

The VICE PRESIDENT. The Chair understood that the point of order covered both provisions, and both went out.

Mr. WORKS. Very well. I now offer an amendment.

The VICE PRESIDENT. The amendment proposed by the Senator from California will be stated.

The SECRETARY. After the word "dollars" in line 10, on page 39, insert:

Provided, That all laborers on street-cleaning work shall receive not less than \$2 per day for time employed.

Mr. GALLINGER. That is manifestly subject to a point of order, but I will not make it. I am quite willing that it shall go to conference.

Mr. WORKS. I understand that the laborers on the streets here are being paid less than those in any other city in the country.

Mr. GALLINGER. They are being paid very small wages. Let the amendment go in.

The amendment was agreed to.

Mr. POMERENE. On page 39, line 9, I move to amend by striking out the words "two hundred and seventy-five" and inserting in lieu thereof "three hundred and twenty-five."

My reason for doing this is that with the rate of wages increased, of which I heartily approve, it will be necessary to have an additional appropriation for street-cleaning purposes, and to that end it is suggested that there ought to be \$50,000 added.

The VICE PRESIDENT. The amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. On page 39, line 9, strike out the words "two hundred and seventy-five" and in lieu thereof insert "three hundred and twenty-five," so as to read "three hundred and twenty-five thousand dollars."

Mr. GALLINGER. While I think the appropriation in the bill will prove to be sufficient, I have no objection to the amendment going in.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PUBLIC BUILDING AT ST. GEORGE, UTAH.

Mr. KENYON. I desire to enter a motion similar to that entered by the Senator from Tennessee, to reconsider the vote by which the bill (S. 3716) for the erection of a public building at St. Georges, Utah, was passed on Saturday, and I ask that the House of Representatives be requested to return the bill to the Senate.

The VICE PRESIDENT. Without objection, the request for the return of the bill is agreed to, and the motion to reconsider is entered for future action.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 20, 1912, at 2 o'clock p. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, March 19, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, help us to hallow Thy name by consecrating ourselves anew to all that is best in life, that with pure motives, high ideals, and noble endeavors we may do things worth while and prove ourselves worthy of the intellectual, moral, and spiritual gifts with which Thou hast so richly endowed us, and thus develop for ourselves in full and symmetrical proportions a character after the similitude of the Master's. Amen.

The Journal of the proceedings of yesterday was read and approved.

HOMESTEADS.

Mr. KENT. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a tabulation of some of the homestead laws and bills which will be up for consideration before the House to-morrow.

The SPEAKER. The gentleman from California asks unanimous consent to print in the RECORD certain tabulated statements concerning the homestead laws. Without objection, it will be so ordered.

There was no objection.

The tabulations are as follows:

Regulations pertaining to Dominion lands act (Canada) compared with United States land laws and proposed law (S. 3367).

	Present United States law.	Dominion.	Proposed law (S. 3367).
Patents.....	No reservation.	General reservation all minerals.....	No reservation.
Eligibility.....	Citizenship, age 21 years, or head of family..	Citizenship, head of family, or age 18 years if male.	Citizenship, age 21 years, or head of family.
Amount.....	160 acres.....	160 acres.....	160 acres.
Survey.....	Must be surveyed.	Land must be surveyed.	Must be surveyed.
Settlers' rights.....	Settlers on unsurveyed lands have preference right of entry. Must be exercised within 3 months after survey and opening of lands.	Preference right for 6 months. Occupation after survey without entry within time gives no rights, and may be treated as trespasser, with improvements forfeited.	Settlers on unsurveyed lands have preference right of entry. Must be exercised within 3 months after survey and opening of lands.
Time for establishing residence after entry made.	6 months.....	6 months. On specific cause shown entry may be protected from cancellation for further period of 6 months.	6 months.
Annual proof.....		May be required by declaration or otherwise to show each year performance of homestead duties.	
Grounds for cancellation.....	Made for benefit or use of another. If allowed through error, misrepresentation, or fraud. Failure to comply with statutory requirements.	Made for benefit or use of another. If allowed through error, misrepresentation, or fraud. Failure in any year to fulfill requirements of law.	Made for benefit or use of another. If allowed through error, misrepresentation, or fraud. Failure to comply with statutory requirements. Failure to establish residence within 6 months after entry.
Condemnation of land embraced in entry.	Condemnation allowable of lands needed for Government reclamation construction.	Because of value for timber. May be canceled if land necessary for protection of water supply or for location or construction of works necessary for development of water power. (Compensation may be allowed for improvements.)	Condemnation allowable of lands needed for Government reclamation construction.
Requirements.....	5 years' residence and cultivation.....	3 years' holding, with residence at least 6 months in each of 3 years, to have erected habitable house, and to have cultivated such area each year as is satisfactory to minister.	Putting a habitable house upon the land. Cultivation (no specified amount) for 3 years. Presence of entryman or his family on the land 7 months in each calendar year for 3 years.
Proofs.....	2 credible witnesses.....	Sworn statement by applicant corroborated by two witnesses.	2 credible witnesses.
Time within which proof must be made.	7 years.....	5 years.....	5 years.

PUBLICITY IN CONGRESSIONAL CAMPAIGNS.

Mr. LLOYD. Mr. Speaker, the Members of the House upon both sides are interested in the formal statement which is required to be filed by each individual candidate for Congress prior to his nomination and immediately following his nomination, prior to his election and subsequent to his election. I have conferred with the gentleman from Illinois, Mr. MANN, and we have prepared a part of these forms. I ask leave now to

insert in the RECORD a form of statement which may be made prior to a nomination, and one which may be made following the nomination of a candidate for Congress.

Mr. BARTLETT. Mr. Speaker, is that under the so-called campaign publicity bill?

Mr. LLOYD. Yes.

Mr. BARTLETT. The candidate has to file a statement before his nomination?

Mr. LLOYD. Yes.

Mr. GARNER. Mr. Speaker, will the gentleman from Missouri yield?

Mr. LLOYD. Yes.

Mr. GARNER. Would it not be well, if these forms meet the approval of the membership of the House, to have blanks printed for the purpose of furnishing them to Members?

Mr. LLOYD. Mr. Speaker, after getting the unanimous consent that I desire, I wish, in addition thereto, to have leave to extend my remarks in the RECORD, so as to explain the statements which are required to be made, and to explain the law itself.

Mr. MADDEN. Mr. Speaker, will the gentleman yield for a question?

Mr. LLOYD. Yes.

Mr. MADDEN. Does the gentleman intend to introduce a form blank upon which to make a report?

Mr. LLOYD. Yes.

Mr. MADDEN. I think that is very essential and ought to be done.

Mr. CRUMPACKER. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. CRUMPACKER. I understand from the gentleman's remarks that the proposed form will only be advisory, and not obligatory.

Mr. LLOYD. It will be advisory only.

Mr. CRUMPACKER. The point I have in mind is that the convention in my district will be held on the 28th instant. I filed my statement on yesterday in the form of a general sworn statement. I, of course, would want some sort of a reserving clause if it were to be obligatory.

Mr. LLOYD. This is in no sense obligatory. It is only for the purpose of information.

The SPEAKER. The House will understand that all of this debate is proceeding by unanimous consent.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. MANN. If the gentleman has these forms printed in the RECORD, I suggest that the gentleman also, for the general convenience of both Members here and candidates outside, ask leave that there may be printed for the use of the Clerk of the House a sufficient number of copies of these forms to provide them to candidates.

Mr. FINLEY. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. FINLEY. Does the gentleman know that for some days a proposition has been underway to have certain members of the House Judiciary Committee prepare a proper blank or form for candidates for the House and for the Senate, and that it is further proposed that that form be printed, by order of the House, in sufficient numbers to supply all candidates for the House and Senate with blanks? That has been underway for some time, and I would like to ask the gentleman if he is aware of that fact?

Mr. LLOYD. I am not aware of the fact.

Mr. MANN. Mr. Speaker, if the gentleman will permit me, I had a talk yesterday with the gentleman from Alabama [Mr. CLAYTON], the chairman of the Committee on the Judiciary, in reference to these forms. The gentleman from Missouri [Mr. LLOYD] and myself have been collaborating upon a form and have prepared the preliminary form, and practically the others, which I think will meet all of the requirements without question, and it would be a great convenience to Members if those forms could be furnished by the Clerk.

Mr. FINLEY. I will say to the gentleman from Illinois that it has been the intention of some Members, myself among them, to do what we could to bring about the printing of a sufficient number of forms to supply all candidates for the House and Senate.

Mr. BROWNING. Mr. Speaker, I would like to say to the gentleman from Missouri that the State law of New Jersey and the United States law conflict in one respect. A Member of Congress in New Jersey can appoint a committee of five, who expend all of the money that he has contributed. He makes a report upon that to the secretary of state, and all that the Member himself would swear to would be the amount of money turned over to his committee. For instance, when I was a candidate last fall, I appointed a committee of five to handle the funds that I gave them. When it came to making my statement to Congress I found that it was a very difficult matter to do, and I had to take the statement of the committee which I had appointed.

Mr. FINLEY. The gentleman would have to make two statements—one to Congress and one to the State of New Jersey.

Mr. BROWNING. Yes; but the two laws conflict. I do not expend the money.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. BARTLETT. Mr. Speaker, I am not going to offer any objection to the proposition of the gentleman from Missouri [Mr. LLOYD], but it occurs to me to suggest that this is a law which was passed by Congress, which prescribed what candidates in the primary and candidates who have been nominated for Congress shall do, both during the primary, at the primary, before the election to Congress, and after the election to Congress. It occurs to me to suggest that it is somewhat strange that a body of men who passed a law of this sort, for which I did not vote because I did not believe we had the power to enact any such law, and also because I thought the various States—I know mine has—have enacted a better law with reference to publicity of campaign funds than the one we have put upon the statute books here—it is strange, I say, that this body should have to have some one construe its own law. I rise to call attention to that fact, for it is a singular commentary upon the intelligence of a body of three hundred and ninety-odd Members, who have enacted the law, to say that we not only need a construction of that law, as to how we should operate under it, and what sort of statements we should make, but that we should have done for us that which is done for tyros in the practice of law in justice courts, namely, have a form book prescribed showing how we shall follow the law. Not only that, but we propose to encumber the Treasury of the United States with the expense of publishing and furnishing to each Member of this House, and to other candidates who do not happen to be Members, a blank form in which we are told how to comply with this law of the United States. We find ourselves now in a peculiar position. During the closing hours of last session, without due consideration, as I believe, we passed an amendment to the law respecting publicity of campaign funds, making it apply to primary elections, and it is now suggested that we do not know how to comply with that law, but must follow the suggestions of the gentleman from Illinois and the gentleman from Missouri as to how we shall comply with it. I have no objection to the information being given to the House or to the country, to those Members of the House who are prospective Members, or to those who are not Members of the House who are prospective candidates, as to how we shall construe the law and how we shall follow it.

But if we make a mistake, or rather if the gentleman from Illinois [Mr. MANN] and the gentleman from Missouri [Mr. LLOYD] make a mistake in the construction of this law, and they are human, I apprehend, good lawyers as they are, accomplished and learned as they both are, if they have made a mistake and we plead in the courts, because we are subject to indictment if we do not follow this law, if we plead in the court as a justification for not complying with the law in the event the court should decide the gentleman from Illinois and the gentleman from Missouri were mistaken as to the requirements of the law, we are to plead not guilty or to confess our guilt and plead in extenuation of it that the gentleman from Illinois and the gentleman from Missouri thought that was the law. We are to plead that. The truth of the matter is we ought to be permitted to construe the law ourselves. We ought to be required to follow the law ourselves and we ought not to be required to have furnished by these two gentlemen the necessary forms and necessary blanks to comply with the law, and there is no reason, Mr. Speaker, why the House should be taxed with the cost of printing for the benefit of Members of the House who have voted for this law, either knowing what it was or not knowing what it was, or why we should tax the Treasury of the United States and Government of the United States for that which it is to be presumed every man who is a Member of Congress should have information on and be presumed that every man who is worthy to run for Congress and to be a candidate and to be elected or defeated for Congress ought to be able to construe for himself. Now, that is what I desire to suggest. It is a very remarkable suggestion that the House should print for the benefit of men who have been given by reason of their intelligence and their experience seats in this House, that after enacting a law that we need some one of the Members of the House to construe that law. Not only that, but we need somebody to put this matter in form like the drawing of a deed or the making of an affidavit for an attachment for young lawyers in order that we may not go astray therein.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. HILL. Will the gentleman from Georgia permit a question?

Mr. BARTLETT. I will.

Mr. HILL. I understand in the last congressional election in Kansas it was made an essential that everybody who was a candidate and desired his name to go on the ticket as a candidate should, as a preliminary, pay \$3,000 to somebody—

Mr. BARTLETT. Yes.

Mr. HILL. In order to get their names on the ticket.

Mr. BARTLETT. You can expect anything from Kansas, you know.

Mr. HILL. I know it is a great progressive State and a good State and—

Mr. BARTLETT. But anything curious can come from Kansas.

Mr. HILL. I would like to know whether the manner in which the money is expended comes in any way to the knowledge of Congress under the law which we passed in the last Congress?

Mr. BARTLETT. I do not think it does.

Mr. HILL. That is just what I think. The law is a farce.

Mr. LLOYD. Mr. Speaker, I ask to have my request put again.

Mr. FINLEY. Mr. Speaker, I would like to have the request of the gentleman stated.

The SPEAKER. The request is to print in the CONGRESSIONAL RECORD certain forms with the affidavits of money expended touching congressional nominations and elections and also to have the Clerk print enough of them to furnish to Members—

Mr. BARTLETT. To furnish to Members or candidates?

The SPEAKER. And other candidates. Is there objection?

Mr. BARTLETT. Mr. Speaker, I am going to object; I think it is a very foolish proposition.

EXCISE-TAX BILL.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21214.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21214, the excise-tax bill, with Mr. Moon of Tennessee in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the title, as follows:

A bill (H. R. 21214) to extend the special excise tax now levied with respect to doing business by corporations to persons, and to provide revenue for the Government by levying a special excise tax with respect to doing business by individuals and copartnerships.

The CHAIRMAN. Under the order of the House the committee will consider the bill under the five-minute rule for two hours.

Mr. UNDERWOOD. Mr. Chairman, I have a committee amendment which I desire to offer to this bill. The amendment is to section 3, and I ask unanimous consent that I may offer it at this time.

The CHAIRMAN. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that he may offer a committee amendment to section 3 of the bill at this time.

Mr. MANN. Reserving the right to object, let the amendment be reported.

Mr. UNDERWOOD. I will state to the gentleman what it is: On page 5, line 12, after the word "dollars," I desire to strike out the word "gross," so that it will read—

But persons having less than \$4,500 income are not required to make such report.

That leaves out the word "gross."

Mr. FOSTER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. FOSTER of Illinois. Striking out the word "gross" leaves this to mean \$4,500 net income.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. Now, Mr. Chairman, I wish to say to the committee that as this bill was originally offered it required all persons having a gross income of \$4,500 to make a report of their income. After further consideration we have concluded that that might work a hardship; that there might be many persons who had an income of only \$1,000 or \$2,000 net income whose gross income would be as much as \$4,500 or above. And in order not to force those people to make a report and annoy them with making a report, we propose to strike out the word "gross" and let it read simply "\$4,500 income," which means

net income, because net income is referred to in the other paragraphs of the bill and in this paragraph.

Mr. MANN. Does the gentleman think it would be net income?

Mr. UNDERWOOD. I think it would.

Mr. MANN. I do not see the difference between "gross income" and "income." If the gentleman wants to make it "net income," would it not be safer to do that?

Mr. UNDERWOOD. I have no objection to the word "net" going in before the word "income," but as all the balance of the bill refers to net income, I presume the court would accept it in that way. If there is any doubt, I would ask to insert the word "net" instead of "gross," so as to make it read "net" instead of "gross."

Mr. BARTLETT. Is debate allowed on this amendment?

The CHAIRMAN. Does the gentleman wish to be heard on the amendment?

[Mr. BARTLETT addressed the committee. See Appendix.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RAUCH having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 11824. An act to amend section 113 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911.

The message also announced that the Vice President had appointed Mr. Root of New York and Mr. MARTIN of Virginia to fill the vacancies in the Senate membership of the joint commission, provided under the act of April 28, 1904, for extension and completion of the Capitol Building, occasioned by the death of Mr. Alger of Michigan and Mr. Gorman of Maryland.

THE EXCISE-TAX BILL.

The committee resumed its session.

The Clerk read as follows:

Be it enacted, etc., That every person, firm, or copartnership residing in the United States, any Territory thereof, or in Alaska or the District of Columbia, shall be subject to pay annually a special excise tax with respect to the carrying on or doing business by such person equivalent to 1 per cent upon the entire net income over and above \$5,000 received by such person from all sources during each year; or, if a nonresident, such nonresident person shall likewise be subject to pay annually a special excise tax with respect to the carrying on or doing business by such person equivalent to 1 per cent upon the amount of net income over and above \$5,000 received by such person from business transacted and capital invested within the United States and its Territories, Alaska, and the District of Columbia during each year. The term "business," as herein used, is and shall be held to embrace everything about which a person can be employed, and all activities which occupy the time, attention, and labor of persons for the purpose of a livelihood or profit. The word "person" wherever used in this act shall be held to include natural persons or individuals and firms or copartnerships.

Mr. CANNON. Mr. Chairman, I offer a pro forma amendment to strike out the last word.

I shall not discuss our constitutional power to enact this bill. I have listened to the discussion, which in the main has been able, on both sides of that legal question; and even if I were competent to discuss it as intelligently, perchance, as it has been discussed, there is no time in five minutes to discuss it.

I intend to be purely practical in my discussion of this bill, without regard to whether it is constitutional or not.

There are \$124,000,000 in the general fund in the Treasury. We had last year \$47,000,000 of surplus revenue under existing law. We have advanced for the construction of the Panama Canal from the general fund in the Treasury, over and above what the Government has been reimbursed, in round numbers \$126,000,000. This amount is reimbursable.

I have no doubt that the surplus at the close of this fiscal year will be more than it was at the close of the last fiscal year. I believe it will be over \$50,000,000. Now, under existing law, saying nothing about reimbursement for moneys advanced for the Panama Canal, the revenues are ample to care for the Government; and, Gen. SHERWOOD, if the pension bill that bears your name should be enacted into law, the Government revenues would be large enough, without one additional dollar of taxation, to pay the additional expense caused by the enactment of that pension bill. [Applause.]

Now, here we are in the session preceding the presidential election. My friend from Alabama [Mr. UNDERWOOD], the leader upon that side of the House, fires in his revenue bills, although he has no more idea of their being enacted than he has that he will repose in Abraham's bosom when he crosses over to the other side. [Laughter.] They are all pure leather and prunella. When I have said that I have said all I desire to say upon this subject. Yet, under the able leadership of the gentleman from Alabama [Mr. UNDERWOOD], they will continue to fire in

these bills, continue to talk about taxation, continue to weep crocodile tears for the poor oppressed people; when the agitation that they make in seeking to gain this political capital brings, through fear and apprehension in the minds of great multitudes of people, whatever of distress now rests upon the country. [Applause.]

Mr. CAMPBELL. Mr. Chairman, I offer the amendment which I send to the Clerk's desk, to come in after line 13, page 2.

The CHAIRMAN. The pro forma amendment offered by the gentleman from Illinois [Mr. CANNON] will be considered as withdrawn, and the gentleman from Kansas [Mr. CAMPBELL] offers an amendment which the Clerk will report.

The Clerk read as follows:

Provided, That the provisions of this act shall apply to the incomes of persons who have retired from or are not engaged in active business, and to married women who have separate incomes from property in their own names, under the laws of any State of the Union.

Mr. UNDERWOOD. Mr. Chairman, I desire to reserve a point of order against that amendment.

The CHAIRMAN. The gentleman from Alabama reserves the point of order.

Mr. CAMPBELL. Mr. Chairman, the purpose of this amendment is to reach those larger incomes which do no one any good except the recipients, and which are not reached by the bill as it is.

The gentleman from Alabama [Mr. UNDERWOOD] stated yesterday, in answer to a question, that the provisions of this bill would not reach the incomes of men who had retired from or were not engaged in active business.

It is well known to everyone that the large incomes of the country are received by men who are to-day idle and who are known throughout the country, in the parlance of the present, as the idle rich. This bill will not reach the income of any one of these persons. I should like to see the incomes of Mr. Carnegie and Mr. Rockefeller, and of the other great retired captains of industry, pay something under the provisions of this law. Without the amendment I have offered they will not be required to pay one cent.

I am also anxious to reach that other large class who have enormous incomes, the women of the country with colossal fortunes who marry foreign counts and live abroad. The provisions of this act would not reach them without this amendment. With this amendment, every countess living on the Continent of Europe or anywhere else, having property in the United States from which she receives an income, would have to pay something for the maintenance of the Government from which she has expatriated herself. Without this amendment these larger fortunes of this country would not pay a cent of tax under the provisions of this bill. With this amendment the incomes that ought to be reached will be reached.

But it is answered that this provision is in violation of the Constitution as laid down in the Pollock case. Well, we are appealing to the Supreme Court of the United States to reestablish an income tax, and it is just as well to take this provision up to the court with the question the bill raises as it is. We are only starting a lawsuit in any event, and we may as well include in that suit something that will be worth the trial. [Applause.] This provision will make it worth while to have passed this law and to have taken it to the Supreme Court of the United States.

Mr. Chairman, the amendment I have offered makes the idle man or the idle woman with a large income contribute to the support of the Government, and will in some measure relieve the active man and the active woman, with active capital, engaged in active business. This bill as it now stands requires the payment of a tax for the privilege of being active in business. It puts a premium on retiring from business, on not engaging in business, on taking capital out of business, on taking enterprise and industry out of the activities of the country.

I have always been a nationalist or a federalist and therefore have believed in an income tax properly enacted.

There has been no one step taken by our Democratic brethren in recent years that shows so conclusively that they have abandoned the idea that this is not a sovereign nation as the step they have taken to permit the Federal Government to extend its arm into the homes and business enterprises of every citizen of the Union who is in business, when his income exceeds the sum of \$5,000 a year. Alexander Hamilton never pleaded for a nationalism that was greater and stronger than that. Thomas Jefferson would not have applauded the purposes of this bill. Alexander Hamilton, if he were here, would applaud this bill with the amendment I have offered. He believed always that this was a nation spelled with a capital N, and if this bill should ever become a law, if it includes the amendment I have offered,

will enable the Federal Government to exercise the authority of its taxing powers over all property, active and idle as well, and make this tax bill really worth the passage. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, I shall address myself to the point of order which I now make. The gentleman from Kansas offers an amendment which would bring this bill into the category of an income-tax bill, and instead of accomplishing the result he says he desires, if the Supreme Court of the United States maintained the decision in the Pollock case, it would declare the bill unconstitutional.

Of course, I hope and believe that if the question is ever presented to the Supreme Court of the United States again it will reverse the Pollock case and hold that a direct income tax is constitutional. [Applause.]

But I do not want to complicate this bill. We are writing this bill for the purpose of raising revenue, and when the gentleman states that I stated yesterday that this bill would not reach the vast wealth of men like Mr. Carnegie, it simply means that the gentleman was not on the floor when I made my speech, because I distinctly said that it would reach men of that class.

Mr. CAMPBELL. Will the gentleman yield?

Mr. UNDERWOOD. Not at present. I stated that the bill would not reach the idle holder of idle wealth, but that there would be very few men who would be exempt under this bill, and that men like Mr. Carnegie and Mr. Astor were as much engaged in business as the men who are renting office buildings or lending money in the pawnbroker's shop.

Now, the point of order I desire to make is this: This bill seeks to levy an excise tax. Under its terms it does not attempt to levy a tax on incomes, it attempts to levy a tax on the right to do business, and measures the amount of the tax by the net income of the person taxed. But the tax is not on the income or the property; it is strictly on the right to do business.

The amendment offered by the gentleman from Kansas seeks to levy a tax on certain incomes, not on the right of the person to do business, but on the incomes they derive from the property, and under the rules of this House I contend that that amendment is not germane to the subject matter of this bill.

The CHAIRMAN. Does the gentleman from Kansas desire to be heard on the point of order?

Mr. CAMPBELL. Mr. Chairman, the purpose of this bill is to levy a tax on incomes. To say that that tax shall be levied upon a man engaged in doing business is simply defining one phase of the bill. It is quite logical to add to that a provision levying a tax upon the incomes of those not engaged in business. The rules of this House make no distinction between an excise tax and an income tax. That is a matter that has been passed upon by the court, and that is for the court, but we are here passing a law under the rules of this House providing for an income tax, if we are doing anything. The provisions of this bill, as they stand, levy that tax upon the man and woman who are engaged in business, and the amendment I have offered only adds to that number the men and women who are not engaged in active business.

Is there anything incompatible in that amendment with the provisions of the bill as it stands? Is the idea of an income tax on activity so abhorrent to an income tax on inactivity that the Chair would hold that an income tax on the idle man could not be included in the provisions of the same bill with the tax on the income of the active man?

Mr. BATHRICK. Will the gentleman allow me a question?

Mr. CAMPBELL. Certainly.

Mr. BATHRICK. Is it not very apparent that Mr. Carnegie, whose holdings in the United States Steel Trust are supposed to be almost entirely in bonds, would pay an income upon the capital invested within the United States as set forth on page 2, line 5, of the bill?

Mr. CAMPBELL. That is one of the propositions that would go to the Supreme Court. I will state to the gentleman from Ohio, and if I may have the attention of the gentleman from Alabama, that I will change this from a proviso to a separate section. Therefore, if when the lawsuit reaches the court, which it certainly will if this bill should ever become a law, if the court should hold that this separate section was unconstitutional, it would still leave the tax on the activity of the country, while it would relieve the inactivity of the country from taxation.

Mr. COVINGTON. Will the gentleman yield?

Mr. CAMPBELL. Certainly.

Mr. COVINGTON. Does not the gentleman know that if his amendment is written into the bill it plainly will destroy the validity of it in the Supreme Court of the United States?

Mr. CAMPBELL. Not at all; we are going to the Supreme Court of the United States anyhow. The gentleman does not

indulge the hope that this bill, if it becomes a law, will not be a subject of litigation?

Mr. COVINGTON. No; but we indulge in the hope that amendments will not be offered purely for buncombe and which, if adopted, would have the effect not of perfecting but of destroying the purpose of the bill. That seems to be the purpose of the gentleman from Kansas.

Mr. CAMPBELL. I take it that the gentleman is quite familiar with buncombe legislation. He has participated in Democratic caucuses that have brought out one buncombe bill after another, and he knows what buncombe is. [Applause and laughter on Republican side.] This amendment is offered for the purpose of reaching that large wealth in this country which is exempted under the provisions of the bill under consideration.

Mr. COVINGTON. Mr. Chairman, it certainly does not require any prescience to tell me that I would not have to go to a Democratic caucus to find buncombe when we still have left in this House a few gentlemen from the State of Kansas. [Laughter.]

Mr. CAMPBELL. Mr. Chairman, the gentleman will not have to come to Kansas for his buncombe. He will find some in Maryland and some in Alabama, and all he wants of it in a Democratic caucus. I have stated that if there were any fear that in the lawsuit which will be brought as the result of this bill, if it should become a law, the court should find the provisions of the gentleman's bill constitutional and this proviso which I offer unconstitutional I shall be very glad to put it in the form of a separate section, so that that section could be declared unconstitutional and thus leave the remainder of the bill as written by the gentleman from Alabama.

Mr. UNDERWOOD. Mr. Chairman, I do not think a separate section would be any more in order than the amendment offered here. I would like to have the Chair rule upon whether the matter is germane or not.

Mr. CAMPBELL. I think the amendment is germane.

The CHAIRMAN. The bill provides for a special excise tax with respect to doing business by persons and copartnerships. This is strictly an excise tax. It is not an income tax. The amendment offered by the gentleman from Kansas provides that the provisions of the act shall apply to incomes of persons who retire from or are not engaged in active business, and to married women who have separate incomes from property in their own names under the laws of the several States. It is very obvious that the amendment seeks to tax incomes, while the bill is not on the subject of incomes, but levies an excise tax on the privilege of carrying on business. The amendment being totally foreign to the subject matter of the bill, it is out of order, and the point of order made by the gentleman from Alabama is sustained.

Mr. JACKSON. Mr. Chairman, I offer the amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 1, line 9, by striking out the words "all sources" and insert in lieu thereof the words "said business."

Mr. JACKSON. Mr. Chairman, I offer this amendment merely for the purpose of calling the attention of the committee to a proposition which makes this law as certainly unconstitutional as would the amendment which was offered by my colleague [Mr. CAMPBELL], should it be adopted. In order to arrive at once at what I wish to say, allow me to read from the corporation-tax case, what the court in its opinion said upon these words. The court said:

It is true that in the *Spreckels* case (192 U. S., supra), the excise tax, for the privilege of doing business, was based upon the business assets in use by the company, but this was because of the express terms of the statute which thus limited the measure of the excise. The statute now under consideration bears internal evidence that its draftsman had in mind language used in the opinion in the *Spreckels* case, and the measure of taxation, the income from all sources, was doubtless inserted to prevent the limitation of the measurement of the tax to the income from business assets alone.

It is evident from the speech of the gentleman from Alabama [Mr. UNDERWOOD] and the others who have talked upon that side of this proposition, that they expect that the same measurement of this tax which was applied by the Supreme Court to the measurement of a corporation income can be applied to the measurement of an individual's income; and I assert that position overlooks the fundamental proposition in the corporation-tax case, namely that the decision rests on the right to tax the use of a corporate franchise in business. I know gentlemen quote it here as though it had rested on the proposition of taxing business alone, but they do not notice that in every instance, where the court used this language it emphasizes the fact that the thing taxed is the privilege of the corporation to do business as a corporation. This is important upon the question of the measure of the tax.

It was held that the tax on a corporation might include all its income from every source, including income from property which, considered alone and unconnected with the business, would not be taxable, but the court did not hold, and never will hold, that such a rule could be applied to individuals. The court rested this ruling squarely on the very fact that all the property of a corporation must be necessarily related to and connected with its business. The Government, in the brief on this case said:

Besides, the property held by a corporation, whether actively employed in its principal business or not, does serve as an aid to that business, adding to its financial strength and credit.

When the court came to pass on that question, in the opinion it used this language:

In the case at bar we have already discussed the limitations which the Constitution imposed upon the right to levy excise taxes, and it could not be said, even if the principles of the fourteenth amendment were applicable to the present case, that there is no substantial difference between the carrying on of business by the corporation taxed and the same business when conducted by a private firm or individual. The thing taxed is not the mere dealing in merchandise, in which the actual transactions may be the same, whether conducted by individuals or corporations, but the tax is laid upon the privileges which exist in conducting business with the advantages which inhere in the corporate capacity of those taxed, and which are not enjoyed by private firms or individuals. These advantages are obvious and have led to the formation of such companies in nearly all branches of trade.

It is this distinctive privilege which is the subject of taxation, not the mere buying or selling or handling of goods, which may be the same, whether done by corporations or individuals.

Then on this very question the court further said:

It is contended that the measurement of the tax by the net income of the corporation or the company received by it from all sources was not only unequal, but so arbitrary and baseless as to fall outside the authority of the taxing power. But is this so? Conceding the power of Congress to tax the business activities of private corporations, including, as in this case, the privilege of carrying on business in a corporate capacity, the tax must be measured by some standard, and none can be chosen which will operate with absolute justice and equality on all corporations.

Some corporations do a large business upon a small amount of capital; others with a small business may have a large capital.

The tax upon the amount of business done must operate as unequally as a measure of excise as it is alleged the measure of income from all sources does.

Now, again:

Nor can it be justly said that investments have no real relation to the business transaction by a corporation. The possession of large assets is a business advantage of great value; it may give credit which will result in more economical business methods; it may give a standing which shall facilitate purchases; it may enable the corporation to enlarge the field of its activities and in many ways give it business standing and prestige.

So here in the very language of this bill, in the language of the corporation case, lies a provision which under the authority of the first case that was passed upon by the Supreme Court, under the safety-appliance act, under the decision of the court in the *Western Union* against Kansas, which I was so unfortunate as to be counsel for the State in this case, if for none of the broader constitutional reasons which have been urged against it here should succeed, will undoubtedly go down when the court comes to pass upon this language.

So this bill incorporates in its provision a measure of taxation which, under the corporation-tax cases, is clearly unconstitutional and can not be upheld. Broadening the provisions of the corporation-tax law to include all individual incomes brings the law within the rule declared in the *Pollock* case and annuls it in its entirety.

In the first employers' liability case (207 U. S., 463) Congress used language which could be construed to include intrastate as well as interstate commerce, and intrastate commerce not being with the regulative power of Congress the entire law was declared unconstitutional. Again, in *Western Union* against Kansas (216 U. S., 1)—a case in which I was unfortunate enough to be on the wrong side as counsel—the court held that a State law attempting to tax all the capital stock of a foreign corporation was unconstitutional as an unlawful restriction on interstate commerce.

As this bill, boldly and unequivocally attempts to measure a tax by including in its provisions sources of incomes not within the power of Congress to tax constitutionally, I believe it will be stricken down by the courts as a whole. If the amendment is adopted, the bill might be constitutional as to the incomes left within its provisions.

Mr. LANGLEY. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Kansas, because it seeks to narrow the scope and application of this bill. I do not wish to see that done. Notwithstanding the fact that this measure originated on the other side of the House, and notwithstanding the fact that I am a protectionist Republican, I intend to vote for the bill just as it was reported by the committee. [Applause.]

Nearly 20 years ago I participated in an intercollegiate debate upon this question, and I was on the affirmative side. In preparing for that debate I gave the question as thorough a consideration as I was then capable of giving to it, and my investigation thoroughly convinced me of the wisdom and justice of this method of raising revenue. [Applause.] I still entertain the same opinion. I regret to take a position which, I assume, will be contrary to that of a majority of my party colleagues here, but I can not conscientiously, merely for the sake of party expediency, abandon the convictions of almost half a lifetime. [Applause.]

I had intended to participate in the general discussion of the bill, but the condition of my voice would not permit it, and for the same reason it must be evident to you that I can not discuss it further now. I wish to take advantage of the privilege which has been accorded of extending my remarks in the Record, in order to give my reasons for supporting the bill. I have risen now to make this brief explanation in order that my party colleagues may understand why I cast my vote for the bill [Applause.]

Mr. HULL. Mr. Chairman, I think that if Congress had entertained the same opinion as to its taxing power which the gentleman from Kansas has expressed, neither the excise act of 1898 nor the corporation-tax act of 1909 would have been considered or passed. The language of the corporation-tax act is perfectly plain. It was sustained in every way by the court decisions relative to the method of measuring that tax. There can be no controversy in the mind of any gentleman, who will take the pains to even glance carefully at this act and at the Flint decision construing it, as to the meaning. This decision, commenting upon the objections made to the act, in which it undertakes to measure the corporation tax by the income derived from all sources, says:

There is no rule which permits a court to say that the measure of its tax for the privilege of doing business, where income from property is the basis, must be limited to that derived from property which may be strictly said to be actively used in the business. Departures from that rule sustained in this court are not wanting.

Then a number of citations are given containing references to other decisions on similar lines. Therefore, Mr. Chairman, there can be no doubt in the mind of any gentleman who favors an excise tax on business such as this bill proposes to lay, or in the mind of any gentleman who would have supported the corporation-tax act of 1909, as to what this means or as to what the courts would say it means.

Mr. JACKSON. Mr. Chairman, I offered this amendment merely for the purpose of calling attention of the author of the bill to what seems to me to be absolutely certain to destroy the law in the Supreme Court. I want the gentlemen who start this lawsuit to put it up to the Supreme Court in the way they desire, and I therefore withdraw the amendment.

Mr. MANN. Mr. Chairman, I ask unanimous consent that all debate on this section and amendments thereto close in five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, it is said that imitation is the most sincere form of flattery, and therefore the Republican Party may properly feel flattered that the Democracy has in this bill attempted to imitate the Republican corporation tax. [Applause on the Republican side.] Most imitations, however, lack many of the virtues of the original; some lack all of them. This particular imitation is of the latter class.

I am opposed to this legislation; first, because while it professes to imitate a wise and constitutional measure it is neither wise nor constitutional.

There are times and conditions when, under a Government like ours, the legislative branch of the Government is justified in enacting legislation containing propositions which, at another time and in different form, have met the disapproval of a majority of the court of last resort, but there is no condition existing at this time justifying the launching on the legislative sea of this crude proposal which, under the name of an excise tax, involves all the problems of an income tax without having its virtues.

An amendment to the Federal Constitution, providing for an income tax, is now before the country awaiting the ratification of the States. Thirty States have already ratified it, requiring the approval of only six more. That approval can be had within a year. Should a sufficient number of States ratify the amendment, an evenly balanced bill could be brought in instead of this measure which, its proponents admit, would tax only the active and leave untaxed the idle wealth of the country. In this condition of affairs, with no present need of more revenue, there is no justification for this slipshod, halting, and inadequate at-

tempt at an inequitable income tax under the guise of an excise tax.

I am further opposed to the measure, because it is brought forward on the ridiculous claim that it would raise sixty millions of revenue. If I were to vote for it and it finally ran the gantlet of the Supreme Court, I would be subject to the criticism that I had voted for a measure with the expectation that it would fill a sixty-million gap in the revenues when, in fact, it would raise only fifteen or twenty millions.

I am further opposed to the bill, because it is presented as a stop gap for a threatened breach in our tariff walls made by the loss of \$53,000,000 if the bill putting sugar on the free list should pass. It can not minimize the loss or delay the destruction to the interests or industries of the American people which the removal of the tariff on sugar would bring, but is presented as the excuse for and complement of that measure of property confiscation and treaty repudiation. Therefore I can not support it. [Applause on the Republican side.]

The Clerk read as follows:

Sec. 2. That in computing incomes the necessary expenses actually incurred in carrying on any business, not including personal, living, or family expenses, shall be deducted, and also all interest paid within the year by such person on existing indebtedness; and all national, State, county, school, and municipal taxes, not including those assessed against local benefits, paid within the year shall be deducted from the gains, profits, or income of the person who has actually paid the same, whether such person be owner, tenant, or mortgagor; also losses actually sustained during the year incurred in trade or arising from fires, storms, or shipwrecks, and not compensated for by insurance or otherwise, and debts ascertained to be worthless. *Provided*, That no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate. *Provided further*, That only one deduction of \$5,000 shall be made from the aggregate income of all the members of any family composed of one or both parents and one or more minor children or husband and wife; that guardians shall be allowed to make a deduction in favor of each and every ward, except that in case where two or more wards are comprised in one family and have joint property interests the aggregate deduction in their favor shall not exceed \$5,000; *And provided further*, That in cases where the salary or other compensation paid to any person in the employment or service of the United States shall not exceed the rate of \$5,000 per annum, or shall be by fees or uncertain or irregular in the amount or in the time during which the same shall have accrued or been earned, such salary or other compensation shall be included in estimating the annual gains, profits, or income of the person to whom the same shall have been paid, and shall include that portion of any income or salary upon which a tax has not been paid by the employer, fiduciary, or other person, where the employer, fiduciary, or other person is required by law to pay on the excess over \$5,000; *And provided further*, That in computing the income of any person there shall not be included the amount received from any corporation, joint-stock company or association, or insurance company as dividends upon the stock of such corporation, joint-stock company or association, or insurance company, if the special excise tax of 1 per cent now imposed by law has been paid by such corporation, joint-stock company or association, or insurance company; *And provided further*, That in computing the income of any person there shall not be included the amount received from any firm or copartnership if the special excise tax of 1 per cent imposed by this act has been paid by such firm or copartnership.

Mr. MANN. Mr. Chairman, I move to amend, on page 3, by striking out the language at the top of the page, beginning in line 1, as follows:

Provided, That no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate.

I confess I do not quite understand what would constitute the income, but, apparently, from the reading of this bill, if a man was a member of the Building & Loan Association and borrowed money from that association with which to build a home, and the amount borrowed, together with the rest of his income, exceeded \$5,000, he would be compelled to pay any excess on the tax over \$5,000, because no deduction can be made under the terms of the bill for the money expended by him for the construction of his home. Of course, the same would apply to the borrowing of money from any other source. We have a very large membership in the building and loan associations throughout the United States, and heretofore had aimed to except them from the provisions of any tax that we might levy, but here is a proposition that says if a man borrows money to build a home for himself he will have to pay an excise tax for conducting business.

That is illustrative of the general features of the bill—a bill to tax industry. One the one hand, our Democratic friends are proposing to remove the protection which American industries enjoy in competition with the trade from foreign nations, and, on the other hand, they propose to levy a tax against money invested in industry, not against money which may be invested in municipal bonds or other bonds of people not engaged in business.

On the one hand, they deprive our industries of the benefit of the home market, and, on the other hand, tax them over the taxes which they now pay. No wonder the industries of the country are now largely paralyzed; no wonder that business is

largely at a standstill, with the threat of Democratic success and Democratic policies which cut off at the end of earning and then tax, in addition, that which has been earned. I can see no defense to a proposition of that sort.

It was the Republican Party which submitted to the country an amendment permitting an income tax, and for that we still stand [applause on the Republican side]; but it is the Democratic Party which proposes not to tax incomes, but to tax industry. All other nations of the world which tax incomes endeavor to promote industry, but the Democratic policy is to endeavor to demote industry by taxing it and let idle incomes go scott free. [Applause on the Republican side.]

Mr. HILL. Mr. Chairman, I move to strike out the last word.

It seems to be a morning for general confession, and I wish to state that I am going to vote against this bill on principle. I think it is unwise and unnecessary. I have a very distinct and vivid recollection of 1898, when the Spanish-American War began and it became necessary to raise money, that Congress in a very few days passed a bill for taxation which met the entire expenses of that war—between one and two hundred million dollars a year. No disturbance was created by it throughout the country; nobody felt it. After the bills were paid, a year after the Spanish War, one morning a resolution was brought in here to entirely discontinue that tax. A part of the law had been repealed the year before. One hundred and thirteen million dollars was the last discontinuance. It was repealed, and hardly anybody knew it for months after it was gone.

This bill is absolutely unnecessary to meet the expenses of this Government. It will cost infinitely more to collect this tax than it cost to collect the Spanish War tax. It will add hundreds and hundreds of employees to the already swollen pay roll of the United States.

The Spanish War system of taxation could be inaugurated if we needed money, but we do not. If we needed the money, a stamp system could be inaugurated, and all the money needed for your free wool and your free sugar, and for your deficiencies due to your system of tariff for revenue only, could be secured without the slightest difficulty. This is simply partisan Democratic legislation, with sectionalism stamped on every line of it, put forward for a purpose and not to procure necessary revenue.

You say you want to strike the rich and wealthy. If you do, put stamps on bank checks, tax rum and tobacco and luxuries generally. Why do you not do that? Use the stamp system which was used during the Spanish War and get anywhere from \$50,000,000 to \$200,000,000 revenue, as we did then, instead of organizing a great big spy system all over the United States and starting in for a lawsuit when you already know what you could do under the Spanish War taxation system. For that reason, if for no other, and because it is unnecessary, because it is not in accordance with American traditions, I am opposed to it and will vote against it. [Applause on the Republican side.]

Mr. HULL. Mr. Chairman, I yield to the gentleman from Kansas [Mr. TAGGART].

Mr. TAGGART. Mr. Chairman, it is rather astounding that one of the veteran Members of this House should rise in his place and say that an income tax is not in accordance with American traditions. With the greatest respect for that gentleman and those here who applaud his statement, I beg leave to call attention to the fact that a great many income-tax acts have been on the statute books of the United States that were held constitutional by the Supreme Court, and that they were passed by Republican Houses of Representatives and Republican Senates and signed by Republican Presidents.

For the purpose of calling particular attention to this fact, I refer to the celebrated Pollock case itself, in which the learned Chief Justice, in his dissenting opinion, called attention to it in this paragraph:

From 1861 to 1870 many laws levying taxes on income were enacted, as follows: Act of August 5, 1861 (ch. 45, 12 Stat., 292, 309, 311); act of July 1, 1862 (ch. 119, 12 Stat., 432, 473, 475); act of March 3, 1863 (ch. 74, 12 Stat., 713, 718, 723); act of June 30, 1864 (ch. 173, 13 Stat., 223, 281, 285); act of March 3, 1865 (ch. 78, 13 Stat., 469, 479, 481); act of March 10, 1866 (ch. 15, 14 Stat., 4, 5); act of July 13, 1866 (ch. 184, 14 Stat., 98, 137, 140); act of March 2, 1867 (ch. 169, 14 Stat., 471, 477, 480); act of July 14, 1870 (ch. 255, 16 Stat., 256, 261).

All of them were income-tax laws, and each and every one of them was passed by a Republican administration.

Now, this bill is not in terms an income-tax bill. It was argued here yesterday with a degree of ability not usually enjoyed or observed at any place, not even in this House. [Laughter.] It was presented by one of the ablest orators in America. The final conclusion is this, That the Supreme Court has plainly receded from the income-tax decision. In the Flint

case, decided in 1910, it says that, for the very reason that men have organized into a corporation and enjoy the privilege of associating themselves in that manner, they may be lawfully taxed by an act of Congress for transacting business as a corporation on their annual income.

I believe that the Supreme Court ought to have an opportunity itself to recall the Pollock decision. [Applause.] I believe that the Supreme Court is the proper body to recall its own decisions. The learned and venerable Chief Justice, as has repeatedly been said here, is the only survivor of the court as it was constituted 18 years ago, when that decision was rendered. It simply decided by a majority of one that a tax on personal property or a tax on real property, or on the income of either, was a direct tax, and therefore had to be apportioned among the States according to population.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for five minutes more.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Kansas [Mr. TAGGART] be permitted to proceed for five minutes longer. Is there objection?

There was no objection.

Mr. TAGGART. Mr. Chairman, it is now decided in the Flint case that if five men, say, associate themselves together as a corporation and own a hotel and rent the hotel to somebody else and derive an income of more than \$5,000 per annum from it, they can be taxed as a corporation. The decision leaves the door open for another proposition. If these five men dissolve their corporation, form a partnership, and own the same hotel and rent it they could not be taxed, according to the Pollock case.

Mr. Chairman, I believe that the Flint decision is an intimation on the part of the court to the lawmaking bodies of the United States that they may enact an income-tax law, and I believe such a law will be upheld by the Supreme Court of the United States.

I wish to say that I have an abiding faith in the integrity of the Supreme Court of the United States. I wish to take this opportunity of saying now that no profit and no good can come from attacking that distinguished body. [Applause.] I would rather believe that the planets would leave their courses than that the Supreme Court of the United States would depart from the path of duty. [Applause.] Whoever under this flag raises his voice against that department of our Government is no lover of our common country. [Applause.]

I shall vote for this bill, and I believe that the apprehensions indulged in by the gentleman from Kansas [Mr. JACKSON], who thinks that there may be something unconstitutional in it, are absolutely unwarranted.

I wish, in closing, to call attention to the specific point decided in the Flint case. I think it will become apparent to everyone, regardless of whether or not he has practiced law, that the present tax is levied on a privilege, and that is the bare privilege of being a corporation. In this bill we are levying a tax on a privilege, and that is the privilege of doing a profitable business. We have taken the liberty to define what we mean by "business." In this very Flint case the Supreme Court has said that the intention of Congress as manifested by the language of the act is entitled to great consideration. I shall read from the report the exact point decided in the Flint case:

The tax under consideration, as we have construed the statute, may be described as an excise upon the particular privilege of doing business in a corporate capacity, i. e., with the advantages which arise from corporate or quasi corporate organization; or, when applied to insurance companies, for doing the business of such companies.

The bill under consideration before us provides that whoever enjoys the privilege of deriving from his vocation a sum in excess of \$5,000 annually will be taxed to support the Government of the United States, and it will now become necessary for some gentlemen here to go forth and convince the people that it was wrong to quit levying tribute upon the tables of the American people by a tax on sugar and wrong to place the burden upon those who are best able to bear it.

The gentleman from Illinois [Mr. MANN] said that this was a tax on industry. Three years ago he voted pointedly and directly for a tax on corporations that were engaged in industry. By what system of logic does he now deny the right of the Government to tax a rich man who enjoys a net income of more than \$5,000 per annum, whether he derives it from industry or not? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask that the debate on the amendment I have pending be closed.

Mr. CULLOP. Mr. Chairman, I would like to be heard on the gentleman's amendment.

Mr. UNDERWOOD. Mr. Chairman, then I ask unanimous consent that the debate on this amendment be closed in five minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that debate on the pending amendment be closed in five minutes. Is there objection?

There was no objection.

Mr. CULLOP. Mr. Chairman, the opposition of the gentleman from Illinois [Mr. MANN] to this provision, as I understand it, is that if a man borrows \$5,000 of a building and loan association or from any other source and invests it in a home, that will be taken into consideration and charged up to him as an income upon which, under this bill, he would have to pay taxes.

That proposition is without merit, as a reading of this bill shows, because if he borrows \$5,000 and invests it in the building of a home or the purchase of a home or in other business that is not a net income and would not come under the taxing provisions of this bill.

Now, one other proposition. It has been urged here that the idle rich would escape the provisions of this bill and that the wealth of Carnegie and Rockefeller would escape taxation. That is a mistake. The rich idler is taxed under this bill, because his capital is employed. Wealth is the subject of taxation, profits made, and not the individual. The Rockefellers and the Carnegies have their money employed in business, not idle, and it will be taxed under the provisions of the first section of this bill.

Under the provisions of this measure the idle rich, as has been charged, do not escape, but, on the contrary, must pay. Large holders of wealth may be idle, but their wealth is not. They keep it employed earning more money, and it is not the person who is taxed, but the earnings of his money. Many very rich persons are not employed, but their capital is kept busy all the time earning profits, and under this bill in all such cases they will be required to pay the tax provided for in this measure. That is the object of the measure, and that is the feature which commends it to the favorable consideration of the people.

I am somewhat surprised at the position of gentlemen on that side when they say they are opposed to this bill because it would require the thrift of the country to be taxed, because it would require the business institutions of the country to pay a tax. What have you been doing all these years by your tariff legislation? You have been taxing every individual in this land to make a profit to the owners of the great industries of this country. By your tax laws, for every dollar you have derived in revenue to the Government you have collected from the pockets of the people \$7 as an unearned profit to the owners of the great industries of this country. [Applause on the Democratic side.] You have levied a tax upon every consumer in this country for the benefit of the Sugar Trust; you have levied a tax upon every farmer and mechanic in this country for the benefit of the Steel Trust.

What is the difference between this tax which we propose and the one that you propose? We propose that this tax shall be levied and collected as revenue to the Government, and every dollar of it will go into the Treasury as revenue. Your policy has been to tax the people of this country, not for revenue, but as an unearned profit to the great protected industries of the country. This constitutes the distinction between the policy we propose by this measure and the one which your party has enforced for these many years it has been in power. The question therefore to be settled is, Shall we adopt a policy which raises revenue for the Government or one that raises revenue for private business? Shall the many be taxed to support the Government or the private business enterprises of a favored few? This is the real issue, and the people fully realize the distinction.

Upon this issue, my fellow Democrats, we can go to the country and safely rely upon the sound judgment of the American people to indorse our position. And when gentlemen on the other side say that they welcome this issue in the coming campaign, I say to them, also, we are ready and will meet them in the forum and on the hustings to discuss this question before the American people between now and the 5th day of next November, which day we long for, as it will usher in a great Democratic victory achieved by the voters of this country in behalf of the Democratic Party. [Applause on the Democratic side.]

The gentleman from Connecticut [Mr. HILL] says, if you want to raise revenue for the Government, why do you not put a stamp tax on bank checks? We are going to raise the money more equitably and fairly to the American people through this measure, by obtaining this revenue from those who are the better able to pay it. When a tax is placed on bank checks revenues are raised without reference to the amounts of the

same, and its burdens are inequitably distributed and do not fall on those best able to bear them. Such an objection should always have consideration in the enactment of every revenue measure, and it will be observed this measure wisely escapes that objection, and this will commend it with great favor to the people of the country. They will approve this feature and indorse its manifest fairness.

It taxes those who have heretofore escaped paying their proportion of taxes to support the Government.

Mr. HILL. If you want to raise more money, why do you not increase the tax on rum and tobacco?

Mr. CULLOP. In reply to the gentleman I would say these subjects will receive proper attention at the hands of the Democratic Party, as it believes in the equalization of the burdens for the support of the Government. It also believes in taxing luxuries highest and necessities lowest, and it proposes to apply this rule in all taxation before it is through, and these items will receive proper attention at the proper time.

The CHAIRMAN. The time of the gentleman from Indiana has expired. Under the order of the committee debate on this amendment is closed. The Clerk will report the amendment of the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Page 3, line 1, strike out the words "Provided, That no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate."

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 35, noes 56.

Accordingly the amendment was rejected.

Mr. TOWNER. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, section 2, by adding the following:

"And provided further, That the provisions of this act shall not apply to the Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States or to the judges of the inferior courts of the United States established by Congress."

Mr. TOWNER. Mr. Chairman, I offer this amendment for the purpose of making this tax, if possible, come under the provisions of the Constitution of the United States. Article III, section 1, provides as follows:

The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation, which shall not be diminished during their continuance in office.

It is hardly necessary to say that under the terms of this act Congress, which has fixed the compensation of these judges, now diminishes it by the amount which they will be compelled to contribute in the payment of this so-called tax from their salaries. This is in direct conflict with the plain terms of the Constitution.

I offer this amendment also for the purpose of calling the attention of this House to the manner in which this bill has been drawn; to the absolute disregard of the Constitution and its requirements; to the carelessness with which its provisions have been thought out. This bill has been drawn in the nature of, if not with the name of, an income tax. But, Mr. Chairman, to draw a general income tax is a work that requires the most careful attention. It is a work to which should be given the best thought and attention of the Members of this House. It should not be hastily framed as a political expedient. It should be carefully considered and carefully drawn, and the Members on this side of the House are ready to give that kind of care and attention to that work and to support such a bill when it shall be presented. But now to have this character of bill presented with the provisions which gentlemen on that side must certainly recognize as not well considered, is not the work of statesmen or of Members who remember their obligations to their country in the passage of important legislation of this kind.

If it shall be deemed by these gentlemen as necessary to act hastily, let me suggest to them that it would have been an easy matter for them to have changed the phraseology of the present corporation-tax law by amending it to read 2 instead of 1 per cent that should be paid as a tax on the income of a corporation, and they would have added \$30,000,000 to the revenue of the country, and accomplished it in a way that the Supreme Court has already determined is absolutely constitutional. But these gentlemen who are so ready to use their invective and denunciation against these gigantic corporations when upon the floor of the House have nothing now to add by way of penalizing them when they have the opportunity so to do. It seems to me, Mr. Chairman, that this amendment is necessary to correct a

feature of this bill where it has not been well and carefully considered. [Applause.]

Mr. FOSTER of Illinois. Mr. Chairman, I am not a lawyer, but it occurs to me that it is rather amusing to listen to the speech of the gentleman from Iowa [Mr. TOWNER], who seems to think that this side of the House has illy considered this bill and other legislation of this character, and that he should see fit to suggest to this side of the House in the closing moments of debate how we might change the corporation law so as to get \$30,000,000 more. It seems strange to me that the gentleman should make the statement that this bill should not apply to the judges of the Supreme Court as to their salaries, and then argue to this House—and I take it he is a good lawyer—in the manner he does, but he is now talking politics himself. Then, when he makes the statement that Congress has no right to tax the judges of the Supreme Court and that it is taking away from their salaries, it occurs to me that Congress has as much right to tax the members of the Supreme Court as it has the man out in Iowa or Illinois. [Applause.]

I do not look upon the salaries of the judges of the Supreme Court with such awe, nor do I look upon their occupying so high a place that the same law ought not to apply to them as to other people. They ought to be willing, and I judge they are, as great jurists as I believe them to be, to pay out of their salaries a just proportion for the support of this Government.

Mr. TOWNER. Will the gentleman yield?

Mr. FOSTER of Illinois. Yes.

Mr. TOWNER. This is not a tax on the amount of property, but under the terms of this act it applies to the income which they receive. Congress has fixed the income. Congress now by this act reduces the income and therefore they are deprived of the salary that the Constitution of the United States says shall not be diminished during their term of office.

Mr. FOSTER of Illinois. I will say that in my judgment this does not decrease the salary of a judge of the Supreme Court of the United States one cent. The statement might be made with equal force that we ought not to tax them on their homes in which they live for fear that it would reduce their salaries. The gentleman from Iowa surely does not contend that. We have a perfect right to tax the members of the Supreme Court who own houses in the city of Washington. That amount has to come out of their salaries to pay those taxes, and why should not Congress have the right to take from their salaries a portion of their income to pay their portion of the expenses of this Government? [Applause.]

Mr. TOWNER. Will the gentleman allow me to call his attention to the proviso of the bill which directs the disbursing officers of the Government to "deduct and withhold the aforesaid tax of 1 per cent"?

Mr. FOSTER of Illinois. That is only the manner of collecting the tax; an administration provision of the bill.

Mr. GREEN of Iowa. Mr. Chairman, I intend to vote for the bill, and wish to express my reasons therefor. Notwithstanding the statement to the contrary of gentlemen on both sides of the House, I deny that this is a partisan measure. For more than 50 years the Republican Party has applied the principle which it is sought here to enforce, in so far as permitted by the decisions of the Supreme Court, by this bill. In this House and in the Senate almost every man, both Republican and Democrat, has in various ways supported this principle. It is said that this bill is an attempt to impose an income tax in disguise. I shall not undertake to discuss that question, but if it was so, it would make little difference with my vote. I have always been in favor of an income tax as the fairest, the most just, and most equitable way of imposing taxation. [Applause.] I believe that this bill is a step in that direction. It may be that it is a feeble and halting step, fettered as we possibly are by the decision of the Supreme Court; but nevertheless the trend of it is in the direction that a taxing system ought to go, namely, to place the burdens of the Government upon those who are best able to bear them. [Applause.] When this bill, if it should become an act, comes before the Supreme Court, the question must inevitably arise as to the validity of an income tax, and it is my desire, so far as I am concerned, that that question should again be submitted. I have never believed, and do not now believe, that the decision in the Pollock case was correct, and it certainly was not in accordance with the prior decisions of the court which rendered it. Such being the case, considering the manner in which the court is now constituted, I believe that a different decision would be rendered, and I hope to see it rendered on this bill when submitted to it. [Applause.]

Mr. O'SHAUNESSY. Mr. Chairman, it appears to me that the mission of the Democratic Party, through the Democratic majority in this House, is to restore in the Government a confidence now badly shattered; that that confidence has been shattered

in a large degree is evidenced by the presence in this Chamber of a Member of the Socialist Party. His membership in this House is a concrete expression of the dissatisfaction resulting from the widening gap between those who have and those who have not, and in contemplating that condition in our national affairs one is led to the conclusion that immense fortunes have been made and amassed through a series of laws absolutely designed to build up great wealth in the hands of a few to the absolute impoverishment of millions of American citizens. [Applause.] There is no questioning the fact that the poor man never escapes taxation. It is an absolute impossibility for him to escape it. He constitutes the level upon which the weight of taxation rests, and the taxgatherer never fails to find him. The rich, with their devious methods of evasion, with their employed legal subtleties, with their ability to skip from State to State, find it easy to get away from the imposts that are levied for the support of government; and so in coming to the support of this bill the Democratic majority rejoices in the opportunity to raise the burden of taxation from the shoulders of the many and to place a portion of that taxation upon the shoulders of those well qualified and well able to sustain it. [Applause.]

The great difference in fortunes has made discontent rife, and precipitated into the arena of political discussion wild and vague theories of government cunningly calculated to destroy its very foundations. We have to face the situation as we find it and to make laws in accordance with the Constitution, which will bring a better era of feeling and prove to the people that the Government is for all men and their welfare and not for the few. There is no need of any hysterical legislation; there is no need of any radical changes in our form of government; but there is decided need for our present agencies of government, acting with impartiality and in accordance with the beliefs of the founders of this Government, to keep forever established the principle of equal opportunities for all, and special privileges to none.

It has been said by the majority leader in this debate [Mr. UNDERWOOD] that the decision of the United States Supreme Court in 1894 holding the income tax to be unconstitutional gave rise to a belief on the part of the people that the rich were exempt from the taxing power of Congress. How well founded that claim was is proved by the prophetic utterance of the now Chief Justice of the United States Supreme Court, Justice White, who, at that time, in his dissenting opinion, called forcible attention to the fact that the majority of the court had by their decision overthrown—

a long and consistent line of decisions, and denied to the legislative department of the Government the possession of a power conceded to it by universal consensus for 100 years, and which has been recognized by repeated adjudications of this court.

He sounded a warning against the policy, then being enunciated by the court, which would reverse the past, make helpless the power of the Nation to raise revenue through a time-honored custom, especially in the hour of national danger, and implant in the hearts of the people a distrust not easily overcome. It is fitting to again quote his words and match the conditions of our day with what he said would come to pass.

My inability to agree with the court in the conclusions which it has just expressed causes me much regret. Great as is my respect for any view by it announced, I can not resist the conviction that its opinion and decree in this case virtually annuls its previous decisions in regard to the powers of Congress on the subject of taxation, and is therefore fraught with danger to the court, to each and every citizen, and to the Republic. The conservation and orderly development of our institutions rests on our acceptance of the results of the past and their use as lights to guide our steps in the future. Teach the lesson that settled principles may be overthrown at any time, and confusion and turmoil must ultimately result. In the discharge of its functions of interpreting the Constitution this court exercises an august power. It sits removed from the contentions of political parties and the animosities of factions. It seems to me that the accomplishment of its lofty mission can only be secured by the stability of its teachings and the sanctity which surrounds them. If the permanency of its conclusions is to depend upon the personal opinions of those who from time to time may make up its membership it will inevitably become a theater of political strife and its action will be without coherence or consistency. There is no great principle about constitutional law such as the nature and extent of the commerce power, or the currency power, or other powers of the Federal Government, which has not been ultimately defined by the adjudications of this court after long and earnest struggle. If we are to go back to the original sources of our political system or are to appeal to the writings of the economists in order to unsettle all these great principles, everything is lost and nothing saved to the people.

The rights of every individual are guaranteed by the safeguards which have been thrown around them by our adjudications. If these are to be assailed and overthrown, as is the settled law of income taxation by this opinion, as I understand it, the rights of property, so far as the Federal Constitution is concerned, are of little worth. My strong convictions forbid that I take part in a conclusion which seems to me so full of peril to the country. I am unwilling to do so, without reference to the question of what my personal opinion upon the subject might be if the question were a new one, and was thus unaffected by the action of the framers, the history of the Government, and the long line of decisions by this court. The wisdom of our forefathers in adopting a written Constitution has often been impeached upon the theory that the

Interpretation of a written instrument did not afford as complete protection to liberty as would be enjoyed under a constitution made up of the traditions of a free people. Writing, it has been said, does not insure greater stability than tradition does, while it destroys flexibility. The answer has always been that by the foresight of the fathers the construction of our written Constitution was ultimately confided to this body, which, from the nature of its judicial structure, could always be relied upon to act with perfect freedom from the influence of faction and to preserve the benefits of consistent interpretations. The fundamental conception of a judicial body is that of one hedged about by precedents which are binding on the court without regard to the personality of its members. Break down this belief in judicial continuity and let it be felt that on great constitutional questions this court is to depart from the settled conclusions of its predecessors and to determine them all according to the mere opinion of those who temporarily fill its bench, and our Constitution will, in my judgment, be bereft of value and become a most dangerous instrument to the rights and liberties of the people.

[Applause.]

In the same dissenting opinion he said:

The facts, then, are briefly these: At the very birth of the Government a contention arose as to the meaning of the word "direct." The controversy was determined by the legislative and executive departments of the Government. Their action came to this court for review, and it was approved. Every judge of this court who expressed an opinion made use of language which clearly showed that he thought the word "direct" in the Constitution applied only to capitation taxes and taxes directly on land. Thereafter the construction thus given was accepted everywhere as definitive. The matter came again and again to this court, and in every case the original ruling was adhered to. The suggestions made in the *Hylton* case were adopted here, and, in the last case here decided, reviewing all the others, this court said the direct taxes within the meaning of the Constitution were only taxes on land and capitation taxes. And now, after a hundred years, after long-continued action by other departments of the Government, and after repeated adjudications of this court, this interpretation is overthrown and the Congress is declared not to have a power of taxation which may at some time, as it has in the past, prove necessary to the very existence of the Government.

At the time Justice White delivered this dissenting opinion, so pregnant with meaning and significance, the court held the income tax to be unconstitutional because it levied a direct tax on the income from real estate and from municipal bonds. As to whether Congress could levy a tax on incomes derived from other sources the court were evenly divided, standing 4 to 4. Acting upon a petition for a rehearing, the court, with a full bench of nine members, again held the tax to be unconstitutional by a vote of 5 to 4. Justice Jackson, who did not sit in the first case, sided with the four who had voted at the first hearing for the constitutionality of the tax upon incomes derived from other sources than that raised from real estate and municipal bonds. But one of the four who, in the first instance, had voted for the constitutionality of the tax went over to the other side, thereby giving a majority against the constitutionality of the tax, and causing the court to reverse the precedents of a century. Well may we ponder at this stage of our national life the words of Justice Harlan in his dissenting opinion:

I have a deep, abiding conviction, which my sense of duty compels me to express, that it is not possible for this court to have rendered any judgment more to be regretted than the one just rendered.

He called attention to the vast sums of money that had been raised to prosecute and bring the Civil War to a successful close through the instrumentality of an income tax, and that the court was now saying, in effect, that all of that money had been taken from the people in disregard of the Constitution.

Citing Oliver Ellsworth, whom John Adams declared to be the firmest pillar of Washington's administration in the Senate, Justice Harlan recalled that great statesman's words in the Connecticut convention of 1788, when he said:

Wars have now become rather wars of the purse than of the sword. Government must, therefore, be able to command the whole power of the purse; otherwise a hostile nation may look into our Constitution, see what resources are in the power of Government, and calculate to go a little beyond us; thus they may obtain a decided superiority over us and reduce us to the utmost distress. A government which can command but half its resources is like a man with but one arm to defend himself.

Noting the special privilege that would be conferred upon the wealthy class of our population, he said:

By its present construction of the Constitution the court, for the first time in all its history, declares that our Government has been so framed that in matters of taxation for its support and maintenance those who have incomes derived from the renting of real estate or from the leasing or using of tangible personal property, or who own invested personal property—bonds, stocks, and investments of whatever kind—have privileges than can not be accorded to those having incomes derived from the labor of their hands or the exercise of their skill or the use of their brains.

To those who have a fear of the United States Supreme Court rejecting this proposed excise law as unconstitutional the words of Justice Brown in his dissenting opinion are timely:

Congress ought never to legislate, in raising the revenues of the Government, in fear that important laws like this shall encounter the veto of this court through a change in its opinion or be crippled in great political crises by its inability to raise a revenue for immediate use.

Justice Jackson in his dissenting opinion said:

The practical operation of the decision is not only to disregard the great principles of equality in taxation, but the further principle that in the imposition of taxes for the benefit of the Government the burdens thereof should be imposed upon those having most ability to bear them. This decision, in effect, works out a directly opposite result in relieving the citizens having the greater ability, while the burdens of taxation are made to fall most heavily and oppressively upon those having the least ability.

The Republican Senator from Idaho [WILLIAM E. BORAH], speaking in the United States Senate on May 3, 1909, said, in reviewing the history of the United States Supreme Court upon the constitutionality of the income tax:

In the first place we must bear in mind that during the hundred years which preceded the *Pollock* case 21 judges occupying places upon that high tribunal had decided in favor of an income tax and of its constitutionality or had given such definition to the phrase "direct tax" as would sustain an income tax. Against those 21 judges, in the whole history of the court, there have been but 5 judges during that entire period who dissented. In other words, 5 judges alone in the whole history of the Supreme Court, from its organization to the present hour, have decided that an income tax was unconstitutional, while 21 judges have written opinions or joined in opinions to the contrary. Amongst those who have taken the view that an income tax is constitutional and that a direct tax relates only to land, capitation taxes, and taxes on improvements upon land are the elder Chase, Patterson, Iredell, Wilson, Chief Justice Chase, Nelson, Grier, Clifford, Swayne, Miller, Davis, Waite, Hunt, Strong, Bradley, Jackson, Brown, Harlan, White, and Ellsworth. Since the organization of that court every single writer upon constitutional law in America has adopted the view that a direct tax related alone to land and capitation taxes.

The surest avenue to discontent among the masses of the people is the granting of special privilege to the few. How brilliant and forceful and caustic was the dissection by the Republican Senator, John J. Ingalls, of the conditions that inspired his antagonism. Speaking in the Senate, on January 14, 1891, of the distribution of wealth in the United States, he said:

A table has been compiled for the purpose of showing how wealth in this country is distributed, and it is full of the most startling admonition. It has appeared in the magazines, it has been commented upon in this Chamber, it has been the theme of editorial discussion. It appears from this compilation that there are in the United States 200 persons who have an aggregate of more than \$20,000,000 each. Four hundred persons possess \$10,000,000 each, 1,000 possess \$5,000,000 each, 2,000 possess \$2,500,000 each, 6,000 persons possess \$1,000,000 each, and 15,000 persons \$500,000 each, making a total of 24,600 people who possess \$36,250,000,000. Mr. President, it is the most appalling statement that ever fell upon mortal ears. It is, so far as the results of democracy as a social and political experiment are concerned, the most terrible commentary that ever was reported in the book of time; and Nero fiddles while Rome burns. It is thrown off with a laugh and a sneer, "as the froth upon beer" of our social and political system. As I said, the assessed valuation recorded in the great national ledger standing to our credit is about \$65,000,000,000. Our population is 62,000,000, and by some means, by some device, by some machination, by some incantation, honest or otherwise, by some process that can not be defined, less than two-thousandth part of our population have obtained possession—and have kept out of the penitentiary in spite of the means they have adopted to acquire it—of more than one-half of the entire accumulated wealth of the country.

This is not the worst, Mr. President. It has been largely acquired by men who have contributed little to the material welfare of the country, and by processes that I do not care in appropriate terms to describe, by the wrecking of the fortunes of innocent men, women, and children, by jugglery, by bookkeeping, by financiering, by what the Senator from Ohio calls "speculation," and this process goes on with frightful and constantly accelerating rapidity. The entire industry of the country is passing under the control of organized and federated capital.

In his essay on "The present distribution of wealth in the United States," Charles E. Spahr, Ph. D., classified the wealth of the country according to the following table:

The United States, 1890.

Estates.	Number of families.	Aggregate wealth.	Average wealth.
The wealthy classes, \$50,000 and over . . .	125,000	\$33,000,000,000	\$264,000
The well-to-do classes, \$50,000 to \$5,000 . .	1,375,000	23,000,000,000	16,000
The middle classes, \$5,000 to \$500	5,500,000	8,200,000,000	1,500
The poorer classes under \$500	5,500,000	800,000,000	150
Total	12,500,000	65,000,000,000	5,200

He concluded that seven-eighths of the families held but one-eighth of the national wealth, while one-eighth of the families held the remaining seven-eighths. In his classification of incomes he found that more than five-sixths of the incomes of the wealthiest class are received by the 125,000 richest families, while less than one-half of the incomes of the working classes are received by the poorer 6,500,000 families.

He sums up the situation by saying that one-eighth of the families in America receive more than half of the aggregate income and the richest 1 per cent receives a larger income than the poorest 50 per cent.

In fact—

He says—

this small class of wealthy property owners receives from property alone as large an income as half of our people receive from property and labor.

I do not believe that there is any greater proportionate distribution of wealth among the masses of the people to-day than in 1890, and no doubt the same proportion of distribution obtains among the 18,000,000 families of to-day, and the estimated \$150,000,000,000 of our national wealth.

These figures are more eloquent than the speeches of statesmen; they spell gross inequality, and unequal opportunity. They furnish fuel to the flame of discontent and dissatisfaction. They provoke a restless longing for a change in government. The people have been baffled in their legitimate desire for legislative and judicial expression of their civil needs. Let the Supreme Court say that this bill is constitutional—and we must remember that the President has expressed confidence in the ability of Congress to frame a constitutional measure—let its workings testify to the power of government to exact from the possessors of great fortunes a fair measure of the burden of taxation, and I venture the prophecy that the demand for the recall of judges will pass away, only to be remembered as an ephemeral expression of popular discontent. The spectacle of 51 men possessing \$3,295,000,000 and wielding a life-and-death influence upon our commercial life, and at the same time escaping the burdens of taxation is poorly calculated to sustain a profound faith in the Government.

That conservative Republican statesman, Senator John Sherman, whose name was connected with every great financial measure from 1860 to 1900, said in 1882:

The public mind is not yet prepared to apply the key to a genuine revenue reform. A few years of further experience will convince the whole body of our people that a system of national taxes which rests the whole burden of taxation on consumption and not one cent on property or incomes is intrinsically unjust. While the expenses of the National Government are largely caused by the protection of property, it is not right to require property to contribute to their payment. It will not do to say that each person consumes in proportion to his means. This is not true. Everyone must see that the consumption of the rich does not bear the same relation to the consumption of the poor as the income of the one does to the wages of the other. * * * As wealth accumulates this injustice in the fundamental basis of our system will be felt and forced upon the attention of Congress.

Has the time not come to change the system of taxation so as to relieve consumption and make incomes stand their share?

Why does the Republican Party fail to heed the warnings and admonitions of those who had prevision and cling instead to a system that enriches beyond the dreams of avarice a favored few, with disastrous consequences to the great body of the people?

Ex-President Roosevelt has declared himself on the subject in the following language:

When our tax laws are revised the question of an income tax and an inheritance tax should receive the careful attention of our legislators. In my judgment, both of the taxes should be part of our system of Federal taxation.

Some people have expressed a fear as to the realization of a sufficient amount of money through the agency of an income tax. The successful operation of the tax in this country from 1863 to 1873 may well dissipate any fears on that score. Beginning with \$2,000,000 in 1863, it reached \$73,000,000 in 1866, and in the period covered from 1865 to 1870 it realized in all about \$285,000,000. It has been a source of steady income in Great Britain from 1842. In that country it was first imposed by Pitt in 1798 in order to meet the expenses of the French War. It was imposed with varying rates and exemptions in 1803, 1805, and 1807. It was abolished in 1816 and reimposed by Sir Robert Peel on June 22, 1842, at the rate of 7d. in the pound on all incomes exceeding £150. In 1842 the tax produced about £5,000,000, and in 1909-10 the amount produced was £37,679,902, or about \$180,000,000.

If this bill becomes a law—and it has been drafted with a care to impress the court with its constitutionality—I believe it will inspire confidence in the Government and prove to the people that the great fortunes of the country must submit to the taxing power of Congress. Intrenched wealth can laugh at the storms of panics; sitting in luxury on the hilltops, it can complacently look down on the multitude in the valley struggling for an existence. Would for the betterment of Democratic institutions and the permanency of our Government that these great fortunes had not in so many instances been built up by the largesse of our tariff laws, wringing tribute from the masses for the enrichment of a few manufacturers. Would that the great fortunes of our country were not built upon watered stocks, which have taken millions from a credulous public, duped by the engraver's art and printer's ink in the form of gilded certificates frequently of about as much value as wall paper.

This bill is a fitting complement to the free-sugar bill, which deprives the Treasury of \$53,000,000 of revenue; this measure will give in its stead \$60,000,000. The sugar bill relieves the consumer of a tax of 2 cents per pound on sugar; and this bill,

taxing all incomes above \$5,000 per annum made in business, will reach out to the fortunes of the Carnegies, the Rockefellers, the Morgans, the Vanderbilts, and their like, and teach their possessors, through its exactions and provisions, that men must contribute to the support of the Government whose departments and agencies protect their property and through whose protection and, in many instances, the bounties of the Government those fortunes were acquired.

The Democratic Party seeks to establish not only confidence in the Government by impressing upon the public mind the fact that wealth as well as poverty must bear its fair share of taxation, but also seeks to reestablish through the decision of the Supreme Court the precedents of a century so unfortunately overthrown by the change of one jurist's mind in 1895.

Mr. CONNELL. Mr. Chairman, a few minutes ago the distinguished gentleman from Illinois [Mr. MANN], the musical, though occasionally discordant and sometimes dramatic, leader of the minority, announced that it is no wonder that the business and industry of the country are well-nigh paralyzed now. That was an emphatic and dominant note from the chorus of disaster which has been swelling and falling until it became the requiem of calamity, running all through this debate on that side of the House.

But, come to think of it, the wonder is that there is not some truth in the wail of woe and that business has not long since been paralyzed and industry destroyed, for so long have the destinies of the Nation been in the hands of standpatters and minions of special privilege that it is like unto a miracle that anything at all remains out of the hands of a few favorites, as, indeed, nothing would have survived had it not been for the splendid capacity and industry of the American people. [Applause on the Democratic side.]

But, Mr. Chairman, I rose that, out of the redundancy of Democratic good will, I might help out the minority, and I know I can do so if they will but take my advice. Having leveled all the chimneys in the country, having quenched all the fires in everything but the fireflies, having broken all the staves upon which we used to lean, having stopped all the locomotives and bedeviled all the bridges, not to speak of having silenced all the whistles from Maine to California—yes; having gone from one end of the country to the other, devastating and blasting with this Democratic legislation, which you all say can never be enacted into law, the hopes of humanity in general—I say, having done all this, let me give you an argument which will appeal to the intelligence of the Nation ever more strongly than any of the arguments which you have thus far presented.

Look, Mr. Chairman, how the sun comes out in his regal glory to-day. See how the springtime is beginning to break upon us, flooding the world with its charms, and behold how its glints appear amid the varied colors of this historic ceiling. Hear the cardinal, blithe warbler of the budding year, as he sings in the parks around the Capitol, little recking his impending doom, for, Mr. Chairman, the spring will not spring, the buds will not blow, the leaves will not come out again. Ah, yes; and "the law will stop the blades of grass from growing as they grow" just so surely as we find truth and logic in the arguments that you have made against this bill. [Applause on the Democratic side.]

Still, I give you this appealing issue, for you need it. You have left nothing that can be an issue of life and meaning but the weather. You have destroyed all else. [Laughter and applause on the Democratic side.] Only a moment ago the minority, led by the distinguished former Speaker of the House, Mr. CANNON, seemed to be uniting in the revised chant, "What shall we do when the Democrats break the country up?" [Laughter and applause on the Democratic side.]

During this debate you have pointed out that everything is wrong and that there is crimson catastrophe on all sides, so far as this mundane sphere is concerned. But there remain the heavens and what you have spared from the once bounteous earth. Look to these and sound the alarm, lest they, too, perish. Arise, ye patriots of calamity, and declare that the Democracy will put the universe out of order, lengthen the day, extend the night, dim the stars, tax the income of the man in the moon, and change our computation of time. [Applause and laughter on the Democratic side.]

Appeal to the people and tell them that there will be no flowers on the hillsides, no daisies in the dells, and that the brooklets will never more murmur their songs as they ripple down the mountain to the vale below. Tell them that the trees will no longer whisper in the twilight their romantic gossip of the glories of nature anywhere in these unhappy United States. Yes, tell them that the valleys will retain their snow and ice the whole year round as the result of Democratic success.

[Applause and laughter on the Democratic side.] When you have done all this, you will have an issue which can not fail to appeal to everybody, and it will be as logical, far more eloquent, and infinitely more poetic than any issue that you can ever coin again out of the ghostly memories of your past. In the meantime we must stick to our old issue, which, like the one I have just given you, will reach everybody beneath the flag and in the flying machines above it, namely, the high cost of living, and the mission of the Democracy to bring it down and relieve the masses of the burdens of unnecessary taxation. It is an old-fashioned issue to be sure, but we shall stick to it, even though you go on proving in your own more or less comprehensive way that to give the people such relief will be to destroy and strike down all that now remains standing. [Applause on the Democratic side.]

Mr. LONGWORTH. Mr. Chairman, I have already addressed the House at some length upon this subject and did not intend to consume any more time, but in view of the fact that during this debate so much has been said to obscure the real issue before us, it seems to me that before voting we had better ascertain what we are voting on. I hope even the eloquent poem which has just been recited on the birds and flowers and the weather may not blind our eyes altogether to the real question.

Throughout the course of this debate gentlemen have argued eloquently and learnedly in favor of an income tax, but the bill before us today is not an income tax. Gentlemen have argued ably and learnedly that the Supreme Court might modify or change the decision in the Pollock case should an income-tax bill be brought before them. But this is not an income-tax bill. What is this bill? It is an excise tax on the annual gains of partnerships and individuals from doing business. What is its object? It is to raise revenue. How much revenue? The revenue made necessary by abrogating the duties in the sugar schedule. Gentlemen of the majority say that this bill will raise \$60,000,000 of revenue. I do not believe that they have any idea it will. Certainly I do not believe that any reasonable man who examines the conditions can conceive this to be at all possible. It is perfect and absolute folly to say that there are in this country incomes of \$6,000,000,000 a year, not earned by corporations, not earned from the bonds of States, counties, and municipalities, not earned by people having an income of less than \$5,000 a year. The statement is absurd upon its face. This bill can not raise \$60,000,000 or even a fraction of that sum, even though it should be constitutional in every respect. I am willing to admit, so far as I am concerned, that this bill is constitutional in so far as it taxes business incomes. The question that will come before the court, if this bill should ever have to be construed, would be whether or not any given income taxed is in fact a business income. There will be no other question before the court, and think, Mr. Chairman, of the interminable lawsuits that such a procedure would make necessary. I can not bring myself to believe that it is just in measuring the income of an individual to include with it incomes which are not in any sense earned from business, as is provided in the case of corporations in the corporation-tax law. The two things seem to me essentially different. But whether that be true or not this bill is not justifiable either as a revenue measure or as a fair and well-considered system of taxation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKENZIE. Mr. Chairman, I presume that all taxes levied by civilized countries upon the citizens would be conceded without argument to be a burden upon the citizen; especially is this true of a tax such as the one proposed by this bill. The burden of taxes is one of the penalties the citizen pays for being civilized, or rather for the privileges and blessings he enjoys while living in a civilized community, and in the security of his protected rights of life, liberty, and pursuit of happiness. The savage who dwells in a tent and is content with the simple life of a barbarian escapes these burdens. It is true we all complain more or less about the taxes we have to pay, but it has been my observation that when the taxpayers see the money collected from them honestly, intelligently, and economically expended in caring for the unfortunate, the education of the young, and the consistent improvement and development of the community, State or Nation, little complaint is heard. But it is the extravagant waste and needless expenditure of the money collected from the people by those intrusted with the control of public affairs that arouses the feeling of discontent, and as the burden grows heavier from year to year the masses become more and more dissatisfied and desperate. Revolution is the final climax and the glory of a hundred or a thousand years of national fame goes out in darkness; the historian closes his book and begins another chapter in the history of the human race.

It has been asserted that this bill is an unjust burden upon the energy and frugality of the citizen. All direct taxes levied upon the income or earning power of the citizen must necessarily be so, and I know of no principle in the field of taxation whereby the emulators of the fabled youth and his clarion motto can escape. It has been well said that the fathers of the Republic wrought wisely when they devised the scheme of indirect taxation for the Government, reserving the method of direct taxation to the States. This is as it should be, in my judgment. However, I am not opposed to the principle of an income or excise tax levied by the Government in cases of emergency, and I think that the Government should have the unquestioned power and authority to make use of this method of raising revenue in time of war or other national calamity, and so believing, it was with pleasure, while serving as a member of the Illinois Senate, that I voted for the approval of the proposed amendment to the Constitution of the United States which will forever put at rest the question of the Government's power and authority under the Constitution to levy and collect such a tax. Neither am I opposed to the principle of special taxation, and I earnestly advocated and voted for the enactment of the present inheritance-tax law in the State of Illinois. But I am just as emphatically opposed to the National Government making use of these methods of taxation in times of peace, and thereby usurping a power of taxation which should be reserved to the respective States. The State which I have in part the honor to represent is, as has been well said, "an empire of itself."

The necessity for raising additional revenue is becoming greater each year in that great Commonwealth, and I assert, as one of her citizens, that the privilege of levying special taxes upon the wealth of the citizens should be reserved to the State, except in case of national emergency, when in such case Illinois will again, as she always has, cheerfully contribute of her substance, and sons, if necessary, for the maintenance and perpetuity of our great Nation. It has been asserted on this floor that we are now facing an emergency—a deficit in the National Treasury—which will result from the reduction of some \$50,000,000 in the revenue by the passage of the free-sugar bill. This argument, in my judgment, is not sound, and I feel constrained to say that by economical management of governmental affairs there will be no deficit, even with sugar on the free list; and, further, should such a thing be possible the field of internal revenue, which is the undisputed domain of the Federal Government for the purposes of raising revenue, has scarcely been touched, and the possibilities of the same are unknown, but evidently so rich that there can be no possible danger of the Government coming to want for needed revenue for ages yet to come. I am fully aware of the value of this piece of legislation as a campaign argument. The wonderful possibilities of the demagogue on the stump eloquently and dramatically portraying the misfortune and injustice of the humble citizen and his wonderful sympathy for him and what he would do "to the idle rich" would be no small thing. But, gentlemen of the committee, we are not legislating simply for the purpose of campaign arguments, but should in all our efforts be guided by what seems to us to be right. As I said before, I am not opposed to the principle involved in this bill or in special taxation levied upon the more fortunate of our citizens. But were it in my power to prepare a bill, I would make it more general than this and graduate it as the wealth of the citizen increased. But, feeling that this form of taxation should be forever reserved to the States, except in case of national emergency, I am opposed to the enactment of this law, believing that the respective States have greater burdens to bear than the National Government. I therefore have no hesitancy in voting against this measure. [Applause.]

Mr. HEFLIN. Mr. Chairman, every time the effort is made in this House to reduce the tariff tax upon the people the Republican side of this House presents the argument of the unconstitutionality of the measure, and every time that party gets the opportunity it increases the tax burden of the people. [Applause on the Democratic side.] Now, when the Democratic majority, speaking for the American people, undertakes to place the Government tax up those most able to bear it, the gentleman from Connecticut [Mr. HILL] comes forward with the Spanish-American war-tax scheme. That tax was paid by the people who were least able to pay it. [Applause.] The gentleman from Connecticut wants the stamp-tax law reenacted. Mr. Chairman, every poor man who had a few dollars in the bank had to pay the stamp tax every time he drew out a small sum of money. The poor man in distress who had to borrow money and give his note for it had to pay the stamp tax; the poor man who mortgaged his home or his farm or his crop or his horse or anything else had to pay a stamp tax; and when he finally lost

his home he had to pay the tax on the stamps that went upon the deed. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNELL. Mr. Chairman, I ask unanimous consent that the gentleman from Alabama be given five minutes more.

The CHAIRMAN. All time has expired. Under the order of the House two hours having been devoted to debate under the five-minute rule, in pursuance of the further order of the House the committee will now rise.

Accordingly the committee rose and the Speaker resumed the chair.

Mr. MOON of Tennessee. Mr. Speaker, the Committee of the Whole House on the state of the Union has had under consideration the bill H. R. 21214, and has directed me to report the bill to the House with the recommendation that the bill do pass with an amendment. There is also an amendment pending to the bill which has not yet been acted upon.

The SPEAKER. Under the order of the House the previous question is considered as ordered on the bill and amendments. The Clerk will report the amendments.

The Clerk read as follows:

Amend, section 2, by adding the following:

"And provided further, That the provisions of this act shall not apply to the Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States, or to the judges of the inferior courts of the United States established by Congress."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amend, page 5, line 12, by striking out the word "gross" and inserting the word "net" in lieu thereof.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The question was taken, and the bill was ordered to be engrossed and read the third time.

The SPEAKER. The question is on the passage of the amended bill.

Mr. UNDERWOOD and Mr. MANN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Alabama and the gentleman from Illinois both demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 253, nays 40, answered "present" 6, not voting 97, as follows:

YEAS—253.

Adair	Davenport	Hay	Moore, Tex.
Adamson	Davidson	Hayden	Morrison
Aiken, S. C.	Davis, Minn.	Hayes	Morse, Wis.
Ainey	Davis, W. Va.	Healin	Moss, Ind.
Akin, N. Y.	Denver	Helgesen	Mott
Alexander	Dickinson	Helm	Murdock
Allen	Difenderfer	Hensley	Murray
Anderson, Minn.	Dixon, Ind.	Holland	Necley
Anderson, Ohio	Donohoe	Houston	Nelson
Ansherry	Doremus	Howard	Norris
Ashbrook	Doughton	Howland	Nye
Austin	Driscoll, D. A.	Hughes, Ga.	O'Shaunessy
Barchfeld	Dupré	Hughes, N. J.	Padgett
Barnhart	Dyer	Hughes, W. Va.	Page
Bartlett	Edwards	Hull	Parran
Bathrick	Ellerbe	Humphreys, Miss.	Patton, Pa.
Bell, Ga.	Esch	Jacoway	Pepper
Blackmon	Evans	Johnson, Ky.	Pickett
Boehne	Faison	Johnson, S. C.	Porter
Booher	Farr	Jones	Post
Bowman	Fergusson	Kendall	Pou
Broussard	Ferris	Kennedy	Powers
Brown	Finley	Kent	Pray
Buchanan	Floyd, Ark.	Kinkaid, Nebr.	Prouty
Bulkley	Focht	Kinkead, N. J.	Rainey
Burke, S. Dak.	Foss	Kitchin	Raker
Burke, Wis.	Foster, Ill.	Konop	Randell, Tex.
Burleson	Fowler	Kopp	Ransdell, La.
Burnett	Francis	Korbly	Rauch
Byrnes, S. C.	French	Lafferty	Redfield
Byrns, Tenn.	Garner	La Follette	Rees
Callaway	Garrett	Lamb	Reilly
Campbell	George	Langley	Roberts, Mass.
Candler	Glass	Lee, Ga.	Roberts, Nev.
Cantrill	Godwin, N. C.	Lee, Pa.	Roddenberry
Carlin	Good	Lenroot	Rodenberg
Carter	Goodwin, Ark.	Lever	Rouse
Catlin	Gray	Lindbergh	Rubey
Clayton	Green, Iowa	Linthicum	Rucker, Mo.
Cline	Gregg, Tex.	Lloyd	Russell
Collier	Hamilton, Mich.	Lobeck	Sabath
Connell	Hamilton, W. Va.	McCoy	Saunders
Conry	Hamlin	McGuire, Okla.	Scully
Cooper	Hammond	McKellar	Sells
Covington	Hanna	McKinney	Shackleford
Cox, Ind.	Hardwick	McLaughlin	Sharp
Cox, Ohio	Hardy	Madden	Sherley
Crago	Harrison, Miss.	Maguire, Nebr.	Sherwood
Cravens	Harrison, N. Y.	Martin, Colo.	Simmons
Cullop	Haugen	Miller	Sims
Daugherty	Hawley	Moon, Tenn.	Sisson

Slayden	Stephens, Nebr.	Townsend	Willis
Slemp	Stephens, Tex.	Tribble	Wilson, Ill.
Sloan	Stevens, Minn.	Turnbull	Wilson, N. Y.
Small	Stone	Tuttle	Wilson, Pa.
Smith, J. M. C.	Sweet	Underhill	Witherspoon
Smith, Saml. W.	Switzer	Underwood	Woods, Iowa
Smith, Tex.	Taggart	Volstead	Young, Kans.
Sparkman	Talbott, Md.	Warburton	Young, Mich.
Stanley	Talcott, N. Y.	Watkins	Young, Tex.
Stedman	Taylor, Ala.	Webb	The Speaker
Steenerson	Taylor, Colo.	Wedemeyer	
Stephens, Cal.	Taylor, Ohio	White	
Stephens, Miss.	Thomas	Wickliffe	

NAYS—40.

Browning	Fordney	Howell	Needham
Calder	Gardner, Mass.	Humphrey, Wash.	Payne
Cannon	Gardner, N. J.	Knowland	Plumley
Crumpacker	Gillett	Lawrence	Reyburn
Currer	Greene, Mass.	Longworth	Sterling
Danforth	Harris	Loud	Sulloway
Dodge	Hartman	McKenzie	Tilson
Draper	Henry, Conn.	Malby	Towner
Driscoll, M. E.	Higgins	Mann	Utter
Fairchild	Hill	Mondell	Wilder

ANSWERED "PRESENT"—6.

Rates	Flood, Va.	Jackson	Kahn
Burgess	Gallagher		

NOT VOTING—97.

Ames	Dwight	Lafean	Olmsted
Andrus	Estopinal	Langham	Palmer
Anthony	Fields	Legare	Patten, N. Y.
Ayres	Fitzgerald	Levy	Peters
Bartholdt	Fornes	Lewis	Prince
Beall, Tex.	Foster, Vt.	Lindsay	Pujo
Berger	Fuller	Littlepage	Richardson
Bingham	Goeke	Littleton	Riordan
Borland	Goldfogle	McCall	Robinson
Bradley	Gould	McCreary	Rothermel
Brantley	Graham	McDermott	Rucker, Colo.
Burke, Pa.	Gregg, Pa.	McGillcuddy	Sheppard
Butler	Griest	McHenry	Smith, Cal.
Cary	Gudger	McKinley	Smith, N. Y.
Clark, Fla.	Guernsey	McMorran	Speer
Claypool	Hamill	Macon	Stack
Copley	Heald	Maher	Sulzer
Curley	Henry, Tex.	Martin, S. Dak.	Thayer
Curry	Hinds	Matthews	Thistlewood
Dalzell	Hobson	Mays	Vreeland
De Forest	Hubbard	Moon, Pa.	Weeks
Dent	James	Moore, Pa.	Whitacre
Dickson, Miss.	Kindred	Morgan	Wood, N. J.
Dies	Konig	Oldfield	

The SPEAKER. The Clerk will call my name.

The name of Mr. CLARK of Missouri was called, and he voted "aye," as above recorded.

So the bill was passed.

The Clerk announced the following pairs:

For the session:

Mr. GRAHAM with Mr. BUTLER.

Mr. FORTNE with Mr. BRADLEY.

Mr. PUJO with Mr. McMORRAN.

Mr. RIORDAN with Mr. ANDRUS.

Until further notice:

Mr. SHEPPARD with Mr. BATES.

Mr. CLARK of Florida with Mr. LANGHAM.

Mr. MAYS with Mr. THISTLEWOOD.

Mr. HINDS with Mr. GOULD.

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. MCDERMOTT with Mr. PRINCE.

Mr. OLDFIELD with Mr. BINGHAM.

Mr. GALLAGHER with Mr. FULLER.

Mr. ROTHERMEL with Mr. GRIEST.

Mr. MAHER with Mr. DE FOREST.

Mr. HOBSON with Mr. BARTHOLOTT.

Mr. FITZGERALD with Mr. COPLEY.

Mr. MACON with Mr. SMITH of California.

Mr. LITTLETON with Mr. DWIGHT.

Mr. DENT with Mr. ANTHONY.

Mr. LITTLEPAGE with Mr. BURKE of Pennsylvania.

Mr. BEALL of Texas with Mr. CARY.

Mr. BRANTLEY with Mr. DALZELL.

Mr. FIELDS with Mr. CURRY.

Mr. GUDGER with Mr. FOSTER of Vermont.

Mr. CLAYPOOL with Mr. HEALD.

Mr. HENRY of Texas with Mr. MCKINLEY.

Mr. KINDRED with Mr. MARTIN of South Dakota.

Mr. PALMER with Mr. MOON of Pennsylvania.

Mr. CURLEY with Mr. VREELAND.

Mr. PETERS with Mr. MATTHEWS.

Mr. SMITH of New York with Mr. VREELAND.

Mr. SULZER with Mr. WOOD of New Jersey.

Mr. LEWIS with Mr. SPEER.

Mr. GOLDFOGLE with Mr. LAFEAN.

Mr. GOEKE with Mr. HUBBARD.

Mr. JAMES (for income-tax bill) with Mr. MCCALL (against income-tax bill).

Mr. DIES (for income-tax bill) with Mr. KAHN (against income-tax bill).

Until noon, March 20:

Mr. FLOOD of Virginia with Mr. OLMSTED.

Until March 20:

Mr. PATTEN of New York with Mr. MOORE of Pennsylvania.

Mr. GREGG of Pennsylvania (for income-tax bill) with Mr. McCREARY (against income-tax bill).

Commencing March 11 and ending April 2:

Mr. BURGESS with Mr. WEEKS.

Until April 5:

Mr. THAYER with Mr. AMES.

The result of the vote was announced as above recorded.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMERICAN REGISTERS FOR SEAGOING VESSELS.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent that the time for filing views of the minority on the bill (H. R. 16692) to provide American registers for seagoing vessels, and so forth, be extended for seven legislative days (H. Rept. 405, pt. 2).

The SPEAKER. The gentleman from Washington asks unanimous consent that the time for filing the views of the minority on H. R. 16692 be extended for seven legislative days. Is there objection? [After a pause.] The Chair hears none.

PUBLICITY OF CONGRESSIONAL CAMPAIGNS.

Mr. LLOYD. Mr. Speaker, I wish to renew the request I made a few moments ago to which the gentleman from Georgia [Mr. BARTLETT] objected.

The SPEAKER. The gentleman from Missouri [Mr. LLOYD] asks unanimous consent to print in the RECORD—

Mr. BARTLETT. Mr. Speaker, reserving the right to object—

The SPEAKER. The gentleman from Georgia will wait until the Chair states the question. The gentleman from Missouri [Mr. LLOYD] asks unanimous consent to print in the RECORD certain forms, which were agreed upon between him and the gentleman from Illinois [Mr. MANN], as to certain affidavits touching the expenses of the candidates for Congress before nomination and after nomination and before and after election, and to extend his remarks. Coupled with that was the request of the gentleman from Illinois to amend by ordering the Clerk to print these forms for the candidates for Congress, sitting Members, and others.

Mr. BARTLETT. Mr. Speaker, reserving the right to object, I would like to say that I do not think this will do any good, yet I do not think it will do any harm. I have examined the papers, prepared, I am informed, by the gentleman from Missouri [Mr. LLOYD] and the gentleman from Illinois [Mr. MANN], and as there seems to be some desire on the part of the Members of the House to have the matter disposed of in the way in which it has been requested to be acted upon by both the gentleman from Missouri and the gentleman from Illinois, while I do not withdraw any suggestions I may have made with reference to the matter, I do not feel inclined to press my objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. LLOYD. Mr. Speaker, after conference with several Members of the House, I have taken it upon myself to confer with the gentleman from Illinois [Mr. MANN], the minority leader, about the form of statement which is required to be made by each candidate for Congress. Under the existing law every candidate who receives a nomination and is voted upon at the election is required to make four statements. The first one must be filed in the office of the Clerk of the House of Representatives at Washington, D. C., not more than 15 days and not less than 10 days next before the primary election or nominating convention. The law directs what kind of statement shall be made by such candidate. The gentleman from Illinois and myself have agreed upon a form which we offer for use by each candidate if he desires it. We have no intention to make the use of this form mandatory. Every individual, of course, is expected to construe the law for himself and to file a statement in accordance with the law as he understands it.

We submit, however, a form for use prior to the nomination as follows:

(To be filed with the Clerk of the House of Representatives, Washington, D. C., not less than 10 or more than 15 days before the date of the primary election or nominating convention.)

The depositing of this statement in a regular post office, directed to the Clerk of the House of Representatives, duly stamped and registered, within the time above required, is a sufficient filing of the statement.)

STATEMENT OF RECEIPTS AND EXPENDITURES OF CANDIDATE FOR NOMINATION FOR REPRESENTATIVE IN CONGRESS.

(For filing before primary election or nominating convention.)

I hereby certify that the following is a full, correct, and itemized statement of all moneys and things of value received by me or by anyone for me with my knowledge and consent from any source, together with the names of all those who have furnished the same in whole or in part, in aid or support of my candidacy for the _____ nomination for Representative in the Congress of the United States from the _____ congressional district of the State of _____, at the primary election (nominating convention) to be held in said district on the _____ day of _____, 1912, viz:

Also, that the following is a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by me, or by my agent, representative, or other person for or in my behalf with my knowledge or consent, together with the names of those to whom such gifts, contributions, payments, or promises were made for the purpose of procuring my nomination at such primary election (nominating convention), not including any money expended by me to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which I reside or for my necessary personal expenses incurred for myself alone for travel, subsistence, stationery, postage, or writing or printing (other than in newspapers), and distributing letters, circulars, and posters, or for telegraph and telephone service, viz:

(Signature of candidate) _____,

(Address) _____.

_____, ss: _____, being duly sworn, deposes (affirms) and says that the foregoing is a true and correct statement of his candidacy for nomination for Congress and of all the receipts and expenditures in aid or support of his candidacy as therein above set forth.

Subscribed and sworn to (affirmed) before me this _____ day of _____, A. D. 1912.

[SEAL.]

MEMORANDUM: The above statement must be verified by oath or affirmation of the candidate before an officer in the district in which he is a candidate for Representative, unless such candidate shall be in attendance upon Congress as a Member thereof, in which case he may verify his statement in the District of Columbia.

NOMINATION FOR CONGRESS.

Statement of receipts and expenses of _____, _____, _____ district of _____.

Primary or convention, _____, 1912.

Mailed _____, 1912.

Received and filed _____, 1912.

The next statement which is required to be filed by any person who is a candidate for the nomination for Congress must be filed within 15 days after the primary election or nominating convention. This statement must be filed with the Clerk of the House of Representatives at Washington, D. C., and is a little different in form from that which is required in the first statement. The gentleman from Illinois and myself submit herewith as a suitable form for use by the candidate, in our judgment, the following:

(To be filed with the Clerk of the House of Representatives, Washington, D. C., within 15 days after the date of the primary election or nominating convention. The depositing of this statement in a regular post office, directed to the Clerk of the House of Representatives, duly stamped and registered, within the time above required, is a sufficient filing of the statement.)

STATEMENT OF RECEIPTS AND EXPENDITURES OF CANDIDATE FOR NOMINATION FOR REPRESENTATIVE IN CONGRESS.

(For filing after primary election or nominating convention.)

I hereby certify that the following is a full, correct, and itemized statement of all moneys and things of value received by me or by anyone for me with my knowledge and consent from any source, not included in the statement heretofore filed by me with the Clerk of the House of Representatives, together with the names of all those who have furnished the same in whole or in part, in aid or support of my candidacy for the _____ nomination for Representative in the Congress of the United States from the _____ congressional district of the State of _____, at the primary election (nominating convention) to be held in said district on the _____ day of _____, 1912, viz:

Also, that the following is a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by me, or by my agent, representative, or other person for or in my behalf with my knowledge or consent, not included in the statement heretofore filed by me with the Clerk of the House of Representatives, together with the names of those to whom such gifts, contributions, payments, or promises were made for the purpose of procuring my nomination at such primary election (nominating convention) not including any money expended by me to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which I reside or for my necessary personal expenses incurred for myself alone, for travel, subsistence, stationery, postage, or writing or printing (other than in newspapers), and distributing letters, circulars, and posters, or for telegraph and telephone service, viz:

Also, that the following is a correct summary of the statement made and filed by me with the Clerk of the House of Representatives prior to said primary election (nominating convention) as required by law, viz:

Also, that the following is a correct statement of every promise or pledge made by me or by anyone for me with my knowledge and consent or to whom I have given authority to make such promise or pledge relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in a county, State, or the Nation, or in any political subdivision thereof, or in any

private or corporate employment, for the purpose of procuring the support of such person or of any person in my candidacy as aforesaid, together with the names, addresses, and occupation of the respective persons to whom such promises or pledges have been made, and a description of the respective positions relating to which such promises or pledges have been made, viz:

(Cross out if promise has been made.)

I further certify that no promise or pledge has been made by me, or by anyone for me with my knowledge or consent or to whom I have given authority to make such promise or pledge, relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in a county, State, or the Nation, or in any political subdivision thereof, or in any private or corporate employment, for the purpose of procuring the support of such person or any person in my candidacy as aforesaid.

(Signature of candidate)

(Address)

ss: _____, being duly sworn, deposes (affirms) and says that the foregoing is a true and correct statement of his candidacy for nomination for Congress and of all the receipts and expenditures and promises or pledges relative to appointment in aid or support of his candidacy as therein above set forth.

Subscribed and sworn to (affirmed) before me this _____ day of _____, A. D. 1912.
[SEAL.]

MEM.: The above statement must be verified by oath or affirmation of the candidate before an officer in the district in which he is a candidate for Representative, unless such candidate shall be in attendance upon Congress as a Member thereof, in which case he may verify his statement in the District of Columbia.

(Backing.)

NOMINATION FOR CONGRESS.

Statement of receipts and expenses of _____, _____ district of _____.

Primary or convention, _____, 1912.

Mailed _____, 1912.

Received and filed _____, 1912.

Both the statement which is required to be filed before the primary election or nominating convention and the statement which is required to be filed after the primary election or nominating convention must be sworn to or affirmed before an officer who is authorized to administer oaths under the laws of the State in which the candidate resides and shall be sworn to or affirmed by the candidate in the district in which he is a candidate for Representative in Congress. If, however, at the time of said primary election or nominating convention said candidate shall be in attendance upon the House of Representatives as a Member thereof he may, at his election, verify said statement before any officer authorized to administer oaths in the District of Columbia.

The law further provides that the depositing of either of said statements in a regular post office, directed to the Clerk of the House of Representatives, duly stamped and registered, within the time required herein shall be deemed a sufficient filing of any such statement under any of the provisions of this act.

The law provides also that no candidate for Representative in Congress shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election any sum in the aggregate in excess of the amount which he may lawfully give, contribute, expend, use, or promise under the laws of the State in which he resides. Provided, that no candidate for Representative in Congress shall give, contribute, expend, use, or promise any sum in the aggregate exceeding five thousand (\$5,000) dollars in any campaign for nomination and election.

The publicity act further provides that no money that may be expended by any candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery and postage, writing or printing—other than in newspapers—distributing letters, circulars, and posters, and for telegraph and telephone service, shall be regarded as an expenditure within the meaning of this section, nor shall it be considered any part of the sum herein fixed as the limit of expense and need not be shown in the statement required to be filed.

The statute directs that no candidate for Representative in Congress shall promise any office or position to any person, or to use his influence or to give his support to any person for any office or position for the purpose of procuring the support of such person, or any person, in his candidacy.

I have called attention to the provisions of the publicity act as far as they are applicable to the statement which is required to be made immediately preceding the primary election or nominating convention, and the statement required to be made after the primary election or nominating convention, and I hope that these suggestions may be of use and profit to the membership of this House.

LEAVES OF ABSENCE.

By unanimous consent, leaves of absence were granted—
To Mr. HINDS, indefinitely, on account of illness.
To Mr. HEALD, for five days, on account of illness.
To Mr. BROWN, for one week, on account of illness in family.
To Mr. MORRISON, for one week, on account of important business.

RIVERS AND HARBORS APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of House bill 21477, being a bill entitled "A bill making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes"; and pending that I ask unanimous consent that general debate be limited to one hour, one-half to be controlled by myself and one-half by the gentleman from Massachusetts [Mr. LAWRENCE].

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21477, and pending that asks unanimous consent that general debate be limited to one hour, one-half to be controlled by himself and the other half by the gentleman from Massachusetts [Mr. LAWRENCE]. Is there objection to the request for general debate? [After a pause.] The Chair hears none. The question is on the motion that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21477, the rivers and harbors appropriation bill, with Mr. RAINEY in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

H. R. 21477. A bill making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. SPARKMAN. Mr. Chairman, I hope not to consume all of the time that has been reserved to me, and I will ask that I may proceed without interruption until I have made the brief statement that I propose to make touching the provisions in the bill, when I will be glad to reply to any questions that Members may wish to ask concerning the measure.

The bill carries \$26,262,520.50 in cash and authorization, which is the smallest aggregate of any similar measure brought into this House since that of 1894. The bill of that year, as introduced, carried \$9,431,689.56, but that of 1896, the largest up to that time in the history of the country, reached the sum of \$62,051,000. From then on they range in amounts all the way from \$83,816,138, carried by the bill of 1907, the largest ever considered by this body, down to \$31,409,224, the aggregate of that of 1911.

The conservatism which resulted in the small amount carried by this bill was made advisable, in the opinion of the committee, on account of Treasury conditions and a consequent desire to keep the aggregate down to the lowest amount possible, at the same time providing adequate funds to carry on the various projects demanding attention until the next river and harbor bill shall have been enacted into law, and was made possible by reason of the policy of annual bills inaugurated two years ago.

Under that system it is in most cases only necessary to appropriate an amount sufficient to maintain the work, in case of maintenance, or to prosecute a project under way for a year. Sometimes, as in the present instance, only for a period of eight or nine months. At the same time it enables the engineers the better to estimate the amount necessary to prosecute the work on a project for the ensuing year and to furnish a safe guide to the committee in the consideration of a bill. Such estimates were made by the engineers and were followed by the committee in the preparation of the pending measure, their advice being freely sought wherever doubts arose in the minds of the committee during its deliberations. In only a few instances have the recommendations for cash appropriations made by the engineers been increased. In these few cases the increase was made necessary on account of changed conditions, the committee ascertaining that for one cause or another the estimates, as furnished by the engineers, were too small. Among these few

are the Delaware River below Philadelphia; St. Johns River, Fla.; and Winyah Bay, S. C. But we have not in any case exceeded the cash estimates and authorizations combined where continuing contracts were recommended, of which there are quite a number in the Book of Estimates.

It will be seen, however, that there is only one provided for in this bill, and that for the Ohio River. It was declared in the bill of 1910, when the 9-foot project for the Ohio River was finally adopted, that the improvement should be completed in 12 years—meaning, as I understand, that at least the appropriations for its completion should all be made within that time—and although the engineers had recommended for this bill a cash appropriation of \$3,200,000, they further suggested an authorization of \$5,300,000. But after consultation the committee found that, without any detriment to the work or the plan for its completion within the time fixed in the act of 1910, they could easily get along with an authorization, in addition to the cash recommendation, of \$2,200,000, which we have given. I wish it distinctly understood, however—and in saying this I but voice the sentiment of the entire committee—that in thus reducing the amount recommended for contract authorization we did not intend to abandon the plan for the completion of this great work within the time specified.

In fixing the amount for each item, whether relating to an existing or a new project, the committee has had in mind the fact that only eight or nine months will elapse before another bill will be presented and enacted into law, which must be done not later than the 4th of March of next year, when additional funds can and doubtless will be provided for each uncompleted project or such as can not be completed with funds heretofore authorized. Then, too, projects not now considered, whether on account of the necessity for conservatism in the matter of appropriations or for other reasons, may be again presented to the committee and through it to Congress.

We have not considered favorably all the projects that have been heretofore submitted to Congress or to this committee. When we began the preparation of this bill we found something like 135 new projects awaiting consideration by the committee and by Congress, the whole aggregating something like \$65,000,000. Of this number we have only taken care of 54 in the pending measure, but the amount involved is much more than the aggregate of those remaining, some 85 in number. That is to say, while we have considered favorably only a little more than one-third of the relatively recent projects now before Congress, the amount recommended to complete the 54 adopted constitutes nearly two-thirds of the whole. We have, for instance, adopted projects the appropriations for which, however, are small, amounting to something like \$41,000,000, leaving only about \$24,000,000 now before Congress yet to be considered.

In selecting those embraced within the bill we have been governed entirely by the urgency and relative importance of the projects considered from the standpoint of the commerce, either present or prospective, to be accommodated, and believe that we have made few, if any, mistakes. Certainly I may assure this body that the committee has endeavored to select wisely, intending, of course, to give further consideration to the projects omitted from the present measure in the preparation of the next bill. In the consideration of this, as in those which have preceded it, the Committee on Rivers and Harbors have treated each individual project alone upon its merits without regard to section, locality, or outside pressure of any kind.

And right here it may not be improper to advert to criticisms leveled at the River and Harbor Committee and at Congress, not so frequently of late, however, as in years gone by, that these bills are pork-barrel measures; that the log-rolling element enters into their consideration. This charge, whenever or wherever made, is entirely unjust and without foundation. No project has ever been adopted within the range of my experience and observation as a member of the Rivers and Harbors Committee, covering a period of 16 years, for any other reason than that of the commercial advantages to accrue to the country from the doing of the work called for in the project considered. [Applause.] And, Mr. Chairman, during this time we have provided for hundreds of projects, involving an expenditure of \$323,000,000 and ranging all the way from those of greater magnitude, like the harbors of New York and Boston and long stretches of river like the Mississippi and the Ohio, to small streams and less pretentious harbors; but whether great or small the only thought has been the commerce to be benefited by the money appropriated or authorized. If, incidentally, Members were pleased or constituencies gratified, so much the better; but these considerations did not, and have not, influenced us in the adoption of projects or in determining the amounts appropriated therefor. Let me further say, Mr. Chairman, that we have done the best we could in the selection of the items which have gone into this bill and in fixing the amounts appropriated

or authorized, and if there is anyone who sees, or think he sees, ground for criticism now is the time to raise his voice or else hereafter hold his peace. We trust we are able to defend successfully every item in this bill, and invite the closest scrutiny of any and all its provisions. [Applause.]

Still another criticism of river and harbor bills has been that small streams and insignificant harbors are cared for and money unwisely spent thereon. In the first place, I want to say that in none of the bills to which I have referred have the amounts appropriated for such projects been large, but in each case the commerce to be benefited has amply justified the expenditure. There are purely intrastate rivers—indeed, streams wholly within a single county—which accommodate commerce originating on or near their banks and which is carried on their waters to railroad terminals or to the ocean and thence to other States, and even to far-distant lands. These are as much interstate streams and are as much entitled, under the commerce clause of the Constitution, to Federal aid and care as though they traversed half a dozen or a dozen States. Then, too, in point of commercial importance they compare favorably with many of these longer and more pretentious streams. Some of them, considering the relative cost of improvement, are even of more importance, carrying—in proportion to the money expended on them—many times the commerce borne on the larger and longer streams.

There is yet another criticism, not so often used nowadays, still occasionally suggested, that the States represented on the committee are better treated than those not so represented; that the former get the larger amounts of appropriations recommended by the committee. The latter statement is perhaps true, but if so it is because their commercial importance justifies the consideration given them. There are 19 States directly represented on this committee. These constitute a little more than one-third of the States of the Union, but they have at least three-fourths of our coast line, more than three-fourths of the harbors and mileage of the navigable rivers, as also 90 per cent of the water-borne commerce of the country. So that, if they receive more they are entitled to more, and deserve all the attention given them.

The measure contains 261 items of appropriation. Of these, 102 are for the continuation of work on existing projects, 54 for new projects, and 105 for maintenance. For the 102 existing projects the bill carries \$20,588,000; for the new, \$4,477,070.50; and for maintenance, only \$1,197,450. I say only \$1,197,450, because, in my judgment, this is a small sum for that purpose, and makes a very creditable showing. Indeed, it speaks eloquently for the skill and ability of the engineers under whose direction the rivers and harbors of this country have been improved, at an expenditure up to the present time of more than \$627,000,000. The engineering skill which during more than three-quarters of a century could expend that large sum of money on the improvement of the waterways of this country and at the same time do their work so efficiently that only a little more than a million dollars is necessary in the present bill to maintain all their work makes indeed a creditable showing. Indeed, it evidences the fact that they have done their work wisely and well. [Applause.]

In addition to the projects before Congress at the time this bill was prepared, and for which provision has not been made therein, there were something like 190 surveys still before the engineers upon which reports had not been made. Some of these may have come in since the introduction of this measure, and sooner or later all of them will be here, either with or without favorable recommendation. To those favorably reported to Congress we, of course, will give due consideration and adopt or reject them according to their individual merits, but in order to give a project a status before the River and Harbor Committee it is necessary for it to come there with a favorable recommendation from the engineers. This is a rule of the committee, not formally adopted to be sure, but one sanctioned by time and by the practice of the committee for several years. That policy has met with some criticism by a few, and doubtless will be criticized again, but I think a moment's reflection will show its wisdom.

The engineers who pass upon these projects go into and investigate the localities where a work is proposed, not only with a view to determining its advisability but for the purpose of making estimates as to the cost of the project. While they are on the ground they must necessarily familiarize themselves with conditions there, including the commercial advantages likely to accrue from the adoption and the completion of the project, and hence become well qualified to pass upon the advisability of doing a given piece of work.

Mr. GARRETT. Mr. Chairman, will the gentleman from Florida yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Tennessee?

Mr. SPARKMAN. Would the gentleman mind waiting for a while? I would prefer to finish my statement, then I will be glad to yield.

Mr. GARRETT. Very well.

Mr. SPARKMAN. Then, again, Mr. Chairman, if we were once to abandon this rule, which I admit is an arbitrary one—if we once got away from it, I fear that the criticism to which I referred a moment ago—that the river and harbor bill is a pork-barrel measure—could be made with some show of justice, as we would then likely be overwhelmed with all kinds of projects, and without some safe rule to guide us might be the victim of combinations, which would destroy or make difficult this class of legislation. So it seems to me that for the present at least we must adhere to that rule. Whether we can get away from it in the future, whether we can devise some other or better plan for the giving of a status to a project before our committee in the preparation of river and harbor bills, remains to be seen.

Among the projects which we have inserted and provided for in this bill are the Missouri River below Kansas City at a cost when completed of \$20,000,000; the Tennessee River, to cost \$6,700,000; the inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., to cost \$5,400,000; Sabine Pass, Tenn., \$2,000,000; and the construction of a large new lock in the St. Marys River at the falls at a cost of \$3,275,000. Although these sums are large it is hoped that each of the projects may be completed within a reasonable time, for while the existing commerce on some of these waterways is small at present as compared with that on a few other streams in this country, it is believed that their completion in accordance with the projects adopted will result immediately in a large commerce upon each of them and that benefits entirely commensurate with the outlay will result to the country at large. The resources of the areas contiguous to these waterways and the rapid development of the sections through which they run seem to justify this expectation.

The project for the further improvement of the falls in St. Marys River may be said to stand in a class by itself, it being one of the most important arteries of commerce in the whole country. It already accommodates a large freight tonnage. For the year 1911 the commercial statistics furnished by the engineers show a total of 62,363,218 tons going over this river, an increase of 30,817,112 tons since 1904, and from all appearances this tonnage will continue to increase rapidly for several years to come.

The great industrial interests depending upon this enormous commerce and the damage that would result from any serious delay in its passage to points of destination made the committee unwilling to take any chances of freight congestion at these falls which ample lock facilities might prevent. Hence, it was thought best to provide in this bill for the construction of another large lock alongside of the one now being built, and to wait until this lock is completed before beginning the enlargement of the Poe Lock, as suggested by some of the engineers. The committee was influenced in the course taken in the present bill and to construct the larger lock by the Chief of Engineers, who not only recommended this course in his report to Congress, but adhered to the same in an interview had with him by the Committee on Rivers and Harbors, he being of the opinion that the building of the new lock is much the wiser course.

It will be seen that the bill contains quite a number of items where projects have been adopted, subject to conditions set forth in the reports of the engineers recommending such projects. These recommendations usually take the shape of local participation; that is, that the localities or parties immediately interested contribute something toward the prosecution of the improvement. Occasionally the recommendation is that the right of way, where such is desired, be furnished, or that terminal facilities to a given extent be afforded. The proportions thus recommended to be contributed by localities range all the way from one-fifth to one-half of the amount estimated to complete the projects, respectively, and are based on advantages especially accruing either to individuals or to the localities where the commerce is more local than general.

In this connection I wish to call attention to provisions in the bill extending the scope of the investigations heretofore required of the engineers in preliminary and other examinations and the reports thereon. Among these are inquiries into both private and public terminals—transfer and dock facilities contiguous to the waterways or harbors to be improved. This is a subject the importance of which can not be overrated. One of the most serious handicaps to water transportation heretofore existing has been the lack of dock facilities within the reach of everyone and at reasonable rates to all desiring to use the waterway in question. The tendency had been for

many years toward the ownership and control of such facilities by railroads, or by them and steamship companies acting in conjunction, a practice not conducive to competition in freight carriage or to the cheap handling of freight. The result has been in many instances to almost destroy transportation by water, as it is impossible for private enterprise to compete, in the face of such drawbacks, with railroad transportation or combinations of railroads and steamship lines. This is a condition which does not exist in European countries, as the various governments abroad exercise a greater degree of control over railroads than has heretofore been exercised in the United States; and this, I may say, furnishes an important reason, if not the chief one, for the greater use of the waterways of Europe than is made of those in this country. A change, however, is now taking place here. But while many communities, including several of the larger cities, have awakened to the importance of freeing commerce from this handicap by municipal or other public ownership or control of dock and terminal facilities, much remains to be done. Legislation to remedy this will, perhaps, be necessary, but, before undertaking such information not now in the possession of Congress is needed, and it is the purpose of the provision to which I have just referred to furnish this information.

The plan adopted in this and in the two preceding bills of fixing a time limit for the completion of some of the larger projects should be commended. The spasmodic, haphazard way in which work had been carried on before by reason of insufficient appropriations caused parties inclined to use waterways to hesitate in making the necessary arrangements, as there could be no certainty as to when the improvement would be finished and the waterway in a condition for use. Such a provision in a measure commits Congress to the plan and practically insures continuance of the appropriations necessary for its completion within the time limit. Of course no one Congress can in this way irrevocably commit another to a given plan in the matter of waterway improvement, but the tendency is in that direction, and I have no doubt but that in each case Congress will continue the appropriations from year to year until the projects so undertaken are completed. Indeed, acting in response to a strong public sentiment in that direction, I feel confident that Congress will furnish the money necessary to complete all the projects now under way and in sight, whether large or small, as early as is practicable and without the discouraging delays which have heretofore retarded the growth and development of the commerce depending upon waterway and harbor improvement. [Applause.]

There is one important project adopted in the present bill with a time limit of 10 years for its completion—that for the Missouri River below Kansas City. It is proper, however, to add that the bills of 1910 and 1911 carried amounts for this stretch of the river aggregating \$1,600,000, which have been used or will be expended in the completion of that project, so that with the sum provided in this bill there only remains of the original amount \$18,400,000 to be provided in future bills.

Now, Mr. Chairman, I have not covered all the provisions of this bill and the limited time at my disposal will not permit me to do so, but I wish to ask the indulgence of the House a little longer.

This is one of the most important measures that has been brought or will be introduced into the House during the present session. This the people understand, and there is throughout the country to-day a greater interest manifested in favor of river and harbor improvement than ever before in our history. They have found that the railroads are unable to do all the carrying business of the country; they have seen that, although the development of these transportation agencies has gone on until their trackage reaches 240,000 miles, with the very best equipment in the world, with all that trackage and this superior equipment they are unable to do the business required of them, except in favored localities. [Applause.]

The people, accustomed for nearly three-quarters of a century to rely upon the railroads, have found them falling below the demands made upon the transportation energy of the country, and that if the development of our resources is to go on and our surplus products distributed to the consuming populations of this and other countries, our harbors must be deepened, our rivers further improved, and canals constructed wherever such may be made to serve a useful purpose; and there are several such places throughout the country—localities where comparatively narrow stretches of land may be traversed and navigable waters, either of lake and river or ocean and gulf connected. The necessity for this class of improvement was never so great as now, because the development of our resources was never so pronounced as at this time. There is scarcely a locality, north, south, east, or west, that is not feeling the touch of

this spirit of development and progress. Lands hitherto lying idle, localities heretofore neglected, resources up to this time disregarded, are now being developed so that all our transportation facilities—wagon and railroad, river and harbor, supplemented by artificial waterways—will soon be required, indeed, are now demanded.

Mr. Chairman, we hear much of tariff and other forms of taxation, and they are a necessity, else government—national, State, county, and municipal—can not go on. The tax burdens for these purposes are heavy, but not nearly so great as the transportation tax by wagon, rail, and water in the United States. These, it is estimated, are more than two and one-half times greater than the former. The people are taxed, so it is said, \$2,000,000,000 a year to support the various governmental agencies—Federal, State, county, and municipal—and more than \$5,000,000,000 for transportation by the three methods just mentioned—wagon, rail, and water—so that there is no greater problem confronting the American people to-day than that of transportation, and into the settling of this problem two things at least enter—efficiency and cost. The people are interested in both. Efficiency, because on that depends safety and dispatch in the transportation of person and property. Cost, because on the transportation charges depends largely the profits of him who uses the transportation facilities. Improved waterways not only add materially to these facilities, but they are great regulators of freight and passenger rates, of which all the people receive the benefit, some more than others, perhaps, but each and all reap to a certain degree, directly or indirectly, a benefit from the lowering of rates by the increase of water transportation facilities. Hence, I repeat: There is not a more important measure claiming the attention of this body than the rivers and harbors bill. Having for its purpose the development of our numerous harbors and the improvement of the 25,000 miles of navigable waterways now being used, together with the 25,000 more miles of rivers that may be easily made navigable, and all to the end that ample transportation facilities may be furnished to the people in so far as these can be furnished by this class of development, its importance can not be overestimated.

Mr. Chairman, I said this is a most important measure, and it is. But it is more. It is also the most popular of any introduced or that will be introduced into this House. The people, of course, recognize that the great supply bills for the carrying on of the Government must be passed. They tolerate the naval appropriation bill, which provides for the battleships—those powerful engines of destruction—and the military appropriation bill, which keeps up the Army to a standard of efficiency, because, forsooth, some time in the future they may be needed for purposes of defense. War may come, an enemy may menace, yet these are happily uncertain and, we hope, remote possibilities. But we know that the development of our resources is going on, that our commerce is increasing, and that the necessity is ever present for transportation facilities to accommodate its growth and development. Wars we would prevent, but commercial growth we would encourage. The one brings prosperity and happiness, the other sorrow and adversity. All this the people understand; hence the popularity of this class of legislation, and they will brook no delay nor tolerate any backward step along that line. And, let me say, no one will reflect the wishes of his constituents by opposition to a measure fraught with the possibilities for good with which these measures are laden. And, Mr. Chairman, we are making commendable headway. Only a few years—10 or 15 at most—will be necessary at the present rate of progress to do all the river and harbor work now in sight. The last three bills, including the present, averaged about \$38,000,000. But suppose we should for the next decade and a half average a smaller sum than that—thirty or thirty-five millions, for instance—even then one can readily see that nearly a half billion of dollars will have been appropriated by Congress. Add to that the sum of nearly \$700,000,000 which has been appropriated since the Federal Government took charge of river and harbor work, and we get an aggregate of nearly \$1,200,000,000, an amount greater than that expended by any other government in the civilized world. No country in Europe or elsewhere will have done so much, and none will have a greater mileage of navigable waterways or a greater number of first-class harbors than ours. [Applause.]

The amount above suggested will be sufficient to complete not only the improvements in the Mississippi River and its tributaries, embracing projects amounting to hundreds of millions of dollars, but the amount will be sufficient to take care of all the projects now in sight, including the intracoastal waterways, or such of them as Congress may see proper to adopt. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAWRENCE. Does the gentleman desire more time?

Mr. SPARKMAN. Four or five minutes.

Mr. LAWRENCE. I will yield five minutes more to the gentleman from Florida.

Mr. SPARKMAN. Now, Mr. Chairman, we have spent at least two and a half months in the preparation of this bill. We have had numerous hearings by persons representing different sections of the country, including boards of trade, some coming even from the Pacific coast. To them we have accorded patient hearings, and have given to this bill the most careful consideration possible. We therefore hope and believe we have presented a measure that will not only meet with the approval of this House, but that of the country as well. [Applause.]

Mr. LAWRENCE. Mr. Chairman, I now yield five minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman; the measure before the House is one that vitally affects the great industrial and commercial activities of the whole country. Based upon principles of statesmanship, a policy of internal improvement, reaching the vast areas covered by the appropriations contemplated by this bill, will inevitably lead to the increased prosperity of our people and the rapid growth of our common country. These appropriations will be applied, if this bill becomes a law, to the coastal improvements along the Atlantic and Pacific Oceans, the Gulf of Mexico, the Great Lakes, and those great arteries of trade and commerce that carry upon their bosoms the great wealth of the country that teems in the inland reaches of our great continent. No Nation on earth can equal in volume, variety, and richness the mighty commerce that annually traverses our great country over its lakes, along its rivers, on its great railroads, and upon its coasts.

The expenditure carried by this bill, regulated by a scrupulous regard for a commendable policy of economy, will amply meet the demands and immediate needs of the country. It is not so much the magnitude of the appropriation that counts, in my opinion, as the application and distribution of the moneys. If the moneys appropriated are devoted to those points, and applied for those purposes solely which made for true internal improvement, then they will be wisely expended, and industrial success and commercial prosperity must follow as surely as the night follows the day. But if the moneys are applied to the promotion of railway policies in such a way as to render competition between railways and waterways either impracticable or impossible, then industrial and commercial stagnation will follow, and our country will continue to be at the mercy of the great trunk lines of the country as far as our inland facilities for transportation are concerned.

Experts who have studied the cost of transportation hold that the expense by rail is in the ratio of 6 to 1. If this is true, the proportion in the rates of traffic charges should logically be the same. And if this proportion is not maintained, then there must be some artificial, extraneous influence that creates the burdens of which the shippers complain and against which we hear such loud and persistent complaints. The purpose of waterborne traffic is twofold; first, the reduction in the rates of transportation; and, secondly, the perfection of the transportation facilities by water so that no inland community of the country will suffer in its commercial activity and prosperity because of its remoteness from the great ports of the country.

Mr. Chairman, I believe with the chairman of this committee that this is one of the most important bills that this Congress will be called upon to pass. I am in favor of the passage of the bill, not because the State of Illinois or the city of Chicago that I in part represent have any particular interest in the passage of this bill.

Mr. CONRY. Will the gentleman yield?

Mr. GALLAGHER. Certainly.

Mr. CONRY. Will the gentleman state why it is that in this bill there is no appropriation made for the city of Chicago?

Mr. GALLAGHER. Because Congress, on March 3, 1899, passed an order for a survey of the Chicago Harbor and waters in and about Chicago. That report is now in the hands of the Board of Engineers of the Army and has not as yet been submitted to Congress, and we have had no opportunity to pass upon what Chicago is asking for in the way of harbor improvement. I may state that Chicago is preparing to build an outer harbor, and we do expect an appropriation from the Federal Government to assist us in extending the breakwater for the Chicago Harbor. And being a member of the Committee on Rivers and Harbors I can positively assert that when these preliminary reports are submitted by the War Department and the estimates prepared the great city of Chicago will assuredly receive that generous treatment to which, by reason of her greatness, her influence, and her power, she is justly entitled. [Applause.]

In the great city of Chicago we have facilities for inland and outer water transportation that is exceeded by no city in the country. Her position on the Great Lakes, her geographical situation, her rivers, canals, and her great possibilities as a commercial center should make her the leading city of the Nation from the standpoint of water-borne traffic; while in reality she actually occupies the fifth place. She is the second great city of the country. She has profited very little by Federal aid. Her greatness is the product of the genius, the push, and the energy of her enterprising and ambitious sons.

While the Congress of the Nation has been liberal even to the point of lavishness in appropriations for other sections, the city of Chicago and the State of Illinois have been continually ignored. This fact and these conditions have been forcibly exhibited in the letter of the Secretary of the Treasury, transmitting information in response to Senate resolution of December 7, 1911, relative to expenditures for rivers and harbors. This letter, as printed in the Chicago Examiner, shows the total amount appropriated in the State of Illinois for river and harbor improvements was \$8,520,924.81. Of this sum \$2,740,663 was applied to the Chicago Harbor.

In glaring contrast to the smallness of these appropriations are the amounts devoted to internal improvements of other States, as shown by the following table:

Michigan	\$43,494,495.87
New York	41,925,351.80
Texas	24,382,529.60
Massachusetts	17,284,368.53
Ohio	16,211,109.78
California	14,605,144.12
Georgia	12,373,856.71
Wisconsin	11,493,944.17
Florida	11,205,058.28

This niggardly treatment of the city of Chicago by the National Government can be more keenly appreciated when we consider the lavish display of generosity made by this Nation to individual projects as shown by these appropriations:

Philadelphia	\$15,465,529.22
Boston	10,402,687.45
Galveston	9,316,934.72
Detroit River	9,700,283.05
Patapsco River, Md.	4,453,347.98
Great Kanawha River, W. Va.	4,257,863.14
Cape Fear River, N. C.	4,760,993.71
St. Johns River	4,813,003.75

The outer harbor of the city of Chicago is susceptible of wonderful development, a development that means greater commerce, greater power, and greater influence for the metropolis of the West, and greater prosperity for the whole country. She is to-day the distributing center for the wealth-increasing products of the great West. Her spirit of enterprise keeps abreast of the increasing demands of the age. And she is now contemplating an expenditure of \$5,000,000 in the construction of an outer harbor on the lake shore and the expenditure of \$3,000,000 or \$4,000,000 for the construction of the most modern types of bridge over the Chicago River to facilitate traffic.

Mr. HAMILTON of West Virginia. Will the gentleman yield for a question?

Mr. GALLAGHER. I will.

Mr. HAMILTON of West Virginia. The gentleman is a resident of Chicago?

Mr. GALLAGHER. Yes.

Mr. HAMILTON of West Virginia. What effect has the Chicago Drainage Canal on the level of the lake?

Mr. GALLAGHER. That is an old question which has been up here in several forms for some time. We have just had a hearing upon it. The effect of diverting the water, we contend, makes no difference in the lake levels whatever. We believe that the health of the people of Chicago is paramount to the interests of navigation, and inasmuch as it makes no perceptible difference in the water levels of the lake, we believe that we are entitled to that extra supply of water for sanitary purposes. [Applause.]

I am heartily in favor of the development of these improvements upon the Chicago River and all its branches. Just as sidetracks are necessary to the development and perfection of a great railroad system, so is the improvement of all the branches of a great river essential to its proper development as an agency in the commercial progress of a city upon its banks. Where a stream is improved there is more water-borne traffic along that stream and the consequent development of great industrial plants upon its shores. Every such improvement will open up the avenues of trade and will bring to the doors of the individual enterprises that line the rivers the fleets laden with wealth that ply from lake to lake and port to port. Increased traffic by water does not hamper railroad business but actually aids and helps to build it up.

If river and harbor improvements are to continue to meet with popular approval, if they are to justify the noble purposes which gave them birth, the policy governing them should be based upon the broad principle of our country's good. No discrimination against this enterprise or that enterprise should be tolerated. Let every enterprise participate alike in this great scheme of governmental activity. Let every development of a harbor, inland and outer, provide for terminals for the reception of traffic by water. I am unequivocally in favor of this principle and this policy. It is the only just policy and the only wise policy. Any other policy will retard the development of our commerce and will ultimately bring into disrepute the great and noble work to which our Government is committed, and which it has contributed so generously to sustain and perfect; because it is just as imperative for our water-traffic systems to have terminals, and they are just as essential to their efficiency as are depots and railway stations along the lines of our great railroad systems; and it therefore becomes the duty of the Government to establish these terminals now, for it is only a question of time when the needs and necessities for our inland commerce will enforce their construction. [Applause.]

Mr. LAWRENCE. Mr. Chairman, the pending bill carries in appropriations and in continuing contracts a little over \$26,000,000, which is made up, as the chairman of the committee has told you, of these items: For maintenance, \$1,197,450; for the carrying on of works now in progress, \$20,588,000; and for entirely new work, \$4,477,070.50. It is the smallest bill that has been reported to the House from the Committee on Rivers and Harbors since I have been a member of that committee; but in entire frankness it should be said that the bill does commit Congress to new projects which will ultimately call for the expenditure of a very large amount of money. The committee has worked faithfully and long upon the bill. Through the fortunes of political warfare I have found myself at the foot of the table and a distinguished Democrat now sits at its head. I wish to say that the gentleman from Florida [Mr. SPARKMAN], as chairman of the committee, has always shown himself to be courteous and able; he has not been actuated by sectional or political considerations, but he has at all times endeavored to do his best for the progress and development of our whole country. [Applause.]

I believe, Mr. Chairman, that this bill is a well-considered piece of legislation, and I urge that it be passed by the House as it has come from the committee. We have adhered strictly, as I understand it, to the policy of the committee—that no items should be included in a bill upon which there have been adverse reports by the engineers. The committee has not formally adopted a rule that no projects shall go into a bill which have not had the approval of the engineers, but it has become, fortunately for river and harbor legislation, the established practice of the committee. If you are going to include in river and harbor bills projects which have been turned down by the local engineer, by the division engineer, by the board of review, and by the Chief of Engineers, then you will indeed have a pork barrel; and then you will sound the knell of river and harbor legislation [applause], for you will have river and harbor bills that no Congress should pass and that, if passed by Congress, no self-respecting President could sign. We laid the basis for such practice in the bill of 1902, which provided that all new projects should first be considered by a local engineer and passed upon by his division engineer; that they should then be considered by the board of review, which consists of five high officers of our Corps of Engineers, and finally passed upon by the Chief of Engineers. Formerly reports of the engineers had great weight, but it was in 1902 that legislation on this subject was strengthened. I am going to quote from an address made by Gen. William H. Bixby before the National Rivers and Harbors Congress, in which he spoke most interestingly upon the education and training of engineer officers and showed why it is that they are so well fitted for river and harbor work:

THE EDUCATION OF ENGINEER OFFICERS.

Those who have not specially studied the subject may occasionally wonder how and why the river and harbor work ever came to be assigned to the Army engineers.

During colonial days there was little work anywhere of engineering nature in the United States except what could be done by the ordinary farmer and mechanic. In the days of the American Revolution the military and topographical engineer came to the front as a military necessity. In 1800 James McHenry, Secretary of War, urging the re-establishment by law of a Military Academy and a Corps of Engineers, said, in his argument, that "fortifications is but a single branch of their profession" and "their utility extends to almost every department of war and every description of general offices, besides embracing whatever respects public buildings, roads, bridges, canals, and all such work of civil nature." In 1802 the Military Academy was established at West Point for the sole purpose of educating engineers for such service. However, at present only from 5 to 10 per cent of the West Point graduates, those who appear best fitted for such special work, join the

Engineer Corps, the others going to the other branches of the military service.

The United States Coast Survey was organized in 1816 by F. R. Hassler, a former Military Academy professor, being later extensively developed by A. D. Bache, a Military Academy engineer officer graduate of 1825. Many of the great topographical, geodetical, and astronomical surveys of the United States were originally organized by Army engineers, or at least by West Point graduates.

Up to 1824 West Point was the only school which taught civil engineering, and all engineering work was necessarily started under the guidance of West Point graduates. In 1824 a specific act of Congress gave to the Army engineers the definite charge of all Government roads and canals.

The Rensselaer Polytechnic School did not start until about 1824, and the Sheffield Scientific School at Yale and the Lawrence Scientific School at Harvard not till about 1847. When, after the Civil War, civil engineering and other technological schools began to develop all over the United States, the Military Academy graduates still held their own good standing in the civil-engineering profession because of their added knowledge of governmental methods and their special training. Our engineer officers have been liberalized by constant contact with other parts of the country and other business interests, although independent thereof, concerned only with securing good engineering work and the public benefit, and thereby specially fitted for the duties assigned them by existing law.

I think it is due to the corps which I represent that I put these matters thus simply and plainly before you, so that you may know just why the Army engineers already have the support of the Federal Congress and why they expect to have that of your Congress as regards not only our past river and harbor work, but also that of the future.

Our system of training and executive organization is very similar to that of France, where every officer in charge of river and harbor work (with but few special exceptions) must pass through three years of mathematical and civil engineering study in their War Department Polytechnic School and then three more years of special engineering study in the Government School of Bridges and Highways, after which their district officers are directed and supervised in much the same way as in the United States. And France is noted throughout the entire world, as well as in Europe, for the extent, thoroughness, and perfection of its river and harbor improvements.

Large appropriations are needed for the development of our rivers and harbors, but, in my judgment, we need a more definite policy and businesslike methods still more, and that is what we have been working for. There is no man in the country, in my judgment, who has done more in that direction than has our present Chief of Engineers, Gen. Bixby. [Applause.] So, Mr. Chairman, in this bill we have followed consistently the practice of following the recommendations of the engineers. There is not an item here, so far as I know, which is adversely reported upon by the engineers. I know that there are some Members of the House who feel that we follow too closely the reports of the engineers and that we ought to act more upon our own judgments. It may be that in time this practice may be somewhat modified, especially as to the commercial features, but I do not believe that it is wise to make any change at the present time. For some time, at least, we should pay such attention to the reports of our engineers. Such a policy will make annual bills a certainty, and there is no other way by which we shall make more certain the fact that river and harbor appropriations are investments from which the people of our country derive great benefit. [Applause.]

I now yield to the gentleman from Kentucky [Mr. LANGLEY].

[Mr. LANGLEY addressed the committee. See Appendix.]

Mr. LAWRENCE. I yield to the gentleman from Pennsylvania [Mr. DONOHUE].

[Mr. DONOHUE addressed the committee. See Appendix.]

Mr. LAWRENCE. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MANN] such time as he may desire.

Mr. MANN. Mr. Chairman, I wish to say a word with reference to the gentleman from Massachusetts [Mr. LAWRENCE], who, we understand, is going to deprive us of his company against our desire and against our will. He is now the ranking Republican on the Committee on Rivers and Harbors and has been the ranking Republican when there was a Republican chairman of that committee. I know that I express the unanimous opinion of both sides of the House when I say that it will be with the profound regret of the membership of this House that he leaves his service in Congress. [Applause.] The Rivers and Harbors Committee, while one of the most important committees of the House, has never been a partisan committee, but it has had a tremendous amount of work to perform and has had an exceeding great influence on the development of the country, because without the improvements which have been made in the rivers and harbors of the country the development of commerce which we have witnessed in recent years would have been impossible; and in the work of that committee for many years past there has been no member who has more completely held the confidence of the Members on both sides of the House, working along with other able and distinguished members of the committee, than has the gentleman from Massachusetts [Mr. LAWRENCE]. [Applause.]

[By unanimous consent, Mr. MANN was granted leave to extend his remarks in the Record.]

Mr. LAWRENCE. Mr. Chairman, I yield five minutes to the gentleman from Georgia [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, we have listened with pleasure to the remarks of the minority leader, in which he has paid a high and merited compliment to the splendid ability and sterling worth of Mr. LAWRENCE, of Massachusetts. While we differ in politics, yet I am sure ever Member of the House, whether Democrat or Republican, has heard with regret that Mr. LAWRENCE, who has served so long and so well upon the committee on Rivers and Harbors, has announced that he will not again seek a seat in this House.

We shall miss him in the House and on the committee.

Mr. Chairman, I hope the bill will become a law without amendment. It carries many millions less than any general river and harbor bill has carried in the history of waterway legislation in this country.

To improve the waterways for navigation means competition to the railroads, which in turn means cheaper freight rates to the people. It means to develop the resources and commerce of the country.

Some are simple enough to believe the demagogue when he charges that improving the waterways is of no benefit to the farmers. They are the ones who are benefited more than any others by opening up water transportation, in order that the freight rates on their products as well as upon fertilizers and other freights may be reduced.

A cotton farmer residing in middle Georgia, in talking to me recently about the appropriations to improve the Savannah River, stated that he was satisfied that the saving to him annually on freight rates on account of improved river navigation would amount to at least \$100. This is one of many cases that could be cited along this line.

The Government is committed to the policy of improving the waterways. I think the time has come when the National Government should also enter upon a policy of improving the highways under State control and through State cooperation. It would result in untold blessings and would be of inestimable benefit to the people of the country.

If we wish to solve the railroad question and the question of high freight rates it would seem to me that it can be done effectively by improving our waterways and our highways. It is my opinion that such work will make for the material development of our country and will result in great good to the people.

Georgia has been well cared for by the committee in preparing this bill. I hope that all the Georgia items will remain in the bill and that it will become a law, in order that the great work contemplated may proceed at the earliest possible date.

Mr. LAWRENCE. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I had not intended to say anything, but I believe I shall submit just a few statements in reference to the bill. The very common criticism of river and harbor bills—a criticism I may say that is always confined to those who are not handicapped with any information on the subject, and who therefore can speak fluently—is that we waste money in appropriating for insignificant streams and creeks.

I just wanted to call the attention of the committee and the country to the fact that in this bill, which is no exception to the rule which has prevailed for many years, the appropriation for creeks when compared to the tonnage carried on the creeks is the best spent money perhaps of all. For instance, in this bill there are \$129,500 carried for creeks, and these creeks bear 6,750,000 tons of commerce valued at \$218,000,000, and, although I am neither a prophet nor the son of a prophet, I will venture the guess that in five years after the Panama Canal has been opened it will not float much more American tonnage in any one year than is borne on the creeks that are provided for in this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURRAY. Mr. Chairman—

Mr. LAWRENCE. How much time does the gentleman desire?

Mr. MURRAY. Five minutes or three minutes—as much time as the gentleman can yield me.

Mr. LAWRENCE. I yield the gentleman two minutes.

Mr. MURRAY. Mr. Chairman, in spite of the fact that I do not happen to be a member of the Committee on Rivers and Harbors, I may yet with some grace rise to second the statement of the minority leader, Mr. MANN, of Illinois, with respect to the ranking member of that committee, my colleague from Massachusetts, GEORGE P. LAWRENCE. [Applause.]

We have known him in our Commonwealth as GEORGE "POPULAR" LAWRENCE ever since the time, some years ago, when a wise man who knew that Mr. LAWRENCE was highly esteemed by our citizens, suggested that his middle initial must stand for "Popular."

He came to this House of Representatives after distinguished service in our Commonwealth, where he presided with great dignity for a period of nearly 10 years over one of our courts and later presided with equal dignity during the last two years of five terms' service in our State senate.

We who live in Boston, at the eastern end of the State and far removed from that western section of Massachusetts which he has represented now for more than 14 years, have profited by his service here, because we have had many appropriations for our harbor that have come largely as a result of his active efforts in the making up of river and harbor appropriation bills.

Mr. Chairman, I hope that this bill may be adopted as it has been reported by the committee. I know something of the careful attention that has been given by the chairman and the members of the committee in the preparation of this bill, for I appeared before the committee and frequently conferred with its members about items of importance to Massachusetts.

The items in the bill that are of particular interest to the people of Greater Boston are found on the second and third pages of the bill, as follows:

Improving harbor at Boston, Mass., by dredging the channel of Chelsea Creek in accordance with the report submitted in House Document No. 272, Sixty-second Congress, second session, and subject to the conditions set forth in said document, \$85,000.

Improving harbor at Lynn, Mass.: Continuing improvement, \$35,000. Improving Maiden River, Mass.: Completing improvement in accordance with the report submitted in House Document No. 77, Sixty-second Congress, first session, and subject to the conditions set forth in said document, \$80,000.

Improving Mystic River, Mass.: Continuing improvement below the mouth of Island End River, \$50,000.

We are especially interested, too, in the item that authorizes the Secretary of War to cause preliminary examinations and surveys at Boston Harbor, Beverly Harbor, Gloucester Harbor, and Merrimac River.

We hope to secure for Boston Harbor an increased width and depth in the channel from President Road to the sea and to provide deep-water connection with such suitable terminals as may be established by the directors of the port of Boston.

These directors of the port of Boston are public officials of our Commonwealth, Mr. Chairman, whose offices were created by chapter 748 of the Acts and Resolves of Massachusetts, 1911.

They have been given broad powers as the administrative officers of our port, and an appropriation of \$9,000,000 has been authorized to meet the expenses that may be incurred under the provisions of the act.

Mr. Chairman, I am mindful of the fact that vast sums have already been appropriated by this Government for river and harbor improvements. We have appropriated—

For rivers and harbors, by States	\$328, 107, 378. 66
For general and joint improvements not separable by States	285, 763, 827. 32
For canals, exclusive of the Panama Canal	13, 227, 030. 07
Total, exclusive of Panama Canal	627, 098, 236. 05
For the Panama Canal	241, 165, 945. 53
Total, including the Panama Canal	868, 264, 181. 58

I know full well that of this vast amount the Commonwealth of Massachusetts has been favored with no small share of the whole. I have considered carefully the full significance of the following table that shows the details of the expenditures within our State:

Bass River	\$20, 150. 34
Beverly Harbor	35, 015. 00
Boston Harbor	10, 402, 687. 45
Buzzards Bay Harbor	2, 500. 00
Canapisset Channel	5, 312. 54
Chatham Harbor	15, 971. 36
Cohasset Harbor	10, 000. 00
Dorchester Bay and Neponset River	94, 584. 55
Duxbury Harbor	32, 000. 00
East Dennis Breakwater	7. 57
Edgartown Harbor	25, 000. 00
Essex River	30, 000. 00
Fall River Harbor	235, 412. 00
Gloucester Harbor	494, 979. 67
Hingham Harbor	29, 000. 00
Hyannis Harbor	167, 158. 47
Hyannis and Nantucket Harbors	116, 861. 11
Ipswich River	5, 617. 91
Kingston Harbor	8, 940. 00
Lynn Harbor	355, 437. 00
Malden River	10, 000. 00
Manchester Harbor	23, 985. 57
Marblehead Harbor	833. 42
Martha's Vineyard Harbor	5, 000. 00
Merrimac River	366, 466. 72
Mystic River	50, 000. 00
Mystic and Malden Rivers	240, 021. 19
Nantucket Harbor	349, 424. 12
New Bedford Harbor	167, 734. 64
New Bedford and Fairhaven Harbors	302, 000. 00
Newburyport Harbor	412, 000. 00
Powow River	50, 940. 72
Plymouth Harbor	258, 626. 74
Plymouth and Provincetown Harbors	38, 718. 06

Provincetown Harbor	\$156, 452. 97
Rockport Harbor	22, 000. 00
Salem Harbor	63, 868. 66
Sandy Bay (Cape Ann) Harbor and Breakwater	1, 751, 229. 25
Scituate Harbor	104, 590. 98
Taunton River	201, 950. 21
Town River	18, 000. 00
Vineyard Haven Harbor	55, 387. 35
Wareham Harbor	95, 997. 30
Wellfleet Harbor	11, 365. 57
Westport Harbor	3, 000. 00
Weymouth River	60, 500. 00
Weymouth and Town Rivers	82, 327. 41
Winthrop Harbor	9, 000. 00
Woods Hole Channel and Harbor	306, 582. 68
Total	17, 284, 638. 53

I call attention to the fact, however, that our citizens have authorized within the year an appropriation that is more than half the total expenditure of the National Government for our State during all the years of its activity in river and harbor work.

I believe that the passage of the pending measure will encourage our citizens to continue their policy of local expenditures, and I, therefore, hope it will be adopted.

Mr. HAMILTON of West Virginia. Mr. Chairman, I desire to say, in commendation of the Rivers and Harbors Committee and of its able chairman, who is in charge of this bill on the floor, that I have received the most courteous treatment in all such matters as I have had before them, and I believe that every Member of this House who has been before that committee would bear the same testimony. I heartily concur in what has been said by the gentleman from Illinois [Mr. MANN] in praise of the ranking Member on the minority side [Mr. LAWRENCE], who, judging from the remarks made, will shortly retire from the committee and from Congress. While my acquaintance with him has not been of sufficient duration to speak of him with the familiarity that the gentleman from Illinois has done, yet I can say that in my few personal contacts with him I have found him to be gentlemanly, kind, and obliging, and I believe that his long and efficient service is worthy of all that has been said in his favor.

This bill carries for the improvement of that great channel of trade, the Ohio River, which borders for 300 miles or more along the State which I have the honor to represent, in part, a direct appropriation of \$3,200,000 for continuing the improvement thereof, and in addition thereto authorizes the Secretary of War to enter into contracts for further improvement to the extent of \$2,200,000, making a total of \$5,400,000.

It further carries an appropriation of \$200,000 for the improvement and maintenance by open-channel work on said river. In addition to the said sums there will be carried in the sundry civil bill \$1,200,000 for this river, which makes a grand total of \$6,800,000 to be appropriated by this Congress for the improvement of that stream. When it is considered that the total of this bill is but twenty-seven millions it will be readily seen that the people of the State of West Virginia and of other States bordering upon the Ohio River have no just cause for complaint against the action of Congress in this respect. Probably three-fourths of the amount appropriated will be spent within the borders of West Virginia, because it must be remembered that that State wholly owns the Ohio River along its border to the low-water mark on the opposite side. This ownership grows out of the term of the original cession by the State of Virginia to the National Government of that great area known as the Northwest Territory.

It is likewise a source of congratulation to the whole Nation that the Congress shows this spirit of liberality to that great highway, because the territory tributary thereto is unquestionably the richest in agricultural products and the products of manufacture, the great sources of national wealth in the whole wide world. I have not time to speak, as I would be glad to do, of the great resources, the transportation of which would be advanced by the projected 9-foot stage in the Ohio River. I will, however, say that the statistics show that the States along the Ohio River, together with Wisconsin and Michigan, which latter two are largely tributary thereto, produce more than one-third of the corn raised in this country and about one-fourth of all produced in the world, and they produce other grains and crops in almost the same large proportion, so far as the United States are concerned. I had the extreme pleasure of accompanying the committee from Pittsburgh to Cairo by way of the Ohio River, and returning through the interior of the States bordering on the said river, last summer. And I verily believe I saw, even in the unprecedented dry season then prevailing, green fields of waving grain sufficient to feed this Nation for a year.

For many years there has been an agitation for the improvement of the Little Kanawha River, which lies wholly in my dis-

tract. Many years ago a private corporation erected four locks and dams upon that river, and about the year 1882 the Government appropriated a sum for the further improvement of that stream, and additional appropriations were made from time to time until in the year 1891 an additional lock and dam was completed, which extended the improvement to a distance of about 55 miles above its mouth at Parkersburg on the Ohio River. Subsequently the Government purchased the four locks owned by the private company, so that the whole of the improvement became the property of the Government. This river is susceptible of improvement for many miles farther, but with all the diligence and energy of the several Congressmen who have represented that district since 1891—and I here say for my predecessors that they have been diligent and energetic, doing all in their power in the premises—they, as well as myself, have been confronted with adverse reports from the Board of Engineers, and the head of navigation on that stream still remains at the point where it was on December 2, 1891, when the additional lock to which I have referred was opened for navigation. Perhaps the projects heretofore advanced have been too expensive—based upon a system of larger locks than are advisable for that stream in the views of the engineers. One project involved the expenditure of over \$5,000,000, and as to that an adverse report was made by the division engineer on February 8, 1910. Subsequently it was resubmitted upon a project, costing about \$1,500,000, as to which the division engineer reported under date of May 25, 1911, that he deemed the said river not worthy of improvement at that time. The committee, after giving full consideration to these reports, has declined to make an appropriation in the present bill.

I have no criticism for their action, because it could not be expected that, in the face of these reports, they would make an appropriation of Government money without some further investigation. They have, however, embodied in their bill a direction to the Secretary of War for further examination and survey, if necessary, to ascertain the head of practicable navigation, with a view to the improvement of the river as far as they think the Government would be warranted in undertaking. When this bill comes up for amendment I propose to ask the House to provide in the bill for the examination and report upon a large tributary of the Little Kanawha River, called Hughes River, which has its mouth within the bounds of the present limits of the improvement and which, in my opinion, is worthy of improvement, as the benefits to be derived therefrom by the farming element of that section far exceed the small cost which will be incurred by the Government in the proposed extension. I trust that the chairman of the committee will not oppose this amendment when the time comes for me to offer it.

While I feel disappointed that the committee could not give what I thought ought to be appropriated for the Little Kanawha River, yet in view of the great benefits to be derived from the further improvement of the Ohio River, I shall, as my predecessors have been compelled to do, swallow my grief and vote for this bill as reported. I am inclined to think that no district in the country has fared better under this bill than mine, when the Ohio River improvement is considered and consideration is also given to the fact that most of this appropriation will be expended within the lines of that district. At least such is my information, which information, while unofficial, I believe to be authentic.

Mr. LAWRENCE. Perhaps, Mr. Chairman, I may now be excused if I ask for a reading of the bill under the five-minute rule.

Mr. SPARKMAN. Will the gentleman from Massachusetts yield to the gentleman from New Jersey?

Mr. LAWRENCE. I yield to the gentleman from New Jersey [Mr. SCULLY].

Mr. SCULLY. Mr. Chairman, I am heartily in favor of this bill, and I earnestly hope that it will pass without one dissenting vote. As a new Member of this House I am unequivocally in favor of the development and improvement of the waterways of this country. While I have at all times been a strong believer in the development and improvement of the waterways of the entire Nation, yet I am particularly interested in the development and improvement of the waterways of the State of New Jersey. My assignment to that great and powerful Committee on Rivers and Harbors gave to New Jersey for the first time in the history of Congress representation on that committee. Naturally, as a new Member of the House, it is with considerable satisfaction and great pleasure that I welcome this bill to the House. New Jersey has too long been neglected in the river and harbor bills, and it is about time that Congress should learn of the inadequate care bestowed upon the rivers and harbors of that great State.

Of the Atlantic seaboard States, New Jersey is twelfth in area, fifth in population, and fourth in manufactures, and in the matter of actual importance of waterway is second to none in the entire Union; yet we find that care, widening, deepening, and general improvement of waterways have been only meagerly provided for.

Mr. Chairman, it seems to me, and it must to the committee, that when the tremendous importance of the navigable waterways in New Jersey is considered, that their neglect has been nothing short of shameful and shows an inertia on the part of Congress. Rivers and harbors far inland, which never felt the throb of a steamer or even the buzz of a motor boat, have had millions lavished on them, while my State has had but paltry and inadequate sums. The result has been, Mr. Chairman, to throw sections of that State that should be prosperous manufacturing and shipping sections into stagnation and to place important existing cities at the mercy of railroad monopolies, charging exorbitant freight rates.

To-day, as never before, is the subject of water communication of interest to the public. The people of the district which I have the honor to represent have waited patiently for many years for this much-needed improvement, and they will no doubt be greatly pleased to learn that their labors have not been in vain. New Jersey is well provided for in this bill, new projects adopted, improvements, and maintenance amounting in the aggregate to about \$1,000,000, being about one-fifth of the total amount which the Federal Government has expended on the waterways in New Jersey from the establishment of the Government, as is shown by the following statement, prepared and submitted by Hon. Franklin MacVeagh, Secretary of the Treasury:

Statement of expenditures for river and harbor improvements, including canals, from the establishment of the Government to the close of the fiscal year ended June 30, 1911.

NEW JERSEY.	
Alloway Creek	\$29,500.00
Atlantic City harbor of refuge	4,003.51
Cheesequake Creek	40,000.00
Cohansey Creek	61,250.00
Cold Spring Inlet	646,485.51
Cooper Creek	37,000.00
Cranberry Inlet	999.69
Delaware River, N. J., Pa., etc. (See Miscellaneous, post, p. 25.)	
Dennis Creek	4,701.05
Elizabeth River	43,160.00
Flat Beach survey	70.80
Harbor between Philadelphia and Camden, N. J. and Pa. (See Miscellaneous, post, p. 25.)	
Goshen Creek	16,228.77
Keyport Harbor	45,475.00
Keyport Harbor, Mattawan Creek, Raritan, South, and Elizabeth Rivers, Shoal Harbor, Compton Creek, and Cheesequake Creek	210,914.00
Little Egg Harbor	15,048.00
Manasquan River	38,054.11
Mattawan Creek	42,120.00
Mantua Creek	97,400.00
Maurice River	47,200.00
Newark Bay	11,875.67
New Brunswick Harbor	13,940.88
Passaic River	1,277,811.54
Raccoon River	57,494.58
Rahway River	37,000.00
Rancocas River	34,500.21
Raritan Bay	581,497.38
Raritan River	668,335.00
Salem River	55,709.34
Shoal Harbor and Comptons Creek	24,000.00
Shrewsbury River	379,494.16
South River	113,000.00
Squan River	2,000.00
Staten Island Channel, N. J. and N. Y. (See Miscellaneous, post, p. 25.)	
Toms River	5,100.00
Tuckerton Creek	45,500.00
Woodbridge Creek	60,000.00
Woodbury Creek	450.31
Total	4,747,319.51

There are many projects in my State not provided for in this bill, due to the fact that the report of the United States engineers has not as yet been transmitted to Congress. I hope they will be taken care of in the next bill and speedily completed.

No State, in proportion to population, has done more to develop its waterways than has New Jersey. That State is now engaged in constructing a waterway, at its own expense, along the coast from Cape May to Bay Head, a distance of about 100 miles. This waterway will be not less than 6 feet deep at low tide. It will connect all of the important seaside resorts along the coast and will be of tremendous value to the farmer and manufacturer. The State is committed to the projected deeper waterway, or ship canal, across the State. Such a canal would

materially decrease freight rates, and would mean an increase in shipment and afford an adequate market for the products of both farm and factory. The legislature has also authorized the appointment of a commission to buy the right of way for the proposed canal between Raritan Bay and the Delaware River, with the intention that the State shall present the site to the United States Government whenever Congress shall signify its intention to construct the canal. The commission has been appointed and has begun its work, and an appropriation of \$500,000 has been made to carry out the work.

The report of the Commissioner of Corporations on transportation by water in the United States in part says:

"Our increasing commerce demands that our waterways shall be made an active part of our transportation system. Our inland rivers are not so now. Waterways themselves and their conditions must be so improved that they shall carry a share of the Nation's traffic proportioned to their real possibilities, and shall so supplement the rail system as to prevent the recurrence of disastrous traffic congestions. Waterway traffic has its inexorable limitations. Waterways also have their enormous possibilities. If, guided by the facts, we direct our attention to those lines of effort where success is possible, we shall utilize these possibilities.

"Our coast line is over 5,700 miles, or, with the indentations of the coast, over 64,000 miles. The Great Lakes shore line of the United States is 2,760 miles, or, with the indentations, 4,329. These lakes are connected with each other, and by canals with the Atlantic Ocean, St. Lawrence River, and the Mississippi River, there being, however, a channel of but 14 feet depth to the St. Lawrence, and this through Canadian territory, 7 feet to the Atlantic through the Erie Canal, and a still less depth to the Mississippi.

"There are over 290 streams in the country used to a substantial degree for navigation, with an approximate navigable mileage of 26,400, but with very little direct connection with each other except the Mississippi system.

"About 4,500 miles of canals have been constructed. More than one-half—2,444 miles, costing over \$80,000,000—has been abandoned. State canals, however, still operate in New York, Ohio, Illinois, and Louisiana, with a total mileage of nearly 1,360, and there are also 16 private canals of some importance in operation, with a total mileage of 632.

"Transportation by water now suffers from one far-reaching disadvantage which we can largely remedy, namely, the lack of organization of our waterway system as a whole. At present we can hardly be said to have a general waterway system. Our great total mileage of waterways is split up by certain physical characteristics into a number of largely unrelated parts. Part of the waterways consists of ocean routes of unrestricted depth and width. Part consists of lake routes of unrestricted depth, except in certain very important connecting channels. The rest consists of river and canal channels of varying and always restricted depth, of narrow width, devious courses, and with more or less current and obstructions. Most of the rivers are navigable at present only for light-draft boats. At ordinary stages of water about 40 streams have a total of at least 2,600 miles of 10-foot navigation; 70 streams, including parts of some of the 40 mentioned, give about 3,200 miles additional from 6 to 10 feet, a total of 5,800 miles of river navigation of 6 feet and over. But, again, these totals do not mean that there are any such continuous stretches of inland waterways of these respective depths. Very few of the Atlantic rivers have more than 100 miles of a depth of 6 feet. The Mississippi system has about 2,500 miles of 6-foot navigation.

"Our canals also are largely disconnected with one another, and of varying depths. Excluding the short Government canals, like the St. Marys Falls Canal, there are 13 miles of canals in operation with 10 feet depth, about 1,200 miles of 6 to 10 feet (mostly 6), and about 750 miles of 4 to 6 feet depth.

"Our interior waterways are indeed largely disconnected. But added to this is also a great difference in vessels using them, so that they are not generally "interchangeable" over different waterways. For example, on the Mississippi the shallow depth and the constant backing and turning at the innumerable bends make the stern-wheel paddle the only method generally successful; and, on the other hand, this latter is, of course, wholly unsuited for the open sea. Again, naval architects assert that, even were the large-bulk freighters of the Lakes brought to tidewater, it would be preferable and almost necessary to transship there; that these freighters are not adapted to ocean conditions.

"Vessels differ still further according to the nature of the freight. Many are adapted for a given traffic only. There are grain, ore, coal, fruit, lumber, and oil vessels. This applies especially to bulk freight. Much more than three-fourths of

the traffic on the Mississippi system is carried in bulk by barges and rafts. Over 80 per cent of the Great Lakes business is bulk traffic. A very important part of the coastwise traffic, especially coal, is bulk cargo.

"Such vessels are thus usually confined to routes where such freight is offered.

"A great part of the country's traffic is through freight. Our waterways are now divided by differences in channels, etc., and by diversity in floating equipment. The rail system of the country is standardized, physically unified, and its control is largely centralized. It is well adapted to handle such through freight. A share, at least, of this through freight is essential for the success of either system. There has been bitter competition between rail and river lines. But the inland water system, divided and disorganized by the conditions described, is greatly handicapped, especially as to through traffic.

"Under a general plan, our inland waterways can be made much more of a commercial unit. They must be placed in such a position that they can secure, even against rail competition, a far greater proportion than now of the country's traffic. River and canal traffic is now insignificant as compared with rail traffic.

"We must, of course, recognize that no reasonable expenditure will wholly remove these difficulties. For instance, it is probable that transshipment from rail to water, or from one water carrier to another, will continue to be necessary on most long inland or partly inland hauls. Transshipment means terminals. Part III of this report, now in preparation, will take up the question of terminals in detail. It has had far too little attention in the past. It is sufficient to say now that terminal improvement is greatly needed and is entirely possible.

"Since 1870 a general policy of Federal waterway improvement has been followed. The total Federal appropriations for inland river improvements up to 1907 have been over \$250,000,000. There has been very little cooperation between the central and local authorities. This has resulted in inevitable lack of uniformity and of comprehensive plan, and in the lack of any proportionate contribution from the localities peculiarly benefited. European countries have in many cases distributed the costs of waterway improvements upon localities in some ratio with the special benefits received. Such cooperation is worthy of careful consideration in any comprehensive plan of waterway improvement.

"The report sets forth certain general facts as to floating equipment, company organization, finance, legal conditions, etc. The total gross tonnage of documented vessels in the domestic trade in 1896 was 3,858,927 tons; in 1906, 5,735,483 tons, a gain of 48 per cent. American vessels in the foreign trade, whose tonnage reached its maximum in 1860, declined until 1898. Between 1896 and 1906 there was an increase of only 11 per cent in this latter tonnage. Steam has largely superseded sail power, and its proportionate tonnage is steadily increasing. The Atlantic and Gulf coasts are the most important districts, with nearly half the total documented tonnage. The Great Lakes have more than one-third of that total tonnage, and almost half the total documented steam tonnage. On the coasts and the Great Lakes there has been a marked increase in the size of vessels, bringing about there a reduction in transportation costs.

"Corporations control the great proportion of the steam tonnage, particularly the larger vessels. In 1906 the average size of vessels owned by individuals was 113 tons; by firms, 223; and by corporations, 526. There was also a proportionate increase of corporate ownership of barge lines, and even of sailing vessels, though not so marked as with steamers. There has been a recent tendency toward consolidation of many lines under single corporations. The control of steamer and barge lines will be discussed in a later part.

"The returns to the bureau as to earnings and expenses were highly unsatisfactory. Only a few rough conclusions can be drawn therefrom. Operating expenses averaged, for the companies making returns, about 80 per cent of the gross earnings, the lowest ratio of operating costs being that of the bulk-cargo vessels of the Great Lakes. The highest ratio is that of the packet lines on the Mississippi system and southern rivers.

WATERWAYS AND THEIR IMPROVEMENT.

"The possibilities of transportation by water in the United States may be roughly indicated by a brief survey of the extent of its waterways.

COAST LINE.

"The Atlantic coast line of the United States is more than 2,000 miles in length, and it is extended for a little over 1,850 miles more by the Gulf of Mexico. The Pacific coast line is more than 1,800 miles long. The coast line of continental

United States aggregates 5,705 miles. This is increased to a meandered length of 64,604 miles by including the numerous indentations, many of which provide important bay, sound, and inlet routes. Chief of these are the Gulf of Maine (so called), Long Island Sound, Delaware Bay, and Chesapeake Bay, on the Atlantic coast, and Puget Sound, on the Pacific coast.

GREAT LAKES.

"Next in significance are the Great Lakes, the most important group of inland waterways in the world. Their shore line in United States territory is 2,760 geographical miles. In the meandered length there is 4,329 miles. They are connected by a series of natural and artificial channels. Canals also connect the Lakes with the Atlantic Ocean and the Mississippi and Ohio Rivers, but these are not of dimensions to permit of through navigation by large vessels. Another series of canals, constructed by the Canadian Government along the St. Lawrence River, give 14 feet draft to Montreal, and are used to some extent by American vessels.

"On the coasts the Government has deepened harbors and connecting channels. Similar works on the Great Lakes give a depth of 20 feet on the main channels at mean water level.

COAST AND LAKE ROUTES.

"The coastwise trade routes radiate mainly from a few central ports, such as Boston, New York, Philadelphia, and Baltimore, on the Atlantic coast, and San Francisco, Portland, and Seattle, on the Pacific. On the Lakes, notwithstanding the large number of routes, the great movement of traffic follows a few well-defined main lines. Most important is the route from Lake Superior ports across Lake Huron to Lake Erie ports. Another main route, formerly the most important, is that from Lake Michigan ports to ports on Lake Erie.

RIVERS.

"The number of navigable streams used to a considerable extent for commercial purposes in the United States is about 295, with an approximate mileage of 26,400."

Mr. SPARKMAN. Mr. Chairman, I ask permission to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none.

[Mr. KINKEAD of New Jersey addressed the committee. See Appendix.]

Mr. MURRAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

[Mr. GODWIN of North Carolina addressed the committee. See Appendix.]

[Mr. MICHAEL E. DRISCOLL addressed the committee. See Appendix.]

[Mr. LOBECK addressed the committee. See Appendix.]

[Mr. DYER addressed the committee. See Appendix.]

[Mr. BARCHFELD addressed the committee. See Appendix.]

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Improving Boothbay Harbor, Me.: Completing improvement in accordance with the report submitted in House Document No. 82, Sixty-second Congress, first session, \$18,000.

Mr. GUDGER. Mr. Chairman, I move to strike out the last word. I regret very much I was unavoidably absent on business at the Navy Department a few moments ago when the bill H. R. 21214 was passed, known as the special excise-tax bill. If I had been present I would have voted for the bill. I have no objection to the present bill under consideration, as I find that North Carolina has been well provided for in this bill. I regret very much to say, Mr. Chairman, that this House can not find time nor does it seem inclined to make an appropriation for one of the most important interests affecting this country, namely, the public highways of the country. I know that a great majority of this body, both upon the Republican and Democratic sides, favor national aid for public roads. But it seems that it is impossible to get a bill reported for that purpose. I think that if either political party would propose a bill granting national aid for public highways and provide for a vote in this House, that that party would receive the plaudits of the American people.

Mr. CANNON. Mr. Chairman, I rise for just a moment to oppose the pro forma amendment. I have listened with much interest to the gentleman from North Carolina when he so earnestly expressed his satisfaction for the provision for North Carolina. Just what the item means for the extension of the

inland canal in North Carolina I am not perfectly clear about, because I have not read the engineer's report. But I tell you that if we had old ocean within a stone's throw of the Middle West we could get along without such a 6-foot channel as that which starts up somewhere in New England and runs to Galveston.

I want to compliment the gentleman from North Carolina [Mr. GUDGER], coming as he does from the State in which I was born. I was not to blame for that, nor am I to be complimented for it. In arms I was carried over the mountains to Indiana. I am proud of the old North State and I am glad to have been born there. But after that great contest for State rights and local self-government during the War for the Union, I am surprised that the gentleman desires one of the great parties to succeed in order that it may enter upon a system for improving the public highways of the country from the National Treasury. We have only 60,000 miles of black-dirt highways in Illinois, not a very large number. Thank God, while I am not called a Democrat, I am a better Democrat for the preservation of local self-government and for the control of local affairs than one who seeks to enter upon the improvement of all the highways in all the States and administer that improvement from the Public Treasury, and centralize and dominate that improvement, stretching 3,000 miles from one ocean to the other, as the area of the United States does. And God knows how many millions of miles of public highways we have. If the party of which I am a member favored this policy, which is to further centralize this Government and divorce the sovereign—90,000,000 in number—men, women, and children from looking after their own local interests, and put that plank in the platform, I would never indorse it.

I just wanted to say this much. I wonder how men within the sound of my voice could mistakingly fight for what they call local self-government for four long years and then stand without protest and sit without protest and listen to such a doctrine. I say, again, so far as local self-government is concerned, believing in a national government, the United States, wherever it has jurisdiction under the Constitution, is a Nation with a big "N." Still, I will, just so far as I have voice and vote, insist upon the 47 sovereign States, where they have jurisdiction, exercising that jurisdiction, instead of subverting a wise policy of letting each government, the National Government on the one hand and the State governments on the other hand, remain strong governments, each exercising its functions within its jurisdiction. [Applause.]

Mr. GUDGER. Mr. Chairman, I have no apology to make for my position favoring national aid for public roads. I have said, and I do not wish to take that statement back, that if the membership of this House could be forced to vote upon this question national aid to public roads would be granted in the Sixty-second Congress.

Why, Mr. Chairman, every mail route in this country uses the public roads for the transportation of the mails. Then why should not the National Government assist in keeping up the same. If you transport the mails over the railroads, you pay the railroads for that purpose. Then why should not the National Government assist the people in keeping up the public roads over which the mails pass?

Mr. MADDEN. Will the gentleman yield for a question?

Mr. GUDGER. Certainly.

Mr. MADDEN. The gentleman is in favor of building highways out of the Federal Treasury, and I wonder if he will be in favor of extending the highways to the city streets all over the Union. They are all post roads.

Mr. GUDGER. Mr. Chairman, you do not even work the streets of a municipal corporation under the State laws. They are provided for by the municipalities.

Mr. MADDEN. Oh, yes; they are under State law.

Mr. GUDGER. If it is just, give the cities a proportion of this money. The cities of this country get all the appropriations for public buildings. The great waterways of this country receive annually large appropriations, amounting to millions of dollars during the last 50 years, but when the common people, the people of the rural districts, come up and ask for an appropriation to assist them to make more valuable their property by building great public highways, then there is an objection on the part of some people to the effect that it will destroy local self-government.

Why, my friend Mr. CANNON talks about being from North Carolina. When he was born in North Carolina he was born in one of the greatest States of this country. [Applause.] It is great in times of peace and her people heroic in times of war. North Carolina needs no defense at my hands. In 1861, when this country went to war, North Carolina, from that date to 1865, furnished more soldiers for the Confederacy than there

were voters in that great State. North Carolina lost more men during that war than any other State, according to its population, and she justly holds the record of being "First at Bethel, farthest at Gettysburg, and last at Appomattox." When the war was over and peace declared she went to work to build up the waste places and came back into the Union as one of the great States. Therefore she needs no defense at my hands. I am glad the gentleman from Illinois [Mr. CANNON] was born in North Carolina. I only regret that he left the State and that he is not a great Democrat.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Improving Cooper Creek, N. J.: Continuing improvement and for maintenance, \$5,000.

Mr. SPARKMAN. Mr. Chairman—

Mr. BROWNING. Mr. Chairman—

The CHAIRMAN. The Chair will recognize the chairman of the committee [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Chairman, I offer the following committee amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 7, line 1, strike out the word "Creek" and insert in lieu thereof the words "River (Creek)."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Improving channel from Apalachicola River to St. Andrews Bay, Fla.: Continuing improvement, \$70,000.

Mr. HUGHES of New Jersey. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a statement made by Mr. Andrew Furuseth in relation to anti-injunction legislation now pending in the House.

The CHAIRMAN. The gentleman from New Jersey [Mr. HUGHES] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Following is the statement referred to:

STATEMENT OF MR. ANDREW FURUSETH—HOUSE JUDICIARY COMMITTEE, 1906.

"Mr. FURUSETH. Mr. Chairman and gentlemen of the committee, let it be clear in the minds of this committee and of Congress that labor, organized or unorganized, does not ask for the destruction of the injunction as it rightly applies to the protection of property. We do protest against and resent the perversion of the equity power, glaring examples of which you have here in your records.

"You seek our reasons for asking legislation to restrain judicial abuses of the equity power in labor disputes. I am commissioned by laboring men to present some of their reasons. We feel strongly on this question. You have had it under consideration for years, and before this committee makes any recommendations to the House I want to make suggestions which I believe go to the bottom of this subject.

"The one-man power to enjoin, to forbid, to legislate, except as used by the fathers, was, we think, first conferred upon the Roman tribunes, elected for one year, and to be used to protect the plebeians against the patricians. This power was absolute and irresponsible. The person of the tribune was made sacred. Contempt of him or violations of him were punished by death. The tribune, having been clothed with absolute and irresponsible power to forbid, it was soon understood that this included powers to command, and the tribunician power created the Roman Emperor. The powers of the Emperor, who in his person represented and exercised all the authority of the people, made him sovereign. These powers were resurrected and conferred upon Carl the Great, the first Emperor of the Holy Roman Empire of the Middle Ages.

"As absolutism developed as freedom lost to the people, the kings assumed, in theory and in fact, the powers which had been vested in the emperors of the old Empire—they became sovereigns. The power to forbid—to legislate—was vested in the king. He was sovereign, and by virtue of his sovereignty could and did rule by command or proclamation. Under the name of equity this absolute power was adopted into our system, but only in the form and for the purpose then used in England. It was conferred upon our Federal judges, who are appointed for life. We suffer under the misuse of this power. We believe that it has been unduly extended. We come to you to submit our complaint, and it is not that the judges have not power enough, but that they are exercising powers which we believe they have not. We fear this power; we feel its results.

From what we have seen we believe it capable of infinite extension, when permitted to go beyond the boundary set at its adoption into our system. I shall now endeavor to state why we fear it and what reasons we think we have for this feeling.

"Any condition of society, no matter how produced, which condition prevents a healthy family life, is destructive of humanity and should be resisted.

"The condition may be inherent in the system; it may have been artificially created by legislation or by judicial decisions. In either case it is man's sacred duty to insist upon such changes or remedies as shall put within reach of the industrious father the power to support a family in health.

"The energies of existing society are devoted to the production of wealth for sale. The struggle between individual firms, communities, and nations is to produce wealth so cheaply as to be able to undersell any other.

"To be the workshop of the world was the ambition of England of the Manchester School of Economics. To accomplish this land, machinery, and labor had to be brought to the lowest figure and skill to the highest. Land and machinery bought for the lowest figures and held in private ownership were conceived to be the most economical, and the question was how to get the cheapest possible labor. The workers must have sufficient wages for subsistence and reproduction.

"Under the old system of production labor had been needed especially on the land, and it had therefore been tied to each manor by registration, and its wages determined by judges sitting in quarter sessions under the statute of laborers. The concentration brought about by factory production made the old system costly, hence inconvenient, and the registration in manors and the statute of laborers were repealed. The laborers, however, remained on the land in too great numbers, and they were needed in the factories. When needed on the land they were tied to the land. Now, when needed in the factories they were driven from the land. The first condition of getting labor cheap is to so arrange that it becomes plentiful and dependent, hence the razing of old English villages and the driving of the workers into the cities, where, landless and homeless, they must work for such wages as the employers should be willing to pay.

"But as wages must be sufficient for sustenance and reproduction, the cost of food became all important. For generations England had maintained a protective tariff on foodstuffs in the interest of the landowner. The factory owner wanted cheap food in order to get cheap labor, and between the two interests arose a fierce struggle, which ended in the present system of free trade in foodstuffs. Under the existing system of land tenure and prices farming became unprofitable, tilled land was turned into pastures, and more laborers were driven into the cities to bid against those already there. Thus followed further reduction in wages and a still further lowering of the standard of living. It came to a condition in which the husband, working 16 hours per day, was utterly unable to provide for the family. Children were compelled to work in the dusty atmosphere of the factories for 14 to 16 hours per day; their physical development was arrested; their mental and moral development became impossible. Still lower wages and standards had to go, and mothers were compelled by bitter need to work underground, doing work now done by mules, steam, or electricity, or to stand on their feet tending machines until it often happened that they were taken with labor pains at their work.

"Labor, voiceless, homeless, and hungry, had been made so cheap that its very cheapness was destroying its efficiency and threatening its extinction.

"Laborers resisted to the best of their ability, but leaving one master who was bad often meant going to another who was worse. If one or more men quit there were others to take their places; quitting work singly was no remedy, since it could not interfere with production by stopping machinery. They then joined together in unions—voluntary associations—based upon the right of quitting work individually. As subjects they had the same rights as other subjects—freedom of locomotion, of speech, of the press, and of assembly. Assuming that they did not lose these rights by laboring for a living, they assembled, they discussed their grievances, they printed them in pamphlets, books, and papers. They appealed to others to join with them, and determined to refuse to labor until their worst grievances should be remedied, and found that while the statute of laborers had been repealed, the conspiracy law, based upon this statute, was, according to the rulings of the judges, still in force, and they were punished for doing as workmen what they as subjects had a full right to do.

"They did not give up, although they found themselves thus punished; combinations to raise wages being forbidden, they still combined; notwithstanding traitors in their own ranks,

they struggled onward. They punished their traitors as deliberately as did the old Germans in their Fehm-Gericht. They were executed or transported for having acted as judges and executioners, but they still persisted. They could but partly stay the inevitable downward trend; but at last it became evident that wages must be sufficient for sustenance and reproduction, and legislators were compelled to pass laws legalizing collective action and curtailing the power of the judiciary.

"The trade-union acts were passed and the conspiracy law was amended, so that men in England might use their rights as subjects to defend their interests as workers. How many men were driven from their families, executed, or transported, to what extent the race was crippled, before relief came from legislative depression of the wage rate or judicial usurpation in the interest of cheap labor, we can only surmise. But it came at last, thanks to the bitter and determined struggle of the workers, assisted to some extent by humanitarians, chiefly members of England's old aristocracy.

"Not that the struggle there is won, but improvement has begun, and that it will continue and finally be won may reasonably be expected from the temper which could face prison and transportation in the past.

"The political, social, and industrial conditions of the United States have throughout been patterned upon those of England.

"Substantially our President has the power which was vested in the King of England at the time of the third George. Our Senate and House of Representatives are substantially the House of Lords and the House of Commons. We copied from England the common law, our system of jurisprudence, with the Bill of Rights and the powers of the judges. We adopted the English system of land tenure, entail excepted.

"Our industrial system is taken from England and has followed the English lines in its development—chattel slavery in some States, contract slavery in all at one time. Term contracts to labor were for long in common use in this country, and were transferable by inheritance or sale. They were recognized by the organic law, and one of its clauses provided for their enforcement. That this system did not in the earlier days of the Republic produce the same results as in England was due to the unlimited amount of land ready for squatters' occupation, and when the servitude became too galling the Indian country west of the Alleghenies lay open for settlement, safe from servitude and assured of sustenance.

"After the adoption of the Declaration of Independence and the Constitution the enforcement of term contracts to labor was stopped in some Northern States, and such contracts ceased to be made. The individual workman could leave the employer with whom he was dissatisfied and seek another. The white worker's right of locomotion and of the absolute ownership in his own body became, except in one or two callings, recognized. The system of chattel slavery was destroyed, and an amendment to the Constitution forbidding its existence was adopted.

"With freedom to seek better conditions and with land yet plentiful, there were early marriages, large families, and a healthy people. There was no mournful cry of race suicide. But as land became settled or absorbed in individual ownership, and this outlet was stopped, city slums grew; low wages, long hours, and want became more and more common here. Wages went below the line of subsistence and reproduction, the number of marriages and of children decreased, while prostitution grew. This became so apparent that the census gave much attention to ascertain the extent of the condition. It was found to be worse than was suspected, and the talk of race suicide was heard—women standing on their feet until their capacity for motherhood was destroyed; children stunted in their physical and mental growth by work utterly unsuited to their age.

"Remedies more or less successful were suggested and tried. Here, as in England, men quit as individuals, but found the quitting ineffective. Here, as there, they came together in voluntary associations and quit work in unison until their grievances should be redressed, and in doing so found themselves violating statutes or judicial decisions designed purely to keep labor cheap. Constant agitation, repeated violations, and punishment gradually molded a public opinion that compelled a final recognition of men's right to quit work collectively—to strike. Statutes and decisions treating the strike as conspiracy were repealed or became obsolete.

"Men who had struck endeavored to persuade fellow workmen not to take their places—this in order to compel an adjustment of the trouble—and when adjustment did not follow, appeals were made to the public to cease giving patronage to the unfair firm—that is, they levied a boycott on the firm in question.

"Thus the two main weapons of organized labor came into use, and as they grew older and more systematic they became so effective that the employer was looking for some remedy, and, from out of the lumber room of the past, came the injunction, as it was when most abused by the court of star chamber—that is, it came as a proclamation by the court forbidding the workers to perform some specified or unspecified acts of which the employer complained on pain of being punished for contempt of court. This seems to be what the injunction is nowadays when used in labor disputes. It used to be 'a judicial process operating in personam and requiring the person to whom it was directed to do or refrain from doing particular things,' and this to protect property right.

"Like other parts of our judicial system, we have our injunctions from England. The King, by virtue of his absolute power—legislative, judicial, and executive—would be appealed to when someone was about to do something not forbidden by the law, yet which, if done, would cause great injury. Something needed to be protected; the law was insufficient; and, by virtue of his absolute power, the King could and did supply the remedy. Addressed to one subject, it was a royal command, if to many, a royal proclamation. In the first instance it was intended to protect the individual and in the second the community. As the law became more complete the need for such proclamations became less imperative, their places being taken by statute law or usage accepted as law; but, law and usage being general, in their application serious injury might happen to individuals; hence the royal power was more and more restricted to individual instances of injustice or injury.

"The King being too busy to sit in court to exercise his power, delegated it to his chancellor, and it grew apace until it came into serious conflict with the common law and the jury system. Its purpose being to prevent great wrong by forbidding the action which would cause such wrong, the penalty necessarily had to be swift and certain, and violation being a disobedience of the King's command—contempt of the King—and the facts being easily ascertained, punishment was immediate in operation and severe in kind. The royal power being irresponsible and absolute, it was necessarily misused by the individuals intrusted with its execution and their friends and had to be curtailed, circumscribed, and carefully guarded.

"There was a time when the court of star chamber was used in England, as our courts are now being used, to forbid the doing and then punish disobedience without trial by jury in any and every direction. Personal liberty was at the whim and caprice of this court. But the English people would not long tolerate any such use of the royal power. The people abolished the court of star chamber and compelled the King to sign the bill of rights.

"It became the fundamental principles of chancery, or equity, that—

"(1) It was to be exercised for the protection of property rights only.

"(2) 'He who would seek its aid must come with clean hands.'

"(3) 'There must be no adequate remedy at law.'

"(4) It must never be used to curtail personal rights.

"(5) It must not be used to punish crime.

"It was substantially in this shape that it was accepted by this country, ingrafted in our Constitution, and the power of its administration conferred upon our courts.

"Equity, law, and jurisdiction at that time had a specific meaning, and any extension in jurisdiction, any enlargement of scope, must come from the people through an amendment to the Constitution or there is judicial usurpation.

"If injunctions which nowadays are issued in disputes between employers and employees can stand the test of these principles, our complaint should be against the law; if they can not, then we have a just complaint against the judges who, either from ignorance or mistaken zeal for public order and cheap labor, misuse their power—act as a sovereign in issuing his proclamations.

"The fundamental principle of American law, as we understand it, is that there shall be no property rights in man. A man's labor power is part of him; it fluctuates with his health, decreases when he grows old, and ceases at his death. It can not be divorced from man, and therefore, under our system, can not be property. Property may be bought, sold, or destroyed without destroying the possessor thereof; it is the product of labor or of nature. Labor is an attribute of life, and through no system of legitimate reasoning can it be treated or denominated as property. An individual, a firm, or a corporation runs an enterprise for the production of some form of property. Through grant or purchase land has been obtained. Upon the

land buildings have been erected and machinery installed, and to the plant has been brought the necessary raw material. These things are property, and, based upon its possession, contracts are entered into to furnish within a given time a stated amount of commodities.

"Giving this property in pawn, money is borrowed to pay operating expenses. But without labor these things will produce nothing. Labor is obtained and production begins. Being in business to make money, the company in question, assuming the producing concern to be a combine, first endeavors to find out how much of any given kind of work a man can do going at his highest capacity, and it begins the piecework. Prices are gradually reduced until the greatest capacity is ascertained, and that becomes the standard of production. Wages are gradually reduced until the labor of the husband can not sustain the family. The wife helps in any way she can, and the children are sent to the factory. Still the earnings are too small, and the wife goes there also. Wages are under the danger line, but are still going down. A poorer home—ragged and untaught children growing up as half savages. Young men and women see the situation and refrain from matrimony. Marriages and births are on the decline, and the rising generation is stunted.

"The laborers get together in voluntary association; that is, they use their freedom of assembly. They bring their grievances before the management, petition for redress of grievances. They are refused, and, to enforce their position, they use their right to quit work—use their freedom of locomotion. They publish the facts of the disagreement, the causes which led thereto; they induce, or endeavor to induce, other workers to make common cause with them—their right freely to print and publish. They are successful to such an extent that production is partially stopped. The company endeavors to get other men and the men on strike appeal to the public to refrain from purchasing commodities manufactured by the firm; they levy a boycott. They appeal to fellow workmen and the public to use their purchasing power to redress a grievance. Sales of stock on hand decrease and the company is unable to meet its obligations, fill its orders, or fulfill its contracts.

"The company then goes to some judge and appeals to him to use the equity process to protect what it calls its property. It sets forth that it has the land, the appliances, the raw material, and contracts to deliver goods; but, owing to a 'conspiracy' on the part of labor, it is unable to get workmen, and its property—that is, its business—is being destroyed. The judge takes the statement and issues an order forbidding the workmen 'to interfere with the business' of the firm. The workmen know that disobedience means imprisonment for contempt, and, disheartened and hopeless, they obey. The firm gets new men, its business moves again, but those at work must live in squalor, children must be laboring instead of at school, women must be in the factory instead of in the home. Home life is destroyed. Still fewer grow the marriages, still fewer the children. The equity process has been used so that homes are destroyed, women are made barren, and the coming generation of men are made unfit for their life work.

"Has any judge the right to use the equity power in this way? The workmen have used their constitutional rights as citizens—freedom of locomotion, of assembly, of speech, and the press. They have not destroyed any tangible property; they have neither interfered with nor threatened to interfere with any property. But the attorney for the plaintiff sets up the idea that the earning power of property is property; that is, business is property. The earning power of a plant depends upon labor and sales depend upon patronage. The firm can have no property right in labor, because that is inherent in the laborer and would mean property right in the laborer. The firm has no vested right in the patronage of the public. Patronage is the free act of the patron. Under our system it is a new doctrine that the ownership of a store carries with it a vested right in the patronage or that the ownership of a factory carries with it the vested right to so much labor and at such prices as will make it profitable. Such doctrine followed to its logical conclusion would destroy all personal liberty, transform existing society, and reestablish the feudal system.

"Do these men who are driving women into the factory and crippling the race come into court with clean hands?

"They seek the aid of equity to protect their financial and industrial interests, and yet they run their industry in such a way as to cause untold misery, destitution, and crime. Wages so low as to cripple or destroy the race. If their hands be clean, how must they act to be considered unclean?

"Injunctions, proclamations, used contrary to and destructive of constitutional guarantees of individual freedom, are usurpation, whether they take place in a monarchy by the king or in a republic by a judge. The power is the same, its results are the

same, and a people that will endure become serfs, will deteriorate and die.

"Gentlemen, you have before you two bills dealing in different ways with injunctions. H. R. 4445—the present Wilson bill—by Mr. Little, of Arkansas. You have had this bill before you during several Congresses. You have had hearings on it, and, so far as has appeared at those hearings, this bill would, if enacted into law, put a stop to the use of injunctions in labor disputes. That the relations between laborers and their employers are personal relations, as distinct from property relations, that the rights of either party are personal rights, as distinct from property rights, will hardly be seriously disputed. If these are the true relations, then there is no occasion for the equity power to step in. We maintain that it is pure usurpation on part of the judge to so extend the powers granted to him as to cover labor disputes. We believe that by passing this bill you stop the usurpation and bring the law and the judges back to where it and they belong. Labor will be content with nothing less. Anything short of this robs the laborer, because he is a laborer, of his rights as a citizen.

"You have also before you H. R. 9328—the present Moon bill—'A bill to regulate the granting of restraining orders in certain cases,' by Mr. Gilbert, of Indiana. This bill, supposed to have had its origin in the White House and drawn in the Bureau of Corporations, confers upon the courts sitting in equity absolute jurisdiction in all cases 'involving or growing out of labor disputes.' The judge is to give the defendant a hearing, but may, as in any other suits at law, proceed if the defendant shall fail to appear. We have complained that the use made of the equity process in labor disputes is usurpation of a sovereignty not granted to the courts. It seems to us that in this bill the grant is about to be made.

"Sovereignty was partially, not wholly, delegated to the Federal Government; the States and the people are presumed to retain full powers of sovereignty. The judiciary has been permitted to claim title to and exercise an undefined authority by congressional tolerance—the absence of prohibitive statutes.

"Federal judges—I speak respectfully and by way of illustration—found a kind of 'legal public domain' upon which any daring squatter might locate. The judiciary entered, took possession, and this bill—9328—is apparently designed to establish their title in fee simple 'to have and to hold forever.'

"Labor disputes are controversies between employers and employees, and they involve the hours of labor, the wage to be paid, rules under which work is to be performed, the number of apprentices, and the qualifications of men at the work. Growing out of them are strikes, boycotts, the inducing of men to quit work or to refuse to go to work, and efforts to induce the public to cease buying the goods produced. The judge sitting in equity is given jurisdiction by this bill, we think, over all these relations. He is to investigate, to hear and determine, to act, in fact, as arbiter, and he is given the equity power with which to enforce his decree.

"If this be not the reenactment of the law giving to judges the power and making it their duty to set the wages as at the quarter sessions after hearing both sides, what is it? The Romans conferred this absolute and irresponsible power on a tribune, elected for one year, in order that he should use it to protect the weak against the strong. Are we going to give it to our judges, appointed for life, to be used by the strong against the weak? The English gave it to their judges to use in the interest of landed proprietors against the raise of wages caused by the black death. Thorold Rogers, in his *Six Centuries of Work and Wages*, has told us the result.

"Why can you not trust the judges, somebody asks? We do trust them. They are to use this power to stop strikes. When they have to choose between giving the award in favor of the employer who seeks to reduce wages or to have him stop, as he threatens, the business which gives employment to thousands, and thereby throw them out of work, his very humanity, as he feels it, will decide the award. It will be downward, downward, and downward, as under the law of the quarter sessions. It is said that his bill has the indorsement of the President. That can not be. If he understands this bill and then gives to it his indorsement, he is an enemy to honest labor struggling under adverse conditions for a better life—nay, he would be an enemy to human liberty. We do not believe, will not believe, it.

"In the labor movement, as well as in all walks of life, there are differences of opinion, divergent perspectives.

"Organized labor demands an anti-injunction law that will absolutely limit the power of judges when they deal with controversies growing out of labor disputes, not a law that will be used as a compulsory arbitration act."

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Improving Oklawaha River, Fla.: Continuing improvement and for maintenance from the mouth to Leesburg, including Silver Springs Run, \$15,000: *Provided*, That such part of this sum and of the amount now available as is necessary may be expended for maintenance of levels in the lakes at the head of the stream as provided for by the act approved June 25, 1910, or in such further improvement of the stream as may be recommended by the Chief of Engineers.

Mr. MANN. Mr. Chairman, I move to strike out the last word. As to this item on page 20, with reference to improving the Oklawaha River, in Florida, it provides that money may be expended for the maintenance of levels in the lakes at the head of the stream, as provided for by the act approved June 25, 1910, or in such further improvement of the stream as may be recommended by the Chief of Engineers. What is the project there?

Mr. SPARKMAN. Mr. Chairman, the project contemplates the putting in of a relatively inexpensive lock and dam—one that will cost only about \$25,000. The purpose is to maintain the levels of the lakes above the dam. By putting in the dam the levels will be maintained, and by putting in the lock commerce will not be impeded. But the main purpose is to maintain the lake levels. It was feared by the engineers that if the river was deepened in that locality it would cause the water to run off so fast that the levels of the lakes above would be materially reduced.

Mr. MANN. I think that reduction of the levels would be a very desirable thing to accomplish. A large share of the State of Florida is composed of lakes, which, if drained, would be of some value. Here is a proposition to spend money to keep the land from being drained where it ought to be drained. In one end of Florida the gentleman proposes to have dams to keep the water from going off, and at the other end we are asked to appropriate money to drain the swamps.

Mr. SPARKMAN. I will say to the gentleman that in the one case the land is valuable for agriculture, and in the other the water is more valuable for the purposes of navigation.

Mr. MANN. Oh, I do not suppose anybody would think that the navigability of the lakes at the head of the Oklawaha River would be of much value. I am familiar personally with that locality. There is no commerce there and will not be in the future to any great extent.

Mr. SPARKMAN. Oh, yes; there is.

Mr. MANN. But, on the other hand, there are great lakes there which, if drained off, would furnish a lot of fertile land on which people might cultivate crops. Here is a deliberate purpose to prevent the drainage of these lakes.

Mr. SPARKMAN. I will say to the gentleman from Illinois that we have great quantities of valuable lands in Florida, other than the lands covered by these lakes, that are not yet being utilized, so that the lands under these lakes are perhaps not yet needed for cultivation; and I do not think the people down there will want to drain the lakes at the head of the Oklawaha River, as they are now so valuable for purposes of navigation.

Mr. MANN. I have some lands down there myself that are not being cultivated. But, on the one hand, we are asked to pay money to drain some lakes, and, on the other hand, here is a provision to prevent the lakes from being drained.

Mr. HUMPHREYS of Mississippi. I will say to the gentleman that the commerce of those lakes is valued at \$1,000,000.

Mr. MANN. Oh, there is very little commerce on the Oklawaha River.

The CHAIRMAN. The pro forma amendment will be considered withdrawn. The Clerk will read.

The Clerk read as follows:

Improving Tombigbee River, Ala. and Miss.: For maintenance, from the mouth to Demopolis, Ala., \$10,000, and from Demopolis, Ala., to Walkers Bridge, Miss., \$8,000; in all, \$18,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I do not see the gentleman from Mississippi [Mr. CANDLER] in the House. If he were here I think it would be due to the House that the gentleman from Mississippi should explain this proposed appropriation for the improvement of the Tombigbee River.

Mr. CANDLER. Mr. Chairman, of course everybody knows the importance of this appropriation in the bill, and—

Mr. MANN. No; I do not think we can pass this item without an adequate explanation of it from the gentleman from Mississippi.

Mr. CANDLER. This provision, Mr. Chairman, adds very much to the beneficial results which will be obtained from this river and harbor bill in general. But, much as I would like to discuss this particular item, yet on account of the lateness of the hour and the importance of the bill as a whole and the necessity of getting it along as fast as possible, I think the gentleman from Illinois will agree with me that this provision explains itself.

Mr. MANN. Not at all. I think the gentleman will have to make a better explanation than that or I shall move to strike it out.

Mr. CANDLER. I feel sure my good friend from Illinois will not do that, for I assure him that no provision in this bill is more just or meritorious. If, however, a motion should be made to strike it out, then, of course, I would want to be heard at some length, and I have no doubt I can demonstrate the wisdom of the great Rivers and Harbors Committee in placing this provision in the bill. They did so after a full, satisfactory, and exhaustive hearing, in which this project was forcibly presented by Col. John P. Mayo and Mr. J. G. Weatherly, of Columbus, Miss., who were thoroughly equipped with incontrovertible facts and figures which fully justified the action of the committee.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Improving Cumberland River above Nashville, Tenn.: For maintenance of improvement by open-channel work, \$5,000.

Mr. HULL. Mr. Chairman, I move to strike out the last word.

I never have subscribed entirely to the rule followed by the committee with respect to recommendations made by the Department of Engineers. I refer alone to that portion of their recommendation which involves the transportation and commercial features of a river. In so doing I do not mean to cast doubt or discredit in the least on the efficiency and the splendid work of that department. However, in a number of cases, where the committee undertake to adopt an ironclad rule following implicitly the recommendations of the Department of Engineers with respect to the commercial possibilities of a river, the result is that a number of worthy streams are discriminated against. I will not say they are intentionally discriminated against, but that is the result. I allude in particular to the Cumberland River in Tennessee, a magnificent stream of nearly 500 miles of navigable river. It stood here favorably acted upon, both by the Department of Engineers and by the Congress, for more than 20 years. By some system of reasoning the Department of Engineers have said that they would only improve it at one point or section at a time, with the result that that section, comprising 200 miles running through the greatest undeveloped forest and mineral region south of Pittsburgh without railroads or other suitable transportation facilities, is left with no improvement contemplated, at least during this generation, if we are to judge by the speed with which this river has been improved during the past years. Yet the committee, under its ironclad rule, avers that it is powerless to adopt or even consider the judgment of the best business and transportation people in this great valley with respect to the time and the manner of improving this river. For many years the Department of Engineers said this river should be improved in two different sections at the same time, for the reason that the upper section, with this immense amount of forest and mineral land undeveloped, is the most satisfactory and chief feeder for the lower river. I insist, Mr. Chairman, that the committee ought at times to exercise at least a revisory supervision over the recommendations of the Department of Engineers in so far as they relate purely to the transportation and commercial proposition, especially when that question is backed up by the solid judgment of the business and transportation people most familiar with the situation and most capable of judging. I hope that by next winter, when the next bill comes up, this committee will not feel called upon to follow this rule under such circumstances as will exclude this 200 miles of river with more commerce in its unimproved condition than many dozens of rivers that have had millions expended upon them in the construction of locks and dams. The lower river work on Locks B, C, and D should go on. At the same time Locks 8, 9, and 10 should be constructed. I call attention to the matter in the hope that the committee will keep this class of river and harbor legislation in mind, and will try to see if the injustice can not be remedied. [Applause.]

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn. The Clerk will read.

The Clerk read as follows:

Improving Cumberland River below Nashville, Tenn.: Continuing improvement by the construction of Locks and Dams B, C, and D, \$300,000; for maintenance of improvement by open-channel work, \$5,000; in all, \$305,000.

Mr. GARRETT. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Page 30, after line 18, insert as a new paragraph the following: "Improving Obion and Forked Deer River, Tenn.: Continuing improvements and for maintenance, \$540.85."

Mr. GARRETT. Mr. Chairman, I very much hope that the chairman of the committee [Mr. SPARKMAN] can see his way clear to accept this amendment. The amount asked for is small, and the amount is not the important thing. The question of the abandonment of this project on these two streams is one of very considerable importance to the citizens living along those streams. They are small rivers, but they have been under improvement for from 20 to 30 years. The improvement of the Forked Deer River began in 1882. The improvement of the Obion River began in 1891.

In 1903 the two rivers were put together under one project, and since that time there has been appropriated for their improvement and for the maintenance of the work \$2,250 annually.

There has been expended under the various projects that have been in operation on these streams \$67,437. For the calendar year 1910 there was transported over these streams 23,911 tons, the registered tonnage of vessels being 282 tons, and the value of the commerce carried over the streams was \$274,467.

Of the appropriation which was last made there remains the sum of \$1,709.15 available for expenditure, and all that is proposed in this amendment is the appropriation of an additional amount sufficient to make up a total of \$2,250, which has been applied to these streams annually since 1903.

The gentleman from Florida [Mr. SPARKMAN] understands that I am not so much interested in the question of amount as I am interested in the matter of this project of improvement not being abandoned. I very much fear that the failure to appropriate here will be construed as an abandonment of this project of improvement or maintenance on these streams. It seems to me that the commerce of more than \$274,000 carried over these rivers in the year 1910 ought to justify the committee in making this small appropriation to continue this project of improvement.

It is growing more and more important, particularly upon the Forked Deer River. About 21 miles of that river is under improvement, the town of Dyersburg being the head of navigation on the stream. Dyersburg is a growing town. Its commerce is growing. The railroad rates upon various commodities are, I believe, affected by this river improvement, particularly, I may say, upon the commodity of coal, which at certain seasons of the year can be carried into that city by barge, saving the people there from 2 to 4 cents per bushel on the coal which they buy in that town.

[The time of Mr. GARRETT having expired, by unanimous consent it was extended three minutes.]

Mr. GARRETT. I am not asking for anything new. I am not asking for anything except that the work which has been in progress from 20 to 30 years shall be continued, at a time when it is becoming more and more important. I very much hope that the committee can see its way clear to accept this amendment. I have never offered buncombe amendments on the floor. I try to approach local questions as seriously as I approach general questions. I am not asking this for the benefit of my personal fortunes, but base it upon the merits of the proposition. It does seem to me that a commerce of \$274,000 plus justifies this appropriation of \$500 plus to continue a project that has been in operation for 20 or 30 years, and I appeal to the gentleman from Florida to permit this amendment to be engrafted upon the bill.

Mr. SPARKMAN. Mr. Chairman, I should like very much to accommodate the gentleman from Tennessee, but under the circumstances I can not see my way clear to do so. The engineers have twice reported adversely upon the continuation of that project. In the last annual report, I believe it is, the Chief of Engineers, or the local engineer, makes the recommendation that that project be abandoned. There are \$1,700 on hand already that the engineer refused to expend. Why they refused to expend it I do not know, except what I gather from the language of the report, and that is that they do not consider the improvement worthy of being carried on further.

Mr. GARRETT. The engineer reports against it on the ground that expenditures have not been made for lack of funds. I do not desire to criticize the engineer in charge of the district, and I do not know what his motives are, but his statement is incorrect; he has had the funds. The engineer there has recommended that it be discontinued, and proceeded to prove his faith by his failure to work. He has refused to carry out the mandate of this House and of the gentleman's committee at the last Congress, which carried the appropriation, notwithstanding the adverse recommendation of the engineer.

Mr. SPARKMAN. Yes; and notwithstanding that the engineer refuses to expend it. I will suggest that the gentleman have a resolution from the Committee on Rivers and Harbors

requesting the board to reexamine the matter and report thereon. If that is done, he can have a hearing and perhaps get somebody down there, some member or members of the board, to go over and examine the places where the work is desired and possibly have the opinion of the local engineer reversed if the trouble started with him. But in the face of the fact that there is an adverse recommendation and the engineers absolutely refuse to expend the money that they have on hand, something like \$1,700, I think it would be folly for us to make another appropriation and add another appropriation to that already made when it could possibly serve no good purpose. I hope the amendment will be voted down.

Mr. GARRETT. Will the gentleman permit me? I want to say that I have carried this matter before the supervising board and the board, as I am informed, made no recommendation one way or the other about it. They said they could not by any action of theirs change the recommendation; that it was a matter that your committee should deal with.

Mr. SPARKMAN. I will suggest to the gentleman that when he went before the board the matter was not officially before them.

Mr. GARRETT. I beg the gentleman's pardon, the recommendation of the local engineer was before them.

Mr. SPARKMAN. I mean that it was not formally placed before them for reexamination. If it is thus placed before them they will investigate the matter anew.

Mr. GARRETT. Mr. Chairman, the fact remains that here is \$274,000 worth of commerce over two streams, and I am only asking in this amendment for an appropriation of \$500.

Mr. MANN. Would the gentleman be willing to throw out the 85 cents to get any support? [Laughter.]

Mr. GARRETT. My friend from Illinois is facetious. I offer an amendment carrying just the amount which added to the unexpended balance will make the sum of \$2,250, which amount has been carried for years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

The question was taken; and on a division (demanded by Mr. GARRETT) there were—ayes 18, noes 49.

So the amendment was rejected.

The Clerk read as follows:

Improving French Broad River, Tenn.: Continuing improvement and for maintenance of French Broad and Little Pigeon Rivers, \$15,000.

Mr. AUSTIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 30, between lines 21 and 22, insert the following: "Improving Clinch River, Tenn. and Va.: The sum of \$2,000 authorized by the river and harbor act approved June 25, 1910, to be expended on Clinch River in the State of Virginia, is hereby made available for improving said river in the State of Tennessee as recommended on page 730 of the Annual Report of the Chief of Engineers for 1911."

Mr. SPARKMAN. Mr. Chairman, the committee will accept that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Improving Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, \$3,200,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$2,200,000, exclusive of the amounts herein and heretofore appropriated.

Mr. ALLEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, Lord Bacon never uttered a truer proposition than when he said:

There be three things which make a nation great and prosperous—a fertile soil, busy workshops, and easy conveyance for man and commodities from one place to another.

The great philosopher knew that progressive nations seek the most economical routes to the seas and the world markets along their shores, and that superior facilities for transportation develop, more than all the other agencies, the productive capacity, the wealth, and the happiness of a people.

In 1894 the Ohio Valley Improvement Association was formed for the purpose of forwarding the improvement of the Ohio River. The association worked in season and out of season, and while many others could be named for their devotion and activity, yet to former Representative in Congress John L. Vance, its president; Capt. J. F. Ellison, its secretary; and Hon. Albert Bettinger, its booster in chief, belongs especial praise for having been largely instrumental in having Congress adopt a policy with reference to waterways improvements, which took the place of the old-time pork-barrel projects.

Congress, in March, 1905, authorized the appointment by the Secretary of War of a board of engineers, whose duty it should be—

To examine the Ohio River and report at the earliest date by which a thorough examination can be made, the necessary data with reference to the canalization of the river, and the approximate location and number of locks and dams in such river, with a view both to a depth of 6 feet and 9 feet; and in said report shall include the probable cost of such improvement with each of the depths named, the probable cost of maintenance, and the present and prospective commerce of said river, upstream as well as downstream, having regard to both local and through traffic.

They shall also report whether, in their opinion, such improvement should be made, and whether other plans of improvement could be devised under which the probable demands of traffic, present and prospective, could be provided for without additional locks and dams, or with a less number than is described in surveys heretofore made, giving general details relating to all of said plans and the approximate cost of completion thereof. They shall also examine the said river from the mouth of the Green River to Cairo, with a view to determining whether an increased depth can be maintained by use of dredges.

Prior to this time there had been a survey of the river from Pittsburgh to the mouth of the Big Miami River, and the improvement to a 6-foot stage contemplated by the construction of 37 locks and dams. Some of these were approaching completion, but the Ohio Valley Improvement Association was urging a 9-foot channel, which plea the Government finally heeded in the authorization above mentioned. Under the authority of the act the Secretary of War appointed a board of engineers, which promptly entered upon the task of making the survey and furnishing the information requested. A thorough inspection was made, and much time devoted to ascertaining the extent of the commerce carried on the river.

The board made a voluminous and exhaustive report in December, 1907, and concluded with a strong recommendation for the improvement of the river to a 9-foot stage. The report deals with a number of interesting matters, which time permits me to mention but briefly. We learn that there are but 79 days in the year when boats drawing 8½ feet can leave Pittsburgh and but 97 days in the year when such boats can pass Louisville. Yet the present commerce is found to be about 13,000,000 tons annually, and that if the river were navigable all the year round to a depth of 9 feet this commerce would be enormously increased.

Attention is called to the fact that within the 30 miles next below Pittsburgh, where a 9-foot navigable depth is completed, practically every site suitable for a large manufacturing plant has been acquired. All the heavy tonnage from around Pittsburgh—steel, iron, and coal—will, on account of cheaper freight rates, resort to transportation by river and seek a market south and southwest in this country, and on the Pacific coast and the Orient when the Panama Canal is completed.

Let me digress at this point to call attention to an article published in the Outlook of July 8, 1911, entitled "What shall We Do with It?" referring to the Panama Canal. The article contains an interview with Col. Goethals, who favors the United States Government running the canal after it is completed. He says:

If we do not run the business end of the canal, it will be administered by huge private interests, which will effectually block our attempts to make the waterway a one-price institution, for the commercial possibilities are such as to tempt trust magnates quite as strongly as newly discovered gold fields draw wild-eyed prospectors. There is a fortune to be made by the concern that gets and holds the upper hand in the matter of coaling stations on the zone. I want that "concern" to be the United States. If we control the coal supply, we can offer at a reasonable, unchanging price the best grade of Pocahontas and New River coals and still make a profit. We are in the best position to run the coaling stations because, by experiments lasting over four years, we have found the grade of coal best suited for use in the Tropics—a question which has gone unsolved since steamships began to ply the waters within 20° of the Equator. In this particular grade of West Virginia coal the dampness during the rainy season causes less deterioration, and in the subsequent dry spells it has proved that spontaneous combustion is less likely to occur.

Now, does it not occur to you at once that vast quantities of coal from the West Virginia coal fields will be floated down the Ohio River and thence by the Mississippi into the Gulf of Mexico on its way to Panama? But the report also points out that all the conditions favorable to a large increase in local commerce are present, and compares the results to be achieved with what has been accomplished by the improvement of the Rhine in Germany and the Volga in Russia.

While actual statistics are not obtainable for all our waterways, it is generally conceded that water transportation costs only about one-sixth as much as the average cost by rail.

The report makes the astonishing statement that—

The steamer *Sprague* tows to market from Louisville to New Orleans sometimes as much as 60,000 tons of freight on a single trip. The *Kaiserin Augusta Victoria*, one of the largest ocean ships afloat, has a freight tonnage of 25,000 tons. The horsepower of the *Sprague* is 2,175, while that of the *Kaiserin Augusta Victoria* is 17,200, and that of sufficient railroad locomotives to haul the *Sprague's* cargo on an average grade road 24,000.

The board finds that to secure a depth of 9 feet will require 54 dams, at a cost approximately of \$64,000,000, and concludes its report with the following recommendation:

In view of the enormous interests to be benefited by continuous navigation on the Ohio River and the great development which may be expected from such increased facilities, the board is of the opinion that the Ohio River should be improved by means of locks and dams to provide a depth of 9 feet from Pittsburgh to Cairo.

President Taft, in his message to Congress in December, 1909, included a recommendation that Congress provide said sum of \$64,000,000 necessary to complete said improvement a distance of 1,000 miles.

The Mississippi River has already been improved to a 9-foot stage from Cairo to New Orleans, a distance of another 1,000 miles. Of the tributaries flowing into the Ohio from the south, the Monongahela, Kanawha, Big Sandy, Kentucky, and Green Rivers have been improved to a 6-foot stage, and the Cumberland and Tennessee Rivers are now being improved to the same extent. The Muskingum is improved to a point above Zanesville, and the Allegheny has been made navigable to a point 25 miles above Pittsburgh and the improvement is being extended.

Congress has determined to proceed with this great enterprise, appropriating \$5,500,000 in 1911, and this bill carries \$5,600,000 to prosecute the work. The Fernbank Dam is a part of this plan, and it will at all times keep a 9-foot stage of water in front of the city of Cincinnati and as far up as Coney Island. That Congress is deeply interested in this improvement is shown by the fact that the Rivers and Harbors Committee of the House of Representatives made a trip of inspection of the improvements of the Ohio River from Pittsburgh to Cairo in July last, devoting 10 days to the trip, and it is the present plan to complete the project in less than 10 years.

A glance at the map and a tracing of this river system at once reveals the momentous importance of these improvements. A complete transportation system by water will be set in the midst of the Ohio Valley, so magnificently devised as to serve all sections.

It will at once mean a general lowering of freight rates from Pittsburgh to Kansas City and from the Lakes to the Gulf. The people in the Ohio Valley will be the most direct beneficiaries. Cincinnati, the most central city of that valley, will be especially benefited. Indirectly the whole country will feel the effects of the new freight rates.

Uninterrupted navigation to thousands of towns and cities, to the sea, to the Panama Canal, will mean an increase of business in all lines.

Steamers and barges will make their appearance in much greater numbers than was ever known in the palmy days of river business. The cheap transport of raw materials will stimulate manufacturing enterprises. River cities will take on new life and the Ohio Valley will become a beehive of industry.

The Clerk read as follows:

Improving Ohio River: Continuing improvement and for maintenance by open-channel work, \$200,000.

Mr. FOWLER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 31, line 25, after the word "dollars," by adding the following: "Provided, That \$5,000 of such sum may be used for dredging purposes at Elizabethtown Harbor, Ill."

Mr. FOWLER. Mr. Chairman, it will be seen by this amendment that the proposition does not carry with it an appropriation of a single dollar. The appropriation which is provided for by the bill in this paragraph is for the purpose of doing work generally upon the Ohio River. I have asked that a certain portion of this amount, being a very small sum, may be diverted to specific work on the Ohio River at Elizabethtown, Ill. Opposite that town lies the foot of Hurricane Island, with the body extending up the river for a distance of 4 miles. In size it is a thousand-acre island. The main channel ran on the Illinois side until a few years ago. Two very large sand bars, in working their way down the river, chanced to come down on the Illinois side, which was then the main channel. The river being rather narrow between the said island and the Illinois shore, caused these sand bars to move very slowly and accumulated to such extent that the main channel was forced over on the Kentucky side. Just below Elizabethtown, about 1 mile, on the Illinois side, are some steep limestone ledges, about 50 feet high, and forming a part of the shore, known as Jacks Point. Between Elizabethtown and Jacks Point lies a pocket in the Ohio River on the Illinois side. These large sand bars lodged in this pocket about six or eight years ago, and are held there indefinitely by Jacks Point, the larger body of which lies down the river, leaving shoals between the point of Hurricane Island and the main body of the sand bars, which are too shal-

low during the low-water season to allow boats to enter the harbor at Elizabethtown. This condition prevails from three to five months during the busy season in the year.

The water in Elizabethtown Harbor and close to the Illinois shore is quite deep the year round, and boats are only prevented from entering this harbor because of the shoals lying between the foot of Hurricane Island and Jacks Point. What I seek by this amendment is to have these shoals dredged, cutting a channel through to the deep water in the harbor. I think \$5,000 will be ample for this purpose. If this were done, boats could enter our harbor with ease the entire year. The river is the only means of transportation for the people at this place. Boats carry all their mail on this river, and when low water sets in our commerce lingers until the river rises, and our mails are often stopped for weeks and must be carried overland. Think of such delays, paralyzing all business for months, with no way to reach relief save at the hands of a righteous Congress. Therefore, Mr. Chairman and gentlemen of the committee, I beg of you that you give to this town the benefit of this small appropriation, not an additional appropriation, but simply a diversion of a part of the money which is appropriated by this paragraph, so that my people may enjoy the conveniences which are enjoyed by other towns on the Ohio River. This, and nothing more, am I requesting by this amendment.

Mr. SPARKMAN. Mr. Chairman, I hope this amendment will not prevail. In the first place, we have been trying to get away from a practice that prevailed up to within a few years ago of directing the engineers where to expend portions of a lump sum appropriated for the improvement of a river—a practice not to be recommended. Such matters should be left, in most cases, to the engineers; and this, in my judgment, is such a case. In the next place, if the gentleman has a project upon which this work can be done, the amendment is not necessary, as the engineers can and will do that work, in my judgment, if it is proper to do it. If there is no project, then it can not be reached in this way—indeed, can not be reached at all until there is a survey and a project furnished with a favorable recommendation. I have suggested to the gentleman that he have a survey, and have prepared one which I propose to introduce, or consent to its insertion in the bill at the proper place.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

Mr. FOWLER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 31, after the word "dollars," in line 25, by adding the following:

"Provided, That \$3,000 of said sum shall be used for dredging the harbor at Elizabethtown, Ill."

Mr. FOWLER. Mr. Chairman, I have consulted members of the Engineering Department for the improvement of the Ohio River at my home town, and I have been told by one of them that, in his opinion, this work might be done under the provisions of this bill as it now stands without making specific directions therefor, as is provided by this amendment. But, Mr. Chairman, I was also told by him that he was not positive of the matter. Now, this sand bar, which creates these shoals, has been lying there for six long years, and during the low-water period the people of this town have been shut out from regular mail facilities, their passenger and freight transportation have been so disturbed and delayed that we never know when or what to buy or to sell, because prices have a chance to change many times before deliveries can be made, and when we leave home we never know but what we will be compelled to walk back. I therefore, Mr. Chairman, beg the committee and the honorable chairman of the Committee on Rivers and Harbors that consent may be given to the passage of this amendment. I am not asking to increase the appropriation; I am not asking for an additional cent; I am not asking for anything that the committee has not already consented to except to locate the place where a very small part of the improvement shall be done.

Work which has been neglected, Mr. Chairman, for six long years, over the protests of the citizens and the Congressmen representing my district. I have repeatedly gone to the Engineering Department within the last year and requested that some work at that point be done, whereas, Mr. Chairman, my requests have been ignored and the work has never been done. Yet, Mr. Chairman, the same character of work has been done at other towns on the Ohio River without specific appropriations therefor. And I insist, Mr. Chairman, that there ought to be some kind of fairness in this river-improvement work; there ought to be some kind of fairness which would give to the people who are blocked off in their commerce, who are shut out from their mails, who are held up in their avenues of commu-

nication, and cut off from the daily intelligence of the country. I insist, Mr. Chairman, that there ought to be somewhere along the line some kind of fairness dealt out to these points on the Ohio River which have been ignored and neglected for years. I trust, Mr. Chairman, that the committee and the honorable gentleman who is at the head of this committee will consent to this small amendment, because it is harmless to other people and other cities on the Ohio River, yet it will carry to the citizens of Elizabethtown a ray of hope on which they may hang until the dredge boat, under the authority of the Engineering Corps, as she rounds the foot of Hurricane Island, sounds her musical whistle as a signal that the great Government at Washington is ever mindful of the welfare of the American people, even my constituents on the banks of the beautiful Ohio. [Applause.]

The question was taken, and the amendment was rejected.

Mr. FOWLER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 31, after the word "dollars," in line 25, by adding:

"Provided, That a portion of said sum may be expended at Elizabethtown, Ill., for dredging purposes."

Mr. SPARKMAN. Mr. Chairman, I make the point of order that this is practically the same amendment upon which we have voted, and therefore it is not permissible.

Mr. FOWLER. If the gentleman desires to be heard on his point of order or the Chair desires to hear argument on the question I will be glad to be heard myself. Mr. Chairman, it is not the same amendment at all, because it leaves the whole matter to the discretion of the Engineering Corps to expend whatever sum of money, in its judgment, is necessary to give relief to the people at that town, and for that reason, Mr. Chairman, it can not be said to be the same amendment.

Mr. SPARKMAN. Mr. Chairman, I withdraw the point of order.

Mr. FOWLER. Any amendment, Mr. Chairman, which varies in amount where an appropriation is carried can not be said to be the same amendment. The committee might not appropriate or consent to appropriate—

Mr. EDWARDS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. EDWARDS. Has not the point of order been withdrawn?

The CHAIRMAN. Yes; but the gentleman had five minutes to discuss his amendment and has three minutes remaining.

Mr. FOWLER. Mr. Chairman, I offer this amendment directing that dredging be done at Elizabethtown, Ill., without naming any particular sum to be used for this purpose, because I can readily see that the committee might not be willing to vote for an amendment carrying a specific sum, yet at the same time would be willing to vote for an amendment which leaves it to the discretion of the Engineering Corps and those in authority to exercise their better judgment as to what amount is necessary to be expended. For that reason I decided to put the amendment in this shape so that the honorable chairman of the Committee on Rivers and Harbors and the Committee of the Whole House on the state of the Union can see that I am dealing honorably in this matter. I am perfectly willing to leave the amount to be expended to the better judgment of the Engineering Corps. I am persuaded that they in their wisdom will spend only so much money as may be necessary to give relief to my people. I therefore trust, gentlemen, that you will vote for this simple and harmless amendment. It is not an appropriation but it is only a direction as to where a part of the work shall be done. I think, gentlemen, it is a fair proposition because we have been neglected and caused to suffer many privations for six long years.

I do not regard it as an innovation upon the rules of the honorable Committee on Rivers and Harbors.

I think this amendment is in perfect harmony with their rules as I understand them, although I am a new Member. Gentlemen, I have never asked for the appropriation of one dollar of money out of the Treasury of the United States for my district. This is the first time I have asked you even to consider my district in any wise whatever. And what I am now asking for is simply to direct your attention to an emergency, so that you in your wisdom may locate the place where a portion of this work on the Ohio River may be done in order that my patient, suffering home people may be relieved, and that justice may prevail. I trust, gentlemen, that you may see your way clear to vote for this amendment and give my home people an opportunity to enjoy regular mail service and easy access to the highways of commerce and business, so that they may have the same kind of facilities as are intended to be provided for by this great Government. [Applause.] It is said that Thomas

B. Reed, on being reminded that his billionaire Congress had been criticized for extravagance for appropriating a billion dollars for current expenses, replied, "Its a billion-dollar country." [Applause.] And so it is. Let us make all necessary appropriations for the business of a great Government, so that our enjoyment and happiness may be correspondingly large.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

In the collection of statistics relating to traffic, the Corps of Engineers is directed to adopt a uniform system of classification for freight, and upon rivers or inland waterways to collate ton-mileage statistics as far as practicable.

Mr. MANN. I reserve a point of order on the paragraph. I would like to ask whether, in the opinion of the Corps of Engineers, it is practicable to adopt a uniform system of classification for freight.

Mr. SPARKMAN. I must confess I have not inquired of the engineers, but this provision was copied from the provision in last year's bill, and I am informed that the engineers are going ahead with the work required by that paragraph.

Mr. MANN. The gentleman does not know whether it is practicable or not?

Mr. SPARKMAN. No; I can not state, because I have never asked the engineers that. I do know, however, that they are going ahead with the work.

Mr. MANN. If the gentleman will pardon me, I think they have made no report under this provision in the existing law.

Mr. SPARKMAN. I am sure they have made no report. I understand they are going ahead with the work.

Mr. EDWARDS. The gentleman will notice the language at the conclusion of that paragraph is "as far as practicable."

Mr. MANN. That is, as to the collation of ton-mileage statistics as far as practicable.

I withdraw the point of order, as nobody knows anything about it.

The Clerk read as follows:

Baltimore Harbor, Md., with a view to securing greater width in the channel of approach at York Spit, Chesapeake Bay.

Mr. TALBOTT of Maryland. Mr. Chairman, I offer the following amendment, to come in after line 3 on page 46.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 46, after line 3, add the following:

"Channel to Curtis Bay, in Patapsco River, Baltimore Harbor, and with a view of securing a channel with a depth of 34 feet, or such increased width over the completed project as may be deemed advisable."

Mr. SPARKMAN. Mr. Chairman, I accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Roanoke River, from Clarksville, Va., to the present head of steamboat navigation, below Weldon, N. C.

Mr. HOLLAND. Mr. Chairman, on page 47, after line 2, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 47, after line 2, insert:

"Eastern branch of Elizabeth River, Va., from Norfolk & Western Railway Bridge to Broad Creek."

Mr. SPARKMAN. Mr. Chairman, I have no objection to the amendment.

Mr. HUMPHREYS of Mississippi. I suggest, if there is no objection to the amendment, that it be at the end of page 46.

Mr. HOLLAND. I have no objection to that.

Mr. HUMPHREYS of Mississippi. It ought to come in there.

The CHAIRMAN. The amendment will be considered as applying after line 25, on page 46. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

New River, Dade County, Fla., from the head of navigation to its outlet in the Atlantic Ocean, with a view to creating a deep-water harbor for seagoing vessels.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

We are now on the item in relation to projects in the State of Florida. There were some 20 items in the fore part of the bill for Florida, providing for appropriations for projects in that State, and at this place there are a good many more items for new projects. If there ever was an illustration of the desirability and advisability of retaining a Member in Congress from a district or a State, it is well exemplified in the case

of my genial friend from Florida, the chairman of the Committee on Rivers and Harbors. [Applause.] In the course of many years he has worked his way along on the Committee on Rivers and Harbors until he has become its chairman. If he had not been retained in Congress for years, this honor would not have come to him. And, having reached the position of chairman, with great influence upon the committee and with very great knowledge of the necessities of his State, the committee very properly and very generously has provided for an appropriation for the improvement of every place in the State which has been surveyed, and then proposes to have a surveying project for every harbor, outlet, inlet, river, branch, creek, or spring in the State. The gentleman from Florida deserves it, and I have no doubt that if he returns to his place and continues in Congress he will see to it that all these rivers and creeks on which we ordered surveys will be in the end improved so that 20-foot steamers may pass through the Panama Canal up into all parts of the State of Florida.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Arroyo Colorado, Tex., up to Harlingen.

Mr. SPARKMAN. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The gentleman from Florida offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

On page 50, between lines 20 and 21, insert the following: "Harbor at Brazos Island, Tex."

The CHAIRMAN. The question is on the amendment of the gentleman from Florida [Mr. SPARKMAN].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Little Kanawha River, W. Va., from Creston to the head of practicable navigation.

Mr. FOWLER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The Clerk read as follows:

On page 51, between lines 20 and 21, insert the following: "Little Wabash River, Ill."

Mr. SPARKMAN. We have no objection to that, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The question was taken, and the amendment was agreed to.

Mr. FOWLER. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The Clerk read as follows:

On page 51, between lines 20 and 21, insert the following: "Ohio River, at or near Elizabethtown, Ill."

Mr. SPARKMAN. We have no objection to that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The question was taken, and the amendment was agreed to.

Mr. HAMILTON of West Virginia. Mr. Chairman, I offer the following amendment, to follow line 20, page 51, just preceding the last two amendments adopted.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from West Virginia [Mr. HAMILTON].

The Clerk read as follows:

On page 51, to follow line 20, insert "Hughes River, W. Va."

Mr. SPARKMAN. Mr. Chairman, we have no objection to that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. HAMILTON].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Artificial waterway from Lake Erie at or near Toledo, Ohio, to the southerly end of Lake Michigan by way of Maumee River and the city of Fort Wayne, Ind., or other practicable route.

Mr. MANN. Mr. Chairman, in relation to the last item that has been read I desired to submit some remarks, but at this hour I will ask leave to extend my remarks in the Record. [Applause.]

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record? Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Florida offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

On page 52, between lines 2 and 3, insert the following: "Ashtabula Harbor, Ohio, with a view to widening, straightening, and deepening the channel of the Ashtabula River."

ASHTABULA RIVER.

Mr. BATHRICK. Mr. Chairman, since this bill has been under consideration—about two and one-half hours—commerce in the vicinity of Conneaut and Ashtabula, the two great harbors of my district, has been humming. In this brief time nearly 200 carloads of coal and ore and other products have arrived or departed from these important ports. From Ashtabula every day in the year, for 365 days, 1,500 carloads of the products of America are moved toward their destination.

The amendment asked proposes to open communication on the Ashtabula River from one part of the harbor to another. In the short stretch of river between the outer harbor and the deep water of an inner basin the river forms an elbow, through which the ships of other days could conveniently pass. But the increase in length of modern Lake vessels makes it almost impossible for them to pass the segment of the river curve thus formed at the present time.

The purpose of this survey is simply to ascertain means by which to correct this defect, and I sincerely hope it may receive the approval of the House.

I can not conclude without recalling that at the beginning of this session we Members from Ohio viewed with no little alarm the omission from the great Rivers and Harbors Committee of any representation from Ohio, with her wonderful water line on the north and south. But I am, in justice to the worthy chairman, Mr. SPARKMAN, of Florida, constrained to express my appreciation for their uniform courtesy and careful consideration for Ohio's interests.

Mr. Chairman, I renew my request that this amendment will prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SPARKMAN].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Elk Rapids, Mich.

Mr. BATHRICK. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio [Mr. BATHRICK].

The Clerk read as follows:

Between lines 7 and 8, page 52, insert: "Mahoning River, with a view to snagging that portion between Warren and Levittsburg, and 5 miles farther toward its source."

Mr. SPARKMAN. Mr. Chairman, the committee will accept that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BATHRICK].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Wolf River, Wis.

Mr. SPARKMAN. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Florida offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

On page 52, between lines 18 and 19, insert: "Fox River, Wis., with a view to determining what repairs or extensions, if any, should be made to the levee at Portage, Wis., in the interests of navigation and to prevent injury to the Government work on Fox River, consideration being also given to the question of cooperation on the part of the State of Wisconsin and other local interests in the repair, extension, and maintenance of such levee."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SPARKMAN].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Waterway from Lake Superior to the Mississippi River by way of Allouez Bay, at the easterly end of the Duluth-Superior Harbor, and the Amnicon, Moose, and St. Croix Rivers, Minnesota and Wisconsin.

Mr. MANN. Mr. Chairman, I reserve a point of order on that paragraph until I know what this is—a canal from Lake Superior to the Mississippi River.

Mr. DAVIDSON. Mr. Chairman, I am perfectly willing to give an explanation if the gentleman desires it. There has heretofore been a survey made on a different route from this from the head of Lake Superior to the headwaters of the Mississippi River by the way of the St. Croix River, but that project was adversely reported upon. This proposes to make a

connection between Lake Superior and the Mississippi River by way of the St. Croix River through Allouez Bay, at the easterly end of the Duluth-Superior Harbor, and the Amnicon, Duluth, Moose, and St. Croix Rivers.

A waterway between Lake Superior and the Mississippi River is a matter that has been desired for a number of years, and it is thought and hoped by those who have investigated the project that this will be a practicable route. They desire to have a survey made. I do not think a point of order lies against it, because it involves the improvement of the streams mentioned, except a connecting link of about a mile in length.

Mr. MANN. Well, while I think I may be doing a wrong thing when I do it, I will withdraw my point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Reservoirs at headwaters of Mississippi River, with a view to the construction of locks in the dams heretofore built at Pokegama, Winnibigishish, and Leech Lakes, in the State of Minnesota.

Mr. SPARKMAN. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

On page 53, between lines 14 and 15, insert the following: "Baudette Harbor and River, Minn."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The question was taken, and the amendment was agreed to.

Mr. STEENERSON. Mr. Chairman, I would like to have leave to extend my remarks on that proposition.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Red River of the North, from Wahpeton, N. Dak., and Breckenridge, Minn., to the international boundary line, with a view to its improvement by the construction of locks and dams or otherwise.

Mr. TAGGART. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kansas [Mr. TAGGART].

The Clerk read as follows:

After line 19, page 53, insert the following: "The Kansas River, from the mouth to the western limits of Kansas City, Kans., with a view to removing all obstructions therefrom, dredging, and widening the mouth, and extending the improvement so as to fit the same for navigation, and to consider propositions for cooperation on the part of local authorities and interests."

Mr. SPARKMAN. Mr. Chairman, we have no objection to that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Missouri River, from the mouth of the Kansas River to a point at or near the western limits of Kansas City, Kans.

Mr. TAGGART. I offer the following amendment.

The CHAIRMAN. The gentleman from Kansas offers the following amendment, which the Clerk will report.

The Clerk read as follows:

After the word "Kansas," in line 22, page 53, insert the following: "Consideration being also given to the question of cooperation on the part of local interests in the construction of levees, ripraps, and revetments."

Mr. SPARKMAN. Mr. Chairman, I hope that amendment will not prevail. It is not altogether in the line of river and harbor improvement; that is, it does not contemplate an improvement wholly in the interest of navigation. For that reason the committee can not accept it, and I trust it will be voted down.

The CHAIRMAN. The question is on the amendment of the gentleman from Kansas [Mr. TAGGART].

The question being taken, the amendment was rejected.

The Clerk read as follows:

Stockton and Mormon Channels, Cal., including the diversion canal, with a view to determining what, if anything, may or should be done by the United States, either alone or in conjunction with the city of Stockton and the State of California, or with either of them, in order to increase the capacity of said diversion canal from its upper end in Mormon Channel to the mouth of Calaveras River in the San Joaquin River, so that said canal shall carry the entire flood flow of Mormon Channel and thus prevent the deposit of material in the navigable portions of Stockton and Mormon Channels.

Mr. GARRETT. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from Florida a question for

information. Is there any project in this bill which has not the approval of the local engineer or the Board of Engineers?

Mr. SPARKMAN. There is no project in this bill that has not the approval of the Chief of Engineers.

Mr. GARRETT. Is there any project in this bill that is here against or despite the recommendation of the local engineer or the Board of Engineers?

Mr. SPARKMAN. The local engineer is occasionally turned down by the board and sometimes by the chief; and the chief, having the power, sometimes turns down the Board of Engineers. I suppose there are some two or three items in this bill, favorably recommended by the chief, that have an adverse recommendation from the board. I think I know of two or three.

Mr. GARRETT. Are there any projects in this bill that have been recommended for discontinuance by the local engineer and the Board of Engineers?

Mr. SPARKMAN. None that I know of. If any had been called to my attention they would not have gone in.

Mr. GARRETT. The gentleman ought to know what the fact is about that.

Mr. SPARKMAN. I say no; there are none.

Mr. GARRETT. And the gentleman says, then, that there is no project in the bill that has not the approval of the Chief of Engineers?

Mr. SPARKMAN. At least, the Chief of Engineers. There is none that has not his approval.

Mr. GARRETT. But there are projects in the bill that have not the approval of the local engineer and have not the approval of the Board of Engineers.

Mr. SPARKMAN. I know there are projects that have not the approval of the Board of Engineers, but they have the approval of the chief. We seldom find it necessary to go back to the report of the local engineer to ascertain just what it is. We are usually governed by the recommendation of the Chief of Engineers.

Mr. GARRETT. You are usually governed by that, but not always.

Mr. SPARKMAN. We are always governed by it; yes—that is, where we adopt the project.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read:

The Clerk read as follows:

SEC. 4. That hereafter the Secretary of War is authorized and directed to have made annually, through the Chief of Engineers, United States Army, so far as practicable, an investigation and examination of all water terminal and transfer facilities contiguous to any harbor, river, or other waters under improvement by the United States, and reports on the same shall be submitted to Congress in annual reports or otherwise. Such examination and report shall include, among other things, the following:

Mr. MANN. I take it that section 4 will be considered by itself. There are several paragraphs in it which are closely related.

The CHAIRMAN. The Chair thinks so.

The Clerk read as follows:

(a) The general location and description of water terminals and the extent and method of their use by water carriers and their general efficiency, and whether open to use by all water carriers on equal terms, and such information as may be accessible as to the terms and conditions of use;

(b) Whether physical connection exists between such water terminals and the railroad or railroads serving the same territory or municipality, and also whether there exists between any of the water carriers operating upon waters under improvement or heretofore improved and any railroad or railroads a mutual contract for interchange of traffic by prorating as to such long-distance traffic as may be desired to be carried partly by rail and partly by water to its destination;

(c) Whether improved and adequate highways have been constructed to each water terminal;

(d) If no water terminals exist, there shall be included an opinion in general terms as to the necessity, number, and appropriate location of terminals upon such waters.

Mr. MANN. Mr. Chairman, I reserve a point of order upon the section and, without discussing it, simply suggest to the gentleman that this is a matter that probably would be better experimented with instead of putting it into the permanent law. I think, myself, it is not necessary to have this report every year. Is the gentleman willing to strike out the word "hereafter" in line 14 and then strike out the word "annually" in line 15 and insert "for the fiscal year 1913," so that it would require this report for one year? Then the committee would be far better able to tell whether it ought to be made every year.

Mr. SPARKMAN. Mr. Chairman, if the gentleman from Illinois desires to offer that as an amendment I have no objection to it.

Mr. MANN. If the gentleman is willing to accept it I will withdraw the point of order. I move to strike out, in line 14, the word "hereafter;" and in line 15 the word "annually" and insert in lieu thereof the words "for the fiscal year 1913."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 59, line 14, strike out the word "hereafter." On page 59, line 15, strike out the word "annually" and insert in lieu thereof the words "for the fiscal year 1913."

Mr. SMALL. Does the gentleman from Illinois think the words "for the fiscal year 1913" will accomplish his purpose? The committee hoped that the report might be made at the next session.

Mr. MANN. Well, make it "during the fiscal year of 1913." I think either one would cover it.

Mr. SMALL. The report is to be made at a certain time.

Mr. SPARKMAN. I suggest that it be confined to the two years 1912 and 1913.

Mr. BURGESS. I would suggest that the language is perfectly plain; why not leave it alone?

Mr. MANN. I do not want to take the time to discuss it. This proposes to ask the same information to be furnished every year relating to the same places where there has been probably no change in the situation at all, and will only cumber up the report of the Chief of Engineers with a lot of information not necessary; and besides, much of this information will be duplicated by the work of the Interstate Commerce Commission.

Mr. BURGESS. The next river and harbor bill will have the same provision and then we can pass upon that.

Mr. MANN. As it stands in the bill it makes it permanent law, and that is the objection I have to it.

Mr. SPARKMAN. I suggest that it be made to include the years 1912 and 1913.

Mr. MANN. That is satisfactory.

Mr. SMALL. I think that would be better.

Mr. DAVIDSON. That will give time to get all the reports in.

Mr. SMALL. Instead of "annually" say "during the years 1912 and 1913."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 59, line 15, strike out the word "annually" and insert in lieu thereof the words "during the years 1912 and 1913."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 6. That there shall be printed 3,000 copies of the laws of the United States relating to the improvement of rivers and harbors passed between March 4, 1907, until and including the laws of the second session of the Sixty-second Congress, of which 600 copies shall be for the use of the Senate, 1,400 copies for the use of the House, and 1,000 copies for the use of the War Department. Said compilation shall be printed under the direction of the Secretary of War.

Mr. LAFFERTY. Mr. Chairman, all of Oregon's rivers and harbors have been well taken care of in the river and harbor bill which has just been read and which we are going to pass to-night. The appropriations for the district I have the honor to represent approximate \$2,000,000 for the coming year. For this liberal consideration I desire, in behalf of the district, to thank the local engineers stationed in Oregon, the Committee on Rivers and Harbors, and the House itself.

However, the report of the engineers looks with favor upon two propositions of great importance to the district that are not included in this bill. They are, first, the adoption by Congress of the project for a 30-foot channel to replace the present 25-foot channel between Portland and the ocean, and, second, the giving of authority to the Secretary of War to make advance contracts for materials to be used in building the north jetty at the mouth of the Columbia, to be paid for out of future appropriations, not to exceed \$855,000.

The bill appropriates \$150,000 to improve the channel between Portland and the ocean, and appropriates \$1,000,000 to be expended at the mouth of the Columbia. But the engineers feel that further recognition should be given this great work by approving the project to deepen the channel to 30 feet and by authorizing the making of contracts for \$855,000 worth of extra materials to be used at the mouth of the river, bringing the total appropriations for the mouth of the Columbia up to \$1,855,000. I went before the House committee when it had this bill under consideration and did all within my power to have the two items here referred to included in the House bill. As the bill is now being passed without those two items, I hope that they will be included when the bill reaches the Senate. They are just items, and the commerce carried on the Columbia between Portland and the sea more than warrants the expenditure.

This bill also carries an appropriation of \$600,000 for the Cello Canal. The engineers have reported that the work could be finished more economically if this annual appropriation were increased to \$1,000,000. I trust this increase will also be made in the Senate, and that the House will concur therein when the bill is returned to us. I have found it impossible to increase any of these items in the House, and I observe that no increases

have been made by amendment here to-day on the request of any other Member, so I have been treated as well as the rest in this regard.

I am not complaining. I am thankful for the liberal treatment the great State I have the honor in part to represent has received. But as the total commerce handled on the Columbia River between Portland and the ocean now amounts to \$75,000,000 a year, I hope to see the 30-foot channel adopted before this bill becomes a law, and I hope to see the contract authorization given for extra materials for the building of the north jetty at the mouth of the river. This would bring the total appropriation for the district up from approximately \$2,000,000 to approximately \$3,000,000; but her great waterways, which are national highways of commerce, justly deserve the recognition. [Applause.]

As a part of my remarks I print the three sections of the bill as they should read, to include the amendments that I hope will be agreed to in the Senate, and put in italics the language proposed to be added by way of amendment.

The paragraph beginning on line 22, page 38, should be amended to read as follows:

Improving Columbia and Lower Willamette Rivers below Portland, Oreg.: Continuing improvement and for maintenance, *in accordance with the report submitted in House Document No. 1278, Sixty-first Congress, third session, \$150,000.*

The paragraph beginning with line 1, page 39, should be amended to read as follows:

Improving mouth of Columbia River, Oreg. and Wash.: Continuing improvement and for maintenance, including repairs and operation of dredge, \$1,000,000: *Provided, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$855,000.*

The paragraph making the annual appropriation for the Celilo Canal should be amended by striking out the words "six hundred thousand dollars" and inserting in lieu thereof the words "one million dollars."

Of course, if these amendments, or any of them, shall be made in the Senate, the Oregon legislators in that body, and not myself, will be entitled to the credit; but I do not want the bill to leave the House without making a record of the fact that I have done all within my power, nor would I have the bill leave the House without pointing out the amendments that I think should be made.

[Mr. SMALL addressed the committee. See Appendix.]

Mr. TAGGART. Mr. Chairman, I ask unanimous consent to return to page 40 of the bill to offer an amendment.

The CHAIRMAN. Is there objection?

Mr. SPARKMAN. I object.

The CHAIRMAN. The gentleman from Florida objects.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be adopted and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAINY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had under consideration the bill H. R. 21477, the rivers and harbors appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. [After a pause.] The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SPARKMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILLS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 17837. An act to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes";

H. R. 9845. An act to authorize the sale of burnt timber on the public lands, and for other purposes;

H. R. 17242. An act to authorize the Northern Pacific Railway Co. to cross the Government right of way along and adjacent

to the canal connecting the waters of Puget Sound with Lake Washington at Seattle, in the State of Washington;

H. R. 16680. An act to authorize the board of county commissioners of Baxter County and the board of county commissioners of Marion County, in the State of Arkansas, acting together for the two counties as bridge commissioners to construct a bridge across White River at or near the town of Cotter, Ark.; and

H. R. 18155. An act authorizing the town of Grand Rapids to construct a bridge across the Mississippi River in Itasca County, State of Minnesota.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 9845. An act to authorize the sale of burnt timber on the public lands, and for other purposes;

H. R. 17242. An act to authorize the Northern Pacific Railway Co. to cross the Government right of way along and adjacent to the canal connecting the waters of Puget Sound with Lake Washington at Seattle, in the State of Washington;

H. R. 17837. An act to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes";

H. R. 18155. An act authorizing the town of Grand Rapids to construct a bridge across the Mississippi River in Itasca County, State of Minnesota;

H. R. 16680. An act to authorize the board of county commissioners of Baxter County and the board of county commissioners of Marion County, in the State of Arkansas, acting together for the two counties as bridge commissioners to construct a bridge across the White River, at or near the town of Cotter, Ark.

ADJOURNMENT.

Mr. LLOYD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 27 minutes p. m.) the House adjourned until Wednesday, March 20, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, calling attention to House Document No. 615, on the subject of an appropriation to pay expenses of Federal exhibits for the Fifteenth International Congress on Hygiene and Demography, and transmitting communications received by the Treasury Department from the Secretaries of War, Navy, Interior, Agriculture, and Commerce and Labor upon that subject (H. Doc. No. 631); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, inclosing draft of a resolution, with a favorable recommendation, authorizing the Secretary of the Treasury to accept a substitute deed from grantor to the site acquired for the post-office building in the city of New York, the substitute deed to be satisfactory to the Postmaster General and Attorney General of the United States (H. Doc. No. 632); to the Committee on Public Buildings and Grounds and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 22043) to authorize additional aids to navigation in the Lighthouse Service, and for other purposes, reported the same without amendment, accompanied by a report (No. 430); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 21435) granting a pension to Bennie C. Longan, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 22080) to establish a mining-experiment station at Auburn, Placer County, Cal., to aid in

the development of the mineral resources of the United States, and for other purposes; to the Committee on Mines and Mining.

By Mr. TAYLOR of Colorado: A bill (H. R. 22081) to establish a mining-experiment station at Silverton, San Juan County, Colo., to aid in the development of the mineral resources of the United States, and for other purposes; to the Committee on Mines and Mining.

By Mr. ESCH: A bill (H. R. 22082) to provide for the investigation of controversies affecting interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER: A bill (H. R. 22083) relating to inherited estates in the Five Civilized Tribes in Oklahoma; to the Committee on Indian Affairs.

By Mr. LA FOLLETTE: A bill (H. R. 22084) in aid of irrigation and creating a lien on public lands in the State of Washington situated within the boundaries of any irrigation district organized or hereafter organized under the laws of said State, and providing a mode of enforcing such lien by contest proceedings; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 22085) authorizing the Secretary of War to convert the Army post at Fort George Wright, Wash., into a brigade post; to the Committee on Military Affairs.

By Mr. PARRAN: A bill (H. R. 22086) to amend an act entitled "An act to establish a code of law for the District of Columbia"; to the Committee on the District of Columbia.

By Mr. HIGGINS: A bill (H. R. 22087) to provide for the purchase of a site and the erection of a public building thereon at Danielson, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. HOWELL: A bill (H. R. 22088) to establish a mining-experiment station at Salt Lake City, Salt Lake County, Utah, to aid in the development of the mineral resources of the United States, and for other purposes; to the Committee on Mines and Mining.

By Mr. STEPHENS of Texas: A bill (H. R. 22089) to segregate the funds of the Kiowa, Comanche, and Apache Indians, and for other purposes; to the Committee on Indian Affairs.

Mr. KINKAID of Nebraska: A bill (H. R. 22090) to subject the lands in the former Fort Niobrara Military Reservation and other lands in Nebraska to homestead entry; to the Committee on the Public Lands.

By Mr. MONDELL: A bill (H. R. 22091) making appropriation for maps showing enlarged homestead areas; to the Committee on Appropriations.

By Mr. HARDWICK: A bill (H. R. 22092) to extend the time of the Twin City Power Co. for the completion of a dam across the Savannah River; to the Committee on Interstate and Foreign Commerce.

By Mr. GOOD: Resolution (H. Res. 451) that the order of the House agreeing to a conference with the Senate on the disagreeing votes of the two Houses to House joint resolution 39 be rescinded, and that the conferees on the part of the House be discharged, etc.; to the Committee on Rules.

By Mr. CARTER: Joint resolution (H. J. Res. 275) authorizing a per capita distribution of the tribal funds of the Choctaw and Chickasaw Indians; to the Committee on Indian Affairs.

By Mr. WILSON of New York: A memorial from the Legislature of New York, urging a provision for the improvement of the inlet to Lake Champlain; to the Committee on Rivers and Harbors.

Also, memorial from the New York State Senate, asking that a battleship be built at the United States navy yard at Brooklyn; to the Committee on Naval Affairs.

By Mr. SIMMONS: Memorial from the New York State Senate, asking that a battleship be built at the United States navy yard at Brooklyn; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRUS: A bill (H. R. 22093) granting a pension to Adelaide E. Ruton; to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 22094) for the relief of the estate of Heluter Tounoir, deceased; to the Committee on War Claims.

Also, a bill (H. R. 22095) for the relief of the estate of Augustin Laban, deceased; to the Committee on War Claims.

By Mr. BROWN: A bill (H. R. 22096) granting an increase of pension to William T. McBee; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 22097) granting an increase of pension to Phebe Y. Polk; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 22098) granting an increase of pension to George Pfluger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22099) granting an increase of pension to Robert L. Oliver; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 22100) granting a pension to Guy I. Church; to the Committee on Pensions.

Also, a bill (H. R. 22101) granting an increase of pension to Lewis B. Clark; to the Committee on Invalid Pensions.

By Mr. DANIEL A. DRISCOLL: A bill (H. R. 22102) for the relief of Charles J. Allen, United States Army, retired; to the Committee on War Claims.

By Mr. DWIGHT: A bill (H. R. 22103) granting a pension to Jacob Stocking; to the Committee on Pensions.

Also, a bill (H. R. 22104) granting an increase of pension to George W. Lindley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22105) granting an increase of pension to Philander T. Crocker; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 22106) granting an increase of pension to George W. Oldham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22107) granting an increase of pension to William Kautz; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 22108) for the relief of George Q. Allen; to the Committee on Claims.

By Mr. GUDGER: A bill (H. R. 22109) granting a pension to Joseph M. Jones; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 22110) granting an increase of pension to Samuel T. McMains; to the Committee on Invalid Pensions.

By Mr. HEALD: A bill (H. R. 22111) for the relief of the Delaware Transportation Co., owner of the American steamer *Dorothy*; to the Committee on Claims.

By Mr. HULL: A bill (H. R. 22112) granting an increase of pension to James Finn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22113) to remove the charge of desertion standing against John Downs; to the Committee on Military Affairs.

By Mr. LAFFERTY: A bill (H. R. 22114) granting a pension to Margaret E. Perkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22115) granting an increase of pension to Cyrus C. Boon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22116) granting an increase of pension to William H. Estep; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22117) authorizing the Secretary of the Treasury to convey certain land to the city of Portland, Ore.; to the Committee on Public Buildings and Grounds.

By Mr. LITTLEPAGE: A bill (H. R. 22118) granting an increase of pension to William Sigman, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22119) for the relief of the heirs of Nancy Montgomery; to the Committee on War Claims.

Also, a bill (H. R. 22120) for the relief of Nannie C. Williams, administratrix of the estate of William E. Keeney, deceased; to the Committee on War Claims.

By Mr. MONDELL: A bill (H. R. 22121) granting a pension to Elizabeth Terry; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 22122) granting a pension to Jacobena Schneider McGath; to the Committee on Invalid Pensions.

By Mr. PROUTY: A bill (H. R. 22123) granting an increase of pension to Ira Waldo; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 22124) for the relief of Thomas R. Mason; to the Committee on Claims.

By Mr. SELLS: A bill (H. R. 22125) granting a pension to George Carroll; to the Committee on Pensions.

Also, a bill (H. R. 22126) granting a pension to W. M. Balch; to the Committee on Pensions.

Also, a bill (H. R. 22127) granting an increase of pension to Isaac N. Nave; to the Committee on Invalid Pensions.

By Mr. SHARP: A bill (H. R. 22128) granting an increase of pension to Samuel A. Williams; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 22129) granting a pension to George W. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 22130) granting a pension to William M. Findley; to the Committee on Pensions.

By Mr. SULLOWAY: A bill (H. R. 22131) granting a pension to Joseph Stephens; to the Committee on Pensions.

By Mr. TALBOTT of Maryland: A bill (H. R. 22132) granting an increase of pension to Henry Lafferty; to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 22133) granting an increase of pension to Napoleon B. Greathouse; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 22134) granting a pension to Flora L. Carey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22135) granting a pension to Daniel Updike; to the Committee on Invalid Pensions.

By Mr. WICKLIFFE: A bill (H. R. 22136) for the relief of the heirs of Daniel Turnbull, deceased; to the Committee on War Claims.

By Mr. WILSON of Illinois: A bill (H. R. 22137) granting an increase of pension to Abram S. Esmay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22138) granting an increase of pension to Henry M. McCarty; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petitions of labor organizations in the island of Porto Rico, for establishment of a department of labor and agriculture in that island; to the Committee on Insular Affairs.

Also, memorial of the Russian River Chamber of Commerce, for improvement of the Yosemite National Park; to the Committee on the Public Lands.

By Mr. AINEY: Petitions of Granges Nos. 174 and 1157, Patrons of Husbandry, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. AKIN of New York: Memorial of Naval Camp, No. 49, United States War Veterans, Brooklyn, N. Y., in favor of House bill 17470; to the Committee on Pensions.

By Mr. ANDERSON of Minnesota: Petition of Ole O. Lee and 17 others, of Newhouse, Minn., against extension of parcel post; to the Committee on the Post Office and Post Roads.

By Mr. ANDRUS: Petitions of citizens of White Plains, Port Chester, Yonkers, Mount Vernon, and New Rochelle, N. Y., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens and taxpayers of Harrison, N. Y., favoring the extension of free mail delivery in towns outside of incorporated cities and villages; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of White Plains, Port Chester, Yonkers, Mount Vernon, and New Rochelle, N. Y., favoring legislation giving the Interstate Commerce Commission power to regulate express rates; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHBROOK: Memorial of Nineveh Grange, No. 1500, of Beidler, Ohio, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Frank A. Balton and other citizens of Newark, Ohio, protesting against the passage of interstate-commerce liquor legislation; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of the Builders' Exchange League of Pittsburgh, Pa., for reduction in the postage on first-class mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of the First Lutheran Church of Duquesne, Pa., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the German-American Alliance of Pottsville, Pa., against prohibition or interstate liquor legislation; to the Committee on the Judiciary.

By Mr. BOEHNE: Petition of John Kuhn and other citizens of Princeton, Ind., for the construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. BOWMAN: Petition of David E. Derr, of Parsons, Pa., for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

Also, petition of Grange No. 308, Patrons of Husbandry, for amending the laws governing the traffic in oleomargarine; to the Committee on Agriculture.

Also, petition of Grange No. 819, Patrons of Husbandry, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Wisconsin: Petition of St. Joseph's Society of Newburg, Wis., protesting against a resolution of inquiry concerning Government institutions in which American citizens wearing the religious habit are employed; to the Committee on Indian Affairs.

By Mr. CALDER: Petitions of residents of Brooklyn and New York, N. Y., for amending the copyright act of 1909; to the Committee on Patents.

Also, memorial of New York State Assembly, for improvement of the inlet of Lake Champlain; to the Committee on Rivers and Harbors.

Also, petition of J. Crory, of New York City, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. CALLAWAY: Petition of First Congregational Church of Fort Worth, Tex., for passage of the Kenyon-Sheppard interstate liquor bill to withdraw from interstate-commerce protection liquors shipped into "dry" territory for illegal use; to the Committee on the Judiciary.

By Mr. CARTER: Petitions of citizens of the State of Oklahoma, for passage of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

By Mr. CRAGO: Petitions of citizens of Rockwood, Pa., and Sycamore Grange, Patrons of Husbandry, for enactment of parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of Brownsville Business Men's Association and members of the council of South Brownsville, Pa., for enactment of House bill 16819; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry granges, Patrons of Husbandry, in Pennsylvania, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRIER: Petition of the Christian Endeavor Union of Concord, N. H., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. DANFORTH: Petition of Carl L. Howland, F. P. Higbie, and other residents of Chile, N. Y., favoring the passage of House bill 16214; to the Committee on the Judiciary.

By Mr. DAVIS of West Virginia: Petition of sundry citizens of Marshall County, W. Va., against a reduction in the rate of postage on second-class mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Marshall County, W. Va., praying for the establishment of an illiteracy test for all foreigners coming into the United States; to the Committee on Immigration and Naturalization.

Also, petition of sundry citizens of Marshall County, W. Va., with reference to the Berger resolution providing for an investigation of the violation of the United States immigration law by the mill owners at Lawrence, Mass.; to the Committee on Rules.

By Mr. DOREMUS: Petitions of the Methodist Episcopal and Brewster Congregational Churches, of Detroit, Mich., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petitions of citizens of the State of Michigan, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. DRAPER: Petition of Albert W. Wills and various other citizens of the State of New York, favoring building of one battleship in Government navy yard, New York; to the Committee on Naval Affairs.

By Mr. DANIEL A. DRISCOLL: Petitions of residents of Buffalo, N. Y., for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

Also, memorial of the New York State Senate, requesting that one battleship be constructed at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

By Mr. DWIGHT: Petition of the Presbyterian Church and Woman's Christian Temperance Union of Ludlowville, N. Y., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. DYER: Papers to accompany House bill 18254; to the Committee on Invalid Pensions.

Also, petition of Council No. 4, United Garment Workers of America, for enactment of House bill 20423; to the Committee on the Judiciary.

Also, petition of the Civic League of St. Louis, Mo., for establishment of a national department of health; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLERBE: Petitions of the Woman's Christian Temperance Union and Woman's Missionary Union of Scranton, S. C., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. FOSTER of Illinois: Petition of citizens of Bridgeport, Ill., protesting against the enactment of a parcel post; to the Committee on the Post Office and Post Roads.

By Mr. FRENCH: Petitions of citizens of the State of Idaho, for passage of House bill 14, providing for a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the State of Idaho, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the State of Idaho, for enactment of Senate bill 5286, for protection of game and birds in the national forests; to the Committee on the Public Lands.

By Mr. FULLER: Petitions of H. L. Bowen, Thomas Cole, Homer Hall, Stanley Carpenter, Mrs. Laura Bowen, and Walter Lincoln, all of R. F. D. No. 1, Belvidere, Ill., favoring the establishment of a parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petitions of M. M. Martin, of Caledonia, Ill.; also S. C. Dick, of Sycamore, Ill., in favor of the establishment of a parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petitions of Refior Hardware Co., of Ottawa, Ill., and also of Illinois Lumber and Builders Supply Dealers' Association, of Chicago, Ill., against the establishment of a parcel post until after report of an impartial commission, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of H. G. Cormick, of Centralia, Ill., favoring 1-cent letter postage and opposing the establishment of a parcel post, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of B. C. Strout and other citizens of Gardner, Ill., opposing the proposed extension of the parcel-post service, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of the Chicago Live Stock Exchange, of Chicago, Ill., favoring a reduction in the duty on oleomargarine, etc.; to the Committee on Agriculture.

Also, petition of F. L. Fraser, of Mendota, Ill., favoring the passage of the Townsend bill (H. R. 20595), to amend section 25 of the copyright law of 1909; to the Committee on Patents.

Also, petition of Owen Kelly et al., of Ottawa, Ill., favoring the construction of one battleship in the New York Navy Yard, etc.; to the Committee on Naval Affairs.

Also, petition of National German-American Alliance, of Ottawa, Ill., against the passage of any pending prohibition or interstate commerce liquor measures; to the Committee on the Judiciary.

Also, petition of Brewster & Evans Co., of Chicago, Ill., favoring the proposed Federal commission on industrial relations, etc.; to the Committee on Labor.

Also, petition of the Association of Drainage and Levee Districts of Illinois, objecting to the increased flow in Illinois River from water from Lake Michigan, etc.; to the Committee on Rivers and Harbors.

By Mr. HAMILL: Memorial of board of directors, Philadelphia Bourse, for retirement of employees in the civil service; to the Committee on Reform in the Civil Service.

By Mr. HAMMOND: Petition of L. P. Halgerson and 87 others, of Ruthon, Minn., protesting against passage of the Lever oleomargarine bill; to the Committee on Agriculture.

Also, petitions of H. A. Patterson and 24 others, of Mankato, Minn., for reduction in the duties on raw and refined sugars; to the Committee on Ways and Means.

By Mr. HANNA: Petition of L. H. Hielmeland, of Palermo, N. Dak., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petition of citizens of Binford, N. Dak., for old-age pensions; to the Committee on Pensions.

Also, petition of Christian Endeavor Society of Barrie, N. Dak., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Barton, N. Dak., for enactment of House bill 14, providing for a parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. HARTMAN: Petitions of Granges Nos. 698, 1116, and 1168, Patrons of Husbandry, for enactment of House bill 9133, providing for a Government system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: Petitions of citizens of North Bend, Oreg., and Oregon Anti-Saloon League, Portland, Oreg., favoring the passage of the Kenyon-Sheppard bill; to the Committee on the Judiciary.

By Mr. HENRY of Texas: Petition of citizens of the State of Texas, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. HENSLEY: Petition of F. R. Dean, of De Soto, Mo., for passage of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

By Mr. HIGGINS: Petition of residents of the State of Connecticut, against repeal of the anticanteen law; to the Committee on Military Affairs.

Also, petitions of the German-American Alliances of Bridgeport, Conn., Scranton, Pa., and the State of Texas, protesting against legislation restricting the interstate shipment of liquors; to the Committee on the Judiciary.

By Mr. HOWELL: Petition of William T. Wootton, manager Alice Theater, Heber, Utah; Young Bros., managers of Zenith Theater, Fairview, Utah; Bert Martin, of Salt Lake City; and Charles H. Bodel, manager Casino Theater, Salt Lake City,

Utah, favoring certain amendments to the copyright act of 1909; to the Committee on Patents.

Also, petition of the Davis Shoe Co. and other business firms of Salt Lake City, Utah, protesting against enactment of House bill 10844; to the Committee on Interstate and Foreign Commerce.

By Mr. HUGHES of New Jersey: Petitions of citizens of Ridgewood, N. J., for enactment of House bill 20842; to the Committee on Ways and Means.

By Mr. LAFFERTY: Petitions of citizens of Portland, Talent, and Wamic, Oreg., for enactment of House bill 14, providing for a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of James Maguire and others, of Portland, Oreg., proposing the insertion of a provision in the naval appropriation bill to build one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of citizens of Youcalla, Oreg., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LANGHAM: Memorial of Tidal Grange, No. 872, Patrons of Husbandry, Madison Township; Pleasant Hill Grange, No. 656, Knox Township, Jefferson County; Patrons' Grange, No. 609, Pine Creek Township, Jefferson County; Paradise Grange, No. 854, Winslow Township, Jefferson County; Kiskiminetas Grange, No. 519; and Kiskiminetas Township, Armstrong County, all in the State of Pennsylvania, favoring the passage of House bill 19133, which provides for system of postal express, and opposing as inadequate proposed limit of 11 pounds to packages; to the Committee on the Post Office and Post Roads.

Also, memorial of Kiskiminetas Grange, No. 519, Armstrong County, Pa., proposing and asking changes in the oleomargarine laws; to the Committee on Agriculture.

By Mr. LAWRENCE: Petitions of the Woman's Christian Temperance Union, church, and citizens of Shelburne Falls, Mass., favoring the passage of the Kenyon-Sheppard interstate commerce liquor bill; to the Committee on the Judiciary.

Also, petition of druggists of Greenfield, Mass., against parcel post; to the Committee on the Post Office and Post Roads.

By Mr. LENROOT: Petition of residents of Knapp, Wis., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. LINDSAY: Memorial of Brooklyn League, 44 Court Street, Brooklyn, N. Y., asking that one battleship be constructed at Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, memorial of St. Sebastianus Sick-Benefit Society, 276 Jefferson Street, Brooklyn, N. Y., and of Bushwick Council, No. 99, Catholic Benevolent Legion, 69 Hamburg Avenue, Brooklyn, N. Y., concerning resolutions regarding Catholic Indian mission interests; to the Committee on Indian Affairs.

By Mr. LLOYD: Petitions of Oakdale Grange and of citizens of Macon County, Mo., in favor of parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of St. Paul, Minn., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MCKINLEY: Memorial of the Rock Island County (Ill.) Retail Druggists' Association, protesting against a parcel post; to the Committee on the Post Office and Post Roads.

By Mr. MARTIN of South Dakota: Petition of citizens of Brookings and Moody Counties, S. Dak., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. NEEDHAM: Petitions of citizens of the State of California, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, memorial of the California Civic League, for adequate appropriation to enforce the white-slave traffic act; to the Committee on Appropriations.

By Mr. O'SHAUNESSY: Memorial of the American Protective Tariff League, that fair adjustment of tariff duties is an impossibility when dealing with one schedule at a time, for the reason that each and every schedule is more or less correlated with some other schedule or schedules; to the Committee on Ways and Means.

Also, memorial of the National League for Medical Freedom, urging the President to nullify his order making it a criminal offense for anyone to practice medicine, etc., unless licensed by the board of health of the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Carpenters' District Council, of Pawtucket, R. I., amending the law on oleomargarine that a tax not exceeding 2 cents per pound be placed upon the product; that the license fee of \$6 per year be placed upon the retailer for the privilege of vending oleomargarine, etc.; to the Committee on Agriculture.

Also, memorial of Carpenters' District Council of Pawtucket, that Congress amend the law on oleomargarine; that a tax be placed upon the product, whether colored or uncolored; that a license of \$6 be placed upon the retailer for the privilege of vending oleomargarine; and that the product be packed in one-half, 1, 2, and 3 pound packages only and the product be sold only in the original tax-paid packages; to the Committee on Agriculture.

Also, petition of the New York Society of Certified Public Accountants, protesting against the employment by the United States of chartered accountants to the exclusion of certified public accountants; to the Committee on Expenditures in the Navy Department.

Also, memorial of the Seattle Chamber of Commerce, eliminating all tolls through the Panama Canal or commerce going between cities of the Atlantic and Pacific Oceans; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the National Founders' Association of New York, that the time has arrived when the country should awaken to the real situation, discountenance public expressions and legislative action designed to discourage legitimate enterprise and commercial and industrial development; to the Committee on Ways and Means.

By Mr. POWERS: Petitions of citizens of the eleventh congressional district of Kentucky, in favor of parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. PRAY: Petition of residents of Circle and Delphia, Mont., in favor of the enactment of House bill 14; to the Committee on the Post Office and Post Roads.

Also, petition of residents of Anaconda, Mont., urging the insertion of clause in the naval appropriation bill providing for the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of residents of Box Elder, Froid, Dane Valley, Homestead, Enterprise, McCabe, Orville, and Culbertson, Mont., in favor of the three-year homestead law; to the Committee on the Public Lands.

By Mr. RAKER: Memorial of the Oakland (Cal.) Civic Center, for appropriation for enforcement of the white slave traffic act; to the Committee on Appropriations.

By Mr. SCULLY: Memorial of the New Jersey Society, Sons of the American Revolution, for printing of the records of the American Revolution; to the Committee on Appropriations.

Also, petition of Camp No. 19, Department of New Jersey, United Spanish War Veterans, for passage of House bill 17470; to the Committee on Pensions.

Also, petition of Charles W. Ritter, of Red Bank, N. J., for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

Also, petition of the Woman's Christian Temperance Union and Methodist Episcopal Church of Bradley Beach, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. SHARP: Petition of citizens of Lorain County, Ohio, favoring passage of House bill 20281, providing for repeal of the present so-called butterine law; to the Committee on Agriculture.

Also, memorial of Washington Grange, No. 1748, Mount Gilead, Ohio, favoring passage of House joint resolution 229, providing for the establishment of a vocational school as an appropriate memorial to Abraham Lincoln; to the Committee on the Library.

Also, memorial of Washington Grange, No. 1748, Morrow County, Ohio, favoring Federal aid for road improvement; to the Committee on Agriculture.

Also, memorial of farmers' institute, held at Bellville, Ohio, favoring parcel post and Federal aid in road improvement; to the Committee on Agriculture.

Also, memorial of Wayne Grange (fourteenth Ohio district), in favor of the immediate enactment of a parcel-post law; to the Committee on the Post Office and Post Roads.

Also, memorial of the Commercial Club, Council Bluffs, Iowa, favoring the appropriation of \$50,000 with which to entertain foreign commercial representatives; to the Committee on Foreign Affairs.

Also, memorial of Highland Grange, No. 1410, of Richland County, Ohio, favoring the establishment of a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of Charles Dick Camp, No. 17, United Spanish War Veterans, in favor of House bill 12816, providing for pensions for widows and minor children of soldiers and sailors and marines of the Spanish-American War; to the Committee on Pensions.

By Mr. SIMMONS: Petition of citizens of Niagara Falls, N. Y., favoring construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. SIMS: Petition of sundry citizens of Madison County, Tenn., in favor of interstate-commerce liquor legislation; to the Committee on the Judiciary.

By Mr. SAMUEL W. SMITH: Memorial of Mason Grange, No. 265, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of Farmington and Pontiac, Mich., against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of members of the Medical Society of Pontiac, Mich., for enactment of the Owen bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: Petition of residents of Fort Myers, Fla., for enactment of House bill 14, providing for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. STEPHENS of Nebraska: Petition of F. L. Nelson and others, against the passage of the Johnson Sunday bill (S. 237); to the Committee on the District of Columbia.

By Mr. STEVENS of Minnesota: Petition of citizens of St. Paul, Minn., for rejection of arbitration treaties with Great Britain and France; to the Committee on Foreign Affairs.

Also, memorial of Post No. 2, Grand Army of the Republic, Department of Minnesota, in opposition to incorporating the Grand Army of the Republic; to the Committee on the District of Columbia.

By Mr. THISTLEWOOD: Memorial of Association of Drainage and Levee Districts of Illinois, Beardstown, Ill., in reference to pollution of Illinois River; to the Committee on Rivers and Harbors.

Also, petitions of sundry citizens of the State of Illinois, favoring the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of Cutter Creamery & Cheese Co., against the Lever bill; to the Committee on Agriculture.

Also, petition of Farmers' Educational and Cooperative Union of America, Local Union No. 192, Ulin, Ill., in reference to Senate bill 3175 and Webb-Callaway bill; to the Committee on Agriculture.

Also, memorial of Beardstown Chamber of Commerce, Beardstown, Ill., in reference to pollution of Illinois River; to the Committee on Rivers and Harbors.

By Mr. TILSON: Petition of Lodge No. 25, Independent Order B'nai B'rith of New Haven, Conn., urging enactment of House bill 9242; to the Committee on Reform in the Civil Service.

By Mr. TUTTLE: Memorial of the New Jersey Society of Newark, N. J., favoring Senate bill 271 and House bill 19641; to the Committee on Naval Affairs.

Also, petition of Elizabeth B. Ritter, Auditorium Theater, Rahway, N. J., asking for amendment of the copyright act of 1909; to the Committee on Patents.

Also, petition of George B. Eades, Bijou Theater, Boonton, N. J., favoring the amendment of the copyright act of 1909; to the Committee on Patents.

By Mr. UNDERHILL: Petition of O. O. Laine, of Canisteo, N. Y., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. UTTER: Petition of John W. Miller, Jr., of Narragansett Pier, R. I., Martin H. Loohey, of East Greenwich, R. I., and A. A. Ashley, of Westerly, R. I., favoring passage of the Townsend bill (H. R. 20595) to amend section 25 of the copyright act of 1909; to the Committee on Patents.

Also, petition of Old Warwick Grange, Warwick, R. I., favoring a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of Antioch Grange, Patrons of Husbandry, of Johnston, R. I., favoring the passage of a parcel post and opposing any bill to allow coloring any product to resemble butter; to the Committee on the Post Office and Post Roads.

Also, petition of Sidney F. Hoar Camp, No. 4, United Spanish War Veterans, of Providence, R. I., favoring House bill 1235, providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps and for the efficiency of the enlisted personnel; to the Committee on Naval Affairs.

Also, petition of New England Shoe & Leather Association, of Boston, Mass., protesting against the passage of House bill 16884 for placing upon the market any product of manufacture without printing the name and address of the manufacturer upon such article; to the Committee on Interstate and Foreign Commerce.

Also, petition of Sidney F. Hoar Camp, No. 4, United Spanish War Veterans, of Providence, R. I., urging passage of House bill 17470, to pension widow and minor children of any officer or enlisted man who served in the War with Spain or Philippine insurrection; to the Committee on Pensions.

Also, petition of Towsynowice Polskilitary, Gr. Z., No. 204, Zatozore W. Pazoz, of Providence, R. I., protesting against passage of the bill to further regulate the immigration of aliens; to the Committee on Immigration and Naturalization.

By Mr. WILLIS: Petitions of Milford Center Grange, and J. W. Watkins and 67 other citizens of Radnor, Ohio, for extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petitions of J. D. Price and 5 other citizens, of Arlington; R. T. Cretcher and 5 other citizens, of Quincy; and J. A. Ewing and 12 other citizens, of McComb, all in the State of Ohio, protesting against the enactment of any legislation for the extension of the parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petitions of L. E. Snyder and 5 other citizens, of Arlington; J. A. Groves and 12 other citizens, of McComb; and J. B. Wirick and 5 other citizens, of Quincy, all in the State of Ohio, asking for the enactment of legislation to give the Interstate Commerce Commission more extensive power in the regulation of express rates and express classification; to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill 13914, a bill authorizing the erection of a post-office building at Urbana, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. WILSON of New York: Memorial of the Brooklyn League, for construction of one battleship in the Brooklyn Navy Yard; to the Committee on Naval Affairs.

By Mr. YOUNG of Texas: Petition of P. E. Barton and others, of Gregg County, Tex., against parcel-post legislation; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, March 20, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

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

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

Sadie F. Curtis and Annie E. C. Partin, heirs at law of Henry W. Neville, deceased, and sundry subnumbered cases, *v. United States* (S. Doc. No. 446); and

Joseph Borton and sundry subnumbered cases *v. United States* (S. Doc. No. 447).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

STREET CAR LINES IN THE DISTRICT (S. DOC. NO. 441).

The VICE PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 1st ultimo, certain information relative to the necessity of establishing additional street car lines in the District of Columbia, etc., which, with the accompanying papers and map, was referred to the Committee on the District of Columbia and ordered to be printed.

THE CLASSIFIED CIVIL SERVICE (S. DOC. NO. 442).

The VICE PRESIDENT laid before the Senate a communication from the Civil Service Commission, transmitting, in response to a resolution of the 15th ultimo, certain information relative to the number of persons in the classified civil service who were admitted upon examination, which, with the accompanying paper, was referred to the Committee on Civil Service and Retrenchment and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 21214. An act to extend the special excise tax now levied, with respect to doing business by corporations to persons, and to provide revenue for the Government by levying a special excise tax with respect to doing business by individuals and copartnerships; and

H. R. 21477. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of sundry citizens of Lake Arthur, N. Mex., remonstrating against the

enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented resolutions adopted by members of the Maritime Exchange, of New York City, expressing its approval of the action of Congress relative to the raising of the wreck of the battleship *Maine*, which were referred to the Committee on Naval Affairs.

He also presented a memorial of members of the National Columbus Association, of Mahanoy City, Pa., remonstrating against the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Haynesville, La., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the First Presbyterian Church of Ensley, Ala., and the Baptist Church of Greenville, Pa.; of the Woman's Christian Temperance Unions of Natick, Mass., Nooksack, Wash., and Arlington, Cal.; and of the Northwest Jewell County District Convention, representing five Sunday schools in the State of Kansas, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a memorial of the New Hampshire Retail Grocery and General Merchants' Association, remonstrating against the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Manchester, Lee, Lakeport, Temple, Bedford, Wolfeboro, and West Campton, all in the State of New Hampshire, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Michigan presented petitions of sundry citizens of Genesee County, Detroit, Gregory, Whitehall, Montague, Elsie, Watervliet, Comstock Park, Albion, Hope, Lacota, Mundy, Ballard, Algonac, Allegan, Petoskey, Bangor, Oakland County, Kent City, New Haven, Jones, Lansing, Mason, Buckley, Dryden, Fenton, Wayland, Wheeler, Bay City, Oceana County, Newaygo County, Woodland, Grayling, Birmingham, Sturgis, Centerville, Coleman, and Ithaca, all in the State of Michigan, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Kalkaska, Mancelona, Pellston, Brutus, Harbor Springs, Petoskey, Mackinaw, Alma, Ithaca, Shepherd, Winn, Harriette, Tustin, Dighton, Elberta, Beulah, Hartwick, Fife Lake, Reed City, Le Roy, Lake City, and Arlene, all in the State of Michigan, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Paw Paw, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Irving, Rothbury, Whitehall, and Montague, all in the State of Michigan, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Paw Paw, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in post offices, which was referred to the Committee on Post Offices and Post Roads.

Mr. THORNTON presented a memorial of sundry citizens of St. Maurice, La., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented memorials of sundry citizens of Paw Paw, Monroe, Onsted, Decatur, Ann Arbor, Adrian, Almont, Harvard, Lapeer, Battle Creek, Ypsilanti, Holton, Three Rivers, Hudson, Prattsville, Clio, Scottville, Bronson, Midland, Reading, Cassopolis, Richmond, Fowlerville, Minden City, Gaylord, Metamora, Wolverine, Howell, Marcellus, Ludington, Kalamazoo, Bay Shore, White Hall, Melvin, Benzonia, Sunfield, Jasper, Union, Mason, Morley, Watervliet, Cass City, Albion, Mayville, Lenox, Clinton, Gregory, Sturgis, North Adams, Twin Lake, Cressey, Beulah, Grand Haven, Hillsdale, Montgomery, Hadley, Hamburg, Northport, Hudson, Holly, Nowell, Scotts, Azalia, Bristol, Big Rapids, Portland, Homer, Jackson, Leonidas, Men-