

FOUR YEARS OF CONGRESS

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When the sixty-third congress was called in extraordinary session on April 7, 1913, it was the first time since 1895 that both branches of congress and the executive had been under Democratic control. For nearly two decades the policies of the nation had been shaped and directed by the Republicans. Now after many years the minority had become the majority, and a Democratic President sat in the White House. In the congressional elections of 1910, dissatisfaction with the Payne-Aldrich tariff and the growing friction between the conservative and progressive wings of the Republican party had given the Democrats a net gain of 56 seats in the house of representatives, and control of that body by a majority of 66 votes. The senate during the sixty-second congress, however, still remained Republican by a majority of 10 votes. In 1912 the three-cornered presidential contest had resulted in the election of Wilson by an unprecedented electoral vote, although he did not have a majority of the popular vote cast. The schism in the ranks of the Republican party and the drift that had set in toward the Democratic ticket had increased the Democratic representation in the lower branch of congress to 290, while the Republican representation had fallen to 145, including 18 Progressives who did not go into the Republican caucus and who could not always be counted on to vote with the minority. In the senate the Democrats had gained enough seats to give them a majority of 6, a net gain of 16 seats over their membership in the sixty-second congress.

It is not the purpose of this article to give a detailed account of the legislation enacted by the sixty-third and sixty-four congresses, for the general features of this legislation are doubtless

well known to the readers of the Review. Nor is this an attempt to subject to close analysis the provisions of the laws passed by these congresses. Rather is it a discussion of the relations between the executive and legislative branches of the government, the influence of the President on the legislation enacted, the alignment of the political parties on various important measures, and the creation of new administrative agencies.

During the whole of President Wilson's first term of office at no time has he failed to lead his party, to shape its program, to dominate its policies. Concerning the wisdom of his course, the methods he has used, the legislation he has sponsored, his relations with congress, there is room for, and there undoubtedly is, decided difference of opinion; but on one point all are agreed, friend and foe alike,—President Wilson's leadership in his party has been paramount. Two illustrations will suffice to show his influence during the sixty-third congress: first, his reestablishment of the custom, followed by Presidents Washington and John Adams, of reading his messages to congress; second, his conferences in the President's room of the capitol with senators and representatives regarding important legislation or business before congress. With the wisdom or expediency of these customs one may disagree; of their influence in securing favorable action from congress on bills in which the administration is interested there can be no question. Throughout his administration, Mr. Wilson has made the presidential message a potent influence in shaping the legislative program of the session and in winning for the administration program congressional and popular support. In the hands of the President the nature of the message has been changed entirely. Instead of the message being, as in former administrations, a long executive document droned through in a perfunctory manner to an inattentive congress by a reading clerk, it has become a short and dignified state paper appealing for needed legislation. It is delivered with a certain amount of dignity and ceremonial, is listened to attentively by congress, and is read and understood by the public. In delivering his address in this manner the President focuses the attention of congress on the administration program, and focuses the

attention of the public on congress. In this way public sentiment may be created or made audible in support of certain legislation. That President Wilson appreciated the significance of the personally delivered address is evident from the manner in which he has made use of it, and from a statement, made early in his administration, of his reasons for using this method. He said, "The reasons are very simple. I think it is the most dignified way for the President to address the houses on the opening of the session, instead of sending the address by messenger, and letting the clerk read it perfunctorily. I thought that the dignified and natural thing was to read it. It is a precedent which, it is true, has been discontinued a long time, but which is a very respectable precedent."

The second custom also seems to be a sensible one. Although certain senators and representatives, who still believe in Montesquieu's doctrine of separation of powers, have shown some resentment at Mr. Wilson's presence in the capitol when conferring on legislation before congress,—one senator even charging the President with lobbying,—there seems to be no valid reason why the President in his capacity as party leader and as head of the administration should not use his influence with congress in every legitimate way to secure the passage of his legislative program. It seems a trifle inconsistent that some of those who early in his administration attacked Mr. Wilson for trying to coöperate with congress later attacked him for not confiding in congress and for not seeking the counsel and advice of its leaders.

FIRST SESSIONS OF THE SIXTY-THIRD CONGRESS

The sixty-third congress held three sessions: an extraordinary session which lasted from April 7, 1913, to December 1, 1913; the first regular session from December 1, 1913, to October 24, 1914; and the second regular session from December 7, 1914, to March 4, 1915. The extraordinary and first regular sessions really were continuous and may be treated as one session, as there was no recess between them. Neither congress nor the

President could have any doubt as to what was the first and most important piece of legislation to be considered in the extra session. The most clear-cut issue of the presidential campaign had been the downward revision of the tariff. On that issue the Republicans had lost the lower house in the elections of 1910, and Mr. Taft's Winona speech in which he had praised the Payne-Aldrich act had won him few friends and had made him many enemies. The Democratic platform in 1912 had pledged its candidates and the party to honest downward revision, and the Progressive platform, while endorsing the protective principle, had condemned roundly the injustice and iniquities of the Payne-Aldrich measure.

The fight on the tariff was viewed with special interest by students of history and politics as a test of whether the Democratic party meant what its platform had declared regarding the tariff, and whether it had enough unity of purpose and sufficient constructive leadership to redeem that pledge. Many persons remembered the emasculation of the Wilson tariff bill in Mr. Cleveland's second administration, through the treachery of certain Democratic senators who deserted their party and voted with the Republicans in the senate and on the conference committee. Would the Democrats now be able to hold their narrow senate majority of six in line? How many of the Progressives who had condemned the Payne-Aldrich act would vote for a Democratic tariff? These were the questions uppermost in men's minds when the congress came together in extra session. President Wilson threw himself into the fight for tariff revision with energy, and he was greatly aided in securing an honest downward revision through the able leadership of Mr. Underwood, chairman of the ways and means committee, and Mr. Simmons, chairman of the senate finance committee, who had charge of the tariff bill in their respective houses.

Only 6 Democrats voted against the Underwood bill when it was passed by the house of representatives on May 8, 1913, while 2 Republicans, 4 Progressives, and 1 Independent voted with the majority. Four of the six Democrats who voted against the measure were representatives of the "sugar districts"

of Louisiana. On September 9, 1913, the Simmons bill passed the senate, 44 to 37. The only Democratic senators who voted against the bill were Messrs. Ransdell and Thornton of Louisiana, whose defection was offset by the votes of senators La Follette and Poindexter, Progressive Republicans, who supported the measure. The differences between the Underwood bill and the Simmons bill were then reconciled in conference, the report of the conference committee being completed on September 29, 1913. This report was adopted by the house on the next day 254 to 103, 4 Democrats voting against the report and 7 minority members voting for it; and by the senate on October 2, 1913, by a vote of 36 to 17, two Democrats voting against the report and two Progressive Republicans for it. President Wilson signed the bill on October 3, 1913, and the tariff pledges of the Democratic party had been redeemed.

The Underwood tariff is a measure levying duties with the purpose of raising revenue. In general it lowered by an honest revision the duties imposed on imports; enlarged and extended the free list; provided for the admission of sugar to the free list after May 1, 1916; and provided for an income tax on corporations and individuals. The income tax provision of the new tariff is one of its most interesting features. The normal tax on incomes, to be assessed annually, was to be one per cent on net income. Exemption was to be allowed individuals, if single up to \$3000, if married up to \$4000. There was to be a surtax on large incomes as follows: net incomes exceeding \$20,000 and not more than \$50,000, 1 per cent additional; exceeding \$50,000 and not more than \$75,000, 2 per cent; exceeding \$75,000 and not more than \$100,000, 3 per cent; exceeding \$100,000 and not more than \$250,000, 4 per cent; exceeding \$250,000 and not more than \$500,000, 5 per cent; exceeding \$500,000, 6 per cent. The levying of a federal income tax had been made constitutional by the sixteenth amendment, and the income tax provisions of this tariff act have been upheld in a recent decision by the United States supreme court.

It would be extremely difficult to draw any scientific conclusions concerning the Underwood tariff. There is certainly little

room for doubt that the methods by which its schedules were determined represent a distinct advance over the methods that obtained in determining the schedules of the McKinley, Dingley, and Payne tariffs. It would be difficult to prove that the schedules of the Underwood measure are perfect; but they seem to represent an honest attempt to levy duties so as to yield revenue and not to protect certain pet industries. The writer believes that the Underwood measure would yield sufficient revenue to meet the usual expenses of the government in normal times, and this belief is based on the duties on imports from March 1, 1914, the date on which the new tariff became effective, to the outbreak of the European war; and that even in the abnormal times since the outbreak of the war it has produced more revenue than the Payne tariff would have provided under similar conditions. The Payne tariff depended more on import duties for revenue than does the Underwood tariff; consequently, in the cutting off of imports due to the effects of war, the loss under any of the Republican tariffs would have been larger. Moreover, the Underwood tariff in taxing incomes depends on that source for a large amount of revenue that would have been unprovided for under the Republican system of protection. The income tax has yielded far larger returns than were estimated by the framers of the new tariff measure.¹

On May 26, 1913, while the consideration of the tariff was under way, President Wilson declared that there was a numerous, industrious and insidious lobby working against the proposed tariff bill; that newspapers were "being filled with paid advertisements calculated to mislead not only the judgment of public men but also the public opinion of the country." He asserted that "there is every evidence that money without limit is being spent to sustain this lobby and to create an appearance of a pressure of public opinion antagonistic to some

¹ Income tax for year ending June 30, 1915.

Corporation income tax.....	\$39,144,529.19
Individual income tax.....	41,046,165.61
Total	\$80,190,694.80
The income tax for year ending, June 30, 1916 was.....	\$124,937,252.51

of the chief items of the tariff bill." These charges led to the famous lobby investigation, carried on under a resolution of the senate. Senator Penrose of Pennsylvania (Republican) stated that the practice of lobbying in the old sense was practically dead, and that the number of lobbyists then present in Washington was not half as great as it was when the schedules of the Payne-Aldrich act were under consideration. Senator Kenyon of Iowa (Republican) said the President was entirely right in the charges he had made; and Senator Pittman of Nevada (Democrat) also supported the charges. During the investigation Martin L. Mulhall, formerly an agent for the National Association of Manufacturers, and David Lamar, a stock manipulator in New York, furnished sensational testimony. Nothing tangible came from the investigation, though it was generally admitted that the President's charges had been sustained.

Throughout the revision of the tariff there had been little or no friction between the President and his party leaders in congress; but when he turned his attention to the redemption of the second party pledge, the passage of an adequate banking and currency law, Mr. Wilson early found opposition both within the ranks of his own party and from the minority. Representative Glass and Senator Owen, chairmen respectively of the house and senate committees on banking and currency, in co-operation with the President, had made such progress in the matter of reform of the existing system, that on June 19, 1913, a full text of the proposed legislation was published, and to this tentative measure was applied the name, federal reserve bill. Messrs. Glass and Owen held hearings in various cities, and protests or suggestions from bankers were received.

On June 23 President Wilson addressed a joint session of congress asking congress to enact a law providing for needed reforms in the banking and currency system. The Glass bill was introduced in the house on June 26 and on the same day the Owen bill was introduced in the senate. Consideration of the measure was begun in the house committee on banking and currency; several amendments were added, but the general features of the

measure remained unchanged and on August 11 the changes were approved by Mr. Wilson. The measure was adopted by the Democratic caucus toward the end of August and made a party measure. Early in September it was reported by Mr. Glass to the house. Here it was bitterly attacked by the Republicans and Progressives but only minor amendments were made, and on September 18 it passed the house 286 to 84, only 3 Democrats voting against it, while 23 Republicans and 10 Progressives supported it. Two representatives voted present and 58 who were present did not vote.

In the senate, consideration of the Owen bill was refused until the passage of the tariff bill; but on August 14 the Democratic caucus voted to discuss currency legislation without recess, and consideration of the bill in caucus was begun. Hearings were given bankers but general action on the bill was delayed until the first part of October, when President Wilson expressed dissatisfaction at the slow progress of the bill. This criticism by the President was resented by Senators Reed, O'Gorman, and Hitchcock, who showed marked hostility to the measure. A deadlock ensued which lasted until the close of the extra session, Senator Hitchcock uniting with the Republican minority on the senate committee to delay the bill.

On December 1, 1913, the extra session ended, and on the same day the first regular (long) session opened. The currency bill, which already had been agreed to by the Democratic caucus, was introduced in the senate. On December 13 the measure was bitterly attacked by Senator Root, who condemned the federal reserve plan as having the basal defects of Bryan's doctrines. At the same time he made one valuable constructive criticism. In objecting to the size of the gold reserve under the new bill, he pointed out the dangers of expansion of the currency. To meet this objection the bill was modified to call for a larger gold reserve. On December 19 the bill passed the senate, 54 to 34, 6 Republicans voting with the solid Democratic majority for the measure. On December 22 the house of representatives adopted the conference report 298 to 60; and on the following day the senate agreed to the report 43 to 25, all of the Democrats

present supporting the measure and 3 Republicans and 1 Progressive voting for the report. On the same day the President signed the bill.

Even the most severe critics of the federal reserve act now admit that in most respects it is a good law. Certainly it is far superior to the antiquated banking and currency system adopted as a civil war expedient, which it has replaced. The old banking and currency system had outworn its usefulness largely because of its inelasticity. This basal defect is remedied in the new law. From the point of view of administration the most interesting feature of the new system is the creation of the federal reserve board of seven members, the secretary of the treasury and the comptroller of the currency acting *ex officio*, and five members named by the President with the consent of the senate. The country is divided into twelve districts; in each there is a federal reserve city in which is located the federal reserve bank of the district. Every national bank is required to become a stockholder in the federal reserve bank of its district. The federal reserve act went into effect in August, 1914, just after the outbreak of the European war, and it has proved of nearly incalculable value during the period of readjustment of American business to meet war conditions.

The Democratic party was pledged to legislation clarifying and extending the Sherman anti-trust law and supplementing the provisions of that statute. On June 5, 1914, the bill creating a federal trade commission to enforce the provisions of the anti-trust laws, and to aid and assist business in complying with the federal statutes against monopoly and restraint of trade, passed the house without a roll call. On the same day the Clayton bill was adopted 275 to 54, and the railway capitalization bill was passed 325 to 12.

On August 5, 1914, the senate passed the federal trade commission bill, 53 to 16, with 12 Republicans voting for the measure and 2 Democrats opposing it. The Clayton bill was voted on favorably by the senate on September 2, by a vote of 46 to 16, with 7 Republicans and 1 Progressive voting with the majority. The conference committee's report on the trade commission bill

was accepted by the senate on September 8 by a vote of 43 to 5, and on October 5 the same body accepted the conference report on the Clayton bill 35 to 24. The house on October 8 agreed to the conference report on the Clayton bill 244 to 54. The main opposition to the Clayton bill on the Democratic side came from Senator Reed of Missouri.

The Underwood tariff, the federal reserve act, and the federal trade commission and Clayton acts had been party measures called for to redeem Democratic pre-election promises. The next important legislation enacted by congress during this session was the repeal of the exemption granted to American coastwise shipping under the Panama Canal act of 1912. The repeal of this exemption was secured by the earnest efforts of President Wilson, who took the initiative in the matter. The fight in congress on this measure was a bitter one, and it looked for a while as if an irreconcilable breach between the President and prominent members of his own party in congress had been opened.

The situation leading up to the exemption repeal controversy was as follows: The Panama Canal act of 1912 contained a provision that American vessels engaged in the coastwise trade should be exempted from the payment of tolls. This clause met with strong opposition, in and out of congress, at the time of its passage. Nevertheless both the Democratic and Progressive platforms in 1912 had favored the exemption; so in using his influence in favor of its repeal Mr. Wilson was repudiating a plank in the platform upon which he had been elected, and would doubtless alienate some of the Democrats and Progressives who had supported his other legislation but who felt that American shipping engaged in the coastwise trade should be exempt from tolls.

His reasons for favoring the repeal of the exemption clause, President Wilson stated very clearly in a letter to Mr. W. L. Marbury, of Baltimore. Mr. Wilson says:

"With regard to the question of Panama Canal tolls my opinion is very clear. The exemption constitutes a very mistaken policy from every point of view. It is economically unjust; as

a matter of fact it benefits for the present, at any rate, only a monopoly; and it seems to me to be a clear violation of the terms of the Hay-Pauncefote treaty."

On March 5, 1914, President Wilson addressed a joint session of congress on the subject of the exemption repeal, earnestly pleading with congress to repeal the objectionable clause in the canal act; he gave substantially the same reasons that he had written to Mr. Marbury, but laid special stress upon the fact that the exemption was in direct conflict with our treaty.

The committee of the house of representatives acted promptly, and on March 6, by a vote of 14 to 3, reported a bill repealing the exemption. The minority members of the committee opposed the repeal bill in a minority report. The debate in the lower house was begun after the advocates of the repeal measure had secured the passage of a resolution limiting debate. Although Speaker Clark opposed the resolution on the floor of the house, it was adopted 200 to 172, 8 Republicans voting with the majority and 57 Democrats voting against the resolution. The debate on the bill was bitter and violent, and not until the last day of March was the measure passed. On that day forty speeches were made, including a spectacular and impassioned plea against the repeal by Speaker Clark. Mr. Underwood, chairman of the ways and means committee, had also opposed the repeal; yet in spite of the fact that these two influential Democratic congressmen, who had been his rivals for the presidential nomination in 1912, strongly opposed the repeal bill, President Wilson carried 192 of the house Democrats with him and only 57 followed the speaker and majority leader. The vote on the repeal bill itself was an even more decisive victory for the administration, for the measure passed by a vote of 247 to 161; 220 Democrats, 25 Republicans, and 2 Progressives voted Yea, and 52 Democrats, 92 Republicans, and 17 Progressives, Nay.

The repeal question came before the senate on April 29 when the committee on inter-oceanic canals reported the house repeal bill without recommendation by a vote of 8 to 6. With the bill

was reported, also without recommendation, an amendment by Senator Simmons stating that "neither the passage of this act, nor anything therein contained shall be construed or held as waiving, impairing, or affecting any treaty, or other right possessed by the United States."

In the committee, Senator O'Gorman, its chairman, was a pronounced opponent of the repeal bill and the vote in the committee was divided; 5 Democrats and 3 Republicans voted for a favorable report, 3 Democrats and 3 Republicans voted against it. A motion for an unfavorable report was lost 5 to 9. Two amendments were offered to the repeal bill; one by Senator Norris to refer the question to the Hague for arbitration, and one by Senator Borah to postpone a decision in the matter until after the next congressional elections, when the matter could be made one of the campaign issues. Neither of these amendments was accepted. On June 11 the repeal bill was passed by the senate 50 to 35, 37 Democrats and 13 Republicans voting for the repeal, and 23 Republicans, 11 Democrats, and 1 Progressive voting against it. The Simmons amendment was adopted by the senate 57 to 30, and was accepted by the house 216 to 71.

During the latter part of the first regular session of the sixty-third congress several acts were rendered necessary by the European war. All of these measures were of enough importance to have attracted considerable attention in an ordinary session, but they had been overshadowed by the tariff, federal reserve, federal trade commission, Clayton, and Panama Canal tolls repeal acts.

The first in importance of these measures was the war revenue bill, which was introduced in the house on September 21. On September 4 the President had addressed congress on the necessity of providing additional revenue to meet the deficit which would be created by the falling off of imports from countries affected by the war. The war revenue bill provided for the raising of \$105,000,000 by special taxes on beer and wines, gasoline, brokers and bankers, tobacco dealers' licenses, theatres in towns of more than 15,000 inhabitants, circuses and other shows, public billiard rooms and bowling alleys. The stamp taxes

were to remain in force till December 31, 1915, but the other special taxes were to run until repealed. This revenue measure passed both branches of congress by a party vote.

Another important measure passed as a result of the European conflict was the act for admitting foreign-built ships to American registry; and this measure was supplemented by the war risk insurance bureau act, which created such a bureau in the treasury department with a fund of \$5,000,000 to insure American vessels and their cargoes against loss by war. Still another bill the passage of which was caused by war conditions was the measure providing for a large issue of emergency currency.

Other legislation passed by the sixty-third congress during its extraordinary and first regular sessions were: the Alaskan Railway, the Hetchy-Hetchy, the cotton futures, the Alaskan coal leases, the women's eight-hour labor for the District of Columbia, and the regulation and taxation of imports of opium acts.

Several subjects were considered in these sessions of congress but were not completed: the seamen's bill, the bill for a federal-owned merchant marine, the immigration bill with a literacy test, the Jones bill for a larger measure of self-government for the Philippines, several conservation measures, the farm land banks bill, and the bill for federal regulation of the stock exchange.

A spectacular filibuster against the rivers and harbors appropriation bill was led by Senators Burton and Kenyon on September 18 and 19, 1914. To break this filibuster the senators having the bill in charge agreed to reduce the amount of the appropriation from \$53,000,000 to \$20,000,000.

Congress adjourned on October 24, 1914, after a continuous session of one year, six months, and seventeen days, the longest continuous session on record, during which it had transacted a vast amount of important business. The Democratic party had held its majority unbroken, had done much to redeem its platform pledges, and had established an enviable record for constructive legislation.

THE SHORT SESSION OF THE SIXTY-THIRD CONGRESS

The short session began on December 7, 1914, and lasted until March 4, 1915. In his address to congress at the opening of the session, President Wilson urged no new legislation, but asked that congress complete certain legislative business, unfinished at the close of the previous session. To meet the exigencies created by the European war, Mr. Wilson considered two steps necessary: first, that the United States should develop its resources; second, that a merchant marine should be created to distribute American commodities to the markets which awaited them. To accomplish this he urged the passage of three measures pending in congress, two of which were conservation bills already passed by the house. The third measure was the shipping bill providing for a government-owned merchant marine. The President asked that congress pass the bill conferring a larger measure of self-government upon the Philippine Islanders, a measure which had been pledged in the Democratic platform. The President alluded to national defense in general terms, advocating a strong navy and some system of training our citizens in the use of arms.

The immigration bill with a literacy test, which had been passed by the house in another session, was voted on in the senate on January 2, 1915; it passed by a vote of 50 to 7 not divided on party lines, 29 Democrats and 21 Republicans voting for and 5 Democrats and 2 Republicans against the bill. On January 28 President Wilson vetoed the measure on account of the literacy test, which he held to be a test not of fitness but of opportunity, and therefore an unjustified reversal of our national policy toward immigration. On this account the President felt it necessary to veto the bill, though he was willing to concur in most of its other provisions.

On February 27 the senate adopted the conference report on the La Follette-Feruseh or seamen's bill. This measure had been passed by the senate in October, 1913, without a roll call, had been referred to the house committee on merchant marine and fisheries, but was not reported and passed by congress until

the short session. It received the signature of the President on March 4, 1915, but did not go into effect until fifteen months later. This measure has aroused considerable opposition among the shipping interests, although it has the support of organized labor.

The administration ship purchase bill was introduced in the senate on December 9, 1914, by Senator Stone. It was referred to the committee on commerce and was favorably reported on December 16. Decided opposition to the measure now developed in the senate, seven Democrats and nearly all of the Republicans in that body opposing it. During a continuous session of fifty-five hours,—the longest on record,—a filibuster was maintained against the measure during the course of which Senator Jones talked for thirteen hours and fifty-five minutes. On February 1, 1915, Senator Clarke moved to send the bill back to the committee on commerce. A point of order against this motion was raised, and was sustained by the vice-president; but his decision was overruled 46 to 37, 9 Democrats and 28 Republicans voting against the ruling. A motion to lay Mr. Clarke's motion on the table was defeated 44 to 42, 7 Democrats voting for the original Clarke proposition. Several attempts to reconcile the differences of Democratic senators on this measure were of no avail. The ship purchase bill was approved by the Democratic house caucus, 29 representatives voting against it, and was passed in the house 215 to 121, the minority being made up of all the Republicans voting and 19 Democrats. The bill made no further progress in the senate and it was finally sent to conference with a provision that it should remain there until February 27. No further action on the measure was taken in this congress.

The ship purchase bill was complicated by the question of the interned German liners. Some senators and representatives believed that it was the intention of the government to purchase these vessels, and that such a purchase would be looked upon by Germany's enemies as an unneutral act. By buying these ships it was held that the United States would be purchasing a quarrel. For these reasons and for party purposes the Republicans

carried on a persistent filibuster against, this measure, which not only defeated the ship bill but held up a large amount of other legislation. Senators Gallinger, Burton, Jones, and Smoot were the leaders in this filibuster.

The pending conservation measures and the Philippines autonomy bill failed to come to a vote in this session, although they had been urged upon congress by the President. The senate also failed to act on the Nicaraguan and Colombian treaties, which had been laid before it for ratification. The question of rural credits had been considered during this session and the house had passed such a measure as a "rider" to the agricultural appropriation bill; but the senate objected to the rider and it was eliminated in conference. It was provided, however, that the subject of rural credits should be considered by a joint committee of which Representative Carter Glass was named as chairman.

The naval construction bill passed by congress during this session provided for two battleships, six destroyers, two large submarines, and sixteen defence submarines. This measure was adopted by a vote that did not divide on party lines. The army and navy appropriation bills were liberal and were voted practically unanimously in both branches.

Two proposed amendments to the Constitution were acted upon by the house of representatives in the short session. On December 22, 1914, the proposed amendment providing for nation wide prohibition received 197 votes to 189, but did not have the two-thirds vote necessary for adoption. The party vote on the amendment was as follows: For, 114 Democrats, 68 Republicans, 11 Progressives, 4 Progressive Republicans; Against, 141 Democrats, 46 Republicans, 1 Progressive, 1 Independent. On January 12, 1915, the proposed constitutional amendment providing for woman suffrage was defeated by a vote of 174 to 204. The party division was as follows: For, 86 Democrats, 72 Republicans, 12 Progressives, 3 Progressive Republicans, 1 Independent; Against, 171 Democrats, 33 Republicans.

There was an attempt made in the short session to pass the immigration bill over the presidential veto. On February 4, 1915, the vote was taken, the roll call showing that the veto was sustained by a very narrow margin. There were needed to override the veto 266 votes; 261 members voted for the repassage of the measure, while 136 voted against it. Party lines were broken; 166 Democrats and 78 Republicans voted to pass the bill over the veto, 102 Democrats and 32 Republicans voted to uphold it, while practically all the Progressives voted to repass the bill.

The failure of the ship purchase bill and other measures that could not be brought to a final vote was due largely to filibustering tactics adopted by their opponents. The Democratic majority openly criticised the blocking of their party program; and on March 2, 41 Democratic senators asked that a committee be appointed to report on a revision of the senate rules of debate at the next session. This action was taken after the committee on rules had reported adversely on a plan to limit debate in the senate.

On March 4, 1915, the sixty-third congress after nearly two years of continuous sessions came to an end. No congress in the history of our government had put through so extensive a program; and although several measures of importance had been held up in the last session, the majority party in the sixty-third congress had gone far toward redeeming its platform pledges. The President and his party leaders had in the main coöperated to secure the enactment of needed legislation; the country was prosperous; and in spite of the European war and the Mexican situation, business seemed to be adjusting itself rapidly to abnormal conditions such as no one could have foreseen. The tariff had been revised downward, an income tax put in motion, the federal reserve system inaugurated. Moreover, the Sherman law had been amended and a federal trade commission created to aid in its enforcement. Of the sixty-third congress President Wilson spoke as follows on the day when its deliberations came to an end:

"A great congress has closed its sessions. Its work will prove

the purpose and quality of its statesmanship more and more the longer it is tested."

During the sixty-third congress there had been introduced in the house of representatives 21,616 bills, 441 joint resolutions, 61 concurrent resolutions, 723 resolutions, and 1513 reports; and into the senate, 7751 bills, 245 joint resolutions, 38 concurrent resolutions, 574 resolutions, and 1072 reports. Out of this vast amount of business introduced into congress there were enacted 342 public and 271 private acts.²

THE LONG SESSION OF THE SIXTY-FOURTH CONGRESS

The congressional elections of 1914 had returned a congress that while Democratic in both branches, showed a decreased majority in the lower house. The rapid disintegration of the Progressive party had resulted in many of its members returning to the Republican camp; so that many congressional districts, normally Republican, in which Democrats had been elected in 1912 as a result of the Republican schism, sent back Republican representatives. In spite of the Republican gains the Democrats still had a working majority of 22 over the minority parties, and a plurality of 29 votes over the Republicans. The Progressive representation of 15 in the sixty-third congress had fallen to 5 in the sixty-fourth. In the senate the Democrats gained one seat which gave them a total of 55 and a majority of 14 over the 41 Republicans.

The first session of this congress began December 6, 1915, and lasted until September 8, 1916. In his address to congress on December 8, the President asked for a law to end the plots of foreign interests which defied our neutrality and set the authority of our government in contempt. Although the President made no specific charges against any national group by name, there went up from German-Americans a storm of protest; and

² These figures on the business before the sixty-third congress were furnished by Mr. Henry J. Harris, chief of the division of documents, library of congress. Allowing for a few measures numbered for report upon which no report was made, they are substantially correct; as there would be only a small number, possibly a half dozen, such cases in a congress.

German influences worked against the President all through this session.

The President endorsed the plans for more adequate national defense, advocated the enlargement of the army and navy, asked for the passage of the shipping bill that had been held up in the senate in the last session of the preceding congress, and suggested the lowering of the exemption figure at which the surtax upon incomes should be levied.

Several measures whose passage had been urged by the administration, but had been held up in the the previous congress, were enacted during this session. Among these the more important are:

First, the government shipping bill, which had been passed by the lower branch of the previous congress but had been held up by the senate filibuster against it. On August 15, 1916, the house accepted the senate's amendments to the bill, and on August 18 the senate passed the amended measure by a vote divided on strictly party lines, 38 to 21. On August 30 the house concurred in the bill as passed by the senate, and on September 7 it received the President's signature and became a law. From the point of view of party politics the passage of the shipping bill is of interest in being the end of a long fight for and against the measure. From the administrative side it is of interest because it created a shipping board to be appointed by the President with the consent of the senate, to supervise the operation of the \$50,000,000 government controlled corporation authorized in the law.

Second, the Philippines autonomy bill had been considered throughout the sixty-third congress, although it was not voted on during the last session. The bill with an amendment providing for Philippine independence in five years passed the senate, Vice-President Marshall casting the deciding vote in its favor. On May 1 the bill as amended in the senate was rejected by the house 213 to 165, 30 Democrats voting with the Republicans to defeat it. The Jones bill was then offered as a substitute and was adopted without roll call. On August 16 the Jones bill was passed by the senate, 37 Democrats voting

for and 21 Republicans and 1 Democrat against it. The house on August 19 without a division approved the conference report, and ten days later President Wilson signed the bill.

Another subject that had been considered in the previous congress was that of creating a system of rural credits. Several bills on the subject had been introduced and the lower branch had passed a rural credits "rider" to the agricultural appropriations bill, which had been rejected in the senate. On May 4 the senate passed the Hollis farm loan bill 58 to 5, Senators Brandegee, Lodge, Oliver, Page, and Wadsworth, all Republicans, voting against the bill. The house on May 15 passed the bill, the vote being 295 to 10; and on July 17 it received the presidential signature. The bill provides for a federal farm loan board consisting of the secretary of the treasury ex officio, and four members to be appointed by the President with the consent of the senate. Continental United States is divided into twelve districts by the board, and these districts are known as federal land bank districts. The duties and powers of the board in the field of rural credits are very similar to those of the federal reserve board in the field of currency and banking.

An important bill passed largely through the active support given the measure by President Wilson is the Keating child labor bill. Indeed, it is not too much to say that it was mainly due to the President that the matter was brought up for consideration in this session, and that without his insistent demand for its passage it could hardly have come to a vote. So selfish was the opposition of the interests that opposed the passage of the bill that most of the senators who sympathized with the abolition of child labor, but voted against the bill on constitutional grounds, repudiated the methods of the business interests which fought its enactment. The measure had been passed by the house in a former congress and was reconsidered and again passed by the house early in February 337 to 46. On August 8 the senate passed the measure, 52 senators voting for and 12 senators against it. Of these twelve opponents 10 were Democrats and 2 Republicans. The bill excludes from interstate commerce the products of child labor.

Another important bill enacted in this session provides for a system of workmen's compensation for government employees. This humanitarian legislation met with slight opposition, and went through both branches of congress nearly unanimously.

The Shackleford-Bankhead good roads bill, a measure which provides a large sum of money for state distribution to be used in building improved highways, passed in both house and senate without the drawing of party lines, and with little opposition.

The omnibus revenue bill designed to raise \$205,000,000 annually was passed by the house of representatives on July 10 by a vote of 240 to 140, 39 Republicans and 1 Independent voting with the majority party. It was passed by the senate September 6, all of the Democrats and 5 Republicans voting for the bill and 16 Republicans opposing it. The main features of the revenue measure are as follows: it increases the income tax on large incomes, imposes inheritance taxes, provides a protective duty on dyestuffs, taxes profits on munitions, places a special tax on joint stock companies, brokers, pawnbrokers, ship brokers, custom-house brokers, theatres and places of amusement, circuses, bowling alleys and billiard tables, and on manufacturers of tobacco, cigars, and cigarettes; and gives the President authority to adopt retaliatory measures toward any belligerent nation that illegally interferes with the trade or commerce of the United States. All stamp taxes were eliminated in this revenue bill.

One of the most interesting features of the revenue bill is the provision creating a tariff commission, not more than three of of its six members to be of the same political party. The members are appointed by the President with the consent of the senate to make a scientific study of the tariff, and to report to the President and to the ways and means (house) and finance (senate) committees all information at its command. The commission is required to make a report to congress on the first Monday of December in each year.

Connected with the question of revenue was the repeal of the free sugar provision of the Underwood tariff, which would have become effective after May 1, 1916. On March 16 the house

passed the repeal, 346 members voting for and 12 against it. The senate adopted a resolution on April 11, postponing for four years the admission of sugar to the free list; but on April 22 it adopted the house repeal bill 59 to 10. Practically all opposition to this repeal came from Democrats.

Perhaps the greatest work accomplished in this session was in connection with the defense program. Secretary of War Garrison handed in his resignation on February, 1916. On January 10, 1916, the Garrison plan for reorganization of the army along national lines had been outlined in a letter to Senator Chamberlain, chairman of the senate committee on military affairs. It was favored by the administration, and Secretary Garrison hoped to see its provisions become the basis for the new army legislation. President Wilson had continued to espouse the Garrison plan until it became apparent that there was no possibility of its being accepted by congress. The President had then determined to support such an army bill as congress would pass, rather than have the army reorganization blocked. The strained relations with Germany and the conditions on the Mexican border made it imperative that something be done; yet the general peace sentiment of the American people was against a large army and universal service, and an active propaganda was being brought to bear against preparedness. Some of the members of congress did not believe in a large army or navy, and it was clear that any plan for a large army would meet with determined opposition. In such a situation Mr. Wilson turned to the support of the army reorganization (Hay) bill, which was passed by the house on March 23, after an amendment raising the regular army from 140,000 to 220,000 men had been defeated. The vote on the Hay bill was practically unanimous, only two members, one Republican and one Socialist, voting against it. In the senate the bill was passed on April 18 without opposition, there being no recorded vote.

Just before the passage of the Hay bill the house and senate had adopted a resolution to increase the regular army to its full strength by recruiting 20,000 new men. This emergency resolution had been carried without any partisan opposition. In June a reso-

lution was adopted for drafting the national guard into the federal service was adopted, and a resolution making provision for the dependent families of members of the national guard called into border service was passed. Both of those resolutions were passed with party lines broken.

The appropriations made for the maintenance and support of the army and navy were very generous. On June 26 the house passed the largest army budget in its history. The army appropriation bill carried about \$182,000,000, as voted by the house without roll call. On July 27 the senate made an even larger appropriation for the army, \$313,970,447, which provided for the payment of \$50 a month to the families dependent on guardsmen or regulars on the Mexican border. The conference committee reconciled these differences by agreeing on \$267,579,000 as the amount of the appropriation, and the report of the committee was accepted by the house on August 9, only 9 representatives voting against its adoption. This measure was vetoed by President Wilson on August 18 because of a clause exempting retired officers in times of emergency. The objectionable clause was omitted upon the repassage of the bill, which received the signature on August 29.

To the navy this congress was even more generous, providing for an extensive program of naval construction, and passing a naval appropriation bill of about \$313,000,000. The vote on these measures was not on party lines. The provision for a government-owned armor plate plant was introduced in the senate by Senator Tillman. It was passed in that body 58 to 23, 9 Republicans voting for it and 23 against it. This measure was incorporated in the naval appropriations bill before its passage by the lower house.

Three important treaties were ratified by the senate during this session. On February 18 the treaty with Nicaragua was ratified by a vote of 55 to 18, 5 Democrats and 13 Republicans voting against ratification. In return for \$3,000,000 the United States is given two naval bases and the right to build a canal across Nicaragua. Ten days later the treaty with Hayti, which establishes a financial and police protectorate by the United

States over that country, was ratified without roll call. On September 7 the senate ratified the treaty with Denmark providing for the sale of the Danish West Indies to the United States for \$25,000,000.

The submarine campaign of the German empire caused great anxiety in congress during February and March. On March 1, 1916, the Austro-German classification of armed enemy merchantmen as warships became effective. The right of Americans to travel on such ships being called into question, it became evident that the policy of the President would be to insist strongly upon our rights as a neutral. In order to force the President's hand, Representative McLemore of Texas, a Democrat, introduced a resolution warning American travelers to avoid armed merchant ships of belligerents. On the motion to table this resolution those who wished to uphold American rights were victorious, for it was tabled by vote of 276 to 142. In spite of the fact that the Republican party had been accusing the President of timidity and vacillation, 102 Republican representatives, including the minority leader, Mr. Mann, voted for the surrender of a clearly recognized right. Only 33 Democrats voted against tabling the resolution, 5 Progressives, 1 Independent, and 1 Socialist, 102 of the 142 votes cast against tabling being Republicans. With the 182 Democrats who voted to table the measure, 93 Republicans and 1 Progressive cast their votes.

In the meantime Senator Gore introduced a resolution in the senate which stated that "the sinking by a submarine without notice or warning of an armed merchant vessel of her public enemy, resulting in the death of a citizen of the United States, would constitute a just and sufficient cause of war between the United States and the German empire." Here was a resolution that if debated in the senate might create bad impressions abroad; embarrass the President and secretary of state in their negotiations for the protection of American citizens and the upholding of American rights; and give play to partisan politics in the face of a very difficult foreign complication. The administration forces in the senate brought about a vote to table this

resolution. The vote was taken on March 3, and the resolution was tabled 68 to 14; only 2 Democrats voted against tabling and 12 Republicans, while 49 Democrats and 19 Republicans helped to put this bit of legislative nitroglycerine in a safe place.

Two appointments that came up for confirmation in the senate caused considerable friction between those who favored and those who opposed confirmation. On January 28, 1916, President Wilson had named Mr. Louis D. Brandeis to the position of associate justice of the United States supreme court. One of the best organized attacks that has ever been made on an appointment to the supreme court was begun. All kinds of charges were made against the appointee from radicalism to unprofessional conduct. Probably no supreme court justice has had his career so thoroughly investigated as was that of Mr. Brandeis during the first five months of 1916. Most of the charges on investigation proved to be either hearsay or prejudice; and on June 1, the nomination of the President was confirmed by the senate, the vote being 47 to 22. Among those who voted for confirmation were 3 Republicans of Progressive leanings, while one Democrat voted against confirmation, giving as his reason the belief that Mr. Brandeis did not have the judicial temperament.

The other appointment, that of Mr. George Rublee, who had already served fifteen months as a member of the federal trade commission, and was considered one of the most able members of that body, failed of confirmation through the fact that he was "personally objectionable" to Senator Gallinger of New Hampshire. In accordance with the custom of senatorial courtesy the senate by a vote of 42 to 36 declined confirmation, 5 Republicans voting for and 14 Democrats against confirmation. The senate refused to reconsider the appointment, 10 Democrats voting with the minority party to block the reconsideration. Senatorial courtesy in such an aggravated form that it robs the government of a valuable servant to soothe the feelings of one senator seems to need heroic treatment.

The closing days of this session were exciting ones. The presidential campaign was beginning and the strained relations

that had existed between the railroad executives and the heads of the four brotherhoods for several weeks were nearing the breaking point. By the last of August it was evident that something must be done to avert a nation wide railroad strike, which now seemed imminent. After conferences with the leaders of the two contending interests, in which he tried to get them to come to some understanding but without success, President Wilson went before a joint meeting of the senate and house of representatives on August 29. He outlined the situation and asked congress to adopt the following program:

Immediate provision for the enlarging of the interstate commerce commission;

Establishment of an eight hour day for railroad employees with one and one-half hour's pay for each hour overtime;

Congressional authorization of a commission to study the effect of the eight hour law, and to report on its workings;

Authorization that the interstate commerce commission grant an increase in freight rates if facts should justify such increase;

An amendment to the existing statute providing for mediation, conciliation, and arbitration, by adding a provision for a full public investigation of the merits of such dispute before a strike or lockout may lawfully be attempted;

Lodgment of power in the executive to take control of railways in case of military necessity and to draft into military service train crews and administrative officials.

On August 31 the Adamson eight hour bill was introduced in the house, and having been made the special order of business was passed on September 1 by a vote of 269 to 56; 2 Democrats and 54 Republicans made up the opposition, while 70 Republicans voted with the majority. The bill was passed by the senate on the following day, 42 Democrats and 1 Republican voting for and 2 Democrats and 26 Republicans against the bill. The President having stated that he would sign the bill, the strike which had been ordered for September 4 was called off on September 2; and the bill on September 3 was given the executive

signature. The Adamson eight hour labor act was looked upon as an emergency measure, and although bitterly attacked by the Republicans it prevented the strike and saved the country from a serious tying up of business on the eve of an important election. The constitutionality of the act has been upheld by the United States supreme court.

On September 8, 1916, the first session of the sixty-fourth congress came to an end, leaving for the short session a large amount of legislative business that might have been completed had the senate played less partisan politics and resorted less to the filibuster.

THE SHORT SESSION OF THE SIXTY-FOURTH CONGRESS

Congress was called together for the short session on the first Monday in December, and remained in session except for the Christmas recess until March 4, 1917. Enough business which should have been finished in the first session was carried over to make this a very busy meeting, and it is doubtful if the program before congress could have been completed if every effort had been made to do so. As in the previous session much time was wasted by the senate in filibustering, and a large amount of important business remained undone on March 4, when the congress came to an end. To quote the *Independent*, "Owing to the extraordinary pressure of business and especially to the Republican filibuster against the revenue bill and the pacifist filibuster against the armed neutrality bill, most of the tasks of the session remain unaccomplished."

More than two thousand nominations failed of confirmation by the senate because of lack of time for consideration; and neither the railroad labor problem nor the high cost of food-stuffs received the attention which it merited, and which the public expected congress to devote to it. The armed neutrality bill, after being passed by the house, failed in the senate because of insufficient time under the senate rules to bring it to a vote. The army appropriation bill and several other important appropriation measures suffered a similar fate.

The revenue bill to raise \$350,000,000 by special taxation and bond issues, about half of the amount to be spent on preparedness, was passed by a vote that divided along party lines, most of the Republicans voting against the bill on the grounds of opposition to direct taxation and a preference for higher customs duties instead.

The Burnett bill (immigration), which had already been vetoed by President Wilson and which had failed of passage over the veto, was again passed by both houses in substantially the same form in which it had been passed and vetoed. It was again vetoed by President Wilson and upon the same grounds—opposition to the literacy test. The President vetoed the measure on January 29, 1917, and three days later the house passed it over the veto 285 to 106. On February 5 the senate overrode the veto by a vote of 62 to 19. Party lines were disregarded entirely in repassing the immigration bill.

Another bill in the passage of which party lines were entirely obliterated was the Porto Rico bill, by which a larger amount of self-government together with American citizenship was given the Porto Ricans. On the "bone dry" prohibition bill, which prevents the shipment of liquor into a state whose laws forbid its sale, and on the provision for prohibition in the District of Columbia, party alignment was broken, except on the Underwood motion to amend the Sheppard bill so as to allow a referendum to the people of the District. Democrats favored the referendum 26 to 22, while the Republicans opposed it 21 to 17. The vice-president broke the tie by voting against the amendment. After the defeat of the amendment the bill passed 55 to 32.

On December 22 President Wilson addressed to the belligerent nations a peace note, asking that they state the principles for which they were fighting and that they define as far as possible the motives for which they were waging the war. About the time of the transmission of this note there was a drop in certain securities, which led to charges that certain speculators had profited by advance information on the note. This led to the notorious "leak" investigation in which Representative William

R. Wood of Indiana and Thomas W. Lawson of Boston were prominent. Neither produced any evidence more tangible than a letter by an unknown and unidentified writer, and prattle by an infant, to sustain charges that reflected on the integrity of several members of Mr. Wilson's official family. The investigation, as conducted by the house committee on rules, until the examination of witnesses was turned over to a competent attorney, did a great deal to discredit a congress that had already gone far towards discrediting itself by its vote on the McLemore resolution. After an investigation that bordered closely on vaudeville and that cost the country about \$22,000, no evidence was found to support the charges against any official of the government.

On January 22 President Wilson broke another precedent by appearing before the senate and speaking on foreign relations. In this address he outlined certain principles without which no peace could be permanent; and stated the grounds on which the United States might coöperate with other nations, after the war, to bring about a lasting peace. This address met with a very favorable reception in many quarters. The most vigorous criticism of the President's address in this country came from Senator Borah, who saw in it a departure from the policy of Washington's farewell address. On the whole the address met with a hearty response throughout the United States and in other countries.

Germany had now determined to repudiate the pledges she had given the United States in regard to the use of submarines, and declared that on February 1 she would begin to wage an unrestricted campaign against ships entering what she had chosen to define as a war zone. On February 3 the President appeared before a joint session of congress and stated that he had broken off relations with the German empire, and had handed his passports to Ambassador von Bernstorff and had recalled our ambassador to Germany. The senate four days later by a vote of 78 to 5 endorsed the President's action. The senators voting against the endorsement were Gronna, Works, and La Follette, Republicans, and Kirby and Vardaman, Democrats.

In order to protect our ships from submarine attacks, President Wilson again appeared before congress on February 26 and asked for authority to arm merchant ships. Bills for this purpose were introduced in each house, authorizing defensive armament for our ships and appropriating \$100,000,000 for the use of the executive branch of the government for arming, insuring and protecting such vessels. The Flood armed neutrality bill passed the house promptly 403 to 13, 9 Republicans, 3 Democrats, and 1 Socialist voting against it. In the senate the armed neutrality bill was soon blocked. Senator Stone, the Democratic chairman of the senate committee on foreign relations, was entirely out of sympathy with the President's program. Instead of supporting the bill he did all in his power to block its passage, attacking it on the floor after it had been reported. The Republican filibuster that Senators Penrose and Lodge had been leading against the revenue bill for party reasons, and to force the President to call an extra session, soon became a filibuster led by La Follette, Norris, Cummins, and Gronna, Republicans, against the armed neutrality bill. Stone, Kirby, Lane, O'Gorman, and Vardaman, Democrats, and Clapp, Works, and Kenyon, Republicans, joined the movement against the measure; and it was due largely to their efforts that the measure was prevented from coming to a vote. It is only fair to the "Old Guard" Republicans who were filibustering against the revenue bill to state that they dropped their obstructionist tactics when the German plot to involve Mexico and Japan in a war against the United States was made public.

When it became apparent that the filibuster could not be broken, all of the senators who could be reached, except Penrose, La Follette, Norris, Works, Clapp, Gronna, and Cummins, Republicans; and O'Gorman, Kirby, and Vardaman, Democrats, signed a paper, as a matter of record, stating that they favored the passage of the armed neutrality bill and believed the measure would pass if the question could be brought to a vote. Here was the senate's confession to its own impotency under the rule of unlimited debate.

Not only was the armed neutrality bill defeated by this fili-

buster, but other important bills could not be passed for a lack of time. When the session ended at noon of March 4, President Wilson issued a statement in which he showed the necessity for some change in the senate's rules. After showing the bad effect of the filibuster in the session that had just closed, Mr. Wilson said:

"The Senate of the United States is the only legislative body in the world which cannot act when the majority is ready for action. A little group of willful men, representing no opinion but their own, have rendered the great Government of the United States helpless and contemptible.

"The remedy: There is but one remedy. The only remedy is that the rules of the senate shall be so altered that it can act. The country can be relied upon to draw the moral. I believe that the senate can be relied on to supply the means of action and save the country from disaster."

In less than a week after the close of the session the senate in extra session had adopted a rule limiting debate.

But the price paid for this long overdue reform in the senate's rule is a heavy one, for very important legislation had again been side-tracked. Among the measures which failed to come to a vote were: the Webb bill to allow combinations of capital for foreign trade, the bill to improve and enlarge the interstate commerce commission, the conservation bill, the water power bill; and the appropriations for the army and the military academy at West Point, as well as the sundry civil, and general deficiency bills.

Among the measures passed, other than those commented upon, are: the regular appropriations for the legislative, executive, and judicial branches of government; the pension bill; the Danish West Indies government bill; the food control bill; and the navy appropriation bill (the largest ever passed for a navy in time of peace), carrying \$535,000,000.

During the sixty-fourth congress there were introduced in the house of representatives 21,104 bills, 393 joint resolutions, 79 concurrent resolutions, 556 resolutions and 1,636 reports; and in the senate 8,334 bills, 221 joint resolutions, 34 concurrent reso-

lutions, 387 resolutions and 1,141 reports. There were enacted by the sixty-fourth congress 384 public and 209 private acts.³

When one thinks of the Gore and McLemore resolutions, the peace note "leak," the partisanship, pacifism, and pork of some of its members, and above all the pernicious filibusters in the senate, one is apt to criticize harshly the sixty-fourth congress; but when one remembers its liberality to the navy and some of the many good bills that it enacted into law he is prone to temper his criticism with words of praise. In light of the railroad crisis that again threatened the country so soon after the closing of the session, one cannot but regret that the eight hour law was not supplemented by the other legislation requested by the President.

Taken in the large, congress during the first Wilson administration has enacted legislation of far-reaching importance. One noteworthy result of this legislation has been the establishment of several new administrative boards and commissions. The federal reserve board, the trade commission, the farm loan board and the tariff commission show a distinct tendency to increase the number of governmental agencies with powers somewhat analagous to those of the interstate commerce commission.

³ These figures were the last available ones when this article was prepared. It is possible that a few documents had not come from the printing office.

WOMAN SUFFRAGE IN PARLIAMENT

A TEST FOR CABINET AUTOCRACY

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The woman suffrage movement in Great Britain has rendered a service for political science of which even its adherents are often unaware. It has brought to a most searching test the prevailing constitutional theory.

In these days of psycho-analysis of the individual there should be also some psycho-analysis of political institutions. Political theory, like the pious formulas with which we drape the nudity of our real desires and aspirations, is often at bottom what might be called a highly intellectualized excuse. Political theory is an afterthought: a justification or explanation of the desires and aspirations of the dominant economic and social group. The "divine right of kings" is now a hollow pretension to us. But it was as much a reality to the aristocracy, whose power is explained and excused, as are our own instinctive personal excuses. The "natural rights of man" have proven hardly more substantial,—the great excuse in which the rising commercial classes have ever covered their designs against the aristocracy. And now, at last, in the theory that "labor creates all wealth," we find the embryo excuse for a growing threat of the working class.

Of course in all these cases it is not the excuse that is of interest to the political scientists as much as it is the facts which occasion it. The man who goes through life thinking that explanations are the real stuff of things is skating on thin ice indeed. And so, likewise, is the student of politics who takes with equal seriousness the prevailing constitutional theory.