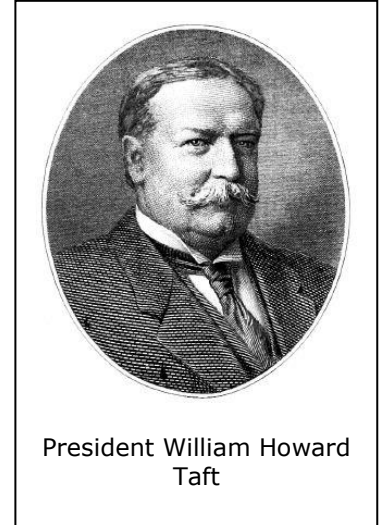


Sixty-First Congress

Mar. 15, 1909 - Mar. 2, 1911

Administration of William Howard Taft

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Historical Background

Among his early initiatives as President, William Howard Taft sent Congress two extraordinary proposals. In the first he recommended an amendment to the Constitution conferring upon the Federal Government the power to tax incomes without apportioning the burden among the various States according to their population. The second proposal called for a 2% excise tax to be levied on all corporations except national banks, savings banks, and building and loan associations.

Adoption of Taft's proposals ushered in a new era of taxation. The first income taxes were supplementary emergency measures of the Civil War period. During those years the income tax was considered a temporary war expedient. The abortive income tax of 1894 (declared unconstitutional in 1895) resulted from a movement generated by two prolonged postwar depressions. The two 1909 measures, however, were prompted by neither immediate nor urgent fiscal needs. Instead, they represented the climax of a conflict between opposing economic interests and political philosophies. The Sixteenth Amendment, embodying Taft's proposed income tax, was approved on July 12 and forwarded to the States for ratification. On August 9th, a corporate excise tax imposing a tax of 1 percent on net income above \$5,000, attached as one of 847 amendments to the Payne-Aldrich Tariff, became law.

However, Republican infighting disrupted the 61st Congress, as Speaker Joseph Cannon of Illinois made only limited committee appointments until President Taft's priority tariff bill passed. Cannon then made the bulk of committee assignments depending on how Members voted on the tariff. A coalition of insurgent Republicans and Democrats formed to break Cannon's power by removing the Speaker from the Rules Committee and shifting the power to make committee assignments.

House	Senate
Majority Party: Republican (219 seats)	Majority Party: Republican (60 seats)
Minority Party: Democrat (172 seats)	Minority Party: Democrat (32 seats)
Speaker of the House: Joseph G. Cannon	President Pro Tempore: William P. Frye

Several other major acts were passed during the 61st Congress. With the enactment of the Mann-Elkins Railroad Act on June 18, 1910, the Nation's transportation and communication systems came under truly effective Government regulation for the first time. In that same month, Congress approved legislation requiring candidates for the House of Representatives to report any campaign contribution exceeding \$10 and passed the Mann Act barring the transportation of women across State lines for immoral purposes. Enactment of the Weeks Act the following March established a new national policy whereby the Federal government would purchase forest lands damaged by farming, logging misuse, and fires, which threatened the headwaters of navigable rivers.

When the 61st Congress adjourned in March 1911, there were several matters of some importance that the Congress was unable to resolve. These included voting on the accession of New Mexico and Arizona as the newest States in the union and the associated reapportionment of seats in the House of Representatives. Also unresolved was a complex reciprocity agreement negotiated with the new, Liberal Party government in Canada that established policies of reciprocal free trade between the neighboring states. The failure of the 61st Congress to resolve these issues led President Taft to convene a special session of the 62nd Congress in April 1911.

Sources:

Dell, Christopher and Stephen W. Stathis. [Major Acts of Congress and Treaties Approved by the Senate, 1789-1980](#), Government Division (CRS), Sept. 1, 1982. 97th Congress, 2nd Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005

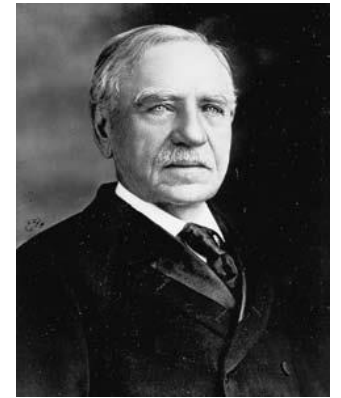
War or Peace?

Estrada's Rebellion

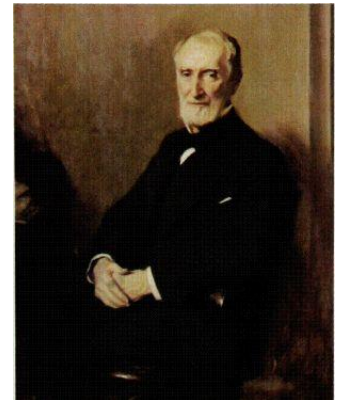
A crisis developed in relations between the United States and Nicaragua during the 61st Congress when, in November 1909, a rebellion spearheaded by the opposition Conservative Party's Juan José Estrada was put down by the government of President José Santos Zelaya, leading to the execution of some 500 conspirators, including two Americans accused of joining the rebellion. In response, the Taft administration severed diplomatic ties with Nicaragua and ordered two U.S. gunboats to Bluefields Harbor, Nicaragua to provide security for American citizens and property along the Pacific coast of Nicaragua, as well as U.S. Navy ships docked at the port at Bluefields. In May 1910, U.S. Marine Corps Major Smedley Butler arrived with 250 Marines to provide support, forcing President Zelaya to resign and flee to Mexico, installing José Madriz as his successor. In August, as pressure from the Conservative Party rebellion continued to build, Madriz resigned and Juan José Estrada was installed as President with United States support.

"Dollar Diplomacy" and Consular Services

The United States occupation of Cuba, or the Cuban Pacification, ended just before the beginning of the 61st Congress. The return of U.S. troops marked a period of relative calm that lasted until the end of 1909 when the execution



President Pro Tempore
William P. Frye



Speaker of the House
Joseph G. Cannon

of two U.S. citizens in Nicaragua prompted President Taft to send warships and cut diplomatic relations. A short intervention in Liberia also occurred in 1910 following insurrections in the country in 1909.

During this period, the previous Congress's work in Latin America and China was continued and expanded. Much of this work was done through monetary aid and tariff negotiations in what is often referred to as "Dollar Diplomacy." A relief act for Cartago, Costa Rica after an earthquake in 1910 was approved on May 13, 1910, and another foreign aid act was approved on February 18th, 1911 for the relief of famine victims in China. Two tariff acts, the Philippine Tariff of 1909 and the Payne-Aldrich Tariff Act of 1909, were also passed. Individual tariff negotiations were carried out on a country by country basis by President Taft in accordance to the new tariff act. A foreign loan of \$50,000,000 was also negotiated between the U.S. and China, while another loan was negotiated to buy the debt of Honduras. The main objective of this diplomatic strategy was to undermine growing European influence in the Western Hemisphere and strengthen U.S. international economic ties.

Another lasting influence of President Taft on foreign relations was the reorganization of the diplomatic and consular service. Begun in 1909, Congress enacted a series of provisions that would later reshape the service and the Department of State and create a new standard of procedure for everything from wages to diplomatic negotiations. During the 61st Congress in particular, Congress imposed a new merit system drawn from the Civil Service.

Source:

Dell, Christopher and Stephen W. Stathis. [*Major Acts of Congress and Treaties Approved by the Senate, 1789-1980*](#), Government Division (CRS), Sept. 1, 1982. 97th Congress, 2nd Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005

Taft, William H. [*Papers Relating to the Foreign Relations of the United States with the Annual Message of the President Transmitted to Congress December 6, 1910*](#), House, Dec. 6, 1910, 61st Congress, 3rd Session. H.doc.1000/1 (Pr.27.1:910) ProQuest Congressional, 5945 H.doc.1000/1

Economic Trends and Conditions

In his first State of the Union, President Taft laid out an ambitious economic agenda that set out to erase the prior Congress's deficits through a combination of increased revenue and spending cuts while continuing important government projects and services. Taft set out to accomplish this through three basic approaches: tariff reform, spending reform, and the creation of a permanent income tax.

As a Republican, tariff reform was a tricky issue for Taft to negotiate. At the time, the party was generally in favor of a protectionist tariff regime, including that enshrined by the 1897 Dingley Tariff Act. Taft supported a tariff reform bill introduced in the House by Republican Congressman Sereno Elisha Payne, which called for gradual reductions in tariffs across the board. However, opposition within Republican ranks led to a Senate version of the bill that reversed most of the reductions of the House bill. The final,

enacted bill was something of a mixed effort for supporters of substantial tariff reform. The compromise bill, the Payne-Aldrich Act, enacted in August 1909, generally lowered rates but also raised rates on some items, enacted a faster schedule, and created corporate income tax.

Promulgating a permanent income tax was another tricky issue for Taft's administration, in this case because of the constitutional prohibition on unapportioned direct taxes. The Supreme Court ruled in *Pollock v. Farmers' Loan & Trust Co.* (1895) ruled that the provisions of the Income Tax Act of 1894 violated the constitutional constraints against unapportioned direct taxes. Thus, Taft's plans could only be realized through a Constitutional amendment. On June 16, 1909, President Taft recommended the passage of a constitutional amendment giving the federal government the power to impose income taxes on wages, rents, dividends and interest. The sixteenth amendment passed Congress on July 12, 1909 and was later ratified on February 3, 1913.

Sources:

Taft, William H. [*Papers Relating to the Foreign Relations of the United States with the Annual Message of the President Transmitted to Congress December 6, 1910*](#), House, Dec. 6, 1910, 61st Congress, 3rd Session. H.doc.1000/1 (Pr.27.1:910) ProQuest Congressional, 5945 H.doc.1000/1

Taft, William H. [*Message from The President Of The United States, recommending an amendment to the tariff bill imposing upon all corporations and joint stock companies for profit \[...\] giving power to impose taxes on incomes*](#). Committee on Finance. Senate, June 16, 1909, 61st Congress, 1st Session. S.doc.98. ProQuest Congressional, 5569 S.doc.98

Landmark U.S. Supreme Court Decisions

Moyer v. Peabody, held that the governor and officers of a state National Guard, acting in good faith and under authority of law, may imprison without probable cause a citizen of the United States in a time of insurrection and deny that citizen the right of habeas corpus, 212 U.S. 78 (1909)

Source:

Small, Norman J. and Lester S. Jayson. [*Constitution of the U.S.A.: Analysis and Interpretation. Annotations of Cases Decided by the Supreme Court of the U.S. to June 22, 1964*](#), American Law Division (CRS), Jan. 1, 1964, 88th Congress, 2nd Session. Pub. No. Senate Doc. 88-39, ProQuest Congressional, CRS-1964-AMX-0001

Constitutional Amendments

Sixteenth Amendment. Authorized the imposition of "taxes on income, from whatever source derived, without apportionment among the several States and without regard to census or enumeration." Approved July 12, 1909. Ratified by the requisite number of States Feb. 3, 1913. ([36 Stat. 184](#))

Source:

1909 Events

- **Jan. 5:** Colombia formally recognized the independence of Panama, which had seceded in 1903 with the help of the U.S.
- **Jan. 11:** [The Boundary Waters Treaty was signed by the U.S. and Canada regulating the usage of all waters shared between the two nations, including the Great Lakes and Niagara Falls](#)
- **Jan. 28:** The last U.S. troops leave Cuba after being there since the Spanish-American War
- **Feb. 12:** [The National Association for the Advancement of Colored People \(NAACP\) was founded on the centennial of President Abraham Lincoln's birth](#)
- **Mar. 18:** Einar Dessau uses a short-wave radio transmitter, becoming the first radio broadcaster
- **Mar. 31:** Serbia accepts Austrian control over Bosnia and Herzegovina
- **May 6:** U.S. Senate ratifies a treaty between the U.S. and Russia, providing legal recognition by each nation of the corporations of the other and providing legal standing for American business in the Russian Empire
- **Aug. 2:** The U.S. Army Signal Corp Division purchases the world's first military airplane, a Wright Military Flyer, from the Wright Brothers
- **Aug. 2:** [The first Lincoln pennies are put into circulation by the U.S. Mint](#)
- **Nov. 18:** [Estrada's Rebellion – In Nicaragua a rebellion against the government of President José Santos Zelaya led by Juan José Estrada is put down. 500 revolutionaries \(including 2 Americans\) are executed by order Zelaya, setting off a conflict with the United States](#)
- **Dec. 12:** [Estrada's Rebellion – Two U.S. gunboats arrive in Bluefields Harbor, Nicaragua to provide security for U.S. Navy ships docked there, as well as American citizens and property along Nicaragua's Pacific coast](#)

1910 Events

- **Feb. 26:** Austria-Hungary granted most favored nation status to the U.S.
- **Mar. 11:** A typhoon in Japan struck at the Chiba and Iraki prefectures, destroying 84 boats and killing more than 1,100 people
- **Mar. 19:** [U.S. House of Representative passed a resolution 191-156 significantly reducing the power of the Speaker of the House held over what legislation would come up for a vote, creating a ten-member, bipartisan Rules Committee](#)
- **Apr. 6:** [The Brownsville Affair- A military court of inquiry affirmed the convictions of 167 members of the black 25th United States Regiment, on charges of complicity of the 1906 shooting of two white](#)

men in Brownsville, Texas, and the men were dishonorably discharged; In 1972 the Army reopened the investigation and concluded the men had been innocent

- **Apr. 15:** The 1910 U.S. Census was taken as more than 70,000 workers began the enumeration process
- **Apr. 18:** The National American Woman Suffrage Association (NAWSA) presented to Congress a petition with 500,000 signatures in favor of granting American women the right to vote
- **Apr. 23:** The 1910 World's Fair was opened at Brussels by Belgium's King Albert, and operated until November
- **May 4:** Earthquake hits northeast of San Jose, Costa Rica killing 700
- **May 6:** George V becomes King of the United Kingdom upon the death of his father, Edward VII
- **May 16:** Liliuokalani v. United States, 45 Ct.Cl 418 (1910) decided by the United States Court of Claims, ruled that the former Queen of Hawai'i was not entitled to compensation for the "Crown Lands" taken when the monarchy had been overthrown in 1893
- **May 18:** Halley's Comet made its closest approach to Earth (15 million miles) and passed between the Earth and the Sun
- **May 27:** Estrada's Rebellion – U.S. Marine Corps Major Smedley Butler arrives at Bluefields Harbor, Nicaragua to support security efforts in the country
- **June 25:** The White-Slave Traffic Act (Mann Act) enacted, making it a felony to engage in interstate or foreign commerce transport of any women for the purpose of prostitution or debauchery
- **July 24:** Ottoman forces capture the city of Shkodër to put down the Albanian Revolt of 1910
- **Aug.:** Estrada's Rebellion – Nicaraguan President José Madriz, successor to Zelaya, who had fled to Mexico under U.S. pressure, resigns and Juan José Estrada officially becomes President
- **Aug. 22:** Japan-Korea Annexation Treaty is signed

Sources:

Brownsville affray, pt. 2: Proceedings of court-martial in case of Major Charles W. Penrose. Department of War, Jan. 1, 1908, 60th Congress, 1st Session. S.doc.402/2. ProQuest Congressional, 5253 S.doc.402/2

Committee on Agriculture. House. Miscellaneous Bills and Other Matters, HAg 62-U, Jan. 22, 27, Feb. 3, 19, 29 - Mar. 2, Apr. 8, 19, 23-26, May 29, 1912. (Y4.Ag8/1:H35) ProQuest Congressional, HRG-1912-HAG-0011

Committee on Energy and Natural Resources. Senate, Native Hawaiians Study Commission, Part 1, Apr. 16, 20, 1984, 98th Congress, 2nd Session. S. Hrg. 98-1257, pt. 1 (Y4.En2:S.hrg.98-1257/pt.1). ProQuest Congressional, HRG-1984-NAR-0051

"Corrections." Congressional Record, 61st Congress, 2nd Session (Mar. 19, 1910) Vol. 45 pp. 1-15. ProQuest Congressional, CR-1910-0319

List of Papers, with subjects of correspondence, Department of State, Dec. 7, 1909, 61st Congress, 2nd Session, H.doc.101/2 (S1.1:909). ProQuest Congressional, 5704 H.doc.101/2

Lodge, Henry Cabot. White-slave traffic. Committee on Immigration. Senate. June 21, 1910, 61st Congress, 2nd Session. S.rp.886. ProQuest Congressional. 5584 S.rp.886

Owen, Robert Latham. [*Memorial of the National American Woman Suffrage Association demanding the recognition by Congress of the right to vote for the women of the United States*](#). Committee on Woman Suffrage. Senate, May 3, 1910, 61st Congress, 2nd Session. S.doc.519. ProQuest Congressional, 5659 S.doc.519

Taft, William H. [*Message from the President of the United States, transmitting a report of the Secretary of State concerning legislation necessary under the treaty with Great Britain, commonly known as the "Waterways Treaty"*](#). Committee on Foreign Relations. Senate, May 24, 1910, 61st Congress, 2nd Session. S.doc.561. ProQuest Congressional, 5660 S.doc.561

Taft, William H. [*Message from the President of the United States, transmitting a report by the Secretary of State, with accompanying papers, stating reasons why it is desirable to take part officially in the Brussels Exposition*](#). Committee on Foreign Relations, Senate, May 27, 1909, 61st Congress, 1st Session. S.doc.63. ProQuest Congressional, 5571 S.doc.63

United States Senate. 108th Congress, 2nd Session. "[108 S. 2817: A bill to provide for the redesign of the reverse of the Lincoln 1-cent coin in 2009 in commemoration of the 200th anniversary of the birth of President Abraham Lincoln.](#)" (Sept. 21, 2004, Version: Referred to Senate Committee on Banking, Housing, and Urban Affairs) ProQuest Congressional

Zwack, George M. [*Return of Halley's Comet and Popular Apprehensions*](#). Weather Bureau, Philippines, Jan. 1, 1910 (W49.13/2:H15). ProQuest Congressional, W49.13-12.3

Major Acts

Payne-Aldrich Tariff Act. Lowered duties to a general level of 38 percent while making sizable cuts in the duties on hides, iron ore, coal, oil, cotton, and footwear. Established a Tariff Commission and imposed a tax on interstate corporations. Approved Aug. 5, 1909. ([36 Stat. 11, Chap. 6; PL61-5](#))

Mann-Elkins Act. Placed telegraph, telephone, cable, and wireless companies, as well as railroads, under the jurisdiction of the Interstate Commerce Commission, and empowered the ICC to suspend rate increases on its initiative. It further established Federal Court of Commerce to determine appeals arising from the orders of the Commission, and authorized appointment of a special commission to investigate the need for a physical evaluation of railroads. Approved June 18, 1910. ([36 Stat. 539, Chap. 309; PL61-218](#))

Publicity of Campaign Contributions Act. Required that candidates for United States House of Representatives report campaign contributions of \$10 or more received by them. Approved June 25, 1910. ([36 Stat. 822, Chap. 392; PL61-274](#))

White-Slave Trade Act (Mann Act). Barred transportation of women across State lines for immoral purposes. Approved June 25, 1910. ([36 Stat. 825; PL61-277](#))

Weeks Act. Authorized interstate compacts for the purpose of conserving forests and water supplies, Federal grants to States to aid in the prevention of forest fires upon watersheds of navigable waters, acquisition of land by the Federal government for the protection of watersheds, and grants to States of a percentage of the proceeds derived from national forests located

within their boundaries, to be used for schools and roads. Approved Mar. 1, 1911. ([36 Stat. 961; PL61-435](#))

Judicial Code of 1911. Instituted a judicial system with a single type of trial court and eliminated the inefficiencies associated with administering two types of court by abolishing the United States circuit courts and transferring their trial jurisdiction to the district courts. Created a single standardized code encompassing all statutes related to the judiciary. Approved Mar. 3, 1911. ([36 Stat. 1087; PL61-475](#))

Source:

Dell, Christopher and Stephen W. Stathis. [Major Acts of Congress and Treaties Approved by the Senate, 1789-1980](#), Government Division (CRS), Sept. 1, 1982. 97th Congress, 2nd Session, 82-156 GOV. ProQuest Congressional, CRS-1982-GOV-0005

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