

was being made by our coastwise shipowners until congress undertook to provide for the civil government of the canal and fix the tolls to be paid by vessels passing through it.

"Mr. Speaker, it seems to me that it would be highly dishonorable on our part to contend for a construction of the treaty which, if contended for at the time, would have prevented the making of the treaty, nor do I think that we, in honor and good conscience, have any rights under the Hay-Pauncefote treaty that England would not have had had she constructed the canal under that treaty instead of ourselves. Now, does it stand to reason that if England was in our shoes that we would admit that the terms of that treaty would permit England to send the vessels of its citizens through the canal free of charge whenever engaged in commerce exclusively between Great Britain and her numerous colonies, while demanding a toll charge for all vessels of citizens of the United States engaged in the coastwise traffic? Why should not nations as well as individuals be governed by the Golden Rule? But, for the sake of argument, let it be admitted that under the terms of the Hay-Pauncefote treaty we can pass our coastwise vessels through the canal without charge; would it not be a foolish and unwise policy for us to do so in the face of the charge and belief by all other nations of the world that such action was unfair and discriminatory to all other users of the canal? How are we to build up our foreign trade if we at the same time so demean ourselves toward them as to give them just cause to complain that we are a selfish and greedy nation; that we are a driver of hard bargains; that we are narrow, illiberal, and picayunish? Much of the foreign commerce of the world is so situated as to make the Suez and the Panama canals competitors. Now, why should we give our own monopolistic coastwise shipping a free service through the canal over the protests of all other nations when no such course is pursued with reference to the Suez canal, the policy of which is largely dominated by Great Britain, and especially when our treaty provides that the rules of the Suez canal, as to conditions and charges of traffic, shall be the rules of the Panama canal? Does it not stand to reason that in such portions of the world where other nations may use either of these canals they will prefer Suez to Panama?"

"Mr. Speaker, there is a much greater portion of the commerce of the world that by reason of natural conditions on equal toll charge and equal treatment will go through the Suez canal; but with the discriminating, unjust, and preferential treatment shown by the United States to the owners of vessels in the coastwise trade, will it not tend to cause the nations of the world to prefer the Suez canal to even a greater degree than they otherwise would?"

"Mr. Speaker, I can not bring myself to any other conclusion than that our policy is shortsighted and on the whole very injurious to our country in its efforts to build up our foreign commerce. Even though there should be no question as to our right under the treaty to pursue such a course, a legal right to do a moral wrong does not make it wise to do such a wrong."

"Mr. Speaker, is it reasonable to suppose that the great masses of the people are going to believe that the president of the United States, who has direct charge of the enforcement of all our treaties with foreign countries, is going to surrender the rights of the American people, whose trusted representative he is, by accepting an erroneous construction of a treaty upon the unwarranted demand of any one or all the foreign nations of the world? Would not any president of this country who ever had or ever will have hesitate long before being guilty of such cowardly and treasonable conduct toward the citizens of his own country? And yet such is the charge that is being made every day against President Wilson, and it is humiliating and mortifying to know that members of his own party are guilty of making this charge. For one, I do not believe it, and if I did I would feel that I was a moral coward if I did not immediately ask for his impeachment by the house of representatives. If our president is as bad a man as these charges would make him, no self-respecting member of the house so believing can ever again cross the threshold of the White House even to pay his respects to the present president of the United States, for certainly, Mr. Speaker, no man worthy of a seat in this house could have any respect for President Wilson while entertaining such an opinion of him."

"Mr. Speaker, the perpetuity of our institutions depends upon the confidence in and respect for the agencies of our government, selected by

the people to do their will, and whenever the people of the United States lose confidence in the honor and integrity of public officials our form of government will be immediately abolished."

"Mr. Speaker, it is being charged and stoutly maintained that to pass this bill is to violate the democratic platform of 1912—exempting American ships engaged in coastwise trade from the payment of canal tolls. That such a paragraph appears in the platform all must admit. This paragraph is part of the declaration of the party as to its position on the proper method of building up an American merchant marine. The major premise or leading and dominating paragraph with regard to the merchant marine is as follows:

"We believe in fostering, by constitutional regulation of commerce, the growth of a merchant marine, which shall develop and strengthen the commercial ties which bind us to our sister republics of the south, but without imposing additional burdens upon the people and without bounties or subsidies from the public treasury."

"So it must appear that it is impossible to carry out the purposes of the exemption paragraph without rendering nugatory the dominating and controlling preceding part of the platform—prohibiting the use of bounties or subsidies from the public treasury for the fostering of a merchant marine. In construing an instrument every part of it must be considered, and especially with regard to conflicting clauses or paragraphs in the same instrument, and in all such cases the entire context of the instrument must be examined and a fair and reasonable construction placed upon every paragraph, as the same may or may not agree with the entire instrument, and especially so with reference to the context bearing upon a special subject matter of the instrument in which the conflicting paragraphs are found. The toll-exemption provision is a minor paragraph of that part of the platform giving expression to the democratic position as to the means to be used in building up our merchant marine, and the exemption paragraph being subsequent to the major or controlling paragraph can not be accepted as of greater weight or as of equal weight with the major or controlling paragraph by which every subsequent provision in the platform must be determined."

"In aid of arriving at a proper construction of the exemption paragraph much light is shed upon the question under consideration by reference to the party's position on the subject of a merchant marine in the platforms of 1904 and 1908. In the platform of 1904 we find the following paragraph:

"We favor the upbuilding of a merchant marine, without new or additional burdens upon the people and without bounties from the treasury."

"In the platform of 1908, upon the merchant marine we find the following plank:

"We believe in the upbuilding of the American merchant marine without new or additional burdens upon the people and without bounties from the public treasury."

"So, Mr. Speaker, in construing the exemption clause by the democratic platforms of 1904 and 1908, as well as 1912, we find that any attempt to build up the merchant marine by imposing new or additional burdens upon the people or by the use of bounties or subsidies from the public treasury is positively, unequivocally, and absolutely prohibited. Therefore, if the toll-exemption clause adds to the burdens of the people, it is specifically in violation of the platform in which it is found, as well as the two preceding platforms which I have just read. The maintenance and upkeep of the canal, and the operation of the same, must either be paid for out of the public treasury or collected in the way of tolls from those who use the canal. There is no sort of contention that any toll charges that will not be prohibitive on all vessels going through the canal, including those in the coastwise trade, will afford a sufficient fund to pay the current expenses and charges incident to the maintenance and operation of the canal, its sanitation, and defense for many years to come, and that there will necessarily fall upon the people a burden to the extent of the deficit that will be required for the purposes just expressed in the way of public taxation, which burden is entirely new, and will be largely augmented if this bill is not passed."

"Therefore the effect of the free-tolls paragraph to American coastwise shipping can not be put in practice without being in direct conflict with the prohibitions and inhibitions specifically provided for in our three last national platforms. It seems to me, Mr. Speaker, that

there can not be a particle of doubt that the free-tolls clause found in the platform of 1912 is in direct conflict with and renders nugatory the preceding specific limitations upon the methods to be used in building up a merchant marine in our present and two preceding platforms."

"But, Mr. Speaker, who is to decide as to the proper construction of apparently conflicting paragraphs of our party platform? As to the construction and meaning of our national platform, the president of the United States is the court of last resort, and his decision on such questions is final and unreviewable, and in this sense is infallible. No other position is tenable."

"If every member of a political party is at liberty for himself and of himself to determine what each clause or paragraph of a platform means, with no higher authority to pass on the correctness of his views, what is your platform worth? Who is the highest political authority to whom an appeal can be taken until another national convention meets and a new platform is adopted? The president of the United States is now the highest authority upon his party platform's construction, however much he may be mistaken in his construction. Many of you believe the supreme court of the United States has been mistaken, and that the supreme courts of your own states have been mistaken. But the law-abiding citizens of all countries obey and comply with the law as determined by their respective supreme courts. That court may consist, possibly, of a single man. On questions of party doctrine our president is supreme, being the court of last resort; and if we have a right to turn him down, we may refuse to obey the laws of the state or nation as interpreted by the supreme court of the United States if we differ with the court."

"Now, does anybody believe that the president of the United States has not as much interest in the proper construction of our platform as any other living man? He is charged in part with responsibility for legislation to carry it out in the interest of the whole country, and yet gentlemen are heard to say that we are surrendering to a foreign country, and that we are repudiating a plank in the platform in doing so."

"Why this contention? Why this determination here to destroy this administration by appealing to prejudiced political interest? On the other side are two political leaders, one in charge of the standpat republican party and its interests, and the other in charge of an offshoot of that party known as the progressive party."

"It has been contended that this matter should go to The Hague. Everyone knows now the construction that we place upon the treaty. Almost every man who has written a word in opposition to tolls has claimed that The Hague court could have no jurisdiction. They contend that the question of national honor can not be submitted to the court, but some of our opponents are beginning to think that the right is on our side and are willing to go to The Hague court."

"How was this illegitimate free-tolls plank born? Who is its father? How did it get in there? Show me a single state that sent delegates to that convention that gave any instruction as to this question one way or another. State conventions were as silent as the grave. Not a particle of discussion was had before the national convention. I venture to say there were not 50 delegates in the national convention who knew it was in there or that it was contemplated to have such a plank in our platform. It was no more in response to the demand of the people of the several states than it was the voice of England herself."

"In whose interest was this done? The coastwise shipowners, who are largely the railroads on both coasts, but more especially on the Atlantic and Gulf coasts, are the only beneficiaries."

"In the same act we provided that no railroad company could operate a ship or vessel anywhere on any waterway in competition with itself. The railroads were given until July 1, 1914, to make application to the interstate commerce commission for the purpose of showing that the vessels owned by them were not competing with themselves. I wrote to the interstate commerce commission to let me know how many applications there were and by what railroads they were made and the number of vessels owned by each road so applying. The reply covers about 15 pages. It is too long to read, but it practically covers our entire coastwise shipping interests. I will file same as an appendix to my remarks."

"You propose to wreck this administration with a program of antitrust legislation not yet carried out. The report made recently by Judge