

Publisher's Note

Defining Documents in American History series, produced by Salem Press, consists of a collection of essays on important historical documents by a diverse range of writers on a broad range of subjects in American history. This established series offers twenty-one titles ranging from Colonial America to the 1970s.

This volume, *Defining Documents in American History: The 1910s (1910-1919)*, offers in-depth analysis of a broad range of historical documents and historic events that defined this decade in American history from such important figures as Woodrow Wilson, Margaret Sanger, Henry Cabot Lodge, Jane Addams, and Billy Sunday. Pivotal Supreme Court decisions are also analyzed: *Schenk v. United States*, *Guinn v. United States* and *Hammer v. Dagenhart*. This is the decade that saw the United States enter World War I, Prohibition, and a growing push for women's rights. This text closely studies thirty-eight primary source documents and delivers a thorough examination of domestic and international events that took place in the US from 1910 to 1919. The material is organized under six broad categories:

- **Domestic Developments**, including the Sixteenth and Eighteenth Amendments to the Constitution and the passage of Volstead Act
- **The War Front** in Robert La Follette's and Eugene V. Debs's opposition to the war along with Wilson's address to Congress, declaring war against Germany
- **International Affairs**, focusing on US/Mexico relations and the effort to form the League of Nations
- **Labor and Immigration**, which includes the Dillingham Commission report and Louis Brandeis's speech on "the Jewish problem."
- **Women's Rights** looks at issues including women's right to vote and contraception
- **African American Affairs** examines discrimination and lynching

Historical documents provide a compelling view of this and other important aspects of American history. Designed for high school and college students, the aim of the series is to advance historical docu-

ment studies as an important activity in learning about history.

Essay Format

The 1910s contains 38 primary source documents—many in their entirety. Each document is supported by a critical essay, written by historians and teachers, that includes a Summary Overview, Defining Moment, Author Biography, Document Analysis, and Essential Themes. Readers will appreciate the diversity of the collected texts, including treaties, letters, speeches, political and religious sermons, laws, pamphlets, diplomatic communications, government reports, and trial notes, among other genres. An important feature of each essay is a close reading of the primary source that develops evidence of broader themes, such as the author's rhetorical purpose, social or class position, point of view, and other relevant issues. In addition, essays are organized by section themes, listed above, highlighting major issues of the period, many of which extend across eras and continue to shape life as we know it around the world. Each section begins with a brief introduction that defines questions and problems underlying the subjects in the historical documents. Each essay also includes a Bibliography and Additional Reading section for further research.

Appendixes

- **Chronological List** arranges all documents by year.
- **Web Resources** is an annotated list of websites that offer valuable supplemental resources.
- **Bibliography** lists helpful articles and books for further study.

Contributors

Salem Press would like to extend its appreciation to all involved in the development and production of this work. The essays have been written and signed by scholars of history, humanities, and other disciplines related to the essays' topics. Without these expert contributions, a project of this nature would not be possible. A full list of contributor's names and affiliations appears in the front matter of this volume.

Editor's Introduction

The 1910s represent a decade when progressive social and economic reforms begun in the previous decade were expanded at both the state and federal levels. At the same time, the emergence of a great war in Europe (and beyond) led to the collapse of the progressive agenda by the end of the decade. By then, the nation was headed in a new direction both at home and abroad.

The Reform Era: From Roosevelt to Wilson

Since 1908 the presidency had been in the hands of Theodore Roosevelt's one-time friend and chosen successor, William Howard Taft of Ohio. By the elections of 1912, however, Roosevelt and Taft had had a falling out along policy lines. (The two men were also of greatly different temperaments, as was evident in their approach to the presidency.) The Progressives who supported Roosevelt expected Taft to continue Roosevelt's reform programs, and in areas such as "trust-busting," or the tight regulation of large corporations, there were indeed some similarities between the two administrations. But differences soon became apparent. Taft was cautious and legalistic (as was befitting of an eventual Chief Justice of the United States), whereas Roosevelt was and continued to be bold and brash. The Progressives/Rooseveltians wanted a lowering of tariffs to cut into the trusts. Conservative Republicans in Congress, however, worked to sustain protectionist measures that benefited business; Taft spoke in favor of their efforts. Further driving the Republicans apart was the Ballinger-Pinchot controversy over the appointee for the Secretary of the Interior. The Roosevelt faction stood behind Gifford Pinchot, a noted conservationist (and friend of Roosevelt's) against Taft's pick for Secretary of the Interior, Richard Ballinger, who favored commercial use of public lands. By 1912, therefore, with Taft again on the ballot for the Republicans, and Woodrow Wilson for the Democrats, Roosevelt felt it incumbent upon himself to form a third party, the Progressive, or "Bull Moose," Party. He and his supporters managed to beat out Taft in both the electoral and popular votes, but they lost in a landslide to Wilson, who himself was a leader in the Progressive Movement (except, as it turned out, in the area of African American civil rights).

The Progressive Era was extended and applied to in-

ternational affairs under the administration of Woodrow Wilson. Wilson advanced the idea of achieving a "New Freedom" under his leadership—a vague reference to opportunity and prosperity for all. He began by asking Congress, now run by Democrats, to draft new tariff laws that would eliminate special advantages for industries. The Underwood-Simmons Act of 1913 reduced, and, in some cases, eliminated the rates, but protectionist policies were the norm by then and so those policies largely remained in place. More eventful was the addition of a Sixteenth Amendment to the US Constitution (1913). This amendment established a graduated federal income tax as a means of offsetting the loss of tariff revenues and addressing the needs of a growing government generally. Of equally momentous consequence was the creation of the Federal Reserve System in the same year, which established twelve Federal Reserve banks to hold deposits of member banks and serve as a financial balance in case of "panics," or uneven demands for cash, among member banks. A Federal Reserve Board oversaw the system and came to be a power (some would say an undue power) in the maintenance of the American economy. In 1914 Congress established the Federal Trade Commission to replace Roosevelt's Bureau of Corporations and authorized the commission to issue "cease and desist orders" to any businesses engaging in unfair practices. The Clayton Anti-trust Act, enacted in the same year, specified which anti-competitive corporate practices were proscribed.

In the area of labor legislation, the federal government began intervening more readily to protect the interests of the US public, and in this way, it often stood to benefit workers as well. The Clayton Act, for example, exempted labor unions and farmers cooperatives from its antitrust provisions. Workers and farmers could organize and carry out production stoppages without fear of being enjoined by the government to return to work. Other boons for labor included new protections for seamen and an eight-hour day for railroad workers. However, many of the largest, most dominant industries such as automobile, steel, and electrical manufacturing remained staunchly anti-union, thereby limiting the reach of the Wilsonian reforms. In agriculture, changes were introduced in the form of twelve regional farm-loan banks capable of delivering capital

loans to agricultural cooperatives. Additional advances were made in agricultural and vocational education and in the construction of new highways to connect rural areas with population centers.

Great progress was also made on women's suffrage. Voting rights came to represent the prospect of social and political equality for women generally, which is one reason why the battle for suffrage was fought so fiercely. The suffragists campaigned for an amendment to the Constitution rather than fight state-by-state for access to the ballot box. Up to this point in time, the activists had relied on a form of quiet persuasion to make their case, but by the mid-nineteen-teens they started to engage in militant protest and other varieties of forceful political speech. Ultimately their efforts proved successful: the Nineteenth Amendment was approved and sent to the states for ratification in 1919, in time for women to vote in the presidential election of 1920. Meanwhile, women continued to expand their presence in the workforce and in higher education.

Prohibitionists, or anti-alcohol forces, were likewise rewarded with a constitutional amendment of their own. At the start of the 1910s more states were "wet" than "dry," but in 1913 Congress did pass legislation that prohibited the shipment of alcoholic beverages from wet states to dry ones. The heart of the anti-saloon sentiment that propelled the prohibitionists beat in states of the Midwest and the South, but by 1917, as America entered the Great War overseas, a more sober nation felt it fit to authorize an Eighteenth Amendment that banned the manufacture, sale, or transportation of intoxicating liquors after January 15, 1920.

Immigrants and communities of color faced some of the harshest conditions in their respective histories during the 1910s. Immigrant labor was greatly exploited by business, and people lived in grim tenements in cities or wooden hovels in the countryside. Urban neighborhoods were largely divided along ethnic lines. And yet, through it all, opportunities to make a living were seized on by workers and, as a consequence, labor unions continued to grow. At the same time, Jim Crow still reigned in African American communities in the South. President Wilson himself saw to it that African Americans in government service were denied the opportunities afforded to their white colleagues. For the many African American men and women who served in World War I, their time in Europe came as a reprieve from the discrimination they faced daily in the United States.

Wilson, War, and World Peace

In world affairs Wilson took a progressive stance. He felt that it was the great purpose of the United States to promote peace, prosperity, and progress in the world. "Progress" meant material advancement as well as spiritual and moral enlightenment. However, the exercise of an "enlightened" foreign policy often foundered on the rocky shores of reality. This was the case in 1914, when US forces occupied Veracruz, Mexico (over an incident involving American sailors), and again in 1916, when the Mexican rebel/raider Pancho Villa's incursions into New Mexico prompted a US military reaction. It was also the case in 1915-16, when the United States intervened to bring stability to the Dominican Republic, Nicaragua, and Haiti. Nevertheless, Wilsonian idealism did achieve some early success, as when a peace plan advanced by Secretary of State William Jennings Bryan produced twenty-two treaties with other nations regarding the avoidance of military action in favor of arbitration in the event of future disputes.

One big problem that Wilson and his vision of world peace faced was the development of a world-historic conflict in Europe between Germany, Austria, and Italy (the Triple Alliance), on the one hand, and France, Russia, and Britain (the Triple Entente), on the other. Wilson, both by design and by sentiment, adhered to the then dominant path of neutrality as concerned America's position vis-à-vis the war. He would keep the United States out of the fray—which is what the nation's populace preferred—while trying to demonstrate to the world the moral force of that position over the long run. This policy seemed to have some merit in 1914; but the Wilson administration soon got tangled up in the messy business of carrying out the duties and responsibilities of a nonbelligerent according to international law involving the movement of war materiel and contraband and of allowing searches and seizures or naval blockades. The United States' customary ally in the modern era, Great Britain, posed a challenge early on when it counted what American shippers considered ordinary commerce as contraband. A diplomatic contretemps ensued. Meanwhile, German ships were mooring in US ports, much to the displeasure of the British, whose own merchant fleet was under siege by German submarines.

The Germans seemed to have gone too far when they torpedoed the British liner *Lusitania* in May 1915, killing almost 1,200 persons, including over one hundred Americans. Having warned of "strict accountability"

in such situations, Wilson nevertheless held off on responding militarily and instead gained pledges from Germany that it would refrain from attacking civilian passenger vessels that were free of contraband. Wilson, however, was beginning to suspect that policies not backed by the threat of military force stood to be ignored. To that end, in 1916 he pressed Congress to enact war preparedness measures that would greatly expand US defenses. On those grounds, and on the seemingly contradictory grounds that he had “kept us out of the war” (a Democratic slogan that year), Wilson was reelected in November.

By early 1917, however, pressure was mounting for the United States to enter the war. Germany launched a program of unrestricted submarine warfare against belligerents and neutral nations alike. In mid-February American ambassadors learned of a German plan to entice Mexico to fight on its side against the United States (the thrust of the so-called Zimmerman Telegram). Both the American president and the nation now recognized that neutrality was no longer an option. On April 6, 1917, Congress declared war against Germany, Austria-Hungary, and the Ottoman Empire/Turkey (the Central Powers). The United States would fight to make the world “safe for democracy.” The Wilson administration was granted broad powers by Congress to create war boards and other agencies as a means to expedite mobilization for the war. Tough new security provisions were enacted to help identify and prosecute those suspected of espionage even as opponents argued that such measures were excessive. Across the nation military recruits stepped forward to do battle overseas. While US naval and air units were efficiently deployed, even though there was a massive buildup ships and airplanes underway at the same time as that deployment. It took considerably longer to muster and move ground forces in sufficient numbers to have an impact at the front, however. The first major engagement on the ground involving US troops was the Battle of Belleau Wood in June 1918.

The unfolding of the war is recounted in detail in another volume in the present series (see *World War I: 1914-1919*). Readers may find there more extensive coverage of the “before and after” of the war, especially as it concerned the United States. For present purposes, suffice it to say that by November 1918, at the conclusion of the forty-seven-day-long Meuse-Argonne Offensive (or Battle of the Argonne Forest), the Americans and their European allies had greatly damaged the

German position along the entire front and essentially signaled the end of the Central Powers’ grand war effort. Wilson’s own grand statement of principles for world peace, his Fourteen Points (January 18, 1919), was relied on by Germany in soliciting an armistice, which came on November 11, 1918.

One of the achievements (or failures) that Wilson is best known for is the League of Nations. He had been speaking of a “World League for Peace” even before America’s entry into the war. Thus, when he arrived in Europe in December 1918 to discuss the terms of the postwar settlement, he was recognized as the leader of both a powerful nation and as a leader with a plan to create an international organization focused on maintaining the peace. Many of the representatives at the Paris peace conference in January 1919 were favorably disposed toward such a plan, but Wilson had done little to cultivate a comparable sentiment among his constituents—and opponents—at home. He had not brought any Republicans or even any Democratic senators with him to the peace commission in Paris, thus alienating his fellow politicians. When he returned to the United States in July bearing the Treaty of Versailles for Congress’s approval, numerous objections were raised. In particular, Congressional members opposed the treaty’s provision for a League of Nations, especially, the stipulation that League members would be sworn to protect the integrity of member states in the event of hostilities. Many feared that this meant that Congress’s right to declare war, and US sovereignty itself, would be thrown open to international consensus. The view may have reflected a return to nativism, or perhaps the formation of a new type of nativism. In any case, the provision for a League of Nations was voted down in November 1919. Wilson continued to fight for it, but when the League eventually materialized without US backing; Wilson had suffered a physical breakdown and was in no condition to see his dream through. In elections in 1920 the Democrats lost badly to the Republicans, headed by Warren G. Harding.

Michael Shally-Jensen, PhD

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■ Sixteenth Amendment to the US Constitution

Date: 1913

Author: Norris Brown, Cordell Hull

Genre: law

Summary Overview

Written by Senator Norris Brown of Nebraska and Representative Cordell Hull of Tennessee, the Sixteenth Amendment to the US Constitution, empowering the federal government to levy an income tax, was adopted in February 1913. After the Supreme Court declared the Wilson-Gorman Tariff Act unconstitutional in 1895, many felt that some sort of tax on income was necessary in order for government revenue to keep pace with the high cost of living. Nearly fifteen years passed before another income tax was proposed and accepted in Congress. Senator Brown, especially, wanted the income tax to be adopted as a constitutional amendment. Written in July 1909, the income tax amendment was not fully ratified by the required three-fourths majority of the states until February 1913. The amendment was signed into effect by Secretary of State Philander C. Knox on February 25, 1913. After the amendment was ratified, an income tax bill officially became law on October 3, 1913.

Defining Moment

The 1913 federal income tax amendment came about as a result of the 1895 court case *Pollock v. Farmers' Loan and Trust Co.* When the Civil War started in 1861, Congress initiated an income tax as a way to help pay for wartime expenses. Going into effect in 1862, this first income tax applied only to incomes over \$800 and began at a flat rate of 3 percent; incomes greater than \$10,000 were later taxed at 5 percent. Although it was proposed simply as a temporary emergency measure to raise money during the war, this tax remained in effect until 1872. In 1894 Congress instituted another income tax, the first established during peacetime, with the Wilson-Gorman Tariff Act. President Grover Cleveland refused to sign the document, but it was passed by both the House and Senate. A year later, Charles Pollock, a Farmers' Loan and Trust shareholder from Massachusetts, sued to prevent the Farmers' Loan and Trust Company from having to pay the tax. According to the Constitution, Congress

was allowed to institute a direct tax only if it was levied proportionally to the populations of each state. The Supreme Court determined that the Wilson-Gorman tax on income derived from property was a direct tax levied disproportionately and so declared the act unconstitutional.

Author Biography

Senator Norris Brown, a Republican from Nebraska, was born in Maquoketa, Iowa, on May 2, 1863. After finishing law school at the University of Iowa in 1883, he was admitted to the bar the following year. Brown practiced law in Iowa before moving to Nebraska in 1888. From 1892 to 1896 he was the attorney for Buffalo County, Nebraska. He practiced law in Nebraska for a number of years before serving as the state attorney general from 1904 to 1906. In 1906 Brown was elected to the US Senate, where he would serve until 1913. In 1909, in response to several income tax proposals, Senator Brown introduced a bill that would add an amendment to the Constitution allowing for a federal income tax. After his first term, Brown failed to gain reelection for a second. Leaving Congress in 1913, he returned home to Nebraska, where he practiced law until 1942, when he retired and moved to Seattle, Washington. He remained there until his death on January 5, 1960.

Representative Cordell Hull was born in Pickett County, Tennessee, to William and Elizabeth Hull on October 2, 1871. Hull graduated from the Cumberland University School of Law in 1891. When he became old enough, he ran for the state legislature and was elected to the Tennessee House of Representatives from 1893 to 1897; he then left that office to serve in the Spanish-American War. When he returned, Hull was appointed a judge before being elected to the US House of Representatives. He served on the Ways and Means Committee for eighteen of his twenty-two years in the House. In addition to helping draft the Sixteenth Amendment, Hull wrote the Revenue Act of 1916. Elected a US sena-

tor in 1931, Hull resigned his position when President Franklin D. Roosevelt appointed him secretary of state in March 1933. In that office, Hull was a leading proponent of international trade agreements and low tariffs. He served as secretary of state until his retirement in

December 1944 due to health problems. In 1945 Hull received the Nobel Peace Prize for his role in creating the United Nations. He continued to live in Washington, D.C., until his death on July 23, 1955.

HISTORICAL DOCUMENT

Sixty-first Congress of the United States of America, At the First Session,

Begun and held at the City of Washington on Monday, the fifteenth day of March, one thousand nine hundred and nine.

Joint Resolution

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the

following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislature of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

“ARTICLE XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.”

GLOSSARY

apportionment: the proportional distribution of the number of members of the US House of Representatives on the basis of the population of each state

census: an official count of the population, with details as to age, sex, occupation, and so forth

enumeration: the act of determining the number of; counting or listing one by one

lay: to impose as a burden, duty, penalty, or the like

Document Analysis

One of the shortest constitutional amendments, the Sixteenth Amendment consists of just one sentence. The amendment may seem to have instituted the federal income tax; on the contrary, the text therein simply gives Congress the power to impose an income tax. The Sixteenth Amendment specifies that the tax does not have to be allotted according to a state’s population, which the Constitution would otherwise require of such a direct tax. The amendment also specifies that income from any source, no matter where, would be subject to the tax.

Although it was directed at all citizens of the United States, the Sixteenth Amendment to the Constitution was perhaps most intended for the Supreme Court itself. After the Supreme Court ruled that the Wilson-Gorman

Tariff Act was unconstitutional in 1895, some members of Congress were determined to provide an amendment to the Constitution that would allow for an income tax and could not be misinterpreted in any way.

Following the Supreme Court’s ruling, many presidential candidates began to include the income tax on their platforms, and President Theodore Roosevelt advocated for a graduated income tax in 1906. President William Howard Taft, on the other hand, did not see the need for a constitutional amendment for federal income tax, although he did ultimately call a special session of Congress in March 1909 to discuss the issue of a new tariff bill. Democrats and Progressive Republicans in the Senate proved resolute in their goal to add an income tax rider to the tariff reform bill. Senators Joseph Bailey and

Albert Cummins joined forces in introducing a bill to tax income over \$5,000.

Nonetheless, Senator Norris Brown of Nebraska was especially determined to draft a constitutional amendment for the income tax in the hope that such an amendment would result in a Constitution that could not be interpreted two ways. Brown teamed up with Representative Cordell Hull of Tennessee, a member of the House Ways and Means Committee, to draft the amendment. Hull modeled the new tax bill on the defunct 1894 law. After finally being passed in both the Senate and the House in July 1909, the amendment then needed to be approved by a three-fourths majority of the states.

Some people, including Governor Charles Evans Hughes of New York, opposed the amendment because of the inclusion of the phrase “from whatever source derived.” To address this concern, Senator Norris Brown remarked, “I am sure I cannot see why, if we are making the taxing of incomes constitutional, we should not tax all incomes regardless of source. It is just as much income if it is derived from National, State, or Municipal securities as it is if derived from railway dividends, interest on corporation boards of any sort, industrial stock dividends, or the profits of ordinary mercantile business.” Others in opposition did not want to cede money to the federal government when their own states might need the revenue. Industrialists, like John D. Rockefeller, opposed the tax out of the fear that “wealth must more and more pay the bills.” On the other hand, many landowners from the more agricultural regions of the country were in favor of an income tax, fearing that Congress might instead enact a tax on property.

With the election of a new governor, New York ratified the amendment in 1910. The final state needed to ratify the amendment approved it in February 1913, almost four years after the amendment was introduced. With the three-fourths vote from the states to ratify the income tax amendment, Secretary of State Philander C. Knox signed the amendment into effect on February 25, 1913.

Essential Themes

One of the major impacts of the Sixteenth Amendment was that, with an income tax, America would no longer have to rely on tariffs to raise revenue. This fact would prove especially important since the country would enter World War I just a few years later. Indeed, upon America’s entry into the war, the need for the income tax was immediately realized, for without it, the financing of the

war would have been difficult. In fact, as the historians Baack and Ray contend, “No single element involved with the rapid assumption of economic power by the federal government was more important than the passage of the income tax, the means by which the increasing role of government was financed” (p. 607).

The 1913 tax marked the first time in American history that a tax had been applied so broadly to individuals and corporations alike. By 1916 two cases seeking the abolishment of the tax had made their way to the Supreme Court. In both *Brushaber v. Union Pacific Railroad Co.* and *Stanton v. Baltic Mining Co.*, wealthy stockholders attempted to convince the courts that their companies should not have to pay the tax.

The amendment allowing the federal government to impose an income tax also created more bureaucracy for the institution. Congress apportioned almost one million dollars for the collection of the taxes, and the newly formed Bureau of Internal Revenue—which would eventually be renamed the Internal Revenue Service—had thirty employees responsible for “handl[ing] the letters and telegrams asking about the tax” (Weisman, p. 282). By 1915, the Bureau of Internal Revenue employed more than 350 tax collectors.

—Nicole Mitchell, PhD

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Chronological List

1910: Jane Addams: “Why Women Should Vote”	243
1911: Dillingham Commission Report	211
1911: Emiliano Zapata: Plan of Ayala	167
1912: Progressive Party Platform.	3
1913: Act in Relation to the Organization of a Colored Regiment in the City of New York	263
1913: Federal Reserve Act	29
1913: Sixteenth Amendment to the US Constitution	14
1913: Theodore Roosevelt: An Autobiography	18
1913: Woodrow Wilson: Address at Gettysburg	57
1914: The Austro-Hungarian Ultimatum and the Serbian Response	87
1914: Margaret Sanger: “The Prevention of Contraception”	249
1914: Monroe Trotter’s Protest to Woodrow Wilson.	270
1915: Alice Paul: Testimony before the House Judiciary Committee	253
1915: Billy Sunday: “Get on the Water Wagon”	37
1915: <i>Guinn v. United States</i>	277
1915: Henry Cabot Lodge: Speech on Mexico.	177
1915: Louis D. Brandeis: “The Jewish Problem: How to Solve It”	217
1915: Samuel Gompers: Circular to the Organizers of the American Federation of Labor	224
1916: Emma Goldman: “The Philosophy of Atheism”	47
1917: Balfour Declaration	183
1917: Espionage Act of 1917.	96
1917: Robert La Follette: Speech Opposing War with Germany.	120
1917: Woodrow Wilson: Address in Support of a World League for Peace	189
1917: Woodrow Wilson: Address to Congress Leading to a Declaration of War against Germany	107
1917: Woodrow Wilson: Second Inaugural Address	23
1917: Zimmermann Telegram	102
1918: Eugene V. Debs: Antiwar Speech.	127
1918: <i>Hammer v. Dagenhart</i>	230
1918: Railway Administration Act	143
1918: Theodore Roosevelt: Speech to the New York Republican State Convention	62
1918: William Pickens: “The Kind of Democracy the Negro Expects”	290
1918: Woodrow Wilson: Fourteen Points	134
1919: Covenant of the League of Nations	195
1919: Eighteenth Amendment to the US Constitution	69