

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-FOURTH CONGRESS, FIRST SESSION.

SENATE.

TUESDAY, August 15, 1916.

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

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

Almighty God, may Thy grace be vouchsafed to us this day, that we may discharge the duties that are before us in Thy fear. We pray for Thy grace, for we have come short of Thy glory, and can only look to Thee for Thy guidance and blessing through Thine infinite love, through the riches of Thy grace. We pray that Thou wilt give to us power to perform our duty, courage to be just to our fellow men, and wisdom that we may understand how to adjust the conflicting interests of men, that peace and brotherhood and love may abide with us, a united Nation. For Christ's sake. Amen.

CALLING OF THE ROLL.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Hardwick	Myers	Smoot
Bankhead	Hitchcock	Nelson	Sterling
Brady	Hughes	Oliver	Stone
Brandeggee	Husting	Overman	Swanson
Bryan	James	Phelan	Taggart
Chamberlain	Johnson, S. Dak.	Pomerene	Thomas
Clarke, Ark.	Jones	Shafroth	Tillman
Culberson	Lane	Sheppard	Wadsworth
Cummins	Lippitt	Sherman	Williams
Curtis	McLean	Simmons	
Fletcher	Martin, Va.	Smith, Ga.	
Gronna	Martine, N. J.	Smith, S. C.	

Mr. CUMMINS. I desire to announce that my colleague [Mr. KENYON] is necessarily absent. I make the announcement for the day.

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

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

Mr. GALLINGER, Mr. DILLINGHAM, Mr. ROBINSON, Mr. SMITH of Maryland, and Mr. BECKHAM entered the Chamber and answered to their names.

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

Mr. GALLINGER. Now that there is a quorum, I will state that the conference committee on the District of Columbia appropriation bill is in session, and that is one reason why we were a little tardy.

THE JOURNAL.

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

ENROLLED BILL SIGNED.

The VICE PRESIDENT announced his signature to the enrolled bill (H. R. 13982) to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens, which had heretofore been signed by the Speaker of the House.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the amendments of the House to the bill (S. 6369) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Mr. SMOOT. I move that the Senate disagree to the amendments of the House and request a conference with the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. HUGHES, Mr. TAGGART, and Mr. SMOOT conferees on the part of the Senate.

PETITIONS AND MEMORIALS.

Mr. GRONNA. I have here a statement of William G. Crocker, chairman of the Millers' National Federation. It is a short statement with reference to the Rainey bill for the repeal of the mixed-flour law. I ask to have it printed in the Record without reading.

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

MILLERS' NATIONAL FEDERATION,
Minneapolis, Minn., August 12, 1916.

RAINEY BILL (H. R. 9409) FOR THE REPEAL OF THE MIXED-FLOUR LAW.
Hon. A. J. GRONNA,
United States Senate, Washington, D. C.

MY DEAR MR. GRONNA: As you will recall, the hearing on this bill occupied the week ending February 5, 1916. No action has ever been taken by the committee, but we are advised that it has been called for Tuesday, the 15th.

Herewith please find a statement of the writer's testimony before the Ways and Means Committee, which summarizes the whole thing in a nutshell.

This repeal would be most pernicious. Won't you kindly take the time Monday, the 14th, to use your influence with the members of the Ways and Means Committee and vigorously oppose this measure?

Thanking you in advance for your attention,
Respectfully, yours,

WILLIAM G. CROCKER,
Director Millers' National Federation.

STATEMENT OF MR. WILLIAM G. CROCKER, REPRESENTING THE MILLERS' CLUB OF MINNEAPOLIS, MINNEAPOLIS, MINN., BEFORE THE WAYS AND MEANS COMMITTEE, FEBRUARY 5, 1916, IN OPPOSITION TO THE SO-CALLED RAINEY BILL (H. R. 9409) ON MIXED FLOUR.

Mr. RAINEY. Whom do you represent?
Mr. CROCKER. The Millers' Club of Minneapolis, the same association that Mr. Snyder represents.

Mr. RAINEY. How much time do you want?
Mr. CROCKER. A very few minutes.
Mr. RAINEY. Will you be through in 15 minutes if we do not ask you any questions?

Mr. CROCKER. If you do not ask me any questions I will be through in five minutes.
I shall speak of this matter rather from the ethical standpoint than the scientific standpoint.

I have been in the milling business for 34 years, but I am not a chemist nor a practical miller. What I am is an operating miller.

Considerable has been said here about the merits of Michigan wheat and what it has done for various people. I am simply here to represent the northwestern wheat, and I want to take this opportunity to thank our opponents for the high words of praise accorded our flour, and in fact the splendid compliment paid to all flour, namely, that it is too good, and the quality, therefore, from their standpoint should be lowered.

Why repeal the so-called mixed-flour law? Who is asking for its repeal? Is the consumer asking for it; that is, the family or the baker? Is the wheat miller asking for it? Most certainly not; and why not? Because he is producing the cheapest and best food for the price and at the smallest possible margin; because it is an industry that is highly competitive and absolutely free from agreements or combinations; because flour always has been considered the staff of life and as dependable as sterling silver. When the buyer asks for flour, he wants flour, because he knows that it will give him better results than any mixture or compound. He wants the real thing. There is only one real thing in flour, and that is flour.

It seems to me that the ones most interested in this proposed repeal are those who think they would be benefited by its repeal, namely, the maker or seller of the adulterant. The repeal of the present law would bring about most pernicious results and open the way for the lowering of the standard of breadstuffs. This is no flight of the imagination, but an absolute condition confronting this great industry.

Who wants this repeal? If the corn people wish to increase the human consumption of corn products, let them inaugurate a campaign of education. They can not make people eat corn, because the people want flour; and by that I mean wheat flour. Corn, excepting in a small way, is not human food but stock food or feed.

Now, when we come to cornstarch, we find a different condition. We have heard that seven refining companies grind upward of 56,000,000 bushels of corn annually. There is one milling company in Minneapolis which grinds annually upward of 56,000,000 bushels of wheat into the staff of life. The repeal of this bill would mean legalized adulteration or deception.

And I framed those words before I heard Dr. Wiley yesterday. The people greatly interested are the refineries which wish to find a market for this by-product, cornstarch. All this talk about corn flour and corn meal is all poppy-cock; it all simmers down to cornstarch. This little booklet we have here refers very suavely to corn flour, but the whole meat in the nut is cornstarch.

The inclusion in flour of this product would reduce the quantity of wheat ground in the same amount. It strikes me that the advocates of corn and corn by-products want the millers of wheat flour "to pull their chestnuts out of the fire." Let me assure you, gentlemen, that were this fine corn meal and cornstarch or flourine, or whatever you may call this by-product, secured chemically in the manufacture of glucose, not white in color, this repeal would not be under consideration. Were this stuff pink or gray or blue, or yellow like cottonseed meal, we would not be here to-day. If this stuff is so good, why will the bakers not use it? If these people want to increase their business, why not put up cornstarch in 49-pound sacks or in 24-pound sacks and sell it to the grocers and start a campaign of education? The millers have had to educate the people up to the use of spring wheat against winter wheat. If the public wants cheaper food, why don't they do that? I will tell you why: They won't use it because they know, and know absolutely, that it will not produce satisfactory results. If the people want cheaper flour, they can get it in the low grades, which are perfectly nutritious, but of inferior or darker color.

The man who attempts the exportation of this proposed flour mixed with cornstarch would be a very sorry exporter, because the foreign markets will take nothing but pure flour. Do we want to kill our export flour business of from 15,000,000 to 20,000,000 barrels annually, which means labor for those employed? Do we want to take a step backward? Do we want to make deception easy, for that is what it means. Do we want to lower our standards? I do not believe that we do. I do not believe that the people want it. The bakers oppose this repeal and the millers oppose this repeal, because it is vicious and wrong, and the family consumer doesn't know that his daily bread is in jeopardy.

That is all I have to say, and that is the whole meat in the nutshell. Mr. RAINY. I thank you very much. That is one of the best statements that has been made, both on account of its intrinsic merit and its brevity.

Mr. OLIVER presented a petition of sundry citizens of West Auburn, Pa., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. PHELAN presented a memorial of sundry citizens of Bakersfield, Cal., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Pomona, Cal., praying for the settlement of the difficulties between the railroads and their employees by the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. CULBERSON, from the Committee on the Judiciary, to which was referred the bill (S. 5450) to amend section 108, chapter 5, of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported it with an amendment and submitted a report (No. 791) thereon.

Mr. LANE, from the Committee on Indian Affairs, to which was referred the bill (S. 5916) authorizing an investigation to determine the true north and west boundaries of the Warm Springs Reservation, in Oregon, reported it without amendment and submitted a report (No. 792) thereon.

BILLS INTRODUCED.

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

By Mr. WADSWORTH:

A bill (S. 6863) to authorize the appointment of Levin H. Campbell, Jr., second lieutenant, Coast Artillery Corps, United States Army, as a first lieutenant in the United States Army; to the Committee on Military Affairs.

By Mr. OWEN:

A bill (S. 6864) providing for the continuance of the Osage Indian School, Oklahoma, for a period of 10 years from January 1, 1917; to the Committee on Indian Affairs.

TARGET PRACTICE IN THE NAVY.

Mr. BRANDEGEE submitted the following resolution (S. Res. 250), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be, and is hereby, directed, if not incompatible with the public interest, to send to the Senate a statement of the number of shots fired and the number of hits made by the Atlantic Battleship Fleet in division practice and battle practice in 1916 as they appeared on the screen target as allowed by the umpire at the time.

EXEMPTIONS FROM CIVIL-SERVICE REQUIREMENTS.

Mr. POMERENE. I desire to submit an amendment intended to be proposed by me to Senate resolution 246, offered by the Senator from Pennsylvania [Mr. PENROSE] yesterday, regarding exemptions from the civil service under Executive order. I ask that the amendment lie on the table and be printed, and that it be printed in the RECORD.

There being no objection, the amendment was ordered to lie on the table and be printed and to be printed in the RECORD, as follows:

Add at the end of the resolution the following:

"Also a similar list of the Executive orders issued during each administration prior thereto, beginning with the first administration of President Cleveland, exempting appointees in the Federal service from

civil-service requirements or placing employees under the civil service previously appointed outside of any eligible list prescribed by the Civil Service Commission."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. O. South, its Chief Clerk, announced that the House had passed the bill (S. 5202) to authorize the maintenance and operation of dams across the St. Croix River at Baileyville and Grand Falls, Me., with an amendment, in which it requested the concurrence of the Senate.

ST. CROIX RIVER DAMS.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 5202) to authorize the maintenance and operation of dams across the St. Croix River at Baileyville and Grand Falls, Me., which was to strike out the preamble.

Mr. NELSON. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

COLLECTION OF DISCRIMINATING DUTIES.

Mr. JONES. I submitted Senate resolution 248 yesterday. I desire to call it up.

The VICE PRESIDENT. The Chair lays before the Senate the following resolution, coming over from the preceding day.

The Secretary read Senate resolution 248, submitted yesterday by Mr. JONES, as follows:

Resolved, That the Secretary of the Treasury be directed to furnish the information called for by Senate resolution 133 of March 16, 1916, or report to the Senate promptly why such information can not be furnished.

The resolution was agreed to.

BILLS OF LADING.

Mr. POMERENE. Mr. President, some days ago there was messaged over from the House Senate bill 19, commonly known as the bill of lading bill, which passed the House with certain amendments. I ask that that may be laid before the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 19) relating to bills of lading in interstate and foreign commerce.

Mr. POMERENE. Mr. President, with perhaps two exceptions, these amendments are of minor importance. After conferring with a number of my colleagues on the Interstate Commerce Committee, I think I express their views as well as my own when I say that we would have preferred to have had the bill in the form that it passed the Senate, but we realized after conferring with Members of the House, particularly with members of the Committee on Interstate and Foreign Commerce of the House, that if we were to disagree to the amendments made in the House it would be next to impossible to have any final legislation upon this subject at the present session. It is our belief, after an exchange of views, that it would be very much better for the Senate to concur in the amendments adopted by the House, and if future experience should indicate that further legislation is desirable we can then introduce other bills anew to remedy what may seem to be the defects in the bill as it passed the House.

I therefore move that the Senate concur in the amendments of the House.

Mr. SMOOT. I will say to the Senator that I have received a great many letters in protest against the amendments offered to the bill in the House. I did not expect the bill to be brought up for action this morning, and I did not bring those letters with me to the Chamber. If the bill is going to be considered now, I should like to have the amendments read and see just what they are. In the meantime perhaps I shall get my correspondence here.

Mr. POMERENE. I think that probably the objections that have been called to the Senator's attention have also been called not only to my attention but to that of other members of the committee. They relate particularly to section 21, the subject matter of which is "shipper's weight, load, and count." I think I would agree with the Senator that we would very much prefer the shipper's load-and-count provision contained in the bill as passed by the Senate, but it is going to be impossible to get a quorum in the other House to consider this matter if it goes to conference, as we are told.

The bill does not take effect by its terms until January 1, 1917, and meanwhile an opportunity will be given everyone to investigate this subject further; and if the objections are well taken, then I, for one, will be very glad to do everything I can to secure additional legislation in harmony with section 21 as it passed the Senate.

This measure is so comprehensive in its terms and involves so many questions that the friends of the measure feel they are now getting practically 98 per cent of what they want; and we

have gotten along so far with it that it would be little short of a calamity to the business public if we did not allow this measure to go through.

I know that our committee labored in season and out of season in order to get this bill perfected, and it has been a matter of serious study by all the business interests of the country, covering a period of 10 years.

Mr. SMOOT. Mr. President, I will say to the Senator that section 21 was one of the provisions of the bill to which there was serious objection on the part of those who have communicated with me.

Mr. POMERENE. I have no doubt the Senator is right as to that.

Mr. SMOOT. There were two or three other provisions of the bill mentioned by my correspondents, but I have not the bill before me and I can not therefore at the moment point them out. I desire, however, to ask the Senator if the Committee on Interstate Commerce has considered the amendments made by the House to the Senate bill and if the committee is a unit in agreeing to the acceptance of the House amendment?

Mr. POMERENE. Mr. President, I can not say that. The committee, as a committee, has not considered the House amendments as they have come over. I have, however, presented the matter, for instance, to the Senator from Iowa [Mr. CUMMINS]; the Senator from Arkansas [Mr. ROBINSON] has also taken the matter into consideration, and my recollection is that I had some little talk with the Senator from Connecticut [Mr. BRANDEGEE] on the subject, although I will not state that as a fact, but so far as I was able to learn, I thought that we were substantially agreed that it would be for the best interests of the public at large if the bill could go through as it passed the House.

Mr. SMOOT. Mr. President, I was very much in favor of the bill as it passed the Senate. I know the necessity for the legislation, and I will ask the Senator from Iowa [Mr. CUMMINS] if the amendments of the House are acceptable to him, as he has given the subject a great deal of attention.

Mr. CUMMINS. Mr. President, I do not think the House amendment as to section 21 is as good as the Senate bill. Has the Senator from Ohio [Mr. POMERENE] stated the difference between them?

Mr. POMERENE. I did not state that specifically, and I will be very glad to have the Senator do so.

Mr. CUMMINS. The difference is this: In the Senate bill it was provided that at any place where goods are loaded and the carrier maintains an agency, the shipper could call upon the carrier to count and weigh the goods, and when that opportunity was given to the carrier, it was made unlawful for the carrier to stamp the bill of lading with the words, "Shipper's weight, load, and count"; and the railroad company would under those circumstances be liable in just the same way as though it had originally weighed, loaded, and counted the goods.

The Senate provision was intended to make the bill of lading a more substantial basis for credit in the markets of the country. The House has excepted from that provision quite a variety of conditions. That is, the House provides—

That when package freight or bulk freight is loaded by a shipper, and the goods are described in a bill of lading merely by a statement of marks or labels upon them or upon packages containing them, or by a statement that the goods are said to be goods of a certain kind or quantity, or in a certain condition, or it is stated in the bill of lading that packages are said to contain goods of a certain kind or quantity or in a certain condition, or that the contents or condition of the contents of packages are unknown, or words of like purport are contained in the bill of lading, such statements, if true, shall not make liable the carrier issuing the bill of lading, although the goods are not of the kind or quantity or in the condition which the marks or labels upon them indicate, or of the kind or quantity or in the condition they were said to be by the consignor. The carrier may also by inserting in the bill of lading the words "Shipper's weight, load, and count," or other words of like purport, indicate that the goods were loaded by the shipper and the description of them made by him; and if such statement be true—

That is, the statement that the goods were loaded by the shipper—

the carrier shall not be liable for damages caused by the improper loading or by the nonreceipt or by the misdescription of the goods described in the bill of lading.

Then, this proviso has been inserted:

Provided, however, Where the shipper of bulk freight installs and maintains adequate facilities for weighing such freight, and the same are available to the carrier, then the carrier, upon written request of such shipper and when given a reasonable opportunity so to do, shall ascertain the kind and quantity of bulk freight within a reasonable time after such written request, and the carriers shall not in such cases insert in the bill of lading the words "Shipper's weight," or other words of like purport, and if so inserted contrary to the provisions of this section, said words shall be treated as null and void and as if not inserted therein.

It will be observed that the difference is that the Senate bill provides that, wherever a carrier maintains an agency, the shipper may call upon the carrier to examine the goods, to

count them, to weigh them, and when that opportunity is given, the bill of lading can not contain the exception which the law attaches to "shipper's load, weight, and count." The House bill, as will be observed, takes out a great many instances which would fall within the scope of the Senate bill. I do not believe, therefore, that the House bill is as good as the Senate bill. It will not give the bill of lading that authenticity and standing in the markets which the Senate bill would.

But the bill is a part of a codification of the law with regard to bills of lading and is of the greatest importance. It has been composed with the utmost care and has been urged upon Congress for many years by those who are deeply interested in sustaining the credit of bills of lading, and I think it would be vastly better to pass the bill as amended by the House than not to pass it at all, in the belief on my part that when the time comes and this weakening of the bill becomes apparent, it will be easier to amend it than it will be to pass the original measure. I am, therefore, in favor of the motion made by the Senator from Ohio, if he thinks that is a better way of accomplishing the result than to have a conference committee appointed to consider the differences between the two Houses.

Mr. POMERENE. Mr. President, I may say—

Mr. BRANDEGEE. Mr. President—

Mr. POMERENE. I yield to the Senator.

Mr. BRANDEGEE. I did not know the Senator had the floor.

Mr. POMERENE. I will be through in a moment. Apropos of what the Senator from Iowa [Mr. CUMMINS] has said, I would have very much preferred section 21 of the Senate bill on this subject, and was so anxious that we might be able to get that, or nearly that, in the final form that the bill might take, that I took the matter up with Members of the House in whose judgment I had every confidence. It seems, however, that there are certain Members of the House, as I understand, who insist very strenuously upon section 21 as it passed the House and who intimate that if that amendment is not allowed to stand and remain a part of the bill, a point of no quorum will be raised in that body, which, in the present parliamentary situation, would make it utterly impossible to get this legislation through.

It seems to me that if we could get only one provision of this bill passed we ought to waive everything else and let it be passed. I refer to that provision which seeks to correct the rule laid down by the Supreme Court in the so-called Friedlander case. The substance of the holding in that case was that if a freight agent were to issue a bill of lading for goods and did not receive the goods therefor the railroad company would not be held responsible. Because of the doctrine in this case and in previous cases upon that subject, frauds aggregating millions of dollars have been perpetrated upon the public, not only in this country but in our foreign commerce as well.

As the Senator from Iowa has said, this is not a new proposition. It is the outgrowth of probably 10 years' study upon this subject of uniform legislation. First, the American Bar Association took up the subject and prepared the bill of lading to apply to the several States, and up to date that bill has been passed and has become a law in 15 of the leading commercial States of the Union.

Now, this bill is the old State bill, transformed so as to make it applicable to interstate and foreign commerce. I do not think that we would be serving the public if we were to hesitate about having this finally enacted in the form that it comes from the other House, even though we are not entirely satisfied with its provisions. As I feel now on this subject, I so much favor the Senate provision, section 21, that I should be very glad to take that up with those who are interested in the subject, with the view of securing a modification of section 21 later.

Mr. BRANDEGEE. Mr. President, as a member of the Committee on Interstate Commerce, I was very heartily in favor of the bill which the committee prepared, and which passed the Senate; and I very much regret the amendments made by the other House, so far as I am able to understand them, as stated on the floor of the Senate this morning.

The Senator from Ohio is mistaken as to his recollection about having discussed these amendments with me.

Mr. POMERENE. Mr. President, I did not state that as a fact. I stated it merely as an impression; and I think the Senator from Connecticut is perhaps right in his present statement about it.

Mr. BRANDEGEE. I know the Senator from Ohio did not state it as a fact. He stated that he was under the impression that he had discussed the matter with me; but he is mistaken about that. This is the first information I have ever had about the House amendments. However, I care nothing about that feature of it.

I simply want to call attention to this: Here is an amendment made by the other House, to which the Senate committee entirely disagrees, upon a very important bill. I regret very much that the Senator from Ohio, in his anxiety to get through this very meritorious piece of legislation, feels compelled to yield by the fact that there is no quorum in the other House, and that some one who believes in the amendment that the House has made, without any attempt to confer with the Senate conferees, announces in advance that, unless the Senate agrees with an amendment in which it does not believe, he will raise the question of a quorum in the House, and thereby perhaps defeat the whole legislation. I think it is regrettable that, Congress being in session, such a parliamentary situation should exist. I had at first expected, before the Senator made that statement, to ask the Senator to withdraw his motion that the Senate concur in the House amendments, let the Senate disagree to the House amendments, let conferees be appointed, and see if, by force of reason and argument, the Senate conferees could not bring the House conferees to an agreement with the Senate view; and I am not yet entirely persuaded that that course would not be preferable.

I am not going to insist upon it, however, because I realize the Senator from Ohio is the author of this legislation; that he has pressed it diligently for several years, and I do not feel sufficiently accountable to interfere with what he thinks is the best course under the circumstances.

My personal belief is that the intimation that the point of a lack of a quorum might be raised in the other House might not be carried into effect. I think, if the Senate should appoint conferees, that the House would appoint conferees, and that there is a possibility at least, the amount of which I am not able to judge at the present time, that we might agree. Even if we did not agree, Mr. President, this would come back to us when the Senator from Ohio and his fellow conferees decided that there was no hope of having the House recede from its amendments and concur with the bill as it passed the Senate. The Senator from Ohio could then report back to the Senate, recommending that the Senate then agree to the House amendments. Being a conference report, it would always be in order to be made, and being a question upon which there would be no debate and on which the Senate could act then just as well as now—it would not take two minutes—I should think the Senator from Ohio would feel justified in at least making the effort, and I think there would be no reason at all for losing the legislation. The Senator from Ohio would then feel that he had exhausted the last resource in the way of obtaining what he really thinks would be the best legislation.

I shall not oppose the Senator's motion, however, but I had hoped that he could see that it would be worth while to make that effort, and that his view that the legislation would necessarily be imperiled thereby, or possibly be imperiled, might be modified.

Mr. POMERENE. Mr. President, I cheerfully bear witness to the very great interest which the Senator from Connecticut has taken in this measure. We had the benefit of his very large experience and his very great legal ability in shaping it up, and I would feel disposed now to yield the point and to accept his suggestion were it not for the fact that I have satisfied myself, after various interviews with Members of the House and others who have been in conference with them, that it would be impossible for us to get them to yield upon this subject. It is for that reason that I made the motion to concur, and I still feel that it is the best that we can do at this session of Congress.

Mr. SMOOT. Mr. President, after the statement made by the Senator from Ohio I am not going to object to the consideration of the report; but it does seem to me that it is worth while for us to make an effort, at least, to have the House recede on section 21 and one or two of the other minor amendments.

I want to say to the Senator that I have been informed this morning that not only the Democratic Members of the House but the Republican Members of the House have been notified to return to Washington; and as I came to the office this morning at 7.30 a train came in, and I noticed that about 20 or 30 of them arrived here this morning. I will further say that even if the Senate had to yield it would be just as well to yield in conference as to yield here upon the floor without a conference; and I do not believe that if we had conferees appointed it would prevent the passage of the bill at this session of Congress.

Mr. POMERENE. Mr. President, if the Senator will allow me to interrupt, while I do not feel free to quote the Member I have in mind, only yesterday I had a talk with one of the prominent Members of the House who infinitely preferred the Senate provision to this, and he expressed it as his judgment

that it would be necessary for the Senate to accept these amendments if we were to have any legislation at this session.

Mr. BRANDEGEE. But, Mr. President, that at best can be only the judgment of one Member of the House.

Mr. POMERENE. Oh, surely.

Mr. BRANDEGEE. And I have known even very obdurate Members to change their minds after matters had been properly laid before them. I do not think the Senator ought to allow that one prominent Member to defeat the effort to accomplish what the Senate believes in, especially when we stand to lose nothing, as the Senator from Utah says. If we have to yield in the end, it is no worse than yielding now. We have nothing to lose, and we may possibly gain something.

Mr. POMERENE. Mr. President, I realize the very laudable purpose that the Senator from Connecticut and others have in mind; and I feel, too, that their request is not an unreasonable one. I do not want to seem to be taking an arbitrary position in this matter—not in the least—because I feel that the Senators, speaking generally, are as much interested in this proposition as I am. I think we all concur in feeling that it is a piece of constructive legislation that is going to be of unusual benefit to the business public, and if the Senators have serious objection to my motion as indicated here I do not know but that I will withdraw that motion.

Mr. GRONNA. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from North Dakota?

Mr. POMERENE. Certainly.

Mr. GRONNA. I want to say to the Senator from Ohio that I am not a member of this committee and I have not had time to give the matter careful study, but from a hurried reading of the amendment as proposed by the House I want to say to the Senator that I have serious objection to it. I can not see where this would benefit the shipper at all.

Mr. POMERENE. Mr. President, if the Senator will carefully study the whole bill, while I think I would agree with him as to his exception to this particular section, I think he will agree with me that, taken as a whole, it is a very great improvement over the present state of the law.

Mr. President, under the circumstances I think I will withdraw the motion to concur in the House amendments. I move that the Senate disagree to the amendments and request a conference with the House and that the Chair appoint the conferees.

The motion was agreed to; and the Vice President appointed Mr. POMERENE, Mr. ROBINSON, and Mr. CUMMINS conferees on the part of the Senate.

The VICE PRESIDENT. Morning business is closed.

THE PHILIPPINE GOVERNMENT—CONFERENCE REPORT.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of the conference report on the Philippine bill.

Mr. SIMMONS. Mr. President, has the Senator reason to believe that the consideration of this conference report can be concluded during the morning hour? [A pause.] Very well, Mr. President; after a conference with the Senator, I shall not oppose the motion.

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

The motion was agreed to; and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands.

COMMITTEES OF CONGRESS—REPLY TO MR. HUGHES.

Mr. HARDWICK. Mr. President, personally I believe that, as a rule, it is neither within the proprieties nor for the best interests of the country for us to indulge in partisan discussions on this floor of pending political contests.

We can not hope to convert each other, and I am afraid that the partisan heat engendered by these discussions and the personal feeling aroused by them sometimes seriously interferes with the conduct of the business of this body and with the interests of the whole country without materially promoting the real interests of any political party. For it must be remembered that on all legislative questions we ought, and on most of these questions we do, put the interests of our country above the apparent and momentary demands of any political party. Therefore, as a rule, I greatly deprecate the injection of bitter partisan debate into the proceedings of this body. Such a discussion does not decide or even materially influence the result of any election; but it does detract, and detract seriously, from both the usefulness and dignity of this body.

It must be conceded, however, that there are rare occasions that constitute the exceptions to this rule, occasions on which a Senator's duty either to the country as a whole or his immediate constituency seems to require that notice be taken here of some current political event or utterance.

It is my belief that a recent utterance of the Republican nominee for President presents such an occasion and justifies the remarks that I am about to make, although I should hesitate very much to undertake to respond here to any ordinary political utterance of that candidate. If we may believe the press reports of Sunday, August 13, 1916, it appears that Mr. Hughes, speaking at Butte, Mont., on August 12, 1916, charged the Democratic Party with sectionalism and read a list of chairmen of the important committees of the National Senate and House to illustrate, as he claimed, that the Government of the United States, and especially all "pork" legislation, as he termed it, is in the control of the Southern States. Let me read briefly from the report of his speech:

The candidate explained the system of committee work in Congress, dwelling upon the influence of the chairmen.

He then read the names of the House committee chairmen from Southern States, and added:

"All estimable gentlemen. I have no personal criticism to make of the honor and respectability and agreeable character of these gentlemen, but I say that an administration under which too many of the committees of the House of Representatives are represented in one section in that manner is a sectional administration. It is not an American administration in the broad and proper sense given to that word."

Hughes further observed that the chairmen of the two important committees in the Senate and House who pass upon the pork legislation are also Democrats from the South—Senator CLARKE, of Arkansas, chairman of the Committee on Commerce, and Representative SPARKMAN, of Florida, chairman of the Rivers and Harbors Committee. And finally he pointed out that two more southern Democrats, Senator SIMMONS, of North Carolina, and Representative KIRCHIN, of the same State, respectively, chairmen of the Finance Committee of the Senate and the Ways and Means Committee of the House, dominate the bodies which pass upon practically all the appropriations made by Congress.

If Mr. Hughes is acquainted with the work of constituting the committees of Congress, and he surely should be since he undertakes to instruct the American people about it, he must know that both the chairmanship and membership of the various committees of both Houses of Congress are not constituted along any sectional lines or for any sectional reasons whatsoever, but that, on the contrary, the rule governing these matters is the seniority rule which obtains in both political parties and which is based on the experience acquired by Members of both Houses of Congress during the period of their service here. All gentlemen who have had experience in either House of Congress are fully acquainted with the fact that no other general rule for the control of this matter can be devised or applied that is so just to the membership of both Houses and so productive of good results in the work of Congress. The best proof of that fact is that all political parties, including the party represented by Mr. Hughes, have adopted and enforced it. If southern Senators and southern Representatives have received many responsible committee assignments under this rule, it is simply and solely because of their long service here, representing constituencies that are consistently and continuously loyal to the Democratic Party, and not because of their residence in any particular section of our country.

If I were disposed to retort in kind to the Republican candidate for President, I might suggest that the Democratic Party is the only real national party in this Republic, having, as it does, representatives in the two Houses of Congress from every section and from almost every State. I might suggest that even a casual examination of the minority representation on the committees would disclose an even more sectional situation than that to which he alludes. For instance, if the Republicans came into power in this body not a single chairmanship of any importance would be held by the South, although it constitutes a large part of the country in population and in wealth and in area. I might retort that if the Republicans should come into power in this body on March 4 next, two of the most important committees of the Senate, namely, Appropriations and the Judiciary, would be headed by two Senators from a single Western State, so small in wealth and population, in comparison with the greater States of this Republic, as to suggest a "pocket borough," and yet I will not descend to that level, because I know full well that if, by the fortunes of war, our Republican friends should unfortunately control this body after March 4 next, that the two distinguished Senators from Wyoming who would succeed to the chairmanships to which I have alluded would not be chosen for those places because of the fact that they represent a small Western State, but because of their long experience and distinguished service in this body. Why the Republican candidate can not be equally candid and equally fair is beyond my comprehension. His failure to do so can be accounted for on one hypothesis alone; he believes that

in certain sections of our country he can stir up passion and prejudice by waving the bloody shirt once more and by crying aloud, "The South is in the saddle."

Mr. President, I had thought that the day for this sort of performance, North or South, had passed forever. I know that there was an unfortunate period in the history of our country when the fires of sectional hate burned high and when appeals of that kind were often made and too often controlled the elections, but it had seemed to me that we have at last gotten away from that bitter period and that once more we had a reunited country and a homogeneous people, and that the man who would undertake, in the North or in the South, to relight the smoldering embers of sectional prejudice was not only not a broad-minded American patriot but was an enemy to his country and a foe to its truest interests.

I recall that when the Spanish-American War made its appeal to the patriotism of the country the response came with equal promptness and equal volume from the North, the East, the West, and the South; that in that war the sons of the men who wore the gray in the sixties marched side by side and shoulder to shoulder with the sons of the men who wore the blue, and that the first life offered up in that struggle was the life of a gallant young North Carolina boy. I recall the occasion when the great McKinley, speaking at the close of that war to the legislature of my own State, of which I was then a member, proclaimed the death of sectionalism, the rebirth of a nation, and declared that proud achievements of American valor on both sides of the great civil conflict were the common property of all the American people, and that the time had come in the providence of the Almighty when the Federal Government should assist in the preservation of the graves of Confederate soldiers. I recall that while our people did not fully accept this generous offer, although it was very deeply appreciated, it was only because they felt that in their own land their own loving care would be all sufficient, and I recall that about four years ago a distinguished Senator from the North [Mr. POMERENE of Ohio] proposed and had adopted an amendment to one of the appropriation bills by which the Federal Government undertook to care for the graves of Confederate soldiers who had died in prison at Johnson Island, Ohio.

I recall the many patriotic utterances of both Presidents Roosevelt and Taft on this great question, and I recall the eloquent appeals of our greatest statesmen and truest patriots, both North and South, for the reestablishment of the Union in love and for the eternal abandonment of sectional prejudice and hatred.

Ah, Mr. President, when I recall all of these things, and when I recall the proud-spirited, high-strung, long-suffering people of my own section, anxious to feel that they are in fact at peace forevermore with their brethren and that they are, indeed, welcome back in the house that their fathers built, and when I recall the brave, just, and generous people of every State in the North and West who have extended the olive branch in good faith and who do not approve of these attempts to revive and rekindle sectional hatred, then I can not help but feel that any party that would teach the American people to hate each other is not fit to serve the American people and is not worthy to be trusted by the American people, and I can not help but feel that any presidential candidate who, in his eager hunt for votes, would stoop to appeal to passions and prejudices of this sort is not big enough or brave or broad enough in heart or in mind to be a worthy President of the whole country and of a reunited people.

THE PHILIPPINE GOVERNMENT—CONFERENCE REPORT.

Mr. HITCHCOCK. Mr. President, the conference report now before the Senate involves only four amendments to the Senate bill. The first amendment is practically nothing at all, because it merely strikes out one paragraph and inserts an identical paragraph, a proceeding which was due to the parliamentary situation in the House.

The second amendment is the enlarged amendment which is proposed by the House. The Senate conferees agreed to it with certain amendments, those amendments being provisions which were inserted in the bill by the committee report and agreed to by the Senate.

The third amendment proposed by the House strikes out the so-called Clarke amendment which the Senate inserted in the bill. This amendment was not only stricken out by the House conferees, but it was fortified by a vote of the House instructing the conferees not to consider any proposal such as was involved in the Clarke amendment. This instruction by the House raised a very serious doubt whether the Senate could with proper dignity enter into a conference with the House conferees, limited by such stringent instructions. Finally, however, after consultation on this side with those who were strong proponents of

the Clarke amendment, it was considered advisable to yield to the House in this matter and to enter into a conference, conceding that the Clarke amendment should be eliminated.

The fourth amendment covers the preamble to the bill. The Senate conferees agreed to accept the House preamble to the bill in place of the preamble adopted by the Senate. There is not much difference in the preambles. The difference is largely a matter of phraseology. Each preamble holds out to the people of the Philippine Islands the idea of ultimate independence.

Mr. President, I have stated that amendment No. 2 was accepted by the conferees with certain amendments. Amendment No. 2 covers practically 33 sections of the bill. The amendments which the Senate conferees insisted on and which were ingrafted upon the House amendment make the following changes in the House amendment.

As presented by the House the electorate in the Philippine Islands was to be considerably enlarged, and this enlargement was to take place at the first election as well as at all others. The Senate conferees insisted that the electorate should not be enlarged at the first election, that the first election to be held should take place with the same electorate, with the same qualifications for election as those which had prevailed heretofore, and this the House conferees accepted.

As presented by the House, amendment numbered 2 did not permit American residents in the islands to be voters. The Senate conferees felt that Americans resident in the islands should be voters, and the House conferees yielded on that proposition. They are recognized voters not only at the first election, but at subsequent elections.

As presented by the House, amendment numbered 2 did not provide for the selection of a vice governor. The Senate conferees insisted that there should be appointed by the President an American who should have the position of vice governor of the islands, ready to take the place instantly of the Governor upon his disability or death.

The Senate conferees also insisted that this vice governor should be intrusted with certain important duties: First, the control of the educational system of the islands; second, the control of the sanitation of the islands, thus insisting that the bodily and mental health of the people of the islands should remain for the present under the control of an American appointed by the President. This was conceded by the House conferees.

The House conferees also conceded another amendment which the Senate incorporated in the bill, and that was that an auditor for the islands for the Philippine government, for the provincial governments, and for the municipal governments should be appointed by the President of the United States; that he should have an assistant auditor; and that all the accounts of the Philippine government and its officials, the accounts of the municipal governments and of the provincial governments should pass through the hands of this auditor. This is for the purpose of insuring in the future what has been true of the past, a protection against the possibility of graft or the misappropriation of funds in the islands.

Mr. President, those are the amendments which the Senate conferees insisted on and which the House conferees accepted.

I may say, in conclusion, Mr. President, that there is very little difference between the bill now reported by the conference committee and the bill as originally presented to the Senate by the Committee on the Philippines. The chief change which has been made in the bill as passed by the Senate is the elimination of the Clarke amendment and the elimination of the prohibition amendment, both of which were ingrafted upon the bill in the Senate and both of which have been the subjects of such high controversy that there seemed no possibility of enacting legislation for the Philippine Islands at this session unless they could be eliminated.

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

Mr. HITCHCOCK. I yield to the Senator.

Mr. VARDAMAN. Will the Senator be kind enough to state the difference between the preamble as it was presented and the one agreed upon.

Mr. HITCHCOCK. I will be glad to do so. The Senate preamble read as follows:

Whereas it is desirable to place in the hands of the people of the Philippines such an increasing control of their domestic affairs as can be given them without, in the meantime, impairing the sovereignty of the United States, in order that, by the use and exercise of popular franchise and governmental powers, they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence, which it is the purpose of the United States to grant when, in the judgment of the United States, it will be to the permanent interest of the people of the Philippine Islands: Therefore—

The House preamble reads as follows:

Whereas it was never the intention of the people of the United States in the incipency of the War with Spain to make it a war of conquest or for territorial aggrandizement; and

Whereas it is, as it has always been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein; and

Whereas for the speedy accomplishment of such purpose it is desirable to place in the hands of the people of the Philippines as large a control of their domestic affairs as can be given them without, in the meantime, impairing the exercise of the rights of sovereignty by the people of the United States, in order that, by the use and exercise of popular franchise and governmental powers, they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence: Therefore

Be it enacted, etc.—

So, Mr. President, the two preambles are alike in this respect. They hold out to the people of the Philippine Islands the legislative assurance, the presidential assurance, the governmental assurance of the United States that it is the ultimate purpose of the Government of the United States to give independence to the Philippines when the proper time arrives.

Mr. LANE. The Senator says the preamble holds out hope of liberty and self-government to the Philippine people. It sort of dangles it before their eyes and then grabs it back before they can get hold of it.

Mr. VARDAMAN. I wish the Senator would state the change in the preamble.

Mr. HITCHCOCK. The Senate conferees accepted the House preamble, which practically declares that the Philippines shall be given their independence when they have established a stable government, whereas the Senate preamble declared they were to have their independence when, in the opinion of the United States, it was to their interest to have it.

Mr. VARDAMAN. Really there is no difference between the two.

Mr. HITCHCOCK. It is not an important difference.

Mr. President, let me say in conclusion that this is a bill not for the purpose of legislating for the Philippine people but it is a bill to confer upon the Philippine people a larger power to govern themselves. It changes the form of government slightly. Whereas at the present time the legislative power of the Philippine Islands is vested in a commission appointed by the President and in an assembly elected by the people, the bill now before Congress proposes to vest the legislative power in a legislature composed of a lower house, called the house of representatives, elected by the people, and an upper house, composed of senators, also elected by the people. This legislative body will also have two senators, appointed by the governor, to represent the non-Christian tribes and nine members of the lower house, also appointed by the governor, to represent the non-Christian tribes. So with the two senators and nine representatives selected by the governor and 81 representatives and 24 senators elected by the people the Philippine Islands will have a legislature empowered to pass practically all laws for the control of the islands, with such exceptions as are placed in this bill as a limitation.

Mr. President, I think those exceptions are pretty well understood. The Philippine Legislature can not pass laws on the subject of coinage or immigration without the approval of the President of the United States. It can not pass certain laws with relation to the public domain without the approval of the President of the United States.

Mr. VARDAMAN. Does the Senator think there will be any real self-government given the Philippines under this bill?

Mr. HITCHCOCK. Oh, yes; I have no doubt of it. They have the power—

Mr. VARDAMAN. Does not the Senator understand that their rights are so restricted, so circumscribed, that really it is a mere plaything or make-believe which has been accorded the Filipinos; that they are given no substantial right of self-government?

Mr. HITCHCOCK. At the present time the Philippine Legislature is exercising large governmental power. Only the other day there was received here in the Senate and referred to the Committee on the Philippines the laws passed at the last session of the Philippine Legislature. A certified copy of those laws was sent here for the information of Congress, in order that Congress may exercise the power to repeal them or restrict them if it should disapprove them. But, as a matter of fact, Congress has never exercised that restrictive power, and every act of the Philippine Legislature has gone into force and is a law in the Philippines.

Mr. VARDAMAN. That is true for the reason that the Filipinos under the direction of American citizens resident on the islands, and under the advice and tutelage of Americans, and awed by interests of the American philanthropists who have gone over there and taken the islands by the throat, would not send a measure here that they did not know Congress would approve.

Mr. HITCHCOCK. I think the Senator from Mississippi is misled in that. The restrictions upon the legislative powers of the Philippine Legislature in the past have been considerable, because of the fact that the President has the power to appoint the upper house. But under this legislation, upon which the Senate and the House have now practically reached an agreement, both houses will be composed of Filipinos elected by the people. They have power to pass all laws with relation to taxation; they have power to pass all laws with relation to appropriations; they have power to pass all laws concerning the right of property with a few exceptions, which are ingrafted in the bill, just as Congress and our State legislatures are restrained by certain constitutional limitations.

But while this act is virtually a constitution for the Philippine Islands and places a legitimate limit upon the power of the legislature, it leaves to the Philippine Legislature virtually the power of local government. It gives to the Philippine senate the power to confirm appointments made by the Governor General. It gives to the Philippine Legislature the power to say how high taxes shall be. It gives to the Philippine Legislature the power to say for what appropriations shall be. It gives to the Philippine Legislature the control over the municipalities of the islands, the cities, and the towns. It gives to the Philippine Legislature, with the approval of the President, the disposition of the public domain. It gives to the Philippine Legislature, in short, all of the legitimate power of local self-government and self-taxation, and it is in my opinion a measure wisely planned and carefully planned to increase beyond the point that has heretofore existed these powers of local self-government.

Mr. President, I am willing to make the prediction that under this act there will be a natural and healthy expansion of self-government in the Philippine Islands, that under this act the Philippine people will show themselves capable of self-government, and that it will not be many years before the people of the United States will be willing at least to give fuller and perhaps complete self-government to the Philippine Islands if her people shall desire it.

Mr. JONES. Mr. President, I want to ask the Senator from Nebraska one question about the conference report. I notice in the report agreed upon that the first election under this act is to be held early in October.

Mr. HITCHCOCK. It is.

Mr. JONES. Why did not the committee place that date a little bit later, so that it would give a little more time? The Senator from Nebraska will realize that it takes from 35 to 40 days to get mail from this country to the Philippines. Of course, I suppose we could cable the terms of this act, but it seems to me that an officially certified act ought to be there before they take steps to hold the election.

Mr. HITCHCOCK. The question of the Senator from Washington is a very natural one, I realize, and the explanation is this: This act has been framed in most of its details for many months. Copies of it are in the Philippine Islands and the changes have been cabled over there. Preparation has been made for the election, and, as a matter of fact, the election of the lower house actually occurred in June last. This act and the amendment agreed upon in committee provide that the lower house elected in June shall be the first house of the Philippine Legislature.

Mr. JONES. I had not seen that provision.

Mr. HITCHCOCK. So that there is nothing but the Philippine senate to elect.

Mr. SHAFROTH. Mr. President, let me suggest to the Senator from Washington that Gen. McIntyre, of the War Department, wired to Gov. Gen. Harrison to ascertain whether the date named, the first Tuesday of October, would be satisfactory; and day before yesterday Gov. Gen. Harrison wired that it would be.

Mr. JONES. It seems to me that it gives a very short time to get the notice into those islands, which are great in number, with reference to the election; but I make no objection to it.

Mr. WADSWORTH. Mr. President, will the Senator from Nebraska be kind enough to yield to a question which I desire to ask in order to get some information?

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

Mr. HITCHCOCK. I do.

Mr. WADSWORTH. Will the Senator say what disposition has been made as to the salaries of the supreme court judges of the Philippines?

Mr. HITCHCOCK. They have been placed at \$8,000 for the chief justice and at \$7,500 for each of the associate justices.

Mr. WADSWORTH. Does that provision take effect immediately?

Mr. HITCHCOCK. It does.

Mr. WADSWORTH. Mr. President, I can not help but think that is a very important result. A reduction of the salaries of the judges of the supreme court from \$10,000 to \$7,500 may seem very unimportant to us here, but it is an exceedingly important thing as affecting the American section of the judiciary in the islands. I have yet to learn of any demand for the reduction of those salaries, either from the Filipinos or from anyone in our own Government here. It seems to have been done, so far as I can understand, offhand, and perhaps as a drastic illustration of economy at somebody else's expense for the benefit, perhaps, of people who live seven or eight thousand miles away.

If my recollection is correct, Mr. President, the question of the salaries of the judges of the supreme court in the Philippines was very thoroughly gone into by a committee of the House of Representatives several years ago when the first Philippine act was passed or, perhaps, when it was being revised. At that time, if my recollection is correct, the salary was fixed at \$7,500. The American judges then serving in the Philippines made out a most clear case, as I remember, before the committee, either by correspondence or in person, to the effect that they could not live in the islands on that salary, and, if my recollection is also correct, one of them felt himself forced to come home. As a result of that investigation Congress placed the salary at \$10,000 a year, and it has been at that rate ever since. Now, I understand this bill arbitrarily reduces the salary, to take effect immediately, affecting the sitting judges, to \$7,500, which Congress some years ago agreed was an impossible salary upon which a United States judge could live in those islands with a dignity befitting his position.

Mr. HITCHCOCK. Mr. President, the Senator from New York is probably acquainted with the salaries paid to the judges in Porto Rico, in the Hawaiian Islands, and in such Territorial possessions of the United States, and I am sure he will be willing to concede that the salaries of the judges in the Philippine Islands should not be any greater. There is an appeal from the court in the Philippine Islands to the Supreme Court of the United States, and experience with judges who are sent out to such posts is, I think, that the fact that the salary of \$10,000 is paid, instead of seven or eight thousand dollars, does not always result in getting better judges. I have no desire to disparage the ability or character of the men upon the bench in the Philippine Islands, but I am advised that it would be possible to replace them with equal talent at \$7,500 a year.

Mr. SHAFROTH. Mr. President, I will state to the Senator from Nebraska that the judge of the Federal court in Porto Rico gets \$5,000, and that the judges of the Federal court in Hawaii get \$6,000 each a year.

Mr. President, I want to call the attention of the Senator from New York to the fact that these salaries have never been fixed, except by the Commission of the Philippine Islands. The organic act of the government of those islands made this provision:

And the chief justice and associate justices of the supreme court shall hereafter be appointed by the President, by and with the advice and consent of the Senate, and shall receive the compensation heretofore prescribed by the commission until otherwise provided by Congress.

Congress has never otherwise provided. I was in favor, when the suggestion was made, to propose a provision to the bill which would not affect the salaries of the judges who were there, but the House conferees would not consent. In reading this act and finding that those judges have no definite term, finding that the appointment is revocable at will by the President of the United States, it seemed to me that Congress intended that there should be some time when the salaries should be fixed and definite. If it were a term of four, six, or even ten years, I would say their salaries should not be diminished or increased during their term; but where men have been appointed under a provision that Congress shall fix the salary, and where this is the first time we have had an opportunity to fix it, it seems to me that it is not such a great hardship to do so.

Besides, I do not believe that the cost of living in the Philippines is any greater than is the cost in the United States. Servant hire is a great deal less. Not only that, but the houses in which the judges live, being open houses, not houses with stone or concrete walls, not fine structures, must of necessity be cheaper. That must affect the price paid for rent by persons who rent houses in which to live. It seems to me, all things considered, that, while I should like to put in such a provision preserving their salaries for their terms, the House conferees would not consent to it.

In addition to that, in view of the provision of the law I have read, their term of office not being definite, and the President being able to call for the resignation of any one of the judges to-morrow, when his term would be ended, this is not similar

to an instance where a judge is selected for a definite term, and so has a right to rely upon that definite term and upon the salary affixed thereto.

Mr. WADSWORTH. Mr. President, I should feel very much more at ease in the matter if the Senator from Nebraska [Mr. HITCHCOCK] could give the Senate assurance that it was more than possible for us to secure as good judges for the lower salary as we are now securing for the \$10,000 salary. What I should like to hear would be an assurance that we were certain to get as good judges under the new rating as we have secured under the old rating.

The Senator from Colorado [Mr. SHAFROTH] says the cost of living is not so high, or is not any higher, in the Philippines than it is, perhaps, in Hawaii or in Porto Rico. All of my information is to the contrary. The Senator makes reference to the apparently low wages and salaries to servants; but, in reply to that, I desire to say that it is well to remember that it takes a great many more servants there to do the same amount of work.

Mr. President, it has always been impressed upon my mind in dealing with this great Philippine problem that the most sacred thing of all in this connection is the judicial branch of that government. It is certainly incumbent upon us to be absolutely certain that the judiciary of the Philippine Islands shall be what American ideals desire in that respect.

The separation of the functions of government into judicial, legislative, and executive branches is in a sense brand new to those people—at least, they have only become familiar with such a system within a very few years—and the most difficult thing to drive into the minds of people who are learning a new form of government is the sacredness of the judiciary. If we are going to enact in this bill any provision which will lower the character or the ability of the American section of the judiciary in the Philippines we shall be doing an evil thing.

My information is to the effect that a judge in the Philippine Islands who desires to live in accordance with the dignity which should accompany his office, and who is entitled to compensation fitting the ability which he brings to the discharge of his duties, can not do so on \$7,500 a year. From more than one source I have heard that \$10,000 a year is not any too much.

The Senator from Colorado called attention to the organic act, which specifically says that the salaries of those judges shall remain at the figure fixed heretofore by the commission, unless Congress otherwise determines at some later date. That, of course, is implied in any act of Congress, but it was the idea, perhaps, of Congress to fix those salaries at \$10,000 a year, and that action was done after investigation, full and complete, of the facts. So far as I have been able to learn, there has been no change in the conditions in the Philippine Islands which would warrant this severe reduction. It is now proposed to take one dollar out of every four given by way of salary to those judges.

Mr. LIPPITT. Mr. President, if I may interrupt the Senator, I will say that there has been no change, except that the price of labor has doubled in the Philippines since the time when that act was passed.

Mr. WADSWORTH. Yes; I have understood that the cost of living has been going up steadily.

Mr. WEEKS. Mr. President, may I suggest to the Senator from New York, in corroboration of his statement, that there have been frequent instances of judges in the islands resigning?

Mr. WADSWORTH. I understand that is true.

Mr. WEEKS. They have been very much more frequent than in the case of other officers in those islands.

Mr. WADSWORTH. Mr. President, it has become increasingly difficult to persuade American judges to remain in the Philippines during their indefinite term of office, to which the Senator from Colorado has referred; and if we are going to have constant changes in the personnel of the American section of the bench out there, it will be an evil and a sad thing for the judiciary as a whole in those islands. To my mind it is a legislative offense to treat an officer as this bill treats the judges of the Philippine Supreme Court, reducing their salaries while they are in the service without giving them any chance to readjust their affairs, and, in a sense, breaking faith with them, in view of the terms of their original appointment.

Mr. BORAH. Mr. President—

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

Mr. BORAH. Mr. President, is the Senator from New York or anyone else who is connected with this legislation familiar—

Mr. WADSWORTH. I am not connected with this legislation.

Mr. BORAH. Is anyone connected with this legislation familiar with the character, standing, and reputation of the lawyers who have departed from this country to serve as judges in the Philippine Islands?

Mr. WADSWORTH. Mr. President, I happen to know something of a couple, and they are exceptionally able men.

Mr. BORAH. Are they still in the service in the islands?

Mr. WADSWORTH. One is, as I happen to know.

Mr. BORAH. Of course, I ask that question in good faith, because I am not familiar with the attorneys who have taken positions on the bench in the Philippines; but I am familiar with the result of the administration of the judiciary in some of our other possessions, and \$7,500 a year is altogether too much for such men. There may be an exception in the Philippines, and, if so, it will make altogether a different proposition in my mind; but in Alaska and in others of our territorial possessions, the men to whom we have given judicial authority, certainly with very few exceptions—there are exceptions, but they are rare—have been utterly unfit to discharge judicial duties.

Mr. WADSWORTH. Mr. President, I am bound to say that I have heard similar complaints as those voiced by the Senator from Idaho with respect to the judges in some of our territorial possessions, but I have never heard that complaint directed against the judges we have sent to the Philippines.

Mr. GRONNA. Mr. President, may I have the attention of the chairman of the committee for just a moment, as I desire to ask him a question? I inquire of the Senator what became of the amendment inserted in the bill in the Senate and found on page 5 of the old bill, prohibiting the sale of intoxicating liquors in the islands?

Mr. HITCHCOCK. I think the Senator was not in his seat when I explained the matter to the Senate.

Mr. GRONNA. No; I was not.

Mr. HITCHCOCK. The House amended the bill in rather a peculiar way. It struck out 33 of the sections of the bill and specifically rejected the thirty-fourth section, so that the Senate conferees were confronted by what was nominally an amendment, but was practically a complete bill in itself, consisting of 33 sections. We also found that the conferees on the part of the House were bound by instructions not to even consider one of the amendments which had been ingrafted upon the bill in the Senate, commonly known as the Clarke amendment, and that by adopting the 33 sections as a single amendment they had wiped out all of the Senate provisions in the bill.

The Senate conferees found themselves under the necessity of accepting the House amendment, which was practically a substitute for the Senate bill, embracing 33 sections, and we were only able, after several conferences with the House conferees, to induce them to accept four or five of the important amendments which I have already recited, and which go to vital matters, affecting the perpetuation of good government in the islands. One of those amendments related to the vice governor, another to the auditor, another to the electorate. Those were vital amendments which we were able to induce the House conferees to accept.

The prohibition amendment of which the Senator from North Dakota [Mr. GRONNA] is the author, and which the Senate ingrafted upon the bill as reported by the Senate committee, was a matter of legislation, whereas this bill is not a matter of legislation; but it is a constitution for the Philippine Islands under which they can legislate for themselves. Under this bill, if they desire prohibition, they can enact it. Our bill is designed to give them self-government, with certain constitutional restrictions.

Mr. GRONNA. Does not the Senator from Nebraska believe that it would be possible to incorporate a provision prohibiting the sale of intoxicating liquors in a constitution dealing with a class of people such as reside in the Philippine Islands?

Mr. HITCHCOCK. Mr. President, it might be possible if we were dealing with the people of the Philippine Islands, but we are dealing with the House of Representatives, and we found that the conferees on the part of the House had certain very definite opinions. In addition to that the Democratic convention, which recently assembled and adopted a platform, incorporated a plank in that platform indorsing the bill as it passed the House.

Mr. GRONNA. Well, is it not a fact that the Senate yielded on all important points, except as to certain administrative features of the bill, and that the bill is now practically the bill as passed by the House?

Mr. HITCHCOCK. Mr. President, while it is largely the bill as it came from the House, it is also practically the bill as reported by the Senate committee, except that it has ingrafted upon it the House preamble. It is true the Senate conferees yielded on two important amendments, and on two only—the Clarke amendment and the amendment of which the Senator from North Dakota is the author. It is necessary, however, in order to bring about a conference agreement to yield; it is

not possible for one side to secure everything; and in this case the committee was convinced that the House of Representatives was behind the House conferees on both these amendments.

Mr. GRONNA. The Senator, of course, remembers that the Senate by a very decisive vote—35 to 23, as I recall—voted to insert the prohibition provision in the bill.

I also desire to ask the Senator another question. I find in section 15, paragraph (c), relating to the qualifications of the voters, this provision:

Those who are able to read and write either Spanish, English, or a native language.

Now, I am not familiar with the old law. Is the last part of that language in the old law?

Mr. HITCHCOCK. No; it is not, Mr. President. This bill as it passed the Senate, as well as the bill as it passed the House, made a considerable enlargement of the electorate in the Philippine Islands, and in that respect the two Houses are in accord; but this enlargement does not take place in the first election, and the next election will not be held for three years.

Mr. GRONNA. I think I have a right to ask the Senator having the bill in charge why it was necessary at this time to extend this privilege to the people of the islands. I had understood all the time that the Filipino people were advancing; that they were progressing; and yet the committee of conference, having the ultimate say on this bill, inserts a provision which I believe is very important, and which, to my mind, shows that those people have not been progressing at all.

Mr. SHAFROTH. Mr. President, I would suggest to the Senator that the reason why the Senate adopted the provision that the electorate should remain the same as now at the first election was to a large extent because they have not time to enlarge the franchise and have a registration and comply with the requirements that should be made.

Mr. GRONNA. Does the Senator from Colorado believe that those people will be more ignorant at the next election than they are now, so that it is important that we should allow them to have a seat in the legislative body when they can speak neither Spanish nor English, but speak only their own language, of which I understand there are very many in those islands?

Mr. SHAFROTH. Why, Mr. President, the Houses are not in discord upon the qualification of voters. Each one of the Houses has adopted a proposition to the effect of allowing those who can read and write the English, Spanish, or native language to vote, and the only limitation that the Senate put upon it was in regard to the first election. The first election was limited to the present electorate.

I will state the reason why I thought at the time that the franchise should be enlarged. It was because I believe that as we progress it has a tendency to make people seek education; and inasmuch as we have been enlarging it considerably, it seems to me that we ought to adopt more liberal terms for them.

A great many people believe that no restrictions whatever should be put upon a voter; that if he is governed, he should have the right to say something in the government. That, to a certain extent, entered into our deliberations; but there is no discord between the two Houses in that respect, and we could not change that because the action of both Houses was the same.

Mr. GRONNA. The Senator from Colorado knows very well that there are very many languages spoken by people even in this country. Does the Senator from Colorado believe that we should allow, when a test is required as to the person's fitness for citizenship, any other language to be spoken here except the one we are using now—the English language?

Mr. SHAFROTH. Why, yes, Mr. President. I think it would be an outrage to take possession of a group of islands and not let the people of the islands who speak the language commonly used there vote.

Mr. GRONNA. I have reference to the proceedings of the legislative body.

Mr. SHAFROTH. As to the legislative body, what is required there is either the Spanish or the English language.

Mr. GRONNA. Yes; or some other native language.

Mr. SHAFROTH. No; I think not—not in the legislature.

Mr. HITCHCOCK. The Senator is reading the qualifications for electors.

Mr. GRONNA. I am reading the qualifications of the voters of the islands.

Mr. HITCHCOCK. Yes; but not the qualifications of members of the legislature.

Mr. GRONNA. The old law provides, according to the statement of the chairman of the committee, that to be qualified to vote they must be able to speak and read either the English or the Spanish language. This bill enlarges that and permits those people to vote if they can speak English, Spanish, or some other language.

Mr. HITCHCOCK. Mr. President, the Senator is in error. The House bill is exactly the same as the Senate bill in that respect. The conference committee could not touch that matter, because the bill as passed by the Senate made the electorate of the same character. The Senator is evidently laboring under the delusion that the proceedings of the legislature will be in some other language.

Mr. GRONNA. No; I am not, Mr. President.

Mr. LIPPITT. Mr. President, if the Senator will excuse me, I think the Senator from Nebraska must be in error in saying that the conferees could not undertake to consider the question of the electorate, because they have already made a change in the electorate; and the two Houses, as I recollect, were not in harmony on that.

Mr. HITCHCOCK. The Senator from Rhode Island is in error there. The change which the conferees made was because there was the difference that the House bill did not permit Americans to vote, and we were therefore at liberty—

Mr. LIPPITT. The Senator from Nebraska will remember that in section 16 of the bill as it passed the Senate there was a clause, "(d)," which provided that in addition to the qualifications for electors prescribed in the conference report "those to whom the privilege of suffrage may be granted by the Philippine Legislature" should also be permitted to vote. That was eliminated. So it is evident that there were changes made in the electorate. I am only speaking of the technicality of the provision.

Mr. HITCHCOCK. But the Senator from North Dakota is complaining that the House conferees are permitting men to vote who speak and write and read only the Philippine dialect. We could not alter that, because the Senate and the House were in accord in permitting such men to vote.

Mr. GRONNA. I asked for an explanation from the chairman. Perhaps I did not make myself plain; but I was curious to know why it was important to extend the franchise, the right to vote, to the Filipino people whether they could speak the English or the Spanish language or not.

Mr. SHAFROTH. Mr. President, here is the provision to which the Senator should refer in speaking of the legislature:

SEC. 13. That the members of the Senate of the Philippines, except as herein provided, shall be elected for terms of six and three years, as hereinafter provided, by the qualified electors of the Philippines. Each of the senatorial districts defined as hereinafter provided shall have the right to elect two senators. No person shall be an elective member of the Senate of the Philippines who is not a qualified elector and over 30 years of age, and who is not able to read and write either the Spanish or English language.

Mr. GRONNA. That is the section which prescribes the qualifications of members of the senate.

Mr. SHAFROTH. And of the house also.

Mr. GRONNA. It is not the one which prescribes the qualifications of an elector.

Mr. SHAFROTH. No; in the case of the elector it is his native language, English or Spanish, that is required.

Mr. GRONNA. Yes.

Mr. SHAFROTH. Either English or Spanish or the native language. It seems to me it would be an outrage to deprive people who have lived over there all their lives, and who can not speak the English or the Spanish language, of the right to vote unless they can speak a foreign language. If this country should be taken possession of by some foreign Government, they might as well say: "Well, we do not want the English language used. We will not let you speak your native language; but if you can speak Spanish or German you can vote." It would be a great hardship, and it would be a great wrong.

Mr. GRONNA. Mr. President, I can not agree with the Senator from Colorado nor with the Senator from Nebraska. It simply goes to show that the Filipino people are absolutely incapable of self-government; that they have not progressed; that they have not advanced.

I listened to the speech of the very able Senator from Colorado telling the Senate of the progress these people had made. If they have made such progress why is it necessary to say in this Constitution, as is suggested by the chairman of the committee, that the Filipino people shall be given the right to vote whether they know how to speak or read the English language or the Spanish language or not? They may speak any of the hundreds of different dialects which are being used in the islands.

Mr. President, I had hoped, when the Senate voted 35 to 23 for the provision which I offered to prohibit the sale of intoxicating liquors in the islands, that that matter would be given some attention. It is clear to me that the members of this conference committee are opposed to prohibition. It is clear to me that if they had been in sympathy with this great vital moral issue they would not have permitted that amendment

to be stricken out, but would have insisted that it should remain in the bill.

Mr. President, this is not a party measure. I want to call attention to what the distinguished Senator from Mississippi [Mr. VARDAMAN] said during the debate:

Mr. VARDAMAN. I should like to suggest to the Senator from North Dakota that the plan of government which the United States is now proposing to give to the Filipino, believing that it will probably be the prototype by which the Filipino will shape his own government when he becomes independent, ought to contain everything that the American Congress thinks will be for the best interests of the Filipino; and, while the Filipino Legislature have the right to prohibit the sale of intoxicating liquor in the Philippine Islands, I agree with the Senator from North Dakota that it would be wise for the American Congress to start them out without this handicap of the saloon.

I sincerely hope that the amendment offered by the Senator from North Dakota will be adopted, because the liquor traffic is a handicap, and the people of the Philippines, who are struggling to establish a government, are entitled to this assistance. The Senator's amendment ought to be adopted.

Mr. President, the amendment was adopted, as I have said, by a vote of 35 to 23. I had hoped that the chairman of this committee would insist upon the retention of this amendment. I understood during this debate, and I gathered from what he said, that if an amendment were adopted providing that the Filipino people should be allowed to use their own so-called native drinks there would be no opposition to it from the Filipino people or from the representatives from the Philippine Islands. I have myself talked to the representatives from the Philippine Islands, and they have said to me that they have no objection to the provision in the amended form, and I want to take the opportunity to read the amendment, so as to get it before the Senate:

That no intoxicating drink or drug shall be manufactured for sale or gift, imported for sale or gift, or sold or offered for sale or gift for use as a beverage, but this shall not apply to or include the native wines and beverages commonly known as *vina*, *tuba*, *basi*, and *tapuy*.

Mr. President, the amendment of the Senator from Nebraska to my amendment was carried only by one or two majority, it is true—I think it was carried by 2 votes—but the amendment offered by the Senator from Nebraska to my amendment was inserted in the bill, and I had hoped that the conferees on the part of the Senate would insist that this amendment should remain in the bill.

The Senator from Colorado, in speaking upon this bill and upon the amendment, told the Senate that it was largely a question of revenue. Mr. President, I am prepared to show that so far as revenue is concerned the saloon is not a revenue producer to the Philippine Islands. It is not a revenue producer to any State. I can take as proof of that my own State, where there has been no saloon since we became a State, and I believe that we have made as great and as rapid progress as has been made in any State.

Mr. President, I am sorry indeed to know that the conferees on the part of the Senate were willing to see this important provision stricken out of the bill. As the chairman of the committee has said, this is a constitution for the Filipino people. When we adopted the constitution for the people of the State of North Dakota we inserted a provision in that constitution, the twentieth article of that constitution, which provides that no liquor shall be manufactured or sold within the borders of that State. It would not have been more difficult for the conferees to let this provision remain in the bill. When we study the characteristics and the habits of those people over in the Philippine Islands we realize that this very provision is one that would have been of greater benefit to them than any other provision contained in the bill.

Only a few years ago, Mr. President, I went to the western country, when I was a mere boy. I went to what they called then the "Great American Desert." That same place to-day is known as the "bread basket of the world"; and it has been made such not from the revenues of any saloon but because there has been no saloon there for 30 years. This great progress has been made because we have within that State a sober, loyal, and patriotic people.

Mr. President, one of the representatives of the Philippine Islands said to me that if it were not for the fact that they needed the revenue—he agreed with me that this was a great moral question and that the amendment ought to remain in the bill. There is not a Senator on this floor who can show that the revenue derived from the liquor traffic will be of any substantial benefit to the people of the islands. Take my State, for instance—a new State—inhabited by people who came there without wealth. Every dollar we have in our possession has been taken out of the soil. What are the conditions to-day? I would not speak of this were it not for the fact that I want to meet the argument of those who say that the liquor traffic is a revenue producer.

As the morning hour is about to expire, I ask unanimous consent to incorporate some tables in connection with my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

MANY REASONS FOR NORTH DAKOTA'S WIDESPREAD PROSPERITY SET FORTH.

Commissioner of Agriculture and Labor R. F. Flint is a great booster for North Dakota. He is always gathering startling statistics setting forth the greatness and prosperity of the State and then setting them forth in pointed paragraphs, easily grasped and positive in proof. He has recently issued a new map of North Dakota which shows the immense coal deposits of the western part of the State, and also indicates all the railroad lines with proposed extensions.

On the back of the map is a wealth of information which every good citizen of the State should learn by heart so as to be able to give to strangers and all who might inquire the splendid facts about our resources, our development, and our great wealth and future.

Among the many interesting items of information Mr. Flint furnishes are the following:

- Number of farms in 1915, 70,355.
- Miles of railroad in 1915, 6,281.
- Population in 1915 (Indians not included), 636,994.
- Newspapers published, 344.
- Number of post offices, 810.
- Number of rural free delivery mail routes, 600.
- Miles of rural and long distance telephones in 1915, 50,000.
- Incorporated villages and cities, 238.
- Number of lignite coal mines in 1915, 116 reported.
- Number of tons of coal mined in 1915, 600,000.
- Value of animals fattened and killed for home use in 1915, \$3,609,956.
- Amount received for live stock sold for market in 1914, \$9,058,180.
- The value of the dairy and creamery industry of North Dakota for 1914 amounted to \$5,000,000.
- Expended for support of public schools in 1915, over \$7,000,000.
- Number of schools in 1915, 6,800.
- Number of teachers in 1915, 8,000.
- Value of school property in 1915, \$14,756,347.
- North Dakota schools have an endowment of land worth \$64,000,000.
- Total assessed valuation of all property in 1915, \$385,863,000.
- The total actual value of property in 1915 is nearly \$2,000,000,000.
- Number of State banks, 650.
- Number of national banks, 151.
- Total deposits in 1915, \$116,062,027.
- Total number of acres under cultivation in 1915 was 15,017,411.
- Total value of all agricultural crops in 1915 was \$226,218,053.

GOVERNMENT REPORT SAYS NORTH DAKOTA CROP PRODUCTION IS 58 PER CENT MORE THAN FOR 1914.

BISMARCK, December 18.

The Government crop report, issued December 16, gives a summary of crop production and prices for the State of North Dakota, as follows:

North Dakota crop acreage, production, and prices.

Crops.	Year.	Acreage.	Production.	Price, Dec. 1.
Corn.....bush.....	1915	700,000	9,800,000	\$0.67
Do.....do.....	1914	500,000	14,000,000	.58
Wheat.....do.....	1915	8,350,000	162,000,000	.87
Do.....do.....	1914	7,285,000	81,592,000	1.01
Oats.....do.....	1915	2,450,000	98,000,000	.27
Do.....do.....	1914	2,318,000	64,904,000	.37
Barley.....do.....	1915	1,400,000	44,800,000	.44
Do.....do.....	1914	1,450,000	28,275,000	.45
Rye.....do.....	1915	180,000	2,700,000	.79
Do.....do.....	1914	131,000	2,240,000	.84
Flaxseed.....do.....	1915	660,000	6,530,000	1.73
Do.....do.....	1914	840,000	6,972,000	1.28
Potatoes.....do.....	1915	80,000	7,300,000	.41
Do.....do.....	1914	70,000	7,630,000	.42
Hay.....tms.....	1915	400,000	660,000	5.70
Do.....do.....	1914	400,000	580,000	5.20

Crop production in North Dakota this year aggregates in quantity about 58 per cent more than last year. Prices on December 1 average 10 per cent lower than a year ago, making total value of crop production, on this basis, about 42 per cent more than last year.

For the United States, production this year aggregates in quantity about 9 per cent more than last year. Prices December 1 average 1 per cent lower than a year ago, making a total value of crop production on this basis about 8 per cent more than last year; these estimates are based upon crops whose value in the last complete crop census represented 85 per cent of the value of all crops grown, and may be regarded as representative of all crops.

NORTH DAKOTA BANKS SHOW GAIN DURING BRIEF PERIOD.

Abstract of comparative statement of the State banks and trust companies in North Dakota for calls at the close of business on November 10 and December 31:

North Dakota bank statement.

RESOURCES.

	649 State banks and 4 trust companies reporting Nov. 10, 1915.	650 State banks and 4 trust companies reporting Dec. 31, 1915.	Increase and decrease.
Loans and discounts.....	\$59,389,647.02	\$57,175,427.49	\$2,214,219.53
Overdrafts.....	395,089.12	240,558.45	154,530.67
Warrants, claims, etc.....	1,949,041.43	2,212,780.40	263,738.97
Banking house, furniture and fixtures.....	3,990,000.66	3,026,646.21	963,354.45
Other real estate.....	2,091,700.83	2,155,632.69	63,931.86
Due from approved reserve agents.....	13,748,474.81	17,120,078.80	3,371,603.99
Due from other banks.....	1,405,384.86	1,665,658.86	260,274.00
Cash items.....	686,630.33	690,919.33	4,288.94
Cash on hand.....	2,633,707.03	2,746,586.44	112,879.41
Total.....	\$5,289,685.09	\$7,034,290.61	\$1,744,605.52

LIABILITIES.			
Capital stock.....	\$9,349,000.00	\$9,393,000.00	\$44,000.00
Surplus fund.....	2,777,092.51	2,787,705.15	10,702.64
Undivided profits.....	356,404.85	2,040,851.55	1,684,446.70
Due to other banks.....	1,626,614.95	1,835,334.43	208,719.48
Deposits subject to check.....	33,014,327.42	32,148,031.08	866,296.34
Demand certificates of deposit.....	830,889.87	802,025.72	18,864.15
Time certificates of deposit.....	22,029,854.05	33,473,527.23	11,443,673.18
Savings deposits.....	2,037,980.08	2,244,484.05	206,503.97
Certified and cashier's checks.....	1,589,582.47	1,404,765.94	184,816.53
Bills payable.....	1,480,807.21	769,328.50	711,478.71
Rediscounts.....	155,882.72	101,309.61	54,573.11
Other liabilities.....	51,248.96	33,837.35	17,411.61
Total.....	85,289,685.09	87,034,290.61	1,744,605.52

¹ Decrease. ² Increase.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which is House bill 15455, the shipping bill.

Mr. HITCHCOCK. I ask the chairman of the committee if he will not allow the bill to be temporarily laid aside for the conclusion of the Philippine conference report?

Mr. FLETCHER. If it is not going to take a long time, I am willing to yield.

Mr. HITCHCOCK. I think it can be finished in a reasonable time.

Mr. LIPPITT. I will say to the Senator from Florida that I think it will take some little time. I know other Senators who want to speak on this question.

Mr. FLETCHER. I am willing to expedite public business in any way I can. I am very anxious to conclude the shipping bill as early as possible, but I am willing to lay it aside, subject, of course, to my right to call it up at any time if the conference report seems to take too long. I ask unanimous consent that the unfinished business may be temporarily laid aside.

Mr. BRANDEGEE. I shall have to object, Mr. President.

The VICE PRESIDENT. There is objection.

Mr. HITCHCOCK. I move that the Senate proceed with the consideration of the conference report.

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

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Bankhead	Gronna	Myers	Sherman
Borah	Harding	Nelson	Smith, Ariz.
Brandegee	Hitchcock	Oliver	Smith, Md.
Chamberlain	Hollis	Overman	Smoot
Chilton	Husting	Penrose	Sterling
Clarke, Ark.	James	Phelan	Swanson
Colt	Jones	Pittman	Thompson
Cummins	Laue	Pomerene	Tillman
Curtis	Lee, Md.	Robinson	Vardaman
Fall	Lippitt	Saulsbury	Wadsworth
Fletcher	Martin, Va.	Shafroth	Warren
Gallinger	Martine, N. J.	Sheppard	

Mr. FLETCHER. I desire to announce that the Senator from Indiana [Mr. KERN] is absent on account of illness.

Mr. JONES. I desire to state that the junior Senator from Michigan [Mr. TOWNSEND] is absent and was absent yesterday on account of serious illness in his family. I will let this announcement stand for the day.

Mr. MARTINE of New Jersey. I wish to state that the Senator from Louisiana [Mr. BROUSSARD] is detained on account of illness.

The PRESIDING OFFICER (Mr. CHILTON in the chair). Forty-seven Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. JOHNSON of South Dakota, Mr. SIMMONS, Mr. SMITH of Georgia, Mr. SMITH of South Carolina, Mr. THOMAS, and Mr. WILLIAMS answered to their names when called.

Mr. ASHURST, Mr. STONE, Mr. BRYAN, Mr. HARDWICK, and Mr. HUGHES entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-eight Senators have answered to the roll call. There is a quorum present.

Mr. HITCHCOCK. After consultation with a number of Senators on both sides of the Chamber, I have concluded to withdraw my motion to take up the conference report on the Philippine bill and will depend on securing its adoption in the morning hour to-morrow.

The PRESIDING OFFICER. The motion is withdrawn and the unfinished business is before the Senate.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 15455) to establish a United States ship-

ping board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water engaged in the foreign and interstate commerce of the United States; and for other purposes.

[Mr. SHERMAN resumed and concluded the speech begun by him on yesterday. His entire speech is as follows:]

Monday August 14, 1916.

Mr. SHERMAN. Mr. President, I promise the Chair that under no conditions will I occupy the floor so long as the last time I indulged in some comments on the shipping bill. I have no purpose merely to consume time, Mr. President. All I desire is to place in the Record such objections as I have to the consideration of this measure and its passage. In due time it will reach a roll call. I understand that conference action has been had by the majority party which justifies a reasonable hope that a sufficient number of votes will be forthcoming for its enactment.

I forbear to speak of the gentlemen who attended the Democratic conference as being members of a caucus, because caucuses have been abolished by various agencies, public and private—they have obtained a bad name. Newspapers, magazines, university professors, many who are denominated under the collective term of high-brows have universally agreed that a caucus is a most iniquitous instrumentality of party procedure.

I do not regard the conference as having bound anyone to act contrary to his own judgment, but if perchance it should happen that any gentleman on the majority side of the Chamber should feel constrained to vote otherwise than for this measure, I have no doubt but that the chairman of the Foreign Relations Committee, the senior Senator from Missouri [Mr. STONE], will again stand in the aisle of this Chamber and denounce without stint and anathematize without limit the diabolic disloyalty of any Democrat who refuses to abide by the result of the conference, call it what you will. So I am in considerable belief that at last a majority may be mustered to the passage of this measure.

I am not undismayed by the penalties invoked by my eloquent colleague [Mr. LEWIS] a few days since. He took occasion to remark at considerable length upon the Mexican question and the Mexican situation. The substance of it was that all of us who did not agree with the policy of this administration, who did not support the administration by our votes and our conduct here, were guilty of treason.

I do not know in what particular form the punishment shall be meted out to my associates and myself, whether we shall be hanged, drawn, or quartered on this side of the Chamber in the event we do not mend our ways, or whether we will be remitted to the unceasing indignation of our constituents. I do not know which would be the worse. To those who desire to continue to hold office probably the latter, even those who are indifferent will prefer to still walk upon the earth in the flesh.

We will not, as far as we are concerned on this side of the aisle, be moved by the fear of such penalty, either of a Democratic conference or of the unmitigated maledictions of my colleague. I heard his address; it is eloquent, convincing to those who are already convinced, strengthening any doubting brother who may be dallying by the wayside, and it would satisfy even the bloodthirsty cravings of the senior Senator from Missouri. I heard him a number of times since I have had the privilege of staying in my seat inveigh upon those who refused to accept the result of a Democratic conference as party traitors, and asking that they be regarded as fit subjects for various political penalties. I know not what they will possibly be. So far all of them have survived, none have been executed, none have been expelled from the party, for perchance, Mr. President, just at this writing both parties want all the votes they can get. They have been bidding for woman suffrage, in which I cordially join them. I have been a suffragette for a good many years. They have been bidding at the remnant bargain counter for the remains of the old Bull Moose Party. I do not know that I would agree with party authorities to the extent to which the bids have been advanced. I think somebody is liable to obtain a bad bargain, that somebody on the one or the other side of the bargain may at last be obtaining goods under false pretenses. I believe that most of the voters according to their political affiliations have returned to the two old parties with which they were formerly allied without regard to any bid, any platform, any political organization, or otherwise for their support.

I have happily no manuscript. I shall at times refer to several documents which I shall, in their turn, ask leave to place

in the RECORD, either with or without my reading—the latter, so far as I can make it possible.

There seems a sort of mania that possesses a portion of the majority, at least, to expend money. For some of the appropriation bills I have voted. My associates on this side of the Chamber have also so voted. On those that relate to the Army and the Navy, the branches of the public defense, such as coast defenses, for necessary Army posts, and other matters of a like kind, there has been no party division. We have voted considerable increases, and a statement of them was inserted in the RECORD by the Senator from Colorado [Mr. THOMAS] a few days ago. That statement shows very large increases, not only for military and naval purposes, but for other purposes.

The leader on the floor in the other House stated a week or two ago that the increase of appropriations because of our Mexican trouble equaled \$125,000,000. There have been numerous increases for other purposes, civil in character. It will be a long time—probably it will be between the first of September and the middle of September, at least—before Congress will adjourn, when we shall be able to tabulate finally the entire appropriations made by this session of Congress. When that shall have been done it will be found, to say the least, that we have been exceedingly liberal with every department and with every possible purpose for which public expenditures could be made. I shall not take so much time as to go into the details of these various measures or the shipping bill. I do wish, however, to place in the RECORD my protest and express my views upon the tendency of which the shipping bill is but one evidence.

Since the 7th day of April, 1913, a Democratic Congress and this administration have been continually engaged in enlarging the scope of governmental activity. We began with an authorization of a railroad in Alaska; we shall end for this session possibly on a large scale with the pending shipping bill. We began in Alaska with \$35,000,000; we will end with the shipping bill with \$50,000,000—both of them involving transportation questions. Between these two poles of the beginning and the ending of this tendency lies a great mass of legislation and bills pending, some of them undisposed of, indicating the same general tendency, the same general disease.

For my part, I have stated two or three times on the floor of the Senate, and I will restate, that I never would vote for any undertaking by any governmental authority, local or national, in which private enterprise could as well or better perform the same service or produce for the public use the same commodity. I have yet the same views. If private undertakings can perform the service just as well, let them do so; do not enlarge the Government activities. If you do, you will produce the same commodity or render the same service at a greatly increased cost.

I do not know of a municipality to-day, of which I have a detailed knowledge, whether it be a large one or down to the smallest one, that has complete municipal organization in the country, in which from 25 to 33½ per cent could not be saved in the actual operation of the municipality if the same undertakings were conducted by private enterprise. There is necessarily waste in every public undertaking. It arises from various causes. One is that government, local or otherwise, never takes into consideration the human element that always inheres in every governmental operation. I know that very many university professors sit down in the seclusion of their study and tell us on paper how something can be done; how well a public undertaking can plan, can execute, and deliver the commodity or perform the service. I never knew one of them to succeed in actual operation. I never knew an estimate to be made on a public undertaking that was correctly made at the time the first appropriation was given by the legislative authority.

When the Panama Canal was started it was estimated that from \$225,000,000 to \$250,000,000 would complete it. We had up to the 30th day of June, 1916, expended more than \$407,000,000 on that canal and it is not yet completed. There is, it is true, an accident here and there to be considered, which was not foreseen by the engineers who prepared the plans, but, like all other concerns of that kind, we must figure for a reasonable amount of unascertained cost. Nothing can be charged, of course, to these numerous slides which have occurred; but the estimates themselves, taking all of them from the first blue print that was made and the first bill introduced looking to that end, showed a very gross disproportion between the estimated cost and the actual cost up to the 30th day of last June.

This always happens. It happens in every city undertaking. New York City's current expenses annually, her public indebtedness, the current expenses of the city of Chicago, the current expenses of every other city of which I have any knowledge or any acquaintance with their financial affairs shows always, because of the human element in a republican form of government,

a loss that is inevitable and which is to be charged always to a governmental undertaking.

I am ready in this Chamber to vote for a subsidy flat and to call it a subsidy. I do not care to disguise it by the name of a mail contract or a subvention or an aid or a fishery bounty, or anything else of that kind. I am willing to call it a flat subsidy, and be done with it, long before I shall ever vote for the building, leasing, or operation of merchant shipping by the Government. I know that for many years, reaching back to the Civil War, the majority party has been against subsidies or aids to the merchant shipping of this country. To that objection I have no criticism to make except as a matter of principle. There is, however, at this time a departure from the essential operative part of the principle itself by the majority party in this Chamber and in the other House.

What is the difference between creating a shipping board, with \$50,000,000 capital, of which the Government shall own a majority of the shares, as provided in the bill—shall own of the \$50,000,000 of stock at least a majority of the shares—and that the rest shall be open to private subscription, and selling it at last, and a subsidy? Who wants it? Who that knows anything of extensive business operations wants to embark his money in minority holdings in a Government corporation to end after five years? However successful it may be, whatever dividends may be paid, whatever business may be acquired, at the end of the five years the ownership ceases. The shipping board, by the process described in the bill, proceeds at the end of that time to sell all of their property engaged in the shipping business that the Government is operating or to dispose of the reversionary interest on leases or charters, if that has been the method of embarking in the business. So, after it has been made successful, it is to be sold. If it fails it is to be sold. Whatever happens, under the provisions of this bill the undertaking is to be abandoned.

I believe that this is not done inadvertently. In the shipping bill, which was last session pending here, and which was defeated confessedly, so far as I am concerned, by a filibuster in the spring of 1915, the same provision was found of the limitation upon the time the Government was to engage in this undertaking. It seems just as soon, Mr. President, as you have started in this enterprise to get far enough along to spend money, to make contracts, to oblige the Government to pay by binding obligations made by the head of some department, so that the whole \$50,000,000 has either been expended or obligations created for that expenditure—as soon as that has been done, the Government abandons the undertaking.

That may be good business. I do not so believe. It will be good private business for somebody who buys it in five years, if there is anything in the undertaking at all. When at public auction or private sale, under negotiations provided in the pending bill and by broad discretionary powers invested in the executive department, a disposition has been made of the shipping property, then, I presume, somebody must buy it. Who will buy it? I do not know, neither does the chairman of the committee in charge of the bill, nor does the majority party; neither does the Chief Executive.

After a business has been developed, after ships have been bought, operated, or leased, after a freight business has been acquired and a passenger business has been developed by the same processes that any other business requires, then, I presume, whoever buys this going business will get the benefit of what the Government has lost.

What is the difference between subsidizing the steamship companies, whether it is the International Mercantile Marine or any other concern doing business at our ports—what is the difference between subsidizing them now, with all other concerns that are able to carry mail or freight or passengers, and calling it a subsidy direct, and postponing the operation for five years and turning it over to private hands, at last, with all the incidental benefits that belong to the effort of the Government agent and the expenditure of Government funds?

That is the question I should like to have answered, either in this Chamber or elsewhere, between now and next November: What the difference is between the present shipping bill in its ultimate effect—and that is the way to measure a thing—and a subsidy paid outright and called a subsidy, honestly and without pretense, without mere circumlocution or resounding planks in evasive and never-to-be-kept platforms?

Think about what we have been doing. Here was a Federal reserve bank law that came along in due season. The Federal reserve bank was heralded far and wide as a great banking and fiscal reform. It is now claimed to be a great creative remedial measure; but if the present law be taken and laid alongside of the report of the National Monetary Commission, and if the evidence before that commission be read, it will be found that every

solitary permanent good feature of the Federal reserve act is embodied in the report of the Monetary Commission. If there are any errors in the operation, any basic mistakes in the law, it will be found that they have been added, but were not present in the commission's report.

I know it is claimed that that is not a Government undertaking, that it is a mere provision to take care of the reserves of banks; that it did what any wise party in authority would have done without regard to the political complexion of the party then in power. Very well; I do not object to such part of it as provides for the care of the reserves. The part particularly which I wish to note in connection with the shipping bill is the fact that it is not a reserve bank; it is a private pursuit vested, in one of the powers given them, to go out and engage in the banking business.

The Federal reserve law creating the banks, not only extorted from the banks themselves organized under the national banking act, capital to furnish the 12 regional reserve banks enough to do business on, but, in addition to that, it commandeered the reserve of every bank in the country that was obliged by a compulsory act to enter it. After the capital stock had been subscribed in this compulsory manner under an act of Congress, the power was found to belong to the Federal reserve banks to go out on the market, and engage in a private banking business.

It is found in that portion of the Federal reserve act which authorizes the Federal reserve banks to buy bills of exchange or acceptances. There is the open gate for the Federal reserve banks to engage to an unlimited degree in private banking, so that the banks which were compelled to enter the system furnish the capital only to create competitors, to take away their own business. That is one tendency of the majority toward interfering with private pursuits; that is one of the same kind with the shipping bill.

Akin to this, but not in point of time, came the rural-credits bill, providing for the organization of land banks. It is pretty well understood that there are only certain sections of the country which will avail themselves of the privileges of the rural-credits act. No one believes that in any part of the country where farm land is now of any settled value a solitary farmer's association will be created for the purpose through the agency of the district bank of effecting loans.

In all the great Northwest, of which the Senator from South Dakota [Mr. STERLING] spoke, all of the northern Mississippi Valley country, everything tributary to the great Father of Waters—in that country, and especially in the States where land has a fixed value, where it does not fluctuate largely from year to year, where it is not doubtful security, there is nobody asking for a rural-credits scheme. Money already loans at 5 per cent. You can borrow for 10 years if you want to do so, or longer, with the option of paying what you make out of the farm at given intervals, semiannually or even less if you like.

The great insurance companies of New York City and elsewhere have loaned millions of dollars in the Northwest on farm lands. Their terms are favorable, the values are known, and no losses have occurred. So when we analyze the rural-credits legislation, in its practical application, it is found that it only applies to certain portions of our country. What will be the natural result? It will come back to this eternal question of the Government engaging, through the power of taxation and taking money out of the Public Treasury, in what is essentially a private pursuit.

Anybody can organize, if he secures a sufficient number to associate themselves with him, or cause to be organized, a district rural-credits bank. If the private subscribers do not take the stock, the Government can subscribe for the shares.

The Government having subscribed for the shares, where will it get the money to pay? The Government has no funds; the Government is always a chronic bankrupt; the Government has no assets of any kind except the inexhaustible resources of the taxpayers.

So it means that when the Government is to subscribe, in the event that private subscription does not provide for taking the shares, it comes out of the Treasury. That is exercising the power of taxation for the purpose of loaning money to private borrowers. That is where it ends, and that is where it links itself up with a part of the pernicious and inexcusable policy announced in the shipping bill. It is the underlying disease of which the shipping bill is merely a manifestation.

The nitrate plant was provided for in due season. It was a part of the preparedness measures. Well, we had just as well start an overall factory; we had just as well start a factory for undershirts, for shoes, for toothbrushes, or for dental supplies, because they are all needed by the soldiery.

Armor plate came along in the same way. Eleven million dollars were appropriated for an armor-plate factory and

\$20,000,000 for a nitrate plant. All of these expenditures, of course, require appropriations from the Treasury. They are of the same kind as the shipping bill, the Alaska railway legislation, and every other scheme that embarks the Government in the ownership and operation of what is essentially a private pursuit.

In a general way this is one objection I have to the shipping bill, that it seeks to embark the Government in what is essentially a private undertaking. What are the reasons given for it? I have heard them here. I have heard them as I heard them in 1915, when the shipping bill was up for passage, and I have heard them since that time. I think the Senator from South Dakota is correct when he says that public opinion approved the defeat of the shipping bill. I do not believe there is a Senator now in the Chamber, or who would be entitled to be in the Chamber if he were present, who ever lost a vote because of his attitude in opposition to the shipping bill at the last session of Congress.

Well, it is said that freight rates especially have been very high. Is there anything else high? I come from a part of the country where there is a great wheat market. I have been noticing a considerable change in the prices of wheat and flour. Let us see about that, Mr. President.

"Chicago market, July 12, 1916"—

That was before the crop reports came out; that was before in certain places the rust and the drouth and the flies and a good many other troublesome things had made short the wheat yield.

The Chicago market on barreled flour July 12, 1916, showed that the price ran from \$4.95 to \$5.10 per barrel for flour made out of spring wheat. The soft winter wheat patent flour ran from \$4.90 to \$5.10. The straight wheat ran from \$4.50 to \$4.80. The clear ran from \$4 to \$4.30. The hard winter wheat flour, patent, \$4.70 to \$5; straight, \$4.45 to \$4.65; and clear, from \$4 to \$4.25.

I quote from the Chicago market August 11, 1916, just a month later, counting one day and excluding the other. Here are the cash transactions in the same pit, the same surroundings, the same men, the same brokers, around the flour and the grain pit down at the foot of La Salle Street.

Spring wheat in wood—that is, a wooden barrel—\$8.10.

Hard spring wheat, patent, in jute bags, \$6.60 to \$6.80.

Straight, in exporters' bags, \$6.60, and from \$5.70 to \$5.90.

Seconds, \$3.95 to \$4.10.

In jute, hard winter wheat flour, \$6.25, and from \$5.95 to \$5.70.

The dark rye flour—I did not have the quotation for July, but it is proportionately about the same per cent—ran from \$5.35 to \$5.65.

Now, these are all breadstuffs. Gold Medal flour on the same day in the city of Washington was \$9.35 a barrel. If taken in five-barrel lots from the jobber in Washington, with 10 days for payment, you got a \$9 rate, net.

I only read this series of quotations to show that a mere rise in prices is not dependent upon conspiracies at home, upon sedition among business men, or upon attempts to rob anybody. These things follow the ebb and flow of the demand on the market and of the supply that is accessible. The immutable laws of markets exceed the power even of a congressional investigating committee. You may investigate until your breath fails; you may legislate, and the puny fiat of legislation will never change the laws of trade that are as unceasing and changeless as the tides that follow salt water around the world. Still, here we have as one argument, Mr. President, the statement that we must go into the Government shipping business because freight rates have advanced.

Why, why not go to raising wheat and manufacturing flour? Why not take part of the public domain, transport the future Coxe's armies that are always incident, in times of peace, to a Democratic administration, out on the Government domain and go to raising wheat, so that the suffering poor may have cheap bread? Why not start a mill? Why these alleged great monopolies at Minneapolis, the great milling companies? Why the large milling companies in Kansas City and St. Louis and at Alton, Ill., and elsewhere on the Mississippi River? Why not enter into competition with them because flour is quoted at from \$6.10 to \$9.35 a barrel on the 12th day of August, and the 11th day of July preceding it was quoted at from \$5 to \$6.90? Somebody, I suppose, is stealing.

Why does not the Government start a mill? Why does it not start a bakeshop? Because I know from certain press dispatches, if they are to be credited, that the bakers have been taking a few ounces out of the loaf of bread. They either had to do that or raise the price. The people have grown accustomed to a 5-cent loaf, and they thought it better to subtract an ounce or two from the loaf and still let the price stand. It would be

just as sensible in the one case to argue from a given condition to a necessary remedy as it would in the other.

Here is another manifestation of the general disease; and I apprehend that this gentleman would not have made this statement and submitted to the interview unless his mother wit informed him of the general tendency of this administration. It would be regarded as in line with other things. It would popularize him with his chief. From St. Louis, Mo., under the date line of July 16, 1916, is a press report interviewing Mr. J. J. Keegan. Who is Mr. Keegan? He is known to fame as a labor commissioner of the United States Department of Labor. I suppose, being done in the name of an alleged labor leader, whatever is said, however insane, however frantic, however insufferably and sublimely idiotic, is sanctified thereby, and no one shall criticize it. I shall, however, proceed to do so, even if Mr. Keegan should be offended. Like Mr. Gompers, he seeks to issue edicts and have them obeyed by everybody everywhere.

No more insufferable control or tyranny ever cursed a country than these parasitical men who exploit labor and live off the sweat of somebody else's brow. Mr. Gompers is a public nuisance. Mr. Keegan is a Socialist, or in all probability what might be denominated an economic crank; and they are the ones who find lodgment in high places and are in high favor in this administration, from Redfield clear down to Mr. Keegan, or clear up, I do not know which it is.

I wish to say, before I leave that subject—I will make a finish of it while I am at it—that a year or two ago Mr. Gompers started to criticize a number of gentlemen in public life who refused in this Chamber to vote to exclude unions from prosecution like anybody else under a certain \$300,000 appropriation devoted to the Department of Justice for the purpose of prosecuting those who violated the antitrust law.

I will say now what I said publicly in 1914 about Mr. Gompers. Before Mr. Gompers criticizes any one in public life I ask him to remember that in the conspiracy leading to the indictment of the dynamiters at Indianapolis, Ind., before they were tried, before the instrumentalities provided by the Department of Justice had resulted in a public hearing where justice might be administered, Mr. Gompers set up a tribunal of his own and tried them and had them acquitted. He prostituted the cause of labor to the point of using the funds of the laboring men of this country to defend these criminals who had without cause, wantonly, in cold blood, sent to their death 19 men and women in the city of Los Angeles, Cal.

After he had tried them and found them innocent, almost before the ink was dry upon his statement of their innocence, the McNamaras pleaded guilty, and are now engaged in penal pursuits at the behest of an indulgent State where they are removed from the scene of their murderous activities.

Mr. Gompers has never apologized to the law-abiding men of the country, but here and now I say the most fortunate thing that has ever happened to Mr. Gompers is that he escaped indictment himself upon a similar charge in the same conspiracy.

I am not talking now as a party man, but an American. I know something of it from beginning to end. One of my neighbors was convicted in connection with the same conspiracy. He served out his time like a man, and he is abroad now making a living for his family. He was convicted because he wrote certain letters. He said he did not know what they meant. It might be he did not. He merely did what a superior ordered. The employer or owner was asked by the leaders to unionize a shop, or a series of shops, and he did not do it, and so the dynamiting followed and a jury found my neighbor guilty with the others.

It is high time some one said a few wholesome things of Mr. Gompers. It will serve to arrest a vicious tendency to let him run riot in the methods of intimidation and coercion he has habitually employed against men of both parties for several years.

Gird up your loins, Mr. Gompers, and answer me like a man. I will teach him a few degrees of active, practical civic decency in my country that he does not know of if he will only come out and give the people a chance.

Here is one of this distinguished gentleman's disciples:

ST. LOUIS, July 16.

Immediate seizure of every railroad in the United States by the Federal Government, with Government ownership as a certain result, was predicted to-night in an interview by J. J. Keegan, commissioner of the United States Department of Labor, should the threatened strike of the four great railroad brotherhoods become a reality.

Keegan would not say that plans have been formulated for such governmental action, but declared that, according to his information and belief, the step will be inevitable.

REFERS TO RESOLUTION.

He referred to the resolution introduced in Congress Saturday by Senator NEWLANDS, authorizing the appointment of a commission to study the general question of Government ownership and operation of railroads.

Keegan pointed out the Interstate Commerce Commission has been appraising for three years the valuation of the railroads of the United States, declared the Government, as a result, is better prepared than ever before to assume the responsibility of ownership.

SAYS VOTE WILL CARRY.

"From the best information I have," declared the labor commissioner, "I am confident the great rank and file of the four brotherhoods will vote for a strike. I am led to believe more than 99 per cent of the members of the four great organizations will vote for a 'walk out.'"

"I do not believe, however, a strike is probable. I can not reconcile such a development under existing conditions. I can not conceive that other railroad management or brotherhood officials will permit the break.

That is only introductory.

GOVERNMENT WILL ACT.

"But if the break should come and 450,000 trainmen were called out, paralyzing the transportation facilities of the country, and even threatening American people with starvation, the Federal Government will act within 24 hours. Once these roads pass into the control of the United States, they never will be returned to private ownership."

There you are, and that is what is going to happen. We will have all the steamships for freight and passenger service. We have in Alaska a railroad to begin with; we have one across the Isthmus of Panama as a starter. We will acquire, as soon as this strike reaches the point indicated by this gentleman, the control of the railroads because of the cessation of their operations. Then, having assumed control in order to tide over the period of the strike, the Government is to retain them and operate them permanently.

That is leading on toward that beatific period described by some of my friends on a soap box—very often out on the curbstone. I do not know just how much room there is between Mr. Gompers and these gentlemen.

Mr. Gompers is now supporting the Democratic ticket and I am perfectly satisfied to have him do so. He is welcome, and the party is welcome to his support. I do not know what his original politics was, if he ever had any. I think he follows about the same characteristics as the McNamara brothers do, and preys upon all in turn, playing no favorites at any time where benefits can be acquired.

So there is another of the blessed periods that will soon arrive. I apprehend, as he is connected with the Department of Labor, that Mr. Keegan does not anticipate any violent reprimands from his chief. The whole of the administration, from end to end, is permeated from head to foot with just such pernicious doctrines and beliefs as I have indicated. The purpose of the majority of the members of the Cabinet, of the responsible leaders in the House, and of many of the responsible leaders in this Chamber has been to hurry the Government toward the goal of indiscriminate ownership and operation of private pursuits of every character.

Why, here is Brother Redfield, of the Cabinet. Brother Redfield is now saying that we must have a duty on dyestuffs. Well, that is the first time I have ever agreed with him.

I do not know whether it will be a permanent agreement or whether he will change his mind overnight. He reserves that right, as all statesmen do. He referred, in an address delivered about a year ago, to why a duty on dyestuffs was desirable, and it indicates how extremely sensitive he has grown. He would not call it a protective duty, but he said a duty on dyestuffs was justifiable because we would protect an incipient industry. "Incipient!" He would not use the term "infant industry," but "incipient industry."

Now, I understand by hobnobbing with the medical fraternity that the word "incipient" applies to diseases like measles, smallpox, typhoid fever, etc., and when you get it you trace it first in its incipient stages—a kind of a scourge to mankind. So an industry is to be described as an incipient industry because it is more or less a scourge, and it is to be avoided and evaded as a public nuisance whenever and wherever found.

The last time I remember this affable gentleman being out in my country was when the *Eastland* turned over in the Chicago River. He came out posthaste. He held an informal investigation. He assumed jurisdiction because it was a vessel that might engage in interstate commerce. He ousted the coroner of Cook County, Mr. Hoffman, and said that this was a matter for the Government to handle. Mr. Hoffman very kindly withdrew his ministrations upon the thousand or more dead who were in the buildings adjacent to the scene of the disaster.

Mr. Redfield pursued his investigation with great industry for at least eight hours, to inquire how more than a thousand people came to their unwarranted death.

He returned a verdict—not a coroner's verdict but a verdict of the Secretary of Commerce. His verdict was that everybody was competent; that the inspectors and everybody who ought to have prevented it were vigilant; that no negligence had been shown; that it was an unavoidable accident, a merciful dispensation of Providence that a thousand people had been

drowned in a vessel over which he claimed and was allowed to have exclusive jurisdiction. He became for the time being the crown prince of jesters and the colossal governmental joke of the Western Hemisphere.

Mr. Redfield is now engaged in giving advice to the business men of this country, those who have followed their business all their lives, in every occupation. Mr. Redfield is telling them how to run their business. This is an instance of what the Government can do when it engages in private business. Why, it can not even regulate a fellow that is running a business successfully. It can not make him behave himself; and the Lord knows, if it can not do that, and it undertakes to run the business itself, how much the bigger fool will it make of itself through its governmental departments! And still we want to take up something else, something new, more governmental undertakings, shipping bills and the like.

Where will we build the ships? That is what the Senator from South Dakota [Mr. STERLING] inquired. That is what the Senator from New Hampshire [Mr. GALLINGER] intimated. Where will we find the facilities for building the ships?

Why, here is the report made by Capt. Berthoff, commandant of the Coast Guard. It is found on page 275 of the hearings of the subcommittee of the Senate Committee on Commerce. Here is what he says about it:

The Department of Commerce publishes each month in their Commerce Reports a résumé of the ship construction showing the total volume, the yards in which the ships are being constructed, and the new construction taken on each month. The statement is issued monthly. The statement for May was issued only a few days ago; therefore it has not been entirely analyzed, but up to the 1st of May, 1916, we find this:

"One million one hundred and twenty-nine thousand and fourteen total tonnage building; of this 79,600 tons are for foreign ownership and 1,049,414 for American ownership.

"Of the foreign-owned vessels 59,200 tons are fuel-oil carriers, 2,100 passenger and cargo, and 18,300 for cargo ships.

"Of the 1,049,414 tons being built for American ownership, 610,782 tons are for special uses, such as fuel oil, bulk ore, colliers, molasses carriers, and small boats for miscellaneous purposes. Of the remaining 438,632 tons, 228,285 are for the coasting and Great Lakes trade, 144,617 for the foreign trade, and 65,733 doubtful."

Being on the stocks, probably it is not yet definitely decided in what branch of the ocean carriage or water-carrying service they shall engage.

I again refer, before leaving this idea, to the report of the Commissioner of Navigation, dated at this Capital October 2, 1915, which is the latest published official report. Some summaries of monthly reports can be had to which I have referred here, or to which Capt. Berthoff referred in the hearings before the subcommittee.

In this report of the Commissioner of Navigation I find the following:

On June 30, 1915, the merchant marine of the United States, including all kinds of documented shipping, comprised 26,701 vessels of 8,389,429 gross tons. On June 30, 1914, it comprised 26,943 vessels of 7,928,688 gross tons. The year's absolute increase in tonnage, 460,741 gross tons, has never been equaled in our history.

That was a period running from the 30th day of June, 1914, to the 30th day of June, 1915. The German armies crossed the Belgian frontier on the 3d day of August, 1914, for offensive and invading purposes; so the war, as it might affect a world-wide commerce and the tonnage of the world, may fairly be said to date from the 3d day of August, 1914. In the year, or less than a year, accounted for by the Commissioner of Navigation, nearly half a million increase in the gross tonnage of the shipping of the United States occurred.

In 1854 the increase was 395,892 tons.

This was a period when the shipping of this country had developed to a remarkable degree.

The discriminatory rates advocated by the Senator from Washington were in force at that time. Whether the like provision would cause a like development now or not probably can not be mathematically demonstrated. It would require, as has been intimated by the Senator from Washington and others, an abrogation or a modification at least of many treaties in order that we might make effective some preferential rate, either by reducing the rate of the regular schedule of import rates or by raising the regular rate 5 or 10 per cent above in order to favor the merchandise imported in vessels carrying our colors.

At any rate, I have referred to the tonnage of 1854 and the commerce of that year.

In 1855, 409,099 tons and in 1908 it was 426,651 tons. In tonnage and value the merchant shipping under the American flag is surpassed only by that under the British flag, and in tonnage it equals that under any other two foreign flags combined, except the British. Statements of the merchant tonnage of foreign nations are printed in Appendix F. Statistical Tables 10 and 17 show the progress of American shipping.

American shipping registered for the foreign trade, included in the figures above, numbered on June 30, 1915, 2,794 vessels of 1,871,543 gross tons, an increase during the year of 389 vessels and 795,391 gross tons. This increase is three times as great as the increase in registered tonnage during any previous year in our history.

Our tonnage enrolled and licensed for the coasting or domestic trade on June 30, 1915, numbered 23,907 vessels of 6,517,886 gross tons, a decrease of 631 vessels and 334,650 gross tons since June 30, 1914. The decrease is greater, in fact, than in any other year in our history, though greater apparent decreases were recorded during the years 1865-66, and 1875-76. At the close of the Civil War collectors of customs throughout the country revised their records, and vessels lost during the war, but carried through the war in the statistical returns, were removed from those returns. In 1873-74 Congress exempted from customhouse documents a large amount of tonnage employed on canals and harbors and, thereafter, of course, this tonnage was not included in statistical returns though it continued in its customary employment. Last year upward of 200,000 tons of our shipping, formerly in domestic trade, secured employment in foreign trade.

The changes in our merchant shipping within the 12 months have no parallel in extent in our maritime history. The nearest approach is furnished by the fiscal years 1863 and 1864, when the Confederate cruisers were in operation and 523,064 tons of American shipping were sold to foreigners. During the past year under the ship-registry act of August 18, 1914, a total of 148 vessels of 523,361 gross tons were transferred from foreign flags to the American flag and register. These transfers, however, unlike those of 1863-64, in very few cases involved a change in the actual beneficiary ownership, but a change in the ownership of record, possible only through the passage of the act of August 18, 1914, which enabled American owners to secure American registry and the use of their own flag for ships built in foreign countries. The transfer of very few of these ships, accordingly, involved an increase in the investment of American capital in maritime ventures. They represent in all an investment of \$33,392,756.58, but Americans had invested nine-tenths of this capital in these ships long before the outbreak of the European war. At prices current during the year these ships, if purchased, would have cost more than the amount just stated.

Until the passage of the act of August 18, 1914, it was not possible for such owners generally to give to their ships their true national character. It may be that had full opportunity been afforded earlier, it would not have been seized. That question is somewhat academic, as in any event the door was closed against them. The more pertinent question is whether the national advantage gained during the past year is to be retained by legislation giving freer scope in maritime ventures to American citizens of enterprise and capital, who in a few months have given to the American merchant flag on the sea a rank and importance second only to the British. In the bitterness of feeling that followed immediately upon the close of the Civil War the opportunity to recover a lost position was thrown away when Congress by the act of February 10, 1866 (sec. 4135, R. S.), specifically forbade the return to American registry of ships which had been sold to foreigners "during the existence of the rebellion."

The European war has created an opportunity for the development of the American merchant marine in foreign trade which this generation, at least, is not likely to see repeated. The most efficient instrumentalities for the prosecution of that trade are ocean steamers of 3,000 gross tons and upward. Such ships are economical by comparison with smaller vessels, and it is by means of larger steamers that the great volume of our bulk exports must be carried abroad. An idea of the progress which has been made under the ship-registry act of August, 1914, toward an American merchant marine able to compete with foreign shipping can be formed more readily, perhaps, from a glance at the number of such ocean steamers under different flags than from a study of the totals of gross tonnage.

The following table, compiled from Lloyd's Register for June 30, 1915—the only trustworthy authority for so recent a date—shows the number of ocean steamers over 3,000 gross tons, roughly divided as to size, under the various flags named, German steamers, of course, having no share in the carrying trade:

This remarkable increase in the year 1914 and 1915 indicates that there is a tremendous activity in every private shipyard in this country. I do not know of the manager or the responsible head of a single shipyard in the country from San Francisco to Baltimore who would not tell you that his yard has contracted up to its full capacity, that they could take no more with any

reasonable expectation of completing it before the European war closed.

Now, what is the emergency? The European war. How long will it last? Nobody but the Infinite in His wisdom can tell. He may know the course of mankind in peace and war; we do not. It is pure speculation. But basing our views upon exhaustion, upon what Grant termed the process of attrition, the destruction of men, and the full limit of governmental credit, the war might run for two years. That would carry it to 1918. The puny efforts made by the Government, by \$50,000,000, through a shipping board in the two years, would accomplish no more than, as I have already indicated, the expenditure or contracting to expend the \$50,000,000 to be provided by the Public Treasury.

Mr. President, we are about to engage in another experiment. This is purely of a governmental character, but nevertheless it will require the expenditure of public funds. In a few days we will be engaged in the delectable occupation of trying to find money to pay the appropriation fiddler. In the due course of human events the chairman of the Committee on Finance will report out a revenue bill. The science of government, an English statesman said at one time, was how to pluck the most feathers out of the goose with the least squawking.

Mr. GALLINGER. I should like to ask my friend the Senator from Illinois if he has any definite information as to when that bill is to come before this body.

Mr. SHERMAN. No, sir; I regret to say, much as I should like to give the Senator more definite information, I am wholly unable to do so. It belongs to that category of future nebulous and undefined events that even the wisest man on this side of the Chamber, I think, would not be able to answer satisfactorily. It slumbers in the recesses of the majority side of the committee. It is in process, if I might use a medical phrase, of gestation, and what it will be when it comes out even that side do not know yet, much less we poor worms who creep about on this side.

But we are about to engage in a further expenditure of money. We will be required when that bill does come out to levy taxes in various ways, direct and indirect, to raise something like \$1,650,000,000 or \$1,700,000,000. I am approximating it at \$1,650,000,000, and I am fairly within the limits when I do so.

A part of it is the trifling sum of \$25,000,000 to cover the Danish West Indies. That will come in as a part of this \$50,000,000 for the shipping bill, and it must be considered along with the rest of it, because we have to raise the money somehow.

I figure on the population of St. Croix, St. Johns, and St. Thomas, according to the latest estimates of the population I can get. I quote from a very distinguished authority from 1896 down to 1908, excluding a distressing hiatus in 1904 when he was not so much in the public gaze.

You remember the issue, Mr. President [Mr. LEWIS in the chair], when you and I on opposite sides of this controversy burned up the prairie grass in our State. It was said that by the treaty of Paris, ratified in April following 1899, we had bought a great number of human beings by the head for \$20,000,000 when we acquired the Philippine Islands.

Now, we are getting a bargain, Mr. President, in what we are doing to-day, if we follow out the dictates of the chairman of the Committee on Foreign Relations and ratify this treaty, because we will get a mixed job lot at \$750 a head—black, white, yellow, of all sexes, ages, and previous conditions of servitude—because up to 1848 they had slavery in the islands, and the sugar plantations have gone down since they can not get cheap labor any more. Now, it is not quite so valuable property. Although in 1867 we had an offer of all three of them for \$7,500,000, we did not buy at that time. In 1902 we had an offer of two of them for \$5,000,000. We did not buy. Now, we have an offer of all three of them at \$25,000,000, and notwithstanding the issues that have been raised in years past we are to buy this motley outfit, good, bad, and indifferent, as that might be, with all the population, for the sum named.

One of the islands, St. Thomas, is 13 miles east and west and 3 miles north and south. It looks like a diagonal German sausage in the Caribbean Sea. Its area is 33 square miles, not quite as large as a township out in the corn belt. It contains 21,920 acres, and its population in 1901 was 11,012 people. In 1880 it was 14,389. It has been decreasing in population. From our viewpoint it may be the fewer population the better, if it is a habitable place for anybody. The last time there was any accurate return made of the population one-sixth of it was white and the other was of indefinite quality; some of them were a blend, as the coffee men say.

St. Croix is 40 miles east from St. Thomas 23 miles long, and 6 miles wide, with an area of 51,168 acres. Its population

in 1880 was 18,567. In 1901 it was 18,430. It has fallen off now.

St. Johns in 1835 had a population of 2,475, and in 1901 it had a population of 925. Its area is 35 square miles. It has 22,400 acres, and there is a total of 94,688 acres in the three islands.

I shall vote to ratify this treaty, if the chairman of the Committee on Foreign Relations will ever bring it out in executive session. I will vote, in addition, to consider it in the open session of the Senate. If we are going to spend \$25,000,000, there will be a large part of that drawn from the citizens of the State of New York, the citizens of the State of Massachusetts and the State of Pennsylvania, and the States of Illinois and Indiana, Iowa, and Missouri. Four of the States alone will pay nearly \$76,000,000 of the income tax alone, and they will pay more money of the \$25,000,000 out of that item alone than all the rest of the 44 States of the Union put together.

So it is well enough for us to think about it a little.

I tell you what I am in favor of. I am in favor of taking the \$25,000,000 that William Jennings Bryan said that we would pay to Colombia to soothe her lacerated feelings in matters growing out of the Panama Canal—I am in favor of taking that \$25,000,000 away from that proposed expenditure and taking the Danish Islands named here and use them as a naval base, fortify them in order to protect our entrance to the Panama Canal and the Panama Canal itself. I am somewhat in favor of getting all the islands in the Caribbean Basin that we can without conquest. If it can be done by diplomacy, by negotiation, by purchase, I am in favor of taking them.

We are already down in Haiti. We have something to do with Santo Domingo. We have a Government receivership in both places—in one at least now. There is no trouble about it.

That reminds me, when I come to think about it, that one of these, Santo Domingo, is the place where Walter W. Vick is the receiver general of the customs of that bankrupt Government that we are administering, setting apart a portion of the public revenue to pay matured principal and interest on the public debt issued by it at various times in its emergency, with the rest of it devoted to the administration of its domestic affairs.

I remember about a year or more ago, when we were considering the shipping bill, of some ill-advised remarks that made it proper for me at that time to insert in the CONGRESSIONAL RECORD this letter, and I now repeat the offense. It is dated August 20, 1913. It shows just how the plank in the platform of 1912 adverted to the abounding affection with which the party at Baltimore loved the civil-service law. Well, we must make some allowance in the exuberance of imagination, in the enthusiasm of the moment, for these things. But while the senior Senator from Missouri said at one time that the voice of that convention, where my name was feebly mentioned, still lingered in my ears, I wish to say to the Senator that I was nearer being the nominee of my party than he will ever be of his. I had more delegates in my State than good old Missouri will ever have, because we grow faster than you do, even counting St. Louis and Kansas City. So it is not uncomplimentary for me to say that I wish to explain to the Senator that, because of the mere accident of our local habitation, if nothing more, it will be so.

I want to show how the party to which I have referred administer government and how fit they are, Mr. President, to run a shipping board and to start with \$50,000,000 a rival Government line to all quarters of the globe to compete with every civilized power, for that is what they are going to do.

Ah, the one-time president of a university heading the great people's party, where the people rule, will by mere edict of Congress say to all the shipping lines of the world, "Peace; be still; get away off the seas; Uncle Sam is coming, and his name is Woodrow." Every great maritime power will hie to their home ports and leave to us the salt sea as our own.

Here is what they did in 1912, Mr. President. Let me get that platform plank into the RECORD, because it is first-class reading. Of course, it is largely fictitious, but then the most pleasing things for the amusement of the human mind are works of fiction. The great novelists of the world understand that. So from Cervantes, with his matchless Don Quixote; Balzac, with his portrayal of human nature and of French life; Dickens, all the way through, have instructed the world by fiction; and it may be that the purpose of writing such planks in the platform is either to amuse or to instruct—to amuse for a summer holiday or to instruct the public just how much the plank and promises in a platform may be relied on.

That plank in the Democratic platform reads:

The law pertaining to the civil service should be honestly and rightly enforced to the end that merit and ability shall be the standard of appointment and promotion rather than service rendered to a political

party; and we favor a reorganization of the civil service, with adequate compensation commensurate with the class of work performed, for all officers and employees.

I might spend a great deal of time, more or less usefully, in saying how that reorganization has proceeded; but that would consume probably more space in the CONGRESSIONAL RECORD than I ought to impose upon the Government Printing Office. The reorganization, however, has proceeded apace, and with considerable rapidity.

The fourth-class postmasters had been covered into the civil service by Executive orders in former years. I will not undertake to say why that was done; but it was done. It may be that it was a sort of a bomb-proof shelter in the event of misfortune overtaking the party then in power. That may have been the reason of the practical politicians. It may have been a genuine regard for the civil-service principle. I shall not undertake to analyze their motives, because that is often a more or less hopeless as well as impossible pursuit. Nevertheless it was done, Mr. President. It was done in pursuance of the law on the subject vesting that power in the Executive. So those postmasters were all under the civil-service law when the calamity fell upon the then majority party in 1912.

On the 7th of May, 1913, an Executive order was issued requiring all fourth-class postmasters to submit to civil-service examination in order to test their fitness to further remain in their places. Strange to say, we have not been able to get any of the records of those examinations.

I will give you, Mr. President, in a single county in my own State, an instance. There I was, in an inadvertent moment, permitted to lift up the curtain of secrecy and view at one time how that examination was administered among the brethren who dwelt together in unity in the Democratic Party in Schuyler County, Ill. It so happened down in the Illinois River bottoms, at a small country village, that an abandoned and perverse Republican had for many years held the post office. Soon a demand was made for his civil-service examination under the Executive order of May 7, 1913. They went in, all of them, with their hearts full of hope, including three Democrats who had been there ever since I fished in that country, more than 28 years ago.

An examination was held. The occupant of the office, who knew everything in it from a bunch of waste paper in the basket clear through to the last ball of twine, utterly failed; he did not know anything about the office. The three Democrats all passed. One had a grade of 71; another a grade of 85; and another a grade of 92. Of course, the man who had 92 thought that his calling and election were sure; but he reckoned, not without hope, it is true, but falsely, in that he did not recognize the human element in politics of which I spoke a while ago in larger affairs.

The man who made 71 was politically active in the township. In that particular county we have the New England form of township organization. He had in many hard-fought battles shed much perspiration for the cause represented by the Government mule. [Laughter.] So his claims, he thought, ought to make up the lack of markings by the civil-service examination; and it so happened that he did not reckon without adequate faith in the reward for those who are "faithful, even unto death" in the Democratic Party. He who had 85—the diligent servant who, in the absence of the master, had so improved his talents, Mr. President, that he made 85 in the markings—and another who had made 92, fell by the wayside, and the Democratic politician of the township prevailed. Civil service promises went glimmering.

That is small, but it is only an indication of larger things. It gives us, to say the least of it, an inkling of why it is that the "great commoner"—he who three times led the party now in the majority in great national campaigns, who sometimes lapses, as he did, for even Jove nods occasionally and the waiting world stops a while, so the "great commoner" from Nebraska was appointed a member of the Cabinet. His chief had remarked once how desirable if some one could find a way of knocking him into a cocked hat. The President found it. There is a difference between performing on a Chautauqua platform and performing in the office of Secretary of State; and herein lies the discomfiture very largely of my beloved friend; a most genial character, and you and I know, Mr. President [Mr. LEWIS in the chair], how we like to sit next to him and touch elbows at the banquet table, when speech goes around and the applause of the multitude sounds into our welcoming ears; of them none is greater than he of Nebraska. So it was that he became identified with the Department of State; and thereby "hangs a tale"—of civil service. [Laughter.]

About that time it became necessary to investigate the island referred to in the West Indies. Mr. J. M. Sullivan was our diplomatic representative there. Some question had arisen between a former Illinois man, Mr. Jarvis, whom probably you, Mr. President, might have known, who had gone down there from New York and engaged in the banking business, and some of his friends. One thing led to another, until the incoming administration had hardly warmed its seat until an investigation was ordered.

Investigations have been going on ever since the time of the insidious lobby during the tariff legislation. We have investigated the bowels out of everything in this country. Everything that is successful has been investigated and has been put upon the grill. Only the unsuccessful have escaped. If there is anything successful anathematize it; if it has made a dollar, if it ever declared a dividend, it must necessarily have been a thief, or it could not have done so. So, when these people were trying to develop a legitimate business down in the island, an investigation naturally was necessary.

While that is not directly connected with the letter I am about to read, that led directly to the publication of the letter, owing to the consuming public interest that was aroused in the affairs of the island. The letter was addressed to Mr. Walter W. Vick, and was dated August 20, 1913. It is as follows:

Now, that you have arrived and have acquainted yourself with the situation, can you let me know what positions you have at your disposal with which to reward deserving Democrats?

Now, that has the Jacksonian ring; that sounds familiar but none the less peculiar if you put it alongside of the square that measures the civil-service plank in the Democratic platform of 1912, which reads:

The law pertaining to the civil service should be honestly and rightly enforced, to the end that merit and ability shall be the standard of appointment and promotion rather than service rendered to a political party.

Compare that with the expression "deserving Democrats." The letter to Mr. Vick continues:

Whenever you desire a suggestion from me in regard to a man for any place down there call on me.

Certainly "call on me." Even in your hour of extremity I will not fail you. If I may be allowed to interpolate a quotation—

You have had enough experience in politics to know how valuable workers are when the campaign is on.

I commend that, Mr. President, to my Democratic brethren at this time. Let no guilty Republican escape. Thrust him into outer darkness. It may be a little difficult for him now. Perhaps the wind can not be tempered to the shorn lamb, but so surely as the frosts of November shall come his reward will be apparent if he no longer is serving the Lord under the suspicious circumstance of holding a position under a Democratic administration. Put him out in order that he may go forth and do his full duty and that some deserving Democrat may fill the vacancy. I know how useful they are.

Opie Reid, in one of his delightful stories of the Southern States, said: "No politician can keep the power in his machine very long unless he has some of the fuel of patronage to put in the fire box." That is what you are doing here. You want something for the fire box. The letter proceeds:

You have had enough experience in politics to know how valuable workers are when the campaign is on and how difficult it is to find suitable rewards for the deserving. I do not know to what extent a knowledge of the Spanish language is necessary for employees.

Well, I suggest, if they can not talk Spanish, we will make them "walk Spanish" between now and November, so that they will get some sort of a Spanish education anyhow. The lack of knowledge of Spanish would not make any difference. If they did not know the language they would not be any worse off than a lot of expensive diplomats who were referred to by my friend the Senator from Pennsylvania [Mr. PENROSE].

I wish to remark here that the most expensive service in the world is the diplomatic service of the United States, because the total of their contributions to the Democratic campaign fund in 1912 footed up \$137,250.

The largest contributor, I am proud to say, was my constituent, Charles R. Crane, of Chicago. He inherited his money. The senior Crane, who founded the business of the company, left it to the family. Charles R. realized in good securities and gold standard money, got out of the business, and is now a gentleman of leisure engaged in the profession of uplifting the public service and advancing the public welfare. He is as great a "commonwealer" as Coxe was 25 years ago, when he started to tramp across the continent. [Laughter.]

I wish also to remark, in connection with that subject, that about \$21,450 was contributed in the campaign of 1912 by members of new commissions created by Congress since 1913 and by those who were appointed to fill vacancies on old commissions. They come next in the catalogue of financial assets in a campaign.

I say what I have now to say concerning the Cabinet with more or less humility and somewhat of disappointment. Even the immaculate Secretary of Commerce, whom I have come to regard as the court jester of this administration, only gave \$100. Do not talk to me about watered stock. He is drawing dividends on watered stock to an extent that exceeds anything in the wildest imagination of any promoter who ever trod this continent. [Laughter.] Josephus Daniels gave \$100 and drew a Cabinet place. He knew nothing of the Navy, but he too was a deserving Democrat who had shed several gallons of printers' ink for the cause.

The entire Cabinet only gave \$5,582.31. Why, it is no wonder that in the social functions of this Capital a dispute should arise as to where the Cabinet should be in the receiving line, if that is all they are worth in a life and death struggle of the Democracy. [Laughter.]

Heavens, have we fallen to such a low estate that Cabinet positions, when "the unterrified and unwashed" are in the agonies of a fearful wrestle to survive can realize no more of the "needful" than was realized from them in the last campaign, while the diplomatic service can roll up \$137,000, and at that two of the appointees declined the positions offered to them.

I am happy to say, Mr. President, that one of the citizens of my State, Harry Pindell, of Peoria, Ill., was appointed minister to Russia, but declined. Harry put up a very modest contribution it is true, but his brethren of the press treated him very unfairly I think, and I do not blame him for declining. It is to his credit he did decline. He has lost nothing and has the respect of his friends more than ever. He never asked for his money back, either. He is a good sport and lets it go when he loses. [Laughter.]

I had, in early life, a somewhat mathematical turn of mind, and when the senior Senator from Pennsylvania [Mr. PENROSE] put in the CONGRESSIONAL RECORD this tabulated list of collections, I immediately began to figure up what were the political assets of an administration and what department could realize more fully the expectation of a bountiful harvest.

Having done that, I now continue with the reading of the letter which provoked this digression:

"Let me know what is requisite, together with the salary,"

This bears all the earmarks, not of a great commoner, but of an accomplished politician.

"and when appointments are likely to be made. Sullivan will be down before long"

Now, that is not Roger Sullivan; that is another Sullivan. [Laughter.]

Sullivan will be down before long, and you and he together ought to be able to bring about such reforms as may be necessary there.

I know what the reforms were. Perchance some guilty Republican might linger within the hallowed precincts of a public office. If so, let him be shot at sunrise! Civil service be blanked! Get him!

You will find Sullivan a strong, courageous, reliable fellow. The more I have seen of him the better satisfied I am that he will fit into the place there and do what is necessary to be done.

That is, the beheading—somebody that can wield the ax, just as D. C. Roper left the Post Office Department. Lord knows, if anybody can fry the fat out of the postmasters, it is Roper. He has been the official headsman of the administration going on nearly four years; and if they do not go down in the savings bank and dig up what they have saved out of their salary—if he can not get it, they are hopeless cases. Nothing will produce it—not even the guillotine.

I shall insert the letter entire among the other documents at the end of my remarks.

I have read this plank in 1912. I wish to read that of 1916 on the same subject, because this is a very prolific subject, Mr. President. It is not to be disposed of lightly. What would we do with the shipping bill if it passed carrying fifty millions? Why, we would engage in the South American trade. Would it be necessary for anyone engaged in that service to speak Spanish? What would the salaries be? Are they to be put under the civil service? No place in the printed bill so declares. It is like the Federal reserve act. It is like section 2 of the tariff act. It is like the Executive order taking the deputy

marshals and the internal-revenue deputies out from under the civil service. It is like the rural-credits bill. It is like every other department where there has been the creation of new offices. They are expressly exempted from the civil service.

After a while, if the unexpected to my beloved brethren should happen and misfortune should overwhelm them, later on I can think of an Executive order, coming promptly and in the fullness of time, that will cover every one of these devoted gentlemen into the civil service, and every one of them will be snugly down in the trenches, bomb proof. Nothing will get him. Then they will turn around, and if perchance we should discharge a single one of them, with or without cause, they would say, "Why, you civil-service reformers, look at you!" But every one of them went into the service without coming under the provisions of the civil-service act.

So, in 1916, it is not nearly such a lengthy and explicit declaration. It says, in 1916, in the St. Louis platform:

We reaffirm our declarations for the rigid enforcement of the civil-service laws.

That is mighty short. There is not so very much to that, because the least said the better. That is the truth about it.

I now read from another very distinguished authority. I read from a book called "The New Freedom." I will say that the edition I have was published in 1914. The title-page says:

THE NEW FREEDOM.

A call for the emancipation of the generous energies of a people. By Woodrow Wilson.

As a preface, in order to point the moral and adorn the tale, Mr. President, I wish to call particular attention to some fruitless activities of the National Civil Service Association. They have been trying to have access to the records. They have corresponded with Mr. McIlhenny, the chairman of the commission, in an effort to see the eligible lists from which divers appointments have been made. So far they have failed. Either intentionally or inadvertently, the chairman of the Civil Service Commission said, in his answer to the letters of the president of the National Civil Service Association, that he declined to make the civil-service records public, as it would, or might, embarrass the administration. Later on, in further correspondence, it is true, he said that he meant that in merely a Pickwickian sense; that it was rather figurative, so to speak. But later President Wilson says:

I would advise that the correspondence which you have furnished me is being referred to the Civil Service Commission with the suggestion that—

the information asked for be published in the commission's annual report for 1916.

When will we get that? Oh, along about the time another President is inaugurated. We may get it the first Monday in December, 1916; but that comes after the November election.

Further, it is said here that it would be inimical to the public interests to allow the records of the administration to be made public and to be used indiscriminately by malicious and partisan enemies.

And so the matter ended, and nothing has been done up to this time; and it will not be, Mr. President, notwithstanding the clamorous demands of the National Civil Service League, notwithstanding that past administrations have given access with, in 1899, not more than a two months' interval; notwithstanding all that, there will be no searching of the records. There will be no "pitiless publicity" in these records between now and the November election.

Having made this preface, I now wish to read from the book to which I refer.

What are the right methods of politics?

He inquires.

Why, the right methods are those of public discussion; the methods of leadership open and aboveboard, not closeted with "boards of guardians" or anybody else, but brought out under the sky, where honest eyes can look upon them and honest eyes can judge of them.

If there is nothing to conceal, then why conceal it?

That is not my language; that is the book's.

If it is a public game, why play it in private?

What are you playing it in private for? Open up! Let us see what you have been doing, if you want to play a public game.

If it is a public game, then why not come out into the open and play it in public?

Why do not you do it, you Executive head of this administration? Come out in public, and let us see what your Civil Service Commission and what the hungry faithful have done with their records and how it appears. Let me take it from the little insignificant Illinois case I referred to, and let us see how many other cases there are.

Why, I noticed in the list presented by the senior Senator from Pennsylvania the name of Thomas Fox, of Sacramento. Does that bring any reviving memory to your ears of a certain occasion that I am not allowed to refer to? Why, he is postmaster of Sacramento, and I think I am not guilty of any breach of good manners when I say there was some considerable disturbance before he was finally settled down as a deserving Democrat enjoying the rewards of the faithful. Thomas Fox was only down for \$100. He is another case of watered stock. He is getting a tremendous return on a small investment.

I, for one, have the conviction that government ought to be all outside and no inside. I for my part believe that there ought to be no place where anything can be done that everybody does not know about. It would be very inconvenient for some gentlemen, probably, if government were all outside, but we have consulted their susceptibilities too long already. It is barely possible that some of these gentlemen are unjustly suspected; in that case they owe it to themselves to come out and operate in the light. The very fact that so much in politics is done in the dark, behind closed doors, promotes suspicion. * * * You know there is temptation in loneliness and secrecy.

I wish this particularly to go in the RECORD, because I am going to use it in this campaign. I will just admit right now candidly, Mr. President, that I expect to use this, and I am reading it with malice aforethought here and now, so that I can sort of get used to it.

Haven't you experienced it? I have. We are never so proper in our conduct as when everybody can look and see exactly what we are doing.

Physician, heal thyself!

If you are off in some distant part of the world and suppose that nobody who lives within a mile of your home is anywhere around, there are times when you adjourn your ordinary standards. You say to yourself, Well, I'll have a fling this time; nobody will know anything about it.

In the same chapter, continuing on the same subject, leaving out some matter interpolated that is not so directly pertinent on this point:

I hold the opinion that there can be no confidences as against the people with respect to their Government, and that it is the duty of every public officer to explain to his fellow citizens whenever he gets the chance, explain exactly what is going on inside of his own office. There is no air so wholesome as the air of utter publicity.

I heard a good deal about "pitiless publicity" along in the early part of the campaign. Now, it has gone the way of "watchful waiting." It has perished. People are beginning to realize that government by phrase making is an ignominious failure. It is one thing in the Chicago platform to call the attention of the majority party to its performances in language. It is a piece of platform sarcasm; but, nevertheless, it is based upon the unchanging truth, "performances in language." So we do not hear anything of "pitiless publicity" any more, and we will not for a long time, except as the minority party produces the publicity. We want to get the records. We can not. I have compiled some here to which I intend to give a little pitiless publicity, Mr. President, before the ides of November come.

I remember the last time I was in Chicago, last week, some of my friends got to talking to me about Mr. Gompers. I said: "I am going to pay my respects to Mr. Gompers whenever I feel like it. He does not carry the labor vote of this country around in his pocket. He does not own it. I will take the chances on dividing it. Mr. Gompers is not the uncrowned king of the labor world, although he is temporarily the head of the American Federation of Labor.

He is a Democrat. He never was anything else. He is a partisan and is now attempting to prostitute his official position as head of the American Federation of Labor to the election of the Democratic ticket. My friend said, "It will not be wise for you to say so." I said, "I am going to say it, anyhow, and say it on my own responsibility."

If you will pardon me, Mr. President, I will quote the words of the King in Hamlet:

You must not think
That we are made of stuff so flat and dull
That we can let our beard be shook with danger
And think it pastime.

So I will let it go. I expressly disclaim any responsibility for anybody except myself.

Here is some "pitiless publicity." I shall give the last chapter of this when I can get it. I am not able to complete it yet because the majority party have not yet completed their labors in Congress, and that is where most of this must come from. I will say that I think the salaries of offices created by the gross sum appropriations, which are estimated as about the same as those of the specific offices, and this is as near as you can approximate it, are too low, giving too high a number.

New offices created and appropriations therefor by Democratic Congress and approved by Democratic President, and by Republican Congress and approved by Republican President for the several years named.

Year.	Specific number new offices.	Approximate number new offices (gross appropriations.)	Specific appropriations.	Gross appropriations.
1910.....	3,877	6,500	\$5,672,009.00	\$2,027,224.03
1911.....	4,259		4,459,578.00	2,321,853.83
1912.....	4,050		4,985,236.72	4,383,755.93
Total Republican..	12,186		15,137,123.72	8,732,833.81
Total.....	6,500		8,732,833.81	
1913.....	7,049	12,572	7,696,662.50	6,697,365.87
1914.....	4,587		6,769,267.00	716,259.00
1915.....	5,792		6,977,049.00	8,413,118.64
Total Democratic...	17,428		21,442,978.50	15,826,743.51
Total.....	12,572		15,826,743.51	
Total Democratic...	30,000		37,269,722.01	
Total Republican...	18,686		23,869,957.53	
Democratic increase.....	11,314		13,398,764.48	

In the three years of Democratic administration they have created 30,000 new offices. The appropriations for those new offices are \$37,269,722.01.

When all the killed, wounded, and missing come in for 1916 from appropriations and from the departments we may confidently expect that there will be between 5,000 and 6,000 more added for the last year, because it is known, Mr. President, that in the last year provisions have been made for many new offices in the departments; new commissions have been created; new pay rolls have been created here and there and everywhere. When the final fiscal history of this administration is written for the last four years it will be found that a large part of the increased expenditures have come from the useless creation of new offices with the consequent compensation attached to them.

It has occurred to me that if the administration does know better—

Mr. LIPPITT. Before the Senator finishes the part of the subject to which he is now devoting his attention—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Rhode Island?

Mr. SHERMAN. Yes, sir.

Mr. LIPPITT. What was the total amount of new expenditures that the Senator mentioned—some \$37,000,000?

Mr. SHERMAN. Over \$37,000,000.

Mr. LIPPITT. Do I understand that \$37,000,000 is the sum of money that will be an annual tax upon the Government for all future time for these new employees?

Mr. SHERMAN. Yes, sir.

Mr. LIPPITT. It is not merely something that has happened for this year?

Mr. SHERMAN. No, sir.

Mr. LIPPITT. The Senator means that the Democracy have so arranged and increased the number of employees of the Government that for all time, until their laws are rescinded, the Government will be under an additional expense of some \$40,000,000?

Mr. SHERMAN. That is correct. That is a permanent increase.

Mr. PENROSE. And, if the Senator will permit me to interrupt him, I think it can be further shown that the greater part of the employees were appointed outside of the civil service from the ranks of the Democracy; and in my opinion not 50 per cent of them are performing official duties for two hours a day.

Mr. SHERMAN. That is undoubtedly correct, Mr. President. I think an impartial investigation would divulge the truth.

Tuesday, August 15, 1916.

Mr. SHERMAN. Mr. President, when the bill was under consideration yesterday evening at the hour of adjournment the Senator from Rhode Island [Mr. LIPPITT] had propounded a very proper inquiry on the continuance of the appropriations for the new offices created. I had alluded to that subject as an instance of how far from economically and efficiently the Government administered affairs which it assumed to undertake. I was endeavoring to show the reason why the Government ought not to undertake the shipping enterprise by water, which

is essentially private in its character. The Senator from Rhode Island inquired how long these increased expenditures would last. Before I had an opportunity to make any definite reply the proceedings began which resulted in the adjournment.

It is proper for me to say that increases in the appropriations are perpetual in character. There are \$37,000,000 in round figures made necessary in the appropriations for the three years 1913, 1914, and 1915, because of new offices created. The \$37,000,000 is a charge on the Public Treasury perpetually, unless some governmental surgery should be called into operation, an increase of over \$13,000,000 over the three preceding years in the appropriations for the new offices created.

Of course it might be said that future sessions of Congress could end these offices, useless or otherwise. That is true. How many offices once created, however, Mr. President, are destroyed? Most of us have had experience in endeavoring to destroy an office after it has once been created. There is nothing that I know of created by human agency endowed with the elements of immortality like a public office. Once created it continues; it is almost impossible to legislate it out of existence. A pay roll has all the elements of the indestructible matter in nature. I do not know of another thing that comes from the human mind that is as indestructible as a pay roll once created.

These departments will be enlarged, these commissions will go on their way, these expenditures will call into existence new pay rolls, with new undertakings. These men are on the pay roll. They adapt themselves to that form of the public service. Immediately, if it is sought to destroy them in future measures presented to Congress, it will be insisted that they are on the pay roll; having served there that they are entitled to consideration. Probably when pension laws come, as they ought, in due course they will become the beneficiaries of a pension system. If the pay roll should be destroyed, necessarily they would lose more or less vested right to participate in a pension in the future.

I know what all those arguments are in smaller areas than are presented to the consideration of Congress. Every time a pay roll has been created under State legislation it requires a superhuman effort, something that rises almost to the requirements of providential help, to ever destroy the pay roll, whether it is useless or otherwise.

So the Senator from Rhode Island is entirely within the bounds of probability when he makes the inquiry, anticipating, as all of us will, what the inevitable is, that it remains not for the first session of the Sixty-fourth Congress and for future sessions of this Congress, but it remains for the years to come, especially if the party now in power should continue, for the power that creates the pay roll feels that it must justify that creation, it will endure, and it will persist in the maintenance of that same pay roll.

Since yesterday evening, Mr. President, I have procured the interview of the great Commoner of Nebraska, formerly Secretary of State, on the Vick letter. It is dated at Kansas City, Mo. He is now a private citizen, but he refers to a matter occurring during his official tenure. Mr. Bryan speaks of the letter in an interview. Mr. Bryan challenged the Republican nominee—referring to Mr. Hughes—

to state whether he had given appointments to "deserving Republicans" while governor of New York. The statement was made in answer to recent speeches of Hughes which quoted a letter Bryan had written to Receiver of Customs Vick, in Santo Domingo, inquiring as to what positions could be obtained to "reward deserving Democrats." Bryan admitted the letter as it had been quoted.

I desire this to be added so that there may be no question in official circles in the months to come about the validity of this letter written to Mr. Vick. Mr. Bryan continues:

"I am not ashamed of it," the statement read. "The letter was written to an appointive officer, whose office was not under the civil service, and the inquiry was made in regard to officers which were not under the civil service. There was nothing in the letter to indicate a desire or intention to select men who were incompetent. On the contrary, inquiry is made as to 'what is requisite.'"

The only inquiry in the letter is as to whether a knowledge of the Spanish language is necessary.

As an official, I enforced the civil-service law to the letter, and upon my resignation received from the employees in the State Department, more than 90 per cent of whom were under the civil service, a watch which I prize as a priceless treasure. But while I observed the civil-service law wherever it was in force, I felt myself free to aid in rewarding deserving Democrats wherever it could be done without detriment to the service.

Now, I am not complaining about that, Mr. President. What I am complaining about is the somewhat supercilious air implied in the platform of 1912 and comments that the party in power during the preceding administration did not observe properly the civil-service laws of the country. Because of that, I concluded that there must be some very extraordinary method

that would be pursued by this administration to take care of the civil-service law, both in letter and in spirit.

My regret is that I was able to reward so few of the multitude who are deserving, measured by their political service, by their capacity, and by their fitness for the work to be done.

The "deserving Democrat" is not to be despised; he is as much entitled to recognition as a "deserving Republican."

I quite agree with the ex-Secretary on that. There could be no proper criticism made. The only criticism I have on this subject is that in the platform of 1912 there was such an unmerciful assault made upon the preceding administration and their application of the civil-service law.

I will not go further on the civil service at this time. I have not at all covered the material which is accessible. There is much of it that must be left unsaid, necessarily. So, without closing our rights for the future, I leave this branch of the discussion for the present, remembering that I only alluded to the civil service in connection with the shipping bill to show that there was no probable ground that the Government could successfully engage in this enterprise. There have been a good many other things—

Mr. LIPPITT. Mr. President—

The PRESIDING OFFICER (Mr. HUSTING in the chair). Does the Senator from Illinois yield to the Senator from Rhode Island?

Mr. SHERMAN. Certainly.

Mr. LIPPITT. I do not understand exactly what the expression "deserving Democrats" and "deserving Republicans" means. Does the Senator understand that Mr. Bryan holds the theory that there are Democrats in this country who deserve employment in the public service and because they deserve it the Government of the United States must employ them? How can any Democrat in the United States deserve employment? Is that the meaning of that phrase? It seems to me like a rather peculiar juxtaposition of words. I understand that the Government employs people who are necessary, not because the individual people deserve employment on the part of the Government. If the Government is going to employ all the deserving people in the United States, I expect it would have to employ some 90 or 95 per cent of them. I do not understand what Mr. Bryan means when he holds out the intimation that people are to be employed by the Government because they are deserving.

Mr. SHERMAN. There is no doubt, Mr. President, in response to the Senator's inquiry, that it is more than a mere juxtaposition of words. The words are designed to convey thought and not, as Talleyrand said, to conceal thought. The purpose designed by the use of this language is "deserving Democrats," the ones the letter and this interview refer to, who are useful in rendering political service.

In that sense, if I were an orthodox Democrat, I would say that every Democrat was deserving. I do not say, however, that every Republican is deserving of holding a public position. The public service is to be measured by the necessity of the case, by the requirements of somebody to be on the pay roll to render a needed service, and it would not be necessary to increase by over \$37,000,000 inside of three years appropriations for the offices, to add 30,000 new offices, in order arbitrarily to create places for deserving appointees affiliated with a certain political party, whether they were necessary in the public service or not. I think that probably is what the ex-Secretary had in mind, because he says his regret is "that I was able to reward so few in the multitude that are deserving."

I have no doubt that is a purely partisan statement. The letter he wrote was a purely partisan letter. The new offices were purely partisan creations. All of the increases were unnecessary. I believe the whole of the \$37,000,000 is money that would as well have been thrown into the sewers of Washington as far as useful service to the Government might be involved.

Mr. WEEKS. I was interested in what the Senator from Illinois said yesterday about the campaign contributions and the amount of contributions made by those who had received Federal appointments. I asked him if he had a complete list of the contributions made to the Democratic campaign committee in 1912, and if so, I would like to examine it. I think it is of public importance.

Mr. SHERMAN. I have not a complete list. It is only the one that the senior Senator from Pennsylvania [Mr. PENROSE] made public, which is not a complete list of course.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Ohio?

Mr. SHERMAN. I would be very glad to have a complete examination made. I was just looking at it before I took the floor. Yes, sir; I yield to the Senator from Ohio for the purpose of a question. I do not wish to lose the floor.

Mr. POMERENE. Of course it must occur to a man of the wide experience of the Senator from Illinois that these statements are only of relative importance. Does not the Senator think it would add very greatly to the sum total of human wisdom if, while he is commenting upon the amount of contributions and the number of persons who made contributions for the Democratic national campaign fund and afterwards received offices at the hands of the administration, he would take the pains to give a list of the contributions made to the various Republican campaigns—in the campaign of 1912 and previous thereto—and also to give a list of the contributors who were later rewarded with offices?

Mr. SHERMAN. If I had the list I would be very glad to offer it. In 1912, whoever the contributors were, it so fell out by the fates that nobody was able to be rewarded; there was no appointment possible to be made. I would have no objection to complete publicity. I believe the campaign contributors, all of them, ought to be known to the public. So far as I have had an opportunity to vote upon that question I have always voted that way, either within the State or within Federal jurisdiction, where measures of that kind were pending.

I know at one time there were some passages at arms between a candidate for President and Judge Parker, of New York State, in reference to a contribution. It ended very largely in a draw. I do not for my part undertake to say where the merits of the controversy lay, because before it was well settled the election was over, and since that time my relations with some of the parties to the controversy have not been altogether amicable. But if there is any information on that question and any of the majority Senators would incorporate it in the Record I would regard it as a valuable contribution to the political literature of the age.

Mr. WEEKS rose.

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

Mr. WEEKS. I hope the Senator from Illinois will put into the Record the names of the contributors to whom reference has been made. I hope at the same time he will use every diligence, or that some Democratic Senator will do so, to obtain a list of the contributions which were made in the campaign of 1912, and let that be given the same kind of publicity. I should like to see them published.

Mr. POMERENE. Why does the Senator from Massachusetts except from that proposition the list of contributors to the Roosevelt fund?

Mr. WEEKS. That is a dead issue.

Mr. POMERENE. Since when did it die?

Mr. SHERMAN. I shall be very glad to have a complete list.

Mr. POMERENE. We should like to know who delivered "the blow that killed father."

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Florida?

Mr. SHERMAN. Yes.

Mr. FLETCHER. Before the Senator from Illinois puts the list which he has into the Record—I believe that is now the proposition—I should like to be informed, if I can, on what this list is based in the way of information. Is it based on any record or is it a mere guess, or what is the information which the Senator has as to the accuracy or the correctness of the list; how it originated; and from what source it is obtained? If the Senator could give us that information, I could understand whether or not to object to its going into the Record. Otherwise I shall be unable to do so.

Mr. SHERMAN. I shall not undertake to offer any testimony as to the accuracy of the report, but shall content myself by asking permission from the Senator from Massachusetts [Mr. WEEKS] to incorporate the list at the conclusion of my remarks and to print it at length. Then, if any of the gentlemen who are wrongfully accused, desire to exonerate themselves, they can do so individually from time to time; but the list comes to me under such conditions that I am disposed to regard it as having a credible source. It is possible there may be inaccuracies in it, but, upon the whole, I am inclined to think it is correct.

Mr. FLETCHER. Then the Senator from Illinois has no knowledge as to the origin of the list or how the information was obtained, but simply tenders it; and if it is wrong, anybody can correct it who desires to do so, without attempting to say that he has reason to believe that the list is correct, as I understand?

Mr. SHERMAN. Yes, sir. I would be very loath to deprive anybody around Democratic national campaign headquarters of a position on the party pay roll. I do not know whether there are at present any of those gentlemen engaged in the service or not, and until I have that duly verified, I would only let the

matter rest where it now is. I am unable to say more definitely. I ask that the list be printed entire at the close of my remarks.

Mr. FLETCHER. I shall not interrupt the Senator from Illinois further than to suggest that, if he desires to pursue the inquiry in that direction, I should be glad if some day he would furnish us with a list of the Republican officeholders of the present administration and those in the foreign service, the chiefs of bureaus, and others, who are in the various departments of the Government here in Washington.

Mr. SHERMAN. I have no objection. If the Senator will permit me, I will ask for the list; and before I conclude my remarks, I shall ask leave to have it printed at length, accompanying it with the statement, of course, that I have already made, that I believe it to be an accurate account.

If we are to sell the ships which are purchased by this board and leased or operated within the five-year period, it will require considerable business ability for the Government to recover itself.

For my part, I do not know whether or not the Government can get a portion of the \$50,000,000 out. That is an open question which depends a great deal on whether or not the Government has a proper uniform business procedure that will permit value to be realized from the shipping that is in operation at the time of the expiration of the five years, which would be, to be accurate, five years from the close of the present European war. If the authority mentioned in the bill—the shipping board, which is appointed by the President—is not more uniform, is not more businesslike and definite in its beliefs than has been the present administration, I am disposed to think that the \$50,000,000 would be a total loss. When the five-year period shall have elapsed the entire merchant shipping that would be acquired under the board would be mere junk.

I have reasons for thinking so. For instance, the Executive of the present administration dominates the party, whether it be on a child-labor bill or on anything else. It was proposed to so conduct the caucus that somebody might rush to the rescue, and the President was ready. It does not make any difference what some of the Senators from certain States think—and immediately the child-labor bill is urged after it was not taken up by a political caucus. This enabled the President to appear as its savior.

I am disposed to think I have some proof why I am right in thinking that there is some uncertainty and vacillation in the present head of the administration, and that the same vacillation and uncertainty would manifest itself in the management of a shipping bill and the consequent business enterprise resulting from that undertaking.

For instance, I have a letter, dated February 5, 1913, written by the President to A. Mitchell Palmer, a Representative from the State of Pennsylvania. I shall not undertake to read all of this letter, but shall read only certain passages which lend some support to the statement I have made. It is in regard to a second presidential term. He was referring to a plank in the platform of 1912. He had been elected in the preceding November, and on the 5th day of February, 1913, he wrote this letter to Mr. Palmer. It contains the following language:

I have not hitherto said anything about this question, because I had not observed that there was any evidence that the public was very much interested in it. I must have been mistaken in this, else the Senate would hardly have acted so promptly upon it.

It seems that the senior Senator from Iowa [Mr. CUMMINS] had called up the second-term joint resolution, and that some action had been taken on it to which the then President elect's attention was called. He continues:

I can approach the question from a perfectly impersonal point of view, because I shall most cheerfully abide by the judgment of my party and the public as to whether I shall be a candidate for the Presidency again in 1916. I absolutely pledge myself to resort to nothing but public opinion to decide that question.

The platform plank in 1912 declared in favor of a constitutional amendment prohibiting the President from again serving a succeeding term. It is known here as the second-term plank. Leaving that plank, leaving its pledge, and all that was implied in the campaign, he says he approaches it from an impersonal point of view and will cheerfully abide by the judgment of his party. Well, it is a party pledge, and is probably destined to suffer the same fate as other Democratic Party pledges of 1912. He continues:

To change the term to six years would be to increase the likelihood of its being too long, without any assurance that it would, in happy cases, be long enough. A fixed constitutional limitation to a single term of office is highly arbitrary and unsatisfactory from every point of view. * * * It is their illicit power, not their legitimate influence with the country, that the advocates of a constitutional change profess to be afraid of, and I heartily sympathize with them. It is intolerable that any President should be permitted to determine who should succeed him—himself or another—by patronage or coercion or by any sort of control of the machinery by which delegates to the nominating convention are chosen.

Here is another matter, and it is of some concern, because we realize that the nominations have a great deal to do with the subsequent elections and processes, and the party machinery or arrangements by which nominations are made necessarily are vital and connect themselves with the Government in such a way that the legislatures of most of the States and the Supreme Court have decided that the primary laws are a proper exercise of the legislative power on a vital question of that kind. So it seems to me that there is some further evidence of the fitness of this administration to engage in a private enterprise requiring the initial expenditure of \$50,000,000. He continues:

There ought never to be another presidential nominating convention—

This was written in February, 1913—

and there need never be another. Several of the States have successfully solved that difficulty with regard to the choice of their governors, and Federal law can solve it in the same way with regard to the choice of Presidents. The nomination should be made directly by the people at the polls.

Conventions should determine nothing but party platforms and should be made up of the men who would be expected, if elected, to carry those platforms into effect. It is not necessary to attend to the people's business by constitutional amendment if you will only actually put the business into the people's own hands.

I think it may safely be assumed that that will be done within the next four years; for it can be done by statute; it need not wait for constitutional change. That being done, the question of the presidential term can be discussed on its merits.

I omit a great part of this letter, which is almost as long as the longest chapter in "The New Freedom or "Congressional Government."

Mr. PENROSE. Mr. President, will the Senator from Illinois inform me from what letter he is reading? I was called out of the Chamber for a moment.

Mr. SHERMAN. This is a letter written February 5, 1913, and addressed to A. Mitchell Palmer on the second term, refining and explaining away the pledge of the platform of 1912. It was written by the now President of the United States to Representative Palmer of the Senator's State at that time. The President continues:

I believe that we should fatally embarrass ourselves if we made the constitutional change proposed. If we want our Presidents to fight our battles for us, we should give them the means, the legitimate means, the means their opponents will always have. Strip them of everything else but the right to appeal to the people, but leave them that; suffer them to be leaders; absolutely prevent them from being bosses.

I will forbear, out of consideration for many friends of mine on the majority side of the Chamber, to ask if there are any political bosses in this administration. It would not be well to pursue the inquiry.

I am very well aware that my position on this question will be misconstrued, but that is a matter of perfect indifference to me. I am not speaking for my own reelection; I am speaking to redeem my promise that I would say what I really think on every public question and take my chances in the court of public opinion.

And so on.

At the end of my remarks I ask leave, Mr. President, to incorporate this letter in its entirety.

The PRESIDING OFFICER. The Chair hears no objection; and it is so ordered.

Mr. SHERMAN. In regard, then, to primary legislation, this letter is very enlightening.

In addition to that, I have a further extract from the President's message, I think, of December, 1914. He refers in that message to the necessity of presidential primary legislation. "It will enable," he says, "Presidents to be nominated by a direct primary. It will abolish future national conventions." That is in a paragraph in a message delivered to Congress.

In that he says that in the future nominations by convention ought never to be permitted; that nominations ought to be made directly by the people. Outside of the letter to Mr. Palmer and outside of the reference to it in a single message to Congress, who has heard of that since? When it came to practical legislation initiated in either branch of Congress, no action was taken. Since that time there has been impenetrable silence, and nothing has been heard of it and nothing will be heard of it, even if Mr. Wilson should be reelected.

He declared that all future conventions should be made up of the candidates who had been chosen on the respective tickets. Those who had been nominated for seats in the House of Representatives and in the Senate and those who were nominated for other offices were to be delegates to political conventions, to sit only as an advisory body and to write a platform designed to carry out the will of the common people, who had expressed themselves in the preceding primaries.

I do not care to take any great length of time on the primary question, because I wish to place other matters that are of more importance where they will be readily accessible; but I

proceed to another matter which my colleague [Mr. LEWIS] very fully covered during some remarks that he made some days since in this body. I wish to read a plank from the Democratic platform of 1912:

The constitutional rights of American citizens should protect them on our borders and go with them throughout the world, and every American citizen residing or having property in any foreign country is entitled to and must be given the full protection of the United States Government, both for himself and his property.

I desire now to read a plank from the Democratic platform of 1916:

The American Government should protect American citizens in their rights, not only at home but abroad, and any country having a government should be held to strict accountability for any wrongs done them, either to person or to property.

I wish to read another plank of the same platform of 1916:

The want of a stable, responsible government in Mexico capable of repressing and punishing marauders and bandit bands who have not only taken the lives and seized and destroyed the property of American citizens in that country, but have insolently invaded our soil, made war upon and murdered our people thereon, has rendered it necessary temporarily to occupy by our armed forces a portion of the territory of that friendly State.

On October 19, 1915, the following document was directed by our State Department in Washington to the representative of Carranza at this Capital:

DEPARTMENT OF STATE,
Washington, October 19, 1915.

MY DEAR MR. ARREDONDO: It is my pleasure to inform you that the President of the United States takes this opportunity of extending recognition to the de facto Government of Mexico, of which Gen. Venustiano Carranza is the chief executive.

The Government of the United States will be pleased to receive formally in Washington a diplomatic representative of the de facto Government as soon as it shall please Gen. Carranza to designate and appoint such representative; and, reciprocally, the Government of the United States will accredit to the de facto Government a diplomatic representative as soon as the President has had opportunity to designate such representative.

I should appreciate it if you could find it possible to communicate this information to Gen. Carranza at your earliest convenience.

Very sincerely, yours,

ROBERT LANSING.

I read the extracts from the Democratic platform, together with this document from the Department of State, in view of the conclusion that I wish to draw, keeping in mind that the plank first read from the platform of 1916 says that—

The American Government should protect American citizens in their rights not only at home but abroad, and any country having a government should be held to strict accountability.

Very well, confine it to "any country having a government." On October 19, 1915, by the acknowledgment of the de facto Government of Mexico it was officially stated by our Government that there was a government in Mexico, a government which was worthy of recognition, and that properly accredited diplomatic representatives would be recognized reciprocally. Therefore Mexico has a government according to the judgment of the Chief Executive, or his Secretary of State, acting under what we will assume is his direction.

Immediately after this recognition there came a distressing silence; there was nothing for months except occasional massacres, occasional disturbances, individual in character, ranch owners murdered, their property taken, their families dispersed. Then last March another incident happened. The subsequent events are very familiar, and I will not take time to recount them.

It is sufficient to say that from last October, when our Government recognized the de facto Government of Mexico, within the time when the plank of their platform was written at St. Louis last June, there has been a government in Mexico, at least by the official acknowledgment of this administration.

What kind of a government has it been? Has it been sufficient for the ordinary purposes of protecting aliens, their persons, and property within the borders of the de facto government? Has it been a sufficient government to discharge its international obligations?

Let me read from another document as to the ability of the present administration to discharge our international duty and as to its ability to take care of its domestic affairs. If it can not discharge its duty in Mexico, how can it discharge its duty in so simple and comparatively unimportant a matter as the shipping bill?

I read now from the note of June 20, 1916, of Secretary Lansing, generalizing the conditions that have existed since the recognition of the de facto government on October 19, 1915:

The Government of the United States has viewed with deep concern and increasing disappointment the progress of the revolution in Mexico. Continuous bloodshed and disorders have marked its progress. For three years the Mexican Republic has been torn with civil strife; the lives of Americans and other aliens have been sacrificed; vast properties developed by American capital and enterprise have been destroyed or rendered nonproductive; bandits have been permitted to roam at

will through the territory contiguous to the United States, and to seize, without punishment or without effective attempts at punishment, the property of Americans, while the lives of citizens of the United States who ventured to remain in Mexican territory or to return there to protect their interests have been taken, in some cases barbarously taken, and the murderers have neither been apprehended nor brought to justice.

It would be difficult to find in the annals of the history of Mexico conditions more deplorable than those which have existed there during these recent years of civil war.

It would be tedious to recount instance after instance, outrage after outrage, atrocity after atrocity, to illustrate the true nature and extent of the widespread conditions of lawlessness and violence which have prevailed during the last nine months.

And if you run back from the 20th of June nine months you get back to about the time when recognition was accorded the de facto Government of Mexico—

in the particular, the frontier of the United States along the lower Rio Grande has been thrown into a state of constant apprehension and turmoil because of frequent and sudden incursions into American territory and depredations and murders on American soil by Mexican bandits, who have taken the lives and destroyed the property of American citizens, sometimes carrying American citizens across the international boundary with the booty seized.

This is the record made. On it in the November election we are entitled to the verdict of the American people. "If a country has a government, it will be held to strict accountability." What kind of accountability so far has been demanded of any of those connected with the de facto government or otherwise?

A certain event occurred in March, 1916. Into a municipality in New Mexico an incursion was made by a lawless leader of still more lawless men from across the Mexican border. Some lives were taken, some property destroyed, and a reign of terror temporarily was inaugurated where this disaster occurred. From what source did it come? It came from Mexico. Where did the bandits gather? Where were their rendezvous and their refuge when they fled? Mexico. Who was the de facto government? Carranza. When was he recognized? On the 19th day of October, 1915. Is that de facto government a fit instrument to discharge international obligations as between Mexico and this Republic or any other Government?

Let me read what Carranza said after the murder of Benton, the Englishman. I need but to mention his name. Our memories are sufficiently fresh as to that incident to make comment unnecessary. When it was suggested by the British Government that we act in its behalf in order to discover under what conditions Benton was killed, Gen. Carranza, in his tropical dignity, made the following remarks:

My dignity as chief of the revolution compels me to refuse to recognize the right of the United States to act as the agent of Great Britain in looking after the interests of Great Britain in the Benton case. The British Government must come to me directly.

That was in March, 1914.

At one time, Mr. President, in this Chamber a roll call was had. I thought in all human probability that some reasonable means toward ending an intolerable condition were approaching. In fact, a portion of our Navy had been ordered into Mexican waters. On the roll call I voted to grant the power the President had asked, and I would be glad to do so again in the same circumstances. The order dispatching the Navy, so far as I have accurate information, was made before Congress was ever asked to act. All that we were asked to do was to approve the action already taken by the Commander in Chief of the Army and Navy of our country. We went to that port.

At that time there was a de facto government in Mexico. It had been recognized by Great Britain, by France, by Russia, and by Japan. Huerta had a de facto government which discharged its international obligations sufficiently to receive that recognition from the powers I have named. For some reason it was said that in his abstract of title to the throne there was some defect, some moral taint attached in such a way that the then incoming President had decided, and after he was inaugurated proceeded to carry out his decision, to refuse recognition to that de facto government or its head because he had some question as to how the right to exercise the powers of that government had been acquired.

So, first, an embargo was put on war supplies; then it was taken off; then it was put on as to certain ports. All northern Mexico could be supplied through her ports, from Tampico and neighboring ports down along Lower California and the State of Sonora. It was possible from the Pacific coast side to supply northern Mexico with munitions of war. So, while the land traffic was ended, it was permitted that war supplies be introduced through Mexican ports, enumerating certain ports, the principal ones of which I have named.

What was the purpose, ostensibly? I need not go into the details. I remember very well in this Chamber the vote that was taken on that resolution. It came over from the House. There was but little opposition expressed to it, except that on

the roll call a number of Senators felt constrained to vote against it. The purpose was to vindicate the dignity of this country, to extort respect for the flag by force of arms. It was for the purpose, it was said, of teaching those who had outraged our national sense of honor to respect our colors. Some of our men were killed; a considerable number of Mexicans were killed in Vera Cruz.

The ship that was laden with munitions which it was desired to stop, that came from a German port, sailing under German colors, was not allowed to land its war supplies at Vera Cruz.

But after a little slaughter, after some spilling of blood on both sides, the ships of our Navy weighed anchor and returned. They did not even stay at Tampico, where many Americans and other refugees, aliens in that country, had gathered for the purpose of fleeing the country, following the advice of the President in a former message to all Americans at least to get up and leave the country, that it was unsafe to remain there. It was reserved for alien vessels, for the English, and other powers having shipping in that port, to take our own citizens to a place of safety after our own naval expedition had been withdrawn from the marginal waters of Mexico and abandoned them to their fate. They would not even stay out on the high seas, beyond the territorial line, where the refugees could be delivered to our vessels. They returned to our own waters, and left our own citizens to be rescued by aliens. The munitions of war were subsequently landed at another port, and nothing resulted but the loss of life.

We are charged with being responsible for the massacres in Mexico. Mr. President, I read from the address of my colleague, for whom I have the greatest respect:

Mr. President, then we have it that the very officers of the administration who were in Mexico, the agents of commerce, the consuls of the United States, who were best informed and best constituted to be informed, gave to President Wilson and his Secretary of State their judgment that Villa at the time represented the abilities best calculated to bring forth order and establish peace in Mexico. Villa's platform and performances sounded as of the virtue of American doctrines—liberty for the humble, justice for the poor, right and equity for mankind, the lands as homes for the people and not as the private possessions of landed princes.

And let it be remembered that so powerful was that force of Villa that against the army of Porfirio Diaz and the best forces he could command in Mexico at the time of his greatest power Villa was able for years to hold his army in opposition and to oppose successfully the conquering of him or his cause by Diaz. This notwithstanding the combined power of all that Diaz could collect in the way of soldiers and money. Was it not natural that President Wilson could conceive from these evidences that this commander had power as represented? The effort was honestly made by the President. Every encouragement that could be given without the violation of our duty was afforded. The object of the United States was to keep the hands of power off of Mexico; let it work out its own destiny through the agencies of its own creation, as was the process of the government of republics. Villa was not acquiesced in by all of Mexico. He was opposed in his own land. Frustrated by those whose assumption of control he sought to dispute, and which he claimed had for its object the robbing of the poor, for whom he spoke, the ruling classes of Mexico and certain business interests all combined against him—under what righteous claim I know not. But this I do know, that had the leaders of the Republican Party in Congress given to the Democratic President support in this foreign policy and announced that as the President had recognized Villa as a test and trial to bring forth through him order, and had they demanded united obedience in America to this effort of the President as one from the highest authority and from the only authority that was vested with privilege of deciding the question, there would have been a different result from what ensued.

Beginning from the day of inauguration, March 4, 1913, the President has neither intervened effectively in Mexico nor has he let it alone. He has refused to intervene to produce peace and stability or a government adequate to the protection of person and property. He has been present in Mexico for mischief and absent for useful service. He has interfered enough to create the greatest of prejudice against the unfortunate few Americans who are unable to flee from that country.

Here is the admission. The Senator from New Mexico [Mr. FALL] said that the admission that Villa was contemplated once for recognition as the de facto head of the Government was a blow at a vital spot. It is so. I read some additional evidence that will corroborate what my colleague stated and admitted in his very able address not long ago. It is dated May 22, 1916:

The decided support given at one time to Villa by Gen. Scott and the Department of State itself was the principal cause for the prolongation of civil war in Mexico during many months.

AGUILAR, Secretary.

That is to say, Secretary of State of the de facto government of Carranza.

There is corroborative evidence of what this administration was engaged in during a portion of the time the Senate, so far at least as the minority side was concerned, had no information.

I wish to add this, not because it is new, but because it needs to be added here in the regular sequence of events: When it comes to the moral character of the man to be recognized as

the head of a de facto government, as between Huerta and Villa, it must be said at least Huerta maintained a government. If it had not been for the interference of this Government he would have been in power, in all probability, and would have quelled the civil discord in that country. An embargo was laid upon supplies. No money could be borrowed. He could issue and sell no bonds. He could not equip and pay his army. He could obtain no recognition adequate to procure the means to wage war against those in insurrection against his authority, and so he abdicated and left the country. Then the negotiations began, almost immediately upon his abdication, to recognize Villa upon moral grounds, because Huerta, it was said, had something to do with the assassination of Madero. A moral gentleman was selected as his successor.

I have been about the border a good deal in my time, and far down below the border several times within the last 25 years. I know the Indian somewhat—not like those who live there, or who have spent many years of their lives in that country. I heard of Villa some years ago, before he was known to modern fame. Here is his biography. If I were searching for the head of a de facto government, for the director of a gymnasium, or of a Young Men's Christian Association, I would pass to some other more promising subject.

[From the London Daily Telegraph of April 15, 1914.]

Francisco Villa, born at Las Nieves, in the State of Durango, 1868. 1882 sentenced to term of imprisonment for cattle rustling.

That is a polite term, you know, in the cow country. We would call it just plain cattle stealing up in our country.

On his discharge, settled in the mining camp of Guanacevi, where a few months after he received another sentence of imprisonment for killing.

That is an amicable sort of an offense. It might be true. They only jail a man a while for it there.

On discharge from the second sentence, he organized a band of robbers, which had headquarters in the mountainous regions of Perico, in the State of Durango, where they were the terror of the district.

1907. In partnership with Francisco Reza, stealing cattle in Chihuahua and selling them in the United States, and then stealing horses and mules in the United States and selling them in Chihuahua.

That is a new form of reciprocity, Mr. President.

In a disagreement with his partner, Reza, he shot and killed him on the plaza in the city of Chihuahua.

In November, 1910, he killed Mr. Soto in his factory in Allende. The latter's daughter was forced to show where she had hidden \$11,000 of her father's. This Villa stole.

In January, 1911, at Casas Grandes, Chihuahua, he killed Carlos Alatorra and Lewis Ortiz for refusing to pay money for ransom.

In February, 1911, at Batopilas, Chihuahua, he tortured Senora Gomez until he extorted from her \$30,000. She afterwards died from her injuries.

In November, 1911, he obtained a monopoly for the sale of meat in the city of Chihuahua, which he supplied by stealing cattle from the neighboring farms. In the latter part of November he killed one of his subordinates, Juarez, for stealing on his own account.

It is all right to steal yourself, but do not permit any subordinate to steal.

So long as we are going to investigate the packing industry of this country, we might as well investigate Villa, and find out how he conducted the packing business during a part of this time I am talking about.

In May, 1913, with 75 men, at Paeza, State of Chihuahua, he robbed a railway train of \$100,000, killing several of the crew and passengers.

I will not read the rest of these items that I have collected. Some of them are incorporated in the CONGRESSIONAL RECORD of a year and a half ago. Some of them I have collected from various prints, from the border or across the line, during the last two and a half years. It is enough to say that this gentleman, to be as euphonious as possible, under a competitive civil-service examination of this administration, probably would have showed no clearer record to a place in authority than the gentleman who preceded him—and so Huerta was expelled.

Mr. PENROSE. Mr. President, under this administration the President probably would have issued an Executive order exempting the place from the civil service, and would have appointed Villa.

Mr. SHERMAN. I have no doubt of it. A man who has the ability to survive during all these years, uncaptured, with a portion of the Regular Army of the United States in pursuit of him, and yet is able to evade pursuit and still to live, ought to possess the elements of durability and ability together that would render him a fit subject for a Democratic Executive order—no doubt of it.

There are complaints made now that Americans do not operate their property. It is said at once: "Americans went into Mexico for the purpose of making money." What is meant by these sentiments in the planks I have read when they extended the protection of this Government, in 1912, around the world to American citizens and their property? Is it worth while to consider anybody's property? Why in 1916 is it said that when

a country has a government adequate to the protection of person and property it shall be held to strict accountability? I take it that primarily government is charged with the protection of persons; that personal rights take precedence of everything else; and that secondary to those rights the rights of property, that supplement and make tolerable conditions of modern life, are a proper subject for governmental protection, either at home or abroad. Still, out of the many hundreds of millions of dollars that have been taken to Mexico, every person who makes complaint is accused of being guilty of greedy commercialism. It is said: "You went into that country and took your chances, and we will do nothing for you now."

On the 27th of August, 1913, the President, in a message, said:

We must let everyone who assumes to exercise authority in any part of Mexico know, in the most unequivocal way, that we shall vigilantly watch the fortunes of those Americans who can not get away, and shall hold those responsible for their suffering and losses to a definite reckoning.

Nothing has been done up to this time. I anticipate that nothing is likely ever to be done, so far as this administration is depended upon.

Here is a dispatch from Chihuahua—a press report:

Charges are circulated, even in official circles, that American mining and other concerns with properties in Mexico are refusing to operate in order to help bring about intervention, it was learned to-day.

With plenty of work and food, de facto government officials say, the prevalent tendency of the poorer classes to turn to banditry would disappear.

It is said that resumption of work at the various mining camps could be accomplished without danger, as only small bandit groups are now in existence, while large garrisons are available for all properties.

The population of Chihuahua must live on imports for the next three months. The State has but little arable land, and in the best of times imports largely. Since the rainy season set in, dysentery and rheumatism are prevalent in the city.

Villa has got neither of them. He seems to be able to keep well in advance of both the de facto troops and the regular troops of the United States.

The day following is this press report:

Mexican outlaws last week looted an American-owned mine at El Cajon, in the Altar district of Sonora, and killed two Chinese cooks, according to advices received here to-day.

Arrivals from Mexico City to-day confirm reports of the interruption of almost every line of industry there, and say that thousands of peons are on the verge of starvation. Zapata rebels, they say, are gradually occupying the federal district near the capital.

And still we are criticized because the owners of American property do not go into those remote fastnesses, where there is no government adequate for the protection of persons or property, and operate their mines or other business enterprises!

The troops went below the line in pursuit of the bandits. The matters that led up to it and followed were incorporated in the CONGRESSIONAL RECORD by the Senator from Rhode Island [Mr. LIPPITT], and I only refer to them to make a connected story of what I am saying on this subject. Here is the return after Carrizal:

It is said that we have been kept out of war. We have been in war at Vera Cruz. Navies do not engage in expeditions against individuals. A military force of this Government does not pursue anybody across the line into a foreign country and there engage in battle with the military forces of the de facto government and still make it possible to say we have been at peace.

On the 16th day of last July, at Laredo, Tex., two Mexicans were indicted on trial, placed on trial, charged with robbery and murder under the laws of the State of Texas. Another one lay badly wounded in the hospital at that place. What was their defense? I have their defense in my office. It sets up a plea to the jurisdiction of the court. It announces that one of them was a captain in the Carranza army, that another was a lieutenant, and in their pockets were found the commissions signed by Gen. Nafarata, who was operating in northern Mexico as an authorized general and a commander in the military forces of Carranza. They were caught redhanded across the border, incarcerated in a common jail, indicted by the ordinary criminal processes of a Texas court, placed upon trial, and set up that they were guilty of none of the offenses charged in the indictment, because they were regular officers in charge of a military force acting in behalf of the constitutional Government of Mexico, and that the acts they committed were justifiable acts committed in battle with an enemy of their country. That is their plea. Still we are not at war.

After a time, when at Carrizal we were made responsible, according to the theory of some of my friends in this Chamber, for all that had occurred up to that time and before, the loss of life being put upon those who criticize the administration—after all that is done a few of the men who were prisoners in Chihuahua, incarcerated like felons, who went there wearing the uniform of the United States and pursuant to orders issued

by the War Department in this Capital, came back to the border. They arrived at the old wooden bridge that reaches from El Paso, Tex., across to Juarez, where they were to be delivered to the military authorities of the United States—those of them that survived the machine guns at Carrizal.

Here is what happened, and the press reports were almost uniform on that morning:

EL PASO, TEX., June 29.

Twenty-three negro troopers of the Tenth Cavalry and Lem Spillsbury, Mormon scout, captured by the Mexicans at Carrizal and confined in the Chihuahua penitentiary, were brought to the border at noon to-day and turned over to American military authorities.

Here is the part that I wish the American people to pass on at the earliest opportunity. These are soldiers, dispatched under an order of the Commander in Chief to pursue an ordinary land robber, murderer, and thief into a country that has no adequate government for the protection of life and property. They are met by the assumed government that has been recognized, engaged in battle, and a portion of them killed and the remainder of them captured; afterwards those prisoners of war are turned over, at the point named, to the military authorities of our country.

At the time this formality occurred all of the press dispatches bear testimony to this fact:

A shout of laughter rose from the thousands of Mexicans who had gathered to witness the arrival as the negroes filed from the special train. The prisoners were dressed in the scantiest and most nondescript garb. Some had on only trousers. One wore a shirt, while a towel encircled his waist. Others' heads were decorated with bandannas. All the troopers were worn and drawn from their experience, and all were serious save one, who wore a broad smile.

This one negro made himself the impromptu spokesman for his fellows.

"We are sure glad to get back," he said.

And with that the curtain fell, and the prisoners of war that survived the slaughter at Carrizal made their entrée into the United States under their own colors, with their lives intact, but leaving their uniforms and their wardrobes on the other side. Those soldiers were citizens of our country, soldiers of the Republic. They were negroes but brave men who obeyed orders. What a humiliating spectacle.

Are we responsible? Shall we be held to bear this indignity and dishonor? Will it be approved?

I have uniformly voted, Mr. President, in this Chamber, to sustain the President's authority, to lend strength to his arm. I have announced repeatedly, and I have voted repeatedly, to give him on land and sea such necessary forces as will protect the dignity and the power of this Government abroad, and will protect our citizens in Mexico or elsewhere.

I absolve myself from any blame. I repudiate and denounce the suggestion that any Republican in this Chamber or elsewhere is responsible for any of the disasters that followed in the train of "watchful waiting," and the vacillating, undecided, and the almost imbecile weakness that has characterized this administration in its course with Mexico.

What happened during all these years? Secular property has been taken by the spoiler. The cathedrals of three centuries have been demolished, the priceless works of art destroyed. The Rubenses and the Van Dykes, the immortal canvases that have been gathered in the cloisters of the chapels of old Mexico have been destroyed. The altars have been profaned. The shrines have been desecrated. An ancient priesthood has been outraged. The Sisters of Charity have been subjected to unnamable treatment. The holy precincts of an ancient church have been made the scenes of revelry and riot, where drunken harlots, upon the cavalry horses of a still more drunken and dissolute banditti, have outraged every sentiment of the Christian heart and the Christian religion or the reverence that rises in the spirit of every race and every creed in the civilized world.

That has been wrought in the name of nonintervention and that Mexicans are "entitled to spill as much of their blood as they wish," and to decide what form of government they desire. I have no objection to their spilling their own blood, but I do object to their spilling the blood of aliens.

All this has happened while we were waiting for some more moral gentlemen to appear who might be recognized. Villa first comes upon the scene, and later Carranza moves on the bloody stage, and the end of this hideous drama no one knows.

In Indianapolis, on the 8th day of January, 1915, the President delivered an address. It was on Jackson Day, a most auspicious occasion, celebrating the greatest victory of one of the patron saints of Democracy, that at New Orleans. He used this language:

I hold it as a fundamental principle, and so do you, that every people has the right to determine its own form of government; and until this recent revolution in Mexico, until the end of the Diaz reign, 80 per cent of the people of Mexico never had a "look-in" in determining who should be their governor or what their government should be. Now,

I am for the 80 per cent. It is none of my business, and it is none of your business, how long they take in determining it. It is none of my business, and it is none of yours, how they go about the business. The country is theirs. The government is theirs. The liberty, if they can get it, and Godspeed them in getting it, is theirs. And so far as my influence goes while I am President nobody shall interfere with them.

SYMPATHY TOWARD MEXICO.

That is what I mean by a great emotion, the great emotion of sympathy. Do you suppose that the American people are ever going to count a small amount of material benefit and advantage to people doing business in Mexico against the liberties and the permanent happiness of the Mexican people? Have not European nations taken as long as they wanted and split as much blood as they pleased in settling their affairs, and shall we deny that to Mexico because she is weak? No, I say! I am proud to belong to a strong nation that says: "This country, which we could crush, shall have just as much freedom in her own affairs as we have."

Very well; it has gone on in that way, and he has assumed to recognize a de facto government, and it is now unable to fulfill its obligations either to our own people or to anybody else. So I assume that before we engage in any other undertaking it would be as well for us to finish properly the ones that have now devolved on us that will take all our effort, our time, and what money we can properly spend.

I will not go further into the Mexican question, because I do not wish at this time to take more time.

I wish to put in as a part of my remarks here an editorial from the Legislative Labor News, the organ of the National Federation of Labor, published when Mr. Hughes left Albany for the Supreme Court. I will read the editorial from the Labor News:

Now that Gov. Hughes has retired from politics and ascended to a place on the highest judicial tribunal in the world, the fact can be acknowledged without hurting anybody's political corns that he was the greatest friend of labor laws that ever occupied the governor's chair at Albany. During his two terms he has signed 50 labor laws, including among them the best labor laws ever enacted in this or any State.

He also urged the enactment of labor laws in his messages to the legislature, even going so far as to place the demand for a labor law in one of his messages to an extra session of the legislature.

Only 162 labor laws have been enacted in this State since its erection in 1777—in 133 years. One-third of these, exceeding in quality all of the others, have been enacted and signed during Gov. Hughes' term of three years and nine months.

Now, Mr. President, I have no desire to take much further time on this question. The revenue bill will be coming on at a proper interval, and with the indulgence of the Senate when that measure is before this body I have some comments to submit upon that question. If you will let me levy the taxes of the country and collect the money I do not care who else governs the country; ultimately I bring everybody else to an acceptance of the views embodied in my legislation.

Everything that will be said here after the tumult and the shouting have died away, after the appropriations are made, after everything has been done, after even the distinguished senior Senator from Missouri [Mr. STONE] has risen in a stately way and at a proper interval and delivered his denunciations with dignity, decorum, and withering scorn—after all that is done, when we begin to foot the bill, then we begin to pay, as I suggested yesterday, for the appropriation fiddler's music that we have had furnished us during all this session, beginning last December.

Some place we must raise the money. Some place these appropriations must tax unremittingly and unceasingly, the money, the income, the property, and the business resources from all the possessions of the people of this country who are engaged in private enterprise. Finally it must be paid by the people who have means, paying in proportion as we have, except as to the income tax, and there we pay in proportion to our ability to pay, not what we have, because we exempt three or four thousand dollars, as the case may be.

So at last when we come to consider the revenue bill it will be the real test of whether this administration successfully can govern the country, make such appropriations, and levy taxes in such a way as to receive the indorsement of the majority of the voters of this country. That will be the test.

I have no doubt that that matter will be before us in due time for complete discussion here. I wish to say that I shall desire some little time on that question.

It was suggested here that undoubtedly people would not be visited with any evil effect if they failed to abide by the conference or caucus. The senior Senator from Missouri [Mr. STONE] denounced those who on the shipping bill a year or so ago did not abide by a Democratic caucus. I remember when a certain member of the legislature was about to die in Kentucky, he stood in the aisle and said he was one who had bolted a caucus of his party and the stings of his conscience had pursued him from that time until he would pass across the Great Divide.

I have gotten used to hearing the Senator from Missouri. I always enjoy his comments. It does not make any difference

whom he hits. If a cobblestone comes in my way once in a while I enjoy it just as much as anybody else who gets hit with another. He is entirely impartial. Once in a while he turns on his own colleagues; he chides them with more or less vigor for making campaign speeches.

I remember when a gentleman on the other side of the Chamber made a campaign speech that if I were a Democrat I would say was a good speech, both from the standpoint of the campaign and the standpoint of the constructive or critical statesmanship. The day before the senior Senator from Montana [Mr. WALSH] had delivered a speech on the propriety of a Supreme Court Justice resigning and becoming a candidate for a partisan office.

The Senator from Missouri took occasion, as I remember, to inflict impartial punishment upon both sides of the Chamber in his remarks. He said that the boys in the press gallery understood it—"the dogs were barking." Two days afterwards he came out of his kennel and barked louder and longer himself than anybody else. I do not know, when he referred to the dogs as barking, whether he had reference to our conduct or what it was. Anyhow, he used the phrase "the dogs were barking," and since that time he has barked more than anybody else.

So ever so often when he comes in this Chamber and walks down the aisle in gloomy, solitary grandeur, with a frown on his face, shrouded in impenetrable mystery, and the weight of empire bowing his regal form, I can see that something has happened, or is about to. He is like Caesar when he came into the senate chamber of old. I know at once what is going to happen to you brethren on the other side of the aisle or here. As the immortal bard of Avon said:

But, look you, Cassius,
The angry spot doth glow on Caesar's brow,
And all the rest look like a chidden train.
Calpurnia's cheek is pale; and Cicero
Looks with such ferret and such fiery eyes
As we have seen him in the capitol,
Being cross'd in conference by some senators.

A conference is held—a Democratic caucus—and when the Senator from Missouri comes in here with the angry spot glowing on his brow I know it bodes some strange eruption to the State. He has been crossed in the conference of Democratic Senators; something that morning will break loose; and at least one dog will bark and will bark lustily before adjournment is had.

I like it. He is a picture of superb and attractive action when he has upon him the divine spirit of vociferous criticism. I can think of nothing but Holy Writ when I see him marching down the aisle in full action fighting and fuming, effulgent as a comet wandering through space, full of eloquence and shedding language that is a shame to the memory of Worcester or Webster.

On such occasions, Mr. President, his neck is clothed with the thunder, "the glory of his nostrils is terrible."

He paweth in the valley, and rejoiceth in his strength: he goeth on to meet the armed men.

He mocketh at fear, and is not affrighted; neither turneth he back from the sword.

The quiver rattleth against him, the glittering spear and the shield. He swalloweth the ground with fierceness and rage; neither believeth he that it is the sound of the trumpet.

He saith among the trumpets, Ha, ha; and he smelleth the battle afar off, the thunder of the captains, and the shouting.

I know, then, that we are receiving some of the criticism that we have earned. I know, then, at least that there will be a brief period when everybody may sit about and rejoice in the fullness of the eloquence and in the exuberant diction and in the tremendous energy that the Committee on Foreign Relations always expect of the statesman who is at the head of that body. I know he is bursting with suppressed information. He seems to exude, "If only I could tell you of the things I know, it would make every hair 'stand on end like quills upon the fretful porcupine.' Ah, but I must not speak what I know," seems to say the chairman of the Committee on Foreign Relations. "When I open my mouth let no dog bark." So everybody, all the chidden train on both sides, sit down and give him plenty of room and fresh air for the exercise of his talent.

I shall not ask for further time from the Senate except to add in a concluding paragraph that the Senator from Missouri had a good deal to do with writing the present 1916 platform. He was the keynote sounder, it seems. I ask him why he did not sound a declaration favoring free tolls through the Panama Canal; why he did not sound a denunciation of the profligate waste of public funds; why he did not sound another stalwart pledge, as in 1912, of economy in future operation; why no promise of constitutional action regarding the presidential term limited to one; why no denunciation of the principle of protection; no assertion that protection is unconstitutional? There was nothing of that kind, although it has been in a Democratic

platform ever since I can remember; ever since I have been old enough to read Democratic platforms.

I think I will cite in due season an extract from the Commoner. It says that the day the Democratic Party returns to a protective tariff or a tariff for any purpose to foster an industry in this country the Democrats will be laughed out of the campaign. In the war of 1812 we had all the protection we needed here. In 1801, or later, during the Jefferson administration or its successor, when the embargo was on, we had all the protection. We have it now, even with the great war across the sea.

It is proposed, if the morning reports be true, to begin a duty on dyestuffs in order to foster what Secretary Redfield calls an incipient industry after the close of the war. What has become of sugar? That is for revenue. We need the \$52,000,000 or \$54,000,000 every 12 months. That is not for protection. I do not care what your motive is; lay the duty, and the rest of it will come. So I ask the keynote sounder these questions in the future, when he shall arrive clothed with all the terrible majesty that belongs to the majority leader and filled to bursting with the secrets of state. I propound to him now these questions. Answer them or acknowledge that you are up a tree and you can not.

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E. W. Dewey, Lakeland, Fla.	100.00	Henry Nicolaus, St. Louis, Mo.	150.00
Edw. Eagle Brown, Chicago, Ill.	100.00	Dan C. Nugent, St. Louis, Mo.	100.00
Alva Adams, Pueblo, Colo.	100.00	F. M. Judson, St. Louis, Mo.	100.00
Joseph McCrum and others, Atchison, Kans.	100.00	J. W. Fristee, St. Louis, Mo.	100.00
Charles Strauss, New York.	1,000.00	F. O. Watts, St. Louis, Mo.	100.00
Stephen Farelly, New York.	100.00	John C. Burns, La Crosse, Wis.	100.00
M. J. Stroock, New York.	250.00	H. C. Christians, Johnsons Creek, Wis.	100.00
J. M. Camden, Versailles, Ky.	2,500.00	John D. Kerman, Utica, N. Y.	100.00
J. C. C. Mayo, Paintsville, Ky.	5,000.00	Lawrence E. Sexton, New York.	250.00
Ludwig Dreyfuss, New York.	500.00	Lorenzo Semple, New York.	250.00
Calvin Pentress, Chicago, Ill.	100.00	E. J. McCutcheon, San Francisco, Cal.	250.00
Joseph P. Funk, St. Louis, Mo.	100.00	Curtis H. Lindley, San Francisco, Cal.	100.00
John C. Roberts, St. Louis, Mo.	1,000.00	Judge Peter J. Shields, Sacramento, Cal.	100.00
Con. O'Brien, Brainerd, Minn.	100.00	James K. Moffitt, San Francisco, Cal.	200.00
A. Augustus Healy, New York.	100.00	John B. Fried, Jamestown, N. Dak.	100.00
W. Kirkpatrick Brice, New York.	100.00	D. S. Ramsay, New York.	500.00
Warren Leslie, New York.	100.00	John G. O'Keefe, New York.	250.00
Thomas H. Kelly, New York.	250.00	Hon. Charles L. Grey, New York.	100.00
George J. Gillespie, New York.	200.00	Judge A. S. Bennett, The Dalles, Oreg.	250.00
Wilson Kistler, Lock Haven, Pa.	100.00	W. F. Sapp, Galena, Kans.	100.00
Desha Breckinridge, Lexington, Ky.	100.00	James Stokes, New York.	500.00
John F. Hager, Ashland, Ky.	100.00	C. A. Spreckels, New York.	5,000.00
Samuel L. Wilson, Lexington, Ky.	100.00	Louis Stewart, New York.	100.00
James T. Williams, Midway, Ky.	100.00	Henry Morgenthau, jr., New York.	1,000.00
Embry M. Swearingen, Louisville, Ky.	100.00	Thomas A. Combs, Lexington, Ky.	100.00
Samuel Sachs, New York.	1,000.00	B. B. Brown, Warsaw, Ky.	100.00
Arthur Sachs, New York.	250.00	E. H. Yaylor, jr., Frankfort, Ky.	200.00
Edward Lazansky, Brooklyn, N. Y.	100.00	J. B. Haggin, Lexington, Ky.	200.00
Bishop Alexander Walters, New York.	100.00	M. V. Haggin, Lexington, Ky.	100.00
Hon. Henry D. Clayton, Bufaula, Ala.	100.00	P. J. Quigley, Dubuque, Iowa.	100.00
J. C. Havemeyer, Yonkers, N. Y.	100.00	Samuel S. Fels, Philadelphia, Pa.	1,000.00
William E. Leffingwell, Watkins, N. Y.	100.00	Joseph R. Wainwright, Philadelphia, Pa.	300.00
George Foster Peabody, Lake George, N. Y.	100.00	C. E. Ingersoll, Philadelphia, Pa.	250.00
Leo Schlesner, New York.	250.00	Roland S. Morris, Philadelphia, Pa.	250.00
Samuel B. Price, Scranton, Pa.	100.00	M. E. Burke, Beaver Dam, Wis.	100.00
George A. Howe, Pittsburgh, Pa.	100.00	Harry S. Black, New York.	1,000.00
M. A. Arnold, Seattle, Wash.	100.00	John Scully, South Amboy, N. J.	100.00
E. G. Newman, Woodstock, Va.	100.00	Thomas L. Henry, Newark, N. J.	200.00
H. A. Garfield, Williamstown, Mass.	100.00	Charles McCue, Seabright, N. J.	100.00
Francis E. Kelly, Wilmington, Del.	100.00	Samuel Rea, Philadelphia, Pa.	250.00
George C. Whitmore, Nephi, Utah.	100.00	D. C. Scarborough, Natchitoches, La.	100.00
Charles H. Conover, Chicago, Ill.	100.00	William Albert Harbison, Pittsburgh, Pa.	100.00
Jeff Davis, Little Rock, Ark.	100.00	Fred W. Scott, Richmond, Ga.	150.00
John S. Bell, Newark, N. J.	100.00	Philip C. Scanlan, St. Louis, Mo.	200.00
Joseph E. Bernstein, Jersey City, N. J.	500.00	James Durkin, Spokane, Wash.	100.00
W. L. Saunders, North Plainfield, N. J.	500.00	B. W. Coggeshall, New York.	200.00
Henry Mehl, Jersey City, N. J.	100.00	John S. Sutphen, New York.	100.00
George A. Pest, Somerville, N. J.	100.00	George K. Hoblitzelle, St. Louis, Mo.	100.00
M. A. Rice, Lenardo, N. J.	500.00	P. Taylor Bryan, St. Louis, Mo.	100.00
John P. Murray, Jersey City, N. J.	100.00	Warwick M. Hough, St. Louis, Mo.	500.00
John Mehl, jr., Jersey City, N. J.	100.00	Fred D. Gardner, St. Louis, Mo.	100.00
William L. Waldron, Trenton, N. J.	100.00	Patrick F. Gill, St. Louis, Mo.	100.00
George A. Steele, Eatontown, N. J.	100.00	Tom Randolph, St. Louis, Mo.	500.00
Peter H. James, Jersey City, N. J.	100.00	S. M. Kennard, St. Louis, Mo.	200.00

J. Lionberger Davis, St. Louis, Mo.	\$100.00	Chase Brenizer, Charlotte, N. C.	\$100.00
C. D'Autremint, jr., Duluth, Minn.	100.00	H. G. Chatham, Elkin, N. C.	100.00
P. H. Nelson, Hibbing, Minn.	100.00	J. A. Long, Roxboro, N. C.	100.00
Clyde M. Carr, Chicago, Ill.	250.00	R. N. Page, Bisco, N. C.	100.00
Mrs. A. McCormick Blaine, Chicago, Ill.	1,000.00	Edwin O. Wood, Flint, Mich.	500.00
Arthur J. Eddy, Chicago, Ill.	250.00	Charles Wain Meirs, Philadelphia, Pa.	100.00
William M. Hoyt, Chicago, Ill.	100.00	William S. Sheehan, New York	1,000.00
F. H. Jones, Chicago, Ill.	100.00	J. H. Williams, St. Louis, Mo.	200.00
C. F. Gunther, Chicago, Ill.	200.00	Leon Adler, New York	100.00
W. O. Coleman, Chicago, Ill.	100.00	W. G. McAdoo, New York	100.00
Dixon C. Williams, Chicago, Ill.	200.00	Clarence E. Carr, Andover, N. H.	500.00
A. F. Reichmann, Chicago, Ill.	100.00	Herbert D. Molten, Lisbon, N. H.	100.00
John A. Logan, Elgin, Ill.	100.00	Calvin Page, Portsmouth, N. H.	100.00
Edward J. O'Beirne, Elgin, Ill.	100.00	C. C. Calhoun, Washington, D. C.	100.00
E. B. Blolock, Woodlawn, Tex.	100.00	Macgrane Coxie, New York	100.00
C. L. Tilden, San Francisco, Cal.	100.00	Samuel H. Lyon, Baltimore, Md.	200.00
M. L. Benedum, Pittsburgh, Pa.	250.00	Arnstein Bros., New York	100.00
W. A. Shaw, Pittsburgh, Pa.	200.00	George G. Perkins, Chevy Chase, Md.	250.00
H. M. Brackenridge, Pittsburgh, Pa.	100.00	L. Laffin Kellogg, New York	100.00
Henry Buhl, jr., Pittsburgh, Pa.	250.00	W. A. Wilgus, Hopkinsville, Ky.	100.00
Harrison Nesbit, Pittsburgh, Pa.	700.00	William A. Bahke, Alma, Mich.	100.00
Quincy Ward Boese, New York	100.00	Herman Kertscher, New York	100.00
W. G. Robinson, Schenectady, N. Y.	100.00	H. J. Steele, Easton, Pa.	100.00
A. Page Smith, Albany, N. Y.	100.00	N. Espenschied, New York	100.00
Peyton F. Miller, Hudson, N. Y.	100.00	W. H. Williams, Long Island City, N. Y.	100.00
Seth B. French, New York	100.00	James F. Mechan, New York	250.00
J. M. Slaton, Atlanta, Ga.	100.00	Charles E. Duross, New York	100.00
L. C. Holsendorf, Valdosta, Ga.	107.00	John Adikes, Jamaica, Long Island, N. Y.	100.00
R. L. McKenney, Macon, Ga.	100.00	Franklin Pettit, New York	125.00
Asa G. Candler, Atlanta, Ga.	1,000.00	J. Arthur Fischer, New York	100.00
W. G. Raoul, Atlanta, Ga.	100.00	John S. Armstrong, Baltimore, Md.	500.00
Hoke Smith, Atlanta, Ga.	500.00	Charles E. Appleby, New York	100.00
M. L. Johnson, Cartersville, Ga.	100.00	Hon. A. H. Boyden, Salisbury, N. C.	2,500.00
Edward C. Crossett, Davenport, Iowa	100.00	John Strong, South Rockwood, Mich.	100.00
W. S. Brainard, Toledo, Ohio	100.00	Dr. L. L. Shropshire, San Antonio, Tex.	100.00
Edward W. Sheldon, New York	1,000.00	J. E. Webb, San Antonio, Tex.	100.00
Alexander Cameron, Gordonsville, Va.	100.00	F. C. Davis, San Antonio, Tex.	100.00
F. J. Fearnside, Palatka, Fla.	500.00	Democratic executive committee, Denton, Tex.	100.00
Dr. Angus McLean, Detroit, Mich.	100.00	Hon. Morris Sheppard, Texarkana, Tex.	100.00
Henry B. McCormick, Harrisburg, Pa.	500.00	Judge J. M. Goggin, El Paso, Tex.	100.00
S. F. Houston, Philadelphia, Pa.	200.00	William H. Noll, Fort Wayne, Ind.	100.00
M. Gross, McKeesport, Pa.	100.00	James P. McCallister, Grand Rapids, Mich.	100.00
John C. Haddock, Wilkes-Barre, Pa.	250.00	R. T. Robinson, Racine, Wis.	100.00
Jos. F. Gorman, Allentown, Pa.	100.00	Max Hottelett, Milwaukee, Wis.	100.00
Andrew Breslin, Summit Hill, Pa.	100.00	Harley Sheldon, Ames, Iowa	100.00
J. Hampden Dougherty, New York	100.00	H. J. Finley, Washington, D. C.	100.00
Bruce Haldeman, Louisville, Ky.	100.00	Charles A. Douglas, Washington, D. C.	100.00
Louis Seelbach, Louisville, Ky.	100.00	Philip Freiler, Elgin, Ill.	100.00
John R. Pfanz, Louisville, Ky.	100.00	Thad. B. Preston, Ionia, Mich.	100.00
W. O. Head, Louisville, Ky.	100.00	Hampton Gary, Tyler, Tex.	100.00
C. W. Milliken, Louisville, Ky.	100.00	Theodore F. Jenkins, Philadelphia, Pa.	100.00
Phil F. Igoe, Louisville, Ky.	100.00	William Hasson, Oil City, Pa.	100.00
Chas. F. Granger, Louisville, Ky.	100.00	Thomas Spratt, Ogdensburg, N. Y.	200.00
W. B. Haldeman, Louisville, Ky.	100.00	George W. Chauncey, Brooklyn, N. Y.	100.00
P. H. Callahan, Louisville, Ky.	100.00	Eugene Lamb Richards, New York	100.00
Chas. H. Knight, Louisville, Ky.	100.00	Z. C. Patten, Chattanooga, Tenn.	200.00
Owen Tyler, Louisville, Ky.	100.00	Silas H. Straun, Chicago, Ill.	100.00
John Buechel, Louisville, Ky.	100.00	William Meyer, New York	1,000.00
Frank McGrath, Louisville, Ky.	100.00	S. Klauber, New York	500.00
A. M. Emiler, Louisville, Ky.	100.00	E. Boesch, New York	1,000.00
Herman V. Cohn, Louisville, Ky.	100.00	T. H. Gibbon, Pittsburgh, Pa.	1,000.00
Gen. Bennett H. Young, Louisville, Ky.	100.00	Jackson Johnson, St. Louis, Mo.	200.00
Whalen Bros., Louisville, Ky.	100.00	W. R. Rust, Tacoma, Wash.	100.00
M. J. Winn, Louisville, Ky.	100.00	Joseph A. Donohoe, San Francisco, Cal.	100.00
Aaron Kohn, Louisville, Ky.	100.00	John R. Packard, Greenville, Pa.	100.00
R. W. Bingham, Louisville, Ky.	100.00	Sam R. Nuzum, Fairmont, W. Va.	100.00
Jas. B. Brown, Louisville, Ky.	100.00	J. T. Gregory, Tacoma, Wash.	100.00
Davis Brown, Louisville, Ky.	100.00	Nelson C. Hubbard, Wheeling, W. Va.	100.00
Swager Sherley, Louisville, Ky.	100.00	John B. Oelkers, Newark, N. J.	100.00
John Caperton, Louisville, Ky.	100.00	Clarence E. Carr, Andover, N. H.	100.00
S. Zorn, Louisville, Ky.	100.00	A. W. Noone, Peterborough, N. H.	200.00
J. M. Atherton, Louisville, Ky.	100.00	Mrs. Virginia Vanderbilt, New York	3,000.00
Alex Humphrey, Louisville, Ky.	100.00	Thomas Branch & Co., Richmond, Va.	150.00
Clarence E. Burley, Chicago, Ill.	250.00	S. M. Wilson, New York	1,000.00
Walker W. Vick, Rutherford, N. J.	750.00	Adolph Kastor, New York	250.00
H. F. Langenberg, St. Louis, Mo.	100.00	S. Harris, New York	5,000.00
Anson Phelps Seeks, New York	250.00	J. Grant, New York	500.00
Jas. Inglis, Detroit, Mich.	100.00	T. Guthrie, New York	500.00
Col. W. D. Mann, New York	100.00	J. Stone, New York	500.00
Isaac B. Smith, Cedar Rapids, Iowa	100.00	B. Falk, New York	500.00
Scott Bros., Charleston, W. Va.	100.00	A. Levy, New York	500.00
M. F. Healy, Fort Dodge, Iowa	100.00	L. Stein, New York	500.00
Blewett Lee, Chicago, Ill.	100.00	R. Bach, New York	500.00
Sam Woolner, Peoria, Ill.	100.00	Isaac Weingart, New York	500.00
E. M. Barnes, Lacon, Ill.	100.00	Reuben R. Arnold, Atlanta, Ga.	100.00
W. N. Woolner, Peoria, Ill.	100.00	James R. Gray, Atlanta, Ga.	250.00
H. M. Pindell, Peoria, Ill.	100.00	John G. Milburn, New York	250.00
Col. W. H. Carroll, Memphis, Tenn.	100.00	P. J. Queale, Kemmerer, Wyo.	100.00
James N. Boyce, Richmond, Va.	100.00	John E. Vail, Pueblo, Colo.	100.00
John Stewart Bryan, Richmond, Va.	100.00	Hon. A. S. Bursleson, Austin, Tex.	100.00
Hon. Joseph E. Willard, Richmond, Va.	2,000.00	Charles W. McAlpin, New York	2,000.00
George Foster Peabody, New York	100.00	Archibald H. Taylor, Baltimore, Md.	250.00
Philip Tumulty, Jersey City, N. J.	100.00	George B. Coder, Louisville, Ky.	100.00
William Kennedy, Naugatuck, Conn.	100.00	Frank Fehr, Louisville, Ky.	100.00
David R. Francis, St. Louis, Mo.	1,000.00	Frank S. Cook, Louisville, Ky.	100.00
J. F. Barrett, River Forest, Ill.	100.00	William B. Hornblower, New York	500.00
Thomas De Witt Cuyler, Philadelphia, Pa.	1,000.00	Frederick R. Coudert, New York	250.00
S. N. Dent, jr., Montgomery, Ala.	100.00	John S. Barber, Fairfax, Va.	100.00
H. A. Douglas, Detroit, Mich.	250.00	Thomas H. West, St. Louis, Mo.	300.00
L. K. Studstill, Andalusia, Ala.	106.00	Hugo Kohler, St. Louis, Mo.	100.00
John B. Knox, Anniston, Ala.	100.00	A. M. Dockery, Gallatin, Mo.	100.00
William B. Moore, Detroit, Mich.	100.00	Anna McCormick, Harrisburg, Pa.	300.00
E. L. Ford, Detroit, Mich.	100.00	Richard Coulter, Greensburg, Pa.	100.00
C. W. Watson, Fairmont, W. Va.	5,000.00	Thomas Lynch, Greensburg, Pa.	100.00
K. D. Winship, San Francisco, Cal.	200.00	Hon. John B. Head, Greensburg, Pa.	100.00
James B. Phelan, San Francisco, Cal.	100.00	John A. Foy, Whitehaven, Pa.	250.00
Gavin McNab, San Francisco, Cal.	100.00	Emil Bautz, jr., Unionhill, N. J.	100.00
E. J. Decoppet, New York	500.00	Edward McDonough, Newark, N. J.	100.00
W. R. Craig, New York	1,000.00	Mrs. P. A. Hurst, San Francisco, Cal.	250.00
A. E. Ackerman, New York	1,000.00	William Deaman, San Francisco, Cal.	250.00
S. S. Prince, New York	100.00	Robert M. Fitzgerald, Oakland, Cal.	100.00
Bryan L. Kennelly, New York	250.00	John W. Black, Houghton, Mich.	100.00
W. H. Osborne, Greensboro, N. C.	100.00	Theodore Reed, Memphis, Tenn.	100.00

J. G. Van Lent, Muscatine, Iowa	\$100.00	L. J. Hart, San Antonio, Tex	\$100.00
M. C. Migel, New York	1,000.00	George B. Tallaferrro, San Antonio, Tex	100.00
S. L. Smith, Detroit, Mich	200.00	Mr. Bordenbaumen, Seguin, Tex	100.00
Henry W. Miller, Columbus, Ohio	100.00	Dr. Van. E. McFarland, Eagle Pass, Tex	100.00
J. F. Baldwin, Columbus, Ohio	100.00	Archib Parr, San Diego, Tex	100.00
E. J. De Coppet, New York	500.00	T. D. Cobbs, jr., San Antonio, Tex	100.00
Edward W. Page, New York	150.00	J. B. Dibrell, Austin, Tex	100.00
J. C. Hutcheson, Houston, Tex	500.00	Emil Moshelm, Seguin, Tex	100.00
E. L. Van Dressar, Portland, Me	100.00	James and Charles Stubbs, Galveston, Tex	100.00
Dr. A. Gatliff, Williamsburg, Ky	150.00	John Sealy, Galveston, Tex	100.00
W. T. Underwood, Birmingham, Ala	100.00	J. L. Lovejoy, McKinney, Tex	100.00
K. D. Alexander, Versailles, Ky	100.00	A. H. Jones, San Antonio, Tex	100.00
Mrs. James B. Haggin, Green Hills, Ky	100.00	R. S. Dilworth, Gonzales, Tex	100.00
Col. E. H. Taylor, jr., Frankfort, Ky	300.00	W. W. Cameron, Waco, Tex	100.00
Hiram Wilhoit, Versailles, Ky	150.00	John P. Walsh, Memphis, Tenn	100.00
John T. Hinton, Paris, Ky	300.00	L. K. Salisbury, Memphis, Tenn	100.00
John B. Berryman, Chicago, Ill	100.00	C. H. Rine, Memphis, Tenn	100.00
A. S. Burleson, Austin, Tex	100.00	A. V. Johnson, Lincoln, Nebr	100.00
F. H. Armstrong, Chicago, Ill	100.00	William C. Jacques, New Brunswick, N. J	100.00
F. C. Dillard, Chicago, Ill	100.00	B. W. Gannon, Perth Amboy, N. J	100.00
Louis A. Seeberger, Chicago, Ill	150.00	John B. Olkers, Newark, N. J	100.00
M. F. Dunlap, Jacksonville, Ill	300.00	Louis Hood, Newark, N. J	100.00
Senator J. H. Bankhead, Birmingham, Ala	100.00	Joseph D. Bedle, Jersey City, N. J	500.00
Judge A. O. Lane, Birmingham, Ala	100.00	Frank M. Patteeon, New York, N. Y	400.00
D. M. Kelleher, Fort Dodge, Iowa	100.00	William Church Osborne, New York	3,000.00
A. S. White, New York	5,000.00	Hon. Thomas F. Conway, New York	1,000.00
J. A. Gorman, Chicago, Ill	100.00	Walter D. Hines, New York	200.00
Roger C. Sullivan, Chicago, Ill	5,000.00	H. S. Terhune, Long Branch, N. J	500.00
M. M. Bosworth, Memphis, Tenn	200.00	Horace de Y. Lantz, Mauch Chunk, Pa	100.00
J. A. Bense, Albany, N. Y	100.00	I. N. Phelps Stokes, New York	100.00
Frank J. Noonan, Mahonoy City, Pa	250.00	Judge George Turner, Spokane, Wash	250.00
George H. McFadden, Philadelphia, Pa	500.00	L. Laffin Kellogg, New York	400.00
William A. Glasgow, jr., Philadelphia, Pa	200.00	J. Henry Haggerty, New York	100.00
J. C. McNealus, Dallas, Tex	100.00	Wilson-Marshall-Holland Club, Suffolk, Va	100.00
Harry Highbee, Pittsfield, Ill	100.00	Nicholas Cornet, Lawrenceburg, Ind	100.00
Hon. C. A. Culberson, Dallas, Tex	100.00	W. J. Curtiss, New York	1,000.00
Walter G. Duke, Richmond, Va	150.00	John G. Ewing, Detroit, Mich	100.00
Francis K. Kernan, Utica, N. Y	250.00	E. E. Gandy, Churubusco, Ind	100.00
W. V. Cranford, Brooklyn, N. Y	100.00	William A. Gilles, Chicago, Ill	100.00
Democratic Executive Committee, Cleveland, Ohio	500.00	William B. McIlvaine, Chicago, Ill	100.00
L. E. Holden, Cleveland, Ohio	350.00	John Barton Payne, Chicago, Ill	100.00
Elbert H. Baker, Cleveland, Ohio	150.00	Henry S. Robbins, Chicago, Ill	350.00
M. R. Deuver, Wilmington, Ohio	200.00	E. D. Hulburt, Chicago, Ill	100.00
John H. Clarke, Cleveland, Ohio	500.00	W. I. Babb, Aurora, Ill	100.00
E. H. Moore, Columbus, Ohio	100.00	Graham H. Harris, Chicago, Ill	100.00
John E. Parsons, Harrison, N. Y	500.00	George H. Russell, Detroit, Mich	100.00
Judge Thomas E. Matthews, Nashville, Tenn	250.00	Arthur G. Cummer, Jacksonville, Fla	100.00
John Walker, Pittsburgh, Pa	300.00	Eugene Tips, Austin, Tex	100.00
James Speyer, New York	10,000.00	Mrs. James Woodrow, Columbia, S. C	100.00
Hon. James A. O'Gorman, New York	1,000.00	J. W. Ragsdale, Florence, S. C	200.00
S. H. Thompson, jr., Denver, Colo	100.00	Lewis W. Parker, Greenville, S. C	100.00
Edward Keating, Denver, Colo	100.00	B. H. Griffin, Goldsborough, N. C	100.00
D. M. Hyman, New York	500.00	Caesar Cone, Greensboro, N. C	100.00
Hon. James H. Higgins, Providence, R. I	100.00	Rudolph Schlmer, Mount Kisco, N. Y	500.00
Henry D. Sharpe, Providence, R. I	100.00	S. Stanwood Monxkin, New York	100.00
Edward W. C. Arnold, New York	100.00	Hon. Carter H. Harrison, Chicago, Ill	200.00
A. B. Jenkins, New York	100.00	Charles A. Phelps, Grand Rapids, Mich	150.00
Laurence N. Young, Chicago, Ill	100.00	Charles Hazelkine, Grand Rapids, Mich	100.00
Richard Waldron, Jackson, Mich	200.00	W. F. Ramsay, Austin, Tex	100.00
George V. S. Williams, Brooklyn, N. Y	100.00	T. W. Danziger, New Orleans, La	250.00
J. J. Cleary, Escanaba, Mich	100.00	Gov. Jared Y. Sanders, New Orleans, La	100.00
Alva Adams, Pueblo, Colo	100.00	New Orleans Land Co., New Orleans, La	100.00
John D. Crimmins, New York	100.00	Contributions through Metropolitan Bank, New Orleans, La	200.00
J. B. Cobb, Stamford, Conn	333.00	A. Dumser, New Orleans, La	100.00
John M. Van Meter, Chillicothe, Ohio	150.00	E. H. Farrar, New Orleans, La	250.00
Hon. John J. Flynn, Burlington, Vt	100.00	W. A. Glasgow, jr., Philadelphia, Pa	500.00
Frank P. Glass, Birmingham, Ala	100.00	Hon. T. H. Paynter, Frankfort, Ky	100.00
Hon. S. W. Hagar, Owensboro, Ky	100.00	M. J. Callanan, McKeesville, N. Y	250.00
W. F. McKnight, Grand Rapids, Mich	200.00	Dr. J. N. Fogarty, Key West, Fla	100.00
W. L. Churchhill, Bay City, Mich	100.00	W. H. Parsons, Seattle, Wash	100.00
Mrs. Dudley E. Waters, Grand Rapids, Mich	100.00	Herman A. Metz, New York	1,000.00
Mrs. Mary E. Hills, Grand Rapids, Mich	100.00	Mrs. Zechriah Chaffee, Providence, R. I	100.00
Hay Walker, Pittsburgh, Pa	200.00	Hon. L. R. Wilfley, St. Louis, Mo	500.00
George A. Kelly, jr., Pittsburgh, Pa	100.00	William R. Peters, Dover, Del	100.00
D. T. Watson, Pittsburgh, Pa	500.00	Mrs. Williard Salusbury, Wilmington, Del	100.00
J. D. Ayres, Pittsburgh, Pa	100.00	Willard Salusbury, Wilmington, Del	500.00
Royal A. Ferris, Dallas, Tex	100.00	W. U. Hensel, Lancaster, Pa	200.00
J. B. Wilson, Dallas, Tex	100.00	Walter Douglas, Bisbee, Ariz	100.00
Alex. Sanger, Dallas, Tex	100.00	L. D. Ricketts, Douglas, Ariz	100.00
Hy. D. Lindsley, Dallas, Tex	100.00	C. E. Mills, Miami, Ariz	100.00
R. H. Stewart, Dallas, Tex	100.00	J. S. Douglas, Douglas, Ariz	150.00
E. O. Tenson, Dallas, Tex	100.00	Mrs. Spencer Trask, Lake George, N. Y	100.00
L. A. Pires, Dallas, Tex	100.00	Robert Bridges, New York	100.00
S. E. Moss, Dallas, Tex	100.00	Judge H. W. Sawyer, Hartford, Wis	100.00
A. A. Jackson, Dallas, Tex	100.00	Moss Green Club, Louisville, Ky	100.00
E. M. Jahn, Dallas, Tex	100.00	William Libbey, Princeton, N. J	200.00
E. M. Reardon, Dallas, Tex	100.00	F. H. Kitchens, Helena, Ark	175.00
M. N. Baker, Dallas, Tex	100.00	A. S. Snowden, Paragould, Ark	100.00
E. J. Gannon, Dallas, Tex	100.00	William Vizard, Mobile, Ala	200.00
A. V. Lane, Dallas, Tex	100.00	John A. Seeley, New York	100.00
Louis Lipsitz, Dallas, Tex	100.00	Nathan Strauss, New York	5,000.00
George A. Carden, Dallas, Tex	100.00	Hon. William A. Clark, Butte, Mont	5,000.00
E. B. Perkins, Dallas, Tex	100.00	John B. Moore, New York	175.00
Spencer, Knight, Baker & Harris, Dallas, Tex	100.00	Thomas Fox, Sacramento, Cal	100.00
John W. Wright, Dallas, Tex	100.00	J. E. Burke, Burlington, Vt	100.00
R. P. Wofford, Dallas, Tex	100.00	James N. Boyd, Richmond, Va	100.00
J. Stewart Barney, New York	500.00	Leonard L. Hill, New York	100.00
Preston C. West, Muskogee, Okla	100.00	Henry W. Dooley, New York	100.00
Frank S. Betz, Hammond, Ind	100.00	Rose, Hemmingway, Cantrell & Loughborough, Little Rock, Ark	100.00
Adam Ortseifen, Chicago, Ill	100.00	Hon. Archibald R. Watson, New York	100.00
M. A. Donohue, Chicago, Ill	100.00	Hon. John Lawler, Prescott, Ariz	100.00
Herman Hegeler, Danville, Ill	100.00	W. P. Herring, Watertown, N. Y	100.00
John L. De Saulles, New York	5,000.00	Moncure Robinson, New York	100.00
John R. Burton, Brooklyn, N. Y	1,000.00	William B. Thompson, New York	500.00
O. B. Colquitt, Austin, Tex	100.00	Charles T. Lassiter, Petersburg, Va	100.00
J. W. White, Mason, Tex	100.00	C. L. Decker, Sheridan, Wyo	100.00
C. J. Von Rosenberg, La Grange, Tex	100.00	C. H. Prescott, Keesville, N. Y	250.00
C. F. Hellmuth, Bellville, Tex	100.00	William B. Rogers, Pittsburgh, Pa	500.00
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B. F. Bonner, Houston, Tex	100.00	John T. Davis, Elkins, W. Va	100.00
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D. Odem, Sinton, Tex	100.00		
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Joseph O'Brien, Scranton, Pa.	100.00	Leonard Tollotson, Sealy, Tex.	100.00
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William F. Kelley, Syracuse, N. Y.	100.00	Michael Ulrich, Chicago, Ill.	100.00
William L. McKee, Boston, Mass.	1,000.00	John S. Cooper, Chicago, Ill.	100.00
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Eldridge E. Jordan, Washington, D. C.	250.00	Lewis J. Wortham, Fort Worth, Tex.	100.00
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N. Musher, Washington, D. C.	100.00	James P. Clark, Little Rock, Ark.	100.00
Hon. T. R. Pugh, Little Rock, Ark.	100.00	C. B. Smith, chairman, Montgomery, Ala.	226.40
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Hugh McCloskey, New Orleans, La.	100.00	Joseph Leiter, Washington, D. C.	500.00
Hon. T. M. Campbell, Palestine, Tex.	250.00	Charles T. Smith, Washington, D. C.	300.00
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Polk County Central Committee, Dubuque, Iowa.	150.00		
Donald McRae, Wilmington, N. C.	300.00		
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Charles R. Crane, Chicago, Ill.	30,000.00		
William F. Balkam, Rochester, N. Y.	100.00		
R. J. Schaeffer, New York, N. Y.	1,000.00		
A. C. G. Hupfel, New York, N. Y.	1,000.00		
J. Ruppert, New York, N. Y.	10,000.00		
C. S. Sykes, New York, N. Y.	3,000.00		
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Daniel J. Finch, Glens Falls, N. Y.	200.00		
Thomas S. Fuller, New York, N. Y.	200.00		
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George D. Smith, Jersey City, N. J.	150.00		
E. L. Young, Jersey City, N. J.	150.00		
W. D. Edwards, Jersey City, N. J.	150.00		
Robert K. Jennings, Jersey City, N. J.	150.00		
E. I. Edwards, Jersey City, N. J.	150.00		
Thomas D. Jones, Chicago, Ill.	10,000.00		
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David B. Jones, Chicago, Ill.	\$10,000.00
F. B. Lynch, St. Paul, Minn.	5,000.00
Henry Morgenthau, New York, N. Y.	10,000.00
J. C. C. Mayo, Paintsville, Ky.	6,000.00
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Winslow S. Pierce, New York, N. Y.	2,500.00
John Burton Payne, Chicago, Ill.	15,000.00
James B. Regan, New York, N. Y.	2,500.00
John D. Ryan, New York, N. Y.	5,000.00
Herman Ridder, New York, N. Y.	2,248.24
W. R. Rust, Tacoma, Wash.	2,000.00
J. Ruppert, New York, N. Y.	10,000.00
Jacob H. Schiff, New York, N. Y.	12,500.00
Nathan Stranass, New York, N. Y.	5,000.00
Charles R. Smith, Menasha, Wis.	5,000.00
C. A. Spreckels, New York, N. Y.	5,000.00
Roger C. Sullivan, Chicago, Ill.	5,000.00
James Speyer, New York, N. Y.	10,000.00
Thomas J. Scully, South Amboy, N. J.	2,000.00
C. S. Sykes, New York, N. Y.	3,000.00
Samuel Untermyer, New York, N. Y.	10,000.00
Mrs. Virginia Vanderbilt, New York, N. Y.	3,000.00
Rufus H. Van Sant, Ashland, Ky.	1,500.00
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H. C. Wallace, Tacoma, Wash.	5,000.00
Rolla Wells, St. Louis, Mo.	5,000.00
Jacob Wertheim, New York, N. Y.	2,500.00
Hon. Joseph E. Willard, Richmond, Va.	2,000.00
C. W. Watson, Fairmont, W. Va.	7,500.00
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LETTER FROM GOV. WOODROW WILSON, OF NEW JERSEY, TO HON. A. MITCHELL PALMER, OF PENNSYLVANIA.

FEBRUARY 5, 1913.

MY DEAR PALMER: Thank you warmly for your letter of February 3. It was characteristically considerate of you to ask my views with regard to the joint resolution which has just come over from the House to the Senate with regard to the presidential term.

I have not hitherto said anything about this question, because I had not observed that there was any evidence that the public was very much interested in it. I must have been mistaken in this, else the Senate would hardly have acted so promptly upon it.

SPOKE WITHOUT RESERVE.

It is a matter which concerns the character and conduct of the great office upon the duties of which I am about to enter. I feel therefore that in the present circumstances I should not be acting consistently with my ideals with regard to the rule of entire frankness and plain speaking that ought to exist between public servants and the public whom they serve if I did not speak out about it without reserve of any kind and without thought of the personal embarrassment.

The question is simply this: Shall our Presidents be free, so far as the law is concerned, to seek a second term of four years, or shall they be limited by constitutional amendment to a single term of four years or to a single term extended to six years?

I can approach the question from a perfectly impersonal point of view, because I shall most cheerfully abide by the judgment of my party and the public as to whether I shall be a candidate for the Presidency again in 1916. I absolutely pledge myself to resort to nothing but public opinion to decide that question.

The President ought to be absolutely deprived of every other means of deciding it. He can be. I shall use to the utmost every proper influence within my reach to see that he is, before the term to which I have been elected is out. That side of the matter need disturb no one.

TOO LONG OR TOO SHORT.

And yet, if he be deprived of every other means of deciding the question, what becomes of the argument for a constitutional limitation to a single term? The argument is not that it is clearly known now just how long each President should remain in office. Four years is too long a term for a President who is not the true spokesman of the people, who is imposed upon and does not lead. It is too short a term for a President who is doing, or attempting a great work of reform, and who has not had time to finish it.

To change the term to six years would be to increase the likelihood of its being too long, without any assurance that it would, in happy cases, be long enough. A fixed constitutional limitation to a single term of office is highly arbitrary and unsatisfactory from every point of view.

The argument for it rests upon temporary conditions which can easily be removed by law. Presidents, it is said, are effective for one-half of their term only because they devote their attention during the last two years of the term to building up the influences, and above all, the organization, by which they hope and purpose to secure a second nomination and election.

AGAINST PRESIDENTIAL CONVENTION.

It is their illicit power, not their legitimate influence with the country, that the advocates of a constitutional change profess to be afraid of, and I heartily sympathize with them. It is intolerable that any President should be permitted to determine who should succeed him—himself or another—by patronage or coercion, or by any sort of control of the machinery by which delegates to the nominating convention are chosen.

There ought never to be another presidential nominating convention; and there need never be another. Several of the States have successfully solved that difficulty with regard to the choice of their governors, and Federal law can solve it in the same way with regard to the choice of Presidents. The nominations should be made directly by the people at the polls.

Conventions should determine nothing but party platforms and should be made up of the men who would be expected, if elected, to carry those platforms into effect. It is not necessary to attend to the people's business by constitutional amendment if you will only actually put the business into the people's own hands.

I think it may safely be assumed that that will be done within the next four years; for it can be done by statute; it need not wait for constitutional change. That being done, the question of the presidential term can be discussed on its merits.

PRESIDENCY IS ABNORMAL.

It must be clear to everybody who has studied our political development at all that the character of the Presidency is passing through a transitional stage. We know what the office is now and what use must be made of it; but we do not know what it is going to work out into; and until we do know, we shall not know what constitutional change, if any is needed, it would be best to make.

I must speak with absolute freedom and candor in this matter, or not speak at all; and it seems to me that the present position of the Presidency in our actual system, as we use it, is quite abnormal and must lead eventually to something very different.

He is expected by the Nation to be the leader of his party as well as the Chief Executive officer of the Government, and the country will take no excuses from him. He must play the part and play it successfully or lose the country's confidence. He must be prime minister, as much concerned with the guidance of legislation as with the just and orderly execution of law, and he is the spokesman of the Nation in everything, even the most momentous and most delicate dealings of the Government with foreign nations.

SHOULD BE HELD RESPONSIBLE.

Why in such circumstances should he be responsible to no one for four long years? All the people's legislative spokesmen in the House of Representatives and one-third of their representatives in the Senate are brought to book every two years; why not the President, if he is to be the leader of the party and the spokesman of policy?

Sooner or later, it would seem, he must be made answerable to opinion in a somewhat more informal and intimate fashion—answerable, it may be, to the Houses whom he seeks to lead, either personally or through a Cabinet, as well as to the people for whom they speak. But that is a matter to be worked out—as it inevitably will be—in some natural American way which we can not yet even predict.

The present fact is that the President is held responsible for what happens in Washington in every large matter, and so long as he is commanded to lead he is surely entitled to a certain amount of power—all the power he can get from the support and convictions and opinions of his fellow countrymen; and he ought to be suffered to use that power against his opponents until his work is done. It will be very difficult for him to abuse it. He holds it upon sufferance, at the pleasure of public opinion. Everyone else, his opponents included, has access to opinion, as he has. He must keep the confidence of the country by earning it, for he can keep it in no other way.

MAKE IT TWO TERMS.

Put the present customary limitation of two terms into the Constitution, if you do not trust the people to take care of themselves, but make it two terms (not one, because four years is often too long), and give the President a chance to win the full service by proving himself fit for it.

If you wish to learn the result of constitutional ineligibility to reelection, ask any former governor of New Jersey, for example, what the effect is in actual experience. He will tell you how cynically and with what complacency the politicians banded against him waited for the inevitable end of his term to take their chances with his successor.

Constitutions place and can place no limitations upon their power. They may control what governors they can as long as they please as long as they can keep their outside power and influence together. They smile at the coming and going of governors as some men in Washington have smiled at the coming and going of Presidents, as upon things ephemeral, which passed and were soon enough got rid of if you but sat tight and waited.

As things stand now the people might more likely be cheated than served by further limitations of the President's eligibility. His fighting power in their behalf would be immensely weakened. No one will fear a President except those whom he can make fear the elections.

We singularly belie our own principles by seeking to determine by fixed constitutional provision what the people shall determine for themselves and are perfectly competent to determine for themselves. We cast a doubt upon the whole theory of popular government.

I believe that we should fatally embarrass ourselves if we made the constitutional change proposed. If we want our Presidents to fight our battles for us, we should give them the means, the legitimate means, the means their opponents will always have. Strip them of everything else but the right to appeal to the people, but leave them that; suffer them to be leaders; absolutely prevent them from being bosses.

We would otherwise appear to be going in two opposite directions. We are seeking in every way to extend the power of the people, but in the matter of the Presidency we fear and distrust the people and seek to bind them hand and foot by rigid constitutional provision. My own mind is not agile enough to go both ways.

I am very well aware that my position on this question will be misconstrued, but that is a matter of perfect indifference to me. The truth is much more important than my reputation for modesty and lack of personal ambition. My reputation will take care of itself, but constitutional questions and questions of policy will not take care of themselves without frank and fearless discussion.

NOT URGING OWN REELECTION.

I am not speaking for my own reelection; I am speaking to redeem my promise that I would say what I really think on every public question and take my chances in the court of public opinion.

LETTER FROM HON. W. J. BRYAN TO WALTER W. VICK.

The letter addressed to Walter W. Vick dated August 20, 1913, is as follows:

Now that you have arrived and have acquainted yourself with the situation, can you let me know what positions you have at your disposal with which to reward deserving Democrats? Whenever you desire a suggestion from me in regard to a man for any place down there call on me.

You have had enough experience in politics to know how valuable workers are when the campaign is on and how difficult it is to find suitable rewards for the deserving. I do not know to what extent a knowledge of the Spanish language is necessary for employees. Let me know what is requisite, together with the salary, and when appointments are likely to be made. Sullivan will be down before long and you and he together ought to be able to bring about such reforms as may be necessary there. You will find Sullivan a strong, courageous, reliable fellow. The more I have seen of him the better satisfied I am that he will fit into the place there and do what is necessary to be done.

Very truly, yours,

W. J. BRYAN.

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

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). The absence of a quorum is suggested, and the Secretary will call the roll.

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

Ashurst	Gronna	Martine, N. J.	Sherman
Brandege	Harding	Myers	Smith, Md.
Bryan	Hardwick	Oliver	Smoot
Chamberlain	Hitchcock	Overman	Taggart
Chilton	Johnson, S. Dak.	Penrose	Thomas
Colt	Jones	Pittman	Wadsworth
Cummins	Lane	Pomerene	Warren
Curtis	Lee, Md.	Robinson	Williams
Dillingham	Lewis	Saulsbury	
Fletcher	Lippitt	Shafroth	
Gallinger	McLean	Sheppard	

Mr. THOMAS. I was requested to announce the unavoidable absence of the Senator from Indiana [Mr. KERN], who is ill.

The PRESIDING OFFICER. Forty-one Senators have responded to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. HUSTING, Mr. PHELAN, Mr. SMITH of South Carolina, Mr. TILMAN, and Mr. WORKS answered to their names when called.

Mr. BANKHEAD, Mr. JAMES, Mr. SMITH of Georgia, Mr. SIMMONS, Mr. STONE, and Mr. HUGHES entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present.

Mr. CUMMINS. Mr. President, it is my intention to adhere rather closely to a discussion of the bill now before the Senate and to certain amendments which in the course of time I shall offer to it.

I suggest, Mr. President, that in view of the very small number of Senators present we might be able to keep order.

Mr. FLETCHER. I think that is a good suggestion, Mr. President.

The PRESIDING OFFICER. The Senate will be in order.

Mr. FLETCHER. I was going to ask the Senator from Iowa if his amendments have been printed and laid on the desks of Senators?

Mr. CUMMINS. They are not printed. They are simply motions to strike out certain parts of the bill.

However firm the intention I have just expressed may be, I may be permitted to indulge in a preliminary observation. I listened with both care and interest to the discussion presented by the Senator from North Carolina [Mr. SIMMONS]. It was a clear and comprehensive statement of the subject covered by the bill from his point of view, and he ought to be congratulated upon the good temper which he displayed. I think the average number of Senators, and I was careful to observe this fact, who heard his discussion was six. He was entitled to a better audience.

I have listened with pleasure and profit to the argument presented by the Senator from New Hampshire [Mr. GALLINGER], the Senator from Minnesota [Mr. NELSON], the Senator from Ohio [Mr. HARDING], and the Senator from Washington [Mr. JONES] in opposition to the bill. I was not so situated that I could hear the remarks of the Senator from South Dakota [Mr. STERLING] or the Senator from Illinois [Mr. SHERMAN], but I have no doubt what I am about to say respecting the speeches I did hear was equally true of the two which I was so unfortunate as to miss. These addresses were all of high character; they also were comprehensive, the result of much study and examination, and were well worthy of their distinguished authors. The average number of Senators who heard these speeches was four and a half. I am not mentioning these facts in order to censure any Senator on either the Democratic side of the Chamber or upon the Republican side of the Chamber, for I think that on both sides they are pursuing a very logical course. The only person for whom I am profoundly sorry is the Vice President, who presides so gracefully and so impartially over this tribunal. It is his unhappy fate to be compelled to sit in the Chamber attempting to preserve order over one speaker and something like 90 empty

chairs. It has convinced me that the salary of the Presiding Officer of the Senate ought to be doubled in order to compensate him for the torture which he must constantly feel.

In saying this I am not disparaging the character of the speeches, but it must be depressing and dispiriting to sit where one must face a single speaker and a whole array of vacant seats.

The observation which I have taken the liberty to make is this: We shall destroy the Senate, the confidence of the people in it, its influence in the affairs of the country, unless we change the habit into which we are rapidly falling.

I said that I did not censure any Democratic Senator for absenting himself during this discussion. Why do I not? Simply because he could accomplish no valuable purpose by being present. Every Democratic Senator in some fashion or other has made it known that he intends to vote for this bill. I do not inveigh against the caucus; I have done that so often that I am tired of it, and I do not care whether there has been a caucus upon this bill or not; but in some way or other it has come to be understood that every Senator in the majority will vote for the bill; that he has made up his mind deliberately and fully upon the subject. Why should he listen to anyone who is presenting objections to the bill? Why should he listen to the chairman of the committee reporting the bill as he expounds it? There is no reason for further enlightenment; the minds are made up, and therefore the empty chairs upon the other side of the Chamber.

Turning to my own side of this eminent tribunal, there is no reason why any Republican should listen to any argument made either for or against this bill, or any other that comes out of a caucus or a conference which secures adhesion in advance to a measure about to be proposed. Why should Republicans sit here and listen? They may be glad to hear what their associates have to say about a particular subject, but they know that all that is being said is absolutely unavailing.

There is no longer any debate in the Senate of the United States. There are political speeches in the Senate; there are violent partisan harangues in the Senate. I am not objecting to that, because that is all that apparently remains for Members of the Senate to do; to make orations which are intended not to convince any Senator of any proposition, but to inflame or to instruct, as the case may be, the minds of the American people.

If I had my way, if my associates on this side of the Chamber would agree with me, every Republican Senator would absent himself and would refuse to participate in legislation that comes to the Senate with the knowledge that one side of this tribunal has already made up its mind finally and completely upon the subject to be acted upon by the Senate. To me it is a farce for Republicans to sit here and to join in a discussion which they can not influence in the slightest degree, no matter how potent their arguments may be. The course I propose would be, in a sense, an abdication, I suppose, of our duty; but there is no other way in which the change that has been wrought in the proceedings of the Senate can ever be brought emphatically to the attention of the American people.

I say this with the utmost good feeling. I charge no one Senator with responsibility for it. I only know that it has come to pass and that it is rapidly degrading the Senate of the United States; it is rapidly robbing it of all the influence it ever possessed in the affairs of the country; and if it is pursued, whether by one side of the Chamber or by the other side of the Chamber, it will ultimately mean the abolition of the Senate; and it ought to mean its extinction.

Mr. OVERMAN and Mr. WORKS addressed the Chair.

Mr. CUMMINS. The Senator from North Carolina [Mr. OVERMAN] first rose, and I yield to him.

Mr. OVERMAN. Admitting, for the sake of argument, that all the Senator from Iowa says is true, why all this speaking? Why all this delay? Why all these political speeches? Why not come to a vote on this bill? We have been ready to vote for some time and the bill has been before the Senate for some time.

Mr. CUMMINS. The answer to the Senator's question is perfectly easy. If I could persuade all the Senators of my political faith to put the whole responsibility on that side of the Chamber and simply retire, I would be glad to do it; but I can not do that; and, inasmuch as the discussion is going on, I intend that the country shall know my views with regard to this bill.

Mr. OVERMAN. Mr. President, when the Senator rises to speak he always discusses the question which is before the Senate, but we can not say that of all the other Members on either side.

Mr. CUMMINS. No. I have already said that this Chamber is ringing with political discussions that have no relevancy to

the subject under consideration, and the majority is responsible for it, inasmuch as it decides in advance, in its own councils, with respect to legislation that is to be passed. There is no other recourse but to allow the Republicans in the body to speak to the country instead of to Senators.

Mr. OVERMAN. They are not speaking to the country on this bill. They are speaking generally and holding up the bill.

Mr. SMOOT. Mr. President—

Mr. CUMMINS. Allow me to answer. I do not think Senators are holding up the bill. The exasperation of sitting here with a bill before us to which many of us are opposed and knowing that every argument which we may make is addressed to deaf ears compels the Republican side of the Chamber—or I do not say "compels," but rather tempts the Republican side of the Chamber—into the long discussions which we have heard. Now I yield to the Senator from California.

Mr. WORKS. Mr. President, I was wondering why the Senator from Iowa said, as he has said more than once, that he holds nobody responsible for this condition of things. The truth about it is that there is not a single Member of this body who is not to some extent responsible for the condition.

Mr. CUMMINS. That is just the reason I said what I did, that there is no one person responsible. We have taken on a habit, a custom; we are gradually yielding to the demand that legislation come only from the majority. We are giving currency to the statement made all the while, that only the majority is responsible for legislation. I do not agree to that proposition.

There are some questions upon which the majority might be said to be wholly responsible—those which concern matters that involve the party faith or the party creed; but the questions that we generally have before us are not partisan questions; they have not been determined by any party platform; they are proposed for the public good; and it is just as much treason to the form of our Government for a part of the Senate to separate itself from the other and to decide what shall be done, what laws shall be passed, what amendments shall be received or adopted, if any, as it would be if you were to coerce the minority by force.

Mr. WORKS. Mr. President, I do not agree with the Senator from Iowa that nobody is responsible. I should put it the other way and say that everybody is responsible. We have to correct this evil ourselves; it can not be done by one man; it can not be done by talking about it; but there has to be a radical change in the manner of conducting the business of the Senate, or the Senate will not be worth respecting after a while. It is not entitled to very much respect now because of the manner in which it is proceeding at the present moment. Here are caucuses being held night after night and day after day to determine what this body shall do, and when that caucus reaches a determination, that settles the whole question, and the remainder of us might just as well go home, as I am going to do in a few days.

Mr. CUMMINS. Mr. President, I am sorry that the Senator from California, agreeing with me so entirely with regard to the evil, differs so radically from me as to the method of my stating it. However, I expressed it as it occurred to me and as it now appears to me. No one Senator is responsible for the condition in which we find ourselves. We have drifted into the situation on account, apparently, of a desire on the part of the administration to claim all the credit for every act that is passed and to deny to this side of the Chamber every responsibility or credit for anything that is accomplished in the Senate. I have said now, Mr. President, all that I desire to say upon this subject.

Mr. SHEPPARD. Mr. President, may I interrupt the Senator?

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

Mr. SHEPPARD. Is it not a fact that the Senator himself has introduced two or three bills, which have become laws, during the time that the present party and administration have been in power?

Mr. CUMMINS. It is.

Mr. SHEPPARD. I do not think, then, that the charge the Senator makes is entirely justified.

Mr. CUMMINS. That is another difficulty with Senators upon the other side. I have made the statement. The Senators upon the other side know perfectly well what I meant. I can not stop to qualify with nicety the technicalities which may be involved. Senators know perfectly well that what I meant was the program of the administration.

There was some reason for solidarity, caucus action, conference action, or whatever it may be called, upon the tariff bill, because there is a distinct difference and an impassable chasm between the Democratic view and the Republican view with respect to the composition of a tariff; but there has been no other

great measure passed since that time, and none is now proposed, that touches in any way the party faith, and the Democratic majority, looking forward to the consequences that must ensue, ought not to treat these bills as party measures.

Mr. FLETCHER. Mr. President, may I interrupt the Senator to make a suggestion?

Mr. CUMMINS. I yield.

Mr. FLETCHER. It is unfortunate that so many Senators are absent during the discussion of an important measure like this. There has been no hard and fast agreement reached in caucus as to the precise terms of this proposed legislation. There has been an understanding that the administration and this side of the Chamber, at least, were in favor of a ship-purchase bill. The bill as it came from the House, and as it has been here for some time, was in the main satisfactory to this side and favored by this side. It seems to me we can not be blamed, if we have the view that this bill ought to pass, if we report it and urge its passage, and we can not be blamed if Senators on this side of the Chamber are unwilling to stay here and hear harangues by the hour on subjects which have nothing in the world to do with the bill. If there were a legitimate, fair discussion of the measure before the Senate I believe Members on this side would be here.

I call the Senator's attention to the fact that on his side of the Chamber there are now about nine Senators present, which is an unusually large number, but if the discussion were confined—I do not know whether we can do it under the present rules, but it is a matter to be thought out as having reference to situations such as the Senator suggests—to the subject before the Senate, I believe that that would tend in a large measure to promote better consideration, more attention to the debates, and better debates generally in the Senate.

It seems to me that is a proper matter, perhaps, in the future to deal with, although it can not relieve us in the present situation. I am simply saying that I believe, even now, if the debates were upon the question before the Senate, instead of long drawn-out talk for consumption elsewhere and not expected to be listened to here, Senators would not be worn out and would not be compelled to seek some sort of shelter in the cloakroom because of that sort of performance.

Mr. CUMMINS. Mr. President, there can be no real debate when the question has been foreclosed. It is impossible to confine discussion to the question under consideration when those who discuss it know that every word they say is unavailing; that it can not influence any single mind in the majority, and can not change the decree that had been rendered before the Senate took the bill up for consideration.

Mr. OVERMAN. Mr. President, on the President's program was a celebrated bill, in the framing of which the Senator himself aided very materially in securing proper legislation. I think one or two or probably three amendments offered by him were adopted after discussion. We had the responsibility for the legislation; it was on our program, but the Senator, with his great ability, came in and was instrumental in amending it, so that it was a much better bill when we had concluded its consideration than when it had been originally brought in. I refer to the rural-credits bill.

Mr. CUMMINS. I do not remember, Mr. President, any such instance; but it may be so.

Mr. President, every American citizen, no matter what his political affiliations may be, wants to see enough American ships upon the ocean so that the United States will be as prominent in this field of commercial activity as it is in every other. Does any Senator doubt that? Is it not true that all loyal and intelligent American citizens desire an American fleet of merchant ships which will be commensurate with the volume of business which we transact with the world? There are so many reasons for this desire on the part of our people that it is unnecessary for me to even mention them.

I might just as well argue whether it would be better for this country if the great fruitful regions of the West were turned into an arid desert as to inquire whether it would be better for this country if we were as dominant upon the sea as we are upon the land. I do not intend to name the reasons, because I would be disparaging the intelligence as well as the patriotism of all the people of this country if I were to attempt to convince them, or to convince Senators, of the proposition I have just stated. Would it not be well, therefore, if you on the other side of the Chamber and we on this side of the Chamber should meet and consult with respect to this important matter free from any political bias or prejudice, and ascertain, if we can, whether or not there is a way by which this vital object can be attained?

Now, come with me and see if you do not agree to this further proposition. The people of this country are full of enterprise,

strong with genius, and irresistible in any encounter in which they enter with a fair and even chance. Moreover, they have an abundance, a superabundance of capital, to organize and carry forward the business of transportation upon the high seas. Will anyone question the truth of the statement I have just made? If our people could master the seas and the transportation upon them they long ago would have set afloat a merchant marine that would arouse as much pride in the American heart as has the great triumphs which we have witnessed upon the land.

A third proposition. The sea is open—open to every comer. If our people could have carried forward this conflict successfully, with an open sea, with every port in the civilized world wide open for the admission of our ships, they would have gone into the business, and they would have reflected the same honor upon the American name in this respect as they have reflected upon it in every other respect. Why, then, have we no merchant fleet engaged in foreign commerce commensurate with our population, our territory, our business, and our commerce? That is the important question, and I ask it not only of Senators here but of the country. Why is it that upon the high seas our flag is so rare that it occasions deep surprise when the eye of an American citizen falls upon it? Again, the answer is obvious, and no one will dispute it. If there is any one here who cares to contradict me and answer the question I have myself put, I hope he will take the liberty of contradicting what I have said.

Our people have not constructed and are not operating merchant vessels engaged in commerce with foreign nations because it costs more to own and operate an American ship than it does to own and operate a foreign ship, and it costs so much more that the business is not profitable; and men of wealth, men of enterprise, will not enter into it for the reason that it affords no reasonable chance of fair reward for either the capital invested or the energy expended. That is the reason. It is the only reason. If Americans could acquire ships and operate them under our registry with a profit, with such profit as they have been able to reap when they employ their strength and their capital upon land, long ago the ocean would have been covered with American ships, and the American flag would be seen in every quarter of the globe, in every port in the world.

Mr. BRANDEGEE. Mr. President, does the Senator mind being interrupted?

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

Mr. CUMMINS. I yield.

Mr. BRANDEGEE. I agree entirely with the statement the Senator has just made, but I did not understand to what he referred when he stated that Americans would have covered the seas with their ships if the ports of other countries were freely opened to them.

Mr. CUMMINS. I said the ports of other countries were wide open to them. There is no restriction anywhere, so far as I know.

With this statement with regard to the situation of Americans and as to the merchant marine, mark another suggestion: The American ship must compete with the foreign ship, and it will not undertake the hopeless task under existing conditions. If we are able to build up an adequate fleet of American ships engaged in the foreign trade, we must in some way relieve our ships of the unequal competition which now exists. We have—whether wisely or unwisely, I will not pause to inquire—relieved American shipping of some of the burdens that formerly were laid upon it. We did it in an act which permitted Americans to buy foreign-built ships and register them under the American flag, so that they became American ships. But that is not enough. That is but a little part of the burden which American shipping has to bear in competition with foreign shipping.

How will you relieve American ships of the burden and how will you make the competition equal and fair, when you know that it not only costs more to build an American ship than it does a foreign one, but that it costs 30 per cent more to operate an American ship than it does a foreign one? You have already reached the conclusion that in some manner we must improve these conditions, which create an unfair and unequal competition, and against which no energy, no capital, no genius, no patriotism, can successfully strive. How will you equalize these conditions?

I put that to my friends upon the Democratic side of the Chamber. How will you do it? We have done it to a degree, as I said a moment ago, by allowing Americans to buy foreign-built ships. But we have only begun. We still have to overcome the greatest obstacle of all, the increased cost of operation of American ships as compared with foreign ships. Unless you

have presented a bill which will remove these difficulties, which hitherto have been insurmountable, your proposed legislation will accomplish nothing. How do you propose to do it?

I assert that there is nothing whatsoever in the bill now before the Senate that will in the slightest degree affect the condition which I have suggested. Somehow—I do not pause to say how, because that would draw me into a field which I do not intend to enter at this time—somehow the people of the whole country, acting through their Government, must aid American ships sufficiently to overcome the obstacles I have described. Senators all know that I have never favored a money subsidy given to a few ships. I do not favor that plan now.

But in some way we must accomplish the purpose I have suggested or there will be no American ships on the sea when normal conditions are restored. There will be no American merchant marine. The man who deludes himself by thinking that we can, by the intervention of a shipping board, or a corporation to be organized by the shipping board, remove these inequalities of competition, these inequalities of conditions under which the business is done, deceives himself, possibly, but he will deceive no one else. I ask the question again: What is there in this bill that affords American shipping any relief whatsoever as against these conditions? There is nothing. Let us see.

The bill proposes in the first place to organize a shipping board. The shipping board may acquire ships, if it acts independently and not through the intermediary of a private corporation, to the extent of \$50,000,000. It then proposes to charter or lease these ships to some one who desires to enter the business. How will that overcome the difference between the cost of operation seen in American shipping and in foreign shipping? How will it? What do you propose that the board shall do? Will it lease the ships to an operator for nothing? Is that the idea of the bill? But even if that were so, it would not be sufficient. It would not be enough. It would not be enough if a company could take the ship for nothing, to enable American ships to compete with foreign ships so long as the cost of operating the foreign ship is as much less as it is now.

But I take it for granted that the proposers of this measure do not contemplate leasing the ships without any compensation to those who are to operate them. What is the idea of the author of the bill, or the authors of the bill, upon that point? I ask the Senator from Florida directly, Does he expect the board, when it acquires these ships, to charter or lease them without compensation to companies which desire to operate them?

Mr. FLETCHER. Mr. President, the provision with reference to operation, of course, gives power to this board to offer the ships to people who desire to operate ships upon terms and conditions which the board will name; and if they find that they are unable to get satisfactory bidders, they make that report, and then the corporation is given authority to operate itself. But as to whether or not the terms, when they offer the ships, will include the idea that they are not to be compensated for the use of the ships, of course, is something as to which I could not say. That is a matter that is left with the board.

Mr. CUMMINS. Precisely, Mr. President. I am now speaking of the board and not of the corporation which may or may not be organized under the bill. The board acquires, we will assume, ships that will cost it \$50,000,000. It has them now, ready for operation. It advertises for bids for these ships upon charter or lease. But the Senator from Florida knows that anyone who buys or takes the ships must pay from 20 to 30 per cent more for operating them than its foreign competitor must pay; and who will offer to charter or lease these ships under those conditions?

Mr. FLETCHER. I take it there will be no difficulty about finding people who will want to charter or lease these ships. The demand for ships to-day is such that undoubtedly it would be a most profitable business to engage in. Why should there be any doubt in the Senator's mind that people will be found who would like to charter or lease good cargo carriers?

Mr. CUMMINS. Oh, Mr. President, I am not speaking of these times. I am speaking of normal times—times of peace. At the present time there is not a ship in the world that can be bought without paying twice as much as it is worth. There is not a ship in the world that is unemployed, which is suitable for carrying freight. There is no possibility of the board, or the corporation either, doing anything whatsoever under this bill until peace comes and commerce and business and trade are restored to their ordinary condition. I am speaking now of the time before the war.

Let us look at the time before the war. We had no merchant marine then, and it was just as desirable to expand it, and much more so, than it is just now. Why did not Americans build ships or buy ships then and enter the over-seas trade?

Mr. FLETCHER. Mr. President, in answer to the Senator's question, I think it would scarcely be fair to suppose that even when this war closes conditions will be as they were before the war commenced; because, in the first place, 3,000,000 tons of shipping have entirely disappeared and gone to the bottom of the ocean. That tonnage is eliminated absolutely, not to reappear when the war ends.

The portion of the world's shipping that has been thus eliminated is estimated to-day at 3,000,000 tons, and they are sinking them every day. We see in the morning paper where this merchant ship has gone down and the other merchant ship has gone down, and so forth. So that the world's supply of tonnage at the close of the war will not equal the supply at the commencement of the war by, it is reasonable to estimate, I should say, 4,000,000 tons out of about 42,000,000 tons. That will be felt, undoubtedly, so that there will be a greater demand for ships for some time after the war than there was before the war commenced; and even if that were not the case, there was money in shipping before the war. There was American money invested in ships in the foreign trade before the war. One hundred million dollars of American money was invested in ships engaged in the foreign trade; so that we can not say that at that time there would have been no demand for these ships.

Mr. CUMMINS. Were these ships carrying the American flag?

Mr. FLETCHER. No; they were not—very few of them. Only those to which we gave special subvention contracts ever carried the American flag?

Mr. CUMMINS. Why did they not carry the American flag?

Mr. FLETCHER. They claimed that the difference in cost of operation was one reason. They claimed that some of the requirements of our laws as to space and as to equipment and provisions of various kinds were more strict than foreign laws.

Mr. CUMMINS. We still have those regulations.

Mr. FLETCHER. We have now the regulations of which most maritime nations approve. Our regulations are really no more strict than the London conference regulations.

Mr. CUMMINS. They are stricter than they have ever been before.

Mr. FLETCHER. Yes; and they are stricter in the case of other maritime nations than they formerly were.

Mr. CUMMINS. I hope so, for humanity's sake.

Mr. FLETCHER. But I want to say to the Senator that I think I can establish to his satisfaction that this difference in cost of operation, which has been urged by those interested in shipping as a reason why they did not propose to operate under the American flag has practically disappeared. The wage cost to-day is practically the same in the great shipping ports of the United States both as to vessels flying our flag and as to vessels flying foreign flags. That has been accomplished largely through the operation of the seamen's law. Precisely what was predicted by the friends of that measure has taken place. It is not merely taking place, but it has taken place, so that in these ports to-day the foreign ship has to pay the same wages that the American ship does; and in the ports abroad the American ship has to pay the same as the foreign ship, and that has done away with this difference in cost of operation.

Mr. CUMMINS. Mr. President, I am very glad to have had this reply from the Senator from Florida, because it proves, just as I thought it would, that there is absolutely no necessity for this bill, and it is not this bill which will put American ships on the sea with our flag, but it is, if it comes to pass, a change in conditions. After the war is over and the world has become placid again, if Americans can successfully compete with foreigners in commerce upon the high seas they will compete.

Mr. SMITH of Georgia. Mr. President, would it not be easy, after this war, to lease out these vessels to American companies on a basis which would pay 4 per cent interest on the amount due and 5 per cent annually on the principal, which would relieve us from any cost whatever with reference to them?

Mr. CUMMINS. Mr. President, I do not think an operator would charter them at all, on account of the restrictions that are found in the bill and on account of the necessity of dealing with the Government. If the business comes to be a profitable one, it will be developed. We have energy and genius and capital enough to develop every private business with profit in it. The only possible thing that this bill can do is to furnish capital to those who are seeking profit at a lower rate of interest, if you please, than they are willing to furnish it for themselves.

I agree that if there were in this bill a provision that the board should rent or charter these ships for nothing, we might put some ships on the sea if conditions prevailed as suggested by the Senator from Florida; but there is no such provision in the bill. There is absolutely nothing to guide the board in

regard to the matter. There is no rule; there is no standard. You have simply created a board and given it \$50,000,000 to invest in ships; and that, so far as these ships are concerned, is the end of the governmental power.

Mr. BRYAN. Mr. President—

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

Mr. BRYAN. Did I not understand the Senator to say, a few moments ago, that if the ships were leased out for nothing under the American flag, they could not enter in competition with foreign ships?

Mr. CUMMINS. Under conditions as they were before the war, they could not.

Mr. BRYAN. The Senator also said that the cost of operation was from 20 to 30 per cent higher.

Mr. CUMMINS. About 30 per cent higher.

Mr. BRYAN. What makes that?

Mr. CUMMINS. The higher compensation of officers, the higher wages paid to Americans whom we employ, the greater space that we require for the health and comfort of the crew, and a variety of other regulations which are intended for the benefit or safety either of those who travel upon the ships or of those who operate the ships.

Mr. BRYAN. Since the war began we have passed the seamen's bill. Does that make the cost of operation greater as compared with the cost of operation abroad?

Mr. CUMMINS. That depends altogether upon a question which has not been settled. If we can rigidly maintain these regulations against foreign ships, so far as they are covered by the seamen's bill, there would be uniformity between foreign ships and American ships; but the seamen's bill has nothing to say with regard to the wages of either officers or crew.

Mr. BRYAN. The wages on board American ships are higher than on board foreign ships?

Mr. CUMMINS. Oh, I should think they are about three times as great.

Mr. BRYAN. Then, in what way, in the Senator's opinion, can American ships compete with foreign ships? How are we going to get the American flag back on the sea?

Mr. CUMMINS. It is not for me to prepare a plan under the present régime.

Mr. BRYAN. I was interested in the Senator's statement.

Mr. CUMMINS. But I am perfectly willing to say that I agree with the suggestions of the Senator from Washington [Mr. JONES]. I believe the only way in which we will ever be able to create a merchant fleet commensurate with our strength as a commercial nation is to discriminate in our ports in favor of American ships. Now, I understand perfectly that that is in essence a subsidy. Everything of that sort is a subsidy. This bill is full of subsidies. But that is the fairest and justest way of distributing among the people of the United States the aid that we give to the ships.

Mr. HARDWICK. Mr. President, the Senator means, of course, a discrimination in tariff duties.

Mr. CUMMINS. A discrimination in tariff duties.

Mr. HARDWICK. In other words, allowing goods to be brought over in American bottoms at a lower rate than they are in other bottoms.

Mr. CUMMINS. Yes.

Mr. HARDWICK. There is a provision like that in the so-called Underwood tariff bill, is there not?

Mr. CUMMINS. Yes; and a very good provision.

Mr. HARDWICK. And it has been upheld by two courts, every court it has been before so far, has it not?

Mr. CUMMINS. But not enforced.

Mr. HARDWICK. It is pending in the Supreme Court of the United States now, as I understand.

Mr. CUMMINS. I believe so.

Mr. HARDWICK. There is a difference of 5 per cent in tariff duties under that provision.

Mr. CUMMINS. I do not know whether or not that discrimination is sufficient, Mr. President.

Mr. HARDWICK. No; I do not, either. That is a mere experiment.

Mr. CUMMINS. I do not commit myself to that; but I believe the principle is right. We must readjust, of course, our treaties with commercial nations in order to carry out that policy without friction and disagreeable conflict.

Mr. FLETCHER. The Senator will recall that in 1815 we had in force in effect a law as to discriminating duties. The Senator will recall, I presume, that from 1815 to 1828 every Congress denounced the policy, and it was finally abandoned in 1828.

Mr. CUMMINS. It was finally abandoned, Mr. President, because we did not need it. From 1815 to 1860 it was entirely possible for the people of the United States to compete with the world in traffic on the high seas. We had an advantage which

no other great nation had. We have lost that advantage for one reason at least, namely, that we have turned from wooden ships to iron or steel ships. We have turned from sailing ships to steamships. I think this change has had much to do with the disappearance of the American fleet from the seas.

Mr. FLETCHER. Undoubtedly that did have, later on; but that did not occur until quite some time after that. However, we abandoned this policy in 1828, not, as the Senator says, because we did not need it, I believe, but because we found that every other country was indulging in retaliatory laws against us; and every other country has done the same thing that we did—abandoned these discriminating duties.

Mr. HARDWICK. Mr. President, if the Senator will permit me to answer that suggestion—

Mr. CUMMINS. I shall be very glad to have the Senator do so.

Mr. HARDWICK. We adopted it again in 1913, too, with the Senator's vote. The policy that he says we abandoned the Senator from Florida voted for in 1913; and the policy that we then adopted has been sustained in every court of the United States where its validity has been attacked, in spite of the position of the Department of Justice about it.

Mr. FLETCHER. In part.

Mr. SMITH of Georgia. Mr. President—

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

Mr. SMITH of Georgia. Did not the Senate strike out that provision?

Mr. HARDWICK. It restored it, then.

Mr. SMITH of Georgia. But finally we were forced to yield to it in conference. The vote of the Senate was against it.

Mr. HARDWICK. And the Senator voted for the conference report, too.

Mr. SMITH of Georgia. Because we could not get it through in any other way. We struck out that provision when freely acting upon it.

Mr. FLETCHER. It was stricken out in the Senate.

Mr. HARDWICK. But it was restored by a conference report which was agreed to here.

Mr. SMITH of Georgia. Without a roll call, and without knowing it was in it. The Senate is against it, and I hope it will stay so.

Mr. CUMMINS. It matters not. It became the action of Congress and, in my opinion, it is the only way in which we can render the aid that is necessary to American shipping unless we are willing to grant a money subsidy.

Mr. SMITH of Georgia. Mr. President—

Mr. CUMMINS. That, as I said before, I am unwilling to grant. I do not shrink from the fact that we are attempting to aid American ships, because no matter what form the assistance may take we are still subsidizing them in a way. I have always objected to the money subsidy because it is impossible to render its distribution fair and just; it is impossible to see that it finally reaches the person or persons who ought to receive it. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. What practical effect so far as the Treasury is concerned would there be between collecting this tariff and giving it to shipowners and not collecting it, so far as the Treasury of the United States is concerned?

Mr. CUMMINS. There would be no difference except in one case the distribution would come automatically. If you impose the discriminating duty the burden is distributed automatically. If the money passes into the Treasury and we then attempt to appropriate it in the form of a subsidy we have to declare who shall receive it, and we are very apt to go astray in undertaking that work.

Mr. SMITH of Georgia. Will not the subsidy be based upon the amount of transportation to our ports by the vessels? Would that not be practically the same thing?

Mr. CUMMINS. A bill drawn by the Senator from Georgia might assume that form. I do not know what the bill would be.

Mr. SMITH of Georgia. I say it could be done that way.

Mr. CUMMINS. If it were withdrawn from the Treasury and paid to the ships which actually carried the goods the effect would be exactly the same.

Mr. FLETCHER. May I ask the Senator a question at this point? He assumes that there will be no demand for these ships after the war and that we can not get any before the war closes practically, although I am quite sure we can have 50 ships within 12 months of from 7,000 to 8,000 tons cargo carrying. Our own yards are not overcrowded. Other yards are being built and enlarged and extended all the while. New concerns are springing up and building ships. But without going into that, assuming that we could not get the ships until after the war and after the war there was no demand for them, would the Senator think it would be a terrible thing if those

ships were operated by corporations in fields that were not particularly profitable along routes that would open new trade, and extend and enlarge the commerce and the opportunities of our manufacturers and producers generally? Even if they were operated without a profit would it not be worth while to do that?

Mr. NELSON. I should like to ask the Senator from Florida where he expects to get ships within the next two years? Where does he expect to get ships under this bill?

Mr. FLETCHER. If the Senator from Iowa will allow me in his time, in some observations which I made the other day, and which I am not sure whether the Senator from Iowa heard or has seen in the RECORD, since he did not make mention of them to-day at his opening, I pointed out distinctly various yards that are being extended and are being built and new yards that are being built in this country, as at Brunswick, Ga., and Savannah, Ga. Over on the west coast the Union Iron Works and other yards are being extended and enlarged. In the testimony of Capt. Bertholf before the committee, if the Senator examined the hearings, he gave a list of places where there are opportunities for building the ships. There is not any doubt in my mind but what we could have 50 ships within 12 months. I gave a list of ships that will be completed next March in various yards, where they are ready for new contracts. There is not any trouble about that.

Mr. NELSON. Those ships are already under contract. The yards that are building extensions are building them for the purpose of filling existing contracts.

Mr. FLETCHER. The contracts will be completed when the ships are launched from the yards, according to this list.

Mr. NELSON. The contracts run clear to 1918.

Mr. FLETCHER. I know some of them do, but they are not waiting for a year to build a ship. These yards are turning out the ships month after month, and as one ship is finished they are ready for another. There is not any trouble about that.

Mr. CUMMINS. I am afraid I am being led away a little from the path of my argument, but I must reply to the Senator from Florida. I do not believe that ships can be bought at this time without paying a great deal more than they are worth, on account of the stimulation brought about by the war in Europe. I do not believe it will be possible to contract for the building of ships within the next two years upon such terms as we ought to receive.

But passing that, the Senator asked me if it would be out of harmony with my views if the Government had these ships and could not dispose of them or charter them at a profit if it would employ them in commerce, even without any profit at all. The Senator must know my opinion upon that subject. I introduced a substitute for the bill when it was pending in the last Congress which exactly expressed my view about what we ought to do with regard to buying and operating ships.

I think the Government ought to have, as was then proposed, \$30,000,000 worth of ships as a supplement to our Navy, and I think they ought to be so constructed, so arranged, that they could be used in commerce when they were not needed in the defense of the country. I would be perfectly willing to see those ships employed in commerce, in opening up new markets for the United States, in pioneering new routes that might in the future become profitable. I provided in the bill which I introduced a plan for so doing. But that is not the plan provided in this bill. There is no suggestion of any plan of that sort.

If it be true, as the Senator from Florida and the Senator from Georgia seem to believe, that when the war closes American ships can enter the ordinary American foreign commerce at a profit they will be found, and these ships will enter that commerce. You can not keep any American from any field in which he finds an opportunity to earn a fortune or to earn a reward upon his capital. America is the richest country in the world. It has more means to invest in any sort of profitable enterprise than any one country, aye, than any two countries, in the whole earth. What can keep Americans out of these enterprises if the conditions are as suggested by the Senator from Florida?

But I do not believe those conditions will exist. I believe at the end of this war the competition upon the high seas will be severer than it ever was before. I believe that Germany and Great Britain and France will make the most heroic, if not superhuman, efforts to regain everything they have lost in this titanic struggle, and American ships will have to meet a competition more rigorous than has ever confronted American shipping.

Mr. FLETCHER and Mr. SMITH of Georgia addressed the Chair.

Mr. CUMMINS. I yield to the Senator from Florida. He has been on his feet for some time.

Mr. FLETCHER. The Senator must bear in mind what our experience has been. His theory is all right. It has seemed strange to me that Americans should not go into shipping in view of the profits that there were in that business. There is not any question, and it can be thoroughly established, that there is scarcely any industry anywhere as profitable as was shipping before the war.

Mr. CUMMINS. Why did not Americans go in, then?

Mr. FLETCHER. I do not know why except that they were directed their energies toward other things. When they changed the ships from the wooden ships to the iron ships for a while our people were discouraged, and they did not pay great attention to it. Besides, we have a new country, and there were attractions in other directions for their investments, and they did not go into the shipping business as fully as they might, although, as I said awhile ago, there was at least a hundred million dollars of American money under foreign flags in shipping before the war and making good money. But there would have been more if it had been simply a question of their being able to earn profit out of that business, because the record of the ship companies, English and American, all over the world shows that there was no business more profitable than the shipping business. They made all the way from 10 to 300 per cent, according to their own returns.

Now, we know that Americans did not go into that business. We have not any right to assume that they are going to do what they refused to do for 50 years. We would not be justified in assuming that after this war they are going to do other than they did before the war. Therefore we can not leave our commerce wholly dependent upon foreign ships upon the theory that it is going to be a good business and that American money is bound to go into it because it is a good business.

Mr. GALLINGER. Mr. President—

Mr. CUMMINS. I will yield in half a moment. I do not agree with what the Senator from Florida now says; but if it is well founded this bill is so indefensible that he ought not to stand for a moment as its sponsor. If it is true that in the old times American ships under the American flag could make from 10 to 300 per cent, and that in the new era conditions will be improved and they can make from 25 to 500 per cent, to stand here and propose to spend \$50,000,000 of the people's money in order to encourage a business of that sort is the most startling proposition I ever heard in my life. I now yield to the Senator from New Hampshire.

Mr. FLETCHER. It is not to put money into the pockets of shipowners; it is to get carriers for our business.

Mr. GALLINGER. Mr. President, one fact is worth a volume of assertion. The Merchant Marine Commission at its hearings in Boston, New York, and Chicago called the great capitalists of those cities to testify, and the question was propounded to them if they could have free ships—that is, if they could buy them abroad—would they invest their money in their operation, and in every instance, as the Senator will find in the testimony taken by that commission, the answer was that they would not, because they could not operate them unless some means were devised to equalize the cost of operating those ships as between foreign ships and American ships.

Now, the Senator from Florida says that Americans have had their money invested in foreign ships and have made money. Certainly they have, but they have made money because their money was invested in ships that flew foreign flags and that had the advantage of low wages and low cost of supplying the crew.

Now, Mr. President, another instance. The Oceanic Line, plying between San Francisco and the Orient and Australasia, with a slight subvention under the mail act of 1881, three or four ships owned by the Spreckels Co., lost \$300,000 a year, and it became so intolerable that they tied up the ships at the docks in San Francisco and they were rotting at their cables there for, I think, about three years.

So it is idle to say that Americans could have made money by investing in ships under the conditions that prevailed before the war.

Mr. CUMMINS. The Senator from New Hampshire has stated the fact as I have understood it. But I have accepted the great fact, the overpowering and overwhelming fact, that Americans refuse to enter the business. Eager for profit, eager for commercial triumphs, with all the ports of the world open to them, they refuse to enter the business, and it would be impossible to convince me that they refuse to enter it for any other reason than that they can not carry it on profitably in competition with foreign rivals.

Mr. FLETCHER. Of course, the Senator will admit it makes no difference why they refuse to do it; the essential fact, and I agree with him there, is that they did not do it.

Mr. CUMMINS. They did not do it.

Mr. FLETCHER. They would not do it, and refused to do it; and until you give them the difference in cost of operation, as it is claimed, we know that is the situation. Now, suppose that situation continues to exist, where are we?

Mr. CUMMINS. We will have no American shipping, nor will we under this bill, assuming now that like conditions prevail. I do not know whether they will or not; but we certainly should not pass this sort of law upon the assumption that the conditions will be so changed that profit in the business will become obvious and will attract men of capital and of enterprise everywhere.

That is the very difficulty I am trying to point out. Suppose we have the same conditions after the war shall have closed that we had before the war began, and assume that Americans with American ships can not successfully compete with their foreign rivals, what then? How does this bill help to remedy a situation of that kind? What are we doing in the bill to induce men who desire to enter the business and earn a fair reward upon whatever capital they may invest to invest it? What do you offer these men? You offer them nothing whatsoever. You propose to organize a board—that is, assuming it does not work through a corporation as is proposed—that has \$50,000,000 at its disposal. We will assume that it will buy the ships mentioned by the Senator from Florida—50 ships costing a million dollars each—what will it do with them? It has no power to operate them. That the Senator from Florida will admit. I think that the mere ownership would imply the authority to operate if it were not that the bill carefully, sedulously prescribes what the board may do with these ships. It may charter or lease them, or it may dispose of them in other ways that are pointed out in the bill. What will the board do? It will advertise for bids for the ships. But what will be the terms upon which the vessels will be leased or chartered? There is no suggestion that we propose to do it for nothing. There is no suggestion of aid unless it be simply in a slight lowering of the rate of interest.

If the President of the United States should say that we will not allow these ships to be leased without a payment of 4 per cent interest, then the board must insist upon 4 per cent interest. Does the Senator from Florida think that, under the assumption that I am making, men of capital will enter this business because they can secure money at the rate of 4 per cent? That is no reward; that is no aid; that is not a sufficient inducement. It will not attract even the casual notice of men who would like to engage in the business.

I want to help the business; I am willing to do something for it; but is the Senator from Florida, or is any other sponsor of the bill, willing to do anything for our foreign commerce? If they assert that they are, and I would accept their word in that respect, we find their maximum proposal is to lease the ships we buy at the rate of 4 per cent interest upon the money invested in them.

To me, Mr. President, the whole scheme is illusive; it is vague; it is futile; it will not accomplish any purpose whatsoever; for if conditions change so that the business becomes attractive and profitable, then we shall not need that the board shall offer these ships in commerce.

I now come to consider, Mr. President, directly and concretely the amendment which I shall first propose, namely, an amendment which is embodied in a motion to strike out section 11. Section 11 of the bill is that part of it which provides that the board, if it sees proper, can organize a corporation under the laws of the District of Columbia "for the purchase, construction, equipment, lease, charter, maintenance, and operation of merchant vessels in the commerce of the United States."

Whatever the just criticism on the creation of a shipping board may be, it is very insignificant as compared with the criticism that justly falls upon section 11.

One year ago I expressed my views upon this method of regulating commerce, and I do not intend to enter upon the subject at very great length this afternoon. To me it is little less than appalling. I have never examined a legislative proposal that seems so wild and startling and indefensible and uncontrollable as the proposition to organize a corporation under the laws of the District of Columbia to carry on the business which is here described. Some Senators seem to minimize the consequences which may flow from this part of the bill. I do not assert that the board would do what I am about to describe as within its power, but I am never willing, as a Member of the Senate, to grant power to any officer of the United States which I am not willing that he shall exercise.

In the first place, there is no authority whatsoever in Congress to adopt this section. It is not a regulation of commerce; it can not be a regulation of commerce for the shipping board to organize a corporation of which it becomes a majority stock-

holder; a corporation that is then a corporation for pecuniary profit; a corporation that the minority stockholders will have the right to insist, in the law, shall be conducted in the manner most profitable to the stockholders. To insist that that is or can be a regulation of commerce among the States is so far from my conception of the meaning of the phrase that it is hard for me to understand how any lawyer—or layman, for that matter—can believe that it is a regulation of commerce.

More than a year ago I examined all the authorities upon this question in the presence of the Senate, and I do not intend to repeat what I then said. I content myself with simply asserting that there is no basis whatsoever in the Constitution for the section which I seek to strike out; for it is not a regulation of commerce with foreign nations or among the States. It is simply yoking up the United States as a stockholder with other stockholders who may be willing—and I can conceive of circumstances under which they would be willing—to invest their money in order to carry on a business for pecuniary profit; not for the benefit of the people, not to secure lower rates, not to obtain just charges for this public service, but to heap up rewards for the capital which is jointly contributed by the United States and by private stockholders. I, of course, do not know that there would be any private persons who would invest. They would, however, if they thought they could, use this corporation for an ulterior purpose, and I drew the picture some time ago of the shrewd bankers and capitalists of New York who sat around the directors' table or the stockholders' table in the management of this corporation, in which the United States had 51 per cent and the New York capitalists had 49 per cent, and I asked you to imagine, if you could, or to predict, if you could, what would take place around that stockholders' table or in that directors' meeting.

I shrink from even picturing the United States, in its dignity, in its power, in its great altruistic purpose, participating in a directors' meeting that is called and held for the purpose of determining how much can be exacted from commerce in order to yield dividends upon the capital invested in the business. I had hoped that upon reflection those who believe there is good in this measure would at least omit that part of it, for it can accomplish no good purpose. I am sure that no Senator has this in view, but if somebody had not in view a great and important object to be accomplished, not for the public good, but for the acquisition of power, this section in the bill would now be conspicuous by its absence.

Let us see. It authorizes the organization of corporations under the laws of the District of Columbia having a capital of \$99,999,999. Does anyone question that? When organized, the Government, through the shipping board, subscribes for \$50,000,000 of the capital, and by that subscription becomes a majority stockholder. It is given the power then to purchase, to charter, to lease all the ships that its directors may order; but who are to be its directors? Who is to be its president? Who are to be the officers of the corporation so to be organized under the laws of the District of Columbia? The laws of the District of Columbia require that every director shall be a shareholder. Who are to be the directors? How are you to equip a majority of the directors with a share of stock or any number of shares of stock in order to qualify them as directors? Whom will you trust? The bill as it was debated a year ago or more provided for that exigency, but this bill does not. The only way that one of these companies could be organized under this section of the bill would be to ask some stool pigeon or dummy to take a share of stock belonging to the United States in order to qualify him to become a director and officer of the corporation.

Then, it is provided that the corporation shall stand dissolved five years after the end of the European war. Does the Senator from Florida believe that it is a valid enactment? Five years after the close of the European war the corporation is to stand dissolved. The law of the District of Columbia provides that the articles of incorporation may fix the time for the duration of the corporation, and it may be perpetual, but it describes what shall be done upon dissolution. Upon the dissolution of the corporation on account of the expiration of its charter what happens? Either the corporation itself or an officer appointed for it by the court takes its property, disposes of it, and divides the proceeds among the stockholders in accordance with their holdings.

What does this section provide? It provides that upon the dissolution of the corporation all the property of the corporation shall revert to the shipping board without any further interposition of law, without ascertaining its value, without distribution, without any sale. It is all to revert to the shipping board, and then the shipping board is to pay to the minority stockholders the fair value of their stock. This is a game of "heads I win and tails you lose." The minority

stockholders who will be invited to participate or enter into partnership with the United States will be able to do so with the absolute assurance that under no circumstances—I will not say under "no circumstances," but in all human probability—they will not be called upon to share any loss that may be sustained, because the Government is to take and to pay the value of their shares, and if they can not agree, then the value is to be determined by an arbitrator.

I have seen many insane schemes proposed in legislative assemblies; I have seen a good many inadequate and half-baked propositions submitted for legislative consideration, but I have never seen a proposal so crude, so unjust, and so dangerous as the one contained in section 11. It is not only without authority of the Constitution, but it is without policy behind it. Furthermore, it is utterly unwise to enter into a partnership of that kind.

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

Mr. CUMMINS. I yield.

Mr. NELSON. While the bill makes provision for the minority stockholders and provides that they shall get the fair value of their stock, it makes no provision for the stock in which the United States have invested. That is left out in the cold, and the Government may not get a cent.

Mr. SMITH of Georgia. Mr. President, it gets the ships. Whatever the ships are worth, they are turned over to the board representing the United States. If there are minority stockholders, they are simply paid what their interest is worth; and if that can not be reached by agreement it is arbitrated. That does not seem to be a very difficult proposition.

Mr. CUMMINS. Now, bearing in mind, Mr. President, what I have said with regard to the manner in which this corporation is organized and the manner in which it must operate; and I repeat that for the moment, because I want to know whether there is anybody who disputes my assertion, that if this corporation is organized and enters the business, whether of chartering ships or of operating ships makes no difference, it is bound under the law to so conduct itself as to make money if money is to be made in the business in which it is to be engaged. Does anybody dispute that?

Mr. SMITH of Georgia. Yes; in one sense.

Mr. CUMMINS. Well, I should like to hear the sense in which it is disputed.

Mr. SMITH of Georgia. Mr. President, the board has the right to select the routes that are to be used by the vessels under its control. If the general welfare of the people of this country requires, in the judgment of the board, transportation to some point where the traffic is not profitable, the board will have the right to put a line of ships on that route.

The whole scheme involves an effort to broaden the commerce of the United States, to give it a chance to go to the world. The board would not be compelled to select the most profitable place for operation if on that route there was ample transportation for American commerce.

Mr. CUMMINS. Mr. President, this corporation—and I will correct the Senator from Georgia if he will just wait a moment, for I am sure he was in error—

Mr. SMITH of Georgia. I was not going away. I have gotten excused elsewhere. I wanted to hear the Senator's argument.

Mr. CUMMINS. I thought the Senator from Georgia was about to rob me of the delight of his presence.

Mr. SMITH of Georgia. No; not at all.

Mr. CUMMINS. This corporation is a corporation for pecuniary profit. It is to be organized under a law which Congress long ago provided for the District of Columbia, and which is intended to organize corporations for pecuniary profit. It is not an eleemosynary institution. It is not a charitable or benevolent institution. It is organized in order to reward the capital invested in it, and the public is invited to invest its money in the enterprise in order that those who invest may make a profit from such investment.

Now, let us see. The board has no power to conduct the affairs of this corporation. The board can not direct what the corporation shall do, except as it can control the election of directors. That is, annually directors are elected, and the board can then exercise the power of a majority stockholder. After that time the corporation is, under the law, in the hands of the board of directors, and the shipping board can not interfere with its ships any more than it can interfere with any other American ships, in my opinion, unless this bill modifies the law of the District of Columbia.

Mr. LIPPITT. Mr. President—

Mr. CUMMINS. I yield to the Senator from Rhode Island.

Mr. LIPPITT. The answer which the Senator from Iowa has made to the question of the Senator from Georgia would seem to me conclusive, but I wondered if the Senator from Iowa had overlooked another point, which is that under the shipping bill itself the board is obliged to lease these vessels to other parties and not to operate them except in conditions where it is unable to make a suitable lease. There is no assumption in this bill that the board shall operate these ships in any such way as described by the Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, I fully agree with the Senator from Rhode Island that the board is not to operate them if they can be leased properly. If parties will lease them under reasonable terms to operate them upon lines prescribed by the board—because that power is given the board—they can be leased, and should be leased. If they are leased under the terms prescribed by the board for the routes prescribed by the board, that would be most satisfactory. I was discussing a condition which might confront the board where they could not be leased and where they could be operated in the way I have indicated.

Mr. CUMMINS. Mr. President, I had not finished my answer to the Senator from Georgia. I know he thought it was incomplete, and I now conclude it. Does the Senator from Georgia think that a corporation organized under the laws of the District of Columbia, with majority and minority stockholders, can be ordered to do whatever the board thinks it ought to do?

Mr. SMITH of Georgia. No; I do not, unless the terms of the charter subjected it to the direction of the board; but—

Mr. CUMMINS. I have the charter here.

Mr. SMITH of Georgia. But—if the Senator will let me finish answering him—under the terms of this bill the board names the directors, and I think anyone subscribing for stock in this company takes it subject to the limitation of right which this bill carries, and that this corporation must operate along the lines required by the bill, although, I want to add, that I think the possibility of any private citizen taking any stock in this company is hardly to be mentioned. I do not contemplate the possibility of such a thing. I know that if I had quite a large sum of money I would not put any money of mine into it.

Mr. CUMMINS. Why will not the Senator join me in striking it out of the bill, then?

Mr. SMITH of Georgia. I do not see any objection to it.

Mr. CUMMINS. Will the Senator vote with me on that?

Mr. SMITH of Georgia. I should want to think about it. I do not think the provision allowing private subscription to the stock worth a snap of the finger. Frankly, I do not think its being in the bill makes it of any account at all, and I do not know that I should object to voting to strike it out.

Mr. CUMMINS. Mr. President, it is simply a menace in the bill; that is all. I do not know whether the powers that are here given will ever be exercised or not; but I have already pointed out some of the dangers, and I intend to point out now some more.

I disagree with the Senator from Georgia, however, with regard to the effect of this bill. I do not believe it is a new charter. I do not believe it repeals the incorporation act of the District of Columbia. I think it is simply a sham and a pretense. I can not understand why it is here, because this bill assumes that after the corporation is organized and after these directors are elected and after officers are appointed and after the corporation has begun business the board may order it to do anything it desires without any intervention or will on the part of the corporation. I hope somebody on the other side of the Chamber will undertake some defense of this nameless, vagrant corporation that is intended to be created.

Mr. SMITH of Georgia. Mr. President, I will tell the Senator why I think it is put in.

Mr. CUMMINS. I am glad the Senator has discovered the reason.

Mr. SMITH of Georgia. I think it is put in because at present there are complications in the world, and it may be that the ships can be handled better through a corporation than simply by the board. It may be that the board will find that the most practical way to handle it; but unquestionably the Senator will agree with me that this company does not become simply a company under the laws applicable to the District of Columbia. It takes all the limitations which this act places upon it. The provisions of this act become ingrafted into the charter of such a company, and it can not disregard or obviate those responsibilities and those liabilities.

Mr. CUMMINS. I am not going to dispute that as a legal proposition. I think it is competent for us to repeal certain parts of the incorporation act of the District of Columbia so far as it relates to a corporation of this sort; and I am simply trying to point out the utter hypocrisy of the whole proposal.

After you have organized the corporation with its capital of \$99,999,000—

Mr. SMITH of Georgia. Fifty million dollars.

Mr. CUMMINS. No; it can be incorporated with a capital of \$99,999,999. All that is necessary is that the shipping board shall own a majority of the stock.

Mr. SMITH of Georgia. Section 11 says that the total capital stock shall not exceed \$50,000,000.

Mr. CUMMINS. No; the Government's interest in the capital stock.

Mr. SMITH of Georgia. No; it says the total capital stock shall not exceed \$50,000,000.

Mr. CUMMINS. In any one corporation; but you have authorized here the organization of just as many corporations as \$50,000,000 will control.

Mr. SMITH of Georgia. No.

Mr. CUMMINS. Why, certainly. I will read it, in order that the RECORD may be clear upon that point:

That the board, if in its judgment such action is necessary to carry out the purposes of this act, may form under the laws of the District of Columbia one or more corporations for the purchase, construction, equipment, lease, charter, maintenance, and operation of merchant vessels in the commerce of the United States. The total capital stock thereof shall not exceed \$50,000,000.

Now, what does "thereof" mean?

Mr. SMITH of Georgia. Of all of said companies.

Mr. CUMMINS. No; of any one of such corporations.

Mr. SMITH of Georgia. Oh, no.

Mr. CUMMINS. Will the Senator from Georgia undertake to correct it in that respect?

Mr. SMITH of Georgia. I would vote to correct it. I so understand it still.

Mr. CUMMINS. If that is the meaning, it is very unhappily expressed.

Mr. SMITH of Georgia. I do not think so.

Mr. CUMMINS. I have not been able to read it in any other way than that.

Mr. SMITH of Georgia. It does not say "the total capital stock of one of said companies," but it says that several companies may be organized, the total capital stock of which shall not exceed \$50,000,000.

Mr. CUMMINS. I construe it to mean the total capital stock of any one of those companies. It may be that that was not intended.

Mr. SMITH of Georgia. And I have never heard the suggestion that the Government would put more than \$50,000,000 into the capital stock if it took all of the capital stock.

Mr. CUMMINS. The Government is not to put more than \$50,000,000 into the capital stock; that is true.

Mr. SMITH of Georgia. If it took all of the capital stock, it could only be \$50,000,000.

Mr. CUMMINS. Well, I will discuss it now upon the basis of the interpretation put upon it by the Senator from Georgia. We have a corporation with a capital stock of \$50,000,000, of which the Government, we will assume, owns \$25,000,100.

Mr. SMITH of Georgia. My view is that the Government will own \$50,000,000 of it.

Mr. CUMMINS. That is the Senator's view.

Mr. SMITH of Georgia. I have not a question about it.

Mr. CUMMINS. The Senator from Georgia is not to manage this board, however.

Mr. SMITH of Georgia. No; but I do not believe any other result will follow.

Mr. CUMMINS. This board is to do what it pleases; and I am not willing to grant power of this sort upon the assumption that the board is omniscient and omnipresent and will be guided by the very highest principles of patriotism and the highest standards of wisdom. No! The board may consider it necessary for the commerce of this country to exercise all the power that is granted to it.

Let us see. The corporation is organized and it selects its board of directors. The board of directors, under the law, elects the officers. I do not know where they are to get directors, unless they take a majority of them from the minority stockholders, for there is not a word of qualification in the law that will permit any other person to become a director or an officer. Then the Senator from Georgia says that the corporation ceases to exist, practically, and that the shipping board shall order its conduct. It shall determine what ships it shall buy. It shall determine what ships it shall lease or charter and the terms upon which the lease or charter shall be made. Is the Senator from Georgia willing to engage in an operation of that sort, so uncandid, so deceptive?

Mr. SMITH of Georgia. Why, Mr. President, I say to the Senator that I do not see anything deceptive or uncandid about it. As I understand it, the transaction is this: The

board has the right, if it is desired, during the next period of a few years to operate these vessels through a charter, through a corporation.

Mr. CUMMINS. No; the bill does not say that.

Mr. SMITH of Georgia. Yes; I think it does.

Mr. CUMMINS. No; the bill says "in order to carry out the purposes of this act."

Mr. SMITH of Georgia. Well, for the purpose of carrying out this act, if the board deem it advisable they can obtain a charter for not over \$50,000,000. They can take all of the stock. They must take a majority of it in the name of the United States. The United States Government must own the majority of it. It can own all of it. If any private person has money that he wishes to put up alongside of the money of the Government, when the Government has the majority of it—I think nobody would do it—but if anybody wants to do it, I see no objection to it. I think it would be rather a philanthropic investment if it were taken, because the whole tenor of this bill shows that these vessels are to be operated to promote American commerce. They are to be leased out, if it can be done, if parties will take them and operate them upon lines designated, but if they can not, they are to be operated anyhow in order that American commerce may move. I do not think many people would want to take stock in that kind of a company, although it may prove profitable and I do not think its failure to prove profitable would give them any right to interfere with the management.

Mr. CUMMINS. Mr. President, it is just like a thousand other instances of investment in business. Many a man operates through a dummy.

Mr. SMITH of Georgia. I do not see anything deceptive about it.

Mr. CUMMINS. Many a man organizes a corporation, and has his subordinates, his clerks, those who are subject to his command, to stand before the public as his representatives, as the corporations through which his operations are carried out. The fact that men do it, however, does not, as it seems to me, make it desirable for the Government of the United States to do it.

Mr. SMITH of Georgia. If the Senator will allow me, it is expressly provided that even if the corporation is organized, the corporation shall not operate these vessels if the board can lease them out. It really amounts to a provision that the board may create a corporation and still control it.

Mr. CUMMINS. No; Mr. President. The corporation is to acquire the ships. The corporation is the owner of the ships, and ordinarily the corporation would determine how they were to be operated and to whom they should be chartered. But this bill declares that the board shall determine to whom the ships shall be leased and upon what terms they shall be leased.

But I now carry the Senator from Georgia a little further. He is thinking that the Government is to undertake a liability of not more than \$50,000,000. That seems a very small sum in these days. We are appropriating these millions with a prodigality for which history furnishes no precedent. But the Senator is wrong about that. When this corporation is organized with its capital of \$50,000,000, what will be its credit? Who is to determine what ships it shall buy, charter, or lease? It is known that the Government of the United States is the owner of a majority of the stock, and what credit does that give the corporation in the markets of the world? I venture to say that the corporation could buy, with this capital of \$50,000,000 contributed in this way, a billion dollars' worth of ships. There is absolutely no prohibition as to the amount of indebtedness which the corporation may incur. If the board is as reckless as Congress sometimes is, it can acquire all the ships in the world, because every sensible man, every reasonable man, knows that while there is no legal obligation on the part of the Government, there is a moral obligation to redeem all the debts which may be incurred by this corporation.

Mr. NELSON. Will the Senator yield to me a moment?

Mr. CUMMINS. Certainly.

Mr. NELSON. I should like to have the Senator explain, if he can, how this \$50,000,000 can be utilized in a double way; that is, in the matter of purchasing, leasing, and chartering vessels, and how still you have \$50,000,000 to invest in this corporation.

Mr. CUMMINS. Certainly; that is a pertinent question.

Mr. SMITH of Georgia. Mr. President—

Mr. CUMMINS. I was about to come to that. I am now citing the extent to which this corporation could go in the acquisition of ships by purchase. It can buy—

Mr. SMITH of Georgia. Will the Senator allow me?

Mr. CUMMINS. In just a moment. It can buy all the \$50,000,000 appropriated here will enable it to buy and it can

buy all that the credit of the corporation enables it to buy. Now, what will be done?

Mr. SMITH of Georgia. The question of the Senator from Minnesota [Mr. NELSON] seemed in part to be directed to me. If the board puts the money, the \$50,000,000, into the corporation, they will operate through the corporation. I do not think the bill contemplates that they should use credit except in so far as it gives them the privilege in section 14.

Mr. CUMMINS. No; it is not this bill which gives the corporation the right to utilize its credit. It is the law under which the corporation is organized, which in this respect is in no wise modified by the measure before us. There is no limit, as I read the statute of the District of Columbia on this point, to the indebtedness that a corporation can incur.

Mr. FLETCHER. The act distinctly provides for an expenditure of \$50,000,000.

Mr. CUMMINS. No, Mr. President; that is the intention of the Senator from Florida, and I have no doubt that is the intention of the Senator from Georgia, but that is not the bill. The bill simply says that the United States shall not incur a liability of more than \$50,000,000 under the bill, but when the corporation is organized and it incurs an indebtedness, the limitation of the bill does not apply at all, and there is nothing to stand in the way of the onward march of a corporation of this sort toward the acquisition of all the ships that it can purchase, except the indisposition of the owner of a ship to sell to a corporation of this character.

Now, that is not all. I do not believe the Senator from Georgia wants to give that power to a corporation or to a shipping board. I do not believe the Senator from Florida wants to embark upon so wild an enterprise as that; and, inasmuch as it is agreed that this section is a mere pretense, and that it is to be entirely under the command of the board, why not eliminate it entirely?

Another suggestion, which will be food for thought, I am sure: This corporation—and some of the things I say about the corporation can be said with equal application or truth about the board—this corporation is authorized to charter ships, to lease ships, and re-lease them or recharter them. Is not that true?

Mr. FLETCHER. It is.

Mr. CUMMINS. Very well. It can go out, therefore, into the markets of the world and lease just as many ships as it pleases. There is no limitation whatever upon its power to lease ships. It can bring under its charter, if it so desires, all the ships of the earth. I do not think that would be done; I do not think it is practicable to do it; but it has the power to accumulate the greatest fleet of any nation on earth. It can charter or lease and then turn over to anyone who would be willing to take these ships upon terms that may be as good as those under which the ships were brought into the possession of the corporation, or they may be chartered under such disastrous terms that the whole business will be demoralized.

Some one said during the course of the debate that the \$50,000,000 invested in ships would not present serious competition for privately owned ships; that it would be a drop in the great sea of enterprise. But if the board desires to do so under this bill it can drive every privately owned American ship from the sea; there may not a single one of them remain.

I am not asserting that this will be done, but why confer a power so absolute, so unrestricted, so unqualified? What is in the background that makes it necessary to clothe any officer or series of officers of the Government with so unbridled a discretion?

Mr. SMITH of Georgia. The peculiar condition of the times and the purpose to make it possible to put \$50,000,000 back of a corporation to charter vessels, to buy vessels, and to help see to it that there is a chance for American commerce to move under the peculiar circumstances that may confront us a little later on.

Mr. LIPPITT. Mr. President—

Mr. CUMMINS. I will yield in a moment. Mr. President, mark you, I am not arguing now against nor, as the Senator knows, am I opposed to the intervention of the Government in the acquisition of ships. I made that perfectly clear a year ago. But I am unalterably opposed to the method of acquiring and using these ships proposed in this bill. I yield to the Senator from Rhode Island.

Mr. LIPPITT. The Senator from Georgia a minute ago said it was necessary to obtain ships that American commerce might move. American commerce, I understand, is moving at this very moment in a volume larger than the world ever saw. I believe American commerce is moving at the rate of something over six billion dollars a year, or almost twice as much as American commerce ever did move before in the history of the country. Why, then, do we have to go to this extraordinary novelty in order that American commerce must be made to move?

Mr. SMITH of Georgia. I understand perfectly the situation to which the Senator from Rhode Island refers. I understand furthermore that there are places to which the movement of our commerce finds a hindrance. I understand further that there are places to which it is likely in the near future to find more interference. I regard it as a splendid safeguard to make this investment and to make sure that regardless of agreements between allied powers and regardless of methods that may confront us in the near future rather than those now existing to check our commerce, we will at least take a step toward protecting it.

Mr. FLETCHER. Mr. President—

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

Mr. CUMMINS. I do.

Mr. FLETCHER. Before the Senator passes from the other statement with reference to the power of this corporation to use these ships and drive out of business all other ships that might be engaged in the same business, I want to suggest to him that the utmost that could be purchased, built, or acquired under the bill for \$50,000,000 has been estimated by some at 300,000 tons, by others at 700,000 tons. It may be nearer right to say 500,000 tons. It is estimated that the necessary tonnage to enable American shipping to handle 60 per cent of our commerce would be from 6,000,000 to 10,000,000 tons. Now, if it requires 6,000,000 tons to give us 60 per cent of the tonnage we need, and we can add only 500,000 tons under the bill, how can the Senator argue that that would destroy and drive out of business the 5,500,000 tons?

Mr. CUMMINS. I was pointing out the fact or conclusion of law, whichever it may be called, that under the bill either the board or the corporation could acquire not only the 500,000 tons that might be purchased with \$50,000,000, but that it could acquire 10 times that amount with the credit of the corporation, and not only so, but that it could acquire an unlimited tonnage through the process of charter and lease without exceeding the capital or the obligation which the United States undertakes formally.

Now, Mr. President, I desire to ask the Senator from Florida, who I understand is in charge of the bill, a question. I have concluded all that I have to say with reference to section 11, which authorizes the creation of a private corporation to carry on the business whether through operation or charter or lease. I understand the committee amendments to section 11 have not been adopted.

Mr. FLETCHER. No amendments have been acted upon at all.

Mr. CUMMINS. I ask the Senator whether he would prefer that I submit my amendment, which seeks to strike out section 11, at this time or whether he would rather I would withhold the amendment until the committee amendments are acted upon?

Mr. FLETCHER. I think the usual course is to perfect the bill by action upon the committee amendments and then after that is done other amendments are in order.

Mr. CUMMINS. Then the Senator would rather that I should pursue that course?

Mr. FLETCHER. I would.

Mr. CUMMINS. I will do so.

Then, Mr. President, I move forward for just a few moments to another feature of the bill. I come to those parts of the bill which begin with and follow section 15. These parts of the bill have nothing to do with the shipping board as an owner of ships or as a charterer or lessor of ships, nor have they anything to do with the powers of the corporation in these respects. The bill, beginning with and following section 15, is an adaptation of the interstate commerce law applied to commerce on the high seas or foreign commerce, and applied also to commerce upon the Great Lakes.

It will not be doubted, I am sure, and certainly it will not be disputed that sections 15, 16, 17, 18, 21, and 22 are regulations of foreign commerce. If there is any question about that proposition I would be glad if it were made now. I repeat that these sections are attempts to regulate commerce with foreign nations.

The Senator from Georgia [Mr. SMITH] is one of the most accomplished lawyers in this body. I do not believe that there is any Senator upon whose judgment with respect to questions of law I have greater reliance than upon his. I ask him this question. He is familiar with the sections I have referred to. Does the Senator from Georgia believe that we can impose the regulations there prescribed upon foreign ships?

Mr. SMITH of Georgia. I hope the Senator will not feel that he has simply captured me by his courteous introduction to his question, but I am obliged to admit to him that I have doubted very much the wisdom of those provisions,

Mr. CUMMINS. The Senator displays his usual candor and fairness.

Mr. SMITH of Georgia. Mr. President, I have been sent for by the Finance Committee again for a moment. I hope to get back soon.

Mr. CUMMINS. I emphasize his implied conclusion. I am sure, guided by the learning of the law, that we can not impose these regulations upon foreign ships. That is not to say that we could not exclude foreign ships from our ports or attach conditions to their entry to our commerce. I do not question our power in that respect. I assert, however, that if a foreign ship were to engage in the commerce of the United States with a foreign country and were to violate any one of these provisions there could be no conviction under this law. We might, therefore, just as well admit and continue the further examination of this subject, with the understanding that these regulations can not be and will not be imposed upon the foreign ships which carry our commerce to other lands or that bring the products of other lands to our shores. I admit freely our power to impose these regulations upon American ships, and if these sections become a law American ships must obey the provisions here found, and, I assume, will obey them.

What, then, is the situation? We were talking, a few moments ago, I was about to say, Mr. President, but it may have been longer than that, time passes so quickly here that I take no note of its flight—we were talking a little while ago with regard to the conditions which prevail as between foreign ships and American ships, and we all agreed that the American ships were already under such burdens that they could not successfully compete with their foreign rivals. Every Senator, every intelligent citizen of the United States knows that to be true; yet what do you propose in this bill? You propose a system of rigorous regulation, the imposition of many additional burdens upon the American ship from which the foreign ship will be absolutely free.

Mr. SHERMAN. Mr. President—

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

Mr. CUMMINS. I yield.

Mr. SHERMAN. I desire to make an inquiry of the Senator. I wish the Senator would develop—I have not had the pleasure of listening to all that he has said—if he has not already done so, what the necessary effect would be of port regulations of this kind on foreign shipping? We depend for our export trade on privileges in foreign markets for our own shipping, conceding that we should develop proper shipping facilities of our own. If we impose upon foreign shipping coming to our ports, the provisions found in this bill, such as fines, the attachment of shipping, the confinement in port, thus disturbing the schedules of sailing and the delivery of merchandise at other points, what would be the natural effect of such regulations when other powers began to deal with our shipping abroad, if we should develop it?

Mr. CUMMINS. Mr. President, the natural effect and the inevitable effect would be reprisal, of course; but I am not emphasizing that phase of the subject now. I am assuming that there would be no reprisals. I have said, and I repeat, that these regulations can not be imposed upon foreign ships. Although by the terms of the act foreign ships are included, every lawyer knows, and everyone else familiar with the subject knows, that they could not be and would not be imposed upon foreign ships. You will have then prepared for the American public this astonishing and unprecedented situation: Here are two rivals, two competitors. The American ship represents one and the foreign ship represents the other. The American ship is already staggering under the burden of unfavorable and unfortunate conditions; the foreign ship is free. We can barely put a single ship on the ocean under those conditions now.

I am speaking, of course, of normal times. Yet with the handicap that our ships already suffer, it is proposed by this bill to institute a system of regulation and restriction upon the weak, to which the strong need not yield, and will not yield. Instead of adding an additional burden, if I may use the language of the race track, for the fast horse, in endeavoring to equalize the race, if it is a handicap race, you are adding additional weight to the slow horse. In the language of the game with which I am most familiar, and in which I sometimes indulge, instead of giving some odds to the weak player in golf, you are giving those odds to the strong player on the greens. Who ever heard of an arrangement of that sort for the encouragement or the equalization of commerce or of any other business?

Senators, you are disobeying, and disobeying for the first time in the history of the world, the fundamental principle of Government regulation. It is this: When this or any other nation regulates commerce in order to protect its people, its regulation

must fall alike upon all competitors. Who ever heard of regulating one competitor and allowing another to escape? Who would think of attempting to regulate one railway in the United States, and allowing all the others to do as they pleased? It is—and I say it with all deference to my friends upon the other side—the most indefensible and inexcusable proposal I ever heard.

If you could put these regulations upon foreign ships as well as upon American ships, I would say nothing about their wisdom; there is but one of them concerning which I would complain at all.

They are all good in and of themselves, all save one; but you can not hamper our commerce by these regulations, even if now and then a wrong is perpetrated, unless you can bring the competitors of our ships under the same rules and restrictions. Instead of developing commerce, instead of enlarging the merchant marine, you are hastening to destroy what little we have. Therefore I intend to move, Mr. President, to strike out these sections; and I earnestly hope that my Democratic friends, who are moved by the very same purpose that actuates me, who want to accomplish the same things I desire to accomplish, will receive that suggestion with favor, and will eliminate these proposals of regulation upon foreign commerce.

Now, mark you, I will not seek to strike out the regulations which have been imposed upon interstate commerce, for with regard to that commerce we can lay our hand upon all of the vessels engaged in it alike.

Mr. SMITH of Georgia. The Senator means in the domestic ports—the coastwise trade.

Mr. CUMMINS. Yes; so far as we can control that commerce, I am entirely willing to bring it under the regulation of the board; I think it ought to have been done long ago; but when it is attempted to strangle a commerce that we are seeking to encourage and to promote, I can not but raise my voice in protest against it. I will not make the motion now, because, under the suggestion of the Senator from Florida [Mr. FLETCHER], a more appropriate time will come after the committee amendments are disposed of.

I shall have one further amendment to offer to this bill. If my former amendment is not successful, I shall move to strike out of section 16, beginning with line 18, on page 17, and concluding with line 3, on page 18. This is the part of the bill which repeals the antitrust laws as to all matters over which the shipping board is given jurisdiction.

Mr. President, it will be remembered that the antitrust law simply prohibits a restraint of trade. It prohibits nothing more; it prohibits nothing that encourages trade; it prohibits nothing that tends to build up commerce through competition; and to strike down the antitrust law with reference to commerce or transportation by water and substitute the unrestricted and unguided judgment of a shipping board for the standard of the antitrust law, is more, I think, than the calm and considerate temper of the American people will allow. You can not do it; even now you can not affect all foreign commerce with the antitrust law. Suppose that three ships in Germany combine with each other in such a way as if the combination were made in America, it would be a violation of the antitrust law. That sort of combination can be made, not only in harmony with the law of Germany, but, under some circumstances, the law of Germany commands that course of combination. They do business with America. We can not reach them; we have never pretended to reach them; we have only attempted to control our own affairs. If it were proposed simply to modify some of the rigors of the antitrust law, undoubtedly many Senators would agree with the proposal, but you strike down the entire antitrust law with respect to all commerce of the United States by water. I hope it will not be done. If we repeal the antitrust law, let us substitute at least some rule of law to guide the shipping board in determining what combination, what conspiracies, what agreements are in the public interest and for the public good. Do not set them at large to use their unbridled or unregulated discretion with respect to such an important and vital matter.

These are the three amendments, Mr. President, which, when the proper time comes, I intend to offer. I have discussed them at this time because, notwithstanding the rather depressing atmosphere which prevailed when I began my argument, I still have some hope that there will be real consideration of this measure and of the objections which have been made to it. I hope from the bottom of my heart that the public interest, the public welfare, will so occupy the minds and hearts of the Senators upon the majority side of this Chamber that they will forget that this bill was ever discussed or ever considered in any other place than the Senate of the United States.

Mr. SMITH of Georgia. Mr. President, I want to say to the Senator that the bill never was discussed in a Democratic conference; it has never been before a Democratic conference.

Mr. CUMMINS. Mr. President, the Senator from Georgia knows better than I as to that, but—

Mr. SMITH of Georgia. There were features of the bill which were discussed, but the bill as a whole never was before a Democratic conference.

Mr. CUMMINS. The Senator from Georgia will remember that a year ago it became the subject of caucus action, and certain Democratic Senators asserted their views as against the caucus action. Something happened this year to change the bill so that the Senators who were then opposed to it have become at least reconciled to it. That could only happen through a conference of some sort.

Mr. SMITH of Georgia. Mr. President, before the Senator from Iowa leaves the Chamber, I wish to qualify a statement I made a few moments ago, that this bill had not in any sense been considered in a Democratic conference. I am mistaken about that. There was no action upon it, but there was some discussion of its features during the present session in a Democratic conference. The fact had escaped my recollection, and I stated the contrary so positively that I was not willing for the Senator from Iowa to leave without my qualifying the statement. As I have said, it merely escaped my recollection that such a proceeding took place.

Mr. CUMMINS. I had no other information save that which I have received from the newspapers.

Mr. SMITH of Georgia. I knew that I had been in a conference discussing it, but I did not remember that it was in a Democratic conference where all participated.

RELIEF OF FLOOD SUFFERERS IN WEST VIRGINIA.

Mr. ROBINSON. Out of order and by direction of the Committee on Appropriations, I ask leave to report, with an amendment, Senate joint resolution 165, and I ask unanimous consent for its present consideration.

Mr. PENROSE. What is the resolution?

Mr. ROBINSON. I ask that the Secretary read the joint resolution.

The SECRETARY. A joint resolution (S. J. Res. 165) for the relief of the flood sufferers in West Virginia.

Mr. PENROSE. What amount does the resolution carry?

The PRESIDING OFFICER. The joint resolution carries \$100,000, as the Chair is informed.

Mr. PENROSE. Is there any qualification as to the expenditure of the money or is it a pure gift?

Mr. CHILTON. Let the joint resolution be read.

Mr. PENROSE. Let it be read.

The Secretary read the joint resolution (S. J. Res. 165) for the relief of the flood sufferers in West Virginia.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. GALLINGER. Mr. President, I suggest to the Senator from West Virginia that he add a provision that the report to Congress shall be made at the beginning of the next session.

Mr. CHILTON. I will accept that amendment.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. PENROSE. I do not intend to object to the consideration of this joint resolution, Mr. President. The reckless and lavish appropriations made by the present Congress have bankrupted the Treasury, notwithstanding any revenue bill that may pass, and the minority certainly are not responsible for this condition; and as far as I am concerned the merry dance can go on. It is a fairly good campaign contribution to the Senator from West Virginia.

Mr. CHILTON. Mr. President, nothing that I have ever done in the Senate or anywhere else in my life deserves such a remark as that from the Senator from Pennsylvania, and I firmly believe that there is not another man in public life who was ever associated with me who would seriously make that remark.

It is a very sad duty, Mr. President, for us to approach questions of this kind out of a sense of duty, to relieve little children, to relieve suffering women and poor men, workmen, miners who are thrust into this sad situation by the act of God. It is very hard for us to come to the Congress with these things, even under those sad circumstances and under such high promptings of duty. I think the remarks of the Senator yesterday and to-day are entirely out of order; but I will leave those remarks to the country, and I would be willing to submit them even to his own constituents.

Mr. President, I should like to put in the RECORD, without reading, some telegrams from officials and others in the State of West

Virginia showing the further extent of this flood; and I ask unanimous consent that the joint resolution be adopted.

The PRESIDING OFFICER. In the absence of objection the telegrams will be printed in the Record.

The telegrams are as follows:

CHARLESTON, W. VA., August 14, 1916.

Senator W. E. CHILTON,
United States Senate Chamber, Washington, D. C.:

Have been on the ground and personally know at least 2,500 people in Boone County homeless and destitute. Conditions horrible. I know little of conditions in Kanawha, except Cabin Creek is absolutely devastated. Griffithville I understand to be washed out. Will take \$500,000 to replace our people where they were. The people are camping in the open on high ground without housing or tents.

WM. OSBORNE,
United States Marshal.

CHARLESTON, W. VA., August 14, 1916.

Hon. W. E. CHILTON,
United States Senate, Washington, D. C.:

On Wednesday, August 9, 1916, the greatest calamity which has ever occurred to the people of West Virginia befell the miners and residents of Cabin Creek, Paint Creek, Big and Little Coal Rivers, and tributaries in the counties of Kanawha and Boone, this State, caused by a cloudburst, thereby flooding the entire valleys of the respective streams, causing the death of no less than 100 men, women, and children and property damage inestimable. From 30,000 to 35,000 people live in these flooded districts, and practically all who survive have been rendered poverty stricken, homeless, penniless, and helpless. The State of West Virginia and the people of the State are rendering all the aid available at their hands, but the aid is inadequate and insufficient to satisfy the great demand of the sufferers. Sanitary conditions are of the most deplorable nature and demand immediate attention. I have personally witnessed the above conditions. Answer.

HENRY E. PAYNE,
President the Young Men's Business Club.

CHARLESTON, W. VA., August 14, 1916.

Hon. W. E. CHILTON,
United States Senate, Washington, D. C.:

At a mass meeting to-night of the citizens of Charleston a resolution was unanimously adopted commending your efforts in the United States Senate to secure Federal assistance to relieve the suffering of thousands of homeless and destitute people on Cabin Creek and Coal River. Local help, while generous, has not been sufficient to meet the needs of a large and homeless population, and while valiant efforts have been made, the situation is such as to demand the attention of the Federal Government. Miles and miles of fertile valleys have been swept clean by the cloudburst and millions of property damage suffered. You can not impress your colleagues in the Senate and the House of Representatives too forcibly of the urgent request for assistance.

L. E. SMITH,
Chairman Citizens Relief Committee.

CHARLESTON, W. VA., August 14, 1916.

Hon. W. E. CHILTON,
United States Senate, Washington, D. C.:

It is my opinion that \$100,000 would go far toward relieving the necessities of the people on Cabin Creek and Coal River. While many are in need of food, the demand is for the necessities of housekeeping and clothing, that the man of the house may be able to work. The operators on Cabin Creek are doing all they can to relieve the suffering, and are giving employment to all their men rebuilding their plants, though their loss is enormous.

JOHN L. DICKINSON.

CHARLESTON, W. VA., August 15, 1916.

Hon. W. E. CHILTON,
United States Senate, Washington, D. C.:

The homeless people of Coal River and Cabin Creek are praying that your bill asking for \$200,000 will pass. It will take at least \$500,000 to take care of these homeless people until they can manage to care for themselves. But with the aid of our people, we can take care of the balance. It will be a godsend for these people if Congress will appropriate \$200,000. The destitute and suffering is more than can be described. It will be impossible for our people to raise sufficient funds to take care of these people until they can help themselves. I feel sure that the Senate and Congress of the United States will be patriotic enough to respond to these needy and suffering people.

SAMUEL STEPHENSON.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Appropriations with an amendment.

Mr. GALLINGER. Mr. President, just one word before this matter is voted upon.

I have not favored these appropriations, as a rule; but the Senator from West Virginia detailed to the Committee on Appropriations a condition that exists in that State as a result of this visitation that touched my heart very deeply, and inasmuch as we have been making appropriations of a similar nature, I felt very strongly that this joint resolution ought to pass.

I hope, however, that after a while we will take up this whole subject and see whether or not it is wise for the Congress to make appropriations whenever a calamity of this kind occurs in any part of the country.

Mr. PENROSE. These appropriations will cease when the rainy season is over.

Mr. ROBINSON. Mr. President, the Senator from New Hampshire has made a statement with which I concur. The evidence before the Committee on Appropriations disclosed an appalling situation in West Virginia, and one which, in the opinion of the committee, calls for immediate action. In that view of the matter the committee made it an emergency proposition.

Mr. VARDAMAN. Mr. President, I hope that in the providence of God our people may be spared the devastation of floods and the horrible ravages of the pestilence; but God forbid that the time shall ever come when Congress will refuse to respond promptly to the call of the needy for help. The people—our masters—whose toil produces the money that we appropriate to meet the wants of the unfortunate, if consulted, would heartily approve the donation. There is no extravagance in charity and no wastefulness in helping those whom misfortune has rendered unable to help themselves.

I sincerely trust that this joint resolution may be agreed to at once. Promptness of action on the part of the Senate will give a flavor to our deeds that will add to the satisfaction and sense of gratitude of those who receive, that joy which the spirit of love always brings the sorrowing heart.

The PRESIDING OFFICER. The Secretary will state the amendment of the committee.

The SECRETARY. On page 1, line 3, the committee proposes to strike out the numerals "\$200,000" and to insert "\$100,000."

The amendment was agreed to.

The SECRETARY. The Senator from New Hampshire [Mr. GALLINGER] offers the following amendment: On page 1, line 14, after the word "Congress," to insert "at the beginning of the next session," so as to make the joint resolution read:

Resolved, etc., That the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the relief of persons suffering by reason of the recent floods on the waters of the Kanawha, Mud, and Coal Rivers in West Virginia. The Secretary of War, under such regulations as he may prescribe from time to time, is authorized to expend said sum, or so much thereof as may be necessary, in relieving destitution and caring for the injured and homeless who are suffering from the result of said flood and providing sanitary conditions, and he shall keep accounts of his expenditures hereunder and shall report the same to Congress at the beginning of the next session, and shall, as far as possible, cooperate with local and State authorities and relief associations and organizations; and he may use any Army tents, equipment, or supplies which he may deem proper in affording adequate and immediate relief.

The amendment was agreed to.

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

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

NATIONAL PARK SERVICE—CONFERENCE REPORT.

Mr. MYERS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15522) to establish a national-park service, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2, with an amendment as follows: "except that this provision shall not apply to the Yellowstone National Park."

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

H. L. MYERS,
C. S. THOMAS,
REED SMOOT,

Managers on the part of the Senate.

SCOTT FERRIS,
EDWARD T. TAYLOR,
WM. L. LA FOLLETTE,

Managers on the part of the House.

Mr. MYERS. I ask for the adoption of the conference report.

Mr. SMOOT. Mr. President, I will say that all that there is in the report is a change in the provision as to grading in the Yellowstone National Park, which in the amendment agreed to by the conferees is prohibited, as the Senator from Wyoming [Mr. CLARK] requested.

Mr. MYERS. I move that the conference report be adopted. The report was agreed to.

CHARLESTON & NORFOLK STEAMSHIP CO.

Mr. SMITH of South Carolina. Mr. President, I ask unanimous consent for the present consideration of Senate resolution 249. It is simply a resolution requesting the Interstate Commerce Commission to reopen a case. All the members of the

committee have signed a favorable report upon the resolution, and it is simply a request for reopening the case for hearing.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. SMOOT. Let the resolution be read first.

The PRESIDING OFFICER. The Senator is reporting the resolution from the Committee on Interstate Commerce.

Mr. SMITH of South Carolina. Yes; and I should say that there are two amendments.

Mr. SMOOT. I will ask the Senator if the resolution is on the calendar.

Mr. SMITH of South Carolina. No; it is not on the calendar; it is just reported and from the committee.

Mr. SMOOT. If it is on the calendar I shall object to its consideration.

Mr. SMITH of South Carolina. It is not on the calendar. It is just reported. I saw the members of the committee, and they are all favorable to the resolution.

Mr. SMOOT. Let the resolution be reported.

Mr. PENROSE. Let it be read.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution.

The PRESIDING OFFICER. The amendments of the committee will be stated.

The SECRETARY. On line 8, page 3, after the word "that," strike out the words "an opinion" and insert "a decision"; and in line 9, after the words "Interstate Commerce Commission," strike out "as to whether or not the proportional rates prayed for by the petitioner will or will not be granted in advance of the actual purchase of the steamships," so as to make the resolution read:

Whereas the Charleston & Norfolk Steamship Co., a corporation duly empowered by charter from the State of South Carolina to acquire, by purchase or otherwise, steamships and operate the same as common carriers; and

Whereas said company petitioned the Interstate Commerce Commission to put into effect certain proportional rates from Cincinnati, Louisville, and so forth, to Norfolk and Newport News on traffic destined to Charleston, S. C., such proportional now being applied by aforesaid railway companies in connection with rail lines leading south into Carolina territory; and

Whereas the Interstate Commerce Commission, in an opinion dated June 30, 1916 (docket No. 8081), dismissed said petition on the ground that the petitioner was not a common carrier; and

Whereas the Interstate Commerce Commission, in the Flour City Steamship Co. against The Lehigh Valley Railroad Co. (Interstate Commerce Commission Rept. No. 24, pp. 179 to 186), defined the status of a common carrier by water, such as proposes to operate under nondiscriminatory traffic arrangements, in specific terms; and

Whereas the position of the Charleston & Norfolk Steamship Co. is the same as that of the Flour Steamship Co., in that said company can not afford to make enormous expenditures in equipment pending a decision as to whether or not it is entitled to the nondiscriminatory traffic arrangements with the rail carriers leading into Norfolk; and

Whereas, subsequent to the decision of the Interstate Commerce Commission in the Flour City Steamship Co. case, the act to regulate commerce has been further strengthened by the passage of the Panama Canal act, under date of August 24, 1912, which empowers the Interstate Commerce Commission to establish proportional rates over rail lines when property may be or is transported to or from port by rail carriers; and

Whereas this act confers additional powers upon the Interstate Commerce Commission to those it exercised when the Flour City case was decided; and

Whereas the Charleston & Norfolk Steamship Co. has been organized by the merchants of Charleston for the express purpose of bringing relief from an unduly discriminatory rate adjustment and for affording an economical means of transportation; and

Whereas the Interstate Commerce Commission, in its decision in the Flour City case, established the principle that the company was entitled to a decision on the merits of the case before the said company made large expenditures in equipment: Therefore be it

Resolved, That the Interstate Commerce Commission be requested to initiate an investigation upon its own motion and, in conjunction with this proceeding, reopen the case of the Charleston & Norfolk Steamship Co. against The Chesapeake & Ohio Railway Co. and others (docket No. 8081), and give all parties an opportunity to submit any further testimony or arguments and that a decision be rendered by the Interstate Commerce Commission.

Mr. GALLINGER. I will ask the Senator if this is a Senate resolution?

Mr. SMITH of South Carolina. It is a Senate resolution, simply calling for the reopening of a case.

Mr. GALLINGER. Is it competent for the Senate, acting in an individual capacity and ignoring the other branch of Congress, to instruct—

Mr. SMITH of South Carolina. It is not an instruction. It is simply a request. It was put in that form, because the conditions have already been complied with in Charleston, and it was simply to ask an expedition of this work.

Mr. GALLINGER. I am very sure this ought to be a joint resolution, and for that reason I shall object to its present consideration.

The PRESIDING OFFICER. Objection is made.

Mr. GALLINGER subsequently said: Mr. President, a little while ago I objected to the consideration of the resolution presented by the Senator from South Carolina. If no other Senator feels that the resolution is not in good form, I am not going to put my judgment against that of the Senator from South Carolina, and I withdraw the objection.

The PRESIDING OFFICER. If there is no objection, the Senate will proceed to consider the resolution as in Committee of the Whole. The question is on agreeing to the amendments reported by the committee, which have been stated.

The amendments were agreed to.

The resolution as amended was agreed to.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15455) to establish a United States shipping board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water engaged in the foreign and interstate commerce of the United States; and for other purposes.

Mr. FLETCHER. Mr. President, before we adjourn I desire, just to meet some of the arguments that have been urged on the other side with reference to the pending bill, wherein particularly it was claimed that there was no expression of opinion from any responsible source in favor of this bill, to ask to have inserted in the CONGRESSIONAL RECORD three editorials from the Washington Post and an editorial from the Coast Seamen's Journal, the last editorial being dated August 9, as bearing on this question.

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

The matter referred to is as follows:

[From the Washington Post of May 17, 1916.]

THE COUNTRY DEMANDS THE AMERICAN MERCHANT MARINE.

The bill for creating an American merchant marine is before the House of Representatives, and the people of the United States expect the Members of the House and of the Senate to do their duty to them and to the Republic by establishing that long-promised marine.

For 32 years of Republican control of Federal power and for eight quadrennial periods of promises to establish a merchant marine for the Nation those promises were not fulfilled.

For an equally long period of Democratic pledges for a merchant marine and eight years of Democratic control of Federal power all the results the American people had were the unfulfilled promises of the party.

It has been a long period of national subordination upon the high seas, a long period of supremacy in facilities of trade for our commercial rivals, and the Republic of the United States was rendered a debtor Nation for half a century largely by this long and grievously felt want of ocean transportation under the Stars and Stripes.

The past two years have so plainly disclosed the absolute necessity of this marine to the great masses of the people of the United States that they are now united as never before, urgent as never before, determined as never before to have that marine established, and they now ask the Congress to provide that marine as a national necessity to the maintenance of the country's prosperity.

They call for it in no partisan spirit, but with a patriotic purpose.

They realize the extent of the losses that agriculturists, miners, manufacturers of the United States have sustained during the past two years would have paid for construction of ten times the vessels that can be provided with the appropriation proposed in the pending measure.

They know, and Members of the House and the Senate know, that the want of a United States merchant marine is costing the people of this country millions of dollars every week at the present time.

The subtle influences which have paralyzed legislation in the past upon this question can not again prevail as against the demands of an aroused public sentiment.

It will not do for Senators and Representatives to face the farmers and the planters this autumn and while their products are rotting in our ports or congested in the warehouses and railway terminals for lack of vessels to carry them to destined ports abroad; it will not do for them to meet these constituents with a record of "no" against the shipping bill.

The miners demand vessels for their outputs and vessels they can depend upon for steady service at reasonable and fair rates.

The manufacturers and the millions of their operatives will not consent to be thwarted again by open or concealed opposition of vessel owners or financial and shipping agents with foreign connections in their efforts to obtain vessels to carry the outputs of the mills, the shops, the factories of the United States.

There is a wave of Americanism sweeping this country from ocean to ocean that calls for the placing of this country in finance, agriculture, industry, and commerce above and beyond every other nation on the earth, and this can not be accomplished without the creation of an American merchant marine.

For more than 40 years our commercial competitors have had the advantage over this country through their control of ocean transportation.

We impugn the motives of no man in public life; we reflect upon no man who deems it his duty to oppose this measure which we believe so essential to the welfare of the people of the United States; but every vote in opposition to it will receive the hearty approval of the shipping combines of Great Britain, France, and Germany, and of every manufacturer in those countries who will have to compete with our own manufacturers in the markets of the world.

Every vote for the establishment of a merchant marine is a vote for America first.

Every vote for the establishment of a merchant marine is a vote to develop the resources and the commerce of the United States.

Every vote for the establishment of a merchant marine is a vote for making of our ports the centers of a mighty commercial power and influence.

Every vote for the establishment of a merchant marine is a vote for the prosperity of the more than 100,000,000 of people now under the Stars and Stripes.

Every vote for the establishment of the merchant marine, whether that vote is cast by a Republican, a Progressive, or a Democrat, is a vote to redeem party promises made by all parties to the electors of the Union.

[From the Washington Post.]
WAR RISK PROFITS.

The chief complaint against the Government ship purchase bill has always been that it would eventually bring financial losses to the United States Government, in addition to the loss of \$50,000,000 originally invested. The same prediction was made against the establishment of the bureau of war risk insurance, established by Congress two years ago, when the war sent marine insurance rates to a prohibitive point.

Private insurance companies were so fearful of the financial danger involved in giving insurance that in many cases they refused to take any risk at any price. The Government had courage enough to meet the emergency, and it is now announced that after two years of operation the bureau has made a profit of more than \$2,000,000.

There have been issued 1,537 policies, covering \$138,392,389, on American cargoes and ships carrying contraband goods.

Figures compiled recently show that the gross premiums for insurance issued amounted to \$2,904,866, on which losses had been \$771,329, of which \$58,811 was recovered in salvage.

The bureau now has at risk \$12,325,198. The bureau will expire by limitation September 2, but Secretary McAdoo has indicated that he will ask Congress to extend its life to the war's close. Mr. McAdoo echoes the general sentiment with respect to the war risk bureau when he says:

"It has been of incalculable benefit to the business of the country. It has afforded insurance where it was unobtainable from other sources and has reduced war risk insurance rates generally to a reasonable and equitable basis."

The country should learn by experience. The proposal of the Government in connection with the ship-purchase bill is very similar to the proposal that was involved in the establishment of the war risk insurance bureau. Ocean freight rates, like insurance rates, have been abnormally high. The results of the venture will be the same—a lowering of freight rates and the establishment of adequate shipping facilities.

[From the Washington Post.]

THE MERCHANT MARINE CONTROLLED BY THE GOVERNMENT IS VITAL TO THE INTERESTS OF THE PEOPLE.

It is to the interests of 99 per cent of the 105,000,000 of people in the United States that a merchant marine under governmental control of routes and rates be established.

It is to the interest of every agriculturist that this be done so that the products of the lands he cultivates can be placed at reasonable rates for transportation in the markets of foreign countries so that he may be able to hold those markets as against foreign competitors.

It is to the interest of every agriculturist that vessels shall at all times be available for the transport of the products which represent his time, capital, labor, skill, and energy, and which may largely be reduced in values through lack of vessels.

On the cotton crop of 1914 the planters of the South through lack of available vessels lost hundreds of millions of dollars, and on the 1915 crop, from the first bale to the last bale produced, the price of their cotton has suffered through scarcity of vessels and through the limitation of their markets by the failure of this administration to compel Great Britain to abandon its unjust barriers to our commerce with other neutral countries of the world.

Our foreign commerce, great as it is to-day, can be largely increased after the war, provided this Republic is in position to maintain commercial fleets upon the ocean.

Here is a preparedness that is a necessity in either peace or war, and with this preparedness of a Government-controlled merchant marine this country can maintain its present prosperity, while without it, without the vessels that the Government can control, our foreign trade and our home prosperity will be in the hands of our commercial competitors.

It is not unpatriotic for private capital controlling ocean vessels to merge, combine, or otherwise agree with foreign corporations upon rates that shall be charged or routes that shall be run or not run in order to increase its profits.

Such mergers, combines, or arrangements may be made legally, and it is within the rights of private capital to enter into them for profit, but it is folly for the Government of a great agricultural, industrial, and commercial nation as this is to leave its people and their prosperity subject to such uncontrolled and unregulated ocean transportation.

The manufacturers of the United States and the millions of our people dependent upon the profitable activity of our industries can no more be secure and safe in their business interests while at the mercy of an uncontrolled and unregulated merchant marine subject to merger, combine, and direction of British, German, or French shipping syndicates than they would be dependent upon uncontrolled and unregulated railway lines controlled by commercial competitors.

The Government control and regulation of the merchant marine which is to be established is as necessary to the interests of the people of this Republic as is the merchant marine itself, and both are vital to the prosperity and the progress of the Nation.

[From the Coast Seamen's Journal of Aug. 9, 1916.]
GOVERNMENT-OWNED SHIPS.

The failure of Congress to act upon the administration shipping bill in September, 1914, and appropriate \$40,000,000 for the purchase of merchant ships "was a fatal and irretrievable mistake," says the Secretary of the Treasury, Mr. McAdoo.

From the point of view of dollars and cents there can be no dispute with Mr. McAdoo's assertion. If the amount stated had been available in the fall of 1914 or the early part of 1915, merchant vessels could have been purchased at \$40 to \$60 per gross ton and the same vessels could be sold to-day for at least double the investment. In addition these vessels could have earned fifty to one hundred million dollars of

net revenue, while at the same time carrying American products for the farmer, the manufacturer, and the business man at one-third of the existing extortionate ocean freight rates.

But this is only one story of "what might have been." It is but the logical and natural sequence of paying too much attention to selfish interests masquerading through chambers of commerce and similar organizations. Of course, the necessity for the creation of an American merchant marine for the regulation of ocean freight rates and for the establishment of a shipping board is just as imperative now as it was then. Acting upon this theory the House of Representatives has finally passed such a bill, carrying with it an appropriation of \$50,000,000 for the construction and purchase by the Government of a merchant marine, to be utilized both as an essential naval auxiliary in time of war and for commerce in time of peace.

Strange to relate, however, there still remains persistent and apparently implacable opposition to the shipping-board proposal. The five-year limitation on Government ownership embodied in the pending bill does not, in view of opponents of the measure, compensate for the intended permanency of its supervisory and regulatory features. Federal "meddling" with the ship industry, it is held, will discourage investment of private capital in shipbuilding.

To state the case briefly, private interests, as distinguished from public interests, object to any sort of meddling. And, it should be said in passing, the same private interests which are solely responsible for delaying action upon this measure were also wholly responsible for the many years' delay in the enactment of the seamen's law. Private interests claimed all along that any legislation giving freedom to seamen and providing for greater safety of life at sea constituted noxious and objectionable meddling with "their business."

Fortunately Congress finally decided that public interests were of considerable importance in any consideration of the shipping industry, so called. The result was the enactment of the long pending seamen's bill.

To-day all the world knows how all the gloomy predictions about the results of that law have come to naught. All the world knows that American shipowners who opposed it and American newspapers which lied about it were not actuated by motives of patriotism. Neither cared a rap about an American-manned merchant marine; to the contrary, all they wanted was the continued privilege to operate so-called American ships, manned exclusively by the cheapest alien labor.

It is to be hoped that the fatuous reasoning of private interests will not much longer prevent action upon the Government shipping bill. The Commonwealth of Australia has just shown the way by the purchase of 15 modern cargo steamships to be operated by and for the Australian people in carrying the great harvest of wheat to Europe. The people of the Antipodes aim to strike a blow at the war profiteers who have so badly overreached themselves in their eagerness to amass wealth. And the people of our own great Republic can ill afford to much longer remain the willing sheep ever ready for another shearing by unrestrained and uncontrolled private shipping interests.

Mr. FLETCHER. Then, I will state also that there have been numerous letters received and communications and petitions from responsible sources in this connection. I will not weary the Senate with reading them, nor shall I ask to have them all included in the RECORD; but I should like to submit an extract from a letter which came this morning to the Senator from North Carolina [Mr. SIMMONS], the chairman of the subcommittee reporting the bill, to this effect:

I am very much in hopes that the bill you have in hand will be passed, as Heaven knows we need bottoms bad enough, both in foreign and coastwise shipping.

Yours, respectfully,

PUGET SOUND LUMBER CO.,
By E. V. WINTERMOTHE, Secretary-Treasurer.

In addition to that, I want to insert in the RECORD a communication from the National Business League of America, under date of June 9, 1916.

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

The matter referred to is as follows:

THE NATIONAL BUSINESS LEAGUE OF AMERICA,
Chicago, June 9, 1916.

HON. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SIR: The National Business League of America, an organization which has had 20 years of active and resultful work, and which numbers among its members many of America's best and most unselfish business men, submits to you its views on the bill known as H. R. 15455, recently passed by the House of Representatives and now before your honorable body.

The league submits, first of all, the nonpartisan efforts of two decades to improve the condition of our country, through national legislation, especially such as vitally affects general business interests. Its work in the reorganization of the Consular Service on the merit system, creation of the Department of Commerce, irrigation of the arid lands of the West, and the Federal reserve law are some of its important activities, which undoubtedly are familiar to many of the Members of the Senate. It has enjoyed the confidence of every national administration from President McKinley down to the present time, because its work has always been for the benefit of all the people.

One of the most important of its activities has been to impress the Congress, business men, and the public in general with the fact that our scant merchant marine has always lacked sufficient tonnage to adequately serve our Navy in time of war and to help carry the commerce of our mines, our factories, and our farms to distant parts of the world. It has, therefore, noted with satisfaction the work of the Committee on Merchant Marine and Fisheries of the House of Representatives in connection with the introduction and passage of the above-mentioned bill as initiative in the right direction, and while it admits there are imperfections in the bill, it feels that its enactment would tend more toward a greater preparedness than any measure introduced in the Houses of Congress during the past 50 years.

As you gentlemen are no doubt aware, the bill provides, first of all, for the establishment of a United States shipping board. There is no difference of opinion, the league believes, on this point. It provides that in addition to the five commissioners to be appointed by the Pres-

dent, by and with the advice and consent of the Senate, the Secretary of the Navy and the Secretary of Commerce shall be ex officio members. The league heartily favors this provision, for the reason that the executive duties of these officials will practically interlock with the work of the shipping board—the Secretary of the Navy by reason of the fact that these merchant ships are to be auxiliaries of the Navy; that they are to be used also for the purpose of building up a naval reserve; and that some of the military transports not now used by the Navy will be transferred to the shipping board; the Secretary of Commerce by reason of the fact that he is in charge of the Bureau of Navigation, the Coast and Geodetic Survey, the Lighthouse and Life-Saving Service, and probably many of his officials will be needed to advise with the shipping board.

The provision, section 5, whereby "the board, with the approval of the President, is authorized to have constructed and equipped in American shipyards and navy yards or elsewhere, giving preference, other things being equal, to domestic yards, or to purchase, lease, or charter, vessels suitable, as far as the commercial requirements of the marine trade of the United States may permit, for use as naval auxiliaries or Army transports, or for other naval or military purposes," coupled with the further provision of section 14 that "for the purpose of carrying out the provisions of sections 5 and 11 the Secretary of the Treasury, upon request of the board, approved by the President, shall from time to time issue and sell or use any of the bonds of the United States now available in the Treasury under the acts of August 5, 1909, February 4, 1910, and March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed \$50,000,000," will give the Nation the opportunity it has never had since the Civil War of establishing the nucleus for a merchant marine.

Arguments have been advanced against the Government investing \$50,000,000 in ships at this time for the reason that prices are too high. No sincere advocate of preparedness from the standpoint of national defense and the safeguarding of our commercial prosperity could consistently urge any such argument, for the reason that these ships are to be used for two purposes—for carrying a greater portion of our over-sea commerce (and everyone admits that there is great need for this purpose) and, secondly, as auxiliaries for the use of the Navy. No one would vote against the Government building or purchasing battleships because prices are too high; and as these ships are in a sense as important as battleships, it must be apparent that this argument of high prices should not be used at all. Aside from this, the probability is that the prices of ships will be higher before they will be lower, and we need ships now for both the above-stated purposes and have no right to oppose the purchase or construction of these ships because some one may think prices are too high.

The point raised that these ships could not be purchased or constructed at this time is also one that should have no bearing on the proposition, for the Government will find the same difficulty in building naval ships, which must be built in shipyards, that it would find in having merchant ships built, and the sooner it starts the better, for surely nothing can be gained by waiting. Aside from that, with the great abundance of material that is used in the construction of ships; with the fact that the Nation is back of a movement to build up its merchant fleet; that its shipping board is going to devote its entire time to this purpose, would bring about a greater expansion in shipbuilding in this country. The shipbuilders are a little fearful about this present expansion, because they are not sure whether this movement is temporary or permanent, but with the Government's backing permanency would be assured and shipyards would be greatly enlarged.

It seems almost absurd for anyone to oppose this bill on the ground that it means Government ownership and operation, because there is not the slightest probability of Government operation, and as far as Government ownership is concerned it would be best that the Government did not sell these ships. It does not sell its battleships, it owns them, and in view of the fact that these ships are built with the thought in mind that they may be used to increase naval efficiency, surely it would be better for the Government to own them instead of allowing them to lie idle and rot at the docks; to lease them, or, as a last resort, to sell them on condition, of course, that they can be reclaimed. These ships would be an important addition to any preparedness program. It is undisputed that the half million tons, which is the amount that probably could be purchased for the \$50,000,000 invested, are absolutely necessary to properly take care of our present naval fleet, and when we add to that, as we will, more auxiliaries, even more will be necessary.

There are other arguments in favor of the enactment of section 11. The principal one, and in the judgment of the league the strongest (for it believes that the Government will be able to sell or lease all the ships constructed under this act), is that because of the fact that the Government will be paying such a low rate of interest and will not be obliged to pay promotion fees, usually incumbent upon corporations which construct ships, the Government will be able to lease on such favorable terms that there will be a great many more requests for ships than the Government can possibly supply. The league would much prefer that the amendment, whereby the Government is to dispose of its ships in five years, be left out of the bill, for it feels satisfied that if the Government operated such ships that it could not sell or lease. In the event of such a contingency these ships could be used in opening up new trade routes or covering such routes where improper service is given to this country, and the Government could also use these ships to prevent the possibility of any unfair competition that would put American shippers out of business, in the event that the second provision of section 15 would not be effective enough.

Probably the most important provision of the bill (although section 12, whereby a naval auxiliary reserve will be built up, is very important) is section 13, which gives the board the right to "investigate the relative cost of building merchant vessels in the United States and in foreign maritime countries, and the relative cost, advantages, and disadvantages of operating in the foreign trade, vessels under United States registry and under foreign registry." It also states that the board "shall examine the navigation laws of the United States and the rules and regulations thereunder and make such recommendations to the Congress as it deems proper for the amendment, improvement, and revision of such laws, and for the development of the American merchant marine," and that it shall also "investigate the legal status of mortgage loans on vessel property, with a view to means of improving the security of such loans and of encouraging investment in American shipping." The league can not conceive of anything more important for the upbuilding of the merchant marine than this section. It has been claimed time and time again that our navigation laws injure our shipping. If that be a

fact, this shipping board would be able to ascertain this condition in a much better manner than by the mere acceptance of the statement of any shipper who is interested. Should it be found that there are laws inimical to American shipping, the board's recommendations would unquestionably have great weight with the Congress and repeal would speedily follow. There are also, from time to time, statements made that there are disadvantages in the relative cost of operating and constructing ships. The board can easily make investigations and recommendations in this particular. The board could also formulate plans for the financing and securing of mortgage loans on vessel property, so that American capital would be encouraged to make investments in American shipping.

The league doubts that any one who has made a study of the recent investigation of the Congress in connection with shipping, in so far as it relates to discrimination against American shippers, divulging of trade secrets, retaliation, etc., would oppose any part of section 15, which covers these points. The league also wishes to call attention to the fact that valuable suggestions of the New York Chamber of Commerce have been incorporated in section 15 verbatim.

There are many other important provisions in this bill that might be touched upon, but the league feels that it should not burden you with a too lengthy statement. The league is satisfied, and some of its public-spirited members who are interested have visited many cities of the country and addressed the various chambers of commerce, urging support of the measure, and in not a single case where a chamber of commerce under its by-laws had the right to act on this matter was there a refusal to adopt resolutions favoring the passage of the bill. As a means of preparedness, so far as the Navy of America would be augmented, the league feels that it is also of the most vital importance. What is the use of building more naval ships if we do not have auxiliaries to protect them? Why should we keep the American Nation fettered by its lack of needful facilities in transporting its rapidly expanding commerce when the ready means are at its disposal?

We address this timely appeal to you and ask you to vote and otherwise work for the passage of this important bill, so that favorable action may be unanimous and in no sense partisan. Verily this is a crisis in American affairs, when every man in public and in private life should throw partisanship to the winds and use every endeavor to insure the safety and commercial supremacy of the Nation. In this way we may have effective preparedness.

PHILETUS W. GATES,
President.
BENJ. J. ROSENTHAL,
Vice President.
AUSTIN A. BURNHAM,
General Secretary.

Mr. FLETCHER. In connection further with the observations that have been made that the difference in cost of operating under the American flag and under a foreign flag was of considerable consequence, my friend the Senator from New Hampshire [Mr. GALLINGER], having offered some letters sustaining his argument and contention in that regard, I want to observe that the letters which he offered and, I think, his argument all applied to conditions as they existed back of 1914. They scarcely apply to conditions as they exist to-day. It will be recalled that the seamen's law went into effect as to our ships in November, 1915, and as to foreign ships in July, 1916. So that this law was not in operation when the letters which the Senator mentioned were submitted to him, and it has not been in operation during the time when these claims of steamship people were made, to the effect that there was this vast difference in the cost of operating under our flag and under foreign flags.

In further support of the fact that that difference in cost has been largely eliminated in recent times, I want to submit a copy of a report made by Mr. Andrew Furuseth, dated August 5, 1916, to Mr. Thomas A. Hansen, secretary-treasurer of the International Seamen's Union of America, giving precisely the wages paid in quite a few of the principal ports of the country, showing exactly what the facts were on May 14, 1916, and August 2, 1916—a comparison of the wages paid.

Mr. SMOOT. Mr. President, have not the wages for May, 1916, been put in the Record already?

Mr. FLETCHER. No. This has not been put in the Record. Mr. SMOOT. That particular article may not have been printed; but I will say to the Senator that on several occasions the wages paid to seamen in different ports of the country have been put in the Record. It may be a different date and a different month.

Mr. FLETCHER. I do not know about that; but I know that Mr. Furuseth's thorough knowledge of the situation and the statements made by him, if actually investigated on the ground, ought to be very strong evidence of the facts, and I should be very glad to have them inserted in the Record.

Mr. GALLINGER. Mr. President, I simply want to say to the Senator that I put into the Record two or three letters that had been written within a week. I want further to say that Mr. Andrew Furuseth is a romancer of the first order. I would not believe anything he wrote concerning shipping.

Mr. FLETCHER. Well, of course, there may be a great many people who differ with the Senator in that regard.

Mr. GALLINGER. He is around here. No doubt he is in the gallery now; but I want him to know my opinion of him.

Mr. FLETCHER. I have never found any statement that Mr. Furuseth made as a statement of fact that was otherwise

than as he put it, and I am sure he has the confidence of a great many people who know of him and of his work. But I offer this as evidence of the facts therein stated, and ask that it may be printed in the RECORD.

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

The matter referred to is as follows:

WASHINGTON, D. C., August 5, 1916.

MR. THOMAS A. HANSEN,
Secretary-Treasurer, International Seamen's Union
of America, 570 West Lake Street, Chicago, Ill.

DEAR COMRADE: On May 14 I submitted a report upon the progress and development of the seamen's act in certain parts of the country. That report was caused by the claims and complaints of shipowners sent to Senators and Members of Congress, part of which was put into the RECORD some time previous to that by Senator JONES, of Washington.

In order to ascertain the actual facts, I at that time went to Boston, New York, Philadelphia, and Baltimore, and there investigated the matter for myself, going to the shipping commissioners' offices, the consuls' offices, and the offices of the seamen's unions. With reference to Seattle, Washington, Portland, Oreg., Norfolk, and Newport News, Va., I obtained the information through correspondence. At the beginning of this week I again visited New York, Philadelphia, and Baltimore for the purpose of obtaining as accurate information as possible. I communicated with Boston, Norfolk, Newport News, Seattle, Portland, and San Francisco.

In this report I shall quote the previous report giving in each instance the date, and then underneath, also giving the date, I shall state what changes have taken place and what the situation is now.

When the last report was made the treaties with foreign nations were not abrogated. They became abrogated finally, except in the case of Germany, on the last day of July. This, however, did not prevent the foreign freight vessels from being profoundly affected by the passage of the seamen's law; but so far as the regular line passenger vessels were concerned, they were at the time of the last report not very materially affected, and they are not very materially affected as yet. The wages on board of those passenger vessels have risen in European ports in some instances practically up to the American standard, but the war must be assigned as the cause of this. The real difficulty now is the question of the language clause of section 13. Unfortunately the department sent out a circular, known as Circular 265, to which the department gives one construction, namely, that the men must understand all orders, emergency as well as ordinary orders, and that the official who musters the crew has a right to satisfy himself that the crew actually does understand the emergency orders, and for this purpose he may suggest any orders or questions that he may think necessary. The collectors, however, do not so understand the circular; they understand it to mean that ordinary orders, given under ordinary conditions, are all that is needed. They further understand the circular to prohibit them from suggesting orders or questions that would bring out the real facts as to whether the men know the language of the officers or not. The collectors of New York and San Francisco have sent inquiries into the department, and I understand that they have been given, at least partially, the construction placed upon the circular by the department itself, but I further understand that no copies of such correspondence have been sent to other collectors. As a result of this foreign vessels are coming to New York with Lascars (Hindu) seamen. Other vessels are coming to New York, Philadelphia, Galveston, and Port Arthur with Chinese and Lascars and other seamen who do not understand the language of the officers on the ship on which they are serving.

There has been considerable improvement since May 14, as you will see.

"BOSTON, May 14, 1916.

"I inquired from Percy J. Pryor, secretary seamen's union, and the United States Shipping Commissioner about wages in American vessels, and I was informed that the majority of American vessels pay \$45 per month to sailors, \$50 per month to firemen, 40 cents per hour overtime, and if they go into the war zone, 25 per cent of the wages in addition. There are some exceptions to this, such as the American coastwise line, known as the Merchants & Miners' Line. I visited the English and the Norwegian consulates and found that Norwegian and English vessels shipping men in Boston pay \$45 to sailors, and sometimes \$45 and sometimes \$50 to firemen. The seamen of English vessels remain with their vessels more than usually. Most of the English vessels come directly from England, and the wages in England range from \$40 to \$50 per month; that is, from £8 to £10. The equalization here, of course, arises from the war. The seamen's act is not in full operation, or if it is with reference to British ships it has been so for such a short time that it has not seriously affected the condition."

"BOSTON, August 2, 1916.

"Have just received your note dated July 31, and hasten to answer. Wages for sailors, quartermasters, and boatswains are \$45, \$50, and \$55, respectively, in the following lines: Eastern Steamship Co., Gulf Refining Co., Texas Oil Co., Standard Oil Co., Mexican Petroleum Co., Clyde Line (from Boston), Savannah Line, American Molasses Co., Crowell & Thurlow, Shawmut Steamship Co., New England Gas & Coke Co., and all transient coal carriers and outside tug boats.

"The Cuban Distilling Co., three ships, pay sailors, \$50; quartermasters, \$55; boatswains, \$65.

"The Merchant & Miners' and Coastwise Transportation Co. pay sailors, \$40; quartermasters and boatswains, \$45.

"The above in every instance applies to the firemen. In paragraph No. 1, firemen receive \$50; oilers and water tenders, \$55; coal passers, \$42.50.

"Paragraph 2, Firemen, \$50; oilers and water tenders, \$55; Merchants & Miners', firemen, \$45; oilers and water tenders, \$50; Coastwise Transportation Co., firemen, \$50; oilers and water tenders, \$55. The White Star and Leyland, with a Cunard ship, about every two weeks, are the principal foreign liners, the wages from England is £9, with a bonus of £1.

"Danish ships are paying 70 crowns, with a bonus of 70 crowns. On all ships from Boston that leave the war zone they pay \$45, and in many instances \$50 and 25 per cent bonus.

"Have heard of no arrivals with coolie crews.

"There are a large number of British leaving their ships; very few Scandinavians leave in this port."

"NEW YORK, May 14, 1916.

"Wages paid in New York are \$45 to the sailors, \$50 to the firemen, 40 cents an hour overtime, and 25 per cent of the wages in addition as a war bonus. These wages are paid in full by the following lines: Morgan Line (coastwise), Savannah Line (coastwise), Grace Line (foreign going), United Fruit Co. (foreign and coastwise), the different oil companies (foreign and coastwise), the American Line (foreign).

"The following companies pay these wages to some men and in some vessels; less to some men and in some vessels: Ward Line (coastwise and to Cuba) (subsidized), Clyde and Mallory Lines (coastwise), Old Dominion Line (coastwise), Luckenback (coastwise and foreign), American-Hawaiian (coastwise and foreign), Panama Line (coastwise and foreign), Red "D" Line (South American) (subsidized).

"The following English lines pay the full rate: Lambert & Holt, Bermuda Line, the Prince Line, the Booth Line, and the Union Castle Line. Some of these vessels pay more than the scale quoted above, especially such of them as go to Great Britain.

"Scandinavian and Dutch freight steamers pay the scale as stated above. Scandinavian and Dutch passenger liners have not so far been affected. Section 4, providing for half pay in port, will not apply to any of these nations' vessels until after June 4. The men are inquiring about that section, and they want to know whether it is in operation. Finding that it does not yet apply, they remain with their vessels as a general proposition.

"British passenger lines do not lose many of their men. They pay the scale stated above in filling casual vacancies. Wages out of Great Britain at the present time is about £9 a month from the southern part of England; wages from northeast ports of England run from £10 to £12 per month."

"NEW YORK, August 2, 1916.

"The wages of seamen, quartermasters, and boatswains are, respectively, \$45, \$50, and \$55. The wages of firemen are \$50, of oilers \$55. These wages are paid by the Morgan Line, the Panama Line, the Old Dominion Line, the Savannah Line, the United States Fruit Line, the Gulf Refining Co., Standard Oil Co. of New York, the Standard Oil Co. of New Jersey, Texas Oil Co., and the International Mercantile Marine. The American-Hawaiian Line, the Luckenback Line, the Ward Line, the Porto Rican Line, the Red "D" Line, and the Clyde and Mallory Lines are paying the above wages to some men on some vessels and in some places, but not generally.

"Foreign and domestic vessels going into the war zone pay the above wages with 25 per cent bonus, and whenever the men are called to work overtime there is 40 cents per hour paid for overtime on the vessels that are paying the wages."

"The men on board of the French, Italian, Holland, Norwegian, Swedish, and Danish regular liners have not up to the present been seriously affected. They have raised their wages at home and comparatively few are leaving those vessels, but whenever any men are leaving they are paid the port wages. The men are demanding, and sometimes receiving the pay, the half pay provided under the law. In other cases where they are refused they have collected the full amount of wages due.

"Quite a large number of freighters are coming manned by Lascars or Chinese and nothing is done with them. They go away with the same crew. No musters have been called for fear of establishing a bad precedent, under the operation of circular No. 265."

"PHILADELPHIA, May 14, 1916.

"Nearly all American vessels pay \$50 to the firemen, \$45 to the sailors, and 40 cents per hour overtime. Exceptions to these are the Clyde Line and the Merchants & Miners' Line, who pay whatever they have to, sometimes \$40, sometimes \$45 per month.

"Scandinavian, Norwegian, Swedish, and Danish vessels pay the above monthly scale and 25 per cent additional going into the war zone. English vessels pay the same scale, sometimes one-half of the bonus, and then pay off in England. Others pay the full amount and ship to be paid off on return to the United States. A few English vessels succeed in obtaining men for less, especially to fill casual vacancies and there are not very many English deserting."

"PHILADELPHIA, August 2, 1916.

"Wages of seamen, quartermasters, and boatswains, respectively, are \$45, \$50, and \$55; firemen and oilers, respectively, \$50 and \$55 per month. These wages are paid practically by all foreign and domestic vessels leaving Philadelphia. Some pay overtime, 40 cents per hour; some pay no overtime, but pay higher wages to make up for overtime. Vessels going into the war zone pay 25 per cent bonus. Practically all men going in foreign vessels ask one-half pay and get it. In two cases when the money was refused the men left and obtained all money earned.

"Vessels that do not pay the above wages are the Merchants & Miners' Line and the Clyde Line, both domestic. They sometimes pay the above wages and sometimes not and they pay from some ports and from other ports not.

"The question of language is of serious importance in nearly all of the vessels that do not pay the rate of wages."

"BALTIMORE, May 14, 1916.

"The regular scale of wages out of Baltimore is \$50 for firemen, \$45 for sailors, 40 cents per hour overtime and 25 per cent bonus in going into the war zone. This scale is, however, not paid by the Merchants and Miners Line (coastwise), Luckenback Line (coastwise and foreign), Bull Line (coastwise and foreign). It is paid by the fruit boats, American, Norwegian, and Dutch. It is paid by the oil vessels and by freight vessels going to Europe, except in the vessels belonging to the Caroline Steamship Co. of Baltimore."

"BALTIMORE, August 2, 1916.

"Wages paid at Baltimore are: Sailors, \$45; quartermasters, \$50; and oilers, \$55. Some pay 40 cents overtime and some not. Foreign and domestic vessels pay these wages with 25 per cent bonus for going into the war zone. The Merchants and Miners Line and the Carolina Steamship Co. are not paying these wages regularly. They pay to some men and not to others; in some vessels and not in others. Both these lines are coastwise lines."

"NORFOLK, May 14, 1916.

"The following is an extract from a letter dated on May 5, 1916, and signed by Dan Ingraham, Seamen's Union Agent at Norfolk:
 "In reply to your inquiry to the equalization of wages in the different nations' ships, I beg to inform you that last week, April 23 to 29, two Norwegian steamers, *Alfred Nobel* and *Kin*, shipped both on deck and below (firemen) paying our scale. Russian bark *Finland* shipped six able seamen, bound for South America, paying the scale. Norwegian bark shipped able seamen, paying the scale. British steamer *Leaington* shipped sailors and firemen, paying the scale; also British steamer *Cheswick* and probably some others that were not brought to our attention. * * * All the coastwise ships are now paying the scale with the exception of the Merchants and Miners Line. The Luckenbach fleet are paying the scale from this port without any trouble."

"NORFOLK AND NEWPORT NEWS, August 2, 1916.

"Foreign and domestic vessels leaving are paying sailors \$45, quartermasters \$50, boatswains \$55, firemen \$50, and officers \$55. In vessels that bring crews with lower wages the men ask for one-half pay and receive it or they leave and they usually receive the whole pay. In a few instances the masters of the vessels have given the men the one-half pay asked for, and they, in order to keep them, have raised the wages of the same crew to the port standard. A special instance of this is the Norwegian steamer *Hercules*."

"SEATTLE, May 14, 1916.

"From letter dated Seattle, May 8, 1916, and signed by P. B. Gill, agent Seamen's Union, I quote the following extract:
 "Since March 4 there is no record of any British vessels having shipped any men here. Three Peruvian vessels, the *Mario*, *Algoa Bay*, and *Quadro Hermadoes*, shipped crews and paid \$30 per month in the two first and \$35 per month in the last one mentioned. I am informed that one of them paid \$40, but of this I am not sure. These vessels were supplied crews from the boarding masters at Tacoma. During the same time several American vessels were supplied crews from the same people at \$30 and \$35 per month. I might mention the *Sterling*, *Charles F. Crocker*, and *Jane L. Stanford*. These are sailing vessels. The American steamer *Santa Cruz* shipped men on the Sound for \$35 per month in April. That is the wages paid here for some time past. The Norwegian steamers *Betledge* and *Taurus* shipped some men here at \$30 per month. That is an increase of \$5 and \$10 over what they paid to the previous crew. The *Santa Cruz*, as I understand, picked up her own men and did not have to pay any bonus. Where the boarding masters furnish crews they always charge a bonus. So in cases where the wages are \$5 less than in others, when the bonus is figured in, the rate will be about the same."

"SEATTLE, August 2, 1916.

"Two cases in court, where half pay was demanded and refused, am informed that some seamen received half pay. Not many demanding half pay, yet, owing to good wages being paid from Europe, except on American vessels that are mostly trading coastwise, wages are about the same on foreign and American vessels. Two Norwegian vessels, \$50 to sailors and firemen, and some American vessels have received crews for \$35, \$40, and \$45 per month."

"PORTLAND, May 14, 1916.

"The following is an extract from a letter dated Portland, Oreg., April 17, and signed by Jack Rosen, agent of the seamen's union:
 "On March 25 the chamber of commerce sent a telegram to Secretary Redfield complaining about foreign ships being held up on account of seamen's law. As soon as I saw the telegram in the paper I wired Secretary Redfield, calling his attention to misstatements, and stated, further, that there are plenty of men around that were willing to ship anywhere, providing the wages and conditions were right. Also that wages offered was less than in the coastwise trade or out of Europe. Secretary Redfield ordered the collector of the port to investigate; he sent one of his men to see, and I went around with him for two days. We talked to nearly all the seamen in port, and in nearly all cases the answer was that if the wages in foreign ships were the same as on the coast most of them would ship anywhere; others would not go to Europe for love or money while the present conditions over there are not settled. He finally arrived at the conclusion that the seamen's law had nothing to do with the foreign ships being held up for want of seamen, but that the low wages offered and the conditions in Europe was the cause of it, and he so reported to his superior, the collector.
 "The collector later had a regular investigation, and, according to clipping from the Oregon Journal, the collector came to the following conclusions:

"Shortage of sailors and not the seamen's law is responsible for any delays which vessels in north Pacific ports are having. * * * Wages on ships going to the war zone have not been raised. * * * Wages on big Alaska fishing fleet have been raised to meet the demands of the shortage. Every steamer and sailing ship that can get up steam or sail is in service and twice as many men as formerly are employed and paid higher wages. * * * Let the shipowners come through and share a small portion of their enormous profits with the men, who take the risks, and you will find sailors enough, declared Judge Burke. (Judge Burke is the collector of customs.) He is further quoted as saying: 'Antiadministration papers are asserting that vessels never before had to lose time here as they are doing now. All shipping men tell me that it happens annually at this time of the year and that the present fuss is nothing but an attempt to make capital out of a situation to forward political ends.'"

"PORTLAND, August 2, 1916.

"Foreign seamen in this port have demanded and received one-half pay on vessels according to the Seamen's law. The wages on foreign and American vessels are the same."

"SAN FRANCISCO, July 22, 1916.

"We find that the sailors on United States Government transports are paid \$40 per month. Quartermasters and boatswains' mates, \$45 per month. Boatswain, \$50 per month. Most of the men in the deck department are union men, and would measure up to the requirements of the Seamen's law. In the fireroom and in the steward's department Filipinos are employed almost exclusively. Firemen are paid \$45 per month; coal passers, \$35 per month. The amount allowed for subsistence while in port is 50 cents per day. It is exceedingly doubtful whether the men in the fireroom and steward's department would come

up to the language test of the Seamen's law. It would depend entirely upon the nature of the examination, i. e., the official construction of the language test."

"SAN FRANCISCO, August 2, 1916.

"Men in foreign vessels are demanding half pay, but have so far been paid in full. Captains are trying to pick up crews at \$40, but have in most cases been compelled to pay fifty-five. Few men want to go for less."

As a matter of special interest I desire to add that the Norwegian steamer *Falkland* left Philadelphia some six weeks ago for England with a crew hired in Philadelphia at the port wages and together with the bonus for going into the war zone. The crew had been signed to be paid off in Philadelphia. The master of the vessel hired a Chinese crew in England and brought them as passengers to Philadelphia, where they became the regular working crew as soon as the crew shipped at Philadelphia had been paid off. The men shipped in Philadelphia had ample opportunity during their voyage across the Atlantic to ascertain to what extent these Chinese would be able to understand the language of the officers. Neither of them understood any Norwegian and only two or three of them understood enough English to be able to transmit ordinary ship's orders to other Chinese who had so little knowledge of the language that they could not even understand the commonest and simplest orders.

Affidavit has been filed with the collector under section 13 of the seamen's act, and the crew will be mustered. The result of such muster I am not now able to tell, but shall let you know as soon as I get the information.

Men who are watching shipping, and particularly shipping with reference to the wages of the men, now have no doubt at all that with the language clause enforced as it is contemplated in the act, there is bound to be a general equalization of the wage cost of operating vessels.

The only vessels leaving the American ports mentioned at this time without paying the American wage rate are vessels manned by Lascars and Chinese, and these men could not take those vessels to sea at all if the language clause was properly enforced. As it is, they leave at the same rate of wages that they had on coming in, and unless the language clause can be properly enforced the tendency will be to have more and more of the Lascars and Chinese instead of less.

Respectfully submitted,

ANDREW FERUSETH,
 President International Seamen's Union of America.

JULY 7, 1916.

THE SURVEYOR OF CUSTOMS,

Port of New York.

SIR: On June 28, 1916, I was ordered by Deputy Surveyor William Tierney to muster the crew of the steamship *Esperanza*, at Pier 16, Brooklyn, and ascertain whether section 13 of the seamen's act of March 4, 1915, was being violated. Accompanied by Inspector C. E. Coie, I mustered the crew of each department with the following result:

Deck crew—4 officers, 1 carpenter, 1 deck boy, 2 cadets, 11 seamen. All had seamen's certificates and understood orders in the English language but could not carry on a conversation in that language.

Engineer's department, 40 men. We examined 27 of them, the remainder being away from the ship on shore leave. The 27 understood orders in English but could carry on very little conversation in that language. None of the 27 had seamen's certificates.

Steward's department, 17 men. These were all Englishmen, and all had lifeboat certificates.

Respectfully,

P. COHEN,
 Inspector of Customs.

EASTERN & GULF SAILORS' ASSOCIATION (INC.),
 Port of New York, July 11, 1916.

COLLECTOR OF CUSTOMS,

Customhouse, New York City.

DEAR SIR: On June 28, 1916, an affidavit was filed against the Steamship *Esperanza*, of the New York & Cuba Mail Steamship Co., because of violating the language test section of the seamen's act of March 4, 1915.

The *Esperanza's* crew was mustered by Inspector P. Cohen, of the surveyor's office. The inspector's report reads in part as follows: "Deck department, all had seamen's certificates and understood orders in the English language but could not carry on a conversation in that language. Engineer's department, 40 men. We examined 27 of them, the remainder being away from the ship on shore leave. The 27 understood orders in English but could carry on very little conversation in that language."

The real fact of the matter is that the crew of the steamship *Esperanza* is not able to understand orders of the officers, and that the orders of the officers are interpreted to the crew by the boatswain.

Section 13 of the seamen's act says: "That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel."

Department Circular 265 reads as follows: "The department construes the words 'able to understand any order given by the officers of such vessel' to mean the necessary orders that may be given to members of the crew in each department in the course of the performance of their duties. The department also construes the section as meaning only such orders as may normally be given to members of the crew in each department of the vessel in the course of the usual performance of their regular duties. Among these duties, however, should be included lifeboat work, emergency work for such members of the crew as may be called upon to perform these classes of work."

My understanding of the language test section of the seamen's act is that it was enacted primarily for the better safety of life at sea, and that in case of fire or collision, etc., the crew, 75 per cent in each department of the vessel, should be able to understand any and all orders given by the officers of the vessel.

Kindly inform me whether understanding "any orders given by the officers of the vessel" means all orders given in an emergency, or what is meant by "necessary orders," or orders "as may normally be given to members of the crew in each department." Your construction upon these matters contained in Department Circular 265 will be greatly appreciated by me.

Very respectfully, yours,

G. H. BROWN,
 Agent Eastern & Gulf Sailors' Association.

TREASURY DEPARTMENT,
OFFICE OF THE COLLECTOR UNITED STATES CUSTOMS SERVICE,
Port of New York, July 12, 1916.
EASTERN AND GULF SAILORS' ASSOCIATION (INC.),
51 South Street, New York, N. Y.

GENTLEMEN: This office is in receipt of your letter of the 11th instant, in regard to the muster of seamen on the steamship *Esperanza* on June 23, 1916, and notes your opinion that the construction put upon department circular No. 265 is not in accordance with your ideas of what the law was intended to accomplish.

The subject of your letter, namely, the "language test" as included in the seamen's act, will receive careful consideration by this office, and your letter will be transmitted to the Secretary of Commerce with a statement or suggestions as to the views of this office in the matter. On receipt of the department's reply you will be further advised.

Respectfully,

H. C. STEWART,
Special Deputy Collector.

The letter has reference to the Norwegian steamer *Falkland*.

The *Falkland* brought a Norwegian crew to Philadelphia some weeks since. The crew left and the master hired a crew in Philadelphia, paying the wages of the port for a voyage to England and return. In England he hired a Chinese crew and carried them as passengers to Philadelphia, where he discharged the crew hired in that port.

That the Chinese could speak neither Norwegian or English was ascertained by the old crew on the voyage across the Atlantic.

A muster was demanded under section 13 of the seamen's law. This muster and the result is described in the following letter:

PHILADELPHIA, August 8, 1916.

MR. ANDREW FURUSETH.

DEAR COMRADE: Your letter of August 7 received. I, together with Comrade Carlson, was present at the mustering of the Chinese crew of the steamship *Falkland* on August 3. The examining officer mustered the crew according to his instructions or understanding of section 13 of the seamen's act. No emergency orders were used, only such questions as are commonly used every day in a ship were directed to the crew by the examining officer through the captain and officers of the ship. I suggested to the examining officer to question the crew and find out if they were able to understand emergency orders. He stated that he was not authorized to do same and was compelled to act according to his instructions as he had received them. When we came on board the ship the examining officer lined the deck crew up, who consisted of nine Chinese men. Six of those seemed to understand orders used under ordinary circumstances. Evidently they had sailed in British ships for some years. One or two questions were asked each man. Six of them understood the questions, three failed to understand them. Each man was called to one side and asked separately. The examining officer then gave no permission to ask them such questions as were commonly used and the six out of the nine were able to understand me. If I had been permitted to use emergency orders or questions the entire crew would have failed. The deck officer also tried to use signs, which seemed difficult for them to understand. That they were not permitted to do same.

The fireroom crew consisted of 14 Chinese men. They were all called in the engine room and questioned by the examining officer through the engineer. Five out of the 14 could not understand any of the questions. The other 9 understood but very little; and if emergency orders were used, none of those men were able to understand them. I also found that a No. 1 man was used in each department. I asked the mate why he used a No. 1 man. He told me that he gave his orders to him, as he was the boatswain. I also asked the engineers why they had used a No. 1 man. They told me the same was necessary, as the other men could not understand the orders. The No. 1 man in the fireroom crew was one of the 5 who could not understand the orders and was disqualified by the examining officer.

After the muster the examining officer told me that he would give me a written report of same, but I have up to this time not received any. But the result was that the ship was credited with having 77 per cent of the deck crew who were able to understand the orders of the officer and only 65 per cent of the engine-room crew who were able to understand the orders of the officers. The master was therefore not permitted to clear his vessel; and the acting collector told me yesterday that it may be necessary to muster the crew again before clearing can be granted.

Will give you further information on this matter soon as obtainable. Will send affidavits if necessary.

Yours, fraternally,

WALTER NIELSON.

[Department Circular No. 265, Bureau of Navigation.]

LANGUAGE TEST UNDER THE SEAMEN'S ACT.

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, September 18, 1915.

To collectors of customs and others concerned:

Section 13 of the seamen's act of March 4, 1915, in part, provides as follows:

"No vessel of 100 tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes, and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel. . . ."

"The collector of customs may, upon his own motion, and shall, upon the sworn information of any reputable citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact; and no clearance shall be given to any vessel failing to comply with the provisions of this section. . . ."

This section will take effect as to vessels of the United States on November 4, 1915, and as to all foreign vessels on March 4, 1916.

The department construes the words "able to understand any order given by the officers of such vessel" to mean the necessary orders that may be given to members of the crew in each department in the course of the performance of their duties.

The department does not construe the above section as requiring the use of any particular language on the part of officers and crew of any vessel. Any language which is understood in sufficient measure by both the officers and the proper proportion of the crew will comply with the law. It must clearly be understood, therefore, that the section can not be construed as requiring an English-speaking crew. For example, on a French vessel the French language, if spoken by the officers and if understood by the proper proportion of the crew, would suffice. The same would be true of Spanish on a Spanish vessel, of German on a German vessel. Therefore no specific language is required, but only that, whatever language is used, it shall be understood as the law requires.

The department also construes the section as meaning only such orders as may normally be given to members of the crew in each department of the vessel in the course of the usual performance of their regular duties. Among these duties, however, should be included lifeboat work or emergency work for such members of the crew as may be called upon to perform these classes of work. The department would not consider it a proper construction of the section to require, for example, that a waiter should understand orders normal to the engine-room force or that a stoker should be required to understand orders which related solely to the work of a deckhand or seaman. In the cases, however, of a waiter, a stoker, a seaman, or other employee on the vessel who was assigned to do emergency or lifeboat work it would be a proper construction of the section to require him to understand orders for such emergency or lifeboat service.

The department construes the section to mean that a demonstration in the presence of the customs collector or his deputy by the proper proportion of the crew in executing the actual orders of an officer would be a sufficient proof of compliance with the law. It will be noted that the orders are to be given "by the officers" and not by the customs collector or anyone acting in his behalf.

The department further construes the section to mean that the muster of the crew for which the law provides shall take place at such reasonable times and occasions as will determine the facts sufficiently in advance of the time fixed for the sailing of the vessel to permit the engaging of such new members of the crew as may be necessary in time for the vessel to sail without delay. The department understands the law to require the safeguarding of the vessel through the language test by such means, at such times, and in such a manner as shall be helpful and not hurtful to our maritime commerce, and that it is in no sense intended to be used to create embarrassment or to cause unnecessary expense or delay.

WILLIAM C. REDFIELD, Secretary.

Mr. LIPPITT. Mr. President, I should like to ask the Senator from Florida—I did not catch all of his remarks—what is he putting these facts in as evidence of? What is it that he wants to show by them?

Mr. FLETCHER. To show the actual wages being paid seamen at the principal ports of the country on our vessels, vessels flying the American flag, and on vessels flying foreign flags.

Mr. LIPPITT. What is the deduction from that? Of course, everyone knows that the wages of seamen are enormously high at the present moment. Is it to prove that the wages are high?

Mr. FLETCHER. I had in mind that the difference is being gradually diminished, so that practically they are on the same basis.

Mr. LIPPITT. Of course, everybody knows that the effect of the war on the wages of seamen has been to nearly double them.

EXECUTIVE SESSION.

Mr. FLETCHER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

Mr. STONE. I move the Senate adjourn until 12 o'clock tomorrow.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, August 16, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 15, 1916.

THIRD LIEUTENANT, COAST GUARD.

Cadet George Ricker Crosby to be third lieutenant in the Coast Guard of the United States, to rank as such from August 8, 1916.

SURVEYOR GENERAL.

Edward Hedden, of Caldwell, Idaho, to be surveyor general of Idaho, vice Darwin A. Utter, term expired.

UNITED STATES CIRCUIT JUDGE.

Charles M. Hough, of New York, now serving as United States district judge, southern district of New York, to be United States circuit judge, second judicial circuit, vice E. Henry Lacombe, resigned.

UNITED STATES DISTRICT JUDGE.

Martin T. Manton, of New York, to be United States district judge for the southern district of New York, vice Charles M. Hough, nominated to be United States circuit judge.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 15, 1916.

RECEIVER OF PUBLIC MONEYS.

Miss Julia Mary Cross to be receiver of public moneys at Douglas, Wyo.

PUBLIC HEALTH SERVICE.

Dr. Clifford R. Eskey to be assistant surgeon.
Dr. Joseph D. Stout to be assistant surgeon.
Dr. Edwin O. Woods to be assistant surgeon.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICER.

Col. John W. Ruckman to be brigadier general.
Col. Frederick W. Sibley to be brigadier general.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from July 14, 1916.

Tunis Cline Quick.
James Coleman Motley.
Lewis Jay Rosenthal.
Thomas Butler Anderson.
Caleb William Sommerville.
Charles Franklin Mitchell.
Joseph Howard Cloud.
Johnston MacLeod.
Norman Edwin Titus.
John Baker Carson.

To be first lieutenants with rank from July 29, 1916.

Nicolo Vincenzo Alessi.
James Stevenson Allen.
Joseph David Aronson.
Eugene Jacob Asnis.
Carl Lewis Barnes.
William Bates.
John Jacob Beard.
Leo Pecci Bell.
Burnett Boisseau Benson.
Leo Hellee Bernd.
Joel Ives Butler.
Burns Stoddard Chaffee.
George Houghton Clapp.
William Arthur Clark.
Clayton Reynolds Clarke.
Alfred Burwell Claytor.
Inman Williams Cooper, jr.
W. Claude Copeland.
Edwards Foulke Corson.
James Hugh Finch.
Charles Edward Belin Flagg.
Elisha Flagg.
James Lennon Foley.
Channing Frothingham, jr.
John Patrick Gallagher.
Charles Robert Gill.
Carl Goehring.
Frederic Grosvenor Goodridge.
Samuel Ashby Grantham.
Robert Bruce Grimes, jr.
Arthur Joseph Hall.
Thomas Farris Hale.
Edward Wilbur Hanson.
Byron Harry Hermann.
Ralph Abram Hurd.
William James.
John Prentiss Lord.
Floyd Willcox McRae, jr.
James Robert McVay.
Hertel Philip Makel.
Laurence Hampson Mayers.
Hugo Mella.
Edwin Morton Miller.
Thomas Grier Miller.
George Richards Minot.
Daniel Virgil Moore.
Cecil Goddard Morehouse.
John Walter Morris.
Roscoe Edward Mosiman.
Frank Reid Mount.
Hugh Stevens Mount.
Percy Musgrave.
William Herman Myers.
Arthur Newlin.
Frank Roberts Ober.

John Elbert O'Keefe.
George Kingsley Olmsted.
Robert Bayley Osgood.
Alfred Harrison Parsons.
Francis Weld Peabody.
Albert Pfeiffer.
Damon Beckett Pfeiffer.
Edgar Warden Phillips.
William Oscar Hampton Prosser.
George Kremer Rhodes.
David Riesman.
James Stevens Simmons.
Frank Conger Smith.
Mitchell Porter Stiles.
August Adrian Strasser.
George Reed Tabor.
William Barclay Terhune.
Donald Vaughn Trueblood.
Ira Clinton Tyndall.
Norris Wistar Vaux.
Charles Edward Waits.
James Ralston Wells.
Walter John Whitehouse.
Harry Leigh Willson.
George Wilson.
Henry Otto Wyneken.
Walter Meredith Boothby.
Louis Herbert Burlingham.
George Parkman Denny.
William Lincoln Noble.
Harry Reeves Oliver.
Frederic Kammerer.
Arthur Garner Coumbe.
Linus Reed Cranmer.
Frederick John Cullen.
John Blair Deaver.
Frank Martin Dedaker.
John Sebastian Derr.
Henry Kuhl Dillard, jr.
Clarence Eugene Drake.
William Drayton, jr.
Henry Culp Earnshaw.
James Bennett Edwards.
Edward Coleman Ellett.

To be first lieutenants with rank from August 3, 1916.

Lemuel Grant Baldwin.
John Hasting Bell.
Max Bornstein.
James Harvey Brothers.
Julius Caesar Davis, jr.
Arthur Brewster Emmons, 2d.
Lemuel Whittington Gorham.
Leon Jacobs.
Adam Kemble.
Albert William Lindberg.
Charles Daniel Lockwood.
Henry Edmund Meleney.
William Austin Mills.
Arthur Pedro Perry.
Charles Winfield Perkins.
Henry Dudley Prescott.
Samuel Herbert Richman.
Alfred Alexander Schwartz.
James Warren Sever.
Jerome Wagner.
Walter Albert Baetjer.
Charles Metcalfe Byrnes.
Frederick Joseph Garlick.
William Morris Happ.
Thomas Brantley Henderson.
William David Jack.
John Hendricken King.
Newdigate Moreland Owensby.
Frank Elliott Perkins.
George William Pressly.
Frank Roxborough Ruff.
Harry Allen Sadden.
Theodor Bratrud.
Ephraim Kirkpatrick Findley.
Harry Knott.
Louis Rudolph.
Isaac Montrose Taylor.
Fred Paul Weltner.
Charles Shorey Butler.

Eustace Lincoln Fiske.
 Gilbert Horrax.
 Paul Hector Provandie.
 Cyril Godfrey Richards.
 Wade Stanley Wright.

PROMOTIONS IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Maj. Walter A. Bethel to be judge advocate with the rank of lieutenant colonel.

CAVALRY ARM.

To be colonels with rank from July 1, 1916.

Lieut. Col. Sedgwick Rice.
 Lieut. Col. Arthur Thayer.
 Lieut. Col. Charles C. Walcutt, jr.
 Lieut. Col. Peter E. Traub.
 Lieut. Col. Jesse McI. Carter.
 Lieut. Col. Malvern-Hill Barnum.
 Lieut. Col. Edmund S. Wright.
 Lieut. Col. William H. Hay.
 Lieut. Col. Stephen H. Elliott.
 Lieut. Col. John M. Jenkins.
 Lieut. Col. P. D. Lochridge.
 Lieut. Col. Nathaniel F. McClure.
 Lieut. Col. William C. Rivers.
 Lieut. Col. Ellwood W. Evans.

To be colonels with rank from July 12, 1916.

Lieut. Col. Thomas Q. Donaldson.
 Lieut. Col. Francis H. Beach.

To be lieutenant colonels with rank from July 1, 1916.

Maj. Michael M. McNamee.
 Maj. Ralph Harrison.
 Maj. Charles D. Rhodes.
 Maj. George T. Langhorne.
 Maj. Charles Young.
 Maj. Francis C. Marshall.
 Maj. James A. Ryan.
 Maj. Frank M. Caldwell.
 Maj. James J. Hornbrook.
 Maj. William F. Clark.
 Maj. Samuel G. Jones.
 Maj. Melvin W. Rowell.
 Maj. Lawrence J. Fleming.

To be captains with rank from July 1, 1916.

First Lieut. Jerome G. Pillow.
 First Lieut. Ralph N. Hayden.
 First Lieut. Leonard W. Prunty.
 First Lieut. E. Kearsley Sterling.
 First Lieut. Charles J. Naylor.
 First Lieut. Kerr T. Riggs.
 First Lieut. Carl H. Müller.
 First Lieut. John A. Pearson.
 First Lieut. Charles Burnett.
 First Lieut. Daniel D. Gregory.
 First Lieut. Walter H. Smith.
 First Lieut. George H. Baird.
 First Lieut. William M. Cooley.
 First Lieut. William G. Meade.
 First Lieut. William N. Haskell.
 First Lieut. Henry A. Meyer, jr.
 First Lieut. Frank Keller.
 First Lieut. Guy Kent.
 First Lieut. Copley Enos.
 First Lieut. Emory J. Pike.
 First Lieut. Williams S. Martin.
 First Lieut. Frederick Mears.
 First Lieut. Alden M. Graham.
 First Lieut. Robert L. Collins.
 First Lieut. Irvin L. Hunsaker.
 First Lieut. Clifton R. Norton.
 First Lieut. Eugene J. Ely.
 First Lieut. Charles R. Mayo.
 First Lieut. Arthur J. Lynch.
 First Lieut. Rawson Warren.
 First Lieut. John H. Read, jr.
 First Lieut. Joseph H. Barnard.
 First Lieut. Rodman Butler.
 First Lieut. Clarence Lininger.
 First Lieut. Edward M. Offley.
 First Lieut. John Cocke.
 First Lieut. John T. Donnelly.
 First Lieut. Edwin L. Cox.
 First Lieut. Ronald E. Fisher.

First Lieut. C. Emery Hathaway.
 First Lieut. Joseph V. Kuznick.
 First Lieut. Edward R. Coppock.
 First Lieut. Peter J. Hennessey.
 First Lieut. Kenyon A. Joyce.
 First Lieut. Howard C. Tatum.
 First Lieut. Arthur G. Fisher.
 First Lieut. George Grunert.
 First Lieut. William R. Pope.
 First Lieut. Olney Place.
 First Lieut. Thomas H. Cunningham.
 First Lieut. Sidney D. Maize.
 First Lieut. Ralph M. Parker.
 First Lieut. John H. Howard.
 First Lieut. Matt C. Bristol.
 First Lieut. Horace N. Munro.
 First Lieut. Thomas P. Bernard.
 First Lieut. Daniel D. Tompkins.
 First Lieut. Clarence A. Dougherty.
 First Lieut. Isaac S. Martin.
 First Lieut. George R. Somerville.
 First Lieut. Seth W. Cook.
 First Lieut. Thomas B. Esty.
 First Lieut. Milton G. Holliday.
 First Lieut. Robert R. Love.
 First Lieut. William H. Bell.
 First Lieut. Walter H. Neill.
 First Lieut. Edmund A. Buchanan.
 First Lieut. David L. Roscoe.
 First Lieut. Edward A. Keyes.
 First Lieut. John G. Winter.
 First Lieut. Herbert E. Mann.
 First Lieut. Orlando G. Palmer.
 First Lieut. Francis A. Ruggles.
 First Lieut. Henry T. Bull.
 First Lieut. Howard R. Smalley.
 First Lieut. Talbot Smith.
 First Lieut. Frank E. Davis.
 First Lieut. William W. Overton.
 First Lieut. Thomas A. Rothwell.
 First Lieut. E. R. Warner McCabe.
 First Lieut. James B. Henry, jr.
 First Lieut. Emmet R. Harris.
 First Lieut. John C. Pegram.
 First Lieut. Harry L. Hodges.
 First Lieut. Victor S. Foster.
 First Lieut. Oscar Foley.
 First Lieut. Frederick D. Griffith, jr.
 First Lieut. Albert B. Dockery.
 First Lieut. Henry E. Mitchell.
 First Lieut. Edmund L. Zane.
 First Lieut. Charles McH. Eby.
 First Lieut. William H. Cowles.
 First Lieut. Leon R. Partridge.
 First Lieut. William A. McCain.
 First Lieut. John K. Herr.
 First Lieut. Phillip H. Sheridan.
 First Lieut. Joseph F. Taulbee.
 First Lieut. Andrew W. Smith.
 First Lieut. Troup Miller.
 First Lieut. William W. Edwards.
 First Lieut. John A. Barry.
 First Lieut. William W. Gordon.
 First Lieut. Harold B. Johnson.
 First Lieut. James P. Castleman.
 First Lieut. Albert H. Mueller.
 First Lieut. Allan F. McLean.
 First Lieut. Herman S. Dilworth.
 First Lieut. John V. Spring, jr.
 First Lieut. Norman H. Davis.
 First Lieut. Charles Telford.
 First Lieut. Levi G. Brown.
 First Lieut. Olan C. Aleshire.
 First Lieut. Emil P. Laurson.
 First Lieut. Frederick E. Shnyder.
 First Lieut. Thomas F. Van Natta, jr.
 First Lieut. James A. Mars.
 First Lieut. James A. Shannon.
 First Lieut. Allan M. Pope.
 First Lieut. John C. Montgomery.
 First Lieut. Dorsey R. Rodney.
 First Lieut. Alexander M. Milton.
 First Lieut. Hugh S. Johnson.
 First Lieut. Carl Boyd.
 First Lieut. Stephen W. Winfree.
 First Lieut. Ephraim F. Graham.

First Lieut. George E. Nelson.
 First Lieut. Thomas L. Sherburne.
 First Lieut. Emil Engel.
 First Lieut. Emmett Addis.
 First Lieut. Harry L. King.
 First Lieut. Arthur G. Hixson.
 First Lieut. Vaughn W. Cooper.
 First Lieut. David H. Scott.
 First Lieut. Robert M. Campbell.
 First Lieut. George V. Strong.
 First Lieut. George B. Hunter.
 First Lieut. Stanley Koch.
 First Lieut. Stephen C. Reynolds.
 First Lieut. William V. Carter.
 First Lieut. Henry C. Pratt.
 First Lieut. Charles B. Amory, jr.
 First Lieut. Kinzie B. Edmunds.
 First Lieut. Charles S. Hoyt.
 First Lieut. James J. O'Hara.
 First Lieut. Roy W. Holderness.
 First Lieut. James S. Greene.
 First Lieut. Gerald C. Brant.
 First Lieut. Innis P. Swift.
 First Lieut. Arthur H. Wilson.
 First Lieut. William C. F. Nicholson.
 First Lieut. George Dillman.
 First Lieut. Philip J. R. Kiehl.
 First Lieut. Charles L. Scott.
 First Lieut. James H. Dickey.
 First Lieut. Ralph Talbot, jr.
 First Lieut. Joseph I. McMullen.

To be first lieutenants with rank from July 1, 1916.

Second Lieut. Chester P. Mills.
 Second Lieut. Edwin R. Van Deusen.
 Second Lieut. Francis R. Hunter.
 Second Lieut. Guy W. McClelland.
 Second Lieut. John C. F. Tillson, jr.
 Second Lieut. Paul C. Raborg.
 Second Lieut. Edgar W. Taulbee.
 Second Lieut. Dwight K. Shurtleff.
 Second Lieut. Harry D. Chamberlin.
 Second Lieut. John J. Waterman.
 Second Lieut. John Millikin.
 Second Lieut. Jack W. Heard.
 Second Lieut. Charles M. Haverkamp.
 Second Lieut. Guy W. Chipman.
 Second Lieut. Edgar W. Burr.
 Second Lieut. John A. Robenson.
 Second Lieut. Joseph P. Aleshire.
 Second Lieut. Harding Polk.
 Second Lieut. Claud K. Rhinehardt.
 Second Lieut. Everett Collins.
 Second Lieut. Cushman Hartwell.
 Second Lieut. Horace T. Aplington.
 Second Lieut. Alexander D. Surles.
 Second Lieut. Phillip J. Kieffer.
 Second Lieut. Karl S. Bradford.
 Second Lieut. Frederick Gilbreath.
 Second Lieut. Harrison H. C. Richards.
 Second Lieut. Arthur B. Conard.
 Second Lieut. John P. Lucas.
 Second Lieut. Wilfrid M. Blunt.
 Second Lieut. James C. R. Schwenck.
 Second Lieut. William P. J. O'Neill.
 Second Lieut. Thomas J. J. Christian.
 Second Lieut. Frank L. Van Horn.
 Second Lieut. Howell M. Estes.
 Second Lieut. William B. McLaurin.
 Second Lieut. John F. Wall.
 Second Lieut. Leo G. Heffernan.
 Second Lieut. Edwin N. Hardy.
 Second Lieut. George H. Brett.
 Second Lieut. Robert C. Brady.
 Second Lieut. Herbert E. Taylor.
 Second Lieut. William M. Grimes.
 Second Lieut. Henry J. M. Smith.
 Second Lieut. Malcolm Wheeler-Nicholson.
 Second Lieut. Alexander R. Cocke.
 Second Lieut. Alexander L. P. Johnson.
 Second Lieut. Dexter C. Rumsey.
 Second Lieut. Henry L. C. Jones.
 Second Lieut. Edwin O'Connor.
 Second Lieut. Eugene A. Lohman.
 Second Lieut. Kenneth P. Lord.

Second Lieut. Edward A. Millar, jr.
 Second Lieut. Clyde J. McConkey.
 Second Lieut. Harold C. Lutz.
 Second Lieut. John M. Thompson.
 Second Lieut. Daniel E. Murphy.
 Second Lieut. Kenna G. Eastham.
 Second Lieut. James P. Yancey.
 Second Lieut. Leopold J. H. Herwig.
 Second Lieut. Raymond E. McQuillin.
 Second Lieut. De Forest W. Morton.
 Second Lieut. Francis C. V. Crowley.
 Second Lieut. George E. A. Reinburg.
 Second Lieut. Clarence D. Lang.
 Second Lieut. Phillip Coldwell.
 Second Lieut. William H. W. Youngs.
 Second Lieut. Byron Q. Jones.
 Second Lieut. Robert McG. Littlejohn.
 Second Lieut. Harry A. Flint.
 Second Lieut. Pearl L. Thomas.
 Second Lieut. Sidney V. Bingham.
 Second Lieut. Isaac Spalding.
 Second Lieut. Henry L. Flynn.
 Second Lieut. Robert F. Hyatt.
 Second Lieut. Harold M. Rayner.
 Second Lieut. Stephen M. Walmsley.
 Second Lieut. John T. McLane.
 Second Lieut. James S. Mooney.
 Second Lieut. Henry W. Harms.
 Second Lieut. John E. Lewis.
 Second Lieut. John D. Kelly.
 Second Lieut. Thorne Deuel, jr.
 Second Lieut. William Nalle.
 Second Lieut. Roy O. Henry.
 Second Lieut. William E. Dorman.
 Second Lieut. John C. Prince.
 Second Lieut. Lindsley D. Beach.
 Second Lieut. Carl P. Dick.
 Second Lieut. John K. Boles.
 Second Lieut. Terry de la M. Allen.
 Second Lieut. John C. McDonnell.
 Second Lieut. Jerome W. Howe.
 Second Lieut. Otto Wagner.
 Second Lieut. Burton Y. Read.
 Second Lieut. Russell B. Patterson.
 Second Lieut. Clyde V. Simpson.
 Second Lieut. Joseph F. Richmond.
 Second Lieut. Roy S. Brown.
 Second Lieut. Louis A. Falligant.
 Second Lieut. Herbert M. Ostroski.
 Second Lieut. Paul R. Davison.
 Second Lieut. John B. Brooks.
 Second Lieut. John B. Coulter.
 Second Lieut. William A. Raborg.
 Second Lieut. Welton M. Modisette.
 Second Lieut. John P. Wheeler.
 Second Lieut. Harold M. Clark.
 Second Lieut. Clarence F. Ellefson.
 Second Lieut. Harold Thompson.
 Second Lieut. Richard B. Barnitz.
 Second Lieut. Allen G. Thurman.
 Second Lieut. George W. Sliney.
 Second Lieut. Eugene T. Spencer.
 Second Lieut. Willis D. Crittenberger.
 Second Lieut. Alfred B. Johnson.
 Second Lieut. Falkner Heard.
 Second Lieut. Roland L. Gaugler.
 Second Lieut. Stuart W. Cramer, jr.
 Second Lieut. Thoburn K. Brown.

To be first lieutenant with rank from July 1, 1916.

Second Lieut. Geoffrey Keyes.
 Second Lieut. Joseph W. Viner.
 Second Lieut. John A. Considine.
 Second Lieut. Earl L. Canady.
 Second Lieut. George E. Lovell, jr.
 Second Lieut. Desmore O. Nelson.
 Second Lieut. Carlyle H. Wash.
 Second Lieut. Paul D. Carlisle.
 Second Lieut. John F. Crutcher.
 Second Lieut. Ray W. Barker.
 Second Lieut. Henry Abbey, jr.
 Second Lieut. Earl H. Coyle.
 Second Lieut. Mack Garr.
 Second Lieut. Stanley C. Drake.
 Second Lieut. Maxwell Kirby.

Second Lieut. Edmund P. Duval.
 Second Lieut. Robert E. Carmody.
 Second Lieut. Albert J. Myer, jr.
 Second Lieut. Robert O. Annin.
 Second Lieut. Daniel G. Morrissett.
 Second Lieut. Ralph Hospital.
 Second Lieut. Theodore Barnes, jr.
 Second Lieut. Casey H. Hayes.
 Second Lieut. Harvey B. S. Burwell.
 Second Lieut. Roger S. B. Hartz.
 Second Lieut. Charles B. Hazeltine.
 Second Lieut. Eugene M. Owen.
 Second Lieut. Arthur D. Newman.
 Second Lieut. John W. Butts.
 Second Lieut. Edward L. N. Glass.
 Second Lieut. Charles W. Foster.
 Second Lieut. Cuyler L. Clark.
 Second Lieut. Clarence C. Benson.
 Second Lieut. Thomas H. Rees, jr.
 Second Lieut. John H. Woodberry.
 Second Lieut. Walter W. Wynne.
 Second Lieut. William A. Robertson.
 Second Lieut. Joseph B. Treat.
 Second Lieut. Joseph W. Byron.
 Second Lieut. Warren P. Jernigan.
 Second Lieut. Sylvester D. Downs, jr.
 Second Lieut. Robert D. McDonald.
 Second Lieut. Orlando Ward.
 Second Lieut. William O. Ryan.
 Second Lieut. Benjamin F. Hoge.
 Second Lieut. Frederick Herr.
 Second Lieut. John B. Thompson.
 Second Lieut. John Kennard.
 Second Lieut. Stafford LeR. Irwin.
 Second Lieut. Pearson Menoher.
 Second Lieut. Edwin B. Lyon.
 Second Lieut. Carl C. Bank.
 Second Lieut. George H. Peabody.
 Second Lieut. Earl L. Naiden.
 Second Lieut. Henry McE. Pendleton.
 Second Lieut. Edmund de T. Ellis.
 Second Lieut. Robert W. Strong.
 Second Lieut. Clifford B. King.
 Second Lieut. Paul R. Frank.
 Second Lieut. William S. T. Halcomb.
 Second Lieut. Edward C. McGuire.
 Second Lieut. John McD. Thompson.
 Second Lieut. John F. Davis.
 Second Lieut. Reese M. Howell.
 Second Lieut. Henry J. F. Miller.
 Second Lieut. Harry A. Harvey.
 Second Lieut. Frank D. McGee.
 Second Lieut. Harry B. Anderson.
 Second Lieut. Norman J. Boots.
 Second Lieut. Hugh P. Avent.
 Second Lieut. Victor V. Taylor.
 Second Lieut. Horace Stringfellow, jr.
 Second Lieut. Leo. A. Walton.
 Second Lieut. Ralph P. Cousins.
 Second Lieut. John F. Stevens.
 Second Lieut. Blackburn Hall.
 Second Lieut. Edward J. Dwan.
 Second Lieut. Eustis L. Hubbard.
 Second Lieut. William B. Peebles.
 Second Lieut. Frederic W. Boye.
 Second Lieut. Karl H. Gorman.
 Second Lieut. James Knox Cockrell.
 Second Lieut. William Spence.
 Second Lieut. John White Rafferty.
 Second Lieut. De Rosey Carroll Cabell, jr.
 Second Lieut. Ralph Irvine Sasse.
 Second Lieut. William Ewen Shipp.
 Second Lieut. William Heatt Cureton.
 Second Lieut. Fay Brink Prickett.
 Second Lieut. Calvin De Will, jr.
 Second Lieut. James Mitchell Crane.
 Second Lieut. Lucien Samuel Spicer Berry.
 Second Lieut. Victor William Beck Wales.
 Second Lieut. Joseph Merit Tully.
 Second Lieut. Pettus Harvey Hemphill.
 Second Lieut. Hugh Mitchell.
 Second Lieut. Robert Le Grow Walsh.
 Second Lieut. Clarence Scott Maulsby.
 Second Lieut. George Sidney Andrew.
 Second Lieut. Roland Paget Shugg.

Second Lieut. Spencer Albert Townsend.
 Second Lieut. Craigie Krayenbuhl.
 Second Lieut. Arthur Marion Jones.

INFANTRY ARM.

Lieut. Col. Charles C. Ballou to be colonel.
 Maj. George D. Moore to be lieutenant colonel.
 Capt. Preston Brown to be major.
 First Lieut. Jacob Schick to be captain.
 First Lieut. Reginald H. Kelley to be captain.

To be first lieutenants with rank from July 1, 1916.

Second Lieut. Latham Loomis Brundred.
 Second Lieut. Leslie Thomas Saul.
 Second Lieut. Charles Augustus Bayler, jr.
 Second Lieut. Fred Beeler Inglis.
 Second Lieut. Richard Parker Kuhn.
 Second Lieut. John Alexander Street.
 Second Lieut. Sidney Herkness.
 Second Lieut. William Earl Chambers.
 Second Lieut. Warner William Carr.
 Second Lieut. Thomas Lyle Martin.
 Second Lieut. Geoffrey Prescott Baldwin.
 Second Lieut. John Bennington Bennet.
 Second Lieut. Kenneth Macomb Halpine.
 Second Lieut. William Rosser Wilson.
 Second Lieut. Raymond Potter Campbell.
 Second Lieut. Richard Clarke Birmingham.
 Second Lieut. Felix Rosseter McLean.
 Second Lieut. John Edward Martin.
 Second Lieut. Paul Barrows Parker.
 Second Lieut. William Edgerton Morehouse, jr.
 Second Lieut. Thomas Green Peyton.
 Second Lieut. Joseph Hamilton Grant.
 Second Lieut. Arthur Monroe Ellis.
 Second Lieut. Maurice Levi Miller.
 Second Lieut. Junius Henry Houghton.
 Second Lieut. Abram Vorhees Rinearson, jr.
 Second Lieut. Benjamin Anthony Yancey.
 Second Lieut. Douglas Jenkins Page.
 Second Lieut. James Nephew Caperton.
 Second Lieut. Charles Compton Smith.
 Second Lieut. Harrison Herman.
 Second Lieut. George Joseph Newgarden, jr.
 Second Lieut. John David Miley.
 Second Lieut. William Edwin Coffin, jr.
 Second Lieut. John Forest Goodman.
 Second Lieut. Spencer Atkins Merrell.
 Second Lieut. William Worth Dempsey.
 Second Lieut. Robert Kenneth Whitson.
 Second Lieut. Otto Frederick Lange.
 Second Lieut. Harlan Leslie Mumma.
 Second Lieut. George Hollenbeck Blankenship.
 Second Lieut. Alexander Mathias Weyand.
 Second Lieut. Walter David Mangan.
 Second Lieut. Robert Rau Duncan McCullough.
 Second Lieut. Elon Albert Abernethy.
 Second Lieut. Nelson Bateman Russell.
 Second Lieut. Henry Parker Blanks.
 Second Lieut. Bartlett James.

FIELD ARTILLERY ARM.

Lieut. Col. William S. McNair to be colonel.
 Lieut. Col. William J. Snow to be colonel.
 Maj. Harry G. Bishop to be lieutenant colonel.
 Maj. Willard D. Newbill, Field Artillery, to be lieutenant colonel.

Maj. Manus McCloskey to be lieutenant colonel.

To be first lieutenants with rank from July 1, 1916.

Second Lieut. Stanley Eric Reinhart.
 Second Lieut. Dean Hudnutt.
 Second Lieut. Louis Emerson Hibbs.
 Second Lieut. Jesse Frank Tarpley, jr.
 Second Lieut. Horace Logan McBride.
 Second Lieut. Hamilton Ewing Maguire.
 Second Lieut. Ray Corrigan Rutherford.
 Second Lieut. William Roscoe Woodward.
 Second Lieut. Alfred King King.
 Second Lieut. Henry Crampton Jones.
 Second Lieut. Louis A. Craig.

COAST ARTILLERY CORPS.

Maj. Johnson Hagood to be lieutenant colonel.
 Capt. John L. Hughes to be major.
 Lieut. Col. Wilmot E. Ellis to be colonel.
 Maj. Joseph L. Knowlton to be lieutenant colonel.

Maj. Joseph Wheeler, jr., to be lieutenant colonel.
 Maj. Robert E. Callan to be lieutenant colonel.
 Maj. Edwin Landon to be lieutenant colonel.
 Maj. Clarence H. McNeil to be lieutenant colonel.
 Maj. Joseph P. Tracy to be lieutenant colonel.
 Maj. Percy M. Kessler to be lieutenant colonel.
 Capt. James A. Ruggles to be major.
 Capt. Terence E. Murphy to be major.
 Capt. Harry W. Newton to be major.
 Capt. Allen D. Raymond to be major.
 Capt. James R. Pourie to be major.

To be captains with rank from July 1, 1916.

First Lieut. Marcel S. Keene.
 First Lieut. Robert C. Garrett.
 First Lieut. Guy B. Lawrason.
 First Lieut. Carl A. Lohr.
 First Lieut. Laurence T. Walker.
 First Lieut. Samuel H. Tilghman.
 First Lieut. Otto H. Schrader.
 First Lieut. Halsted P. Councilman.
 First Lieut. Arthur H. Doig.
 First Lieut. Robert E. Guthrie.
 First Lieut. William R. Nichols.
 First Lieut. Paul H. Herman.
 First Lieut. Oscar C. Warner.
 First Lieut. Frank S. Clark.
 First Lieut. Kelley B. Lemmon.
 First Lieut. William S. Fulton.
 First Lieut. Thomas O. Humphreys.
 First Lieut. Edwin F. Barlow.
 First Lieut. Donald M. Ashbridge.
 First Lieut. Hollis Le R. Muller.
 First Lieut. Eli E. Bennett.
 First Lieut. Charles T. Richardson.
 First Lieut. Homer R. Oldfield.

To be first lieutenants with rank from July 1, 1916.

Second Lieut. Albert W. Draves.
 Second Lieut. Benjamin S. Beverley.
 Second Lieut. Frederick J. Williams.
 Second Lieut. Carl L. Marriott.
 Second Lieut. James A. Pickering.
 Second Lieut. Hugh A. Ramsey.
 Second Lieut. Willis McD. Chapin.
 Second Lieut. Robert B. McBride, jr.
 Second Lieut. Paul V. Kane.
 Second Lieut. James deB. Walbach.
 Second Lieut. Richard M. Levy.
 Second Lieut. Weir Riché.
 Second Lieut. Ellicott H. Freeland.
 Second Lieut. James C. Ruddell.
 Second Lieut. Joseph J. O'Hare.
 Second Lieut. William G. Patterson.
 Second Lieut. Frank C. Scofield.
 Second Lieut. Ferdinand F. Gallagher.
 Second Lieut. Barrington L. Flanigen.
 Second Lieut. Stiles M. Decker.

MEDICAL CORPS.

To be colonels with rank from July 1, 1916.

Lieut. Col. William B. Banister.
 Lieut. Col. Charles F. Mason.
 Lieut. Col. James D. Glennan.
 Lieut. Col. Alfred E. Bradley.
 Lieut. Col. Euclid B. Frick.
 Lieut. Col. Frank R. Keefer.
 Lieut. Col. Charles Willcox.

To be lieutenant colonels with rank from July 1, 1916.

Maj. William H. Wilson.
 Maj. William F. Lewis.
 Maj. Thomas S. Bratton.
 Maj. Thomas J. Kirkpatrick.
 Maj. Irving W. Rand.
 Maj. Powell C. Fauntleroy.
 Maj. James S. Wilson.
 Maj. Basil H. Dutcher.
 Maj. Leigh A. Fuller.
 Maj. George A. Skinner.
 Maj. Carl R. Darnall.
 Maj. Henry Page.
 Maj. Bailey K. Ashford.
 Maj. Henry A. Webber.
 Maj. Jere B. Clayton.
 Maj. Weston P. Chamberlain.
 Maj. Edward R. Schreiner.

Maj. Frederick M. Hartsock.
 Maj. Douglas F. Duval.

To be majors with rank from July 1, 1916.

Capt. Charles F. Morse.
 Capt. Haywood S. Hansell.
 Capt. Junius C. Gregory.
 Capt. Clarence H. Connor.
 Capt. Jay W. Grissinger.
 Capt. Will L. Pyles.
 Capt. William M. Smart.
 Capt. Robert M. Blanchard.
 Capt. James Bourke.
 Capt. Samuel M. De Loffre.
 Capt. Louis C. Duncan.
 Capt. Edward M. Talbott.
 Capt. John A. Clark.
 Capt. Samuel J. Morris.
 Capt. Jacob M. Coffin.
 Capt. John W. Hanner.
 Capt. Levy M. Hathaway.
 Capt. Alexander Murray.
 Capt. Philip W. Huntington.
 Capt. James D. Fife.
 Capt. William A. Powell.
 Capt. Jesse R. Harris.
 Capt. George H. Scott.
 Capt. Robert L. Carswell.
 Capt. Charles F. Craig.
 Capt. William P. Banta.
 Capt. Robert H. Pierson.
 Capt. James I. Mabee.
 Capt. George P. Peed.
 Capt. Ralph S. Porter.
 Capt. Henry D. Thomason.
 Capt. Percy L. Jones.
 Capt. Fred W. Palmer.
 Capt. Edward B. Vedder.
 Capt. Henry F. Pipes.
 Capt. Charles L. Foster.
 Capt. John R. Bosley.
 Capt. Robert C. Loving.
 Capt. Orville G. Brown.
 Capt. George F. Juenemann.
 Capt. Joseph F. Siler.
 Capt. Arthur M. Whaley.
 Capt. Theodore Lamson.
 Capt. Craig R. Snyder.
 Capt. Ernest G. Bingham.
 Capt. James D. Heysinger.
 Capt. Lloyd L. Smith.
 Capt. John B. Huggins.
 Capt. William H. Tefft.
 Capt. Llewellyn P. Williamson.
 Capt. William R. Davis.
 Capt. Leartus J. Owen.
 Capt. Robert M. Culler.
 Capt. Frank W. Weed.
 Capt. William A. Wickline.
 Capt. Howard H. Baily.
 Capt. Harry G. Humphreys.
 Capt. Paul L. Freeman.
 Capt. William A. Duncan.
 Capt. Earl H. Bruns.
 Capt. Herbert C. Gibner.
 Capt. Clarence LeR. Cole.
 Capt. Albert G. Love.
 Capt. Harold W. Jones.
 Capt. Omar W. Pinkston.
 Capt. Mathew A. Reasoner.
 Capt. Henry J. Nichols.
 Capt. Louis H. Hanson.
 Capt. Lucius L. Hopwood.
 Capt. Charles E. Freeman.
 Capt. Ferdinand Schmitter.
 Capt. Frederick S. Macy.

To be captains with rank from June 7, 1916.

First Lieut. Harry L. Dale.
 First Lieut. Alvin W. Schoenleber.
 First Lieut. Ernest C. McCulloch.
 First Lieut. George R. Callender.
 First Lieut. Edward T. B. Weidner.
 First Lieut. Raymond W. Bliss.
 First Lieut. Raymond C. Bull.
 First Lieut. Norman T. Kirk.

First Lieut. William B. Borden.
 First Lieut. Clarence R. Bell.
 First Lieut. Robert H. Duenner.
 First Lieut. Bertram F. Duckwall.
 First Lieut. Halbert P. Harris.

QUARTERMASTER CORPS.

Lieut. Col. Frank F. Eastman to be colonel.
 Maj. Hugh J. Gallagher to be lieutenant colonel.

SIGNAL CORPS.

Capt. George S. Gibbs to be major.

POSTMASTERS.

PENNSYLVANIA.

John F. Bachinger, Plymouth.

SOUTH DAKOTA.

C. H. Bonnin, Wagner.

HOUSE OF REPRESENTATIVES.

TUESDAY, August 15, 1916.

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

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

Eternal God our heavenly Father, we pray that Thy Spirit may move mightily upon the hearts of the men who have it in their power to avert a great calamity which may be visited at any moment upon our people. Grant that reason and even-handed justice may prevail, that all differences may be wisely and amicably adjusted to the honor of all who are concerned. In the spirit of the Master. Amen.

The Journal of the proceedings of Friday, August 11, 1916, was read and approved.

AGRICULTURE.

Mr. LEVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing in the RECORD a letter received by me from the President of the United States containing a brief summary of the work of this administration for agriculture.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD by printing a letter from the President of the United States respecting agriculture. Is there objection?

There was no objection.

Mr. LEVER. Mr. Speaker, I desire to submit another request. I ask unanimous consent that those parts of the Agricultural appropriation bill designated as parts A, B, and C may be printed as separate acts, so as to make them more available for distribution.

Mr. MANN. Mr. Speaker, I submit that they can not be printed as separate acts.

Mr. LEVER. In separate packets.

Mr. MANN. If the gentleman desires to print them as House documents, I suggest that he prepare a resolution which will go to the Committee on Printing, which will determine the cost, and so forth.

Mr. LEVER. If the gentleman thinks that that is the better course, I shall withdraw the request.

LEAVE OF ABSENCE.

The SPEAKER. The Chair has a letter from Gen. SHERWOOD asking indefinite leave of absence, on account of illness. Without objection, it will be so ordered.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 4559. An act for the relief of C. Horatio Scott;

H. R. 5. An act for erecting a suitable memorial to John Ericsson;

H. R. 16914. An act permitting the Needles & Oatman Bridge Co. to construct, maintain, and operate a bridge across the Colorado River between the States of California and Arizona; and

H. R. 16995. An act granting the consent of Congress to A. N. Alford to construct a bridge across the Savannah River.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 14338. An act to authorize aids to navigation and other works in the Lighthouse Service, and for other purposes.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 6369) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HUGHES, Mr. TAGGART, and Mr. SMOOT as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 19) relating to bills of lading in interstate and foreign commerce, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. POMERENE, Mr. ROBINSON, and Mr. CUMMINS as the conferees on the part of the Senate.

The message also announced that the President had approved and signed bills of the following titles:

On August 9, 1916:

S. 3069. An act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved March 4, 1915.

On August 11, 1916:

S. 2500. An act authorizing the adjustment of rights of settlers on a part of the Navajo Indian Reservation in the State of Arizona; and

S. 4594. An act to validate certain declarations of intention to become citizens of the United States.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below.

S. 3700. An act to amend an act entitled "An act to repeal section 3480 of the Revised Statutes of the United States"; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that on August 12, 1916, they had presented to the President of the United States, for his approval, the following bills and joint resolution:

H. R. 14299. An act to amend section 33 of an act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911;

H. R. 16460. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917;

H. R. 14944. An act authorizing the Secretary of the Interior to transfer on certain conditions the south half of lot 14 of the southeast quarter of section 21, township 107, range 48, Moody County, S. Dak., to the city of Flandreau, to be used as a public park or playgrounds;

H. R. 13982. An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens; and

H. J. Res. 193. Joint resolution authorizing the Postmaster General to provide the postmaster of Newark, N. J., with a special canceling die for the Newark two hundred and fiftieth anniversary celebration.

ADJOURNMENT UNTIL FRIDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Friday next.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet on Friday next. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that I be allowed 20 minutes on Friday next to address the House, after the disposal of the ordinary business.

The SPEAKER. The gentleman from Florida asks unanimous consent that on Friday next, after the reading of the Journal and the disposition of business on the Speaker's table, he be allowed to proceed for not to exceed 20 minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, the gentleman from Wisconsin, Mr. REILLY, the other day asked permission to address the House for 30 minutes the first time we met after to-day. I therefore ask unanimous consent that the gentleman from Wisconsin, Mr. REILLY, may have 30 minutes in which to address the House,