the home producer furnishes 99⅛ head of cattle, and all the foreign nations of the world will furnish only five-sixths of a head of cattle. Yet, in the face of these facts, the Republican leaders in Congress have the audacity to tell the live-stock farmers of the country that foreign importations are the cause of their distress, and that a tariff, such as provided for in the pending bill, is their only relief to restore prices to their former level. In view of these facts it is impossible for an intelligent person to believe, if the pending bill is passed, that it will relieve the live-stock farmer of the country.

"SHEEP.

"In 1920 our imports of sheep amounted to 172,000 head. In 1919 they amounted to 224,000 head, showing a falling off of imports of 52,000 for the year, and for the months of September, October, and November, 1920, the imports amounted to 113,000 head of sheep.

"In December, 1920, January and February, 1921, they amounted to 25,000, showing a falling off in comparison with the three preceding months of 85,000—or about 75 per cent.

"In February, 1921, we imported only 261 head of sheep, and exported 8,486, showing that the imports of sheep are rapidly decreasing. We exported in 1920, 48,000, which leaves our net imports around 124,000. We exported in September, October, and November, 1920, 7,771, and in December, 1920, January and February, 1921, 19,482, showing that while the so-called Republican 'flood of foreign imports' are decreasing, our exports are increasing.

"According to the Statistical Abstract, we have in round numbers 50,000,000 head of sheep in this country. We slaughter, in round numbers, each year in the United States about 20,000,000. *These figures show that for every 100 head of sheep consumed in this country the home producer furnishes 99⅝, while the balance of the world furnishes five-eighths of a sheep, or out of every 160 consumed in this country our sheep growers furnish 159 and the foreigners 1 sheep.*

"Yet, in the face of these facts, the Republicans in Congress are trying to fool the sheep growers of this country that this 'flood of foreign imports' is about to put the sheep growers out of business and the domestic sheep out of the market.

"Let us suggest that, since according to the claim of the Republicans a tariff on wool is going to build up and foster the wool industry of this country, it might be wise for the United States to import for eating purposes the so-called cheap foreign mutton and lamb and keep our own domestic sheep for the growing of wool, and therefore would it not be better to permit mutton, lamb, and sheep to come in free?

"A tariff on mutton and lamb inures only to the benefit of the packers, since the sheep grower in this country does not sell mutton and lamb (sheep and lambs in the dressed state).

"The tariff in this bill on mutton and lamb can not be intended to help the sheep grower, and its only possible effect can be to help the packers and permit them to exact higher prices.

"BEEF PRODUCTS.

"In the calendar year of 1920 the imports of beef and veal amounted to 50,182,000 pounds. In the same year, in competition with the world, we exported 139,480,000 pounds. In the months of September, October, and November, 1920, our imports amounted to 16,496,000 pounds. In the months of December, 1920, January and February, 1921, our imports were 7,599,000 pounds, showing a decrease from the three preceding months of over 50 per cent.

"In December, 1920, January and February, 1921, our exports amounted to 17,843,000 pounds, which was an increase in exports over the three preceding months of over 6,000,000 pounds, or over 50 per cent. Our production of beef, veal, etc., in 1920 was 9,000,000,000 pounds. These figures show that out of every 100 pounds of beef products consumed in the United States the home producer, principally the packers, furnish *99⅘ pounds while all the nations of the world furnish only five-ninths of a pound*, while at the same time the Beef Trust exports from two and one-half to three times as much beef products in competition with all the world as our total importations.

"*In the face of these facts the Republican leaders in Congress would have the people believe that the Beef Trust needs a protection of 2 cents to 6 cents a pound to protect them against this five-ninths of a pound 'flood of foreign importations,' that this five-ninths of a pound is glutting our markets and forcing ruin and disaster upon the Beef Trust, and that in order to survive it must be given the privilege, as provided for in this bill, of exacting from our consumers of beef over $275,000,000 more.*

"HOG PRODUCTS.

"Of hog products our imports in the calendar year of 1920 amounted to 2,295,000 pounds. Our exports amounted to 900,757,000 pounds, about four hundred times as much exported as imported. In the months of September, October, and November, 1920, our imports amounted to 879,000 pounds while our exports for the same period amounted to 197,127,000 pounds, over two hundred times as much exported as imported. In the months of December, 1920, January and February, 1921, our importations amounted to only 284,000 pounds, a decrease from the three preceding months of 594,000 pounds, or approximately 70 per cent, while our exports in December, 1920, January and February, 1921, were 234,340,000 pounds—that is, eight hundred and twenty-two times as much as imports—an increase over the three preceding months of 38,000,000 pounds, or approximately 20 per cent.

"*Our domestic production of hog products in 1919, the last year for which statistics are compiled, was 13,000,000,000 pounds, and more perhaps for 1920. In other words, for every pound imported we produced 5,733 pounds, and for every pound imported we exported 400 pounds. Out of every 100 pounds of hog products used and consumed in the United States our home producers, principally the packers, furnished a little over 99 pounds 15¾ ounces and all the nations of the world furnished a little less than one-fourth of an ounce. What an enormous Republican 'flood of foreign meat.'*

"*In spite of these facts the Republican leaders in Congress have the audacity to look into the face of the American people and say, by this bill, that we are being flooded by foreign importation and our meat market is being glutted by foreigners by the importation of this little one-fourth of an ounce, and that the Meat Trust in order to be saved from ruin and disaster must be allowed, as provided in this bill, a tariff of from 2 to 6 cents a pound and must have the privilege, as provided in this bill, of exacting from the consuming millions of Americans of over $275,000,000 additional.*

"Who ever heard of the packers or Meat Trust being confronted with an emergency and must have relief or be ruined until the Senate amended the Fordney emergency tariff bill last session? Who knew that the packers were in such stringent financial distress, that to relieve them an extra session of Congress had to be called; that in the first three or four days of that extra session this bill had to be rushed through the committee and the House practically without consideration or discussion, and passed at the very first possible moment for the relief of the Meat and Beef Trust so that it should not lose a day or an hour to begin their exaction of over $550,000,000 additional from the American people? Why should the packers confide the secret of their distress and that it was about to be driven out of business by the 'flood of foreign importations' only to the Republican leaders in Congress and to no one else throughout the country?

"*An analysis of the bill will disclose the fact that although in 1919 there were 22,000 hogs imported into this country there is no tariff levied upon the importation of hogs for the benefit of the farmers. By this bill the packers are given a protection of from 2 cents (on fresh meats) to 25 per cent ad valorem (on other hog products). That is from 2 cents to over 6 cents a pound.*

"It seems from this that the Republican leaders have both eyes open and singled to the interests of the Packing Trust and both eyes shut to the interests of the farmers.

"*In view of the protection given by this bill on beef and meat products, by which the cost of living will be increased to the consumers by over $550,000,000 in beef and meat alone, a Republican has a right to conclude that the administration and Republican Congress are carrying out with promptness and with a vengeance the declaration in their platform of 1920 upon which they were elected, 'We pledge ourselves to earnest and consistent attack upon the high cost of living.'*

"They were also pledged in their platform 'to curb the profiteer,' but probably this is about as near to performance of their platform promises as a Republican Congress can get, and we refrain from undue criticism.

"SUGAR.

"Our consumption of sugar in the United States in 1920 was in round numbers 10,000,000,000 pounds. As every intelligent man knows, the Sugar Trust absolutely controls the sugar situation and that over one-half of the sugar we consume is imported and that the tariff duty is added to the price of all sugar consumed in the United States, both domestic production and imported. This bill increases the price to the consumer 100 per cent and over; that is, it gives to the Sugar Trust the right to exact 1 cent a pound additional from the people (by the time it reaches the consumers at least a cent and a half is added). This bill gives to the Sugar Trust at least $125,000,000. It gives the Sugar Trust the right and privilege to exact from the American consumers an additional $125,000,000. No one, it seems, except the Republican leaders in Congress, knew that the Sugar Trust was confronted with an emergency and was in such financial distress that the Republican leaders should hasten to its rescue with this bill.

"WHY DID NOT REPUBLICANS STOP FLOOD OF IMPORTATIONS IN 1919?

"In 1919 the importations of wool amounted to 440,290,279 pounds.

"In 1920 the importations of wool amounted to 259,617,000 pounds; that is, *in 1919 we imported 180,000,000 pound more than in 1920.* In the months of September, October, and November, 1919, we imported *over 75,000,000 pounds more than in the same months of 1920.*

"While the big importations of 1919 were coming in and, as claimed by the tariff advocates, constituting a portion of the more than 600,000,000 of pounds now on hand held in competition with the wool crop of 1920 and 1921, stored by the Woolen Trust and the speculators in wool, although Congress was in session practically all of the year after May, 1919, yet not a Republican voice was heard about a tariff on wool to protect the woolgrower. On the contrary, the Republican leaders in Congress whittled away practically the entire time of the six months' session trying to protect by tariff the little Magnesite Trust in Washington, the little Tungsten Trust in Colorado, the little Pearl Button Trust in Iowa, the little Chemical Glass Trust in New Jersey, and other little trusts here and there. Republican leaders then had the interest of these little trusts and the interest of the Woolen Trust and woolen speculators at heart.

"The woolgrowers then, when this tremendous 'flood of importations' was pouring in on us, did not have a look in with Republican leaders in Congress. Why did they not get busy then and try to fool or protect the woolgrower with a tariff? The same may be said of cattle. In 1919 the importations of cattle were 263,000 head more than in 1920; that is, we imported 70 per cent in 1919 more than in the year 1920. For the months of September, October, and November, 1919, we imported 128,000 head more than during the same months of 1920.

"We may ask the same question as to cattle: Why did not the Republicans, when this 'flood of importations' was inundating our cattle market, although a Republican Congress was in session, try then to help or fool the live-stock farmer with a tariff? Why should they now try to fool him, when the importations are considerably less and rapidly decreasing?

"We may make the same observations and ask the same question with respect to sheep.

"We imported in 1919, 224,000 head of sheep, while in 1920 we imported 172,000, 52,000 less. In September, October, and November, 1919, we imported 142,000, while for the same months in 1920 we imported only 123,000. For the three months of December, 1920, January and February, 1921, we imported only 25,000.

"Why did not the Republicans in 1919, while Congress was in session, when we were receiving larger importations, think to help or fool the sheep grower, and why now, when for the last three months the importations have fallen down to 25,000 and our exportations for the same months have increased to 19,000, are they so anxious to try to help or fool the sheep grower?

"We might ask the same question with respect to corn, beans, rice, and cottonseed oil, all of which show large decreases in importations for 1920 with the year of 1919. Let us call attention to the fact that this bill puts a duty of 15 cents a pound on wool in the grease and 45 cents on scoured wool. The report of the Taft Tariff Commission shows that if wool in grease has a duty of 15 cents per pound, scoured wool should have a rate of 25 cents, yet this bill gives the Woolen Trust the benefit of a gratuity of 20 cents per pound over and above a compensatory duty. According to the Commission's report, it takes only 1⅛ pounds in the grease to make 1 pound of scoured wool. We observe, too, that while the bill puts a tariff of 15 cents per pound on clothing wool that goes into the clothes the millions of the people must have, it keeps on the free list the carpet wool that goes into the fine carpets and rugs of the rich.

"A BILL IN THE INTEREST OF THE TRUSTS AND SPECULATORS.

"We submit that, in view of the foregoing, this bill is not in the interest of the farmers of the country, but is really in the interest of and for the purpose of swelling the already swollen fortunes of the trusts and speculators. It gives to the Packers' Trust, the Sugar Trust, and the Woolen Trust the right and privilege to take from the American people the enormous sum of over $775,000,000, increasing to that extent the present high cost of living. This huge bounty, forced from the pockets of the American people into the coffers of the trusts, is the first legislative act of the Republican administration and the Republican Congress. This should prepare the people for what kind of relief and reconstruction policy they may expect in the future. *It is most difficult for one not a Republican to understand why the Republicans feel so much under obligation to the Sugar Trust, the Packers' Trust, and the Woolen Trust that they must rush this bill through in the first three or four days of the Congress as the first act of the administration and the Congress.*

"Perhaps a thorough investigation of contributions in the last campaign and a lively anticipation of future contributions may reveal the cause of such an obligation. As a farmers' emergency or relief measure this bill is a transparent fraud and humbug. There is hardly a Republican in the House that does not know that a tariff on most of the agricultural products in the bill is purely bogus and a sham—that a tariff on such does not and can not affect their price while in the hands of the farmers, who are too numerous and too much scattered throughout the country to combine into a trust.

"In 1910 the Republican Party, through a special Senate committee of Republicans and through their campaign textbook, was forced to admit the fraud and deception they had been practicing upon the farmer since the Civil War by putting a tariff on agricultural products in order to make him believe he had a finger in the tariff pie and thereby induce him to vote for protection for the big manufacturers and trusts of the East. Both the report of this special committee and this campaign textbook expressly declared that '*the tariff on the farmers' products, such as wheat, corn, rye, barley, cattle, and other live stock, did not and could not in any way affect the prices of these products.*'

"On this special committee were Senators LODGE, chairman; Gallinger; Crawford, of South Dakota; MCCUMBER, of North Dakota; and SMOOT, of Utah. Their report on the effect of the tariff on agricultural products was unanimous.

"As further authority that the Republican Party had been practicing a deception on the farmers in all their tariff bills we wish to quote the declarations of many distinguished Republicans:

"On June 22, 1909 (CONGRESSIONAL RECORD, p. 3636), Mr. MCCUMBER, of North Dakota, said:

"The wheat acreage to-day is producing a surplus of wheat which must be thrown into the world's market, thereby keeping down the price of the home product, tariff or no tariff.

"On the 22d of June, 1909, in answer to the question whether he believed that the duty on wheat affected the price of wheat, Mr. CUMMINS, of Iowa, said:

"I do not.

"Further, he says:

"I want Senators to remember that I come from a State which probably puts more in value into the channels of trade every year than any State in the Union in agricultural products. We will this year supply the people of the United States and the people of the world with a product that will surpass the value of $700,000,000, and it is idle for even an enthusiast to assert that the price of these products is directly affected by the protective tariff.

"On the 10th of May, 1909, in the Senate, Mr. NELSON, of Minnesota, said:

"I do not recall the millions of bushels produced in the State of Minnesota, but I desire to tell the Senator that the tariff on wheat which is on the statute books has not done us a particle of good. It would be like a tariff on cotton, because up to this time we have been exporting from 150,000,000 to 250,000,000 bushels of wheat a year. The price of our wheat is fixed by the Liverpool price—the export price—and no duty up to this time has helped us.

"On the 2d of August, 1909, Mr. Bristow, of Kansas, had the following to say:

"Schedule G—relating to agricultural products—has been increased about 2 per cent. There should have been reductions in this schedule. They could have been made without the slightest injury to American agriculture. High duties are placed on semitropical fruits, such as lemons and raisins, and on pineapples and rice, and on flour biscuits made by the Cracker Trust, for the benefit of a few individuals in limited sections of the country; and *a high duty is placed on corn and wheat to make the great mass of farmers believe that they are being favored. But it is an insult to the intelligence of the American farmer to place a protective duty on corn when we are producing more corn than all the other nations combined. We sell our wheat and corn and the products thereof in the markets of the world, and no duty which might be imposed can affect the price which the farmer receives for them. We raise far more wheat, corn, cattle, and hogs than we consume, and the result is that the farmer can not be protected by a tariff, because the price of his produce is fixed by the world market.*

"On the 24th day of May, 1909, during the tariff debate, Mr. Clapp, from Minnesota, said:

"There is another thing to be considered. Along this Canadian border, with nothing but an imaginary line across, it is idle, in my judgment, and idle in my experience and observation, to talk about any great difference in wages on one side or the other.

"When a man by a day's walk can go from a mill on that side to a mill on this side, from a field on that side to a field on this side, that imaginary international boundary line will not maintain any very different scale of wages long upon one side or the other. And they are the same class of men. When we talk about a protective tariff and think of the overcrowded countries of Europe and of the cheap wage scale of Europe—when we realize that the wage earner in Europe must and oftentimes has to borrow and incur a great expense to come to this country—there may be wisdom in attempting to maintain an artificial wall between his country and ours; but when we look to sparsely settled Canada, when we look to a class of men enjoying a wage scale practically the equal of our own wage scale, it seems to me that sooner or later the American people have got to recognize the impossibility of forever maintaining an artificial wall where there is no natural reason for the establishment or maintenance of that wall. Sooner or later, Mr. President, we shall have to recognize on a broader plane this natural relation to Canada. I predict here in the Senate to-day that the time will come when, even with the protective policy as firmly implanted as it is to-day in our general policy, yet in our tariff relation to Canada we will recognize that it must be limited largely upon the basis of revenue as required by that country and this.

"This bill will become a law and the farmers of the country in whose behalf it is claimed to be written and enacted will find that the Republican leaders and politicians in Congress are playing the same old game of deception which they have practiced on the farmer of the West for nearly 50 years after the Civil War.

"The Republicans are trying to make the farmers believe that after the passage of this bill they will have nothing to do but sit on the fence and watch wheat increase in price 35 cents a bushel, corn 15 cents a bushel, potatoes 25 cents a bushel, peanuts 66 to 90 cents per bushel, cattle 3 to 6 cents per pound, hogs 2 to 5 cents per pound, wool 15 cents per pound, etc.

"We advise the farmers of the country to wait and watch. They will find that this bill is as transparent a fraud and deception as was ever attempted to be practiced upon the people. They will see such increases in their products while in their hands are as far off as ever, but they are sure to see sugar, of the Sugar Trust, which he has to buy, increase in price from 1 to 3 cents a pound; woolen goods, of the Wool Trust, 15 per cent ad valorem; meat, of the Packers Trust, from 2 to 5 cents a pound.

"If the farmer will keep his eyes open during the six months following the passage of this bill, he will be a wiser and perhaps a more undeceived but not a richer man.

"In conclusion, the public will find that the sum total of this bill is a deliberate invitation and excuse for the Sugar Trust, the Packers' Trust, and the Woolen Trust, and the speculators in the farmers' products, to increase their profiteering and gouging of the people.

"We discover in the last words of this bill—section 14—the most subtle and dangerous joker which was ever attempted to be perpetrated upon the House. The Secretary of the Treasury is authorized to fix the value of foreign money, in the following words:

"*Provided further*, That in the estimation and liquidation of duties upon any imported merchandise the collector of customs, or persons acting as such, shall not in any case estimate the depreciation in currency at more than 66⅔ per cent.

"To-day the German mark is quoted in the foreign exchange of the daily press as being worth 1.62 cents. If this provision of the bill, submitted by the majority, becomes a law, the Secretary of the Treasury would be compelled to calculate the German mark as worth 8 cents, thereby increasing the duties imposed upon the imports from Germany 480 per cent, the duties upon imports from Italy 200 per cent, the duties upon imports from Austria 2,300 per cent, the duties upon imports from Czechoslovakia 44 per cent, the duties upon imports from Finland 27 per cent, the duties upon imports from Hungary 1,700 per cent, the duties upon imports from Jugoslovakia 95 per cent, the duties upon imports from Poland 6,100 per cent, the duties upon imports from Rumania 420 per cent, the duties upon imports from Serbia 270 per cent, and from Russia 4,300 per cent.

"If the House really appreciated the 'stinger' that is involved in this language and when the country ever discovers it, the consequences will not be very pleasing to the present majority, and they will have much explaining to do.

"All of the foregoing was substantially admitted by the experts who attended the hearings of the Ways and Means Committee on last Thursday morning.

"Judge Fisher, of the Customs Court of Appeals, in answer to the question as to the increases in the duties of imports from certain countries, stated that the increase in imports from Italy would be 200 per cent, from Germany 500 per cent, and from Russia 4,000 per cent.

"The fact is that this means, and it was probably intended, that we should have no trade with Germany, Italy, Russia, Serbia, Rumania, and the other countries mentioned above, particularly the States of the Central Empire, and yet this administration and Congress desire a separate peace with Germany."

Mr. COLLIER. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. LAZARO].

Mr. LAZARO. Mr. Chairman and gentlemen of the House, I voted for this farmers' emergency tariff bill during the last session believing it would give some relief to our people during the emergency. The same emergency that existed then exists now; therefore, I shall again vote for the bill, hoping that it will become a law soon. [Applause.]

I have always considered a tariff an economic and not a partisan question. I have always believed in reasonable protection to keep up our industries and our American standard of living. I have always advocated a nonsectional, nonpartisan, scientific tariff commission, committed to the principle of reasonable protection, to study new conditions as they arise, and report to Congress from time to time so that we could have a tariff law resting on a permanent foundation and avoid these radical changes that always take place in the tariff laws when changes in party control take place, which always disjoint our business.

When we go to the customshouse to collect a duty it makes no difference whether we call it a tariff for revenue with incidental protection or a tariff for protection, it is an advantage in favor of the American against his foreign competitor, and I for one want the producers of agricultural products to get the same protection in proportion to the protection that the manufacturers get. It was James Monroe who declared that—

Our manufacturers require the systematic and fostering care of the Government. Equally important is it to provide for our raw materials.

In other words, I do not want the people I represent, who sell rice, cottonseed products, long-staple cotton, sugar, corn, peanuts, cattle, hides, and wool, to sell their products on a free market and buy their agricultural implements, clothes, hats, and shoes on a protected market. I know from personal experience on my own farm that our people are sacrificing their agricultural products by selling them for less than half of what it cost to produce them, in order to pay their taxes. And my first duty in an emergency like this is to stand by them when my heart and conscience dictate that I should do so.

The last war has demonstrated to all the necessity of our country having its own vital industries at home and of not depending on foreign countries in a time of emergency. For instance, our cotton growers of the South lost millions of dollars in the beginning because we had no American merchant marine to carry our cotton to the markets of the world. The only way to have our industries going at home in time of emergency is to protect and develop them in time of peace. While we are always willing to do what we can to assist foreign countries, our first duty is to America. [Applause.]

Mr. COLLIER. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PARRISH].

Mr. PARRISH. Mr. Chairman and gentlemen of the committee, during the last session of Congress I voted for the emergency tariff bill, and I shall vote for it again to-morrow, for the bill as now drawn is substantially the same as voted on in December. [Applause.] When I voted for it I specifically stated that I was not binding myself on any tariff policies, rates, or schedules, but that I was casting my vote for the bill because of a condition of emergency, due to the recent war, now facing the producers of this Nation, and I still think that such emergency exists.

When Congress convened in December, 1920, a most unusual condition confronted the farmers and producers of the country, and Congress promptly set about by speedy legislation to relieve these conditions. A twofold plan was devised, the one not necessarily connected with or related to the other, but to my mind the conditions demanded the immediate adoption of both plans. The first of these proposed relief measures was the reestablishment of the War Finance Corporation, for the purpose of stimulating and encouraging foreign trade, so that the surplus products now in this country could be marketed in foreign countries and the producers thus enabled to get a fair price for their commodities. By a very large majority of the votes of both Houses this plan was promptly written into the law.

The second plan, that of the emergency tariff, sought for a period of 10 months at least—now 6 months—to stop the coming in of imports from other countries, and thereby prevent the accumulated raw materials of other countries from being poured into this country in great and unprecedented quantities. This measure also passed both Houses of Congress by large majorities, but failed to become a law on account of the President's veto.

I have given very careful study to the emergency tariff bill, and it is my candid judgment that this bill ought to have become a law at once. I do not contend that the bill or its schedules could be justified under normal conditions or as a permanent policy; neither would I vote for a bill containing the rates and schedules proposed in this bill under any conditions except that of great emergency; but if I can read the figures clearly an unusual condition of emergency now confronts the farmers and producers of this Nation. Prior to the outbreak of the war a large per cent at least of the raw materials produced in Canada, Argentina, New Zealand, Egypt, Australia, Brazil, China, Manchuria, Japan, and other countries were sold in the markets of Europe; but when the war came on conditions became greatly unsettled, shipping facilities were diverted from their normal course to that of winning the war, and as a result raw materials accumulated in great quantities in the countries mentioned, and other countries as well, and when the armistice was signed ships were gradually made available for transportation of these commodities from such countries to the best possible cash market, until 1920 found ample shipping facilities available for the transportation of sufficient quantity of raw materials to break the markets of our own country.

As is well known to all, the markets of Europe were bankrupt, the exchange rates were such as to make the sale of farm products in appreciable quantities in the European markets impracticable, and our country was the only country in the world that offered a cash market with an undepreciated currency. What results would naturally follow from a condition like this? The student of government does not have far to go in order to see the answer. There were poured into this country war materials in abnormal quantities, and the markets for our own farmers and producers were broken, and thousands of our people were forced into bankruptcy, and many banking institutions failed, and when Congress convened in December these raw materials were still coming into the country in quantities never witnessed before.

To illustrate briefly, in the calendar year 1919 there came into this country 9,519,368 pounds of butter and substitutes, and in 1920, 37,454,172 pounds were delivered into our markets, and the farmers and producers could no longer find a market for their cream and butter products. During a 10-month period ending in October, 1919, 23,138,696 pounds of peanuts were imported, and yet during a like period of time in 1920, 110,788,209 pounds were shipped into this country, or, in other words, five times as much came in during 10 months in 1920 as came in during a similar period in 1919. During the first half of October there were imported, free of duty, approximately 5,000,000 bushels of wheat, or at the rate of 10,000,000 bushels per month, and during the year 1920, 35,848,648 bushels of wheat came into this country from foreign countries, and in January and February, 1921, 8,908,518 bushels of wheat were thrown in upon the already broken market. In 1920, 299,904,378 pounds of unmanufactured cotton were imported to this country, and in the months of January and February, 1921, 26,039,861 pounds were thrown into our market, notwithstanding the fact that

the farmers of the South held millions of pounds of cotton, which they could not sell on the market for one-third of its actual cost of production.

In 1920 there were imported 141,229,976 pounds of rice, cleaned and uncleaned, and in January and February of this year 12,726,890 pounds were imported from other countries and sold in our markets. In 1920 there were shipped into this country of class 1 and class 2 wool, 219,035,023 pounds, and in January and February, 1921, 55,448,981 pounds of wool of similar grades came in. This is an unprecedented quantity, and added to the oversupply of more than 600,000,000 pounds already in the country, it has destroyed the markets, and has practically bankrupted the producer of wool in the United States. In this connection it must be noted that in February of this year, 37,597,319 pounds were imported as against 17,851,683 pounds in January of the same year. In other words, practically twice as much came in in February as in January of this year.

In the month of October, 1919, 1,044,719 pounds of mutton were imported, whereas in the same month in 1920, 27,024,972 pounds were imported, or an increase in 1920 over 1919 for the month of October of almost 27 to 1, and during the entire year of 1920, 101,168,319 pounds of mutton were shipped into the markets of this country, and in January and February, 1921, 18,844,345 pounds of mutton and lamb were brought in. In 1920, 50,182,105 pounds of beef were imported, and in January and February, 1921, 5,440,934 pounds were brought into the country, and again in 1920 the countries of Argentina, Brazil, Australia, and New Zealand alone sold into this country 242,241,876 pounds of cattle hides. Figures of a strikingly similar character can be shown with respect to the importation of other farm and ranch products, but I shall not take time to mention them more in detail at the present, and from a detailed study of these figures I am deeply impressed that this bill should be passed as a protection against an extraordinary condition of emergency which has followed as a direct result of the great World War, and the fact that we are still technically at war. With the Canadians on the north, with Argentina, Brazil, Uruguay, and other countries on the south, with Japan, Australia, New Zealand, and Chinese Provinces on the west, all anxious to benefit from a cash market, and with revival of shipping facilities, these countries have been continuously unloading into this country raw materials of several years' accumulation, such as wheat, cattle, corn, wool, meats, live stock, rice, vegetable oils, and numerous other farm products, thereby greatly increasing our own surplus, and absorbing our own money, and making it necessary for us to extend credit to European countries to enable those people to handle and purchase not only our own surplus but also the surplus of the other countries, taking advantage of our markets, while our own farmers are driven into bankruptcy, and many of them from necessity and other reasons have abandoned and many more are threatening to abandon our farms and ranches.

When you shake the faith of the farmer in the future of his country, you have touched the very foundation of our Government. He is always the last to criticize or complain, and since the creation of the Government has received at the hands of his Government less in the way of special consideration or legislation than any other of our people. The time has at least partially passed when this bill would have accomplished the most good, yet I am deeply impressed with the feeling that the passage of this bill will at least still do something toward relieving the conditions now prevailing, and will have a tendency to inspire more confidence in our farmers and producers.

So far as I know, this is the first legislation ever passed by any Congress that sought to give recognition in this respect to the rights of the produce. , and it ought to be welcomed as the omen of a day that promises more from the Government to those who toil and struggle on the farm, and who produce the world's supply of the things that the nations of the earth must eat and wear.

In voting for this bill, however, I want it understood that I do not waive my convictions on a permanent tariff policy. All of my life I have believed in the Democratic principles of a tariff for revenue only, and still believe in those principles, but so long as there is to be a tariff of any kind, levied on the finished products, then I for one shall ask and insist that the producers of raw material be given the benefit of their proportionate share of such a tariff. The farmers and producers of this Nation represent one-third of its population, and they buy one-third of the finished or manufactured products as they come from the stores and shops, and it is manifestly unfair, unjust, and undemocratic to require them to sell their products in an open market, and compel them to buy the things they must use in a market that has the benefit of a tariff. All of the instincts of common justice compel me to say that so long as the policy of the Government under the rule of the Republican majority is a tariff in the interest of American industry, I shall demand that same privilege for American agriculture in the same just proportion. If we are going to have a tariff for revenue only, I can see no reason why the Government should not collect money from the importation of farm and ranch products in the way of raw materials along with the collection from manufactured articles, and I believe this is a sound principle of Government which will appeal to the sense of justice of the American people, and meet with their favorable approval. No tendency is so dangerous in Government as that which favors one class or section against another, and I believe that no policy would be so dissatisfying to the American farmer and producer as for him to know that he must buy his supplies in a market that is surrounded by a tariff wall, and that he must sell his own products in a market in which there is no such consideration given to the products of his toil.

It is of vital interest to the American consumer and the American people as a whole that the American farmers and producers survive, because if they should go down, and we thereby be forced to look to other markets for our food supplies, the net result in the long run would mean that we will have all suffered in the way of high prices far in excess of what would have been our fate had our own farmers and producers prospered.

Let us do common justice to all, and no matter what the disturbances of the moment may be, our country will survive the tests of time, and will realize the expectation of those who laid so well its foundation. [Applause.]

Mr. YOUNG. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, it appears to me that there are very excellent reasons why a man, a Republican particularly, who in the last Congress opposed this bill or a portion of this bill can to-day very consistently vote for it. I notice that that remark produces an appearance of hilarity among my Democratic colleagues, but if I may be indulged by them for a moment, I feel that so far as I am concerned I can justify my position. In the first place, and for the principal reason, I want to quote to you a few sentences that our leader gave utterance to on this platform on Tuesday last. I believe in leadership, and we as Republicans are to-day enrolled under his banner of leadership. Here is a part of President Harding's message to us on this subject:

> The urgency for an instant tariff enactment, emergency in character and understood by our people that it is for the emergency only, can not be too much emphasized. I believe in the protection of American industry, and it is our purpose to prosper America first. The privileges of the American market to the foreign producer are offered too cheaply to-day, and the effect on much of our own productivity is the destruction of our self-reliance, which is the foundation of the independence and the good fortunes of our people. Moreover, imports should pay their fair share of our cost of government.
>
> One who values American prosperity and maintaining American standards of wage and living can have no sympathy with the proposal that easy entry and the flood of imports will cheapen our costs of living. It is more likely to destroy our capacity to buy. To-day American agriculture is menaced, and its products are down to prewar normals, yet we are endangering our fundamental industry through the high cost of transportation from farm to market and through the influx of foreign farm producers, because we offer, essentially unprotected, the best market in the world. It would be better to err in protecting our basic food industry than paralyze our farm activities in the world struggle for restored exchanges.

That is a message which it seems to me we should follow implicitly and to the very letter of expression. This bill as it is before us to-day is a part of a fixed program, a constructive Republican program, which the Republican Party is presenting to Congress and to the country. This is but the first step in that program, and as time goes on we hope to fulfill the pledges the party has made to the American people for protection to our industries. The farming industry first appealed to us for this protection and asked that such legislation be enacted some months past. It was carried through both branches but vetoed by the President. That then stood by itself. To-day it is simply one of the steps in the program which we are asking Congress to take. There have been added to the bill as passed by the last Congress two features which seem to me to bring a great deal of merit to the measure to-day. They are the so-called antidumping clause, and to a certain extent a lifting of the depreciated exchange. If I may be pardoned for saying so, I think these two additions will be as valuable to American industry as the whole bill originally was in the minds of the agricultural interests. It seems to me now that we have something well worthy of our support and it is the support that this bill is about to receive.

The antidumping clause has been passed, I believe twice, in previous Congresses, and the bill as before you to-day, Title II, is practically the bill that was passed during the Democratic

administration, without a roll call. Whether we are protectionists or free traders, it is but fair that we should protect American interests to the extent of not allowing foreign competitors to dump into this market their overproduct at less than their own cost of production. That is what the antidumping clause in Title II is intended to do and what it will do. I do not think anyone, be he protectionist or free trader, especially a believer in fair play, will say that such a feature as that should be allowable in the competitive markets of the world. We do not want the refuse of foreign countries, their overstock, dumped in here in competition with our home products. Therefore, the antidumping clause is a constructive piece of legislation of great value to the American people.

I shall touch only briefly on the section known as section 214, amending former section 25, because one of my colleagues on the Ways and Means Committee will offer a much better explanation of that than I can. The idea of that is, to a certain extent, to take care of what we all know to be such a menace to-day, namely, depreciated currency. It will not take care of the depreciated German currency. Nothing can in the way of legislation, but instead of the mark being worth about 1.65 cents as it is to-day, this will raise the value of the mark, I believe, to about 8 cents, so that to a certain extent it does overcome the depreciated currency. This same sort of legislation is a law in other countries. It is nothing new; it is only that we are putting our people on a parity with other countries in the matter of assessing duty rates.

Mr. CAREW. Mr. Chairman, will the gentleman tell us the names of the other countries where they have this law?

Mr. TREADWAY. Great Britain and France have it, I think, and also Italy, but I did not intend to touch on that point. I think Mr. TILSON, of Connecticut, expects to refer to those measures. Is that correct?

Mr. TILSON. Yes.

Mr. TREADWAY. So that we are simply doing what our competitors in trade are doing in the way of levying duties assessed against products coming from foreign lands.

Therefore we have, to my mind, these very excellent reasons for the passage of this bill. It is a part of a fixed program and the sooner the whole program is adopted the better for the American people. Therefore I am to-day heartily in favor of the so-called Young emergency tariff legislation.

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

Mr. COLLIER. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS. Mr. Chairman, just before I left my office I received a newspaper containing the following headlines:

Relief of the Cotton Situation in the South Expected Shortly—War Finance Corporation in Conference with Banking Interests, New Orleans, to Organize Company to Finance Cotton—Cotton Exporters of South Urged to Attend Conference at Atlanta, Ga.—

And so forth.

This convention is called as a result very largely of the legislation which we passed December last reviving the War Finance Corporation. The situation was this: For 12 months the cotton planters had had their cotton on the table offering it for sale, keeping the wires busy to every factory center in the Nation, yet no purchasers could be found. Europe needed cotton and we needed to sell it. We revived the War Finance Corporation hoping that that would facilitate the exportation of our cotton and other things, though I am speaking particularly of cotton. We had this anomalous situation: During those months when we could find no purchaser, no market for our cotton, 700,000 bales of cotton were imported into this country, paying no duty whatever, and paid for in real money by our own people. It came in at the rate of a million pounds a day during 1920. Therefore we accompanied this War Finance Corporation legislation with another bill, which undertook to say to these importers, "We are attempting to finance the export of our surplus crops. Do not increase our burden by importing cotton from abroad until we can make some disposition of our already embarrassing surplus." This was the so-called Fordney bill.

I voted for this emergency tariff bill believing that if it were passed it might avert a disaster which was then impending and which has since befallen the cotton producers of my district. The pending bill has a remarkable statement in it, or, rather, the report which accompanies the bill has. Men who favor a tariff favor it for one of two reasons. The Republicans favor it for protection and the Democrats favor it for revenue. This bill as it now stands neither furnishes protection for the great mass of the cotton producers nor will it produce any considerable revenue at the customhouse. It limits the tariff to cotton of an inch and three-eighths staple. Practically none of that is produced in this country and practically none is imported. Out of the 700,000 bales imported last year about one-fourth only was 1⅛ inches. Here is what the reports says, the report written by the gentlemen who wrote this bill:

The Young emergency tariff bill proposes a duty of 7 cents per pound on cotton the staple of which is 1⅛ inches and longer.

Now, listen—

We are of the opinion that the minimum length of staple on which the tariff is to be levied should be 1⅛ inches, and that the duty should be increased from 7 cents to not less than 10 cents per pound.

Well, then, in the name of all the gods at once, why did not you write it that way in the bill? [Laughter and applause on the Democratic side.]

Now, listen——

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HUMPHREYS. In just a second I will yield. You say, for instance, further on in this report—

The enactment of a tariff which will give protection to cotton of 1⅛ inches staple and longer would serve to encourage the production of superior varieties of cotton in the United States and would tend to improve the character of the American cotton crop.

Then, why did not you do it?

Mr. GREEN of Iowa. The gentleman is reading now not from the report of my colleague [Mr. YOUNG] but from some statement made by the Bureau of Markets.

Mr. HUMPHREYS. Well, that is embodied in this report for some purpose, and I assume you indorse it. You put it in the majority report. [Applause on the Democratic side.] Does not the gentleman indorse that?

Mr. GREEN of Iowa. I think the gentleman clearly understands I do not fully, speaking for myself personally.

Mr. HUMPHREYS. I am sorry to hear that, for I understood the gentleman did favor it, and I understood that the committee favored it. I thought I had been clearly assured of that fact in December, and that for reasons which the gentleman understands my amendment striking out 1⅛ and inserting 1½ could not go on that afternoon, the bill having been engrossed ahead of time, and for that reason only it was not agreed to. It went to the Senate, and the Senate made it 1½ at the suggestion of the chairman of this committee. You might just as well say cotton 3 inches long or a foot long, there is so little produced in the country and it will produce so little revenue.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HUMPHREYS. Just a second, and then the gentleman can answer this. As I understand it, this bill is for the purpose of protection; you want to protect the farmer; you put a tariff on wheat and a tariff on corn and a tariff on potatoes and a tariff on rice, and a tariff on sugar and a tariff on wool, a tariff on mutton, a tariff on cattle, and I do not know what else, but everything you can think of which the farmer produces except cotton, and yet there is as much cotton imported into this country in value, practically as much as there is wool imported, very much more than of most of the articles you have in this bill, and that cotton is to continue to be imported into this country free.

I submit that from a Republican standpoint that is indefensible and from the Democratic standpoint it is indefensible, because we want the revenue; we will admit that we need it. Here was a million pounds of cotton coming into this country daily and no revenue whatever, while all manufactures and nearly everything else that comes in is to be halted or is now halted at the customhouse and required to pay a duty. I submit that that can not be justified from the standpoint of the protectionists or from the standpoint of those who believe in a tariff for revenue. The only man who can justify it is a free trader or that school of protectionists who live in New England and want all raw materials admitted free and a high tariff put on all things that they manufacture.

Mr. GREEN of Iowa. The gentleman surely does not mean to say there is no long-staple cotton produced in this country. The gentleman is speaking——

Mr. HUMPHREYS. There is practically none 1⅛ inches long.

Mr. GREEN of Iowa. The gentleman will find it on page 22 of the report.

Mr. HUMPHREYS. I have the figures of what I believe to be the best authority in the United States—Secretary Hester of the New Orleans Cotton Exchange—which shows that 50,000 bales out of 10,000,000 plus were produced in 1919——

Mr. GREEN of Iowa. That is not imported——

Mr. HUMPHREYS. No; less than 200,000, about 150,000 out of 700,000 coming here last year was an inch and three-eighths. The rest was less than that.

Mr. GREEN of Iowa. I beg the gentleman's pardon, but the gentleman is not correct.

Mr. HUMPHREYS. I think I am correct, and if the gentleman from Oklahoma [Mr. MCCLINTIC] will permit me I will

put in the RECORD my authority for the statement. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The time of the gentleman has expired. Is there objection to the request of the gentleman?

Mr. McCLINTIC. Mr. Chairman, I object.

Mr. HUMPHREYS. I am sorry; but I will read it into the RECORD to-morrow.

Mr. YOUNG. Mr. Chairman, I now yield to one of the new Members of the House, the gentleman from California [Mr. LINEBERGER], five minutes. [Applause.]

Mr. LINEBERGER. Mr. Chairman and gentlemen of the committee, our friends from the Democratic side of the House, I believe the gentleman from Texas [Mr. GARRETT] and the gentleman from New York [Mr. COCKRAN], have spoken very pleadingly here to-day asking the new Members of the House to come over to "where the water was fine(?)." As one of the new Members, one who has not even yet sat in a Republican caucus, I come from the greatest caucus of all caucuses, the caucus of the great American people. The mandate of the people of California was spoken by several hundred thousand majority in favor of the support of the Republican Party platform. In our district we have some of these commodities which are produced in the southern portions of Europe, some of those articles to which the gentlemen have referred as being necessary for us to import in order to secure the liquidation of the debts of those nations who owe us money. Lemons, olives, and the like are produced in Italy, and, as you perhaps know, Italian exchange has depreciated 550 per cent since the war. It is true that the cost of labor in Italy has increased approximately 100 per cent, but converting the money which those nations receive for their products on the American market back into Italian currency, they still receive 2.75 per cent more, on the basis of home-production costs, than they received before the war, and it would be better, for the time being at least, to allow these debts to go unliquidated than to ruin one single American industry like that of the great lemon industry in southern California. [Applause on the Republican side.]

These new world conditions to which the gentleman from New York [Mr. COCKRAN] has referred are conditions which we all recognize, and none more than I. However, the great cities, in whose growth he is so greatly interested, could not continue to exist were it not for the development of the agricultural communities—and this is an agricultural bill which we are discussing—from which they derive their every nourishment and source of life. America must create a reserve and remove this doubt and insecurity, and she must look to her own house before she can give to the world the assistance for which humanity is crying. And I can say to the gentlemen on the Democratic side that I can offer them no assurance from the new Members from California for any support of their opposition to this measure. [Applause on the Republican side.]

The CHAIRMAN. The gentleman yields back one minute.

Mr. YOUNG. Will the gentleman from Mississippi [Mr. COLLIER] use some of his time now?

Mr. COLLIER. I yield seven minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. I believe the gentleman from South Dakota said that he also would yield to me five minutes.

Mr. YOUNG. I also yield five minutes to the gentleman.

Mr. BLANTON. Mr. Chairman, the last distinguished speaker stated that it had not yet been his privilege to sit in a Republican caucus. That but exemplifies the extremity to which our Republican brethren were put recently in finding material to bring to Congress, because in running out of the usual stamp of candidates they were forced to accept a distinguished ex-Texan and send him from California to Congress.

Mr. LINEBERGER. I would like to correct the gentleman. I am a native of Tennessee.

Mr. BLANTON. But the gentleman will not deny that he has been favored by a sojourn of at least a number of years in the great State of Texas.

Mr. LINEBERGER. I had that privilege.

Mr. BLANTON. And he probably received part of his education there.

Mr. Chairman, I am one Democrat, and a loyal Democrat, who is going to vote for this bill, and I am going to do it with my eyes open. I am not fooled at all by my Republican brethren as to this bill. I know what it contains and I am going to vote for its contents, and I am not violating a single rule of the great Democratic Party in doing it, because I am obeying rules of my party in exercising this right. I believe in party organization. For 48 years I have been a loyal Democrat, and I still am one, and I am still obeying the mandates of my party organization and living up to its rules, even though I am voting against an instruction which incidentally permits men to carry out the pledges to their constituents. There is a common ground, however, upon which all honest, loyal Republicans and Democrats can meet on this bill. My Republican brethren stand for protection; we Democrats stand for a tariff for revenue only, but incidentally connected with that plank in our platform there is another, which stands for equal rights to all and special privileges to none. Let us apply this to our farmers and producers. I am not a free trader, because to be a free trader places every loyal, intelligent American on a par with every peon in every foreign country. I do not believe in free raw material, because to believe in it places the intelligent farmers of my land on an equality with the peons of every country. There never has yet been a Democratic platform that has stood for free trade. There never has yet been a Democratic platform that has stood for free raw material.

The common ground upon which we can meet is, first, that we know, Democrats and Republicans alike, that we must go to the customhouse for a part of the revenue of this country. And if that is a fact, why not collect part of those duties upon the products of the farm as well as the products of the factory? Why can not farm products raise revenue?

I am always in favor of the under dog, the one who has not such a great advantage and opportunity to speak for himself. I was struck this morning with the statement of Brother FORDNEY when he said that every Member here had already voted on this bill and passed on it; and when I called his attention to the fact that there were 121 new Members here who had never voted on the bill he tried to pass it off with facetiousness. He had forgotten you new boys. That is what was the matter. He had not taken you into consideration. I do not know what kind of instruction you 121 new Members received from our distinguished Clerk of the House when he called that meeting the other night to tell you how to get about the Capitol. He said he was going to have Brother FORDNEY and other distinguished chairmen present to help him tell you. There is lots of advice that I get from him. Whenever I am in doubt I go to him, because he is able and has the information. I wonder if he told you distinguished new Members one thing which, by another, as a new Member, I was told—that "you had better sit back and quietly occupy a back seat for a year or so." That old idea caused Brother FORDNEY to forget you. You have to do that only if you are willing to do it.

Mr. ARENTZ. Will the gentleman yield just there?

Mr. BLANTON. I will gladly yield in a minute if I have time.

If you new Members want to take part in these proceedings, you do like I do. You stay here and take part, and you will find Brother FORDNEY remembering 121 of you when he speaks on measures hereafter. He will not forget you.

Now, let us see. Every product of the farmer, almost, is on the free list, practically—that is, every one down in my country except peanuts and a few other little matters. And everything the farmer wears and everything he uses on his farm is on the protected list. And it is going to be there because you fellows are going to put it there. He buys on a protected market and sells his products on a free one. He plays against a per cent and disadvantage that will ultimately ruin him. I have an opportunity by this bill to put on the tariff list, in order to get duty through the customhouse, the things that my farmers raise. Why should their competitive products not pay a part of the custom duties and help the exchequer out? I have a chance by this bill to do that. The farmers say to vote for it, inasmuch as they want it. Am I going to put myself up here and say that I know more about what is going to benefit them than they do themselves? Am I going to say to the 40,000,000 people who live on the farms that they do not know a thing about what they need?

I am not going to arrogate to myself the knowledge to speak for what they ought to have in this country when they are demanding a certain thing. Am I going to say, "I know what you need. Your representatives say to vote for this bill, but I am going to vote against it"? No; I am not going to say that. I pledged to my people when I came here that if they would send me to Congress every time you Republicans voted to put a 50 per cent ad valorem tax on the cotton that comes back to them in manufactured products, which they have to buy and wear, I would vote to put a tariff on the products that they raised on the farms by working from before daylight until after dark, and it would raise revenue.

I am going to do it. There are stockmen in my country who last year were millionaires, but who to-day are paupers. I called your attention last December, when we passed this bill

before, to the fact that already there had been brought into this country 40,000,000 pounds of foreign frozen mutton by the big packers and stored here in this country—mutton raised in foreign countries where cheap labor is employed, raised much cheaper than our stockmen can raise it; and I called your attention to the fact that at that very time ships had 10,000,000 pounds more in their holds on the way to this country, with still more to come, and I begged you to put a provision into that Fordney bill placing a tariff on frozen meat. But the distinguished leader of your steering committee, the genial gentleman from Ohio [Mr. LONGWORTH], when I offered those amendments, struck them out on points of order, and your steering committee said, "We can not put that into this bill because to do it would defeat its passage." Yet after you heard from the boys living out on the plains of the country, in the great southwest portion of the United States, when they came to you like a solid phalanx and said it was ruining them, that it was ruining their business, your steering committee changed its judgment on the proposition, and now we find frozen meats in this bill. Why could you not have put it in last December?

I will say this, that I am for a tariff for revenue only. It is a Democratic principle, and I am standing on that principle. But I am in favor of putting only such tariff on any article, farm article or otherwise, as not to form a subsidization, but only to be a difference in equalization of cost as between the cost of production in this country and in foreign countries. There is not an item in this bill that covers more than that difference in cost of production. I want to put you on notice now, as to every bill that you bring in here with a tariff provision in it that seeks to place a duty higher than the difference in the cost of production between this and foreign countries, that I am going to fight against it, and you have got to keep within that rule to get my vote. [Applause.]

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

Mr. YOUNG. Mr. Chairman, will the gentleman from Texas [Mr. GARNER] use some of his time now?

Mr. CRISP. Mr. Chairman, I yield to the gentleman from Texas [Mr. BLACK] 10 minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. BLACK. Mr. Chairman, I did not vote for this emergency tariff bill at either of the times that it was before the House during the prior session. I think that I am as strongly in favor of a tariff for revenue as any other Democrat in the House, and if all the rates in this bill and if all the bill were based upon that principle, of course I would not hesitate to support it. But they are not. Confessedly, some of the schedules are intended to act as an embargo and not to raise revenue. This is notably true of the woolen schedule. Even if I had supported this bill during the prior session of Congress upon the theory that it was a tariff for revenue only and not built around the idea of protection and in the nature of an embargo, I would not support it now, because of that section in the bill which provides that in the collection of import duties no foreign currency shall be held to have depreciated greater than 66⅔ per cent. That changes existing law to a very marked and substantial extent.

Now, of course, any Member can see that such a change in existing law will have the effect of raising import duties from some countries as high as 300 per cent and even as high as 400 per cent. Let us take the present figures of exchange. The German mark in normal times is worth 23.82 cents in American money. By the last quotations which I have seen—and I think they now obtain—the German mark is worth less than 2 cents. Of course, that means that in the imposition of duties on goods from Germany the value of the German mark will be arbitrarily raised to a very much higher value than it actually has, and automatically the rates will be greatly increased. The Italian lira in normal times is worth 19.31 cents in American money. The last quotations were less than 6 cents; and of course the Italian duty will be increased the full extent provided in the bill. The Belgian franc in normal times is worth 19.31 cents in our money, and in the last quotation less than 8 cents in American money; and therefore the Belgian currency will be depreciated in a like manner.

Mr. YOUNG. I think the gentleman is mistaken about that.

Mr. BLACK. I have here the quotations contained in the bulletins issued by the National City Bank of New York.

Mr. YOUNG. Eight cents is more than one-third of 19. It will not apply to Belgium.

Mr. BLACK. It is substantially the quotation I gave. The Belgian franc is normally worth 19.30, and now it is worth 3 cents.

Mr. TILSON. The gentleman is mistaken. It can not be liquidated at less than one-third of its normal valuation. The Belgian franc is worth now more than 33⅓ per cent of normal. The provision will not apply to the Belgian and French franc, and of course it would not affect British money.

Mr. BLACK. I stand corrected as to Belgium, and of course as to Great Britain and France it would not apply, because their currencies have not depreciated to so large an extent. The Austrian krone has depreciated until it is even less than the German mark or the Italian lira; and as to all these countries I have pointed out, the Democrat who supports this bill upon the assumption that he is supporting a revenue tariff will find himself in the attitude of voting for a provision that automatically raises the rates of existing law from 200 to 300 per cent in the cases I have mentioned. That looks like a good long way for a Democrat to go on the theory that he is supporting a revenue measure.

Now, then, a prominent member of the Committee on Ways and Means some time ago expressed dissatisfaction with the unreasonable and outrageous rates to which certain manufacturing interests in this country were seeking to commit the Ways and Means Committee. Here is the language that the prominent Republican member of the Committee on Ways and Means used in speaking of the effort that was being made. He said:

> What has hurt a lot of these industries is the definite decision of the consuming public to submit no longer to war prices. It is time somebody put on the brakes.

He continued:

> Here and now I serve notice that I shall oppose any such duties as these witnesses are asking. They are pleading with crocodile tears in their eyes for import duties ranging from 100 per cent to 400 per cent above the Payne-Aldrich tariff rates. I am going to fight with all the power I have against such penalization of the consumer. The war is over, and the consuming public is asking why those prices are not also gone. If we grant the rates that most of these interests are seeking we will be simply licensing a continuation of profiteering, filling the pockets of the manufacturer who gets the protection with the involuntary contribution of the consumer.

Now, who made that statement? It was the gentleman from North Dakota [Mr. YOUNG], who is leading the fight in behalf of this bill; and here we find him, instead of raising these rates by express enactment of law 200 and 300 per cent—we find him, by bringing in this clause relating to arbitrarily fixing the depreciation of foreign currencies, doing identically the same thing by indirection which he denounced so vehemently in his interview published in the Washington Post some time ago.

Mr. YOUNG. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. YOUNG. If the gentleman will study this situation, I think he will find that by this bill we are simply trying to equalize the duties to correspond to the depreciation of the foreign currency.

Mr. BLACK. Will not the gentleman admit that the effect of the provision is to cause an importer of goods from Germany or Austria, or Italy, to pay anywhere from 200 to 300 per cent more than he would pay under existing law?

Mr. YOUNG. I will tell the gentleman that it will do about what Mr. UNDERWOOD expected when he secured the passage of the Underwood law, because that was not passed in contemplation of a depreciated currency in some of the countries which ship to us.

Mr. BLACK. Will not the gentleman admit that the effect of this provision is to do what I will say it will do, to wit, to raise the rates from 200 to 300 per cent over existing law, when the gentleman from North Dakota [Mr. YOUNG] was the one who stated some time ago that he would fight with all the power at his command to keep that from being done?

Mr. YOUNG. Will the gentleman yield?

Mr. BLACK. Yes; I yield.

Mr. YOUNG. I simply want to say that I can not agree with the gentleman in his method of figuring these rates of duty as applied to certain countries only and as applied to costs of production in those countries which are not now properly figured.

Mr. BLACK. Well, the gentleman does not deny it will have the effect to raise the rates over those now paid under existing law. How are we going to rehabilitate the exchange situation? Everyone knows that the most gigantic obstacle now in the path of American trade is the foreign exchange situation. How is it going to be rehabilitated? In two ways only. One is by floating loans in the United States, and the other is by exchange of commodities; and we all know that the latter course must of necessity be followed to a greater or less extent, and you gentlemen are endeavoring to stop up the channels of commerce instead of opening them up. You open up the damper by your

War Finance Corporation bill and now you come along and push in the damper by this tariff bill. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. I yield 10 minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. The chairman of the Committee on Ways and Means [Mr. FORDNEY] asked me this morning if I would explain very briefly the 66⅔ per cent depreciation paragraph in this bill, and I shall attempt to do so.

The trouble which this provision seeks to remedy arises from the fact that there are at least two different values when there is depreciated money. One is the bankers' value or what we call the exchange, which is the price for which the depreciated currency will sell in gold in foreign markets. The other is the value of the currency in the home country, which means its purchasing power of service and useful things, its power to buy labor, to buy food, shelter, and articles to wear and use. The exchange value is easily determined. The exchange or bankers' value of the mark, for instance, is to-day about 1.6 cents. What is the home value of the mark in Germany? Even the home value is very greatly reduced below the normal. It is not approximately 24 cents, which is the normal rate, but from the best information that we are able to procure from German as well as from outside sources, the home purchasing value of the mark when measured in the things that the workingman has to use or consume is about 7 or 8 cents. When he comes to pay his house rent he does not pay fifteen times as many marks as he did when the mark was at par, which would be about the amount if measured at exchange rates of a mark depreciated from 24 cents to 1.6. True, his house rent is considerably higher in marks than it formerly was, but when measured in what he gets in the way of a rent the mark is actually worth about 7 or 8 cents. Likewise with his food and other necessities purchased locally. And so the articles that are produced there and exported to this country to compete with American-made articles are produced by workers who give 7 or 8 cents of value in labor for a mark worth less than 2 cents in foreign exchange. The worker can do this because what he must buy he buys at the home value of the mark; but see what an advantage it gives the German manufacturer in competition with the American manufacturer.

Mr. SABATH. Will the gentleman yield?

Mr. TILSON. Not just now. I have only a few minutes. What we are attempting to do here is to liquidate the duties when imports come into this country, not by the bankers' value of the mark or the lire but by the home value of the money, as nearly as we can determine it, for this is the value which really measures the difference in the cost of production between the foreign-made article and ours.

I wish to cite a few instances. The Foreign Banking Association, which is not an American but, rather, an international organization, made an investigation of this subject last December. Taking 11 of the skilled trades in Germany, it ascertained that the average weekly wage, as measured in the exchange value of the mark, was $3.47 per week, while in this country for similar work it is at least $30 per week. We know that those men were not working for $3.47 a week, as measured in the necessities of life which the marks buy. Now, if we figure the real value of the mark to them as between 7 and 8 cents, instead of 1.6 cents, we shall find that instead of these German workmen receiving $3.47 per week they receive about $17 per week, as measured in the buying power of their wages. In other words, if the actual difference in wages was what the disparity in exchange would now indicate, a duty of 200 or 300 per cent in many cases would be necessary to save American industries from being destroyed. By the adoption of this provision we say to the foreign manufacturer, "You must pay duty on something like the actual cost of your goods." As I have just shown, even measuring the difference in cost of production by the home value of the mark, instead of the exchange value, still there is an average advantage in labor cost in favor of the German manufacturer against the American manufacturer of $17 as compared to $30.

Mr. YOUNG. Will the gentleman yield?

Mr. TILSON. I yield to the gentleman.

Mr. YOUNG. Will the gentleman illustrate what he has said, for instance, by reference to Belgium?

Mr. TILSON. This provision does not apply to Belgium at all. The Belgian franc is far above one-third its normal value, so that this will not apply to Belgium. The present value of the French franc is just above one-third of its normal value, so that this does not touch France. The only countries with which we have any substantial trade that this will affect at all are Germany and Italy, and Italy certainly can not complain, because that country has a law of substantially the same effect and the same figures, I believe—66⅔ per cent—against Germany, Austria, and her other neighbors. She had to do it in order to protect herself in her customs. Great Britain, as I am informed, has such a law, to the effect that in case of depreciation in the German mark, bringing it below 5 cents—stating it in our money, because I forget the exact British equivalent—all below this figure is to be taken as customs duties. If so, with the depreciation of the mark of about 3 cents below that figure in Great Britain now, that country takes about 3 cents as customs duties.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. TILSON. I yield to the gentleman.

Mr. GARRETT of Tennessee. The gentleman from Michigan [Mr. FORDNEY] this morning made some reference to an Executive order. I did not understand what he meant by that. Does the gentleman know?

Mr. TILSON. Unfortunately, I was not in the Chamber at the time the gentleman from Michigan [Mr. FORDNEY] spoke and do not know to what he referred.

The instances which I have cited are cases where countries have been compelled to limit the amount of depreciation in order to protect themselves in their customs duties. We have already in section 25 a limitation that unless the depreciation in exchange is at least 10 per cent no notice is taken of it, so that there can be under existing law a depreciation of 10 per cent and the law requires that no notice whatsoever shall be taken of it.

In this proviso we simply place a limitation to the effect that if the depreciation of foreign money is greater than 66⅔ per cent we will disregard the further depreciation in liquidating duties.

Mr. WINGO. Will the gentleman yield?

Mr. SABATH. Will the gentleman yield now?

Mr. TILSON. The gentleman from Arkansas rose first.

Mr. WINGO. Do I understand the gentleman correctly to say that the differential in exchange between two countries represents the differential in the cost of production in the two countries?

Mr. TILSON. Not at all. If I said anything it was quite the opposite. The difference in cost of production is measured rather by comparing our own cost with the actual cost of our competitor, which in case of depreciated money is more accurately measured by the purchasing power of the money than by the exchange value.

Mr. WINGO. The gentleman used just the reverse of that.

Mr. TILSON. I did not mean to do so. My contention is that the real cost of production is measured rather by the home value of the money than by the exchange or bankers' value.

Mr. WINGO. Here is the point: In the judgment of the gentleman, does the difference in the cost of production affect the rate of exchange between countries?

Mr. TILSON. I made no contention to that effect.

Mr. WINGO. The gentleman has given a great deal of study to this matter. What in his judgment will be the effect of this exchange provision on the volume of imports from those countries?

Mr. TILSON. Not very great, and yet we shall get considerable revenue from it. It will stop to a considerable extent the stream of certain goods from Germany which are now flooding this country to the utter ruin of those particular lines of industry. It will, to a certain extent, affect a considerable volume of imports, because it will enable us to collect a much larger portion of the duty which was intended to be collected under the tariff act of 1913 and which we are not getting to-day.

Mr. WINGO. Can the gentleman tell us what the goods consist of? Are there any agricultural products being brought in from Germany?

Mr. TILSON. No; they consist largely of manufactured goods of long-established industries, especially the metal industries, such as cutlery, clocks, jewelry, and things of that sort which are to-day produced by low-priced labor in Germany.

Mr. WINGO. Will this apply to the importation of potash?

Mr. TILSON. Yes; if it is measured in depreciated currency.

Now, gentlemen, I have tried to fairly state the conditions. I do not believe that any country is going to pay 200 or 300 per cent increase of duty over what it was intended by existing law it should pay. We shall in many instances collect perhaps twice the amount of duty, possibly three times in some cases, that we have been collecting under the present exchange situation. The exchange situation is what has put many of our industries almost down and out, thus taking away the buying power from the industrial part of this country, which buying power would be used to purchase food and other goods

from the rest of the country. Do not forget that when the buying power is taken away from the men who produce things other than what they eat you thereby affect adversely the producer of agricultural products. You can not get away from it. I believe that this provision will give us a measure of present relief and that it will help more in certain great industries than any other provision contained in this bill. I believe that it will afford a measure of relief to the agricultural producer because it will give hope and opportunity to earn to his best customer, who is now in imminent danger of losing his job entirely by reason of what now amounts to unfair competition of foreign-made goods. In a number of industries this provision will help materially. It will afford temporary relief and relief that is absolutely needed. All that the provision does is to say that no currency shall be considered to be depreciated more than two-thirds. In other words, that all currency must be considered worth at least one-third of its normal value. There is no country with which we have an important trade whose currency to-day is worth less than one-third of its normal value in its purchasing power at home. This provision merely places for customs purposes a value on this currency of at least one-third of normal and applies to invoiced values from certain countries a figure that more nearly represents the purchasing power of that currency at home than does the foreign exchange value. [Applause.]

Mr. YOUNG. Mr. Chairman, what is the condition of the time consumed on each side up to the present?

The CHAIRMAN. The gentleman from North Dakota has used 113 minutes and the gentleman from Mississippi has used 114 minutes.

Mr. COLLIER. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, I can not characterize this emergency protective tariff measure better than to quote the remarks of one of the high priests of the Republican Party, the Senator from New Hampshire [Mr. MOSES], who said of it in the last session:

> I resent the imputation, Mr. President, that this is a Republican measure. It is neither a Republican measure nor a Democratic measure; it is class legislation of the most vicious kind, as I regard it. If it is to have any party appellation at all, Mr. President, it is to be described as soviet legislation.

No Member of this House can seriously debate the fairness or the justness of such legislation. It is class legislation pure and simple. It discriminates between the producers of the land. It proposes to take from the pockets of the great consuming classes and put into the pockets of a select class and of those trusts, monopolies, and magnates who have managed to corral the greater portion of those things nominated to be protected. It is hypocritical legislation destined to fool the American farmer and planter, and to procure his vote. I predict that he will not be cajoled into any such action, and when he awakens to the true import of this measure, when he discovers that as he cried for bread you gave him a stone, it will be his time for action against those who attempt to fool him. Whatever benefits come out of this measure will not fall to the lot of the farmers, but the great trusts of the country, such as the Packers' Trust, Sugar Refining Trust, Woolen Trust, and kindred organizations.

I would be derelict in my duty if I should not oppose this iniquitous measure, which is a fraud upon the farmers in that it will not help them, but leave them to such prices as are dictated by supply and demand. It will increase the living cost of the consumers upon their food and clothing worse than did the Payne-Aldrich tariff. Let me demonstrate the burden to the people of Maryland, which I have the honor to partly represent, as shown by these figures:

Estimated cost to the people of Maryland.

Fresh meats	$13,000,000
Wheat	8,000,000
Rice	330,000
Corn	9,750,000
Potatoes	1,950,000
Beans	1,300,000
Peanuts	1,300,000
Butter and cheese	2,600,000
Preserved milk	1,300,000
Sugar	9,100,000
Total	48,630,000

Take, for instance, meat. It provides a duty of 2 cents per pound upon fresh or frozen beef, veal, mutton, lamb, and pork. Meats of all kinds, prepared or preserved, not specially provided for therein, 25 per cent ad valorem.

The Federal Trade Commission says that the five big packers control 73 per cent of the fresh meats; that they control 62,535,507 pounds, or 95 per cent, of all the fresh and frozen beef. Those who will benefit by this tariff on meats will be those who put it upon the domestic market. The annual consumption of meat thus taxed is 25,000,000,000 pounds. Increase the price to the consumer by this 2 cents per pound duty and you have increased the cost of living by this alone to the American consumers by $500,000,000, 73 per cent of which goes into the pockets of the Meat Trust to be shared, if they please, with the growers of the live stock. How much of this great subsidy do you imagine the growers will receive? Shall we tax the stomachs of the American meat consumers upon such a hazardous and fraudulent proposition as this? Shall we say to the great unemployed of our people, "Bear this additional burden, it may help bring about prosperity."

Take wool. A tariff of 15 cents per pound is provided for raw wool; washed, 30 cents; and scoured, 45 cents. The manufacturer is given 45 cents per pound on any garment in which wool is the chief component part. Why should he have 45 cents per pound on the entire garment? No matter if 90 per cent of the garment is made of rags and other material he has gathered together and only 10 per cent is of wool used as a building material to hold it together until he can dispose of it. The hair goes with the hide, and he collects his 45 cents per pound upon the combination from the unsophisticated and trusting customer. The manufacturer is the man who gets the swag. He it is who is competing with foreign markets. The woolgrower will not benefit. We are told that there is more wool in the country than we can use for years. The inexorable law of supply and demand will control its price, not the duty provided by this measure. The American public will pay this vast subsidy to the manufacturer, but the grower for whom they have vast sympathy will not share in the rich spoils.

Consider wheat, that great staff of life of the American people. The reason for placing a duty of 35 cents per bushel on wheat is for the alleged purpose of helping the American farmer by increasing the price of his wheat to that extent. The average consumption of wheat during the last eight years was 591,392,000 bushels. If you increase the price of this to the consumer by a duty of 35 cents per bushel, he will have to pay an additional for his food supply from wheat the enormous sum of over $200,000,000. We imported last year only 10,989,000 bushels of wheat. If we assume that the same amount will enter the country with a tariff of 35 cents per bushel as entered free of tariff, which is not likely, then the Government will receive an income of $3,800,000; in other words, we tax the American consumer for his wheat supply over $200,000,000, from which the Government receives only $3,800,000 as revenue. When you realize that every time you place a tax upon an article the dealers in this particular article add not only their profits to the price of the commodity but likewise a profit to the money they must invest to pay the duty thereon, the result will be that instead of the consuming public paying a tax of over $200,000,000 it is likely to run $100,000,000 beyond, for all of which the Government receives no part, but the whole is saddled upon the consuming public. Nor is anything to be gained from this duty. It is not likely that wheat will be largely enhanced in price in the hands of the producer, but more likely in the hands of the holder. When you realize that the average production during the past eight years was 794,485,000 bushels, and we consumed only 591,392,000 bushels, it will be seen that we exported 214,000,000 bushels of wheat while we imported only 10,989,000 bushels. Is it not a ridiculous proposition to tell the farmers that you can give them prosperity by such legislation, when the fact is you are producing and exporting over 200,000,000 bushels more than you consume, and are using this great overproduction in your trade with foreign nations?—the very trade which will be injured by a protective tariff.

The obvious intention of this emergency tariff is to prevent the western farmers from taking their losses by shifting the burden upon the people throughout the land who have already been compelled to take their losses either in individual pursuits or perhaps in decrease of wages.

Upon rice it is proposed to place a duty of 1 cent upon the 1,000,000,000 pounds consumed in the United States, or a tax to the purchaser of $10,000,000, which when passed on to the consumer will aggregate not less than $15,000,000, and yet it is a well-known fact that rice can in these days be produced cheaper in the United States by reason of improved methods of planting and harvesting by machinery than anywhere else in the world. It is planted much like wheat and harvested with as little expense. Labor performs a very small part, machinery doing the work which originally was performed by hand labor, while in the Orient rice is planted and produced in the most laborious and original methods, costing vast labor and expense in its planting, cultivation, and harvesting, and yet it is the object of this bill to pass to the consuming public an additional ex-

pense upon their cost of living of $15,000,000, under the pretense of protection of this full-grown American industry.

I shall not take up more articles in detail, but I should like to refer casually to the consumption of butter and substitutes, which, plus the duty contemplated, will increase the cost to the public of more than $80,000,000. Our consumption of condensed and evaporated milk, some 1,300,000,000 pounds, with duty of 2 cents per pound, will again increase the cost $26,000,000, and in addition to the cost upon dairy products it is proposed to increase cost on fresh milk, cream, and sugar of milk.

I might continue with a long array of such increases, which, when traced to their final analysis, will be found not to benefit the producer, but the middleman, the manufacturer, the trust, and the rich magnates of the country. I will content myself by inserting here a table taken from the CONGRESSIONAL RECORD, which shows more in detail the cost to the ultimate consumer, the revenue derived by the Government, and the cost per capita to our people under the proposed bill.

Article.	Annual cost to the ultimate consumer.	Annual revenue to the Government.	Per capita cost (per capita of consumers).
Fresh meats	$1,000,000,000	$2,000,000	$10.00
Wheat	500,000,000	4,000,000	5.00
Rice	15,000,000	2,000,000	.15
Corn	750,000,000	755,000	7.50
Potatoes	150,000,000	500,000	1.50
Beans	50,000,000	4,786,000	.50
Peanuts	50,000,000	1,500,000	.50
Peanut oil	15,000,000	5,725,000	.....
Cottonseed, coconut, and soya-bean oil	150,000,000	16,000,000	.....
Butter and cheese	150,000,000	1,500,000	1.50
Preserved milk	50,000,000	433,000	.50
Sugar	500,000,000	137,000,000	5.00
Tota o. above	3,380,000,000	276,199,000	[1]31.65
Reduced to 6 months basis	1,690,000,000	138,099,500	15.82½

[1] Food products only.

Mr. Chairman, this is a remarkable piece of legislation. It is even more remarkable when you realize that during the recent campaign both political parties tried to impress upon the public that it was their intention immediately upon election to reduce the cost of living to the American public, to reduce taxation wherever it was possible to do so, and to inaugurate economies which would decrease the expenditures of the various departments, and yet upon the assembling of Congress after that election the Republican Party introduced and passed a bill like this, which, but for the timely veto of President Wilson, would have immediately saddled upon the backs of the American people an additional cost of living by the imposition of duties upon almost every article that the human system requires to the extent of $1,690,000,000. Mr. Wilson is no longer President to save us, and the Republicans now propose to pass again that bill and impose upon the people this immense increase.

It is even more strange that advocates of the bill have had the effrontery to say they are doing it to raise the prices of the commodities upon which the duties are placed. I for one have steadfastly opposed such legislation, and will continue to adhere to the time-honored doctrine of the Democratic Party—of equal rights to all and special privileges to none; of tariff for revenue only and not a protective tariff in the interest of certain classes which blights and destroys our foreign trade and drives the American flag from the sea.

It was my special delight to vote for a merchant marine. Contrary to the votes of many of my colleagues, I voted to reestablish the War Finance Board in order to finance corporations doing business in foreign lands with the intent and purpose that we might build a great foreign trade with the peoples of other nations. I note chiseled upon the front of the Union Station in this city the following: "He that would bring home the wealth of the Indies must carry the wealth of the Indies with him"; in other words, if we would bring home the wealth of other lands, we must be prepared and willing to exchange commodities and thereby encourage them in their operations so that they may become enabled to pay the great credit we have allowed them. We must sell them the wealth of our fields and factories; this must be done largely through the vast farming production of the country—that which keeps body and soul together. We must exchange the outputs of mills and factories that the wheels of industry may hum. We must become a world power in business as well as in might.

It is a peculiar situation, indeed, that we, the great creditor Nation of the world, the Nation whose wealth and resources almost equal that of the balance of the world—a people whose inventions and discoveries and whose adaptation thereof have been the marvel of the modern age—should to-day be enacting legislation against a world of impoverished nations, whose burdens of war have driven them to the verge of bankruptcy and despair. It would be ludicrous, indeed, but for its seriousness that a Republican Congress should to-day be enacting legislation to increase the cost of living of 110,000,000 of our people for the ostensible purpose of helping certain privileged classes, while vast factories and mills of the country are closed or working on short hours, railroads and other business are cutting wages, and thousands of workmen idly walk the streets.

Mr. YOUNG. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Chairman, in the years that I have served in this body I have heard the crack of the Democratic whip reverberate loudly through these halls, but never in such thunderous sounds as it has this morning. The Democratic caucus has met and its relentless machine has run over the bodies of some 40 Democrats, including, I fear, that of my learned and distinguished friend, the gentleman from Texas [Mr. GARNER], coauthor with the gentleman from Michigan [Mr. FORDNEY] of this bill in the last session of Congress. [Laughter and applause.]

I listened with care and great interest to the speech of my friend from Texas [Mr. GARNER], but I do not know up to this time how he is going to vote on this measure. I fear, however, that he will show the effects of the grinding of that caucus machine. He seeks to make as his excuse for his vote against this measure, which he has hitherto so vigorously supported, a little proviso added at the end of what has been the law of this country since 1894, a proviso relating to the difference that may be exacted in the collection of customs duty due to the depreciation of foreign exchange.

Let us see exactly what that provision does. So far as I am personally concerned, I do not care 2 cents whether it stays in the bill or not. I regard it as of negligible importance, in view of the fact that it is only a question of weeks, I hope, before it is superseded by the proposed provision for home valuation. It simply provides that where goods are invoiced from a foreign country for importation into this country the customs values may not assume that that exchange has depreciated more than 66⅔ per cent. There are only two countries with whom we do business of any moment where the exchange has in fact depreciated more than 66⅔ per cent. One of them is Italy and the other is Germany. It should be remembered, however, that this provision applies only to articles that bear an ad valorem duty, and it has no relation whatever to articles bearing a specific duty and, of course, no relation to the very many articles that come in on the free list from those countries. It would apply in any event to a very relatively small proportion of those importations. Here is the way it would work:

The gentleman from Texas says that it will increase Germany's duties by 400 per cent. It would make Germany pay 400 per cent more than they would have to pay if they could invoice their goods in marks at a valuation of 2 cents per mark, but even then the total ad valorem duty would not be anywhere near what is provided even in the Underwood law. Let me illustrate. Suppose an article imported here from Germany bears under the Underwood law a 40 per cent ad valorem duty. Suppose Germany were permitted to value it at the exact valuation of a mark in foreign exchange. That would mean a depreciation of 90 per cent. In other words, instead of paying 40 per cent duty, it would pay only 5 per cent duty. That is the trouble with this foreign-exchange situation, and that is what makes necessary our provision in relation to American valuation, which I hope will shortly be reported to the House. All this does is to say that Germany can not value quite as low as her actual value of the mark is, so that instead of paying a duty of only 5 per cent they will pay a duty of about 15 per cent, while the duty fixed in the law is 40 per cent. That is the long and short of this proposition. The gentleman from Texas [Mr. GARNER] has gone out gunning for a lion and he has shot at a gnat. It is upon that flimsy excuse that he proposes to vote against the bill, than whom no other man in the last Congress had more to do in its framing.

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

Mr. LONGWORTH. With great pleasure.

Mr. GARNER. Let us see if we can come to an agreement in respect to the facts regarding the effect of this provision. The gentleman from Ohio does agree that the enactment of this provision in this bill will increase the duties from Germany 400 per cent.

Mr. LONGWORTH. Approximately.

Mr. GARNER. That is sufficient.

Mr. LONGWORTH. It will simply increase the duties they would pay if they were permitted to pay in the present valuation of the mark, and even then they would not go up anywhere near the duty provided in the Underwood law.

Mr. GARNER. But the gentleman does agree that the enactment of this provision into law will increase the present duties on goods coming from Germany 400 per cent.

Mr. LONGWORTH. Provided they are valued at the present depreciated currency.

Mr. GARNER. They are now valued on a basis of 2 cents, which is above their present market value.

Mr. LONGWORTH. And the gentleman will agree with me, I am sure, that as a supporter of the Underwood law, which placed a duty of 40 per cent on an article, he is not willing to see that country escape with a duty of only 15 per cent, which it would do under this provision, when the law provides for 40 per cent. Really, of course, the reason for the change of attitude on the part of 30 or 40 men on the Democratic side—and 30 or 40 men on that side constitutes quite a proportion of your membership at the present time—is because of the ukase issued in the minority report which I hold in my hand.

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

Mr. LONGWORTH. Certainly, because I want to have a little conversation with the gentleman from Texas about this minority report. I notice that it bears the signature of only one man—Mr. KITCHIN, of North Carolina—and I find myself confronted with two horns of a dilemma. Either these views represent only the views of Mr. KITCHIN or it was not thought worth while to attach the views of the other statesmen who served on that committee, and their cooperation was assumed.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Certainly.

Mr. BYRNES of South Carolina. While the gentleman is giving us information along that line will he please tell us how to account for the change in heart of the distinguished gentleman from Massachusetts [Mr. TREADWAY] and other gentlemen on that side?

Mr. LONGWORTH. Oh, the gentleman from Massachusetts [Mr. TREADWAY] explained most lucidly and convincingly the reason for his change of attitude. [Laughter and applause.] I find in this document signed by Mr. KITCHIN a few apparently authoritative statements of Democratic principles:

> The policies and principles advocated by the Democratic Party and inspiring the continued maintenance of its organization for nearly 100 years forbid our approval of the pending bill and impel us to vigorously protest against its passage. Approval of this bill by the Democrats in Congress would be a complete surrender of such principles and abandonment of such policies, and a confession that for over half a century the Democratic Party has been wrong and the Republican right on the tariff.

Further on—but I have not time to read further. Of course, in the face of that ukase no gentleman upon that side can resist except a very few brave men who have stood up here to-day—two gentlemen from Texas, who said that they would not be bound by the party whip, for they voted according to their conscience and the direction of their constituents. Now, the gentleman from Massachusetts [Mr. TREADWAY], in explanation of why he can now perfectly consistently vote for this bill, quoted the President of the United States. I will read only one sentence:

> The urgency for an instant tariff enactment, emergency in character, and understood by our people that it is for the emergency only, can not be too much emphasized.

That is a doctrine that every Republican here and most of the Democrats can subscribe to, and it is a doctrine that exactly fits this case. Practically all of the arguments we have heard from the other side to-day have been based upon the theory that this is a permanent legislative enactment to put in force certain principles which are to continue to exist indefinitely. Now, the justification for this bill is the emergency which exists, and it is the only justification. This is emergency legislation and not permanent legislation. It is to last but for six months, and it is on that theory I voted for it, for I say very frankly——

Mr. BLANTON. Will the gentleman yield right there?

Mr. LONGWORTH. I can not yield; I beg the gentleman's pardon. It is emergency legislation. In advocating this bill at the time of the adoption of the conference report I said specifically that I did not propose to be bound by any one of the rates of duties fixed in the bill, and that no gentleman in voting for it would be bound by those rates of duty. I repeat that now, and I want further to say that the truth of that proposition will be illustrated when the Committee on Ways and Means reports the permanent tariff law. You will find then that we are not considering ourselves bound by these duties, particularly where they exceed the duties fixed in the Payne law. You will find very few duties, indeed, and only those demanded in peculiar instances, higher than those in the Payne law in the forthcoming tariff act and many much lower. I say that the emergency facing us to-day absolutely justifies the passage of this legislation. I am prepared also to say frankly that I do not think this bill will do for the industries so lamentably depressed to-day what its most enthusiastic friends say for it, and I am equally convinced that it will not do any of the bad things that those who oppose have predicted. It will have, though, without doubt, a beneficial effect, particularly upon the depressed agricultural industries of the West. It will have at least a great moral effect in encouraging those people to continue the production of the things which they are greatly discouraged from producing now. On that theory alone its passage is justified, and now that we have the machinery to pass it, now that we have a President who will sign it, we propose to make it the law of the land. [Applause on the Republican side.]

While I support this legislation, I admit my conviction that the present situation demands other remedies than merely the enactment of tariff legislation. To my mind the greatest trouble in this country to-day is the lack of capital invested in productive channels. [Applause.] And it comes largely from the fact that the very rich men of this country have diverted their capital from productive channels to channels where it may lie idle and not be subject to taxation. Now, my friends, we might just as well confess, because we have got to face it, that the situation can not be remedied until we have the courage to reduce some of the high surtaxes on the high incomes. It may sound unpopular when such a measure is proposed, but the fact has been proven beyond all questionable doubt that rich men are not willing to pay 70 per cent of their profits or incomes derived from their investment in taxes.

You can not keep them from transferring their capital into municipal bonds and other nontaxable securities. I was informed this morning that very nearly $16,000,000,000 is now invested in municipal securities in this country, not one cent of the income of which is taxable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. May I have about three minutes additional?

Mr. YOUNG. I will be glad to extend the gentleman's time three minutes.

Mr. LONGWORTH. I hope we will have courage to meet this situation. If we do, while there will be a slight loss in revenue for the first year, in my judgment the money now untaxed will be diverted back and invested in productive enterprises which will give employment for labor and furnish the means for buying those products which are not now marketable. I think we have got to meet that situation, gentlemen, and ought to meet it courageously. The gentleman from Texas this morning expressed opposition to a sales tax. His opposition to a sales tax at this time is no stronger than mine. I stand for the proposition that we ought not now to shift the burden from wealth and put it on the consuming public.

The gentleman from Texas [Mr. GARNER], while he agreed that perhaps the majority on this side of this House were opposed to turnover sales tax at this time, intimated that in some other quarter—down the Avenue, perhaps—methods would be used to force us to swallow the sales tax. There was not one thing that the President said more forcibly here in this House on the day before yesterday than that stated in this sentence:

> We are committed to the repeal of the excess-profits tax and the abolition of the inequities and unjustifiable exasperations in the present system. The country does not expect and will not approve a shifting of burdens.

There could not be a more clear, definite statement of the inadvisability at this time of shifting the tax burden to other shoulders than those now bearing it. The gentleman from Texas need have no concern as to this question at this time.

Mr. GARNER. I want to congratulate the country on the gentleman's statement, because I know he speaks with some authority.

May I revert to the question under consideration—of the tariff and the problems you have? I see it reported in the papers that the chairman of the Finance Committee and the leader of the Senate have decided that it will put on, as an amendment to this bill when it reaches the Senate, the valuation scheme. Is the gentleman informed in reference to the purposes in that particular?

Mr. LONGWORTH. I think I can state authoritatively to the gentleman that there is no draft of any such measure finally prepared in either House.

Mr. GARNER. Does the gentleman anticipate that this bill will be encumbered with the additional provision of valuation?

Mr. LONGWORTH. I should be surprised, I will say to the gentleman, if it were, because I hope that the Senate will pass this bill within a very reasonable time. I am not sure how soon a draft of an American valuation system can be agreed upon. It is a highly complicated subject.

Mr. GARNER. It is a complicated scheme, undoubtedly.

Mr. LONGWORTH. Our program, so far as I can speak for it, is as soon as possible to bring into this House a provision for American valuation, and I trust before it reaches the Senate the Senate will have passed this bill exactly as it is. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. YOUNG. Mr. Chairman, I yield 10 minutes to the leader of the majority, the gentleman from Wyoming [Mr. MONDELL]. [Applause.]

Mr. MONDELL. Mr. Chairman, for the second time within a few months we are called upon to vote upon an emergency tariff measure calculated to afford relief to the producers of certain important staple products of agriculture. To the measure as agreed upon in the last session of the Sixty-sixth Congress has been added provisions of general application intended to prevent the dumping on our market foreign goods at prices below the cost of their production or below the value of such articles in the markets of the country where produced. The measure before us therefore is not only calculated to afford relief to the producers of those of our more important agricultural products which have been particularly affected by the threat or fact of enormous importation, but in its antidumping provisions it will afford relief to a wide range of American products now threatened—in fact, already seriously affected—by importations of goods dumped upon our shores at rates at which they would not be offered in normal times and under ordinary conditions.

It was urged against this emergency tariff when it was before the last Congress, even by some of those who believed in the protective principle, that it was subject to criticism because it afforded relief and protection to only one class of products—the products of agriculture—and that there was a wide variety of other products equally menaced and equally entitled to consideration. The answer to that criticism was that while a protective tariff law covering the entire range of competitive products was urgently needed, it was practically impossible in an emergency measure, in any measure that could be passed promptly, to cover the entire range of products or even a very considerable portion of the products of the labor and industry of America entitled to consideration. While manufactured products have suffered severely, in no line of production has there been such a tremendous drop in prices as in certain important agricultural products. These have not only decreased in market value, but in some instances—notably in the case of wool—the bottom seems to have fallen entirely out of the market, and unless relief is speedily afforded it is believed that bankruptcy will overtake many of those engaged in these industries and a permanent loss to the Nation will occur in the permanent curtailment of essential production. While the protection of American products generally is urgent and essential, immediate relief and protection to certain agricultural interests is imperative.

While many lines of endeavor and enterprise are important, agriculture may properly be termed the basic industry. The failure and the embarrassment of other lines of industry are most lamentable and regrettable; an agricultural failure resulting in a permanent reduction of the volume of production would be well-nigh fatal. If agriculture fails, all fails; hence the importance, the necessity, of this legislation.

In a general way this was the defense, this was the unanswerable argument in favor of the bill when presented in the last Congress. As presented to us now, its antidumping features make it of general application, of general interest, and of general benefit. We can not, of course, be absolutely certain in advance to what extent the antidumping feature will operate to protect our industries, but wisely administered it should wholly prevent that class of importation, which is the most harmful and destructive, that which occurs under pressure of unsatisfactory market conditions abroad and at any price which will find a market here.

Mr. Chairman, I have read with some care the minority views of Mr. CLAUDE KITCHIN. I would prefer to refer to these views with Mr. KITCHIN on the floor, but as he is unable to be here I must make some reference to them in his absence. Perhaps the most striking feature of these minority views lies in the fact that they were signed only by the ranking Democratic member of the Ways and Means Committee. They do not carry the names of the other seven minority members. We may therefore perhaps properly assume that they did not express their views. At any rate these minority views come to us as a curious reminder of a period long passed probably never to return. Practically everyone except Mr. KITCHIN realizes that the Democratic Party is no longer adhering either to its ancient free-trade doctrines or even wholly to the later slogan of "Tariff for revenue only." The Democratic vote on this measure when it passed the House in the last Congress was sufficient evidence of this fact, and, while the influence of some of the old standpatters and reactionaries on that side may temporarily defeat the expression of the real opinion of the minority in connection with this bill the suppression of the newer, the better, and the more enlightened view of the Democrats of the country and of their Representatives in the Congress can not be permanent. The country has lost patience with Bourbon sentiment, whether it be applied to tariff or other public questions, and while certain gentlemen may attempt to stand in the way of progress and enlightenment their attempts will fail.

Another feature of the one-man expression of minority views is curiously and rather offensively reminiscent of a frame of mind and a line of argument which no longer has its old-time appeal. Gentlemen may denounce protection as a scheme of the robber barons as beneficial only to the trusts and monopolies, may indulge in all of the extravagances and excess of denunciation in reference to the protection of American labor and industries, which was popular and somewhat effective in the past. But their words no longer either strike terror to the timid or stir the blood of the captious and critical, or of the little and constantly decreasing band which still adheres to outworn and discarded views. Those things have all been long since discounted.

The American people, without regard in many cases to the political faith they claim to possess, can be no longer fooled into believing that protection is in the interest of a favored few and harmful to the interest of the many. On the contrary, there never was a time in America when there was so general a view and opinion favorable to the protective policy as to-day. There never was a time when the need of protection to American labor and American industry was so clear and apparent, so generally recognized.

I am not surprised that the minority views have but one signature. They come as a curious, belated echo of views and opinions no longer held by any considerable number of people and of extravagances of expression that no longer stir the public pulse.

We shall pass this bill, not with the expectation of restoring agricultural products to war-time prices. It may not result in advancing prices to a considerable extent, but we shall at least steady the market and to some extent relieve the situation. We hope to restore prices where they have fallen below the cost of production and hearten those engaged in agricultural industries—in fact, those engaged in all industries—to continue their effort in the assurance that they shall not remain indefinitely the prey of conditions which threaten destruction of industries.

With this bill on its legislative way we shall then proceed to the further careful and painstaking consideration of a permanent tariff measure, and before this session closes we hope to have upon the statute books a measure which shall meet the needs of the time—the protection of American labor and industry; the protection of American standards of living; the protection of American opportunity in the period of returning and stable prosperity which we hopefully look forward to. [Applause on the Republican side.]

Mr. COLLIER. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY of Texas. Mr. Chairman, if there were not an element of tragedy in this bill or if a bill along its lines were presented in normal times it would be full of comedy. We have the last gentleman on the Republican side [Mr. MONDELL] appealing to his confreres and talking to us about the Bourbonism on our side of the aisle, while insisting on a very monstrosity of their old robber tariff, because this bill makes the Payne-Aldrich bill blush for its modesty. And we have the gentleman who has just preceded him [Mr. LONGWORTH] acknowledging that this bill will accomplish practically none of the good which is promised for it by its advocates, and, he thinks, none of the evil prophesied by its opponents. Then what is this tempest in a teapot about, except that we are holding out to the great struggling, toiling, and suffering multitudes and masses of farmers of this land a promise to do something for them, when the truth is the gentleman from Ohio [Mr. LONGWORTH] is right in saying that it will do nothing for them. It will do nothing for us except perhaps to help debauch some good man who feels tremblingly in the presence of our disaster and may have

a faint hope that it will help his people and that it is his duty, even though it submerges his lifetime principles, to try to help them. I sympathize with that view, but it is a tragedy when men abandon their honest faith for a foolish hope. And I wish it had no ulterior or sinister purpose of using the extremity of the farmer in order to help the manufacturer impose heavier burdens on the consumer.

Mr. Chairman, we are all human. If the majority of the people of my district became convinced that their better interest, regardless of the better interest of the whole country, lay in protective tariff, they would become protectionists. That is human nature. The truth about the business is simply that protection is a great appeal to the man who thinks he is going to receive a benefit from it. And after all, it must be determined in the ultimate mill of the gods upon the basis of whether it benefits more people than it burdens. Men will vote the way they think their own interests lie. If a high protective tariff benefits the great majority it is going to be the prevalent doctrine in this country.

I shall discuss this particular bill therefore from the standpoints of its benefits and burdens. Whom will it benefit and who will be burdened? Let us see what is in this bill. Gentlemen, the manufacturer knows how to protect himself against protection, and he does it magnificently in this bill.

What is in the bill? A duty on wheat, to prevent imports, and thereby protect the wheat farmer against competition. Yet the evidence shows that while 35,000,000 bushels of wheat were imported last year, 218,000,000 bushels were exported and sold by us in the world market.

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

Mr. HARDY of Texas. Yes.

Mr. FORDNEY. Very briefly: If you will take the record you will find that that wheat was imported at $2.42 per bushel, while we exported at $2.83 a bushel.

Mr. HARDY of Texas. It is hard for me to believe that Canadians sold us their wheat at $2.42 per bushel when they could get $2.83 per bushel, as we did in the open world market, but I do not care how or why or at what price it was imported or exported. It simply shows that we export nearly ten times as much as we import, and the Canadian did not sell us his wheat for less than he could have sold it for elsewhere, allowing for cost of freight and marketing. Very possibly we exported the very same wheat we imported and made a small profit on it. It is the same way about corn. We imported 7,744,000 bushels of corn in 1920, and we exported about 20,000,000 bushels in the same length of time, and during the last month, I believe, the official statement is that we exported thirty times as much as we imported.

That is not all. Who imports wheat? Why, the millman, the flour manufacturer. The manufacturer is guarded against the duty put on imported wheat. Why or how? I will not at this time tell you why, but I will tell you how he is protected against the duty. He is protected by an old provision in the law, that if he takes that wheat and grinds it into flour and exports it, he gets back 99 per cent of his duty. This is a law already on the statute, and is known as the manufacturers' drawback law. Under that law and after the passage of this bill he can import all the wheat he wants to without enriching the Treasury of the United States one cent. If he imports 100 bushels of wheat under this bill he pays $35 duty, and then, if he makes it into flour and exports it, he gets back $34.65. The Government keeps 35 cents to pay the expense of collecting and refunding the tax. I rather think the Government loses money by the transaction. Every millman in the district and State of our genial chairman of the Committee on Ways and Means can import his millions of bushels of wheat and grind it into flour and send it out, and then draw back 99 per cent of all he pays in duty.

Mr. FORDNEY. He gets a drawback on the flour only, but he must pay a duty on the by-products, the bran and middlings, which constitute 25 per cent of the duty on wheat.

Mr. HARDY of Texas. Oh, no, Mr. Chairman. Under the law he can get back the whole duty on the wheat except 1 per cent of what he paid.

Mr. FORDNEY. Under the existing law there is no duty on wheat.

Mr. HARDY of Texas. I am talking about the existing law that will come into force and apply to this law as soon as you put a duty on wheat.

Mr. FORDNEY. There is no provision to make him pay a duty on the bran and middlings in this bill, but I promise you there will be in the next law.

Mr. HARDY of Texas. Oh, the gentleman promises what he will do in the next law, but I am talking about the drawback which the miller can get when he grinds the imported wheat and sends out the flour. Let me read you the law. On page 98 of the copy of the tariff act issued by the Treasury Department we find:

O. That upon the exportation of articles manufactured or produced in the United States by the use of imported merchandise or materials upon which customs duties have been paid, the full amount of such duties paid upon the quantity of materials used in the manufacture or production of the exported product shall be refunded as drawback, less 1 per cent of such duties: *Provided*, That where a principal product and a by-product result from the manipulation of imported material and only the by-product is exported, the proportion of the drawback distributed to such by-product shall not exceed the duty assessable under this act on a similar by-product of foreign origin if imported into the United States. Where no duty is assessable upon the importation of a corresponding by-product, no drawback shall be payable on such by-product produced from the imported material; if, however, the principal product is exported, then on the exportation thereof there shall be refunded as drawback the whole of the duty paid on the imported material used in the production of both the principal and the by-product, less 1 per cent, as hereinbefore provided.

The same thing is true as to corn. And what about the beef that the great export packers import and then export? Why, they get all that duty back. But when my friends, the stockmen, import cattle to graze or for breeding they pay the duty and get nothing back.

Mr. HUDSPETH. There is nothing here, as I understand, about that.

Mr. HARDY of Texas. Maybe I am mistaken about breeding cattle. In fact, I believe they are exempted from this tax, but grazing cattle are not. The cattleman never gets a drawback. On beef that comes in and is slaughtered by small, independent packers for home consumption they must pay the duty and get no drawback, but the great export packers will not pay it without getting it back again. I want the farmers, if ever they become protectionists, to learn how to protect themselves against protection, a lesson which the manufacturers have learned perfectly, as they luminously show in this bill.

Mr. FORDNEY. You had eight years in which to do it. Why did you not do it then?

Mr. HARDY of Texas. Because the manufacturers have had the wool pulled over the eyes of some farmers and wool men for 20 years, and they have not noticed it, and there is, in fact, I fear, no way to protect the farmer against protection except by defeating protection. When the Underwood bill was passed here facts were brought in to show that the prices of wool in Boston and in Liverpool were just about the same.

Mr. FORDNEY. Do not accuse me of voting for the Underwood bill. [Laughter.]

Mr. HARDY of Texas. As I was saying, Mr. Chairman, the market price of wool in Boston and in Liverpool, when there was 11 cents duty, was substantially the same. Why was it? It was because when the wool manufacturer or buyer came to my State of Texas to buy, or the grower went to Boston to sell, the woolgrower said, "I want the world market price, plus the tax, for my wool," and the millman said, "We will give you the world market price, but we will not add the 11 cents tax for raw wool or 33 cents for scoured wool. If you do not want to take what we offer, take your wool to Liverpool." Of course, the woolgrower could not do that, because after he had paid the freight he would only get what he was offered in Boston, and so the prices current of those years when we had 11 cents duty on raw wool showed Liverpool and Boston prices substantially the same.

Mr. FORDNEY. Who paid the freight at that rate?

Mr. HARDY of Texas. The man who had the wool would have had to pay the freight to get it to Liverpool and take the market price there. Rather than do that he sold it in our protected market at Boston for the Liverpool price. That is what he did. That is what your statistics show, and that is what the unorganized producers of raw materials will do again. No man pays more for an article than he is compelled to pay.

Mr. MONDELL. Will the gentleman from Texas yield?

Mr. HARDY of Texas. If I have the time.

Mr. MONDELL. Do I understand the gentleman to say that the import duty on wool did not, as a matter of fact, raise the price in our markets?

Mr. HARDY of Texas. Only a very little, not to exceed 1 cent; that is, the price to our woolgrowers.

Mr. MONDELL. Then who was hurt? The Government certainly got the duty on all wool imported, and yet the gentleman says the price was not raised.

Mr. HARDY of Texas. The manufacturer of woolen goods put up the price of his finished product and made the ultimate consumer pay for it just as though he had paid the added price for home-grown wool, because he was protected by an exorbitant so-called compensatory duty; and you do the same thing now under this bill. [Applause.]

Mr. MONDELL. I will say to the gentleman from Texas that that is the merest nonsense.

Mr. HARDY of Texas. That is the last answer when you have no answer. You have got the same thing now. The opening speech on this subject stated that there was a two-year supply of wool on hand to-day. Mainly in Boston, I presume. Do you think the merchants and millmen who bought that wool are going back and pay an additional price to the sheep grower and wool producer after this bill passes, or that if the growers still own some of it that they will pay above world market for it? No; but they will pile up the price on the finished product to the consumer in proportion to their privilege under this bill. And their privilege under this bill is to put upon every pound of woolen goods they make the present rate of taxes plus practically twice the tax on wool under this bill. That is their compensatory duty under this bill, whether it raises the price of wool to them or not. If the chief ingredient of a piece of cloth is wool, even though it be only 51 per cent wool, they are given an added duty of 45 cents per pound on their cloth and so get an added duty of practically 90 cents per pound on the woolen contents of the cloth. It must be understood that duty under this bill is 15 cents per pound on raw unwashed wool and 45 cents on scoured wool. Only scoured wool goes into cloth. You put this added burden on the people who wear the woolen goods, and you do it in the name of protection to the farmer and the woolgrower and the sheepman. For 20 years manufacturers have pulled the wool over the eyes of the woolgrower, and now they see, forsooth, an opportunity to pull it over the eyes of the corn grower and the wheat grower. Do you know, there was an angel of darkness who was driven from heaven when Satan fell. He perverted the truth, he disguised facts. He sat at the portals of earth to pervert and tempt mankind. He sat there, clad in white, when Gabriel visited the earth; but Gabriel penetrated his disguise and pierced it with the sword of truth. Then the white robe fell off and exposed the figure of this universal deceiver in all its hideousness and deformity. I have forgotten what his name was, but I think he was the ancestor of the Republican Party. [Applause and laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. Will the gentleman from Texas use some of his time?

Mr. GARNER. I yield five minutes to my colleague [Mr. HUDSPETH]. [Applause.]

The CHAIRMAN. The Chair is informed that on an equal division of time the gentleman from Texas [Mr. GARNER] would have eight minutes remaining.

Mr. YOUNG. I will give the gentleman five minutes, and that will perhaps run us a few minutes beyond 5.30.

Mr. HUDSPETH. Mr. Chairman and gentlemen of the House, if an emergency existed for the passage of this measure last December, then there is not the slightest question but that emergency exists to-day to a greater extent than it did when the bill passed at the last session, and will continue to exist until remedial legislation is had.

Let me remind my Democratic colleagues on this side who are so harshly criticizing this emergency measure that this is not the first time an emergency tariff measure has been passed by the United States Congress. In 1812, following the war between this country and England, when prices of the commodities of this country had gone far below the cost of production and our country was passing through a perilous financial crisis, as our country is facing to-day, an emergency tariff bill, immediately following the treaty of peace, was passed, and not by a Republican Congress. I say to you, my friends, that following the war, with conditions confronting the country, forecasting financial disaster to a major portion of its industries, as our people are facing to-day, an overwhelming Democratic Congress passed an emergency tariff, levying duties of 100 per cent on the raw products of this country, the tenure of said law being for the period of one and one-half years.

This Young emergency tariff bill has the same general purpose as had the emergency tariff bill passed by the Democrats following the War of 1812—reconstruction and recovery on a basis of fairness to all industries.

Again, the Democratic platform of 1872 contained this declaration: "Recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their congressional districts, and to the decision of the Congress thereof, free from Executive interference and dictation."

This declaration left every Democratic member of Congress free on matters of tariff, and shows that there was an honest difference of opinion within the Democratic ranks on this great question. Yet, in the face of these incidents in the political history of our country and my party, I am to be criticized by some of my Democratic colleagues, and my attitude as a party man brought into question, because I am obeying the wishes of the Democracy of the sixteenth congressional district of Texas. Sir, they have honored me with their confidence and their respect from the time I went among them as a barefooted boy. Gentlemen, I may forfeit my office in time to come, but I will never betray the confidence of my people. There are many things dearer in this life than holding office, and one, especially, is to live in the esteem and confidence of your constituents and the people who grant you authority to speak for them.

And let me say here in reply to the speech delivered by my friend and colleague, Judge HARDY, of my State, who has just preceded me, with reference to his statement that under the Payne-Aldrich bill, with an 11-cent duty on wool, the producer of wool did not get the benefit of it. I want to say to my friend that the history of our grand old party refers us to the fact that it has never stood for the doctrine of free raw materials but for one time, and that was when it passed the Wilson-Gorman tariff bill, in 1894, and it went down to a humiliating defeat the following November, from which it did not recover for 16 long years. In 1887 was the first time that wool was ever put upon the free list or attempted to be in a tariff bill. Let me remind my colleague from Texas again that at that time the House was Democratic. Upon the Ways and Means Committee, which framed the measure, there were eight Democrats and five Republicans. Four Democrats voted for a duty on wool, and on that committee were such Democrats and leaders as the Hon. William R. Morrison, of Illinois, and the Hon. Roger Q. Mills, of Texas. Four Democrats upon that committee voted to place wool upon the free list and four Democrats voted against it. In order to break the tie the Speaker, the Hon. John G. Carlisle, a Democrat, was called into the committee from his chair in the House of Representatives, and he voted with those who favored placing wool on the free list. Twice was this incorporated in a bill by a Democratic committee prior to the enactment of the Wilson-Gorman bill in 1894; these tariff measures failed of enactment until wool on the free list and free raw materials were finally incorporated in the bill aforementioned, which brought about, in my judgment, the disastrous overthrough of the Democratic Party, which had stood for the doctrine of free raw materials, and went off under the delusion of Clevelandism. And let me remind my Democratic colleagues again that following the election in 1894 there were fewer Democrats in this House than there are to-day, and fewer than any preceding Congress, not excepting the period immediately following the Civil War. And let me remind you again that in 1840 the Whigs, which was the party from whose loins sprung the Republican Party, were swept into power by a tremendous majority.

They followed their triumphant election with the passage of a tariff bill in 1842, in which the thread of free raw materials ran through its entire fabric, and the dissatisfaction of the people with said measure was so complete and overwhelming that in 1844 the Whigs were swept out of office from cellar to garret, and the Democrats succeeding them passed what was known as the Walker Tariff Act, placing a duty upon the raw materials of this country.

Our learned and beloved leader, and my friend, Mr. KITCHIN, stated the other day that the tariff was not an issue in the last campaign. I humbly ask to differ from the judgment of our leader and state that I think that it was a material issue, and that the overwhelming defeat of the Democratic Party was occasioned largely by the failure to declare equal rights to the producer, and that the production of his hand and brain should not be discriminated against in favor of the manufacturer of New England and to emphatically declare against the monstrous doctrine of free raw materials. I know, gentlemen, that it was an issue in my State, and I believe that the slump in the great and usual Democratic majority in that State was occasioned by the farmers and the ranchmen believing that they had been discriminated against by Democratic Congresses of the past.

Go back to the Democracy of my State. Let me state to you that three times has the question of a tariff for revenue and a duty on the raw materials occasioned by a tariff for revenue been submitted to my people, and in every instance an overwhelming verdict has been recorded in favor of a duty on the raw materials, commonly known as a tariff for revenue. I mean by this, sir, that the people of my State have said by their verdict on three different occasions that I recall now: First, when Gov. Culberson defeated Senator Mills for the Senate, Mills having reversed himself on his former policy, and Culberson standing out for a tariff for revenue and placing of equal duties on the raw materials as well as the manufactured article; in 1896 when the Democracy of Texas in convention assem-

bled at Austin declared through its delegates and representatives in said convention, and I quote you its exact language:

We believe that the present tariff law, which lets into the country raw materials free of duty and levies heavy duties on manufactured products, thus subjecting our agricultural and pastoral classes to competition with the world, while it enables the rich manufacturer, by means of combinations and trusts, to extort their own prices for their product from the people, violates the Federal Constitution as well as the fundamental principles of the Democratic Party—

And the national platform at Chicago following the Texas Democratic convention copied almost word for word the Democrats from Texas on this fight; and again the issue was made in unmistakable terms before the people of my State, and Senator Joseph W. Bailey, then a Member of Congress, in 1900 defeated Senator Horace Chilton, then a Member of the Senate, for that high office, upon this very issue, Chilton taking the same position as was taken by Senator Mills in the contest with Senator CULBERSON. Then, gentlemen, am I warranted as a Democrat in supporting this measure, every item and schedule in this bill, upon which a duty is placed, being a raw material of this country? If I am wrong, then the greatest Democrats of my State are wrong. Not only that, but the greatest Democrats and the most profound thinkers on economic and political lines of this Nation are wrong.

Now, again referring to the statement of my colleague, Judge HARDY, that under the Payne-Aldrich tariff the wool producer did not receive any benefit, let me say in reply, that under the Wilson-Gorman bill in 1894 wool was sold in my State as low as 4 cents per pound, and I saw a bunch of 3 and 4 year old mutton sheep sell on the plaza of Osona, Crockett County, at 55 cents per head. During the latter part of Cleveland's administration sheep decreased in Texas from 2,400,000 to 1,600,000. Upon the passage of the Dingley bill the placing of a duty on wool, wool immediately began to advance, the influx of foreign wools being curtailed to a certain extent. Now, can you gentlemen who are opposing this bill on my side justify your action before the farmers of your country in opposing a duty upon wool when you voted for a 35 per cent ad valorem duty upon the manufactured articles under the Underwood tariff and a 45 per cent ad valorem duty under the Wilson-Gorman tariff? Can you go back and look the farmer in the face in your district and say to him that you voted for a duty of 35 and 45 per cent ad valorem upon the clothing that he has on his back and refused to vote for a duty on cotton and wool that he produces that goes into the manufacture of said article? If there is a Democrat in this House that can justify his action, let him rise at this time and I will grant him part of my time to justify his action. No one rises, and no one dares to rise.

Judge HARDY says that under the Payne-Aldrich tariff the wool producers are not benefited; that the prices in Liverpool and Boston were the same. It is a remarkable statement, and the facts to me are astounding, that a wool producer in the West—say from my State of Texas—would ship his wool across the States and over the sea to Liverpool and sell it for the same price that he would get in Boston, with a greater charge of freight for its shipment. It is not fair to the wool producer to compare the price of wool under the Underwood bill, which went into effect December 1, 1913, with that of the Payne-Aldrich tariff, which went into effect October 1, 1909. Everyone knows that the great World War broke out in August, 1914, about eight months after the Underwood tariff bill went into effect, which immediately stimulated and increased the demand for wool all over the world. Everyone knows that the war was the immediate cause of all advances of wool, and soon after the war ceased and all our soldiers went back into civil life the prices of wool began to decline, until to-day it is as low as 10 cents per pound, and no stable market at that price. Following the passage of every tariff measure in the history of this country, placing a duty on wool, wool has immediately advanced, and no one can successfully contradict this statement. [Applause.]

Mr. HARDY of Texas. Will the gentleman yield?

Mr. HUDSPETH. I yield to my colleague from Texas.

Mr. HARDY of Texas. In 1887 we passed the Republican bill, and cotton went down to 4 cents a pound.

Mr. HUDSPETH. Probably because the Democratic Party was standing for free raw materials.

Mr. HARDY of Texas. And the Republican Party was in power.

Mr. HUDSPETH. It was a Democratic Congress. The Ways and Means Committee consisted of eight Democrats and five Republicans, and that is the first time that wool was ever put on the free list, and it was done by the vote of Speaker Carlisle called from the chair.

Mr. HARDY of Texas. I am talking about after the McKinley tariff bill was put into effect, when cotton went down lower than it ever had been.

Mr. HUDSPETH. Not lower than wool; wool was 4 cents a pound under the Wilson-Gorman bill.

Mr. HARDY of Texas. Did it go any lower under the Underwood bill?

Mr. HUDSPETH. God knows it could not go any lower. [Laughter.]

Mr. HARDY of Texas. What was the result under the Underwood bill?

Mr. HUDSPETH. Wool declined some immediately after its passage, and the World War broke out, increasing the demand for wool all over the world soon after the passage of the Underwood bill. Some of my friends declare that I am not an orthodox Democrat because I ask for a tariff upon the products of my district and my section, when a strong duty is now and has been for eight years on the manufactured article. I want to say to you that I have been all of my life an advocate, and expect to live and die one, for a tariff for revenue, but I want that equitably distributed. It is stated by my Democratic friends that the emergency tariff bill will not raise any revenue. Now, let me address my remarks to my colleagues on the Democratic side who oppose this bill but say they are for a measure that will raise the most revenue. Can any man on my side state that this Young emergency bill will not raise revenue? The rates are very little higher, and in some instances lower, than they were under the Payne-Aldrich bill, and I am by no means defending every schedule of that Republican bill, but as a comparison only as to raising revenue. Wool is 15 cents under this. Frozen meats, about the same. Onions are 40 cents under this bill, and they were 20 cents under the Underwood bill. Now, let me give you the absolute figures gathered from the Treasury Department, if it is revenue you are after, and God knows we need revenue at this time, with the war debt of something like thirty billions hanging over the heads of the producers of this country. During the four years that the Payne-Aldrich bill was in effect there was collected in revenue through the customhouses of this country, $1,278,393,584.35. During the seven years that the Underwood bill has been upon the statute books the revenue produced is $1,030,979,098.47. A difference of $322,000,000 in favor of the Underwood bill, with a tenure of three years longer than the Payne-Aldrich, and the rates in this measure are very little higher, and in some instances about the same and in many others lower, than that of the Payne-Aldrich, and yet you say that this bill will not raise revenue.

Mr. YOUNG. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. YOUNG. According to the statement of the gentleman from Maryland [Mr. LINTHICUM], if the revenue raised in the whole United States is in proportion to that raised in Maryland, it would make a revenue of $3,168,000,000.

Mr. HUDSPETH. Yes; according to his statement. I say that a few rates are very little higher under this bill than they were under the Payne-Aldrich bill. My friend from Maryland [Mr. LINTHICUM] stated that the wool was in the hands of the trust. In my State of Texas there are 6,000 Democrats producing wool to-day, but there will not be that many two years from now if you do not give them some relief and you continue to discriminate against them when you frame tariff measures, bestowing your bounties on the manufacturers of New England. They are not going to stand for this discrimination much longer by their own party, and you may just as well recognize it now as be confronted with it a little while later. I want to serve notice on you here and now that the Democrats of my district, which includes the cotton and grain farmers and the cattle and wool producers, are not going to stand for the man in his steam-heated house in New England to have a tax on the materials that he manufactures and give him protection against his foreign competitor while the farmer and ranchman who toil in the heat of the summer and cold of the winter are discriminated against. The man who toils in the coal mines underneath the earth to produce the wealth of this country receives no tax duties upon the articles of commerce that they produce. We may just as well understand each other now as at any other time. My State is not going to stand for it. As an evidence of this fact, I hold in my hand here not only hundreds but thousands of letters and telegrams that, if I had the time, I could read you, letter after letter, from men, like myself, who never scratched a Democratic ticket in all the days of their life. I never have and never expect to, although at times it has sorely tried my party loyalty to vote for certain men upon the Democratic ticket, but I did it without blinking an eye. If you do

not want me to vote for a man, do not put him on the Democratic ticket. If you knew the men from whom I have received these letters as I know them you would not question their loyalty to the party in the past. They say they are not going to stand for this discrimination longer; but I have an abiding faith in the soundness and judgment of my party in the future. I know that in the future it will not, as it has not in the past, adopt the false doctrine of free raw materials. I do not ask that it bestow special privileges upon any class, but I do ask at your hands equal and exact justice to every citizen under that flag, and that the humblest citizen in his unpretentious and humble home be accorded the same rights as the millionaire manufacturer of New England in his luxurious mansion of marble has enjoyed in the past.

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

Mr. HUDSPETH. May I have two or three minutes more?

Mr. YOUNG. I hope the gentleman may be permitted to conclude his remarks, and I ask that he may do so.

Mr. HUDSPETH. Let me in the brief space allotted to me reply to my friend from Maryland [Mr. LINTHICUM] in his remarkable statement. He states, upon what authority I do not know, that the trusts are in possession of the entire wool production of the United States. I state upon good authority, namely, the Bureau of Markets, that we have two years' supply of wool in this country, and foreign wools coming in at the rate of 30,000,000 pounds a month. This does not include the 300,000,000 pounds just being shorn from the backs of the sheep known as the spring clip. I hold in my hand a telegram which I received to-day, which I think is good authority, from one of the largest wool firms in Boston—Studley & Emery—men who are recognized in Texas as being honest. They purchased wool there when I was a boy. This telegram states that there are 5,000,000 pounds of Texas wool to-day in Boston unsold, owned by the producer. That now, mind you, includes only the last fall clip and the clips previous thereto. They say that to-day there are in Boston 150,000,000 pounds, and in a subsequent telegram they state they are mistaken in this and that there are 200,000,000 pounds of wool owned by the men, the producers, from Mr. MONDELL's State, the State of Wyoming, Idaho, and the great Northwest unsold; and you talk about the trusts getting all the benefit under this bill—the so-called robber trusts. No, my friends, the producer will get some of the benefit. The speculator gets his part. You can not help it and I can not. This measure and the passage thereof means the survival of an industry particularly fitted to certain portions of the great West and South. When I say the South I include the cotton farmer and the grain producer, as this bill carries a duty upon the importation of foreign cotton and grain. The peanut grower is included, the vegetable-oil producer and a number of other products of the farm. Unless some relief is given to these people that will benefit the live-stock and the wool producer and the farmer those great industries can not survive. When the wool business is destroyed do you believe the wool producer of Australia and New Zealand and the other foreign countries will send his wool to Boston when he has no competitor in this country and sell at the price that he is selling for to-day? No, my friends, unfortunately human greed controls largely the acts of many men; and immediately when his competition in this country is destroyed the foreign producer will raise his wool and sell at 500 per cent higher if he is permitted to do so. You do not want to destroy, as was suggested by a certain Senator—thank God he is not one now—when this measure was before the Senate last session, the great wool-producing industry of this country.

Pin your faith solely to the domestic producer and rely upon him to clothe you and your family from the chilly blasts of winter. In my State there are thousands of acres of land unfitted for any other industry except that of growing sheep and goats. I know it and many of you know it. What was intended by the great Supreme Ruler of this earth when he created the waters of the sea, the valleys, and the mountains of the earth, solely for pastoral purposes and grazing of herds? Let me remind you again of another, to my mind, important fact that I want to impress deeply into the minds and consciences of this Congress. The woolgrowers of this country were called to Washington during the war by the Counsel of National Defense to fix the price of wool. The Government took over our wools, not at the price that was obtained at that time, 1918, but at the price prevailing on July 30, 1917, a reduction of from 18 to 25 per cent of the price prevailing when the wool was taken over. The sheepmen as patriots acquiesced and estopped themselves from taking the profits that other producers got. In addition to this, in my district they were cheated out of hundreds of thousands of dollars on false valuations placed on their wools by a designing and autocratic committee appointed by our Government and its agents. But he met the demands of his Government in its peril and now he only asks that his Government treat him fairly hereafter and accord him the same rights as it has accorded his New England neighbor lo these many years.

Not only that, sir, agents were sent through the country to induce the ranchmen to grow more wool and produce more sheep, and they did it. At that time we were asked to increase our flocks. We went to the great Northwest and purchased breeding ewes at $10, $12, and $15 per head. These sheep to-day could not be sold for one-third nor one-fourth of that amount. One county in my district, the county of Val Verde, yes, two counties, I will say—Val Verde and Crockett—purchased 200,000 sheep in the State of Wyoming and other Northwestern States. Our country called upon us to do it was our chief reason. We are now asked by some of the very men who induced us to do it—some of them in this House to-day—to stand here and let that industry die. Why? Because the Republican Party has introduced an emergency tariff bill. Let me say with all the emphasis at my command, not for me, sirs, not for me. [Applause.]

Let me say again to you when the Republicans introduce a measure that I believe to be just, that I believe will extend adequate and exact justice to the industries of my section and of the Nation, I shall support it. I say to you that every drop of blood that courses through my veins is Democratic blood. The democracy of my district and my State has honored me far beyond my deserts in the past.

The Democrats of my State have reposed confidence in me for over 20 years. They elected me to the high office of justice of the peace when I was 18 years old [laughter], and I have held office ever since. They honored me with the position of Representative, State senator, and district judge—a short time—for 16 years. I was chosen chairman of the great Democracy of my State in 1911 and presided over the Democratic convention of my State which declared for a tariff on the raw products of this country. I know that my people believe that I am true to Democratic principles, and I have repeatedly for the past 15 years indicated from every stump in my district that I would vote for a tariff on the importation of raw materials as long as Congress placed a tariff on the manufactured article. [Applause.]

My friend from Texas, Judge HARDY, says the Beef Trust will get the benefits from this legislation. I want to say to you that the main objection that I have to this bill is, I will say to my friend from Michigan, Mr. FORDNEY, that he did not include hides in the measure. Hides ought to be included. No man living or dead can justify the placing of hides upon the free list and levying a duty upon the importation of leather. When hides were taken from the dutiable and placed on the free list every Democrat in the Texas delegation agreed with me at that time with the exception of one; this includes both Senators. Hides were discriminated against and placed upon the free list. I recall now we raised $2,000,000 in revenue annually when hides were on the dutiable list. From the duty on goods manufactured from hides we received the small sum of $30,000. Now, will my Democratic colleagues claim that I am not a Democrat when I vote for a duty on hides that raised $2,000,000 and that they are tariff-for-revenue Democrats when they vote for a duty on boots and shoes and leather goods, that bring into the Public Treasury only $30,000? No party caucus can ever bind me to vote for free hides and leave a duty on the articles out of which hides are manufactured. The Democracy of the sixteenth congressional district can bind me, and I will at all times obey that command. When it fails to instruct and I am not fully cognizant of its wishes, then I will yield to party instruction here. Immediately after the import tax on hides was removed, the shoes upon your feet immediately advanced 100, 200, and 300 per cent. The consumer, the wearer of shoes, the farmer's boy, and the farmer's girl got no benefit from this discrimination. No; it was the Leather Trust. It was the New England boot and shoe manufacturer who got the benefit, for he immediately raised the price of his product. He was enabled to buy hides cheaper, but he did not give the consumer and the producer the benefit of it, but he raised the price of shoes and leather goods in proportion to the tariff levied upon the importation of leather, so that his price was fixed to meet the foreign competitor, who had to pay a duty upon the leather he imported into this country. There is no reason on God's earth why the Republicans should not have included a reasonable duty in this bill upon the importation of all hides, unless the Leather Trust and the manufacturing interests of New England have too strong a hold on that party. Of course, you should not say, and I will not say,

to the shoemaker and the boot manufacturer that you shall have a duty upon what you produce and the material out of which your goods are produced should be left free of duty.

I come now to the Beef Trust. Do you know what is the matter with live stock to-day—with beef and mutton? I see that our leader, Mr. KITCHIN, in his minority views claims that during last year we imported something like 146,000 cattle and exported something like 80,000.

I have not the report before me at this time and these figures may not be absolutely correct, but something in that neighborhood. Anyway the importation of cattle on the hoof has not for several years affected the price of beef in this country materially. Why, we have in Texas something like seven or eight million cattle to-day and 70,000,000 in the United States. The duty on the importation of cattle on the hoof is not going to materially affect the price of beef in this country. Mexico, from which country we formerly imported a great many cattle, on account of the constant revolutions for the past 12 years has been stripped of her cattle. Millions of acres to-day do not contain one single hoof of cattle in that country. Canada is the other country from which cattle on the hoof is imported, and we have only gotten about 100,000 head of cattle from there in the past year. The importation of cattle does not affect the market except to the slightest degree. I will tell you what has affected the market and has caused cattle to slump in value from $50 and $65 per head down to $30, and no sale on the range for steers at any price, is that the big packers of this country went down to their abattoirs and refrigerating plants in Brazil and the Argentine, shipped in shipload after shipload of the frozen beef free of duty last year. Also they had brought up from New Zealand and Australia, where they can produce beef and wool for about one-third the cost of production in this country, two and one-half million carcasses of frozen mutton and lamb. When you place a duty as is placed in this bill of 2 cents a pound on the importation of frozen meats, then you are bound to raise the price of mutton and beef of domestic production. If this frozen meat from these countries that can produce beef and mutton that, we will say for one-fourth or one-third of the cost of production in this country, is permitted to come in here free of duty, it takes no prophet or political seer to forecast what will be the ultimate end of the cattle business. It will eventually be destroyed. The banks all over the country have made heavy loans to the cattlemen when cattle prices were up, and they have stood nobly by them up to date. How long they can continue to finance them is problematical, and I can not and dare not state. The cattle industry is second to the farming industry. Are you going to permit it to perish? From what you say and especially the attitude of a great many on my side it would seem you are, whether you will it or not. If this should occur do you believe that the producer in South America and other foreign countries will sell his beef in this country at the price he is selling it to-day? I do not think any sound-thinking man other than a fanatic believes that.

Again I say human greed would control and that the producer in the foreign country would demand "all the traffic would bear." The price of mutton has dropped from 14 to 4 cents a pound, the price of lambs has dropped from 14 and 16 cents a pound to 5 and 8 cents a pound.

The mohair industry is becoming a great industry in this country. Mohair is useful for many purposes. This bill carries the same duty on mohair that it does on wool. Probably none of you Members have ever eaten a juicy goat chop. Some day if I can get the money to ship them up; if my banker will continue as he has done to renew my note and add in the interest, and a little freight money; my goats are practically worth nothing down there now, I am going to ship up a sufficient number and give you a goat barbecue—and some of you will attest that I know how to barbecue meats—and when I do so some of you will testify that you never had a more juicy piece of meat in your life than a nice, fat goat chop or a side of goat ribs. Do you believe that the sheep industry and the goat industry can survive under present prices? I have here in my hand countless telegrams from responsible sheepmen all over the country showing that it costs from 30 to 50 cents per pound to produce wool and mohair; that it is now a drug upon the market, and when it sells it sells from 10 to 20 cents per pound. Tell me that this business can exist under these conditions? No. But you will drive out of business countless thousands that have made it the business of their life and know no other character of business. Tell me that the price of mutton to-day is a guaranty that the business of raising sheep can survive, when I hold in my hand an account sales which I want to read to you? Sheep were shipped from Donaldsonville, La., 103 head, to Fort Worth, Tex., a distance of something like 200 miles and that shipment netted 5.43 cents per head. It took 25 sheep to pay the war tax, and it took 50 of them to pay the feed for the sheep one time. They netted 5.43 cents, a fraction over 5 cents per head. I will insert for your information the exact copy of account sales:

Rhome-Farmer Live Stock Commission Co.; B. C. Rhome, jr., president and general manager; Tom Frazier, vice president; Walter N. Hanney, secretary-treasurer; Cattle salesmen: Jas. D. Farmer, Joe P. Farmer, J. W. Perryman, C. F. Plaxco. Hog and sheep salesmen: Tom Frazier, Jno. W. Joyce. Order buyer: W. A. Shirley.]

FORT WORTH STOCK YARDS, *December 24, 1920.*

Sold for account of Belle Terre (Inc.). Shipped from Donaldsonville, La. P. O., Same.

Purchaser.	Sheep.	Weight.	Price.	Amount.
Scott	102	5,940	$2.00	$118.80
	[1] 2			
	[2] 1			

Number of cars.	Weight.	Rate.	Amount.
1	12,000	$0.63	$75.60
War tax			2.27
Switching			.88
Feed, Addis, La			3.00
Feed, Boyce, La			2.50
Feed, Marshall, Tex			3.00
War tax			.26

Railway charges	87.51	
Stock Yards Co.:		
Yardage	8.13	
Bales hay	2.40	
Insurance	.30	
Inspection	98.37	
Commission	15.00	
Total charges		113.87
Net proceeds		5.43

[1] Cripples. [2] Dead.

You think that under sales of this kind this business can continue? Oh, you say that the sheepmen got rich during the war. No; the Government took about 66⅔ per cent of his profits for the carrying on of the war. I have a letter from Bassell Halbert, a reputable ranchman of Sutton County, showing that in 1919 he made $13.850 as income from his ranch. In 1920, since the decline in price of wool, cattle, and mohair, he has sustained a net loss on the same property of $1,379.64. How long can Mr. Halbert and other ranchmen of similar experience continue in the business at that rate?

Who are these people, my friends? Who are asking this relief? They are the men and women of dauntless courage and determined purpose. They are the frontiersmen who passed from your agricultural lands of Ohio, Illinois, and the Middle States in the old prairie schooner and joined forces out where the West begins, out where the handclasp is stronger, out where the smile dwells a little longer—out where the West begins. They are the men and women who have braved the hardships of a frontier life, who have met the clod and stubble of adversity, who have built up the great institutions of the West with their strong right hand and courageous heart, and their never-faltering and fertile minds. Many of them, as I said, know no other business except the live-stock business, and I am not pleading for the ranchman of my section alone, but I am pleading for the man who toils in the cotton and the grain fields as well. Who are they? They are the people who have met every demand of their Government in time of peace and who gave their offspring as patriotic Americans, if necessary, to die for their country in time of war. They ask no special privilege. They do ask equal and adequate justice at your hands, the same that is accorded to every other citizen of this country. Many of them are out there now with their faces turned toward Washington looking to Congress to grant them relief. It is not a condition, gentlemen, brought about by their own acts, but you urged them to continue and increase their flocks, and they did so, responding as true Americans and patriots should respond to the request of their Government.

No bolshevik sentiment, my friends, ever reached the brensts or found lodgment in the minds of these people. They believe in the flag of this country. They believe in the institutions of this country as founded by Washington and Jefferson, and they still believe in the doctrines of equal rights to all, that these great men taught.

As I said, many of them sent their sons to battle for equal rights of men and women throughout the world, and some of those sons did not return; and the aged father and mother were left to continue the battle of life alone. In the little huts and little ranch houses they have erected there they have got the sunshine of love for their Government in their brick and mortar, and they have built therein not a single sentiment adverse to the fundamental principles upon which our fathers founded this Government.

Sirs, they are the fathers and mothers of many of the boys who now sleep under the poppies in Flanders fields. If this relief, as is provided in this emergency tariff, is not given, this great industry must perish, and the men who only know that kind of business must go, and I will say that their like and

their kind will not be easy to replace in this or any other country on this earth. [Great applause.]

Mr. YOUNG. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 2435 had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BROOKS of Illinois, for one week, on account of important business.

To Mr. BURTON, for three days, on account of important business.

CELEBRATION OF THE FIRST CENTENNIAL OF THE PROCLAMATION OF THE INDEPENDENCE OF PERU (S. DOC. NO. 3).

The SPEAKER. The Chair lays before the House the following message from the President.

The Clerk read as follows:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State recommending the resubmission to the present Congress of the invitation from the Government of Peru for participation by the Government of the United States in the ceremonies incident to the celebration of the first centennial of the proclamation of the independence of Peru, which are to take place at Lima in July next.

The matter was presented to the Sixty-sixth Congress by my predecessor, whose message on the subject and the accompanying report of the then Secretary of State are contained in Senate Document No. 370, Sixty-sixth Congress, third session, a copy of which I attach hereto.

As pointed out by the present Secretary of State in his accompanying recommendation, the cordial relations which have always existed between the United States and Peru and the equality of treatment which we desire to accord to all the American Republics alike would seem to emphasize the importance of Congress making provision for a no less imposing participation by the United States in the Peruvian celebration than it had in similar celebrations of other Latin-American countries. I have, therefore, no hesitation in adding my own commendation of the matter to that of my predecessor, and in recommending to the Congress the passage of the joint resolution to be transmitted.

WARREN G. HARDING.

THE WHITE HOUSE,
April 14, 1921.

The SPEAKER. Referred to the Committee on Foreign Affairs.

SELECT COMMITTEE ON THE BUDGET.

The SPEAKER. The Chair appoints the following Select Committee on the Budget, as authorized by the House.

The Clerk read as follows:

Mr. GOOD, Mr. CAMPBELL of Kansas, Mr. MADDEN, Mr. HAWLEY, Mr. TEMPLE, Mr. TINKHAM, Mr. PURNELL, Mr. BYRNS of Tennessee, Mr. KITCHIN, Mr. GARNER, Mr. TAYLOR of Colorado, and Mr. BANKHEAD.

EXTENSION OF REMARKS.

Mr. OLDFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the minority views by Mr. KITCHIN. He has made one correction.

The SPEAKER. Is there objection to the request of the gentleman to extend his remarks for the purpose indicated?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, is not the minority and majority report at the present time a public document and subject to be franked out?

Mr. YOUNG. There is no objection on this side.

Mr. OLDFIELD. I do not know whether it is a public document or not; but a limited number would be printed——

Mr. LONGWORTH. I understand it is to be corrected?

Mr. OLDFIELD. There is a correction in reference to Mr. FORDNEY which Mr. KITCHIN desired to make.

Mr. BLANTON. Mr. Speaker, reserving the right to object, if the gentleman from North Carolina were here to make those remarks in person he would smile at the same time, which would take the sting out of some of them, and there would be no objection; but without the smile accompanying them there might be objection.

Mr. COLLIER. What is the matter with the smile of the gentleman from Arkansas [Mr. OLDFIELD]?

Mr. BLANTON. Since the gentleman has smiled, I do not object.

Mr. MONDELL. Mr. Speaker, in view of the fact that everybody will smile who reads them, I have no objection, and there is no objection on this side.

The SPEAKER. The Chair hears no objection.

ADJOURNMENT.

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

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned, to meet to-morrow, Friday, April 15, 1921, 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:

11. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Treasury Department to cover the purchase of file holders and cases for use of the Coast Guard, fiscal year 1921 (H. Doc. No. 8); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting proposed paragraph of legislation submitted by the chairman of the Federal Power Commission to provide for printing and binding (H. Doc. No. 9); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Library of Congress for distribution of card indexes, fiscal year 1921 (H. Doc. No. 10); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of the Navy, transmitting draft of proposed bill to establish United States coinage and currency as the legal standard of values in the Virgin Islands; to the Committee on Coinage, Weights, and Measures.

15. A letter from the Secretary of the Navy, transmitting draft of proposed bill for the relief of Pay Director Livingston Hunt, United States Navy; to the Committee on Naval Affairs.

16. A letter from the Secretary of War, transmitting redraft of a bill to amend the penal code of the Canal Zone and the navigation rules of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

17. A letter from the president of the United States Civil Service Commission, transmitting report for the first four months of the fiscal year 1921, showing the average number of employees receiving increased compensation; to the Committee on Appropriations.

18. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary survey of Pass Palacios on Matagorda Peninsula, with a view to securing a channel 18 feet deep; to the Committee on Rivers and Harbors.

19. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Rockland Harbor, Me.; to the Committee on Rivers and Harbors.

20. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Navy Department for the fiscal year 1921 (H. Doc. No. 11); to the Committee on Appropriations.

21. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations required by the Navy Department for the fiscal year 1922 (H. Doc. No. 12); to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SIEGEL, from the Committee on Immigration and Naturalization, to which was referred the joint resolution (H. J. Res. 34) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States, reported the same without amendment, accompanied by a report (No. 3), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. ANDREWS: A bill (H. R. 3146) for the purchase of a site and the erection of a public building at Superior, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3147) for the purchase of a site and the erection of a public building at Red Cloud, Nebr.; to the Committee on Public Buildings and Grounds.

By Mr. BRITTEN: A bill (H. R. 3148) providing for sundry matters affecting the Naval Establishment; to the Committee on Naval Affairs.

Also, a bill (H. R. 3149) for the relief of contractors and subcontractors, including material men, for work under the Navy Department, and for other purposes; to the Committee on Naval Affairs.

By Mr. BUTLER: A bill (H. R. 3150) providing for sundry matters affecting the Naval Establishment; to the Committee on Naval Affairs.

Also, a bill (H. R. 3151) to establish United States coinage and currency as the legal standard of value in the Virgin Islands, etc.; to the Committee on Coinage, Weights, and Measures.

By Mr. FOSTER: A bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River near Ironton, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: A bill (H. R. 3153) to provide for the construction of a military road from Rock Island, Ill., to the artillery proving grounds in Carroll and Jo Daviess Counties, Ill.; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 3154) to establish marketing departments in agricultural colleges in the several States of the United States; to the Committee on Agriculture.

Also, a bill (H. R. 3155) for the erection of a public building at Conway, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3156) for the purchase of a site and the erection thereon of a public building at Morrillton, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3157) for the purchase of a site and the erection thereon of a public building at Clarksville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3158) for the purchase of a site and the erection of a public building at Little Rock, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3159) for the erection of a public building at North Little Rock, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. KAHN: A bill (H. R. 3160) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia; to the Committee on Military Affairs.

By Mr. KEARNS: A bill (H. R. 3161) granting the rank and pay of second lieutenant, United States Army, retired, to certain noncommissioned officers, United States Army, retired; to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 3162) to increase the limit of cost of the United States post office at Montclair, N. J.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3163) to amend the act of Congress approved August 11, 1913 (38 Stat., 109), in so far as it applies to the Federal building at Newark, N. J.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3164) supplemental to an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes" (Public, No. 215, 66th Cong.), approved May 22, 1920; to the Committee on Reform in the Civil Service.

By Mr. LITTLE: A bill (H. R. 3165) to provide for the erection of a Federal building at Olathe, Kans.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3166) to provide for the erection of a Federal building at Paola, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. LYON: A bill (H. R. 3167) to provide for a site and public building at Dunn, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. McARTHUR: A bill (H. R. 3168) to change the name of the Bureau of Steam Engineering to the Bureau of Engineering and the Bureau of Navigation to the Bureau of Personnel; to the Committee on Naval Affairs.

Also, a bill (H. R. 3169) to establish the allowance to be made in lieu of subsistence to clerks of the United States district courts, their deputies and assistants; to the Committee on the Judiciary.

By Mr. MURPHY: A bill (H. R. 3170) providing for the monthly payment of pensions; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3171) providing for the purchase of a site and the erection thereon of a public building at Wellsville, in the State of Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3172) providing for the purchase of a site and the erection thereon of a public building at Barnesville, in the State of Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3173) providing for the purchase of a site and the erection thereon of a public building at East Palestine, in the State of Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3174) to increase the limit of cost of public building at Steubenville, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. RHODES: A bill (H. R. 3175) to establish a national military park to commemorate the Battle of Pilot Knob, Mo.; to the Committee on Military Affairs.

Also, a bill (H. R. 3176) granting additional pay to all enlisted men of the military and naval forces of the United States who served during the war against Germany; to the Committee on Ways and Means.

By Mr. SCHALL: A bill (H. R. 3177) to provide for the nomination and selection of candidates for the offices of President, Vice President, Senators, and Representatives in Congress, for the election of such candidates to office, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, a bill (H. R. 3178) to provide for a modification of the time calendar now in general use in the United States, the modified form to be known as the liberty calendar; to the Committee on the Judiciary.

By Mr. SPROUL: A bill (H. R. 3179) to provide for the purchase of a site and the erection of a public building at Harvey, in the State of Illinois; to the Committee on Public Buildings and Grounds.

By Mr. STEAGALL: A bill (H. R. 3180) to provide for the purchase of a post-office site at Ozark, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3181) to provide for the erection of a public building at Union Springs, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. TEN EYCK: A bill (H. R. 3182) directing the Tariff Commission to adjust rates of duties on imported articles for revenue; to the Committee on Ways and Means.

By Mr. WALSH: A bill (H. R. 3183) to further amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898; to the Committee on the Judiciary.

By Mr. WOODRUFF: A bill (H. R. 3184) to amend an act entitled "An act for the relief of the Saginaw, Swan Creek, and Black River Band of Chippewa Indians in the State of Michigan, and for other purposes," approved June 25, 1910; to the Committee on Indian Affairs.

By Mr. WURZBACH: A bill (H. R. 3185) to divide the northern judicial district of the State of Texas into two judicial districts, which shall be called the northern judicial district and the northwestern judicial district of Texas, and to divide the western district into two districts, which shall be called the western judicial district and the middle judicial district of Texas; to the Committee on the Judiciary.

By Mr. RHODES: A bill (H. R. 3186) providing pensions for needy mothers having custody of dependent children under the age of 16 years; to the Committee on Labor.

Also, a bill (H. R. 3187) providing pensions for the aged poor, the needy blind, and other permanently disabled persons whose annual income does not exceed $500; to the Committee on Labor.

By Mr. SINCLAIR: A bill (H. R. 3188) to establish the Kildeer Mountain National Park in the State of North Dakota, and for other purposes; to the Committee on the Public Lands.

By Mr. ACKERMAN: A bill (H. R. 3189) authorizing the accounting officers of the Treasury to adjust certain accounts of certain diplomatic and consular officers; to the Committee on Foreign Affairs.

By Mr. BRAND: A bill (H. R. 3190) authorizing the President of the United States to appoint a judge or judges to preside in the Supreme Court of the United States when any member or members thereof are disqualified; to the Committee on the Judiciary.

By Mr. GREEN of Iowa: A bill (H. R. 3191) to repeal section 500 of the act to increase revenue, approved October 3, 1917, as amended by section 500 of the act to provide revenue, approved February 24, 1919; to the Committee on Ways and Means.

By Mr. IRELAND: A bill (H. R. 3192) extending the benefits of the $60 bonus provided under title 14, section 1406, of an act entitled "An act to provide revenue, and for other purposes,"

approved February 24, 1919, to certain soldiers, sailors, and marines; to the Committee on Ways and Means.

By Mr. JOHNSON of Kentucky: A bill (H. R. 3193) to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870; to the Committee on the District of Columbia.

By Mr. LARSEN of Georgia: A bill (H. R. 3194) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Eastman, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3195) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Fort Valley, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3196) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Hawkinsville, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3197) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Vidalia, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 3198) for the allowance 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.

Also, a bill (H. R. 3199) for the payment of certain soldiers' claims for back pay growing out of service in the Army of the United States, as reported by the Court of Claims; to the Committee on War Claims.

By Mr. MAGEE: A bill (H. R. 3200) to amend an act providing for the erection of a public building at Syracuse, N. Y., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. WASON: A bill (H. R. 3201) to provide for the purchase of a site and the erection of a public building thereon at Peterboro, in the State of New Hampshire; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3202) to provide for the purchase of a site and for the erection of a public building thereon at Claremont, in the State of New Hampshire; to the Committee on Public Buildings and Grounds.

By Mr. BLAND of Indiana: A bill (H. R. 3203) to provide for the health and safety of employees of carriers by railroad subject to the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERS: A bill (H. R. 3204) regulating the rank, pay, and allowances of retired officers of the Navy and Marine Corps assigned to active duty; to the Committee on Naval Affairs.

By Mr. VOLSTEAD: A bill (H. R. 3205) to amend an act entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," approved March 4, 1021; to the Committee on the Judiciary.

Also, a bill (H. R. 3206) providing for the purchase of a site and the erection of a public building at Marshall, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3207) providing for the purchase of a site and the erection of a public building at Litchfield, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. HILL: A bill (H. R. 3208) to repeal the national prohibition act; to the Committee on the Judiciary.

By Mr. MOORES of Indiana: A bill (H. R. 3209) to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein; also to give to retired employees a limited status for reinstatement in certain cases, and for other purposes; to the Committee on Reform in the Civil Service.

By Mr. LEHLBACH: A bill (H. R. 3210) to make Newark, N. J., a port through which merchandise may be imported for transportation without appraisement; to the Committee on Ways and Means.

Also, a bill (H. R. 3211) to provide for the improvement of navigable rivers and harbors; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3212) to amend an act entitled "An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China," approved July 16, 1918; to the Committee on Pensions.

By Mr. SCHALL: Joint resolution (H. J. Res. 50) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, joint resolution (H. J. Res. 51) providing for a recommendation of pardon and amnesty for all military offenders whose military offenses do not involve moral turpitude and were committed between April 6, 1917, and January 1, 1920; to the Committee on the Judiciary.

By Mr. KINKAID: Joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior in his discretion to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914; to the Committee on Irrigation of Arid Lands.

By Mr. GRAHAM of Pennsylvania: Concurrent resolution (H. Con. Res. 10) for the appointment of a committee composed of five Senators and seven Members of the House to consider legislation relative to the courts of the United States; to the Committee on Rules.

By Mr. DYER: Resolution (H. Res. 44) authorizing the doorkeeper to appoint an attendant for the ladies' reception room; to the Committee on Accounts.

By Mr. IRELAND: Resolution (H. Res. 45) authorizing additional messengers in the House post office; to the Committee on Accounts.

By Mr. WOODRUFF: Resolution (H. Res. 46) authorizing the Committee on Interstate and Foreign Commerce to investigate an alleged discrimination of the United States Railroad Administration between American and foreign shippers; to the Committee on Rules.

By Mr. MURPHY: Resolution (H. Res. 47) for the appointment of a clerk to the Committee on Expenditures in the Department of Commerce; to the Committee on Accounts.

By Mr. KENDALL: Resolution (H. Res. 48) appointing a committee to investigate the management and operation of Markleton Hospital by the United States Public Health Service; to the Committee on Rules.

By Mr. LEHLBACH: Resolution (H. Res. 49) to provide for additional clerical help for the Committee on Reform in the Civil Service; to the Committee on Accounts.

Also, resolution (H. Res. 50) to provide for a janitor to the Committee on Reform in the Civil Service; to the Committee on Accounts.

By the SPEAKER (by request): Memorial of the Legislature of the State of Minnesota in connection with nullifying intrastate railroad rates; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the Legislature of the State of Minnesota in connection with emergency tariff legislation; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Minnesota in connection with the suspension of immigration; to the Committee on Immigration and Naturalization.

By Mr. BRIGGS: Memorial of the Legislature of Texas urging the reimbursement of the so-called cotton tax; to the Committee on Ways and Means.

By Mr. CHRISTOPHERSON: Memorial of the Legislature of the State of South Dakota in connection with investigation of the coal industry; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota in connection with establishment of a bureau of veteran rehabilitation in the Department of the Interior; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota in connection with the designation of Fort Meade as a military hospital; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of South Dakota in connection with amendment of the transportation act; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota in connection with Government censorship of moving pictures; to the Committee on Interstate and Foreign Commerce.

By Mr. NEWTON of Minnesota: Memorial of the Minnesota Legislature memorializing the Congress of the United States to suspend immigration until a selective system of immigration be established; to the Committee on Immigration and Naturalization.

By Mr. SNELL: Memorial of the Legislature of the State of New York indorsing the passage of Snell forestry bill (H. R. 15327); to the Committee on Agriculture.

Also, memorial of the Legislature of the State of New York petitioning to have the treaty between the United States and

Great Britain limiting the diversion of Niagara River waters amended to the end that 40,000 cubic second-feet of water can be diverted for power purposes on the Canadian side of the Niagara River and an equal amount on the American side of the Niagara River; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ALMON: A bill (H. R. 3213) granting a pension to Alcey Thompson; to the Committee on Invalid Pensions.

By Mr. ANSORGE: A bill (H. R. 3214) for the relief of Mrs. Washington T. Potter-Romaine; to the Committee on Claims.

Also, a bill (H. R. 3215) for the relief of Charles W. Anderson; to the Committee on Claims.

By Mr. SLEMP: A bill (H. R. 3216) for the relief of George T. Larkin; to the Committee on Claims.

By Mr. BIRD: A bill (H. R. 3217) for the relief of Frank Frederick Reasler; to the Committee on Military Affairs.

By Mr. BEGG: A bill (H. R. 3218) for the relief of Paul J. Spillane; to the Committee on Military Affairs.

Also, a bill (H. R. 3219) granting a pension to Lillie M. Peairs; to the Committee on Invalid Pensions.

By Mr. BLAND of Indiana: A bill (H. R. 3220) granting an increase of pension to William Homer Edwards; to the Committee on Pensions.

Also, a bill (H. R. 3221) granting a pension to Louisa Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3222) authorizing the Secretary of War to donate to the city of Bicknell, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3223) authorizing the Secretary of War to donate to the city of Worthington, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3224) authorizing the Secretary of War to donate to the city of Carlisle, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3225) authorizing the Secretary of War to donate to the city of Sullivan, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3226) authorizing the Secretary of War to donate to the city of Loogootee, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3227) authorizing the Secretary of War to donate to the city of Spencer, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3228) authorizing the Secretary of War to donate to the city of Bloomington, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3229) authorizing the Secretary of War to donate to the city of Martinsville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3230) authorizing the Secretary of War to donate to the city of Linton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3231) authorizing the Secretary of War to donate to the city of Bloomfield, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3232) authorizing the Secretary of War to donate to the city of Washington, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3233) authorizing the Secretary of War to donate to the city of Vincennes, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3234) authorizing the Secretary of War to donate to the city of Shoals, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BOIES: A bill (H. R. 3235) authorizing the Secretary of War to donate to the city of Storm Lake, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3236) authorizing the Secretary of War to donate to the city of Cherokee, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3237) authorizing the Secretary of War to donate to the city of Spencer, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3238) authorizing the Secretary of War to donate to the city of Spirit Lake, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3239) authorizing the Secretary of War to donate to the city of Orange City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3240) authorizing the Secretary of War to donate to the city of Sac City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3241) authorizing the Secretary of War to donate to the city of Le Mars, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3242) authorizing the Secretary of War to donate to the city of Sibley, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3243) authorizing the Secretary of War to donate to the city of Primghar, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3244) authorizing the Secretary of War to donate to the city of Onawa, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3245) authorizing the Secretary of War to donate to the city of Rock Rapids, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3246) authorizing the Secretary of War to donate to the city of Ida Grove, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3247) authorizing the Secretary of War to donate to the city of Sioux City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3248) granting a pension to Sarah M. Youngs; to the Committee on Invalid Pensions.

By Mr. BRIGGS: A bill (H. R. 3249) for the relief of certain employees of the Bureau of Lighthouses; to the Committee on Claims.

Also, a bill (H. R. 3250) to authorize the Secretary of Commerce to convey to Augustus S. Peabody certain land in Galveston County, Tex.; to the Committee on the Public Lands.

Also, a bill (H. R. 3251) authorizing and directing the Secretary of War to donate to the town of Coldspring, Tex., one captured German cannon or fieldpiece, with carriage, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 3252) authorizing and directing the Secretary of War to donate to the town of Groveton, Tex., one captured German cannon or fieldpiece, with carriage, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 3253) authorizing the Secretary of War to donate to the town of Anahuac, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3254) authorizing the Secretary of War to donate to the city of Livingston, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3255) authorizing the Secretary of War to donate to the town of Liberty, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3256) authorizing the Secretary of War to donate to the city of Galveston, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3257) authorizing the Secretary of War to donate to the town of Huntsville, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3258) authorizing the Secretary of War to donate to the city of Palestine, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3259) authorizing the Secretary of War to donate to the town of Conroe, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3260) authorizing the Secretary of War to donate to the town of Crockett, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURTON: A bill (H. R. 3261) for the relief of Frederick E. Luff; to the Committee on Claims.

Also, a bill (H. R. 3262) for the relief of Silas McElroy; to the Committee on Claims.

By Mr. BUTLER: A bill (H. R. 3263) for the relief of Jabez Burchard; to the Committee on Naval Affairs.

By Mr. CANTRILL: A bill (H. R. 3264) granting an increase of pension to Sallie M. Cohen; to the Committee on Pensions.

Also, a bill (H. R. 3265) to carry out the findings of the Court of Claims in the case of Andrew S. Bloom, deceased; to the Committee on Claims.

Also, a bill (H. R. 3266) to carry out the findings of Court of Claims in the case of Hubbard K. Milward; to the Committee on Claims.

Also, a bill (H. R. 3267) granting a pension to Charles W. Vogler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3268) for the relief of the legal representatives of James M. Holladay, deceased; to the Committee on War Claims.

By Mr. CARTER: A bill (H. R. 3269) for the relief of the heirs of Israel Folsom, deceased; to the Committee on Claims.

By Mr. CHALMERS: A bill (H. R. 3270) for the relief of Estella Barnett; to the Committee on Claims.

Also, a bill (H. R. 3271) granting an increase of pension to Virginia Saum; to the Committee on Invalid Pensions.

By Mr. CODD: A bill (H. R. 3272) for the relief of Robert June; to the Committee on Claims.

By Mr. CONNOLLY of Pennsylvania: A bill (H. R. 3273) for the relief of Joseph W. Skill; to the Committee on Claims.

Also, a bill (H. R. 3274) for the relief of Annie McColgan; to the Committee on Claims.

Also, a bill (H. R. 3275) authorizing the Secretary of War to donate to Oxley Post No. 133, American Legion, of Philadelphia, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3276) authorizing the Secretary of War to donate to the fifth congressional district of the State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 3277) granting a pension to Julia A. Atkinson; to the Committee on Pensions.

Also, a bill (H. R. 3278) granting an increase of pension to Helen L. Greene; to the Committee on Pensions.

Also, a bill (H. R. 3279) to refund certain duties paid by the Nash Motors Co.; to the Committee on Claims.

By Mr. DALE: A bill (H. R. 3280) granting a pension to George A. Willey; to the Committee on Pensions.

Also, a bill (H. R. 3281) granting an increase of pension to Sadie J. Waldo; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 3282) granting a pension to Lola E. Hutsonpillar; to the Committee on Invalid Pensions.

By Mr. FREAR: A bill (H. R. 3283) to carry out the findings of the Court of Claims in the case of James Deery; to the Committee on Claims.

By Mr. FULLER: A bill (H. R. 3284) authorizing the Secretary of War to donate to the village of Durand, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3285) authorizing the Secretary of War to donate to the village of Capron, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 3286) granting an increase of pension to Frances Wilson; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 3287) granting a pension to Elias J. Quick; to the Committee on Pensions.

Also, a bill (H. R. 3288) granting a pension to Lucy M. Tilson; to the Committee on Invalid Pensions.

By Mr. HARDY of Colorado: A bill (H. R. 3289) granting a pension to Mamie Van Tuyl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3290) granting a pension to Mary E. Kirk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3291) granting a pension to Mary E. Kerr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3292) granting a pension to Lillie A. Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3293) granting a pension to Willard D. Brittell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3294) granting a pension to Elena M. Medina; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3295) granting an increase of pension to Maria Manuela Lobato; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3296) granting an increase of pension to Charles B. Ross; to the Committee on Pensions.

By Mr. HAWES: A bill (H. R. 3297) granting an increase of pension to Catharine Fitzgerald; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 3298) to increase the cost of the public building at Globe, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3299) for the erection of a public building at the city of Tucson, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3300) to provide for the erection of a public building at Prescott, in the State of Arizona; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3301) to provide for the erection of a public building at Grand Canyon, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3302) to provide for the purchase of a site and the erection of a public building at Yuma, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3303) for the purchase of a site and the erection of a public building at Kingman, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3304) for the purchase of a site and the erection of a public building at Winslow, Ariz.; to the Committee on Public Buildings and Grounds.

By Mr. HUDSPETH: A bill (H. R. 3305) for the relief of Anna M. Tobin; to the Committee on Claims.

By Mr. IRELAND: A bill (H. R. 3306) granting a pension to Mary K. Ward; to the Committee on Pensions.

Also, a bill (H. R. 3307) granting a pension to Emma J. Pemble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3308) for the relief of Ira M. Buckingham; to the Committee on Claims.

Also, a bill (H. R. 3309) granting an increase of pension to Martha A. Anderson; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 3310) granting an increase of pension to Susan Penn; to the Committee on Pensions.

Also, a bill (H. R. 3311) for the relief of Dora Jane Smiley; to the Committee on Indian Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 3312) authorizing the Secretary of War to donate to the borough of Glassport, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3313) authorizing the Secretary of War to donate to the borough of Port Vue, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3314) authorizing the Secretary of War to donate to the borough of Wilkinsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3315) authorizing the Secretary of War to donate to the city of McKeesport, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3316) authorizing the Secretary of War to donate to the borough of East Pittsburgh, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3317) authorizing the Secretary of War to donate to the borough of Liberty, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3318) authorizing the Secretary of War to donate to the borough of Braddock, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3319) authorizing the Secretary of War to donate to the township of Elizabeth, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3320) authorizing the Secretary of War to donate to the borough of Pitcairn, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3321) authorizing the Secretary of War to donate to the borough of Verona, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3322) authorizing the Secretary of War to donate to the borough of Turtle Creek, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 3323) granting a pension to Jacob Shultz; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 3324) granting a pension to Alonzo Tomlinson; to the Committee on Pensions.

By Mr. KINCHELOE: A bill (H. R. 3325) authorizing the Secretary of War to donate to the Jefferson Davis Home Association two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3326) authorizing the Secretary of War to donate to the city of Morganfield, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3327) authorizing the Secretary of War to donate to the city of Owensboro, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3328) authorizing the Secretary of War to donate to the city of Hopkinsville, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3329) authorizing the Secretary of War to donate to the city of Madisonville, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3330) authorizing the Secretary of War to donate to the city of Henderson, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3331) authorizing the Secretary of War to donate to the city of Uniontown, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3332) authorizing the Secretary of War to donate to the city of Dixon, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3333) authorizing the Secretary of War to donate to the town of Sturgis, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3334) authorizing the Secretary of War to donate to the city of Hawesville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3335) authorizing the Secretary of War to donate to the city of Calhoun, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 3336) granting a pension to Parthenia Robinson; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 3337) granting a pension to Mary J. Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3338) granting a pension to Fedilia Avery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3339) granting a pension to James Pace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3340) granting a pension to Hattie E. Boyd; to the Committee on Invalid Pensions.

By Mr. KLECZKA: A bill (H. R. 3341) authorizing the Secretary of War to donate to the city of Milwaukee, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3342) authorizing the Secretary of War to donate to the city of Cudahy, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3343) authorizing the Secretary of War to donate to the city of Wauwatosa, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3344) authorizing the Secretary of War to donate to the city of South Milwaukee, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3345) authorizing the Secretary of War to donate to the city of West Allis, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3346) for the relief of the heirs of Oscar Chrysler; to the Committee on Claims.

Also, a bill (H. R. 3347) granting a pension to Albert Beiro; to the Committee on Pensions.

Also, a bill (H. R. 3348) granting a pension to Julius Jensen; to the Committee on Pensions.

Also, a bill (H. R. 3349) granting a pension to Charles W. Brush; to the Committee on Pensions.

Also, a bill (H. R. 3350) granting an increase of pension to John Swift; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3351) granting a pension to Philip Stokes; to the Committee on Pensions.

Also, a bill (H. R. 3352) for the relief of Bill Vassel; to the Committee on Claims.

Also, a bill (H. R. 3353) granting an increase of pension to W. Y. Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3354) granting a pension to Eliza Burns; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 3355) authorizing the Secretary of War to donate to the city of Washington, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LAWRENCE: A bill (H. R. 3356) authorizing the Secretary of War to donate to the city of Gallatin, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3357) authorizing the Secretary of War to donate to the city of Bethany, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3358) authorizing the Secretary of War to donate to the city of Princeton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3359) authorizing the Secretary of War to donate to the town of Liberty, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3360) authorizing the Secretary of War to donate to the city of Grant City, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3361) authorizing the Secretary of War to donate to the city of Albany, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3362) authorizing the Secretary of War to donate to the city of Cameron, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3363) authorizing the Secretary of War to donate to the city of Richmond, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3364) authorizing the Secretary of War to donate to the city of Kingston, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3365) authorizing the Secretary of War to donate to the city of Maysville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3366) authorizing the Secretary of War to donate to the city of Plattsburg, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3367) authorizing the Secretary of War to donate to the city of Excelsior Springs, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LINEBERGER: A bill (H. R. 3368) authorizing the Secretary of War to donate to the city of Claremont, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3369) authorizing the Secretary of War to donate to the city of Monrovia, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3370) authorizing the Secretary of War to donate to the city of Long Beach, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3371) authorizing the Secretary of War to donate to the city of Van Nuys, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3372) authorizing the Secretary of War to donate to the city of Covina, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 3373) granting a pension to John H. Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3374) granting a pension to Usley Akers; to the Committee on Invalid Pensions.

By Mr. LAZARO: A bill (H. R. 3375) for the relief of the estate of Henry Ware, deceased; to the Committee on War Claims.

Also, a bill (H. R. 3376) authorizing the Secretary of War to donate to the city of Oberlin, La., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3377) authorizing the Secretary of War to donate to the city of Opelousas, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3378) authorizing the Secretary of War to donate to the city of Jennings, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3379) authorizing the Secretary of War to donate to the city of Ville Platte, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3380) authorizing the Secretary of War to donate to the city of Cameron, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3381) authorizing the Secretary of War to donate to the city of Lake Charles, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3382) authorizing the Secretary of War to donate to the city of Crowley, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3383) authorizing the Secretary of War to donate to the city of De Ridder, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 3384) granting an increase of pension to Clayton E. Blackwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3385) for the relief of the Stevens Institute of Technology, of Hoboken, N. J.; to the Committee on Claims.

Also, a bill (H. R. 3386) authorizing the Secretary of War to donate to the town of Irvington, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3387) authorizing the Secretary of War to donate to the city of Newark, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3388) authorizing the Secretary of War to donate to the village of South Orange, State of New Jersey, one German war tank; to the Committee on Military Affairs.

By Mr. McARTHUR: A bill (H. R. 3389) for the relief of the Portland Iron Works; to the Committee on Claims.

By Mr. McKENZIE: A bill (H. R. 3390) granting a pension to Henry A. Rowley; to the Committee on Pensions.

By Mr. MAGEE: A bill (H. R. 3391) granting a pension to Elizabeth Sanborn; to the Committee on Pensions.

By Mr. MANN: A bill (H. R. 3392) authorizing the Secretary of War to donate to the city of Chicago, State of Illinois, two German cannons or fieldpieces, to be placed in West Pullman Park; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 3393) granting a pension to Abigail Snay; to the Committee on Pensions.

By Mr. MANSFIELD: A bill (H. R. 3394) authorizing the Secretary of War to donate to the city of Gonzales, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MASON: A bill (H. R. 3395) granting a pension to Mary Rafferty; to the Committee on Pensions.

By Mr. MICHENER: A bill (H. R. 3396) granting a pension to Rebecca Welker; to the Committee on Invalid Pensions.

By Mr. MILLSPAUGH: A bill (H. R. 3397) authorizing the Secretary of War to donate to the city of Kirksville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3398) authorizing the Secretary of War to donate to the city of Kahoka, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3399) authorizing the Secretary of War to donate to the city of Edina, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3400) authorizing the Secretary of War to donate to the city of Monticello, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3401) authorizing the Secretary of War to donate to the city of Canton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3402) authorizing the Secretary of War to donate to the city of Macon, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3403) authorizing the Secretary of War to donate to the city of Palmyra, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3404) authorizing the Secretary of War to donate to the city of Hannibal, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3405) authorizing the Secretary of War to donate to the city of Unionville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3406) authorizing the Secretary of War to donate to the city of Lancaster, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3407) authorizing the Secretary of War to donate to the city of Glenwood, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3408) authorizing the Secretary of War to donate to the city of Memphis, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3409) authorizing the Secretary of War to donate to the city of Shelbyville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MONTAGUE: A bill (H. R. 3410) for the relief of the owners of the British steamship *Clearpool;* to the Committee on Claims.

By Mr. MOORE of Illinois: A bill (H. R. 3411) granting an increase of pension to Sarah A. Judson; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 3412) granting a pension to Amanda Pearch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3413) granting a pension to Clara Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3414) granting a pension to Sadie Wesley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3415) granting a pension to Mary Orr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3416) granting a pension to Winfield H. Handley; to the Committee on Pensions.

Also, A bill (H. R. 3417) granting a pension to Mary A. Coulter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3418) granting a pension to Rose Anne Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3419) granting a pension to Ettie McPeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3420) granting a pension to Elmer E. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3421) granting a pension to Lois A. Bentz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3422) granting a pension to Sarah J. Vanfossan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3423) for the relief of Rudolph W. Archer; to the Committee on Claims.

Also, a bill (H. R. 3424) to correct the military record of George Duncan; to the Committee on Military Affairs.

Also, a bill (H. R. 3425) for the relief of Benjamin R. Buffington; to the Committee on Military Affairs.

By Mr. O'CONNOR: A bill (H. R. 3426) for the relief of Harold Kernan; to the Committee on Claims.

By Mr. OGDEN: A bill (H. R. 3427) granting a pension to Isaac E. McClure; to the Committee on Pensions.

Also, a bill (H. R. 3428) granting a pension to George Byrne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3429) for the relief of Pirtle Handley; to the Committee on Claims.

Also, a bill (H. R. 3430) for the relief of William Koop; to the Committee on Claims.

Also, a bill (H. R. 3431) for the relief of Christine Brenzinger; to the Committee on Claims.

Also, a bill (H. R. 3432) granting a permanent disability allowance to Capt. Wallace M. Coulson; to the Committee on Military Affairs.

Also, a bill (H. R. 3433) granting a pension to Katherine Schone; to the Committee on Pensions.

Also, a bill (H. R. 3434) granting a pension to Ellen McComb; to the Committee on Pensions.

Also, a bill (H. R. 3435) for the relief of the legal heirs of Mildred Eberlein, deceased; to the Committee on Claims.

Also, a bill (H. R. 3436) granting an increase of pension to Mary O. Horton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3437) granting an increase of pension to Annie E. Gore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3438) for the relief of John J. Tully; to the Committee on Claims.

Also, a bill (H. R. 3439) granting a pension to Beulah Hopkins; to the Committee on Pensions.

Also, a bill (H. R. 3440) for the relief of the National Laundry Co.; to the Committee on Claims.

Also, a bill (H. R. 3441) authorizing the Secretary of War to donate to the city of Louisville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3442) authorizing the Secretary of War to donate to the city of Anchorage, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OLPP: A bill (H. R. 3443) authorizing the Secretary of War to donate to the town of Guttenberg, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3444) authorizing the Secretary of War to donate to the town of Secaucus, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3445) authorizing the Secretary of War to donate to the township of Weehawken, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3446) authorizing the Secretary of War to donate to the city of Jersey City, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3447) authorizing the Secretary of War to donate to the town of West Hoboken, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3448) authorizing the Secretary of War to donate to the town of West New York, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3449) authorizing the Secretary of War to donate to the town of Union, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3450) authorizing the Secretary of War to donate to the city of Hoboken, State of New Jersey, one German cannon or fieldpiece, to the Committee on Military Affairs.

Also, a bill (H. R. 3451) authorizing the Secretary of War to donate to the township of North Bergen, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PATTERSON of New Jersey: A bill (H. R. 3452) authorizing the Secretary of War to donate to the village of Chews, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3453) authorizing the Secretary of War to donate to the town of Williamstown, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3454) authorizing the Secretary of War to donate to the borough of Elmer, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3455) authorizing the Secretary of War to donate to the borough of Merchantville, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3456) authorizing the Secretary of War to donate to the borough of Glassboro, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3457) authorizing the Secretary of War to donate to the borough of Pitman, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3458) authorizing the Secretary of War to donate to the borough of Paulsboro, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3459) authorizing the Secretary of War to donate to the borough of National Park, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3460) to complete the military record of Jacob W. Starr; to the Committee on Military Affairs.

Also, a bill (H. R. 3461) for the relief of Eugene Fazzi; to the Committee on Claims.

By Mr. PERKINS: A bill (H. R. 3462) granting a pension to Lillian S. Dodds; to the Committee on Invalid Pensions.

By Mr. RANSLEY: A bill (H. R. 3463) for the relief of James B. Conner; to the Committee on Claims.

Also, a bill (H. R. 3464) awarding a medal of honor to Albert S. Denning; to the Committee on Military Affairs.

By Mr. REBER: A bill (H. R. 3465) granting a pension to Susanna Thomas; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 3466) granting a pension to Guss Hughes; to the Committee on Pensions.

Also, a bill (H. R. 3467) granting a pension to David A. Patton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3468) granting a pension to Lelia Stuart; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 3469) authorizing the Secretary of War to donate to the town of Falconer, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3470) authorizing the Secretary of War to donate to the town of Little Valley, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3471) authorizing the Secretary of War to donate to the village of West Valley, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3472) authorizing the Secretary of War to donate to the village of Sheridan, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3473) authorizing the Secretary of War to donate to the city of Dunkirk, State of New York, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3474) authorizing the Secretary of War to donate to the city of Olean, State of New York, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3475) authorizing the Secretary of War to donate to the city of Jamestown, State of New York, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3476) authorizing the Secretary of War to donate to the city of Salamanca, State of New York, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3477) authorizing the Secretary of War to donate to the town of Sherman, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3478) authorizing the Secretary of War to donate to the town of Cattaraugus, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3479) authorizing the Secretary of War to donate to the town of Cherry Creek, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3480) authorizing the Secretary of War to donate to the town of Franklinville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3481) authorizing the Secretary of War to donate to the town of Silver Creek, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3482) authorizing the Secretary of War to donate to the town of Ripley, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3483) authorizing the Secretary of War to donate to the town of Forestville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 3484) authorizing the Secretary of War to donate to the town of Brocton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3485) authorizing the Secretary of War to donate to the town of Randolph, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3486) authorizing the Secretary of War to donate to the town of Stockton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3487) authorizing the Secretary of War to donate to the town of Cuba, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3488) authorizing the Secretary of War to donate to the town of Wellsville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3489) authorizing the Secretary of War to donate to the town of Belmont, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3490) authorizing the Secretary of War to donate to the town of Westfield, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3491) authorizing the Secretary of War to donate to the town of Bolivar, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3492) authorizing the Secretary of War to donate to the town of Fredonia, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 3493) granting an increase of pension to Della A. Cooter; to the Committee on Pensions.

Also, a bill (H. R. 3494) granting an increase of pension to George W. Burleson; to the Committee on Pensions.

By Mr. RHODES: A bill (H. R. 3495) granting a pension to John L. Ware; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3496) for the relief of William H. Price, alias William Sweeney, alias John Sweeney; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 3497) granting an increase of pension to Bridget Maloney; to the Committee on Invalid Pensions.

By Mr. STINESS: A bill (H. R. 3498) granting a pension to Mary E. Burdick; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 3499) for the relief of the Atlas Lumber Co., Babcock & Willcox, Johnson, Jackson & Corning Co., and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall, at the Pierre Indian School, in the State of South Dakota; to the Committee on Claims.

By Mr. STOLL: A bill (H. R. 3500) for the relief of Robert J. Kirk; to the Committee on Claims.

By Mr. SNYDER: A bill (H. R. 3501) granting a pension to Emma J. Mason; to the Committee on Pensions.

By Mr. STOLL: A bill (H. R. 3502) for the relief of J. M. Holladay; to the Committee on Claims.

By Mr. SNYDER: A bill (H. R. 3503) authorizing the Secretary of War to donate to the city of New Hartford, N. Y., one

German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SIEGEL: A bill (H. R. 3504) for the relief of Lewis W. Flaunlacher; to the Committee on Claims.

By Mr. STEPHENS: A bill (H. R. 3505) granting an increase of pension to Ellen S. Mussey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3506) granting a pension to Mark T. Smith; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 3507) for the relief of Mary E. Jolly; to the Committee on Claims.

By Mr. STEPHENS: A bill (H. R. 3508) for the relief of Capt. J. S. Carpenter, Pay Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3509) for the relief of Capt. D. H. Tribou, chaplain, United States Navy; to the Committee on Naval Affairs.

By Mr. THOMAS: A bill (H. R. 3510) granting a pension to Isa Ann Boyd; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 3511) granting a pension to John E. Evans; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 3512) authorizing the Secretary of War to donate to the city of Englewood, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3513) granting an increase of pension to Nancy E. Spilman; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 3514) to place Albert Hamilton on the retired list of the United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3515) authorizing the President to reinstate William Lloyd Wright as a lieutenant commander in the United States Navy; to the Committee on Naval Affairs.

By Mr. WASON: A bill (H. R. 3516) authorizing the Secretary of War to donate to the town of Claremont, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3517) authorizing the Secretary of War to donate to the town of Plymouth, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3518) authorizing the Secretary of War to donate to the town of Littleton, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 3519) granting a pension to Cornelia A. Deal; to the Committee on Pensions.

By Mr. WOODRUFF: A bill (H. R. 3520) granting a pension to Sarah E. Howe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3521) granting a pension to Emma L. Williams; to the Committee on Pensions.

Also, a bill (H. R. 3522) granting a pension to Andrew J. Shepherd; to the Committee on Pensions.

Also, a bill (H. R. 3523) granting a pension to Lizzie M. Iott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3524) granting a pension to John Halpen; to the Committee on Pensions.

Also, a bill (H. R. 3525) granting a pension to Sarah Blakely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3526) granting a pension to Esther Adele Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3527) granting an increase of pension to Samantha Sedore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3528) granting an increase of pension to Frank Haight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3529) granting an increase of pension to David Sedore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3530) granting an increase of pension to Jay Cobb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3531) granting a pension to Emeline Burley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3532) for the relief of Frank Alger; to the Committee on Claims.

Also, a bill (H. R. 3533) granting an increase of pension to Anna Duplanta; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3534) granting a pension to Charlotte I. Mallory; to the Committee on Pensions.

Also, a bill (H. R. 3535) granting a pension to William Buckwheat, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3536) granting an increase of pension to Samuel D. Might; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3537) granting a pension to Adell J. Squires; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3538) granting a pension to Margaret Donahue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3539) granting a pension to Martha Thornton; to the Committee on Pensions.

Also, a bill (H. R. 3540) granting a pension to Linda Whetsel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3541) granting an increase of pension to Lucinda Wilson; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 3542) granting an increase of pension to Lydia Humes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3543) granting an increase of pension to Phoebe Miller; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 3544) authorizing the Secretary of War to donate to the village of Mecosta, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3545) authorizing the Secretary of War to donate to the city of West Branch, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3546) authorizing the Secretary of War to donate to the city of Harrisville, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3547) authorizing the Secretary of War to donate to the city of Standish, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3548) authorizing the Secretary of War to donate to the city of Big Rapids, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3549) authorizing the Secretary of War to donate to the city of Gladwin, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3550) authorizing the Secretary of War to donate to the city of Mount Pleasant, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3551) authorizing the Secretary of War to donate to the city of Midland, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3552) authorizing the Secretary of War to donate to the city of Bay City, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3553) authorizing the Secretary of War to donate to the city of Grayling, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3554) authorizing the Secretary of War to donate to the city of Clare, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3555) authorizing the Secretary of War to donate to the village of Roscommon, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3556) authorizing the Secretary of War to donate to the county of Iosco, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BEEDY: A bill (H. R. 3557) authorizing the Secretary of War to donate to the city of Biddeford, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3558) authorizing the Secretary of War to donate to the town of Freeport, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3559) authorizing the Secretary of War to donate to the town of Sanford, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3560) authorizing the Secretary of War to donate to the city of Portland, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 3561) authorizing the Secretary of War to donate to the city of Stanton, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3562) authorizing the Secretary of War to donate to the city of Lexington, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3563) authorizing the Secretary of War to donate to the city of Versailles, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3564) authorizing the Secretary of War to donate to the city of Owenton, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3565) authorizing the Secretary of War to donate to the city of Frankfort, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3566) authorizing the Secretary of War to donate to the city of New Castle, State of Kentucky, one

German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3567) authorizing the Secretary of War to donate to the city of La Grange, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3568) authorizing the Secretary of War to donate to the city of Winchester, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3569) authorizing the Secretary of War to donate to the city of Paris, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3570) authorizing the Secretary of War to donate to the University of Kentucky, Lexington, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3571) authorizing the Secretary of War to donate to the city of Georgetown, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3572) authorizing the Secretary of War to donate to the city of Irvine, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3573) authorizing the Secretary of War to donate to the city of Beattyville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 3574) authorizing the Secretary of War to donate to the county of Nance, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3575) authorizing the Secretary of War to donate to the city of Norfolk, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3576) authorizing the Secretary of War to donate to the city of Fremont, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3577) authorizing the Secretary of War to donate to the city of Columbus, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3578) authorizing the Secretary of War to donate to the county of Wayne, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3579) authorizing the Secretary of War to donate to the county of Thurston, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3580) authorizing the Secretary of War to donate to the county of Stanton, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3581) authorizing the Secretary of War to donate to the county of Platte, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3582) authorizing the Secretary of War to donate to the county of Pierce, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3583) authorizing the Secretary of War to donate to the county of Merrick, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3584) authorizing the Secretary of War to donate to the county of Madison, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3585) authorizing the Secretary of War to donate to the county of Knox, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3586) authorizing the Secretary of War to donate to the county of Dakota, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3587) authorizing the Secretary of War to donate to the county of Cuming, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3588) authorizing the Secretary of War to donate to the county of Dodge, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3589) authorizing the Secretary of War to donate to the county of Dixon, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3590) authorizing the Secretary of War to donate to the county of Colfax, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3591) authorizing the Secretary of War to donate to the county of Cedar, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3592) authorizing the Secretary of War to donate to the county of Burt, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3593) authorizing the Secretary of War to donate to the county of Boone, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3594) authorizing the Secretary of War to donate to Antelope County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 3595) authorizing the Secretary of War to donate to the city of Albion, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 3596) for the relief of the High Clothing Co. (Inc.); to the Committee on Claims.

Also, a bill (H. R. 3597) to remove the charge of desertion on the first enlistment of Daniel B. Stone, alias Nelson Davis; to the Committee on Military Affairs.

Also, a bill (H. R. 3598) for the relief of Nunzio Viola; to the Committee on Claims.

Also, a bill (H. R. 3599) authorizing the Secretary of War to donate to the borough of Glen Ridge, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3600) authorizing the Secretary of War to donate to the town of West Orange, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3601) for the relief of Margaret A. Twyman; to the Committee on Claims.

By Mr. LINEBERGER: A bill (H. R. 3602) authorizing the Secretary of War to donate to the city of Whittier, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3603) authorizing the Secretary of War to donate to the city of Pomona, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3604) authorizing the Secretary of War to donate to the city of Pasadena, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3605) authorizing the Secretary of War to donate to the city of Glendale, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RANKIN: A bill (H. R. 3606) authorizing the Secretary of War to donate to the city of Macon, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3607) authorizing the Secretary of War to donate to the city of Starkville, State of Mississippi, one German cannon or fieldpiece, to the Committee on Military Affairs.

Also, a bill (H. R. 3608) authorizing the Secretary of War to donate to the city of Columbus, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3609) authorizing the Secretary of War to donate to the city of Aberdeen, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3610) authorizing the Secretary of War to donate to the city of Amory, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3611) authorizing the Secretary of War to donate to the city of Fulton, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3612) authorizing the Secretary of War to donate to the city of Booneville, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3613) authorizing the Secretary of War to donate to the city of Corinth, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3614) authorizing the Secretary of War to donate to the city of Iuka, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3615) authorizing the Secretary of War to donate to the city of Tupelo, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 3616) authorizing the Secretary of War to donate to the city of Mountain City, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3617) authorizing the Secretary of War to donate to the city of Elizabethton, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3618) authorizing the Secretary of War to donate to the city of Kingsport, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3619) authorizing the Secretary of War to donate to the city of Johnson City, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3620) authorizing the Secretary of War to donate to the city of Greeneville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3621) authorizing the Secretary of War to donate to the city of Sevierville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3622) authorizing the Secretary of War to donate to the city of Tazewell, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3623) authorizing the Secretary of War to donate to the city of Erwin, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3624) authorizing the Secretary of War to donate to the city of Rogersville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3625) authorizing the Secretary of War to donate to the city of Newport, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3626) authorizing the Secretary of War to donate to the city of Rutledge, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROACH: A bill (H. R. 3627) authorizing the Secretary of War to donate to the town of Centralia, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3628) authorizing the Secretary of War to donate to the city of Columbia, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3629) authorizing the Secretary of War to donate to the town of Climax Springs, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3630) authorizing the Secretary of War to donate to the town of Macks Creek, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3631) authorizing the Secretary of War to donate to the town of Barnett, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3632) authorizing the Secretary of War to donate to the town of Brumley, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3633) authorizing the Secretary of War to donate to the town of Syracuse, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3634) authorizing the Secretary of War to donate to the town of Versailles, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3635) authorizing the Secretary of War to donate to the town of Ulman, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3636) authorizing the Secretary of War to donate to the town of Sturgeon, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3637) authorizing the Secretary of War to donate to the town of Florence, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3638) authorizing the Secretary of War to donate to the town of Stoutland, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3639) authorizing the Secretary of War to donate to the town of Linn Creek, State of Missouri; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3640) authorizing the Secretary of War to donate to the town of Jefferson City, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3641) authorizing the Secretary of War to donate to the town of Russellville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3642) authorizing the Secretary of War to donate to the town of Blackwater, State of Missouri; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3643) authorizing the Secretary of War to donate to the town of Prairie Home, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3644) authorizing the Secretary of War to donate to the town of Pilot Grove, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3645) authorizing the Secretary of War to donate to the town of Bunceton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3646) authorizing the Secretary of War to donate to the town of Boonville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3647) authorizing the Secretary of War to donate to the town of Jamestown, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3648) authorizing the Secretary of War to donate to the town of Latham, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3649) authorizing the Secretary of War to donate to the town of Tipton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3650) authorizing the Secretary of War to donate to the town of California, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3651) authorizing the Secretary of War to donate to the town of Chamois, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3652) authorizing the Secretary of War to donate to the town of Linn, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3653) authorizing the Secretary of War to donate to the town of Iberia, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3654) authorizing the Secretary of War to donate to the town of Eldon, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3655) authorizing the Secretary of War to donate to the town of Tuscumbia, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3656) authorizing the Secretary of War to donate to the town of Rocheport, State of Missouri; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3657) authorizing the Secretary of War to donate to the town of Ashland, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 3658) authorizing the Secretary of War to donate to the city of Barnesville, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3659) authorizing the Secretary of War to donate to the city of Bagley, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3660) authorizing the Secretary of War to donate to the city of Mahnomen, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3661) authorizing the Secretary of War to donate to the city of Fergus Falls, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3662) authorizing the Secretary of War to donate to the city of Ada, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3663) authorizing the Secretary of War to donate to the city of Moorhead, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3664) authorizing the Secretary of War to donate to the city of Hallock, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3665) authorizing the Secretary of War to donate to the city of Warren, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3666) authorizing the Secretary of War to donate to the city of Thief River Falls, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3667) authorizing the Secretary of War to donate to the city of Detroit, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3668) authorizing the Secretary of War to donate to the city of Crookston, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3669) authorizing the Secretary of War to donate to the city of Red Lake Falls, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3670) authorizing the Secretary of War to donate to the city of Roseau, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3671) authorizing the Secretary of War to donate to the village of Donaldson, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3672) authorizing the Secretary of War to donate to the city of Breckenridge, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3673) authorizing the Secretary of War to donate to the village of Winger, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SPROUL: A bill (H. R. 3674) authorizing the Secretary of War to donate to the city of Blue Island, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3675) authorizing the Secretary of War to donate to the city of Lemont, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3676) authorizing the Secretary of War to donate to the city of Stager, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3677) authorizing the Secretary of War to donate to the city of Chicago Heights, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3678) authorizing the Secretary of War to donate to the city of Glenwood, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3679) authorizing the Secretary of War to donate to the city of Thornton, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3680) authorizing the Secretary of War to donate to the city of Harvey, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3681) authorizing the Secretary of War to donate to the city of Beverly Hills (Chicago), State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3682) authorizing the Secretary of War to donate to the city of Englewood (Chicago), State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3683) authorizing the Secretary of War to donate to Morgan Park (Chicago), State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 3684) granting an increase of pension to Mary F. Kinser; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 3685) authorizing the Secretary of War to donate to the county of Logan, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3686) authorizing the Secretary of War to donate to the county of Cheyenne, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3687) authorizing the Secretary of War to donate to the park board of Longmont Park, of Longmont, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3688), authorizing the Secretary of War to donate to the county of Washington, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3689) authorizing the Secretary of War to donate to the county of El Paso, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3690) authorizing the Secretary of War to donate to the county of Morgan, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3691) authorizing the Secretary of War to donate to the county of Lincoln, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3692) authorizing the Secretary of War to donate to the county of Larimer, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3693) authorizing the Secretary of War to donate to the county of Phillips, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3694) authorizing the Secretary of War to donate to the county of Boulder, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3695) authorizing the Secretary of War to donate to the county of Elbert, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3696) authorizing the Secretary of War to donate to the county of Weld, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3697) authorizing the Secretary of War to donate to the county of Kit Carson, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3698) authorizing the Secretary of War to donate to the county of Arapahoe, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3699) authorizing the Secretary of War to donate to the county of Adams, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3700) authorizing the Secretary of War to donate to the town of Eaton, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3701) authorizing the Secretary of War to donate to the county of Sedgwick, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3702) authorizing the Secretary of War to donate to the county of Douglas, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3703) authorizing the Secretary of War to donate to the city of Manitou, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3704) authorizing the Secretary of War to donate to the county of Yuma, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3705) authorizing the Secretary of War to donate to the town of Limon, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLAND of Indiana: A bill (H. R. 3706) granting an increase of pension to William Stall; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

92. By the SPEAKER (by request): Memorial of delegates to the American amnesty convention for the release of political prisoners; to the Committee on the Judiciary.

93. Also, 136 petitions of 4,080 residents of Louisiana asking recognition of Ireland; to the Committee on Foreign Affairs.

94. By Mr. ARENTZ: Resolution passed by Nevada Council, No. 978, of the Knights of Columbus, February 10, 1921, protesting against the passage of the so-called Smith-Towner bill; to the Committee on Education.

95. Also, Nevada Assembly joint resolution 16, memoralizing the Congress of the United States to grant the State of Nevada 1,500,000 acres of land for the permanent school fund of the United States; to the Committee on the Public Lands.

96. Also, resolution by the Nevada State Veterinary Association regarding Lehlbach reclassification bill (H. R. 15225); to the Committee on Reform in the Civil Service.

97. Also, petition from optometrists, opticians, jewelers, and druggists of Reno, Nev., protesting against the special excise tax under Title IX of the war revenue tax law; to the Committee on Ways and Means.

98. Also, resolution adopted by the Nevada State Farm Bureau at Reno, Nev., January 22, 1921, favoring the passage of the Lehlbach reclassification bill; to the Committee on Reform in the Civil Service.

99. Also, petition of the officers and delegates of the American Association for the Recognition of the Irish Republic, of Nevada, for recognition of Ireland; to the Committee on Foreign Affairs.

100. By Mr. BRIGGS: Petition of council of the diocese of Texas asking for immediate steps looking to an international agreement for reduction of armaments; to the Committee on Foreign Affairs.

101. Also, petition of rural carriers for adjusted scale of compensation; to the Committee on the Post Office and Post Roads.

102. By Mr. CHALMERS: Petition of Put-in-Bay Yacht Club members to have 10 per cent tax on yachts repealed; to the Committee on Ways and Means.

103. By Mr. CULLEN: Petition of Victory Hall Association, of New York, urging justice for wounded men; to the Committee on Interstate and Foreign Commerce.

104. By Mr. DARROW: Petition of 363 residents of Philadelphia, Pa., protesting against the passage of the Capper-Fess physical education bill; to the Committee on Education.

105. By Mr. FITZGERALD: Petition of 1,519 citizens of Dayton, Ohio, urging the Congress of the United States to use their best efforts to open up the factories of the country by a full and free resumption of trade with the soviet government of Russia, and thereby place at work under fair conditions those who are now suffering from the present industrial depression; to the Committee on Interstate and Foreign Commerce.

106. By Mr. GALLIVAN: Petition of Workingmen's Cooperative Bank, Boston, Mass., favoring the enactment by Congress of an amendment to the income-tax law which will specifically exempt annual income to the extent of $500 when derived from investments in a domestic building and loan association or cooperative bank; also petition from C. A. Browning Co., Boston, Mass., protesting against passage of a sales tax; also petition of Samuel Noyes & Co., Boston, in connection with assessment of duty upon imported merchandise; to the Committee on Ways and Means.

107. By Mr. LINEBERGER: Petition of Fanny S. Bissell and 14 others, relative to the conditions at Ellis Island; to the Committee on Immigration.

108. By Mr. McARTHUR: Petition of Portland Chapter No. 2, American War Mothers re Grover C. Bergdoll; to the Committee on Military Affairs.

109. By Mr. MAGEE: Petition of Rev. Herman G. Dattan and other citizens of Syracuse, N. Y., protesting against alleged conditions in the occupied zone on the Rhine; to the Committee on Foreign Affairs.

110. By Mr. MANN: Petition of James F. Rowley and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

111. Also, petition of Theodore Zelinka and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

112. Also, petition of G. W. Kane and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

113. Also, petition of Charles Crawford and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

114. Also, petition of John O'Leary and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

115. Also, petition of Chauncey S. Curtis and other citizens of Chicago, Ill., favoring suspension of immigration for a period of three years to the United States, etc.; to the Committee on Immigration and Naturalization.

116. By Mr. MICHENER: Petition of Kleis Beverage Co., Ann Arbor, Mich., and Diekman Bottling Works, Monroe, Mich., referring to 10 per cent tax on bottled carbonated beverages; to the Committee on Ways and Means.

117. Also, petition of Packard Motor Car Co., Detroit, Mich., in reference to tariff on aluminum; to the Committee on Ways and Means.

118. Also, petition of Peter Scholler, president State board of examiners in optometry of Michigan; Kirk Optical Co., Adrian, Mich.; and Charles A. Blair, M. D., Morenci, Mich., in reference to excise tax on spectacles and eyeglasses; to the Committee on Ways and Means.

119. Also, petition of Jaxon Steel Products Division, Jackson, Mich., and secretary Wyandotte Board of Commerce, Wyandotte, Mich., referring to excess-profits tax, etc.; to the Committee on Ways and Means.

120. Also, petition of Austin Church, Trenton, Mich., and others asking for repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

121. Also, petition of Daisy Manufacturing Co., Plymouth, Mich., in reference to tariff on toy guns; to the Committee on Ways and Means.

122. By Mr. NEWTON of Minnesota: Petition of sundry citizens of Minneapolis, petitioning the Congress to take the necessary action to bring about the recognition of the republic of Ireland; to the Committee on Foreign Affairs.

123. By Mr. SANDERS of New York: Petition of Mary E. Bond and 80 other residents of Bliss, N. Y., and vicinity, favoring a duty of $5 on every imported canary; to the Committee on Ways and Means.

124. Also, petition of John G. Elbs, of Rochester, N. Y., seeking a tariff on macaroni products ranging from 3½ cents to 8 cents per pound; to the Committee on Ways and Means.

125. Also, petition of the Old Guard of Rochester, N. Y., urging the introduction and passage of legislation to remedy the present conditions in the treatment of disabled soldiers; to the Committee on Interstate and Foreign Commerce.

126. By Mr. SNELL: Petition of citizens of Gale, St. Lawrence County, N. Y., protesting against any revisions of the tariff on those classes of coal-tar products that are used in the manufacture of dips and disinfectants; to the Committee on Ways and Means.

127. Also, petition of L'Union St. Jean Baptiste d'Amerique, Council St. Alphonse, No. 51, of Tupper Lake, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

128. By Mr. STEENERSON: Petition of Minnesota Potato Exchange, favoring duty on potato flour and potato starch; to the Committee on Ways and Means.

129. By Mr. THOMPSON: Petition of Farmers' Institute of Ottoville, Ohio, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

130. Also, petition of the Farmers' Institute of Ottoville, Ohio, February 12, 1921, urging legislation helpful to the proposed barge canal connecting Toledo, Cincinnati, and Detroit; to the Committee on Interstate and Foreign Commerce.

131. By Mr. WATSON: Petition of residents of Norristown, Pa., in opposition to the Capper-Fess physical education bill; to the Committee on Education.

132. Also, petition of representatives of the Hill School, Pottstown, Pa., in opposition to the Capper-Fess physical education bill; to the Committee on Education.

133. By Mr. YATES: Petition of Herbert A. Fife, ex-captain, Adjutant General's Department, Chicago, Ill., urging passage of McKellar amendment providing proper promotion of captains selected by competitive examination; to the Committee on Military Affairs.

SENATE.

FRIDAY, *April 15, 1921.*

(Legislative day of Wednesday, April 13, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Glass	McCumber	Sheppard
Ball	Gooding	McKellar	Shortridge
Borah	Hale	McKinley	Simmons
Brandegee	Harreld	McLean	Smith
Broussard	Harris	McNary	Smoot
Bursum	Harrison	Moses	Spencer
Calder	Heflin	Myers	Stanfield
Cameron	Hitchcock	Nelson	Sterling
Capper	Johnson	New	Swanson
Caraway	Jones, N. Mex.	Nicholson	Townsend
Colt	Jones, Wash.	Norbeck	Trammell
Culberson	Kellogg	Norris	Underwood
Cummins	Kendrick	Overman	Wadsworth
Curtis	Kenyon	Penrose	Walsh, Mont.
Dial	Keyes	Phipps	Warren
Dillingham	Knox	Pittman	Watson, Ga.
Ernst	Ladd	Poindexter	Willis
Fletcher	La Follette	Pomerene	
Frelinghuysen	Lenroot	Ransdell	
Gerry	Lodge	Reed	

Mr. CURTIS. I wish to announce the absence of the Senator from Nevada [Mr. ODDIE] on account of illness.

The PRESIDENT pro tempore. Seventy-seven Senators have answered to their names. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. HITCHCOCK. Mr. President, I ask permission to present out of order two telegrams received from my State setting forth an abnormal condition in the grain market under which wheat is being sold in this country 16 cents a bushel less than in the Argentine Republic. I ask that the telegrams may be referred to the Committee on Agriculture and Forestry with the suggestion that an investigation should be made as to what effect high freight rates have had in producing this condition.

The telegrams were referred to the Committee on Agriculture and Forestry, as follows:

A telegram from G. H. Payne, of Omaha, Nebr.; and a telegram from Charles Cameron, Herman, Nebr.

Mr. GOODING presented a joint memorial of the Legislature of Idaho, which was referred to the Committee on Public Lands, as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed sheets constitute a full, true, and correct copy of Senate joint memorial No. 7, the original enrolled copy of which is on file in this department, the said memorial having passed the sixteenth session of the Idaho State Legislature March 5, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise, the capital of Idaho, this 21st day of March, 1921.

[SEAL.]

ROBERT O. JONES,
Secretary of State.