of Congress at Washington it was abundantly demonstrated. There never was any indecision about him or any doubt about where he stood in matters of public concern. GEORGE R. MALBY was born great. Whenever he appeared one knew intuitively that this was no ordinary man. His presence commanded immediate and respectful attention, and brought to mind the lines of Sir Walter Scott:

"When as the Palmer came in hall,
Nor lord, nor knight, was there more tall,
Or had a statelier step withal,
Or looked more high or keen.

"Always serene, self-poised in victory and defeat alike, with unfaltering step he moved steadily onward and upward in the service of his people, knowing no distinction save only that of right and wrong. With him it was justice on the one side and injustice on the other. The line was sharply drawn. There was no middle ground of expediency or compromise. And he was modest. No man in public life used the first personal pronoun less frequently. It was his strong, forceful individuality, never self-assertive, that brought him to the fore in every enterprise in which he was engaged.

"The outside world knew him as the lawyer and statesman and respected and honored him as such. We, who are here assembled, knew him as a friend and neighbor, and we loved him. He is gone. We shall never again clasp his hand or look into his kind and sympathetic face. But such men do not die. They vanish in the concrete form, and that is all. One of his distinguished predecessors in the councils of the Nation, the late William H. Seward, was fond of repeating the following lines of unknown origin:

"There is no death; the stars go down
To rise upon some fairer shore,
And bright in heaven's jeweled crown
They shine forevermore.

"There is no death; an angel form
Walks o'er the earth with silent tread.
He bears our best-loved things away,
And then we call them dead.

"Born into that undying life,
They leave us but to come again;
In all, in everything, the same,
Except in grief and pain.

"And ever near us, though unseen,
The dear immortal spirits tread,
For all the boundless universe is life:
There are no dead.

"So shall we think of him in loving remembrance, not as dead, but as living and breathing in his works, and in the shining example of faith and courage which he has left us, a rich heritage for all the years to come.

"Mr. VAN KENNEN. Having heard the memorial resolutions, there being no objection thereto, I declare the same adopted.

"What is the further pleasure of the meeting?

"Mr. SPRATT. I move that the meeting adjourn.

"Maj. DANIELS. Second the motion.

"Mr. VAN KENNEN. It is moved and seconded that we adjourn. Carried."

The SPEAKER pro tempore. In accordance with the resolution previously adopted the Chair declares the House adjourned until 12 o'clock to-morrow morning.

Accordingly (at 12 o'clock and 47 minutes p. m.) the House adjourned to meet to-morrow, Monday, January 27, 1913, at 12 o'clock noon.

SENATE.

MONDAY, *January 27, 1913.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

FRANK O. BRIGGS, a Senator from the State of New Jersey, appeared in his seat to-day.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

HOMESTEAD ENTRYMEN IN NORTH IDAHO (S. DOC. NO. 1037).

The PRESIDENT pro tempore (Mr. GALLINGER) laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing by what authority of law and reason of facts there is inserted in patents issued to certain homestead entrymen in north Idaho a clause making the patents and the title of the entrymen subject to the application and rights of the Washington Water Power Co., which, with the accompanying paper, was referred to the Committee on Public Lands and ordered to be printed.

DISEASES AMONG INDIANS (S. DOC. NO. 1038).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a report prepared by the United States Public Health Service in accordance with the act approved August 24, 1912, of the investigations into the prevalence of contagious and infectious diseases among the Indians of the United States, which, with the accompanying paper and illustrations, was referred to the Committee on Indian Affairs and ordered to be printed.

DISPOSITION OF USELESS PAPERS.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, schedules of papers, books, and so forth, in the Interior Department not needed in the transaction of public business and of no historical or permanent value. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Chair appoints as the committee on the part of the Senate the Senator from Arkansas, Mr. CLARKE, and the Senator from New Hampshire, Mr. BURNHAM. The Secretary will notify the House of Representatives of the appointment of the Committee on the part of the Senate.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 380. Joint resolution authorizing the granting of permits to the committee on inaugural ceremonies on the occasion of the inauguration of the President-elect on March 4, 1913, etc., was read twice by its title and referred to the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bill and joint resolution:

S. 2666. An act granting an increase of pension to William P. Clark; and

S. J. Res. 145. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1913.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 23451) to pay certain employees of the Government for injuries received while in the discharge of their duties, and other claims for damages to and loss of private property.

The message further announced that the House had passed the following bills, each with amendments, in which it requested the concurrence of the Senate:

S. 7160. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 8034. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 8035. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3967. An act granting an increase of pension to John R. Fugill;

H. R. 27806. An act granting a pension to Mary MacArthur;

H. R. 27874. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 28282. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 28379. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the President pro tempore:

S. 2666. An act granting an increase of pension to William P. Clark;

S. 6380. An act to incorporate the American Hospital of Paris;

H. R. 23451. An act to pay certain employees of the Government for injuries received while in the discharge of their duties;

S. J. Res. 145. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1913; and

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

H. J. Res. 210. Joint resolution authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a memorial of the Union of American Hebrew Congregations held at Cincinnati, Ohio, remonstrating against the adoption of the so-called illiteracy-test amendment to the immigration bill, which was ordered to lie on the table.

Mr. NELSON presented memorials of the congregations of the Seventh-day Adventist Churches of Stillwater, Litchfield, Foldahl, Hutchinson, Pipestone, Mankato, and Alexandria, all in the State of Minnesota, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the Minneapolis Drug Co. of Minnesota, praying for the repeal of the duty on sponges, which was referred to the Committee on Finance.

He also presented resolutions adopted by Local Branch No. 28, National Association of Letter Carriers, of St. Paul, Minn., favoring the enactment of legislation providing compensation to Federal employees injured in the line of duty, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented a memorial of sundry citizens of Salina, Kans., remonstrating against the parole of Federal life prisoners, which was ordered to lie on the table.

He also presented a memorial of Local Union No. 459, Farmers' Educational and Cooperative Union, of Caldwell, Kans., remonstrating against the passage of the so-called agricultural extension bill, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Ransom, Kans., remonstrating against the enactment of legislation authorizing the Government of the United States to issue bonds for the loan of money to the farmers of the country, which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of the congregations of the Seventh-day Adventist Churches of Great Bend and Pleasanton, in the State of Kansas, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Baldwin City, Kans., and a petition of sundry citizens of Mound Valley, Kans., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Lawrence, Kans., praying that an investigation be made into the refusal of the Department of the Interior to permit the leasing of Osage Indian lands to the Uncle Sam Oil Co., etc., which was referred to the Committee on Public Lands.

Mr. SUTHERLAND presented a resolution adopted by the German-American Historical Society of Philadelphia, Pa., favoring an appropriation for the erection of a national archives building in the city of Washington, D. C., which was referred to the Committee on Public Buildings and Grounds.

He also presented a memorial of the congregation of the Seventh-day Adventist Church of Provo, Utah, 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.

Mr. GARDNER presented a petition of Local Grange, Patrons of Husbandry, of Hartland, Me., and a petition of Mystic Tie Grange, Patrons of Husbandry, of Kenduskeag, Me., praying for the passage of the so-called Page vocational education bill, which were ordered to lie on the table.

Mr. RICHARDSON presented a petition of the congregation of the First Baptist Church of Dover, Del., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which was ordered to lie on the table.

Mr. HITCHCOCK presented memorials of the congregations of the Seventh-day Adventist Churches of Bridgeport, Crawford, Sartoria, Bartley, and Holbrook, all in the State of Nebraska, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. PENROSE presented a resolution adopted by the board of directors of the Philadelphia Bourse, of Pennsylvania, and a resolution adopted by the Board of Trade of Philadelphia, Pa., praying for a reduction to 1 cent of the rate of postage on first-class mail matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by members of the Board of Trade of Philadelphia, Pa., favoring an appropriation for the erection of a customhouse building at that port, etc., which was referred to the Committee on Public Buildings and Grounds.

Mr. SHIVELY presented memorials of the congregations of the Seventh-day Adventist Churches of Peru, Unionville, Pleasant View, and Kennard, all in the State of Indiana, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

He also presented memorials of W. H. Mack, B. E. Kirkpatrick, Dr. T. W. Powell, and 56 other citizens of South Bend, Ind., remonstrating against the repeal of the law providing for the closing of post offices on Sunday, which were referred to the Committee on Post Offices and Post Roads.

Mr. McLEAN presented a petition of the State board of agriculture of Connecticut, praying for the passage of the so-called agricultural extension bill, which was ordered to lie on the table.

Mr. CRANE presented a petition of sundry citizens of Ashburnham, Mass., praying for the passage of the so-called Kenyon "red light" injunction bill, which was ordered to lie on the table.

Mr. BROWN presented a petition of sundry citizens of Minden, Nebr., praying for the passage of the so-called Kenyon "red light" injunction bill, which was ordered to lie on the table.

He also presented petitions of the Central Labor Union of Lincoln, Nebr.; of the Central Labor Union of Elkhart, Ind.; of the Boot and Shoe Workers' Union of Therrin, Ill.; and of the Boot and Shoe Workers' Association of Brockton, Mass., praying for the enactment of legislation to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured by convict labor or in any prison or reformatory, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Laurel, Nebr., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which was ordered to lie on the table.

Mr. ROOT presented a petition of M. D. Russell Camp, No. 2, United Spanish War Veterans, of Troy, N. Y., praying for the enactment of legislation granting pensions to widows and minor children of Spanish War veterans, which was referred to the Committee on Pensions.

He also presented memorials of sundry members of the Seventh-day Adventist Churches of Adams Center, Lincklaen Center, Albany, Oneida, Elmira, Schenectady, West Pierpont, Jeddo, Ogdensburg, Watertown, Olean, Vienna, Rome, Lockport, Ellicottville, and Buffalo, all in the State of New York, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. POINDEXTER presented resolutions adopted by members of the Benevolent and Protective Order of Elks of Bremerton, Wash., favoring an appropriation for the purchase of Mount Vernon by the Government, which were referred to the Committee on the Library.

Mr. GALLINGER presented the petition of Rev. Henry G. Ives, of Proctor Academy, Andover, N. H., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SUTHERLAND, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 7772) to authorize the condemnation of land for a park at the intersection of Twenty-sixth Street, Twenty-seventh Street, and Q Street NW., and a highway from said park along the boundary of Oak Hill Cemetery and across the north part of square 1284 to Twenty-ninth and R Streets, reported it with an amendment and submitted a report (No. 1157) thereon.

Mr. MARTIN of Virginia, from the Committee on Commerce, to which was referred the bill (S. 8182) granting to the Inter-City Bridge Co., its successors and assigns, the right to construct, acquire, maintain, and operate a railway bridge across the Mississippi River, reported it without amendment and submitted a report (No. 1158) thereon.

Mr. McCUMBER, from the Committee on Pensions, submitted a report (No. 1155), accompanied by a bill (S. 8274) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 43. William Q. Mahan.
S. 646. Elmer Howe.
S. 657. Annie George.

S. 716. Flavius J. Jordan.
S. 929. Ellen E. Payne.
S. 1017. Sarah A. Perkins.
S. 1034. John Murphy.
S. 1906. John M. Guthrie.
S. 2368. Fannie L. Graham.
S. 2431. Reuben Bronson.
S. 2523. Mary E. Briggs.
S. 2686. Susannah Elmore.
S. 2984. John Dodgion.
S. 3230. Wiley C. Hunter.
S. 3430. James A. Swaney.
S. 3450. Aldano Neal.
S. 3521. Samuel Elliott.
S. 3537. William Cook.
S. 3544. Henry E. Hayes.
S. 3670. Samuel M. Skelton.
S. 3671. Elijah H. Spencer.
S. 3724. James H. Cowan.
S. 3731. William H. Chapman.
S. 3735. Warner P. Price.
S. 3744. Jacob Bowser.
S. 3785. Henry Basemann.
S. 3789. Elmer Joseph.
S. 3790. Lorenzo Birch.
S. 3919. Daniel Van Syckel.
S. 3976. Frederick H. Williams.
S. 3982. Titus Rexroad (now known as Titus S. Rector).
S. 4122. Martha A. Johnson.
S. 4177. John Moulton.
S. 4199. James B. Davis.
S. 4532. Sarah F. Elwell.
S. 4921. Lyman B. Gillett.
S. 4971. Sarah J. Wilson.
S. 5000. Oliver Jones.
S. 5103. Abel Grovenor.
S. 5236. Henry Harris.
S. 5264. Byron M. Standish.
S. 5281. Jane Starrett.
S. 5531. William H. Warren.
S. 5634. George W. Sills.
S. 5795. James R. C. Fink.
S. 5822. Arthur F. McNally.
S. 5940. Walter Niles.
S. 6005. Amos R. Sutton.
S. 6032. John H. Howlett.
S. 6106. George W. Youngs.
S. 6116. Frankie E. Bedell.
S. 6206. Joseph Cole.
S. 6211. Jonas Skinner.
S. 6280. William Monks.
S. 6291. Inger A. Steensrud.
S. 6345. Renhard Habig.
S. 6430. Marion O. Brown.
S. 6474. John E. Watkins.
S. 6552. Samuel Green.
S. 6638. George H. Batchelder.
S. 6702. George H. Torrence.
S. 6769. Levi H. Hahn.
S. 6788. Joseph Johnson.
S. 6790. Arbell Skaggs.
S. 6825. Clara H. Scott.
S. 6836. Charles W. Ash.
S. 6844. William H. Clouser.
S. 6846. Thomas S. Underwood.
S. 6900. Charlotte Lewis McMahon.
S. 7075. George W. Thompson.
S. 7092. Frederick D. Skinner.
S. 7103. Catherine Benson.
S. 7113. William Putnam.
S. 7177. Ezekiel R. Thomas.
S. 7212. Lucius E. Fletcher.
S. 7231. Samuel E. Merriam.
S. 7233. William J. Heal.
S. 7234. Andrew E. Clark.
S. 7235. Isaac A. Conant.
S. 7314. Thomas McKenna.
S. 7345. Ophelia A. Comstock.
S. 7359. Mary J. Weeks.
S. 7386. Luriette S. Case.
S. 7417. Adaline Minnett.
S. 7477. John G. K. Ayers.
S. 7541. Anna M. Johnson.
S. 7555. Thomas B. Foutty.
S. 7575. Moses Rowell.
S. 7616. Huldah Nesbitt.
S. 7645. Charles S. Penley.
S. 7646. David H. Gray.
S. 7682. John Snyder.
S. 7710. Mary M. Croft.
S. 7712. Riley Hawley.
S. 7823. Mary E. Workman.
S. 7857. Hellen L. Chatfield.
S. 7900. John Sanderson.
S. 7922. Caroline J. McBratney.
S. 7949. John C. Vennum.
S. 7964. John Painter.
S. 7965. Lefford Mathews.
S. 7981. Francis W. Crumpton.
S. 7986. John Wells.
S. 7995. Charles Herbstreith.
S. 8018. Joseph Girdler.
S. 8049. Harvey T. Smith.
S. 8063. Francis M. Bishop (alias Marion F. Bishop).
S. 8069. Richard T. Blaikie.
S. 8078. Marcellus B. Kent.
S. 8095. George W. Seymour.
S. 8119. Lucinda M. Fuller.
S. 8146. John Emanuel Smith.
S. 8149. Catherine Soper.

Mr. McCUMBER, from the Committee on Pensions, submitted a report (No. 1156), accompanied by a bill (S. 8275), granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 199. John W. Slaughter.
S. 443. Warren Hilliard.
S. 824. Louisa A. Thatcher.
S. 1360. George Hollederer.
S. 1766. Charles W. Camp.
S. 2213. George R. Smith.
S. 3669. Edward Seaton.
S. 3720. Florida Kennerly.
S. 3845. Charles M. Baughman.
S. 3943. Elizabeth S. Lewerenz.
S. 5751. Minnie Wadsworth Wood.
S. 5778. Francis Redmond.
S. 6015. Charles E. Harris.
S. 6236. Annie V. Smith.
S. 6969. Barbara B. Haws.
S. 7016. Martha A. Hughes.
S. 7088. Charles L. Stevens.
S. 7097. Emily W. Tilley.
S. 7228. James McMahon.
S. 7320. Israel Wood.
S. 7347. George W. Thurman.
S. 7436. Andrew G. Aiken.
S. 7458. James P. Bartlett.
S. 7579. Mary F. Read.
S. 7739. William Cornell.
S. 7756. Michael Hoffman.
S. 7808. Ornan F. Hibbard.
S. 7860. Emma Myers.
S. 7930. Frederick M. Douglass.
S. 7950. Sara S. Dowdy.
S. 8015. Green Hines.
S. 8074. Esther B. Shultz.

Mr. CUMMINS, from the Committee on the Judiciary, to which was referred the bill (H. R. 25002) to amend section 73 and section 76 of the act of August 27, 1894, reported it with amendment and submitted a report (No. 1159) thereon.

Mr. LODGE. From the Committee on Finance, I report the bill (H. R. 12813) to refund duties collected on lace-making and other machines and parts or accessories thereof imported subsequently to August 5, 1909, and prior to January 1, 1911, without amendment, and I submit a report (No. 1160) thereon. I ask that the report of the House committee be printed as the Senate report to accompany the bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

INAUGURAL CEREMONIES.

Mr. SUTHERLAND. From the Committee on Public Buildings and Grounds, I report back favorably without amendment the joint resolution (H. J. Res. 380) authorizing the granting of permits to the committee on inaugural ceremonies on the occasion of the inauguration of the President-elect on March 4, 1913, and so forth, and I ask for its immediate consideration.

I was authorized by the Committee on Public Buildings and Grounds to report this House joint resolution with an amendment providing that one of the spaces in the city of Washington, namely, that opposite the south front of the Treasury Building, should be set apart for the use of the Woman Suffrage Association upon the occasion of their pageant on the 3d day of March. But I was further instructed by the committee that if satisfactory arrangements were made in the meantime with the Secretary of War and the inaugural committee by which the ladies could have the use of this space, then I was to withhold that amendment. Those satisfactory arrangements have been made, and I am in receipt of letters, both from the War Department and from the chairman of the inaugural committee, to that effect. Therefore, in accordance with the instructions of the committee, I report the joint resolution without amendment.

The PRESIDENT pro tempore. The Senator from Utah asks for the present consideration of the joint resolution.

Mr. BRISTOW. Let us have it read. I have not the slightest idea what is in it.

The PRESIDENT pro tempore. The joint resolution will be read for the information of the Senate.

The Secretary read the joint resolution; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PANAMA CANAL TRAFFIC AND TOLLS.

Mr. SMOOT. From the Committee on Printing I report favorably, with amendments, Senate concurrent resolution 33, providing for the printing, binding, and distribution of 6,000 copies of the Report upon Panama Canal Traffic and Tolls, prepared by Emory R. Johnson, special commissioner, and I ask for its present consideration.

The amendments were, in line 3, before the word "thousand," to strike out "six" and insert "four," and in line 11, after the words "House of Representatives," to strike out "and 3,000 shall be delivered to the superintendent of the House document room for distribution" and insert "and 1,000 for the use of the Committee on Interoceanic Canals of the Senate," so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound in cloth, with accompanying maps, 4,000 copies of the Report upon Panama Canal Traffic and Tolls, prepared for the President by Emory R. Johnson, special commissioner on traffic and tolls; that the copies here ordered shall be printed from plates recently prepared for the Isthmian Canal Commission and now in the possession of the Government Printing Office; and that of the copies printed 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,000 for the use of the Committee on Interoceanic Canals of the Senate.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

STATUE OF THOMAS JEFFERSON.

Mr. SWANSON, from the Committee on Industrial Expositions, to which was referred Senate resolution 407, providing for the appointment of a committee of Senators to attend and represent the Senate at the unveiling and dedication of a memorial statue to Thomas Jefferson at St. Louis, Mo., on April 30, 1913, in commemoration of the acquisition of the Louisiana Territory, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Whereas the president of the Louisiana Purchase Exposition Co. has informed the Senate that with the approval of Congress, as expressed by an act of March 4, 1909, the Louisiana Purchase Exposition has erected upon the site of the World's Fair in the city of St. Louis a memorial to Thomas Jefferson at a cost of $450,000, in commemoration of the acquisition of the Louisiana Territory; and

Whereas this statue of Mr. Jefferson is to be unveiled and dedicated on the one hundred and tenth anniversary of the signing of the Louisiana Purchase treaty, the 30th of April, 1913; and

Whereas the trustees in charge of this great memorial have, through the president of the exposition company, requested the presence of a committee of the United States Senate to participate in the dedicatory services on the day named: Therefore be it

Resolved, That a committee of Senators, to be composed of Mr. ROOT of New York, chairman of the Committee on Industrial Expositions; Mr. BACON of Georgia, and Mr. GALLINGER of New Hampshire, the Presidents pro tempore of the Senate; Mr. MARTIN of Virginia; Mr. CUMMINS of Iowa; Mr. REED of Missouri; Mr. NELSON of Minnesota; and Mr. STONE of Missouri, be appointed to attend and represent the Senate in the unveiling and dedication of said memorial.

CAROLINE O. BALLARD.

Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 439, to pay to Caroline O. Ballard a sum equal to six months' pay of her late husband, William S. Ballard, a Senate messenger, submitted by Mr. PENROSE on the 23d instant, reported it without amendment.

CONTRIBUTIONS FOR CAMPAIGN PURPOSES.

Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 418, amending Senate resolution No. 79, agreed to August 26, 1912, submitted by Mr. CLAPP on the 6th instant, reported it without amendment.

FUNERAL EXPENSES OF THE LATE SENATOR JEFF DAVIS.

Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 425, authorizing the Secretary of the Senate to pay the actual expenses incurred by the committee attending the funeral of the late Senator JEFF DAVIS, submitted by Mr. BRISTOW on the 7th instant, reported it without amendment.

MEMORIAL SERVICES FOR THE LATE VICE PRESIDENT.

Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 435, setting apart a day for appropriate exercises in commemoration of the life, character, and public services of the late Vice President, submitted by Mr. CUMMINS on the 18th instant, reported it without amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

Mr. McCUMBER. On behalf of the senior Senator from Kansas [Mr. CURTIS], who is necessarily absent from the Senate, I introduce two bills, which I ask may be read twice by their titles and referred to the Committee on Pensions.

By Mr. McCUMBER (for Mr. CURTIS):

A bill (S. 8276) granting a pension to Emily C. Thompson; and

A bill (S. 8277) granting a pension to Mrs. John S. Brannan; to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 8278) to provide for the construction of a lighthouse and fog-signal station in the vicinity of Goose Island Flats, Delaware River, N. J.; to the Committee on Commerce.

By Mr. WORKS:

A bill (S. 8279) to amend an act approved October 1, 1890, entitled "An act to set apart certain tracts of land in the State of California as forest reservations"; to the Committee on Public Lands.

By Mr. PENROSE:

A bill (S. 8280) for the relief of Louisa Weaver; to the Committee on Claims.

A bill (S. 8281) granting an increase of pension to John R. Jones (with accompanying papers); and

A bill (S. 8282) granting a pension to Mary A. Heck (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON (for Mr. CLARK of Wyoming):

A bill (S. 8283) to promote and encourage the construction of wagon roads over the public lands of the United States; to the Committee on Public Lands.

A bill (S. 8284) granting an increase of pension to Mary R. Kendall (with accompanying paper); to the Committee on Pensions.

By Mr. GARDNER:

A bill (S. 8285) for the relief of Effie M. Rowse (with accompanying papers); to the Committee on Claims.

By Mr. CRANE:

A bill (S. 8286) for the relief of Charles A. McHugh; to the Committee on Claims.

By Mr. McLEAN:

A bill (S. 8287) granting an increase of pension to James T. Mather (with accompanying papers);

A bill (S. 8288) granting an increase of pension to Eliza A. Foulkes (with accompanying papers); and

A bill (S. 8289) granting an increase of pension to Ralph Kent, jr. (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 8290) for the erection of a public building at Washington, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. POINDEXTER:

A bill (S. 8291) granting an increase of pension to Bernhardt R. Britton; and

A bill (S. 8292) granting an increase of pension to Margaret Kuster; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BRANDEGEE submitted an amendment proposing to appropriate $80,000 for improving the harbor at New Haven, Conn., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. MARTINE of New Jersey submitted an amendment providing for the further improvement of the Hudson (North) River channel of New York Harbor, intended to be proposed by him to the river and harbor appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Commerce.

He also submitted an amendment relative to the compensation of letter carriers in the City and Rural Delivery Services and clerks in the first and second class post offices who are injured while performing their duties, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. CLARKE of Arkansas submitted an amendment providing for the revetment and improvement of the right bank of the Mississippi River near North Helena, Ark., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate $30,000 for completing the work now being done in protecting the north bank of Arkansas River in front of the Crawford County levee, south of Van Buren, and so forth, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. GRONNA submitted an amendment proposing to appropriate $10,000 for the establishment of a national game preserve, to be known as the North Dakota National Game Preserve, upon the land embraced within the boundaries of the Sully's Hill National Park, N. Dak., and so forth, intended to be proposed by him to the agriculture appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. SHIVELY submitted an amendment proposing to change the location and straighten the course of the channel of the Grand Calumet River through the lands of the Gary Land Co. and the Indiana Steel Co., and so forth, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. OWEN submitted an amendment proposing to appropriate $25,000 for payment of salaries of employees and other expenses of advertisement and sale in connection with the disposition of the unallotted lands and other tribal property belonging to the Five Civilized Tribes, and so forth, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment authorizing the Secretary of the Interior to make a per capita payment of such amounts as he may deem advisable to the enrolled members of the Five Civilized Tribes entitled under existing laws to share in the funds of those tribes, and so forth, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to expend $10,000 out of any funds in the Treasury belonging to the Choctaw Tribe of Indians of Oklahoma, for the use and benefit of the Old Goodland Indian Industrial School near Hugo, Okla., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment providing for the expenses incident to and in connection with the collection of rents of unallotted lands and tribal buildings, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. CRANE submitted an amendment proposing to appropriate $1,500 to pay to the town of Winthrop, Mass., being one-half of the cost of a sidewalk and edgestones to be constructed on that portion of Revere Street abutting the Fort Banks Military Reservation, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

CANCELLATION OF HOMESTEAD ENTRIES.

Mr. PERKY. I submit a resolution and ask unanimous consent for its present consideration.

The Secretary read the resolution (S. Res. 442), as follows:

Resolved, That the Secretary of the Interior be directed to advise the Senate whether or not the department contemplates the cancellation of any homestead entries upon any of the United States reclamation projects in Idaho because of the failure of entrymen to make payment covering the operation and maintenance charges, and if so, the names of the entrymen and a description of the location of their entries.

Mr. SMOOT. I should like to ask the Senator from Idaho if he has received any intimation that such a move was to be made on the part of the Secretary of the Interior?

Mr. PERKY. I have received information in regard to the matter from very reliable sources and from associations whose membership is directly interested in the subject.

Mr. SMOOT. I should like to have the resolution again read, as I did not hear the first part of it.

The PRESIDENT pro tempore. The resolution will be again read.

The Secretary again read the resolution.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

ERNEST C. STAHL.

Mr. CATRON. I move to reconsider the vote by which the bill (S. 7620) for the relief of Ernest C. Stahl was indefinitely postponed.

The motion to reconsider was agreed to.

Mr. CATRON. I move that the bill be recommitted to the Committee on Military Affairs.

The motion was agreed to.

NATIONAL INSTITUTE OF ARTS AND LETTERS.

Mr. ROOT. A few days ago the Senator from Massachusetts [Mr. LODGE] asked that an order be entered to recall from the House the bill (S. 4355) incorporating the National Institute of Arts and Letters, and the bill (S. 4356) incorporating the National Academy of Arts and Letters. I move that the votes by which the bill (S. 4355) incorporating the National Institute of Arts and Letters was passed be reconsidered, and that the bill be postponed indefinitely.

The motion was agreed to.

Mr. ROOT. From the Committee on the Judiciary, I report favorably without amendment the bill (H. R. 18841) incorporating the National Institute of Arts and Letters. The bill is identical with the Senate bill which has just been postponed indefinitely, and I ask unanimous consent for its present consideration.

Mr. SMITH of Georgia. Mr. President, unless it is absolutely necessary that the matter be disposed of immediately, I should like to see what the bill is before we act upon it.

Mr. LODGE. The request is simply to substitute the House bill for the Senate bill which has passed the Senate. The bills are identical. The Senate bill was recalled from the other House on my motion to permit the substitution to be made.

Mr. SMITH of Georgia. Very well.

Mr. SHIVELY. I ask that the bill be read, and I understand the Senator from New York to say that the bill is identical with the one which passed the Senate and that the only purpose of this movement is to expedite its final passage.

Mr. ROOT. Precisely.

Mr. SHIVELY. Very well.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. LODGE. Mr. President, in the absence of the Senator from New York, I made the request that the bill (S. 4355) incorporating the National Institute of Arts and Letters and the bill (S. 4356) incorporating the National Academy of Arts and Letters be recalled from the House. I ask that the order recalling Senate bill 4356 be vacated.

The PRESIDENT pro tempore. In the absence of objection that order will be made.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 26680) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WETMORE. I move that the Senate insist on its amendments and accede to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. WARREN, Mr. WETMORE, and Mr. FOSTER the conferees on the part of the Senate.

AMERICAN HOSPITAL OF PARIS.

Mr. MARTIN of Virginia submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 6380) to incorporate the American Hospital of Paris, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House, and agree to the same.

J. H. GALLINGER.
CHARLES CURTIS,
THOMAS S. MARTIN,
Managers on the part of the Senate.

HENRY D. CLAYTON,
JOHN W. DAVIS,
JOHN A. STERLING,
Managers on the part of the House.

The report was agreed to.

IMMIGRATION OF ALIENS.

Mr. LODGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses to the bill (S. 3175) entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

Strike out the text inserted by the House amendment and insert in lieu thereof the following:

"That the word 'alien' wherever used in this act shall include any person not a native born or naturalized citizen of the United States, or who has not declared his intention of becoming a citizen of the United States in accordance with law; but this definition shall not be held to include Indians not taxed or citizens of the islands under the jurisdiction of the United States That the term 'United States' as used in the title as well as in the various sections of this act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone; but if any alien shall leave the Canal Zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens. That the term 'seaman' as used in this act shall include every person signed on the ship's articles and employed in any capacity on board any vessel arriving in the United States from any foreign port or place.

"That this act shall be enforced in the Philippine Islands by officers of the General Government thereof designated by appropriate legislation of said Government.

"SEC. 2. That there shall be levied, collected, and paid a tax of $5 for every alien, including alien seamen regularly admitted as provided in this act, entering the United States. The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States, or by the alien himself if he does not come by a vessel, transportation line, or other conveyance or vehicle. The tax imposed by this section shall be a lien upon the vessel or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied on account of aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor on account of otherwise admissible residents of any possession of the United States, nor on account of aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section 23 of this act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory: *Provided further*, That said tax, when levied upon aliens entering the Philippine Islands, shall be paid into the treasury of said islands, to be expended for the benefit of such islands: *Provided further*, That in the cases of aliens applying for admission from foreign contiguous territory and rejected, the head tax collected shall upon application be refunded to the alien: *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply.

"SEC. 3. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had one or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally of the Government of the United States or of any other organized government, because of his or their official character; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons who are supported by or receive in whole or in part the proceeds of prostitution; persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; persons who have come in consequence of advertisements for laborers printed, published, or distributed in a foreign country; persons who have been deported under any of the provisions of this act, and who may again seek admission within one year from the date of such deportation, unless prior to their reembarkation at a foreign port the Secretary of Commerce and Labor shall have consented to their reapplying for admission; persons whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes; persons whose ticket or passage is paid for by any corporation, association, society, municipality, or foreign Government, either directly or indirectly; stowaways, except that any such stowaway may be admitted in the discretion of the Secretary of Commerce and Labor; all children under 16 years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe; persons who can not become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into. The provision next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchant, bankers, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or

occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 19 of this act.

"That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit:

"All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish: *Provided*, That any admissible alien or any alien heretofore or hereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relatives shall be permitted to enter. That for the purpose of ascertaining whether aliens can read the immigrant inspectors shall be furnished with slips, of uniform size, prepared under the direction of the Secretary of Commerce and Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plainly legible type in the various languages and dialects of immigrants. Each alien may designate the particular language or dialect in which he desires the examination to be made, and shall be required to read the words printed on the slip in such language or dialect. No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip. That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Commerce and Labor that they are seeking admission to the United States solely for the purpose of escaping from religious persecution; all aliens in transit through the United States; all aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this act relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign Government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *Provided further*, That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country, and the question of the necessity of importing such skilled labor in any particular instance may be determined by the Secretary of Commerce and Labor upon the application of any person interested, such application to be made before such importation, and such determination by the Secretary of Commerce and Labor to be reached after a full hearing and an investigation into the facts of the case; but such determination shall not become final until a period of 30 days has elapsed. Within three days after such determination the Secretary of Commerce and Labor shall cause to be published a brief statement reciting the substance of the application, the facts presented at the hearing and his determination thereon, in three daily newspapers of general circulation in three of the principal cities of the United States. At any time during said period of 30 days any person dissatisfied with the ruling may appeal to the district court of the United States of the district into which the labor is sought to be brought, which court or the judge thereof in vacation shall have jurisdiction to try de novo such question of necessity, and the decision in such court shall be final. Such appeal shall operate as a supersedeas: *Provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants: *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign Government to its citizens or subjects to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holder to come to the continental territory of the United States to the detriment of labor conditions therein, the President shall refuse to permit such citizens or subjects of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone: *Provided further*, That nothing in this act shall be construed to prevent, hinder, or restrict any alien exhibitor, or holder of a concession or privilege for any fair or exposition authorized by act of Congress, from bringing into the United States, under contract, such alien mechanics, artisans, agents, or other employees, natives of his country, as may be necessary for installing or conducting his exhibit or for preparing for installing or conducting any business authorized or permitted under any concession or privilege which may have been or may be granted by any such fair or exposition in connection therewith, under such rules and regulations as the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, may prescribe both as to the admission and return of such persons: *Provided further*, That nothing in this act shall be construed to apply to accredited officials of foreign Governments nor to their suites, families, or guests: *Provided further*, That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

"SEC. 4. That the importation into the United States of any alien for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States any alien for the purpose of prostitution or for any other immoral purpose, or shall hold or attempt to hold any alien for any such purpose in pursuance of such illegal importation, or shall keep, maintain, control, support, employ, or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose, any alien, in pursuance of such illegal importation, shall in every such case be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment for a term of not more than 10 years and by a fine of not more than $5,000. Jurisdiction for the trial and punishment of the felonies hereinbefore set forth shall be in any district to or into which said alien is brought in pursuance of said importation by the person or persons accused, or in any district in which a violation of any of the foregoing provisions of this section occur. That any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this act which relate to prostitutes, procurers, or other like immoral persons, attempt thereafter to return to or to enter the United States shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment for a term of not more than two years. In all prosecutions under this section the testimony of a husband or wife shall be admissible and competent evidence against a wife or husband.

"SEC. 5. That it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to induce, assist, encourage, or solicit the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the provisions of section 3 of this act, and for every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for every such offense the sum of $1,000, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid, as debts of like amount are now recovered in the courts of the United States; or for every violation of the provisions hereof the person violating the same may be prosecuted in a criminal action for a misdemeanor, and on conviction thereof shall be punished by a fine of $1,000, or by imprisonment for a term of not less than six months nor more than two years; and under either the civil or the criminal procedure mentioned separate suits or prosecutions may be brought for each alien thus offered or promised employment as aforesaid.

"SEC. 6. That it shall be unlawful and be deemed a violation of section 5 of this act to induce, assist, encourage, or solicit any alien to come into the United States by promise of employment through advertisements printed, published, or distributed in any foreign country, whether such promise is true or false, and either the civil or the criminal penalty imposed by said section shall be applicable to such a case: *Provided*, That States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States may advertise, and by written or oral communication with prospective alien settlers make known, the inducements they offer for immigration thereof, respectively.

"SEC. 7. That it shall be unlawful for any person, association, society, company, partnership, corporation, or others engaged in the business of transporting aliens to the United States, including owners, masters, officers, and agents of vessels, directly or indirectly, by writing, printing, or oral representation, to solicit, invite, or encourage any alien to come into the United States, and anyone violating any provision hereof shall be subject to either the civil or the criminal prose-

cution prescribed by section 5 of this act; or if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any owner, master, officer, or agent of a vessel has brought or caused to be brought to a port of the United States any alien so solicited, invited, or encouraged to come by such owner, master, officer, or agent, such owner, master, officer, or agent shall pay to the collector of customs of the customs district in which the port of arrival is located or in which any vessel of the line may be found the sum of $400 for each and every such violation; and no vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, or while the fine imposed remains unpaid; nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit with the collector of customs of a sum sufficient to cover such fine: *Provided further*, That whenever it shall be shown to the satisfaction of the Secretary of Commerce and Labor that the provisions of this section are persistently violated by or on behalf of any transportation company, it shall be the duty of said Secretary to deny to such company the privilege of landing alien immigrant passengers of any or all classes at United States ports for such a period as in his judgment may be necessary to insure an observance of such provisions: *Provided further*, That this section shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements confined strictly to stating the sailings of their vessels and terms and facilities of transportation therein.

"SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter or to reside within the United States under the terms of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $1,000, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.

"SEC. 9. That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel, to bring to the United States any alien afflicted with idiocy, insanity, imbecility, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation, and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time, such person or transportation company, or the master, agent, owner, or consignee of any such vessel, shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $200 for each and every violation of the provisions of this section. It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any mental or physical defect of a nature which may affect his ability to earn a living, as contemplated in section 3 of this act, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was so afflicted at the time of foreign embarkation, and that the existence of such mental or physical defect might have been detected by means of a competent medical examination at such time, such person shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $25 for each and every violation of this provision. It shall also be unlawful for any such person to bring to any port of the United States any alien who is excluded by the provisions of section 3 of this act because unable to read or who can not become eligible, under existing law, to become a citizen of the United States by naturalization, as provided in section 3 of this act, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that these disabilities might have been detected by the exercise of reasonable precaution prior to the departure of such aliens from a foreign port such person shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $100 for each and every violation of this provision. And no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, or while the fine remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.

"SEC. 10. That it shall be the mandatory and unqualified duty of every person, including owners, officers, and agents of vessels or transportation lines, other than those lines which may enter into a contract as provided in section 23 of this act, bringing an alien to any seaport or land border port of the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and on conviction thereof shall be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment; or, if in the opinion of the Secretary of Commerce and Labor it is impracticable or inconvenient to prosecute the owner, master, officer, or agent of any such vessel, a pecuniary penalty of $1,000 shall be a lien upon the vessel whose owner, master, officer, or agent violates the provisions of this section, and such vessel shall be libeled therefor in the appropriate United States court.

"SEC. 11. That whenever he may deem such action necessary the Secretary of Commerce and Labor may, at the expense of the appropriation for the enforcement of this act, detail immigrant inspectors and matrons of the United States Immigration Service for duty on vessels carrying immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. On such voyages said inspectors and matrons shall remain in that part of the vessel where immigrant passengers are carried. It shall be the duty of such inspectors and matrons to observe such passengers during the voyage, and report to the immigration authorities in charge at the port of landing any information of value in determining the admissibility of such passengers under the laws regulatng immigration of aliens into the United States. It shall further be the duty of such inspectors and matrons to observe violations of the provisions of such laws and the violation of such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treatment of immigrant passengers at sea, and report the same to the proper United States officials at ports of landing. Whenever the Secretary of Commerce and Labor so directs, a surgeon of the United States Public Health Service, detailed to the Immigration Service, not lower in rank than a passed assistant surgeon, shall be received and carried on any vessel transporting immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. Such surgeons shall be permitted to investigate and examine the condition of all immigrant and emigrant passengers in relation to any provisions of the laws regulating the immigration of aliens into the United States and such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treatment of immigrant passengers at sea, and shall immediately report any violation of said laws to the master or commanding officer of the vessel, and shall also report said violations to the Secretary of Commerce and Labor within 24 hours after the arrival of the vessel at the port of entry in the United States. Such surgeon shall accompany the master or captain of the vessel in his visits to the sanitary officers of the ports of call during the voyage, and, should contagious or infectious diseases prevail at any port where passengers are received, he shall request all reasonable precautionary measures for the health of persons on board. Such surgeon on arrival at ports of the United States shall also, if requested by the examining board, furnish any information he may possess in regard to immigrants arriving on the vessel to which he has been detailed. While on duty such surgeons shall wear the prescribed uniform of their service and shall be provided with first-class accommodations on such vessel at the expense of the appropriation for the enforcement of this act. For every violation of this section any person, including any transportation company, owning or operating the vessel in which such violation occurs shall pay to the collector of customs of the customs district in which the next United States port of arrival is located the sum of $1,000 for each and every day during which such violation continues, the term "violation" to include the refusal of any person having authority so to do to permit any such immigrant inspector, matron, or surgeon to be received on board such vessel, as provided in this section, and also the refusal of the master or commanding officer of any such vessel to permit the inspections

and visits of any such surgeon, as provided in this section, and no vessel shall be granted clearance papers pending the determination of the question of the liability of such fine, or while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of all such questions upon the deposit of a sum sufficient to cover such fines and costs, such sum to be named by the Secretary of Commerce and Labor.

"SEC. 12. That upon the arrival of any alien by water at any point within the United States on the North American Continent from a foreign port or a port of the Philippine Islands, Guam, Porto Rico, or Hawaii, or at any port of the said insular possessions from any foreign port, from a port in the United States on the North American Continent, or from a port of another insular possession of the United States, it shall be the duty of the master or commanding officer, owners, or consignees of the steamer, sailing, or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, contain full and accurate information as to each alien as follows: Full name, age, and sex; whether married or single; calling or occupation; personal description (including height, complexion, color of hair and eyes, and marks of identification); whether able to read; nationality; country of birth; race; country of last permanent residence; name and address of the nearest relative in the country from which the alien came; seaport for landing in the United States; final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; by whom passage was paid; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether a person who believes in or advocates the overthrow by force or violence of the Government of the United States or of all forms of law, or who disbelieves in or is opposed to organized government, or who advocates the assassination of public officials, or is a member of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States; the alien's condition of health, mental and physical; whether deformed or crippled, and if so, for how long and from what cause; and such master or commanding officer, owners, or consignees shall also furnish information in relation to the sex, age, class of travel, and the foreign port of embarkation of arriving passengers who are United States citizens. That it shall further be the duty of the master or commanding officer of every vessel taking passengers from any port of the United States on the North American Continent to a foreign port or a port of the Philippine Islands, Guam, Porto Rico, or Hawaii, or from any port of the said insular possession to any foreign port, to a port of the United States on the North American Continent, or to a port of another insular possession of the United States to file with the immigration officials before departure a list which shall contain full and accurate information in relation to the following matters regarding all alien passengers, and all citizens of the United States or insular possessions of the United States departing with the stated intent to reside permanently in a foreign country, taken on board: Name, age, and sex; whether married or single; calling or occupation; whether able to read; nationality; country of birth; country of which citizen or subject; race; last permanent residence in the United States or insular possessions thereof; if a citizen of the United States or of the insular possessions thereof, whether native born or naturalized; intended future permanent residence; and time and port of last arrival in the United States or insular possessions thereof; and such master or commanding officer shall also furnish information in relation to the sex, age, class of travel, and port of debarkation of the United States citizens departing who do not intend to reside permanently in a foreign country, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the immigration officials at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each person of the classes specified taken on board his vessel; and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section 14 of this act: *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date: *Provided further*, That it shall be the duty of immigration officials to record the following information regarding every resident alien and citizen leaving the United States by way of the Canadian or Mexican borders for permanent residence in a foreign country: Name, age, and sex; whether married or single; calling or occupation; whether able to read; nationality; country of birth; country of which citizen or subject; race; last permanent residence in the United States; intended future permanent residence; and time and port of last arrival in the United States; and if a United States citizen, whether native born or naturalized.

"SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, the names of those coming from the same locality to be assembled so far as practicable, and no one list or manifest shall contain more than 30 names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, etc., is contained, and his number on said list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is of any of the classes excluded from admission into the United States by section 3 of this act, and that also according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessels, and the manifests shall be verified by such surgeon before a United States consular officer.

"SEC. 14. That it shall be unlawful for the master or commanding officer of any vessel bringing aliens into or carrying aliens out of the United States to refuse or fail to deliver to the immigration officials the accurate and full manifests or statements or information regarding all aliens on board or taken on board such vessel required by this act, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that there has been such a refusal or failure, or that the lists delivered are not accurate and full, such master or commanding officer shall pay to the collector of customs at the port of arrival or departure the sum of $10 for each alien concerning whom such accurate and full manifest or statement or information is not furnished, or concerning whom the manifest or statement or information is not prepared and sworn to as prescribed by this act. No vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, or while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit with the collector of customs of a sum sufficient to cover such fine.

"SEC. 15. That upon the arrival at a port of the United States of any vessel bringing aliens it shall be the duty of the proper immigration officials to go or to send competent assistants to the vessel and there inspect all such aliens, or said immigration officials may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of

this act bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where removal is made to premises owned or controlled by the United States, said transportation lines, masters, agents, owners, or consignees, and each of them shall, so long as detention there lasts, be relieved of responsibility for the safekeeping of such aliens. Whenever a temporary removal of aliens is made the transportation lines which brought them and the masters, owners, agents, and consignees of the vessel upon which they arrive shall pay all expenses of such removal and all expenses arising during subsequent detention, pending decision on the aliens' eligibility to enter the United States and until they are either allowed to land or returned to the care of the line or to the vessel which brought them, such expenses to include those of maintenance, medical treatment in hospital or elsewhere, burial in the event of death, and transfer to the vessel in the event of deportation, excepting only where they arise under the terms of any of the provisos of section 18 thereof. Any refusal or failure to comply with the provisions hereof to be punished in the manner specified in section 18 of this act.

"SEC. 16. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine, and who shall certify, for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien; or, should medical officers of the United States Public Health Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor. Medical officers of the United States Public Health Service who have had especial training in the diagnosis of insanity and mental defect shall be detailed for duty or employed at all large ports of entry, and such medical officers shall be provided with suitable facilities for the detention and examination of all arriving aliens in whom insanity or mental defect is suspected, and the services of interpreters shall be provided for such examination. That the inspection, other than the physical and mental examination, of aliens, including those seeking admission or readmission to or the privilege of passing through or residing in the United States, and the examination of aliens arrested within the United States under this act, shall be conducted by immigrant inspectors, except as hereinafter provided in regard to boards of special inquiry. Immigrant inspectors are hereby authorized and empowered to board and search for aliens any vessel, railway car, conveyance, or vehicle in which they believe aliens are being brought into the United States. Said inspectors shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter, reenter, pass through, or reside in the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered, under the provisions of this act, who shall knowingly or willfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission, or readmission to, or to pass through, or to reside in the United States shall be deemed guilty of perjury and be punished as provided by section 125 of the act approved March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States." Any commissioner of immigration or inspector in charge shall also have power to require the attendance and testimony of witnesses before said inspectors and the production of books, papers, and documents touching the right of any alien to enter, reenter, reside in, or pass through the United States, and to that end may invoke the aid of any court of the United States; and any district court within the jurisdiction of which investigations are being conducted by an immigrant inspector may, in the event of neglect or refusal to respond to a subpœna issued by any commissioner of immigration or inspector in charge, or refusal to testify before said immigrant inspector, issue an order requiring such person to appear before said immigrant inspector, produce books, papers, and documents if demanded, and testify; and any failure to obey such order of the court shall be punished by the court as a contempt thereof. That any person, including employees, officials, or agents of transportation companies, who shall assault, resist, prevent, impede, or interfere with any immigration official or employee in the performance of his duty under this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment for a term of not less than six months nor more than two years, or by a fine of not less than two hundred nor more than two thousand dollars; and any person who shall use any deadly or dangerous weapon in resisting any immigration official or employee in the performance of his duty shall be deemed guilty of a felony and shall on conviction thereof be punished by imprisonment for not less than 1 nor more than 10 years. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry. In the event of rejection by the board of special inquiry, in all cases where an appeal to the Secretary of Commerce and Labor is permitted by this act, the alien shall be so informed and shall have the right to be represented by counsel or other advisor on such appeal. The decision of an immigrant inspector, if favorable to the admission of any alien, shall be subject to challenge by any other immigrant inspector, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation.

"SEC. 17. That boards of special inquiry shall be appointed by the commissioner of immigration or inspector in charge at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of the law. Each board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards. When in the opinion of the Secretary of Commerce and Labor the maintenance of a permanent board of special inquiry for service at any sea or land border port is not warranted, regularly constituted boards may be detailed from other stations for temporary service at such port, or, if that be impracticable, the Secretary of Commerce and Labor shall authorize the creation of boards of special inquiry by the immigration officials in charge at such ports, and shall determine what Government officials or other persons shall be eligible for service on such boards. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before such boards shall be separate and apart from the public. Such boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision, which shall be rendered solely upon the evidence adduced before the board of special inquiry. In every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of a board of special inquiry if adverse to the admission of such alien shall be final, unless reversed on appeal to the Secretary of Commerce and Labor: *Provided*, That the decision of a board of special inquiry, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis in any form or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section 3 of this act.

"SEC. 18. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back, in accommodations of the same class in which they arrived, to the country whence they respectively came, on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came. That it shall be unlawful for any master, purser, person in charge, agent, owner, or consignee of any such vessel to refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens; or to fail to detain them thereon; or to refuse or fail to return them in the manner aforesaid to the foreign port from which they came; or to pay the cost of their maintenance while on land; or to make any charge for the return of any such alien; or to take any security from him for the payment of such charge; or to take any consideration to be returned in case the alien is landed; or knowingly to bring to the United States at any time within one year from the date of deportation any alien rejected or arrested and deported under any provision of this act, unless

prior to reembarkation the Secretary of Commerce and Labor has consented that such alien shall reapply for admission, as required by section 3 hereof; and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that such master, purser, person in charge, agent, owner, or consignee has violated any of the foregoing provisions such master, purser, person in charge, agent, owner, or consignee shall pay to the collector of customs of the customs district in which the port of arrival is located, or in which any vessel of the line may be found, the sum of $300 for each and every violation of any provision of this section; and no vessel shall have clearance from any port of the United States while any such fine is unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit with the collector of customs of a sum sufficient to cover such fine. If the vessel by which any alien ordered deported came has left the United States and it is impracticable for any reason to deport the alien within a reasonable time by another vessel owned by the same interests, the cost of deportation may be paid by the Government and recovered by civil suit from any agent, owner, or consignee of the vessel: *Provided further*, That the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner General of Immigration, the deportation of any alien found to have come in violation of any provision of this act if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this act; and the cost of maintenance of any person so detained resulting from such suspension of deportation, and a witness fee in the sum of $1 per day for each day such person is so detained, may be paid from the appropriation for the enforcement of this act, or such alien may be released under bond, in the penalty of not less than $500, with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required as a witness and for deportation. No alien certified, as provided in section 16 of this act, to be suffering from tuberculosis in any form, or from a loathsome or dangerous contagious disease other than one of quarantinable nature, shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor: *Provided further*, That upon the certificate of a medical officer of the United States Public Health Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the appropriation for the enforcement of this act, be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported: *Provided further*, That upon the certificate of a medical officer of the United States Public Health Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.

"SEC. 19. That any alien, at any time within three years after entry, who shall enter the United States in violation of law; any alien who within three years after entry becomes a public charge from causes existing prior to the landing; except as hereinafter provided, any alien who is hereafter sentenced to imprisonment for a term of one year or more because of conviction in this country of a crime involving moral turpitude, committed within three years after the entry of the alien to the United States; any alien who shall be found an inmate of or connected with the management of a house of prostitution or practicing prostitution after such alien shall have entered the United States, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute; any alien who is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists, protects, or promises to protect from arrest any prostitute; any alien who shall import or attempt to import any person for the purpose of prostitution or for any other immoral purpose; any alien who, after being excluded and deported or arrested and deported as a prostitute, or as a procurer, or as having been connected with the business of prostitution or importation for prostitution or other immoral purposes in any of the ways hereinbefore specified, shall return to and enter the United States; any alien convicted and imprisoned for a violation of any of the provisions of section 4 hereof; any alien, at any time within three years after entry, who shall enter the United States by water at any time or place other than as designated by immigration officials, or by land at any place other than one designated as a port of entry for aliens by the Commissioner General of Immigration, or at any time not designated by immigration officials, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported: *Provided*, That the provision of this section respecting the deportation of aliens convicted of a crime involving moral turpitude shall not apply to one who has been pardoned, nor shall such deportation be made or directed if the court sentencing such alien for such crime shall, at the time of imposing judgment or passing sentence, make a recommendation to the Secretary of Commerce and Labor that such alien shall not be deported in pursuance of this act; nor shall any alien convicted as aforesaid be deported until after the termination of his imprisonment: *Provided further*, That the provisions of this section, with the exceptions hereinbefore noted, shall be applicable to the classes of aliens therein mentioned irrespective of the time of their entry into the United States. In every case where any person is ordered deported from the United States under the provisions of this act or of any law or treaty now existing, the decision of the Secretary of Commerce and Labor shall be final.

"SEC. 20. That the deportation of aliens provided for in this act shall, at the option of the Secretary of Commerce and Labor, be to the country whence they came or to the foreign port at which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such territory; or, if such aliens entered foreign contiguous territory from the United States and later entered the United States, or if such aliens are held by the country from which they entered the United States not to be subjects or citizens of such country, and such country refuses to permit their reentry, or imposes any condition upon permitting reentry, then to the country of which such aliens are subjects or citizens, or to the country in which they resided prior to entering the country from which they entered the United States. If effected at any time within five years after the entry of the alien, such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States. or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the appropriation for the enforcement of this act, and the deportation from such port shall be at the expense of the owner or owners of such vessels or transportation line by which such aliens respectively came, or, if that is not practicable, at the expense of the appropriation for the enforcement of this act. If such deportation is effected later than five years after the entry of the alien, or, if the deportation is made by reason of causes arising subsequent to entry, the cost thereof shall be payable from the appropriation for the enforcement of this act. A failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and transport to the destination specified any alien ordered to be deported under the provisions of this act shall be punished by the imposition of the penalties prescribed in section 18 of this act: *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner. Pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than $500 with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.

"SEC. 21. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis in any form or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof, holding the United States and all States, Territories, counties, towns, municipalities, and districts

thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district, county, town, or municipality in which such alien becomes a public charge.

"SEC. 22. That wherever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable or whether they can be permitted to land without any danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable and the husband or father or other responsible person is willing to bear the expense of the treatment, they may be accorded treatment in hospital until cured and then be admitted, or if it shall be determined that they can be permitted to land without danger to other persons, they may, if otherwise admissible, thereupon be admitted.

"SEC. 23. That the Commissioner General of Immigration shall perform all his duties under the direction of the Secretary of Commerce and Labor. Under such direction he shall have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder; he shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid, and to remove to their native country, at any time within three years after entry, at the expense of the appropriations for the enforcement of this act, such as fall into distress or need public aid from causes arising subsequent to their entry and are desirous of being so removed; he shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy persons in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose; it shall be the duty of the Commissioner General of Immigration to detail officers of the Immigration Service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges. He may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this act, detail immigration officers, and also surgeons of the United States Public Health Service employed under this act for service in foreign countries. The duties of commissioners of immigration and other immigration officials in charge of districts, ports, or stations shall be of an administrative character, to be prescribed in detail by regulations prepared under the direction or with the approval of the Secretary of Commerce and Labor: *Provided*, That for the purpose of making effective the provisions of this section relating to the protection of aliens from fraud and loss, and also the provisions of section 30 of this act, relating to the distribution of aliens, the Secretary of Commerce and Labor shall establish and maintain immigrant stations at such interior places as may be necessary, and, in the discretion of the said Secretary, aliens in transit from ports of landing to such interior stations shall be accompanied by immigrant inspectors.

"SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or decreased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner General of Immigration and in accordance with the provisions of the civil-service act of January 16, 1883: *Provided*, That said Secretary, in the enforcement of that portion of this act which excludes contract laborers, may employ, without reference to the provisions of the said civil-service act, or to the various acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw annually from the appropriation for the enforcement of this act $50,000, or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation act approved August 18, 1894, or the official status of such commissioners heretofore appointed.

"SEC. 25. That the district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this act. That it shall be the duty of the United States district attorney of the proper district to prosecute every such writ when brought by the United States under this act. Such prosecutions or suits may be instituted at any place in the United States at which the violation may occur or at which the person charged with such violation may be found. That no suit or proceeding for a violation of the provisions of this act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

"SEC. 26. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe, and all receipts accruing from the disposal of such exclusive privileges shall be paid into the Treasury of the United States. No intoxicating liquors shall be sold at any such immigrant station.

"SEC. 27. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

"SEC. 28. That any person who knowingly aids or assists any anarchist or any person who believes in or advocates the overthrow by force or violence of the Government of the United States, or who disbelieves in or is opposed to organized government, or all forms of law, or who advocates the assassination of public officials, or who is a member of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, to enter the United States, or who connives or conspires with any person or persons to allow, procure, or permit any such anarchist or person aforesaid to enter therein shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not more than $5,000 or by imprisonment for not more than five years, or both.

"SEC. 29. That the President of the United States is authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign Governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who,

under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

"SEC. 30. That there shall be maintained a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical and other assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall be had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

"SEC. 31. That any person, including the owner, agent, consignee, or master of any vessel arriving in the United States from any foreign port or place, who shall knowingly sign on the ship's articles, or bring to the United States as one of the crew of such vessel, any alien, with intent to permit such alien to land in the United States in violation of the laws and treaties of the United States regulating the immigration of aliens, or who shall falsely and knowingly represent to the immigration authorities at the port of arrival that any such alien is a bona fide member of the crew, shall be liable to a penalty not exceeding $5,000, for which sum the said vessel shall be liable and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense.

"SEC. 32. That no alien excluded from admission into the United States by any law or treaty of the United States regulating the immigration of aliens, and employed on board any vessel arriving in the United States from any foreign port or place, shall be permitted to land in the United States, except temporarily for medical treatment, or pursuant to regulations prescribed by the Secretary of Commerce and Labor providing for the ultimate removal or deportation of such alien from the United States, and the negligent failure of the owner, agent, consignee, or master of such vessel to detain on board any such alien after notice in writing by the immigration officer in charge at the port of arrival, and to deport such alien, if required by such immigration officer or by the Secretary of Commerce and Labor, shall render such owner, agent, consignee, or master liable to a penalty not exceeding $1,000, for which sum the said vessel shall be liable, and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense.

"SEC. 33. That it shall be unlawful and be deemed a violation of the preceding section to pay off or discharge any alien employed on board any vessel arriving in the United States from any foreign port or place, unless duly admitted pursuant to the laws and treaties of the United States regulating the immigration of aliens: *Provided*, That in case any such alien intends to reship on board any other vessel bound to any foreign port or place he shall be allowed to land for the purpose of so reshipping, and may be paid off, discharged, and permitted to remove his effects, anything in such laws or treaties or in this act to the contrary notwithstanding, provided due notice of such proposed action first be given to the principal immigration officer in charge at the port of arrival.

"SEC. 34. That any alien seaman who shall desert his vessel in a port of the United States or who shall land therein contrary to the provisions of this act shall be deemed to be unlawfully in the United States, and shall, at any time within three years thereafter, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and brought before a board of special inquiry for examination as to his qualifications for admission to the United States, and if not admitted said alien seaman shall be deported at the expense of the appropriation for this act as provided in section 20 of this act.

"SEC. 35. That it shall be unlawful for any vessel carrying passengers between a port of the United States and a port of a foreign country, upon arrival in the United States, to have on board employed thereon any alien afflicted with idiocy, imbecility, insanity, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease, if it appears to the satisfaction of the Secretary of Commerce and Labor, from an examination made by a medical officer of the United States Public Health Service, and is so certified by such officer, that any such alien was so afflicted at the time he was shipped or engaged and taken on board such vessel and that the existence of such affliction might have been detected by means of a competent medical examination at such time; and for every such alien so afflicted on board any such vessel at the time of arrival the owner, agent, consignee, or master thereof shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $25; and no vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine and while it remains unpaid: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine: *Provided further*, That such fine may, in the discretion of the Secretary of Commerce and Labor, be mitigated or remitted.

"SEC. 36. That upon arrival of any vessel in the United States from any foreign port or place it shall be the duty of the owner, agent, consignee, or master thereof to deliver to the principal immigration officer in charge of the port of arrival lists containing the names of all aliens employed on such vessel, stating the positions they respectively hold in the ship's company, when and where they were respectively shipped or engaged, and specifying those to be paid off and discharged in the port of arrival; or lists containing so much of such information as the Secretary of Commerce and Labor shall by regulation prescribe; and after the arrival of any such vessel it shall be the duty of such owner, agent, consignee, or master to report to such immigration officer, in writing, as soon as discovered, all cases in which any such alien has deserted the vessel, giving a description of such alien, together with any information likely to lead to his apprehension; and before the departure of any such vessel it shall be the duty of such owner, agent, consignee, or master to deliver to such immigration officer a further list containing the names of all alien employees who were not employed thereon at the time of the arrival, but who will leave port thereon at the time of her departure, and also the names of those, if any, who have been paid off and discharged, and of those, if any, who have deserted or landed or been duly admitted; and in case of the failure of such owner, agent, consignee, or master so to deliver either of the said lists of such aliens arriving and departing, respectively, or so to report such cases of desertion, or landing, such owner, agent, consignee, or master shall, if required by the Secretary of Commerce and Labor, pay to the collector of customs of the customs district in which the port of arrival is located the sum of $10 for each alien concerning whom correct lists are not delivered or a true report is not made as above required; and no such vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine and, in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon deposit of a sum sufficient to cover such fine.

"SEC. 37. The word 'person' as used in this act shall be construed to import both the plural and the singular, as the case may be, and shall include corporations, companies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any director, officer, agent, or employee of any corporation, company, or association acting within the scope of his employment or office shall in every case be deemed to be the act, omission, or failure of such corporation, company, or association, as well as that of the person acting for or in behalf of such corporation, company, or association.

"SEC. 38. That this act, except as otherwise provided in section 3, shall take effect and be enforced from and after July 1, 1913. The act of March 26, 1910, amending the act of February 20, 1907, to regulate the immigration of aliens into the United States; the act of February 20, 1907, to regulate the immigration of aliens into the United States, except section 34 thereof; the act of March 3, 1903, to regulate the immigration of aliens into the United States, except section 34 thereof; and all other acts and parts of acts inconsistent with this act are hereby

repealed on and after the taking effect of this act: *Provided*, That this act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section 6, chapter 453, third session, Fifty-eighth Congress, approved February 6, 1905, or the act approved August 2, 1882, entitled 'An act to regulate the carriage of passengers by sea,' and amendments thereto: *Provided*, That nothing contained in this act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this act, except as mentioned in the last proviso of section 19 hereof; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters, the laws or parts of laws repealed or amended by this act are hereby continued in force and effect."

H. C. LODGE,
WM. P. DILLINGHAM,
LE ROY PERCY,
Managers on the part of the Senate.
JOHN L. BURNETT,
AUGUSTUS P. GARDNER,
Managers on the part of the House.

Mr. LODGE. Mr. President, I regret very much to say that after the conference report had been agreed to in the other House it was found that a change which had been made in one of the Senate provisions had been put in the wrong place. The conference committee desired to mitigate or relax, if they could, the law in regard to aliens who had taken out their first papers declaring their intention to become citizens of the United States. In doing that a provision was placed at the beginning of the bill, where it would have the effect, as was found on examination, of nullifying the deportation clause in case of the white-slave traffic and also in cases of disease or crime. It therefore becomes absolutely necessary to transpose the clause to the proper place. It is with regret that I do so, Mr. President, but the error is such that it is absolutely necessary to take back the conference report, so that the error may be corrected. I therefore move that the Senate further insist on its disagreement to the amendment and ask for a further conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. LODGE, Mr. DILLINGHAM, and Mr. PERCY conferees on the part of the Senate.

PENSIONS AND INCREASE OF PENSIONS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 7160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. McCUMBER. I move that the Senate disagree to the amendments of the House of Representatives, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. GORE conferees on the part of the Senate.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 8034) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. McCUMBER. I move that the Senate disagree to the amendments of the House of Representatives, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. GORE conferees on the part of the Senate.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 8035) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors.

Mr. McCUMBER. I move that the Senate disagree to the amendments of the House of Representatives, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. GORE conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following House bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 3967. An act granting an increase of pension to John R. Fugill;

H. R. 27806. An act granting a pension to Mary MacArthur;

H. R. 27874. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 28282. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 28379. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

DONATION OF CONDEMNED CANNON.

Mr. SMITH of Georgia obtained the floor.

Mr. SANDERS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Tennessee?

Mr. SANDERS. It is for a matter which I think will cause no debate.

Mr. SMITH of Georgia. I yield.

Mr. SANDERS. I ask unanimous consent for the present consideration of the bill (S. 8273) authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls.

The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. CATRON. I move to amend the bill by inserting——

The PRESIDENT pro tempore. The Chair will first ask is there objection to the present consideration of the bill?

Mr. McCUMBER. I object. I desire to have the bill go over until to-morrow for an amendment.

Mr. SANDERS. Mr. President, I might state for the information of Senators that this is a kind of omnibus bill, covering various other bills on this subject that have been introduced, and I shall therefore feel at liberty to accept any amendment which may be suggested by the Senator from North Dakota, if he wishes to offer one on a similar line.

Mr. McCUMBER. I think there was a bill on the subject introduced last summer. I will ask the Senator if he will not allow the bill to go over until to-morrow, so that I can look into it and see what amendment I desire to offer.

The PRESIDENT pro tempore. The bill goes over on the objection of the Senator from North Dakota.

AGRICULTURAL EXTENSION DEPARTMENTS.

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of House bill 22871, known as the agricultural extension department bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 22871) to establish agricultural extension departments in connection with agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto.

The PRESIDENT pro tempore. The pending question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Vermont [Mr. PAGE].

Mr. SMITH of Georgia. Mr. President, I desire to offer two amendments to the original bill. I send them to the desk and ask that they be read.

The PRESIDENT pro tempore. The first amendment offered by the Senator from Georgia will be stated.

The SECRETARY. At the end of section 2, page 2, line 10, it is proposed to insert "and the farm management and farm practice work of the Bureau of Plant Industry of the Department of Agriculture."

Mr. SMITH of Georgia. I desire to state, Mr. President, that that is the amendment perfected by the Senator from Ohio. Representatives of the department who presented it to him have added a few more words to it. It is in the language sub-

mitted by them, with the signatures of the gentlemen who had it under consideration.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The second amendment proposed by the Senator from Georgia will be stated.

The SECRETARY. At the end of section 8 it is proposed to insert the following:

The provisions of this act are hereby extended to the Territories, namely, to Hawaii, Alaska, and Porto Rico: *Provided, however,* That no distribution of funds shall be made to the agricultural colleges of such Territories until the Secretary of Agriculture shall determine that such colleges are prepared to avail themselves of the same.

Mr. SMITH of Georgia. I wish simply to say, Mr. President, that that amendment was also prepared in deference to the request of the Senator from Wyoming [Mr. CLARK] and other Senators.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. HITCHCOCK. Mr. President, I should like to inquire of the Senator whether the amendment refers to Porto Rico as a Territory?

Mr. SMITH of Georgia. Yes; Porto Rico is referred to as a Territory.

Mr. HITCHCOCK. I think that is not technically correct.

Mr. SMITH of Georgia. I know that; and for that reason, while referring to them as Territories, the amendment names the three, because just exactly what they are I do not know.

Mr. HITCHCOCK. I shall object to that, because I think it is rather deplorable to incorporate into the law a designation of this sort which is incorrect. Hawaii is a Territory, and I suppose Alaska is or is to become one; but I suggest that, in place of using the term "Territory" in connection with Porto Rico, we insert the words "and the District of Porto Rico" or "Porto Rico," so as to make a distinction.

Mr. SMITH of Georgia. Would the Senator also say "the District of Alaska"?

Mr. HITCHCOCK. I think the language is not so objectionable with regard to Alaska.

Mr. SMOOT. Mr. President, I was informed by the Senator from Minnesota [Mr. NELSON] that the Supreme Court had decided in a certain case before the court not very long ago that Alaska is a Territory.

Mr. SMITH of Georgia. We might avoid trouble by simply retaining the three names without designating them as Territories or otherwise.

Mr. HITCHCOCK. I think that would be desirable.

Mr. CUMMINS. Mr. President, I am not opposed to the amendment at all, but I rise to make a parliamentary inquiry. As I understand, the pending question is upon the amendment proposed by the Senator from Vermont [Mr. PAGE]. Is it in order now to amend the original proposition until the substitute is perfected?

The PRESIDENT pro tempore. The Chair is clearly of the opinion that it is in order to first perfect the original bill and then the substitute will be presented.

Mr. CUMMINS. I think the Chair is right. I wish to suggest to the Senator from Vermont that he make the same modifications in his substitute that have been made in the original bill, so that it will be taken care of in either event.

The PRESIDENT pro tempore. The Senator from Georgia modifies his amendment. The amendment as modified will be read.

The SECRETARY. At the end of section 8 it is proposed to add the following:

The provisions of this act are hereby extended to Hawaii, Alaska, and Porto Rico: *Provided, however,* That no distribution of funds shall be made to the agricultural colleges of Hawaii, Alaska, and Porto Rico until the Secretary of Agriculture shall determine that such colleges are prepared to avail themselves of the same.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The PRESIDENT pro tempore. The question is now upon the amendment in the nature of a substitute.

Mr. McCUMBER. Mr. President, for the purpose of perfecting the bill I offer an amendment to come in on page 3, line 20. I ask that the amendment be read.

The PRESIDENT pro tempore. The amendment proposed by the Senator from North Dakota will be read.

The SECRETARY. On page 3, line 20, after the word "Treasury," it is proposed to insert the following:

Provided further, That no State shall pay out any part of the appropriation provided in this act to any agricultural college until the governor of said State and the Secretary of Agriculture of the United States shall jointly approve the questions or departments of study that are being or are proposed to be offered in said college or colleges.

Mr. McCUMBER. Mr. President, I made an inquiry about the necessity for this amendment when last we had the matter before us. The inquiry was assumed to be answered by reading sections of the bill, but I do not think there is anything in the bill which renders unnecessary the proposition contained in this amendment. Section 7, on page 6 of the original bill of the Senator from Vermont [Mr. PAGE], provides:

SEC. 7. That for the support in each State college of agriculture and the mechanic arts of an extension department or division the sum of $640,000 annually, beginning with the fiscal year ending June 30, 1913, of which annual appropriation $10,000 shall be allotted to each of the 48 States for the benefit of such extension departments.

The object of this amendment is to insure that this appropriation of $640,000 annually shall be given to those colleges which the governor of the State and the Secretary of Agriculture jointly shall hold are colleges whose principal purpose is instruction in agriculture, and that this is the prime purpose of the colleges. We have agricultural colleges in our States that we are unable to differentiate from any other college, except that they give some little instruction in agriculture. The course ought to be such that we would be able to differentiate the agricultural college from the ordinary State university or college. Certainly no harm can come from requiring that this sum shall be paid only when the course taught in agriculture shall be such as shall be approved by the governor of the State and by the Secretary of Agriculture.

Mr. CUMMINS. Mr. President, I ask for the reading of the amendment.

The PRESIDENT pro tempore. The proposed amendment will be again read.

The Secretary again read the proposed amendment.

Mr. SMITH of Georgia. Mr. President, I hope the amendment will not pass. Our agricultural colleges have been organized for years. The large majority of them are doing splendid work. The report of the Secretary of Agriculture shows that they receive from the States and from other sources several times as much as they receive from the National Government. At this late day, to make the departure that is proposed, that the Secretary of Agriculture shall have the right to fix the courses of study in the State colleges of agriculture, I think would be a great mistake.

I wish I could feel sure that the Government would permanently have in the office of Secretary of Agriculture a man who is the equal of the average president of the State colleges of agriculture. I do not believe there is a stronger body of men engaged in public service, certainly not in educational service, than the presidents and faculties of our colleges of agriculture. This amendment subjects their entire course of study to the approval of the Secretary of Agriculture——

Mr. TILLMAN. Whoever he may be.

Mr. SMITH of Georgia. Whoever he may be—good or bad. I think it would be a great mistake.

Mr. McCUMBER. Mr. President, I think the Senator did not listen carefully to the reading of the amendment or he would realize that he is in error in the statement that this matter is to be determined exclusively by the Secretary of Agriculture.

Mr. SMITH of Georgia. It says "the governor of said State and the Secretary of Agriculture."

Mr. McCUMBER. It is to be determined by the governor of the State and the Secretary of Agriculture.

Mr. SMITH of Georgia. But suppose they disagree? Then it has not been approved by both.

Mr. McCUMBER. I can not imagine that the Secretary of Agriculture, whose sole function is to look after the agricultural interests of the country, would disagree with the governor of the State, unless that disagreement were based upon the belief that the agricultural course was insufficient, and that in reality the funds were being used for other purposes.

The only object of this amendment is that we may know definitely what is the scope and purpose of the appropriation—that it is for agricultural purposes, and that it should be limited to agricultural purposes. The States are now appropriating enough for their State universities for general education; and if we are to appropriate the millions of dollars that are provided in this bill for agricultural purposes, there ought to be some authority to determine whether or not an institution is complying with what Congress itself intends shall be complied with in the matter of the extension of this agricultural work.

Mr. SMITH of Georgia. I understand perfectly the object of the amendment, and I sympathize, in part, with it. I am thoroughly in favor of making these agricultural colleges genuine agriculture colleges. So far as my own State is concerned,

there could be no possible embarrassment from the adoption of this measure in its practical operation, because I am glad to say that our agriculture college is distinctively an agricultural college and is subject to none of the criticisms that were evidently in the minds of those who drew the original amendment which the Senator from North Dakota presented on Friday. But I do not believe a Secretary of Agriculture ought to be given the power of passing on the courses of study in all the agricultural colleges of the United States.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. SMITH of Georgia. I do.

Mr. McCUMBER. May I ask the Senator who should have the power of determining that question?

Mr. SMITH of Georgia. I think the authorities of the State can properly determine it. I can not doubt but that there is an influence in the States for agricultural education that can be trusted. There are many whose opinions I would rather have than that of the average man who might be Secretary of Agriculture. I would rather have the opinion of the president of the Wisconsin College of Agriculture or the president of the Iowa College of Agriculture or the president of the Illinois College of Agriculture, or half a dozen more whom I might mention, than the opinions of the men I am sure would fill the office of Secretary of Agriculture. I do not think we could ask at this late time——

Mr. McCUMBER. If the Senator will allow me——

Mr. SMITH of Georgia. Let me finish my sentence, and then I will yield.

Mr. McCUMBER. Certainly.

Mr. SMITH of Georgia. At the end of 50 years of operation of our agricultural colleges, I do not think we should now undertake to remove from the present authorities their power to handle this matter.

Now, I will answer the Senator's question.

Mr. McCUMBER. There is considerable complaint in several of our States—there is complaint in my own State from some quarters—that the agricultural college is duplicating, to some extent, the work of the State university. I do not know to what extent that is true, because I do not know the curriculum of the agricultural college. But I do believe that we should have some means of knowing the extent and the scope of agricultural education in those colleges which will be benefited by the appropriations provided. We should know what their work should be limited to. We should have that clearly defined. We should, if possible, see that those colleges shall be more and more definitely agricultural in their character, and especially that they shall not be unduly duplicating, as is now the case in some of the States, the work of the State universities.

Mr. SMITH of Georgia. I thought the Senator was asking me a question.

Mr. McCUMBER. Let me just finish my sentence.

Mr. SMITH of Georgia. The Senator asked me to yield for a question. I think I have the floor.

Mr. McCUMBER. I do not wish to have the money expended for duplicated work.

The PRESIDENT pro tempore. The Senator from Georgia has the floor, and Senators desiring to interrupt him will please get permission through the Chair.

Mr. SMITH of Georgia. I wanted the Senator to finish his question and let me answer it. I will answer now, Mr. President, not his question, but his statement.

I want to say that I cordially sympathize with the desire to prevent these colleges of agriculture from duplicating in any sense the classical work of the universities. That trouble has existed in a number of places. I am glad to say that in my own State we have completely relieved our institution of the trouble. It is rather a local question than a national question.

So far as the present appropriation goes we have included provisions that will guard the appropriation from misuse. The amendment offered by the Senator from North Dakota goes not simply to this appropriation, but to the entire course of study of these agricultural colleges. It goes to the original act providing for them and the amendments thereto through which the work of the college proper is governed.

Personally, I think the laws have not been as completely enforced as they might be in that regard. I think the reports now required to be made to the Secretary of the Interior might perhaps be enlarged without giving to any particular part of the Government the exclusive privilege of passing upon the courses of study.

So far as this appropriation is concerned the bill provides that the Secretary of Agriculture shall not certify to the Treasury the extension work appropriation unless he has examined the reports made by those managing the work to the governor of the State and sent to the Secretary of Agriculture by the governor of the State, and unless, as a result of those reports, the Secretary of Agriculture finds that the college is in good faith carrying out the purposes of this appropriation and doing the actual work which it contemplates. Otherwise the Secretary of Agriculture will not certify that particular State to the Treasury for its check. The Secretary of the Treasury will not pay the money to the State until the Secretary of Agriculture gives his certificate that the work is being done by the college as this bill requires. In case the Secretary of Agriculture shall find that the college is not doing the work required by this bill, then he shall report the fact to Congress, and unless Congress disagrees with his view and directs payment the payment will not be made.

So, if the Senator from North Dakota will observe the provisions of the bill so far as this fund is concerned, he will see that we have sought to guard the proposition fully; and I think we have guarded it, because this money must be spent in the way directed by the bill or else the Secretary of Agriculture will not give his certificate for the next year's appropriation, and the appropriation can not be had unless Congress overrules the Secretary of Agriculture.

So far as the actual study that is being done in the colleges, this bill does not touch it. It concerns the work of the experiment stations and the scientific investigations of the colleges. I do not believe the majority of the States would be willing to see the courses of study at their colleges of agriculture subject simply to the views and the approval of the Secretary of Agriculture.

I have tried to draft an amendment that might meet the requirements of the Senator and yet not be objectionable; but I am not sure that it would, and I am not really satisfied with it myself.

Mr. CUMMINS. Mr. President, I join the Senator from Georgia in the hope that this amendment will not be adopted. It would be most disastrous in my own State.

In Iowa we have a State university and a distinct agricultural college. The college is properly described as a college of agriculture and the mechanic arts. The course of study there includes instruction not only in agriculture but in engineering, in home economics, and in all branches that naturally are allied with engineering and with domestic economy.

We are now engaged in a very earnest dispute with regard to the courses of study that should obtain in the agricultural college. That dispute must finally be determined by the general assembly of our State. There is no other tribunal. Speaking in part for my own State, I would be entirely unwilling to allow the governor of the State and the Secretary of Agriculture to determine whether our college should teach engineering or whether it should teach domestic economy.

I assume that no one will question, in a general way, the merit of the Iowa College of Agriculture. I think I may say without vanity that among agricultural colleges it holds a very enviable position in the country. I have no fear that any Secretary of Agriculture, or any governor, either, would ever seriously interfere with the course in agriculture. But to submit to a Secretary of Agriculture the determination of the question whether we shall teach in that college other things that are directly within the act which founded the college, or be compelled to abandon these courses of instruction at the command of either the Secretary of Agriculture or the governor, or both, would, I think, be entirely intolerable to our people, who ultimately will settle that controversy as it ought to be settled.

If this amendment were limited to the merit of the course in agriculture; that is, to determine whether or not the school really taught agriculture in a way that entitled it to recognition, that would be quite a different matter. But to submit our whole college of agriculture and mechanic arts to an officer in Washington would not meet with the approval of our people, and the result would be that we would receive no part of this additional contribution.

I therefore hope very much that the amendment will not be adopted.

Mr. McCUMBER and Mr. WILLIAMS addressed the Chair.

Mr. McCUMBER. I wish to answer the objection——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Mississippi who has addressed the Chair?

Mr. WILLIAMS. I rose to obtain recognition in my own right. I thought I had risen first.

Mr. McCUMBER. I merely wish to briefly answer the objection made by the Senator from Georgia first, and then that made by the Senator from Iowa.

The bill now provides, as stated by the Senator from Georgia, that the Secretary of Agriculture must give a certificate of approval before the appropriation can be used for the next

ensuing year. If the Secretary of Agriculture may give that certificate as to the continuance of an appropriation, what earthly objection could be made to the Secretary of Agriculture passing in the first instance upon what the course shall be, as to whether the appropriation shall be made?

Mr. SMITH of Georgia. This has nothing——

Mr. McCUMBER. Just a moment.

Mr. SMITH of Georgia. I thought the Senator had finished his question.

Mr. McCUMBER. It seems to me the bill is faulty if it makes an appropriation for this year in aid of the colleges, and provides that if in the ensuing year the Secretary of Agriculture finds that the appropriation has not been properly used, then the Secretary may make a certificate that the institution is not conforming to what was intended by the act and the appropriation that went with it. For my part I can not see that the action of the Secretary of Agriculture would be any more dangerous in the first instance than it would be in the second instance. If there is any justification whatever for the Secretary of Agriculture passing upon the question whether there should be a continuance of an appropriation there certainly must be equal justification for an amendment that he should pass in the first instance on whether the course is such that it should receive the appropriation.

Now, Mr. President, the Senator evidently does not understand the amendment as I do. The principal question in this case is whether the money which is appropriated shall be used exclusively for agricultural purposes. I do not believe that under this amendment anyone could construe it as intending to grant authority to the Secretary of Agriculture to discontinue or to refuse to authorize the appropriation in case civil engineering is also taught in the same institution, but what it is intended to accomplish is that the money appropriated shall not be used in such a way that it may go into the coffers of the institution to pay out instructors in teaching civil engineering or domestic economy or anything else, but that every cent of it shall be expended absolutely and unconditionally for agricultural purposes.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. McCUMBER. I yield, Mr. President.

Mr. CUMMINS. Is not the Senator from North Dakota of the opinion that the appropriation must be spent for agricultural education or demonstration? Could any part of it, under the terms of the bill as now presented, be paid out for courses of engineering or domestic economy; I mean as far as this part is concerned?

Mr. McCUMBER. I think section 7, that I read, does not leave it sufficiently clear that it shall be all expended for agricultural purposes, and that is why I offered this amendment. I would have no objection to inserting after the words "jointly approved" the word "agricultural," so as to read "jointly approve the agricultural courses, or departments, of study that are being, or are proposed to be, offered in said college or colleges."

Mr. CUMMINS. If the Senator from North Dakota will limit it to the approval of the agricultural courses taught in the college and entirely exclude any supervision over the general work of the college my objection would disappear.

Mr. McCUMBER. I will ask leave to amend the amendment by inserting, after the words "approve the," the word "agricultural," so as to read:

Shall jointly approve the agricultural courses or departments of study that are being, or are proposed—

And so forth.

The PRESIDENT pro tempore. The Senator from North Dakota modifies his amendment. The modification will be stated.

The Secretary read as follows:

Provided further, That no State shall pay out any part of the appropriation provided in this act to any agricultural college until the governor of said State and the Secretary of Agriculture of the United States shall jointly approve the agricultural courses or departments of study that are being, or are proposed to be, offered in said college or colleges.

Mr. CUMMINS. That contains the whole difficulty. The Senator does not strike out "departments of study" proposed to be pursued in the college.

Mr. McCUMBER. That means agricultural courses or agricultural departments. The word "agricultural" applies to both.

Mr. CUMMINS. Will the Senator strike out "or departments of study," and leave it simply refer to agricultural courses?

Mr. McCUMBER. So that there will be no question, I will also consent to strike out "or departments of study," as I do not know that those words add anything or detract anything.

The PRESIDENT pro tempore. The Secretary will read the language as now modified.

The SECRETARY. After the word "courses" strike out the comma and the words "or departments of study," so that it will read:

Provided further, That no State shall pay out any part of the appropriation provided in this act to any agricultural college until the governor of said State and the Secretary of Agriculture of the United States shall jointly approve the agricultural courses that are being, or are proposed to be, offered in said college or colleges.

Mr. WILLIAMS. Mr. President, there seems to be a sort of vague impression that a man with two arms and two legs who happens to hold a position as a State official is in some way less competent to attend to the public business than a man who holds a like position as a Federal official. It seems to be taken for granted that State officials will not attend to their duties in a competent way or will not attend to them with good faith. Undoubtedly the State officials are just as good judges and are just as capable of acting bona fide in connection with the application of an appropriation like this as the Secretary of Agriculture.

This question has opened up for consideration, at any rate—and it would do the country good to consider it—a great defect in our educational system. The defect is not to be corrected by going further into the line in which we have already gone, but, if possible, by correcting some of the things that we have done. There has been too much Federal control of these institutions already. There has been too much limitation upon the rights of the State.

The truth is, Mr. President, that agriculture and the studies of all the different branches interlock themselves inextricably with the whole educational system. The truth is the appropriations ought to have been made to establish agricultural schools in the State universities, and that where there is no State university in a privately endowed university selected by the legislature of the State to act as a State university for the time being. It is abhorrent to my mind that you should send a farmer out into the world with no knowledge of anything except his specific business. If you are going to have a separate institution for agriculture and the mechanic arts, you must teach the people who go there English; you ought to teach them geography and physical, descriptive geography; you ought to teach them history. It is abhorrent to my mind that you should take it for granted that the farmer of all men should be sent ignorantly to the plow. There is no business in the world which requires more encyclopedic information than that of an up-to-date farmer.

I said a moment ago that the colleges interlock. Here is a State university that is teaching chemistry, for example. It is just grading off to teach agricultural chemistry. The State university is teaching zoology and botany. You are merely grading off when you go further and teach entomology, which is absolutely necessary to agriculture, and when you teach soil analysis, which is a chemical art in this way, and when you teach agrostology, which gives you a more peculiar and detailed knowledge of special plants that are to be raised in agriculture. So necessarily these two institutions must duplicate one another's work, and you can not help it.

The difficulty took place when you made them separate institutions. They ought to have originally been one institution. A great State university teaching civil engineering as one branch, mining engineering as a branch, electrical engineering as a branch, agriculture in all its phases is one of the greatest schools, the study of peculiar specialized branches applicable to each interlocking with the general branches that form the foundation for their use.

Nobody can understand agricultural chemistry without having gone through a course of general chemistry. Nobody can do a thing with entomology or the diseases of plants without having gone through a general course of information concerning plants themselves, botany generally. So what the Senator is seeking is something he can not obtain without repealing a course which has gone too far now to be repealed.

In my own State, I am sorry to say, instead of having one great university with an agricultural college which was interlocked with all the various cognate studies that must go to make an up-to-date farmer, a separate agricultural and mechanical college finds it necessary to teach common mathematics, of course, and history, and English. Mathematics is taught up to a tolerably high grade, not as high as it is carried at a State university or at a polytechnic institute, of course not as high as they carry it at Annapolis or West Point, but pretty high. The consequence is that we have two sets of professors receiving duplication of pay and doing the same work in two separate parts of the State.

It grew out of the insane sectional jealousies of parts of a State. People said north Iowa has a university—I just say this because I know nothing about what part of Iowa has it—

but the north part of the State has a university and let us give the south part of the State the agricultural and mechanical college. So they proceed to do it, much to the detriment of the State, much to the detriment of agriculture, and much to the detriment of mankind's progress generally and the diffusion of information which is so necessary to its progress under a free government.

It is perfectly abhorrent to my mind to have the Federal Government go down to either the State university or the A. and M. College of Mississippi and attempt to dictate to the local authorities there as to what course of study they should pursue. Of course, unless they do devote the money to agricultural purposes the Secretary of the Treasury can, under this bill, refuse to give his certificate and they can not get the money. That is the string, as it seems to me, that the Federal Government ought to have upon the application of the money.

The present Secretary of Agriculture has been a blessing to America. He has been the greatest Secretary of Agriculture we have ever had and the only great one, by the way, that we have had under any administration. He has tried his best to confine himself to his work and uplift the agricultural system of the country. But, as far as my own State is concerned, I doubt if even he is as competent to judge as to what shall be taught to the farmer lads in the State of Mississippi in order to equip them for farming as they are down there. He might be more competent to judge as to what would be proper to be taught them in Iowa, because he would know just how far the common schools and graded schools and other things had diffused various branches of information amongst them.

But in order to make an agricultural college or an agricultural school in a university of much benefit you must have a very low grade of entrance examination, and that necessitates the teaching of a great many things that are somewhat remotely auxiliary to agriculture. But they are all auxiliary and they ought not to be interfered with.

I hope the amendment will not be adopted.

Mr. SMITH of Georgia. The Senator from North Dakota offered an amendment to the bill providing that no college should receive the appropriation for the extension department in which demonstration work is to be done alongside the home of the farmer unless the course of study taught at the college has first met the approval of the governor of the State and the Secretary of Agriculture.

This bill has nothing to do with the course of study taught in the college. It is expressly for work in the interest of those who do not attend the college. It is expressly for the purpose of taking the scientific information, the established truths, from the experiment station and the college and placing them in the most practical form at the home of the farmer. What has the course of study at the college, prescribed for the students at the college, to do with taking the truths that have been demonstrated at the experiment station and the college and carrying those truths into the country to the home of the farmer?

The Senator says that the bill provides that the Secretary may withhold a certificate and thereby stop the next year's appropriation in case the money for the year previous has not been spent according to the requirements of the act, and he seemed to think he had found a happy thought when he suggested that if the Secretary can stop it for the next year why not prescribe the condition before the first money is spent? The bill prescribed the way in which the money shall be spent which the bill appropriates. It gives the details of the use as far as it could be prescribed in advance. The bill says that 75 per cent of the money must be spent in actual demonstration work on the farm; that not over 5 per cent of it shall be spent for specialization, for publication, for literature, and that the other 20 per cent may be spent in such detailed way as may be deemed advisable. Now, what would the fact that the Secretary has to pass upon the course of study in the agricultural college have to do with this work? Nothing at all.

The amendment offered by the Senator would not in any sense affect or touch the first year's work to which he refers. The Senator's amendment goes entirely to something else. The Senator's amendment reaches back into the colleges, entirely disconnected with the demonstration work, and seeks to put the hand of the Secretary of Agriculture on our State colleges of agriculture all over the United States and force them to adopt a course of study subject to the approval of the Secretary of Agriculture. I am opposed to it. I do not think the Secretary of Agriculture knows as well as the board of trustees of the State College of Iowa what kind of college they ought to have, or the board of trustees of Wisconsin, or the board of trustees of Missouri, or the board of trustees of Georgia, and I do not think the governors of States, as a rule, have known as well how to handle State colleges of agriculture as the trustees of the State colleges of agriculture. I am willing for neither the Secretary of Agriculture nor the governor to have the right to limit the course of study to what meets his approval.

The amendment proposed by the Senator does not reach this appropriation at all for its purposes. It uses this appropriation to reach somewhere else, to reach back into the course of study in the college and to hold up this appropriation which has nothing to do with the course of study in the college and to enable the Secretary of Agriculture to control the course of study in the college.

I think we are doing well with these colleges. If the Senator's own State is not doing as well, his power and influence should right the wrong and correct what is being done in North Dakota and not seek at this late day to put up any authority in Washington City to interfere with the splendid work that is being done, and not at this late day to give even the governor of a State the right to interfere with the courses of study of our agricultural colleges.

Mr. McCUMBER. Mr. President, there are practically two bills in one before the Senate, and any amendment that is proposed will have to be proposed in anticipation of that kind of a completed bill which, as has been suggested, was framed by the Senator from Vermont [Mr. PAGE] and the Senator from Georgia [Mr. SMITH]. I can not get around section 7 of the proposed amendment. The Senator from Georgia says that the bill does not propose to pay anything to colleges; that it is, if I understand him——

Mr. SMITH of Georgia. I did not say that. The Senator from North Dakota misunderstood me.

Mr. McCUMBER. That it is not proposed for the support of a college, but that it is proposed for certain extension work, and for that exclusively. Granting what he says, let us read the first part of section 7, which provides:

> That for the support in each State college of agriculture and the mechanic arts of an extension department or division—

It is for the support of an agricultural college in the extension department that this money is to be paid to the Agricultural Department. I do not know what that extension means. One college may have one kind of an idea of what such an extension is and another college may have an entirely distinct and different understanding of the character of work this extension service may be; but the money is to be paid "for the support in each State college of agriculture and of the mechanic arts of an extension department or division."

I certainly can see nothing that should frighten the Senator in a provision that the money so expended should absolutely be expended for the extension work, and that it should not be paid over to any college generally to swell its funds, and then allow that college alone determine to what extent it will go into the matter of extending the agricultural service. There ought to be some authority that would pass upon that subject, and the Senator's own bill provides for an authority that shall determine, in the second instance, whether the college has conformed to the requirements of law; but he seems to be bitterly opposed to the same head of a department—the Agricultural Department of the United States—having anything to do with whether the course of study in extension work is such as is contemplated in the bill.

Mr. LA FOLLETTE. Mr. President, I only want to say a word upon this amendment. We have in the State of Wisconsin in connection with our State university one of the great agricultural colleges of the world. I think the adoption of this amendment would be tantamount to denying that agricultural college any participation in this fund. Without meaning to disparage any person, I say for the record that there never has been a governor of the State of Wisconsin, and I say that there never has been a Secretary of Agriculture, who was qualified or competent to fill the position of dean of the agricultural college of Wisconsin, and I sincerely hope that the determination of the courses of study in the agricultural colleges of this land will not be turned over to the Secretaries of Agriculture who may hereafter be named.

Mr. McCUMBER. If the Senator will insist on construing the amendment as it is now amended, which relates only to the courses in agriculture, as having an effect that would prevent the other courses being given in the same college, then, of course, there is no use of arguing that question. I am afraid, however, that the Senator did not pay attention to the amendment as it has been amended, which applies only to the agricultural line of study. The amendment provides:

> *Provided*, That no State shall pay out any part of the appropriation provided in this act to any agricultural college until the governor of said State and the Secretary of Agriculture of the United States shall jointly approve the courses or departments of study that are being, or are proposed to be, offered in said college or colleges.

That has nothing to do with any other courses, and the fact——

Mr. LA FOLLETTE. I understand that.

Mr. McCUMBER. The fact that other courses are being taught will not prevent the college from receiving its proper proportion of this appropriation.

Mr. LA FOLLETTE. I understand the amendment perfectly, and I have no qualification to make of what I have said.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from North Dakota [Mr. McCUMBER].

The amendment was rejected.

The PRESIDENT pro tempore. The question now is upon the amendment in the nature of a substitute proposed by the Senator from Vermont [Mr. PAGE].

Mr. SMITH of Georgia. Mr. President, has that amendment really been presented? As printed it is stated that it is an amendment intended to be proposed.

The PRESIDENT pro tempore. The Chair is of the opinion that the Senator from Vermont has not formally presented the amendment. The Chair would inquire if the Senator submits it now?

Mr. GRONNA. Mr. President, before we take up the substitute of the Senator from Vermont, I should like to ask the Senator from Georgia a question in regard to the provision of his bill on page 4, beginning with line 18, which reads as follows:

And provided further, That in each State which shall assent to the provisions of this act there shall be expended each year for field instruction and demonstrations not less than 75 per cent of all moneys available under the provisions of this act.

I should like to inquire of the Senator, because I know he has given it a great deal of study, if that is not placing too strict a limitation on what shall be done with a large percentage of this money which it is proposed to appropriate?

Mr. SMITH of Georgia. It is perhaps a little larger than I myself would have suggested, but I believe it is true that the practical demonstration work is the great work that will be accomplished by this bill.

Mr. GRONNA. Mr. President, the Senator does not understand me. What I should like to know is what is meant by "demonstration work." The bill says "field demonstration." I have no objection to the taking of 75 per cent of the appropriation for demonstration in agriculture, but I should certainly object—and I want to make it strong enough, so that the Senator will understand me—and I shall certainly have to vote against the bill if this limitation is placed so that this money can be used for nothing but field demonstration.

Mr. SMITH of Georgia. I do not so understand it. It is for field instruction and demonstration.

Mr. GRONNA. I ask the Senator from Georgia if he would be willing to strike out the word "field" and after the word "demonstrations" to add the two words "in agriculture," so as to make it read:

That in each State which shall assent to the provisions of this act there shall be expended each year for instruction and demonstrations in agriculture not less than 75 per cent, etc.

Mr. SMITH of Georgia. The entire appropriation is for instruction in agriculture. If we eliminate the word "field," and simply leave the word "instruction," it would take away any limitation at all in the bill as to the amount of demonstration work that is to be done. I understand that the object of that provision—it was a House amendment; it was not in the original bill—was to prevent the danger of the expenditure of any of this money at the college by requiring that the money be spent either in field instruction; that is to say, instruction on the field where the work was being illustrated by what was being done, or by demonstrations where the work was being demonstrated in reference to stock or cattle or dairying or actual farm work. Field instruction and demonstration require 75 per cent of the fund to be actually spent in practice in the illustration of scientific truths and in the presence of the farmers.

Mr. GRONNA. What I fear, Mr. President, is that this money can be used for no other purpose than field instruction. It may be that it would be unfortunate to strike out the word "field"; and I will ask the Senator if he would have any objection to inserting the two words "in agriculture" after the word "demonstrations"?

Mr. SMITH of Georgia. So as to read "field instruction and demonstrations in agriculture"?

Mr. GRONNA. Yes.

Mr. SMITH of Georgia. Not at all.

Mr. GRONNA. I offer that amendment.

Mr. SMITH of Georgia. I should like to ask the Senator whether he has any doubt about the fact that "demonstrations in agriculture" would cover dairying?

Mr. GRONNA. In my opinion, that language would cover dairying.

Mr. SMITH of Georgia. That is a matter which I would prefer to have passed upon by Senators who are familiar with dairying. Would the Senator have it read "demonstrations in agriculture," or "demonstrations in farm work"? Which would the Senator prefer?

Mr. GRONNA. I would prefer "in agriculture."

Mr. SMITH of Georgia. Very well. I accept that amendment, Mr. President—after the word "demonstrations," in line 20, page 4, to add "in agriculture."

The PRESIDENT pro tempore. The amendment will be reported.

The SECRETARY. On page 4, section 4, line 20, after the word "demonstrations," it is proposed to insert the words "in agriculture."

The amendment was agreed to.

Mr. PAGE. Mr. President, in accordance with notice given on the 24th instant, I will offer an amendment.

I offer as a substitute for the bill now before the Senate, House bill 22871, the amendment which has been printed and placed upon the desk of each Senator. If I may be allowed to do so at this time, however, I should like to perfect my proposed amendment by adopting the amendments which have been adopted this morning to the original Lever bill, House bill No. 22871. Those amendments are as follows:

On page 2, section 2, line 22, after the words "demonstration work," to add the words:

And the farm management and farm-practice work of the Bureau of Plant Industry of the Department of Agriculture.

That, I will state, is an amendment that has been agreed to this morning to the so-called Lever bill.

On page 4, section 4, line 19, after the word "demonstrations"——

Mr. SMITH of Georgia. Mr. President, I should like to make a suggestion to the Senator from Vermont. As he has embodied in his substitute the exact bill as it came from the House, would it not be better to let that bill stand and offer his bill, beginning with section 10, as an amendment to the House bill? Then the Senate can consider the various lines of work in his amendment. It may adopt a number of them or it may adopt none of them, but those that it adopts it will simply add to the House bill; and the House bill will then go into conference, if any of them are adopted, with certain amendments setting out certain specific plans for additional work.

Is it necessary for the Senator to offer this now as a substitute, in view of the fact that he embodies as the first nine sections exactly the bill that came from the House? Would it not be easier just to offer the additional sections as amendments to the House bill?

Mr. PAGE. It seems to me, Mr. President, that from a parliamentary standpoint the proper way at this time is to move to strike out all after the enacting clause and insert. Later on, if it is thought best to amend the bill in the way suggested by the Senator from Georgia, that may be done.

Mr. SMITH of Georgia. This is, therefore, an amendment proposing to strike out and reinsert exactly the same language. It is a motion to strike out nine sections and reinsert the nine sections.

Mr. PAGE. It is a motion to substitute a new bill from beginning to end, I confess, Senator. If there is a parliamentary objection, I shall, of course, yield to that.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Iowa?

Mr. PAGE. I do.

Mr. CUMMINS. I am very much interested in this measure, and I hope the Senator from Vermont will accept the suggestion of the Senator from Georgia. It will greatly simplify the whole proceeding. The issue is very plain. The Senator from Georgia has proposed, or the House has proposed, an additional contribution to agricultural education. The Senator from Vermont has not only proposed that contribution to agricultural education, but a contribution to vocational training or education.

I think it would simplify matters very much if the Senator from Vermont would allow the bill presented by the Senator from Georgia to stand, inasmuch as he does not propose to change it, and simply offer as an amendment that part of his bill which deals with the vocational education and additional appropriations for agricultural education. I believe we would get along with it a little faster if that were done.

Mr. PAGE. Mr. President, I am very anxious to adopt whatever is the best and most proper course here. My suggestion on the 24th instant was that I would offer the amendment which has been placed upon the desks of Senators this morning. But I recognize the fact that the Senator from Iowa is a warm friend of the whole measure, and I am rather inclined to accept his wishes and his views, if the Chair informs me that that is the proper parliamentary procedure.

Having given notice that I would introduce this amendment as a whole, I will ask, as a matter of parliamentary procedure, whether I may properly omit at this time from my proposed amendment the first nine sections, which really are identical with House bill No. 22871, and move to amend the House bill by adding to it all of that portion of the proposed amendment which follows section 9?

The PRESIDENT pro tempore. That is the Senator's privilege. The Senator has not formally submitted his proposed amendment, and he can modify it in any way he chooses.

Mr. PAGE. Very well. Then I move, as an amendment to House bill No. 22871, now under discussion, the addition of all that portion of the amendment which I propose to submit, and which has been printed, after section 9, commencing with the words "Vocational Schools," on page 7.

Mr. SMITH of Georgia. Mr. President, I suggest that the Secretary read the proposed amendment. It has never been read.

The PRESIDENT pro tempore. The amendment, as now offered, will be read.

The SECRETARY. Add to the bill the following additional sections:

VOCATIONAL SCHOOLS.

SEC. 10. That for the salaries of special instructors in agriculture and in home economics, giving training in these subjects to boys and girls over 12 years of age in rural high schools, the sum of $2,000,000 shall be, and hereby is, annually appropriated out of any money in the Treasury not otherwise appropriated, beginning with the fiscal year ending June 30, 1916, such sum to be allotted annually to the States and the District of Columbia in proportion to the number of persons engaged in agricultural pursuits as shown by the Federal census next preceding the year for which such allotment is made. The moneys appropriated under this section shall be known as the rural-school fund: *Provided*, That the meaning of the words rural high schools as used in this act shall be determined (for each of the States and the District of Columbia) by the board for vocational education for each State and the District of Columbia; and that such instructors in agriculture shall have had actual experience in farming and such practical and technical preparation in agriculture as would be evidenced either by graduation from or not less than two years' attendance upon a college of agriculture or its equivalent; that such instructors in home economics shall have had actual experience in home making, and such practical and technical preparation in home economics as would be evidenced by not less than two years' special training in the subject or its equivalent; and that such special instructors in agriculture shall be required to give all their time, in connection with the school, solely to instruction in the theory and practice of agriculture, and to the direction and supervision of the work of pupils on the school or the home farm.

SEC. 11. That for the maintenance of instruction in the trades and industries and home economics in separate industrial or home economics schools giving vocational preparation of less than college grade, for work in the trades and industries or in the home through all-day, part-time, continuation, or evening classes designed to meet the vocational needs of persons over 14 years of age, the sum of $4,000,000 annually, beginning with the year ending June 30, 1916, such sum to be allotted annually to the States and the District of Columbia in proportion to their population engaged in trades and transportation and in manufacturing and mechanical pursuits, as shown by the Federal census next preceding the year for which such allotment is made. The moneys appropriated under this section shall be known as the industrial-school fund: *Provided further*, That such separate industrial or home economics school shall mean either a school having a separate plant and equipment and separate organization of teachers and courses of study under a distinctive management, or a separate and distinct vocational department or division, whose controlling purpose is to fit for useful employment, carried on in a regular school building under a separate head or director, together with a separate organization of pupils, studies, and teachers; that the part-time and continuation classes benefited by this act shall be those for persons engaged in or experienced in industrial or home-making vocations; that the evening classes benefited by this act shall be those for persons above 16 years of age employed during the day in the respective vocations for which they are given instruction; and that no such separate industrial or home economics school shall receive the benefit of this act which does not spend more than $5,000 annually for maintenance.

SEC. 12. That for the maintenance of instruction in agriculture and home economics in agricultural high schools, as hereinafter provided, the sum of $3,000,000 annually, beginning with the fiscal year ending June 30, 1916, such sum to be allotted annually to the States in proportion to the number of persons engaged in agricultural pursuits, as shown by the Federal census next preceding the year for which such allotment is made; and for each State with less than 100,000 people engaged in agriculture, according to such Federal census, the additional sum of $5,000 for the fiscal year ending June 30, 1916, and annually thereafter. The moneys appropriated under this section shall be known as the agricultural high-school fund.

SEC. 13. That for the preparation of teachers to give instruction in or closely related to agriculture, the trades and industries, and home economics in departments or divisions of education in the State colleges of agriculture and the mechanic arts of the respective States, the sum of $640,000 for the fiscal year ending June 30, 1913, and annually thereafter; of which annual appropriation $20,000 shall be allotted for the use and benefit of said departments or divisions in land-grant colleges in each of the 16 States which maintain separate land-grant colleges for persons of the colored race, $10,000 of which shall be for the education of persons of the white race and $10,000 for the education of persons of the colored race; and $10,000 shall be annually allotted for the use and benefit of said departments or divisions of education in each of those States which do not maintain separate land-grant colleges for persons of the colored race. The moneys appropriated under this section shall be known as the college teachers' training fund.

SEC. 14. That for the preparation of teachers to give instruction in or closely related to agriculture, the trades and industries, and home economics in State normal schools and in State universities and in other schools furnishing special training for teachers, the sum of $1,000,000 annually, beginning with the fiscal year ending June 30, 1913, to be allotted annually to the States and the District of Columbia in proportion to their population as shown by the Federal census next preceding the year for which such allotment is made; and, for such instruction as in this section is provided, in each State with less than 300,000 inhabitants the additional sum of $3,000 for the fiscal year ending June 30, 1913, and annually thereafter. The moneys appropriated under this section shall be known as the teachers' training fund.

SEC. 15. That the sum of $40,000 annually, beginning with the fiscal year ending June 30, 1913, to be expended under the direction of the Secretary of the Interior in paying the necessary expenses of administering the provisions of this act relating to the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, and the teachers' training fund; the sum of $15,000 annually, beginning with the fiscal year ending June 30, 1913, to be expended by the Secretary of Agriculture in paying the necessary expenses of giving advice and assistance, as herein provided, to the Secretary of the Interior in the administration of the provisions of this act relating to all schools giving training in agriculture and home economics and to the preparation of teachers in these vocations; the sum of $15,000 annually, beginning with the fiscal year ending June 30, 1913, to be expended under the direction of the Secretary of Commerce and Labor in paying the necessary expenses of giving advice and assistance, as herein provided, to the Secretary of the Interior in the administration of the provisions of this act relating to instruction in the trades and industries and to the preparation of teachers for these vocations. The moneys appropriated under this section shall be known as the administration fund.

SEC. 16. That the Secretary of the Interior is hereby charged with the duty, and to him is hereby given all necessary power, to administer the provisions of this act relating to the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, and the teachers' training fund, to secure advice and assistance from the Secretary of Agriculture and the Secretary of Commerce and Labor in carrying out the provisions of this act, in the making of investigations concerning education in the industries, home economics, and agriculture, and in the making of reports thereon; to cooperate with the State boards of vocational education herein provided for the respective States and the District of Columbia in developing the work of schools and in the training of teachers benefited by this act; and to give to such boards for vocational education such advice and assistance as will best enable them to carry out the provisions of this act.

SEC. 17. That the Secretary of Agriculture is hereby charged with the duty, and to him is hereby given all necessary power, to aid the Secretary of the Interior by giving advice and assistance to him in carrying out the provisions of this act relating to instruction in agriculture and home economics and to the preparation of teachers for these vocations, and to make such investigations in relation to agriculture and home economics and such reports thereon as may be necessary in discharging this responsibility.

SEC. 18. That the Secretary of Commerce and Labor is hereby charged with the duty, and to him is hereby given all necessary power, to aid the Secretary of the Interior by giving advice and assistance to him in carrying out the provisions of this act relating to instruction in the trades and industries and to the preparation of teachers for these vocations, and to make investigations relating to education and research in the trades and industries and issuing reports thereon.

SEC. 19. That in order to secure the benefits of the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, or the teachers' training fund any State shall, through the legislative authority thereof, accept the provisions of this act relating to such fund and shall appoint the State treasurer custodian, to be known as custodian for vocational education, for all moneys received by such State from such fund, and shall provide for the proper custody, administration, and disbursement of such moneys, as herein provided; and the District of Columbia shall, through the commissioners thereof, accept the provisions of this act relating to such fund, and shall appoint a custodian of all the moneys received by the District of Columbia under this act, to be known as custodian for vocational education, and shall provide for the proper custody, administration, and disbursement of such moneys. Any State or the District of Columbia may accept the benefit of any one or more of such funds and may defer the acceptance of the benefit of any one or more of such funds, and shall be required to meet only the conditions imposed in relation to those funds the benefit of which it has accepted.

SEC. 20. That no State or the District of Columbia shall be entitled to the benefit of the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, or the teachers' training fund until the legislative authority thereof shall, by law, have created or designated a board of control, to be known as the board for vocational education, consisting of not less than three members, and having all necessary power to cooperate with the Secretary of the Interior in the administration of the provisions of this act relating to such fund; and such a board for vocational education for any State or the District of Columbia may consist of the board of education or other body having charge of the administration of public education therein.

SEC. 21. That no State shall be entitled to the benefit of the agricultural high-school fund until it has, through the legislative authority thereof or through its board for vocational education, divided the State into districts, providing in each district for one agricultural high school; and in any State where separate agricultural high schools are provided for the negro race the legislative authority of such State may divide the entire State into districts, providing in each district for one such school for the white race, and may divide the entire State into other and different districts for the negro race, which need not be coterminous with those for the white race; but no such agricultural high school shall receive the benefit of this act which does not expend annually more than $10,000; but the total number of such agricultural high schools in any State shall not be less than 1 for each 15 counties nor more than 1 for each 5 counties or fraction of five counties. Any such agricultural high school shall be open to admission without tuition charges and upon the same conditions to all persons otherwise

qualified as herein provided residing in the district in which such school is located; but such school may be supported and controlled by the State, or by the district in which it is located, or by a portion thereof.

SEC. 22. That in order to secure the benefit of the rural-school fund, the agricultural-school fund, the college teachers' training fund, or the teachers' training fund, the board for vocational education for each State and the District of Columbia shall adopt, with the approval of the Secretary of the Interior, and place in operation a general administrative scheme or plan, with such modifications as may be made from time to time, for the proper distribution of moneys to schools and colleges as herein provided; for the inspection and approval of such schools and colleges under the provisions of this act; and for the formulation and application in such inspection and approval of standards and requirements in vocational education as to types of schools, location, course of study, qualifications of teachers, methods of instruction, conditions of admission, and employment of pupils. In order that such a plan may be adapted to the needs of the State or the District of Columbia in which it is to become operative, the Secretary of the Interior shall, in passing upon it and its modifications from time to time, take into consideration the social, economic, industrial, educational, and administrative conditions, and all other relevant circumstances in such a State or the District of Columbia. It shall be the duty of such board for vocational education for any State or the District of Columbia to make annually to the Secretary of the Interior a full and detailed report of its administration of the provisions of this act relating to all such schools and colleges as herein provided, and to make such additional statements and reports as may be required by the Secretary of the Interior in the discharge of his responsibility under this act.

SEC. 23. That any school or college receiving funds under this act in any State or the District of Columbia shall, in order to receive the benefits of this act, conform to the requirements of the board for vocational education of such State or the District of Columbia; shall cooperate with such board in the development of the work of such school or college as herein provided; shall make to the board for vocational education of such a State or the District of Columbia a full and detailed report of its operations in the administration of the funds received by it under this act, including a detailed statement of receipts and expenditures from all sources for this purpose; and shall make such additional statements and reports as may be required by such board for vocational education in the discharge of its responsibility for such school under this act.

SEC. 24. That in order that any State or the District of Columbia may receive the benefit of the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, or the teachers' training fund under this act it shall be the duty of the custodian for vocational education of such State or the District of Columbia, as herein provided, to make annually to the board for vocational education of such State or the District of Columbia a full and detailed report of his administration of the moneys received by him from such fund, as herein provided, and to make from time to time such additional statements and reports relating to moneys received by him from the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, or the teachers' training fund as may be required by such board for vocational education.

SEC. 25. That the Secretary of the Interior shall annually, upon the basis of the annual reports and recommendations made by the board for vocational education for any State or the District of Columbia, together with such of his responsibility, ascertain whether such State or the District of Columbia is using moneys received by it out of the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, or the teachers' training fund, in accordance with the spirit and terms of this act. On or before the 1st day of July in each year after this act becomes operative he shall certify to the Secretary of the Treasury as to each State or the District of Columbia whether it has complied with the provisions of this act and is entitled to receive its share of such fund, as herein provided for such State or the District of Columbia, and the amounts from such fund which each State or the District of Columbia is entitled to receive. Upon the certification of the Secretary of the Interior, as herein provided, the Secretary of the Treasury shall pay quarterly in advance to the custodian for vocational education of such State or the District of Columbia the moneys to which it is entitled for such schools under this act. Upon the requisition of the board for vocational education of such State or the District of Columbia such custodian shall pay to the governing board of any school or college or other authority legally qualified to receive moneys for such school or college the sum which it is entitled to receive under the provisions of this act.

SEC. 26. That the rural-school fund shall be used only for distinctive studies in or closely relating to agriculture and home economics; the industrial-school fund shall be used only for distinctive studies in or closely relating to the trades and industries and home economics; the agricultural-school fund shall be used only for distinctive studies in or closely relating to agriculture and home economics; the college teachers' training fund shall be used only by departments or divisions of education in these colleges and only in the preparation of teachers to give practical or technical instruction fitting for useful service in agriculture, the trades and industries, or the home; the teachers' training fund shall be used only for distinctive studies which are given in separate units organized as departments or divisions of State normal schools, universities, or other training schools under a properly qualified head, and which are designed to prepare teachers to give practical or technical instruction fitting for useful service in agriculture, the trades and industries, or home economics.

SEC. 27. That if any portion of the moneys received by the custodian for vocational education of any State or the District of Columbia under this act, for any given purpose named in this act, shall, by any action or contingency, be diminished, lost, or misapplied, it shall be replaced by such State or the District of Columbia, and until it is so replaced no subsequent appropriation for such purpose shall be paid to such State; no portion of any moneys appropriated under this act for the benefit of the States or the District of Columbia shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or to the purchase or rental of lands; and no portion of such moneys shall be expended other than in institutions supported and controlled by the public.

SEC. 28. That whenever it shall appear to the Secretary of the Interior, from the annual statement of receipts and expenditures of the custodian for vocational education of any State or the District of Columbia or otherwise, that a portion of the preceding annual disbursement made to such State or the District of Columbia from the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, or the teachers' training fund remains unexpended, a sum equal to such portion or amount shall be deducted by him from the next succeeding annual disbursement from such fund to such State or the District of Columbia.

SEC. 29. That each State and the District of Columbia shall receive for the respective purposes herein provided only such portion of the full amount of any fund to which such State or the District of Columbia would otherwise be entitled as in the judgment of the Secretary of the Interior, in the discharge of his responsibility under this act, it has made ample preparations to use to advantage. And all such moneys as would otherwise be allotted to the respective States and the District of Columbia, but as are not so allotted by the Secretary of the Interior, shall remain in the Treasury.

SEC. 30. That the Secretary of the Interior may withhold a certificate from any State or the District of Columbia for the whole or any part of its annual allotment of money out of any fund to which he decides it not to be entitled under the provisions of this act. If the Secretary of the Interior, as herein provided, shall withhold a certificate from any State or the District of Columbia for the whole or any part of its allotment, the facts and reasons therefor shall be reported to the President, in order that the State or the District of Columbia may, if it shall so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 31. That the moneys received by any State or the District of Columbia for any given purpose under the provisions of this act shall be used only for such purpose and shall be distributed among the institutions entitled to the benefit of such moneys in proportion to the amount which each expends out of other income derived from general or from local public funds for the same purpose during the same period; or such money shall be distributed on some other basis and according to some other plan previously adopted by the board for vocational education or by legislative authority for such State or the District of Columbia with the approval of the Secretary of the Interior; but there shall in no case be disbursed under the terms of this act to any school or college out of moneys derived from the rural-school department fund, the industrial-school fund, the agricultural-school fund, the college teachers' training fund, or the teachers' training fund, as provided by this act, more money than 50 per cent of the amount which is supplied and expended during the same period for the same purpose for which such fund is to be expended out of either State and local or State or local public moneys.

SEC. 32. That all States, Territories, and the District of Columbia accepting the benefit of any fund under this act shall provide other moneys with which to pay the cost of providing the necessary lands and buildings, and to pay the entire cost of all construction, supplementary to the practical and technical instruction provided for in this act, necessary in order to complete well-rounded courses of training, the main purposes of which are to give vocational as well as general preparation for agriculture, the trades and industries, and home making, or to prepare teachers for these vocations, suited to the needs of the respective sections and communities of the United States.

SEC. 33. That the Secretary of the Interior shall make an annual report to Congress on his administration of the rural-school department fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, and the teachers' training fund, under the provisions of this act, and on the work of the boards for vocational education of each State and the District of Columbia in their administration of the moneys received from such funds under the provisions of this act; and he shall make one or more reports to Congress, not later than June 30, 1915, concerning the organization of vocational education as provided for in this act.

SEC. 34. That Congress may at any time alter, amend, or repeal any or all the provisions of this act.

SEC. 35. That this act shall take effect immediately on its passage.

During the reading of the amendment.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 78) proposing an amendment to the Constitution of the United States.

Mr. SMOOT. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDENT pro tempore. The Senator from Utah asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered. The reading will proceed.

Mr. SMITH of Georgia. Mr. President, it might be well, as we read the amendment section by section, if any amendments are desired to be made to the paragraphs themselves, to consider them. I do not know what the Senator from Vermont would prefer. It just occurred to me that it would be well to adopt that course. Perhaps, though, the Senate ought to hear all of it, and then go back and take up the sections.

The PRESIDENT pro tempore. The Chair thinks it desirable that the amendment should be read in the first place.

After the conclusion of the reading of the amendment,

Mr. SMITH of Georgia. I suppose the Senator from Vermont will discuss the bill before we proceed to act upon it in detail. There are a number of suggested amendments that I want to make when we reach that stage of treating the subject.

Mr. PAGE. Mr. President, I have previously discussed this bill somewhat at length. I presume the views of every Senator touching the bill are pretty well formed, and I do not care to take very much time, except as I may be asked concerning any point about the bill upon which any Senator desires information.

I will state my purpose in moving the amendment to the Lever bill, so called, H. R. 22871: For many months I have been trying to get action upon the original Senate bill No. 3. That action, as the junior Senator from Georgia well understands, has been postponed and objected to from time to time until he believes—and I do not know but that I agree with

him in that belief—that to pass now the original bill, Senate bill No. 3, and send it to the House would probably mean that it would go into the Committee on Agriculture of that body, and that it would there die the death which comes to so many bills which we send over to the House toward the close of a session.

The bill which comes to us from the House and is under discussion at this time gives Federal aid to the adult farmer on the farm. There is no contention that it affords the slightest aid to industrial education or any education of any kind to the boys. If we are at this session of Congress to grant Federal aid to industrial education, it must be done by substituting Senate bill No. 3 for the House bill. In other words, Senators who are in favor of extending industrial education to the boy as provided by Senate bill No. 3 must vote for the amendment which I have offered, for it is probable that in no other way can we reach this legislation at this session. If the amendment which I have offered substituting the Page bill for the Lever bill is adopted, then the matter goes into conference, and out of that conference, it is believed, some bill carrying with it a measure of Federal aid to industrial education will result.

The claim has been made here that practically all the agricultural colleges of the country are against the so-called Page bill, Senate bill No. 3, and in the report of the Senator from Georgia on what is known as the Lever-Smith bill a large number of letters were printed from college men throughout the country, and notably college men connected with the colleges established under the so-called Morrill Act, to show their approval of the Lever bill.

I wish to say to the Senate that those letters of approval were quite largely written because of the belief that we could not at this session reach action on Senate bill No. 3, but that we might perhaps secure some legislation under what is known as the Lever bill.

I want to read some letters showing the real situation as to this matter. Here, for instance, is a letter from Connecticut. In the report of the Senator from Georgia on the Smith-Lever bill he quotes as follows:

President Connecticut Agricultural College: "My personal opinion is that carrying of the latest scientific knowledge to the working farmer is one of the most important duties of the land-grant colleges. I sincerely hope that this bill will have favorable consideration by the present session of Congress."

I have a letter bearing date December 28, 1912—months and months after the above was written—in which the president of the Connecticut Agricultural College, Charles L. Beach, uses this language:

I am informed that the Lever extension bill and the Page vocational bill are scheduled for consideration in the Senate. I have urged our Connecticut Senators, FRANK B. BRANDEGEE and GEORGE P. MCLEAN, to use their influence in securing favorable action on the Lever bill for the reason that I believed that this was the only measure which could be passed the present session.

Senator MCLEAN writes me, however, that the Page vocational bill can be passed in the Senate.

Personally, I am in favor of the broader bill, as I believe the time is ripe to make a beginning in vocational education. I am writing Senators BRANDEGEE and MCLEAN to this effect.

Mr. HITCHCOCK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Nebraska?

Mr. PAGE. I do.

Mr. HITCHCOCK. As we are likely to come to a vote upon the bill this afternoon and as the author of the substitute is now upon the floor, I venture to suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Nebraska suggests the absence of a quorum, and the roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Crawford	Johnston, Tex.	Sanders
Bourne	Culberson	Kern	Shively
Bradley	Cullom	La Follette	Simmons
Brandegee	Cummins	McCumber	Smith, Ariz.
Briggs	Dillingham	McLean	Smith, Ga.
Bristow	Dixon	Martine, N. J.	Smoot
Brown	du Pont	Myers	Stephenson
Bryan	Fletcher	Newlands	Sutherland
Burnham	Gallinger	O'Gorman	Swanson
Burton	Gamble	Overman	Thornton
Catron	Gardner	Page	Tillman
Chamberlain	Gronna	Percy	Wetmore
Chilton	Heiskell	Perkins	Williams
Clapp	Hitchcock	Perky	
Clark, Wyo.	Johnson, Me.	Richardson	
Clarke, Ark.	Johnston, Ala.	Root	

Mr. THORNTON. I wish to announce the necessary absence of my colleague [Mr. FOSTER] on account of sickness in his family. I ask that this announcement may stand for the day.

Mr. SMITH of Arizona. I wish to announce the necessary absence of my colleague [Mr. ASHURST]. I desire to let this announcement stand for the day.

Mr. KERN. I desire to announce the unavoidable absence of the Senator from South Carolina [Mr. SMITH].

Mr. SMITH of Georgia. I wish to state that the senior Senator from Georgia [Mr. BACON] is detained at his home by a bereavement in his family.

Mr. SMOOT. I desire to announce that the Senator from Michigan [Mr. SMITH], the Senator from Washington [Mr. JONES], the Senator from Iowa [Mr. KENYON], the Senator from Ohio [Mr. POMERENE], the Senator from Arizona [Mr. ASHURST], and the Senator from Michigan [Mr. TOWNSEND] are at the present time in Michigan attending the funeral of the late Congressman WEDEMEYER.

Mr. SANDERS. I wish to announce the unavoidable absence of my colleague [Mr. LEA].

The PRESIDENT pro tempore. On the call of the roll 61 Senators have answered to their names. A quorum of the Senate is present.

Mr. PAGE. Mr. President, I was referring to the fact that in the report which accompanied the Lever bill it was made to appear that the educators of this country were opposed to the Page bill and in favor of the Lever bill. I have had the letters which appeared in the report on the Lever bill placed side by side with those which I have personally received, and in many cases the fact appears that their opposition, if they have opposition, to the Page bill was because they feared it could not pass and they wanted the Lever bill to pass rather than have no legislation.

I do not propose to take up the time of the Senate by reading these letters, but I think I will read one more as a sample of the many I have received showing these college presidents have been induced to favor the Lever bill under the impression that it would be impossible to pass any other bill at this session. J. J. Vernon, the dean of the College of Agriculture of Florida, is one of those said to favor the Lever bill. I want to ask Senators to carefully listen while I read his letter to me stating why he had indorsed the Lever bill:

Hon. CARROLL S. PAGE:

Replying to your communication of the 16th ultimo, which came to this office during my absence on extension work for boys' and girls' clubs, I wish to say that I consider the Page bill the best educational bill which has ever been prepared and presented for congressional action. It is a bill comprehensive and practical, and will meet the southern needs. I am satisfied that the leading educators of the whole country are in favor of the Page bill, but it seems to be largely a question of getting a bill through carrying such a large appropriation at the present session of Congress.

I want you to know that I am entirely with you for the Page bill at any time it can be passed, but I am sure that you and your forces will, if it becomes necessary, transfer your support to the best measure that is most likely to be enacted into law.

I consider the seconday educational part the most important feature of the Page bill. It would reach the greatest number of young men and young women at the age when most could be done, and therefore I consider all the other parts of the bill of lesser importance. If there is anything I can do to assist you, please command me.

J. J. VERNON.

Note that Dean Vernon thinks the Lever bill of secondary importance and that the most important part is that which pertains to the secondary-education features of the Page bill.

I have a letter from the dean of the school of commerce, accounts, and finance, of New York University, Joseph French Johnson, in which he says:

NEW YORK UNIVERSITY SCHOOL OF COMMERCE, ACCOUNTS, AND FINANCE,
New York City, January 3, 1913.

Hon. CARROLL S. PAGE,
The Senate, Washington, D. C.

MY DEAR SENATOR PAGE: I have examined very carefully the provisions of Senate bill 3, for the encouragement of vocational education among the States, and shall consider it a national calamity if this bill or something very much like it does not become a law.

My own education was of the old-fashioned kind. When I left college I was able to do nothing except teach school. As I was qualified to teach only languages and literature, and not well fitted even for that work, the profession of teaching did not appeal to me. I broke into newspaper work at a few dollars a week, and after four years' apprenticeship became the financial editor of a Chicago daily. I then had occasion to discover that few bankers and business men had been specially trained for their vocations and that many of them in consequence were making costly blunders. I resolved that if ever I became teacher again I would devote myself to working out a scheme of education for business men. The call came in 1893, and since then I have been engaged in vocational education.

You are entirely right in your contention that vocational education will have a cultural effect. My own view is that culture is a by-product of education. It should not be the thing aimed at. Young people are not interested in it, and we old folks can't define it. Most of our children don't want to go to school because they can't see any possible connection between school and life.

The measure for which you are fighting, if it becomes a law, will do much more than furnish several thousand young people an opportunity to fit themselves for useful careers. It will give the American people

an object lesson in real education and will set them to wondering why they are spending so many million dollars on a public-school system that is wasting a tremendous amount of their children's time and energy.

So I am heartily in favor of the bill for which you are sponsor, and I congratulate you on having made a very luminous and convincing presentation of its merits.

Very truly, yours, JOS. FRENCH JOHNSON.

I do not know how Mr. Gompers may be regarded personally by Senators here, but if there is any man authorized to speak for that great labor organization, the American Federation of Labor, it is Samuel Gompers. He has written a letter of considerable length in support of the vocational education features of the Page bill, and, with the consent of the Senate, I will ask that it be printed without reading. I want to shorten debate as much as possible.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The letter referred to is as follows:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., January 24, 1913.

Hon. CARROLL S. PAGE,
United States Senate, Washington, D. C.

SIR: In connection with pending legislation on industrial education, I beg to hand you herewith the report which the executive council of the American Federation of Labor submitted to the last annual convention, held at Rochester, N. Y., November 11–25, 1912, the report of the committee on education, to which this matter was referred, and the action of the convention thereon.

These matters are submitted to you for your information as to the declaration of the last annual convention of the American Federation of Labor on this subject and for your serious consideration in connection with pending legislation.

Very respectfully, yours,

SAML. GOMPERS.
President American Federation of Labor.

(Report of the executive council of the American Federation of Labor on industrial education, submitted to the Rochester convention of the American Federation of Labor, November 11–25, 1912.)

INDUSTRIAL EDUCATION.

In December, 1911, a conference was called by Senator PAGE, of Vermont, to give technical consideration to his bill, S. 3, which provided for vocational education and trade training. Reference to this bill has been made by us in our previous reports. Prominent educators, agriculturalists, and representative employers, together with the legislative committee of the American Federation of Labor, considered proposed amendments to the bill and the best methods to pursue in order to secure favorable action. Senator PAGE reintroduced his bill with the suggested changes. Most of these were embodied in the technical features and in the agricultural extension sections of the bill. They were not applicable to the interests of urban labor represented by the American Federation of Labor. The result was that when the amended bill was considered by the Senate Committee on Agriculture, Senator PAGE was ordered to report it favorably to the Senate. This was done on February 26, 1912.

The Senate considered the bill on June 14, July 24, August 10, 18, and 22. It still holds its place upon the Senate calendar, and, in accordance with a tacit agreement among the Senators, will be given further consideration in the third session of the Sixty-second Congress. It is the opinion of some enthusiastic supporters of the measure that it will be passed. Its enactment will depend upon the nature of the support given by those who have been urging its passage. This industrial education bill has been handicapped to some extent by the persistency with which several Congressmen, particularly some from the Southern States, have been urging the passage of that section of the bill relating to agricultural colleges and experiment stations, without regard to the other provisions of the bill dealing with industrial and vocational education and training.

The bill H. R. 22871, by Representative LEVER, of South Carolina, was introduced by him on April 4. It is limited to agricultural educational extension work exclusively. It was referred to the House Committee on Agriculture.

Representative WILLIAM B. WILSON, of Pennsylvania, had previously reintroduced his bill (new number H. R. 21490), which had been changed to conform to its companion bill, S. 3, by Senator PAGE. Mr. WILSON's bill was also referred to the House Committee on Agriculture. A tentative understanding was reached between the chairman of the House committee, Mr. LAMB, and Mr. WILSON that no action should be taken on the Lever bill until after an opportunity had been afforded Mr. WILSON and the friends of his bill to be heard by the House committee. In accordance with this understanding, Mr. WILSON arranged with the chairman for hearings on his bill, to commence on April 23. He invited those desiring to be heard to come prepared to make their statements before the committee on that date. He took charge of the hearings, which continued for four days. The legislative committee of the American Federation of Labor, appearing in cooperation with other advocates, urged that the Wilson vocational trade-training bill be favorably reported. The Lever bill was reported favorably by the committee on April 13, passed by the House on August 23, and referred to the Senate Committee on Agriculture August 24.

At our meeting in January, after the industrial education bill had been given some consideration, we directed Secretary Morrison to request the members of the special committee on industrial education to meet concurrently with our next meeting, May 9. The Page bill was discussed by several members of the committee at that meeting.

A digest of the special report of the United States Commissioner of Labor on industrial education was discussed by us. The American Federation of Labor committee on industrial education recommended to us that Mr. Charles H. Winslow be requested and authorized to prepare a final report for the committee, this report to be submitted to this convention as directed by the Atlanta convention. We complied with that request, and Mr. Winslow performed this service.

At the following meeting of the executive council we had before us the report of Mr. Winslow as accepted by the American Federation of Labor special committee on industrial education. It was discussed, and it was decided that inasmuch as the document was of such great public value, was such a magnificent contribution to the literature upon the questions of industrial education, vocational training, household economics, and civics, that it should be made a public document by authority of Congress. Senator PAGE readily obtained the consent of the United States Senate to have it printed as a Senate document. It has been so printed, and is known as Senate document 936, Sixty-second Congress, second session. Several thousand copies of this document have already been distributed, and a sufficient number are at the convention so that each delegate may have a copy. The members of affiliated organizations should request their respective United States Senators to send them copies for educational institutions and for the labor unions.

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(Report of committee on education and action of convention thereon.)

INDUSTRIAL EDUCATION.

The committee has considered that portion of the executive council's report under the caption "Industrial education," and desires to express its appreciation of the splendid work of both the special and the general committees on that question. The work and the report of the general committee on education includes a study of every scheme of vocational education in the United States and presents in detail in the briefest possible manner the work done in the schools investigated. The report, which is printed in pamphlet form and contains 114 pages, will be distributed to the delegates to this convention, and we urge that each delegate read carefully this very valuable handbook on this matter which is so extremely important to our members.

The original action taken concerning vocational education was in accordance with a resolution adopted by the Denver convention of 1908. A special committee on industrial education was appointed to investigate and report on the subject matter to the Toronto convention. In compliance with the resolution, the committee made a preliminary report, but later, by authority of the Toronto convention, the life of the committee was extended so that it might further pursue its studies in the light of a searching investigation, which was being carried on by the United States Bureau of Labor.

The investigation and report made by the United States Bureau of Labor, undertaken at the request of the American Federation of Labor's committee on industrial education, is believed to be the most comprehensive inquiry ever made on the subject in the United States.

Text of the resolution creating the special committee on industrial education is as follows:

"The president, in conjunction with the executive council of the American Federation of Labor, be, and is hereby, authorized to appoint a special committee of at least 15, to be composed of the majority of trade-union members of this convention, who will serve without compensation and incur no expenses other than the necessary and legitimate expenditure within the judgment of the president and the executive council, to investigate the methods and means of industrial education in this country and abroad, and to report its findings, conclusions, and recommendations to the next annual meeting of the American Federation of Labor."

The final make-up of the committee follows:

John Mitchell, chairman, Frank Duffy, secretary, Samuel Gompers, Frank Morrison, James Duncan, D. A. Hayes, William D. Huber, Joseph F. Valentine, John R. Alpine, H. B. Perham, Mrs. Raymond Robins, Miss Agnes Nestor, Dr. Charles P. Neill, Hon. W. B. Wilson, Rev. Charles Stelzle, Charles H. Winslow, Edward Hirsch, John Golden, James Wilson, James O'Connell, John B. Lennon, Hugh Frayne, James Roach, Stuart Reid.

SCOPE OF THE RESOLUTION.

From the terms of the resolution under which the committee was constituted it is evident that what was desired was:

1. A thorough investigation of the needs of industrial education.
2. A statement of the extent to which the needs are now met by existing institutions.
3. As the result of such investigations, some definite suggestions for the promotion of industrial education in such manner as might best serve the interests of the whole people.

POINT OF VIEW AND RECOMMENDATIONS OF THE COMMITTEE.

The committee entered upon its duties without fixed notions as to the form industrial education should take throughout the country, and in consequence, its inquiries and studies have made the most profound impression upon its members.

Keeping in mind the scope of the resolution, as well as the complexity of the situation, the committee addressed themselves to the following questions in an effort to bring out practical suggestions toward the solution of the problem:

1. Should trade, vocational, technical, and industrial schools be established as a part of the public-school system?
2. Should private industrial educational institutions be tolerated?
3. Under what conditions and terms should industrial schools, either public or private, be countenanced and supported?
4. Under what conditions should the semiprivate or semipublic industrial schools, namely, the so-called cooperative industrial schools, be approved or disapproved?
5. Should they be free or supported by the city, county, or State in which they are located?
6. Should they be under the control or partial control of the National Government?
7. Should their instructors be practical men from the ranks of trade occupations, or should they be men who know nothing of the trade itself except its theoretical side?
8. What should be taught under the head of "industrial education"; the cultural side, the professional side, the practical side, or all combined?
9. To what extent, if any, should labor headquarters, labor temples, and labor halls be used to furnish industrial education?
10. To what extent should "prevocational courses" be encouraged?
11. What disposition shall be made of the product of industrial schools?

POINT OF VIEW.

After an extensive as well as intensive study of the entire subject, covering a period of more than three years, examining the many experiments now in vogue, ascertaining through first-hand information the purposes and merits of the several type of school now prevailing, the committee is prepared to offer the following as a partial solution of the above questions.

In regard to 1: Should trade, vocation, technical, and industrial schools be established as a part of the public-school system?

We believe that technical and industrial education of the workers in trades and industry, being a public necessity, should not be a private

but a public function, conducted by the public, the expense involved at public cost and as part of the public-school system. In order to keep such schools in close touch with the trades and industries there should be local advisory boards, including representatives of the industries, the employers, and organized labor.

In regard to 2: Should private industrial educational institutions be tolerated?

Organized labor's position regarding the injustice of narrow and prescribed training in selected trades by both private and public instructions, and the flooding of the labor market with half-trained mechanics for the purpose of exploitation, is perfectly tenable, and the well-founded belief in the viciousness of such practices and the consequent condemnation is well-nigh unassailable.

In regard to 3: Under what conditions and terms should industrial schools, either public or private, be countenanced and supported?

We believe in private initiative, coupled with active cooperation between the school authorities and the trade-unions, or private undertakings which are manifestly for the educational advancement of trade-union members.

In regard to 4: Under what conditions should the semiprivate or the semipublic industrial schools, namely, the so-called cooperative industrial schools, be approved or disapproved?

The problem is divided into two parts, as follows:

(a) Public control of cooperative schools, as follows:

(b) Private control of cooperative schools.

As to (a) the cooperative-school plan is an attempt to combine training in the processes and practices of trades, in manufacturing or other establishments, with general instruction in a school which includes theory plus academic studies that bear directly on the trade work. The details of such systems vary, but the most popular is the half-time plan.

In the last analysis industrial education will be measured by intensely practical men of the industrial world on the basis of skill and intelligence as developed by undertakings to fit the youth of the country for wage-earning occupations. In order to meet this test successfully apprentices must be trained under real conditions in productive industry, thereby making the cooperative-school plan a necessary feature of our public-school system.

The public schools should teach the theory of the trade, while the actual practice and processes should be taught in the shop. This method permits of continuous development of capacity and relieves the manufacturer of the expense of the theoretical instruction, and provides a means of weeding out boys who are not adapted to particular trades.

By this method the boy, the employer, and the community are benefited. The obligation to provide industrial education of a theoretical nature, therefore, should rest entirely with the public schools.

As to (b) private control of cooperative schools:

The committee reaffirms its position in condemning any system of public instruction privately controlled, or any scheme of private selection of pupils, and calls attention to the introduction of a plan which is being put into operation in several localities and fostered by manufacturers' associations.

This cooperative scheme is a limited plan for industrial education, carried on between the high school, which engages a teacher for the purpose, one satisfactory to the manufacturers, and a group of the latter who indenture such boys as they desire to have. The idea is, of course, to give a thorough training. But—

(a) The manufacturer is not obliged to take any boys or to keep any boy.

On the other hand the high school is obliged to educate all duly qualified boys, to give them all that the city provides.

Therefore those who study in such a cooperative course do so on sufferance.

In regard to 5: Should they (the schools) be free, supported by the city, county, or State in which they are located?

The committee reaffirms its advocacy of free schools, free text books, the raising of the compulsory school age, and a close scrutiny of courses and methods of instruction.

In regard to 6: Should they (the schools) be under the control or partial control of the National Government?

Results vast in importance and magnitude have come from the action in Congress in 1862 in giving land grants to each State to be used for State colleges of agriculture and mechanic arts. This appropriation of lands, followed by direct appropriation of moneys in 1890 and 1907, provides these colleges with a fund averaging about $65,000 per State, or a total of over $3,000,000 annually. While the funds so appropriated were for a long time used largely for general studies, the subjects of mechanic arts, agriculture, and home economics were finally developed, so that they now compete on nearly equal terms with the literary and scientific courses.

Since most of this fund is in demand to train engineers, technical agriculturists, and teachers in the mechanic, agriculture, and home economics subjects, comparatively little is available to give school training to those who wish to become experienced workmen, farmers, or home makers.

There is a movement at present, in which labor is taking a prominent part, to still further develop education to which these colleges were dedicated. Since only one college in a State can do little more for our greatly enlarged population than to provide courses of study for those who are to become technicians, and can not give equal opportunity in liberal and practical education to all of the industrial classes, this new movement is crystallizing around a plan for including the secondary public schools under the scope of additional similar grants, thus creating and giving direction to a complete national scheme of education in which labor should receive recognition and its just share of attention.

In regard to 7: Should their instructors be practical men from the ranks of trade occupations, or should they be men who know nothing of the trade itself except its theoretical side?

The committee believes that experience in European countries has shown that academically trained teachers have been dismal failures. Notwithstanding this experience, many so-called trade or vocational schools in the United States have in the recent past attempted experiments with academically trained teachers with very unsatisfactory or disastrous results.

The teachers of trade and manual vocations must keep up with modern shop practices and processes in establishments which are doing regular productive work; otherwise they will fall far behind and be teachers of obsolete methods and processes. Successful teachers must be men of practical experience, with more than a text-book acquaintance with the industrial world.

A good trade teacher needs at least a fair general education, with specialized knowledge of such arts or sciences as may be related to the trade he is to teach; a practical knowledge of the trades such as is usually gained only by working at them under the ordinary shop conditions and in addition an understanding of the general principles of teaching, that he may be able to impart his knowledge to others. The combination is not a common one. To be a skilled trade worker presupposes years of training and experience in the shop, and men possessing this have usually begun work by 16, with only a grammar-school education at most. Even if they have added to this by night study they have had no experience in teaching and find much difficulty in imparting their own knowledge to learners. The trained teachers, on the other hand, while thoroughly familiar with the theory and underlying principles of the trades, usually lack concrete and practical experience with industrial processes. As a general rule, therefore, the school has to choose between the skilled worker not trained as a teacher and the professionally trained teacher who knows the theory of the trades but has little, if any, practical experience.

In regard to 8: What should be taught under the head of "industrial education"; the cultural side, the professional side, the practical side, or all combined?

The committee believes that the course of instruction in a school giving industrial education should include English, mathematics, mechanics, physical trades, elementary mechanics, and drawing; the shop instruction for particular trades and for each trade represented; drawing, mathematics, mechanics, physical and biological science applicable to the trade, the history of that trade, and a sound system of economics, including and emphasizing the philosophy of collective bargaining. This, it is believed, will serve to prepare the pupil for more advanced subjects and, in addition, disclose his capacity for a specific vocation.

In regard to 9: To what extent, if any, should labor headquarters, labor temples, and labor halls be used to further industrial education?

The committee is convinced that there are conspicuous activities throughout the country known as "educational hours" at central labor-union meetings which might well be exemplified to advance and organize a propaganda for industrial education. Such meetings might also be turned into an educational "forum" in the interest or advocacy of membership by trade-unionists on both State and municipal educational boards and committees.

In regard to 10: To what extent should "prevocational courses" be encouraged?

For more than a decade the introduction of properly balanced courses in trade training and the enrichment of these courses have embarrassed the advocates of industrial education not a little; in fact, attempts to scientifically analyze processes and practices of the trades have met with resentment on the part of superintendents, supervisors, and foremen of large industrial establishments. The reason for this resentment is that those usually seeking such information are manual-training school teachers, unfortunately the greater number of whom are women. Moreover, it is conceded that such teachers have very little sympathy with trades, as such, but look upon manual and trade instruction as a way out of the difficulty of educating the subnormal pupil. Hence, the objection of those interested in trades or trade education to thrusting upon industry the dull boy.

On the other hand, even public trade school instructors in some instances have turned a deaf ear to what they call impertinent inquiries as to methods of procedure. Such instructors usually consider the proper kind of equipment, processes, and practices necessary for the training of apprentices "their stock in trade." However, insistent demand that rule-of-thumb methods be abolished has resulted in genuine attempts to teach the trades scientifically, systematically, and sympathetically.

As a result of this new era in the advancement of scientifically arranged courses with the necessary equipment, it seems eminently proper at this time to point out the overwhelming desire on the part of the advocates of manual-training schools to establish within such schools and elsewhere "prevocational courses" for pupils between the ages of 12 and 14.

While we welcome practical courses for those who are to later enter upon specialized vocational and industrial courses, we maintain that "prevocational courses" should be taught by tutors with practical knowledge of the vocations toward which the pupils are to be pointed; in other words, we can not too strongly condemn any attempt to thrust upon school systems courses of instruction which presume to try out the adaptability of the pupils for particular vocations and which are taught by women teachers with absolutely no practical knowledge of the metal, woodworking, and such other trades for which instruction may be offered.

If "prevocational courses" are to be offered in publicly administered schools in an effort to establish a scheme of vocational guidance, then we insist that such courses be given by men tutors, who not only have a practical knowledge of the particular trades, but, in addition, teaching experience coupled with an insight into the adaptability and inclination of the pupils for such vocations. (Same to apply to trades and vocations in which women are exclusively employed.)

Finally, we favor and advocate increasing the number of men teachers in industrial schools, as well as "prevocational schools," to the end that all practical instruction in trades be given by properly trained teachers, who have had in addition to their teaching experience at least four years' practical experience at particular trades.

In regard to 11: What disposition shall be made of the product of industrial schools?

A most serious and troublesome question arises concerning the disposition of the product of industrial schools. If the teaching of any trade in its entirety is to turn out journeymen, near journeymen, or all-round workmen, then there must necessarily be a product which will have a commercial value. If it is not, the work has not been carried on as it would be under real commercial conditions and the training therefore is imperfect.

If the product of these schools is to be put upon the market in any way, there is likely to be much opposition from manufacturers, contractors, and organized labor. Since it will inevitably come into competition with the product of regular establishments, it has been pointed out that if the students were regular apprentices in industrial establishments, they would be working as much in competition with apprentices and journeymen in other establishments as if they were doing the same kind of work and producing the same kind of articles in the schools. This meets the objection only partially from the standpoint of labor and not at all from that of the employer. In both cases the objection is to what may be called subsidized competition; competition which is not hampered by the necessity of making its product pay for its own cost of production. The difficulty does not, of course, arise in apprenticeship schools in which a manufacturer trains his own em-

ployees, but in philanthropic and public industrial schools it presents a serious problem, for which as yet no satisfactory solution has been found.

As previously stated in this report, the committee believes that instruction should be given for its educational value, or, in other words, it should be "construction for instruction rather than instruction for construction."

An agreement between school authorities and contractors who are erecting public buildings, whereby pupils of schools given instruction in building trades, shall be permitted during a part of the time to make practical application of their training, on buildings in course of erection, the pupils to receive credit for such work as part of their course, has been suggested as a feasible and unobjectionable plan. Similarly the work under the various city departments has been suggested to provide practice for pupils in many other trades.

This in no way is a new experiment, as practical application of the same is being made in foreign countries with considerable success.

A minor difficulty in connection with a product having a commercial value is the temptation to increase output by keeping the student longer at one machine or operation than is absolutely necessary for practical educational purposes; in other words, there may be a tendency, for the sake of revenue, to follow the example of the shop and specialize instead of giving well-rounded training. This, however, is a matter of school administration, but, nevertheless, of great concern and can be easily guarded against if the right attitude is shown by school administrators.

RECOMMENDATIONS.

The committee after due consideration of the importance of the several systems of schools now in operation throughout the country, recommend the following specific types of schools for the advancement of the prospective apprentice to the trades, as well as for those who have already entered the trades:

1. Supplemental technical education: Supplemental technical education for those already in the trades. The demand for such instruction is measured by the necessity for training in particular trades and industries, and the chief aim of such instruction should be to present those principles of arts and sciences which bear upon the trades either directly or indirectly. Such schools are commonly known as "continuation schools," whether their sessions are held in the day, evening, or on the part-time plan.

2. Industrial education: The establishment of schools in connection with the public-school systems, at which pupils between the ages of 14 and 16 may be taught the principles of trades, not necessarily in separate buildings but in schools adapted to this particular education by competent trade-trained teachers.

3. Trade-union schools: The committee recomends the continuance of progressive development in supplemental trade education as inaugurated by trade-unions, such as the supplemental trade courses established by the International Typographical Union; School for Carpenters and Bricklayers, Chicago, Ill.; International Printing Pressmen's Technical School, at Rogersville, Tenn., and the School for Carriage, Wagon and Automobile Workers, of New York City. The establishment of the Printing Pressmen's Technical Trade School, following the example set by the International Typographical Union, marks another epoch in the introduction of trade education by trade-unions.

That the typographical union and the printing pressmen should be the first trades-unions to establish such schools was a foregone conclusion, for in proportion as occupation makes claim on the intellect of the workers greater educational opportunities become necessary.

Those trades which call for the greatest intellectual or technical skill on the part of the worker afford the most available opportunities for educational activity.

It is not because the personnel in the printing trades is better, but rather because these occupations are becoming increasingly more technical and subdivided in their character.

The committee further recommends that all trade-unions which have not adopted a scheme of technical education give the matter the consideration it so richly deserves; and they further believe that the undertakings of the above unions call for the most enthusiastic admiration and are entitled to the most cordial and loyal support.

4. We recommend that if in the course of time schools under public administration with a broad and liberal course of instruction (with an advisory committee composed of employers as well as trade-unionists) shall demonstrate practical efficiency in training workers for the highly skilled trades, we favor the recognition of that portion of time spent in the schools which, after an examination by the union at interest of the practical and theoretical ability of the apprentice, can be considered comparable to actual training in particular trades as a substitute for a period of the apprentice's time spent entirely in the industry.

FEDERAL AID.

In addition to the above recommendations and in compliance with the action of the St. Louis convention regarding Federal aid for vocational education, this committee urges a greater interest in the education of the 25,000,000 children of school age in the United States, 50 per cent of whom leave school by the end of the sixth grade at approximately 14 years of age.

Not only are we confronted by this state of affairs, but of the 50 per cent who remain in school only 1 child in 3 finishes the eighth grade, only 1 in 5 enters the high school, and only 1 in 30 finishes the high-school courses. Some idea of the extent of this vast problem can be gleaned when it is realized that the cost of maintenance of the common schools of the country is $500,000,000 a year. In addition to this sum there has been expended for the equipment in these school plants $1,000,000,000, and the benefits of this enormous expenditure are enjoyed by only 50 per cent of the children of school age.

The vocational education bill, known as Senate 3, introduced by Senator PAGE, of Vermont (a similar bill having been introduced in the House of Representatives by Congressman WILSON) is one of several introduced in Congress to advance the cause of vocational education throughout the States by a liberal Federal grant for agriculture, the trades and industries, as well as home economics. The passage of this bill has been hindered somewhat by the activities of certain Senators who are opposed to its provisions but in favor of another bill much narrower in scope and relating only to colleges and experiment stations, while the Page bill includes all such provisions and in addition creates a plan for Federal grants to secondary public schools, thus giving direction to a complete scheme of education in which all the children of the Nation should receive a just and equitable share of attention.

Much time and attention has already been given to this bill by the president of the American Federation of Labor, as well as by the legislative committee, and considerable hope has been expressed for its ultimate success. It still holds its place on the Senate calendar and is to be considered early in the third session of the Sixty-second Congress, which meets in December of this year. Every effort should be made to secure such legislation guaranteeing high Federal standards with the widest possible latitude within the States for adaptation to the specific needs of the various communities.

Respectfully submitted.

Joseph F. Valentine, chairman, John H. Walker, secretary, James J. Freel, D. A. Carey, Ben Commons, Paul Scharrenberg, James L. Gernon, Phil H. Mueller, Agnes Nestor, John F. Pierce, John D. Crane, Thomas Wright, Fred W. Sulton, Edwin W. Weeks, W. T. Brown, committee on education.

A motion was made and seconded that the report of the committee be concurred in.

Delegate Lynch (J. M.): As an encouragement to the unions that may have under consideration following the example set by the International Typographical Union, I may state that we now have 3,500 students of our craft. I think there are very few colleges that have as large a student body, and as a result those printers who have taken it have benefited by it; a great many of them have been able to secure a scale of wages in excess of the prices running from $2 to $15 a week. So we are getting practical results through the education we are conducting through an educational commission made up entirely of printers and located in Chicago. I make this as a statement of facts, not theory.

Treasurer Lennon, in discussing the question, said in part: I want to say just a few words on this question because of my contact with educators, and because of the knowledge of the situation that they believe, at least, confronts them. They are not intentionally antagonistic in the main to our movement.

Many of them, as a matter of course, do not understand. The idea of vocational or trade education is becoming very general among the educators of this country. The first question they ask is, "Where are we to get the teachers that you trade-unionists advocate shall be used?" Now, my friends, that is not a question that can be answered offhand; it is a question we must help the educators and school boards to solve. We can not stop the trend in the direction of this kind of education in the schools; but we can, if we cooperate with the educators, have it come our way. There will be some mistakes made, as a matter of course, but we can afford to overlook them and correct them.

I know of members of our organizations who have been furnished with the reports of the special committee and have never taken the trouble to read them. How can they intelligently meet the question with the educators of their various communities? In the various States this question is going to the country schools, not only to the city schools, but the little schools at the crossroads. They are proposing to teach domestic science and a moderate knowledge of the carpenters' trade and the blacksmiths' trade. Now, if we will cooperate with the educators we will see that this is done in a way that is beneficial and not detrimental to those trades.

I desire to impress upon the trades-unionists here, and through the men here those at home, the necessity of giving careful examination to what the special committee has done during the last three or four years. It is great work and it is entitled to consideration, because it is more important, as it has to do with the welfare of our children and grandchildren, than possibly any other matter that has been or will be considered by this convention.

Delegate Frey, in discussing the question, said, in part, "This question of industrial education is such an important one to us as trades-unionists, and has never yet received that careful study it deserves, that I feel warranted in taking up a few moments of the convention's time to express a thought or two in connection with the subject. Every one of us is familiar with the fact that the trend of modern industry is to specialize, and that that specialization instead of making expert mechanics tends to develop a man in a single, narrow channel where he is only made familiar with a small part of the work required to finish the product of the industry in which he is engaged The result is that there may be a decreasing amount of mechanical skill and general knowledge of the trade developing in our country. I think we are warranted in saying at least that there is no increase in the degree of mechanical skill among the boys who are now learning the trade in the various industries."

Some educators have noticed this tendency, and a large number of employers have also noticed the same tendency, and they have endeavored to establish schools where boys will be taught a specialty in the trade, where they will be prepared on two or three months' or a year's training to take the place of mechanics and make it more difficult for us to win strikes or to maintain our organizations. I think we might as well face the fact that the present system of education, so far as training a boy or girl to be self-supporting in the industries, is faulty and that we require a revolution in some of the methods. I believe our movement is the one that must set that revolution on foot and make the change that is absolutely essential. We take the boy and girl now with a little smattering of knowledge from the schoolroom and throw them into the industries; we separate them in one day from the schoolroom and place them in the factory. Some of our good friends have suggested that the boy and girl, after working all day in the factory or mill, might go to a night school to get some added knowledge they require to make them more proficient to earn a livelihood in their industries. In one country the question, while not solved, at least is solving itself. They have the continuation schools, and, instead of taking the young man and woman out of a school and throwing them into the industry for all time, they say there shall be a graduation of that school period. They take the young person and for the first six months or the first year of their employment in factory or mill force the employer to allow that individual during work hours to go to school to secure an education that will allow him to better hold his own in the industry in which he is engaged.

I believe what we need to-day is to adopt some emphatic declaration in favor of a continuation-school system that will say to the employer, "You can not take the child from the common school or even from the high school and force him to work the regular working hours of your establishment. That chold must go to a continuation school, where he will be taught the theory and taught something of the practice of the industry he is engaged in."

There is one danger we have in the industrial form of education we have in this country to-day, and that is that it is subsidized very largely by those who are antagonistic to our movement; and, while carried on by private parties, they hope to put it in the mildest form, where it will work out to their benefit without conferring the kind of education we think is necessary for wageworkers. I think we should

commit ourselves definitely in favor of a vocational education that will be entirely under the charge of the public-school system, where our children will be able after leaving schools to have an opportunity to learn something about the theory of industry in which they are engaged and where, gradually tapering off for three or four years, they will have an opportunity to be educated in the public schools and prepare themselves for the vocation they will follow in this life.

Delegate Simpson, in discussing the question, said in part: The previous speaker referred to continuation schools. I think the organized workers interested in the work of the American Federation of Labor should also be acquainted with the methods that are being adopted in other countries along this practical line. Little has been said about a system of continuation schools that will meet with the approval of organized labor. There are two systems of continuation schools in Germany. In Berlin there is a system of continuation schools which permits of the boys going to this school up to 7 o'clock at night, the employers being compelled to send the apprentices to those schools up to that hour. In Munich the law is somewhat better and, I think, would meet more with the approval of organized labor. If a boy works from 8 o'clock in the morning till 5 o'clock at night he is compelled to attend school during those hours, and the employer is compelled to pay the boy's wages during those hours. I contend that between the two systems the latter is far preferable in the interest of organized labor and should be supported if there is going to be an establishment of the continuation schools.

I think the suggestion of the previous speaker is an excellent one, because you will find, if you go through the schools of the United States, both the eastern and western parts, that the continuation school as instituted in Germany has not been developed in this country to any great extent, and it should be the duty of the employer to pay the apprentice after he has gone into the factory and is a producer and an important factor in that industry. The employer should pay him during the time he is in school, because it is to the benefit of the employer that the boy shall be made a more efficient worker by going to those schools.

Delegate Simpson discussed at length the question of technical education and described the evolution of the skilled trades where formerly work was done by hand and is now being done by machinery.

The motion to adopt the report of the committee was carried.

Mr. PAGE. The Southern Commercial Congress has taken pains to place itself on record as in favor of the Page bill. That is one of the great organizations of this country so far as the uplift of the South is concerned; and, without reading it, I will simply say that the letter indorses the Page bill, and ask that it be printed.

The PRESIDENT pro tempore. Without objection, that order will be made.

The letter referred to is as follows:

THE SOUTHERN COMMERCIAL CONGRESS,
Washington, D. C., December 14, 1912.

Senator CARROLL S. PAGE, *Capitol, City.*

MY DEAR SENATOR: I have before me a letter of December 11 from Mr. H. H. Gross, president of the National Soil Fertility League, of Chicago, Ill., to yourself and other Senators. Mr. Gross says:

"We are in accord—with the Page bill—except upon two points—one is expediency and the other relates to a feature of the bill."

In the matter of expediency Mr. Gross says:

"The main sections deal with youth, schools, and education."

"The other branch of the bill deals with extension work, teaching the adult farmer behind the plow. This feature is necessary to complete and make effective what was contemplated when the land-grant colleges were established a half century ago. This follows precedent, and completes a plan to which the Federal Government has been committed for 50 years."

This quotation very clearly shows the narrowness of the National Soil Fertility League in urging the Lever-Smith bill and opposing the Page bill. Will that measure complete and make effective what was contemplated when the land-grant colleges were established half a century ago? Does it complete the idea of vocational education to simply provide extension teaching and demonstration farming to "adult farmers behind the plow"?

Mr. Gross clearly implies that it is not necessary to complete the land-grant act of 1862 to provide extension work, such as night schools and continuation schools for adult workmen in the trades and industries. He practically says that the land-grant act is completed by taking care of the adult farmer, even though nothing is done for the adult farmer's wife, nor for the wife of the adult worker in the trades and industries. Mr. Gross further assumes that the farm boy who is to be the producer of cheaper foods, the farm home maker who is to manage the work of raising strong farm youth, the workers in the trades and industries who are to economically produce and transport our foreign and domestic manufactured products, the home makers in the trades and industries who are to have charge of raising the children of the people who work in the shop, in the transportation company, in merchandising, and in other nonagricultural lines. It is fortunate for the Senate and for the country thus to have set forth at this opportune time the narrow views of Mr. Gross and his confrères, some of whom are in our State agricultural colleges and in our State engineering colleges.

This astonishing letter further says:

"The vocational education branch of the bill breaks new ground and inaugurates a new system of education. If the bill were divided on the natural line of cleavage the legislation required would be more simple and administration less complex. It would strengthen the bill. We think this should be done."

When the land-grant act of 1862 was passed there had been no definite separation between high school and collegiate courses. The founders of the bill, as shown by their discussions on the floors of Congress, had no intention of making a "line of cleavage" which would cause practically all the funds of agricultural colleges to be used in what are now collegiate courses, with a four-year high-school course separating them from the common schools of the open country and the elementary schools of the cities and towns.

The State agricultural and mechanical colleges have made "the line of cleavage" by confining their work to the preparation of technicians, thus forgetting the farm boy and girl who are to return to the farm and the boy and girl in the city who are not to attend college; that 90 per cent who are to do the productive work and the home making of our country. This unnatural cleavage made by our State colleges of agriculture and mechanic arts shows how thoroughly these colleges have failed to interest themselves in classes which the land-grant act of 1862 was intended to reach.

To show the unfortunate attitude of the colleges and universities, attention is called to the use they have made of the Nelson fund, provided by Congress in the Nelson amendment passed in 1907. The Nelson amendment gives to each State college $25,000 a year from the Federal Treasury, and Congress indicated the purpose for which this money was to be used in the following language:

"That State colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts."

No one has questioned the fact that Congress intended this fund of $1,200,000 annually, of which $4,000,000 has been already spent, to be used by the agricultural and mechanical colleges to meet the everywhere crying need for teachers prepared to teach agriculture, the trades and industries, and home economics.

Commissioner of Education Claxton, a year ago in a public hearing held under the auspices of the Southern Commercial Congress, said that these colleges are using very little of this money in the preparation of instructors for teaching the elements of agriculture and the mechanic arts in the lower schools. It is a fair estimate to say that they are using far below 20 per cent of this money for that purpose, and this in spite of the fact that in many States consolidated rural schools are crying for teachers of agriculture and home economics and find it necessary to utilize teachers from the small denominational schools and from normal schools who have no adequate preparation in either agriculture or home economics. In other words, these colleges are at once neglecting their greatest opportunity and practically disregarding the clearly expressed wish of Congress, the hand that feeds them.

Even a worse condition exists in relation to the mechanical colleges of these State colleges and universities than in the case of the agricultural colleges. Almost none of them have even discussed the matter of preparing teachers under the Nelson amendment for trade schools. And comparatively few of these great institutions, liberally financed by public funds from the Federal and States Treasuries, have done anything at preparing teachers in home economics for the schools either of city or country. This "line of cleavage" between the farm boy and the technician has been carried so far as to be so ridiculous that it is pitiful.

It is admitted that the Lever-Smith bill would provide legislation more simple Some of the administrators of agricultural-college funds are not hunting for complex language that will say "shall" instead of "may" in appropriations from Congress. They would like to continue the "line of cleavage" which would prepare only college graduates, comparatively few of whom enter the ranks of the producing classes. Nothing could more clearly state the fact that the State colleges of agriculture and the mechanic arts are not leading in taking the new science and technique of agriculture, the trades and industries, and home economics down to the people through our otherwise wonderfully developed secondary school system than their use of the Nelson fund. They are campus colleges. They are not State colleges. They are colleges to prepare the aristocratic few. The Nelson fund was designed to make of them colleges to prepare vocational teachers for the secondary schools and thus provide technical instruction to all classes and make successful all the people, as well as the few who attend college.

It is disingenuous for Mr. Gross to say that separation would strengthen the bill, forgetting the farmer's wife, the laboring man, the laboring man's wife, the boy who is to be a farmer, the girl who is to be a farmer's wife, the boy who is to work in the trades and industries, and the girl who is to be the wife of the man who works in the trades and industries.

There has been strong feeling on the part of the leaders of the several tens of millions of people who favor the Page bill, that Mr. Gross and a relatively small number of his supporters throughout are using the Lever-Smith bill to destroy the Page bill. The terms of Mr. Gross's letter, when widely published, will confirm that belief.

THE IMPRACTICAL FEATURE.

Mr. Gross says:

"The one main reason why we can not support the Page bill is that provision calling for district agricultural high schools of secondary grade with branch experiment stations."

Mr. Gross here so thoroughly discloses his ignorance concerning the appropriation for agricultural high schools in the Page bill that ridicule rather than argument would be the normal way of replying to his letter.

He says, truly:

"Such schools will necessarily be from 40 to 75 miles apart." He says, also: "Not over 5 per cent of the farm youth could attend these and live at home." He also says: "The safety of the individual requires home life and influences between the ages of 13 and 17 years. To attend such schools the vast majority would have to be provided for in dormitories on the school premises. The colonization of several hundred boys and girls of that age would involve a moral hazard few parents would assume. * * * To us the objection is insuperable and would present an anomaly to the State and Federal Government building a school that really would serve but a township. Again, the attendance of these schools would involve an expense that many farmers would not meet. Many of the youth are required night and morning to do the chores and help maintain the farm activities. If the money contemplated (and the amount should be increased tenfold) were used to aid in the consolidation of the rural schools into the township unit, it would be of priceless benefit to the country boy and girl, and give them real help in gaining an education that they desire and ought to have, and which the State and Government should undertake to furnish."

In the first place, the Page bill recognizes that we are to have consolidated rural schools. It recognizes the fact that the 2,500 successful experiments with no failures in consolidating six or eight one-room schools into four to seven room schools may be taken as absolute evidence, from a business point of view, that our one-room schools are to be generally consolidated. This means that all farm pupils will be given agriculture and home economics along with their general school studies from the ages of 13 to 16 years. If it means anything, it means that the State colleges of agriculture and supplementary schools throughout, including State normal schools and State agricultural high schools, will finally be led to prepare a sufficient number of teachers to place at least one teacher of agriculture and one teacher of home economics in each consolidated rural school. This will require between forty and fifty thousand teachers of agriculture and as many teachers of home economics.

The Page bill does not contemplate that the 10 more or less agricultural high schools in each State will do the work of the consolidated rural school but will be a step higher, and will, for the most part,

confine themselves to the last two years of high-school work. These schools will take the graduates of the consolidated rural school at about the end of the tenth school year, which is the middle of the high-school course, and will, under a faculty of technical teachers in agriculture and home economics and of general teachers in the ordinary high-school subjects, give a course which will further fit them for the management of farms and farm homes, and will further train large numbers to become teachers of agriculture and home economics, and other subjects in the consolidated and other rural schools; and that the highly educational and inspirational courses of the best equipped of these schools do prepare country life leaders to return to their home communities has been proven in a dozen States.

Three or four hundred agricultural high schools distributed throughout the country will also standardize the agricultural and home economics instruction in rural and town schools. Without such standardizing influence, agriculture in our secondary school system will always be at ragged ends. With such standardization and leadership, country life education can be the most efficient and the most inspirational part of our public educational system.

Agricultural colleges have generally placed their entrance at the close of the high-school course, but in most States they have done almost nothing to make the agricultural high school practical for those who can not attend the college. Therefore the agricultural colleges are reaching in a vital way only a small part of 1 per cent of the men and women who become managers of farms and farm homes.

The consolidated rural and village schools, which are local, will care for all pupils of 13 to 17 years of age; the proposed agricultural high schools, which are not local, but are practically in each congressional district, will take some of those pupils through the next step in their education when they are 17 to 20 years of age, thus rounding out both their high-school course and their vocational training to manage the farm and the farm home.

Illustrating the absurdity of Mr. Gross's statements is the fact that already the agricultural high schools of Minnesota have established a minimum age limit of 17 years.

The quotation from Assistant State Superintendent Phillips, of Minnesota, quoted in Mr. Gross's letter, could not have applied to the original agricultural high school at St. Anthony Park, to the agricultural high school at Morris, nor to the agricultural high school at Crookston, Minn., because the ages given by Mr. Gross do not apply to those schools. Minnesota has this year established 50 consolidated rural schools, and is rapidly placing agriculture in the village and town schools, but it has no notion of doing away with its three agricultural high schools with their twelve to fifteen hundred students for the last half of the high-school course. Minnesota's plan is to have one teacher of agriculture and one teacher of home economics in every rural school, either in a consolidated rural school in the open country or in a village or city school to which the farm youth of the surrounding country are hauled at public expense. Mr. Gross's quotation does not fit into the Minnesota conditions and can hardly have been used for his purpose with the knowledge and consent of Mr. Phillips.

Agricultural high schools such as that at St. Anthony Park, Minn., with its nearly 1,000 students, have young farm people from 17 to 25 years of age, who prove to be more earnest, more moral, than the average students in the universities and colleges of this country, and the blow struck by the National Soil Fertility League at coeducation in State agricultural high schools will naturally be resented by the schools of the entire country.

Mr. Gross says that an agricultural high school would serve but a township. Each of the agricultural high schools of Alabama, Georgia, Oklahoma, Arkansas, Minnesota, and other States serves a congressional district or larger area. Their students come not from local homes, but are more thoroughly distributed throughout all the counties of the State than are the students of the State colleges and universities which get their students largely from the cities, while the agricultural high schools get their students from the rural schools. In failing to differentiate between the consolidated rural school and the agricultural high school, Mr. Gross places himself in the position of such dense ignorance that his advice regarding separating the bill becomes impotent and he places his supporters in a most unenviable light.

The Page bill contemplates the expenditure of $3,000,000 by the Federal Government and $3,000,000 by the State governments for agricultural high schools. Mr. Gross says this should be increased tenfold to accommodate all the consolidated rural schools. This is equivalent to requesting that Congress appropriate $30,000,000 and require the States to appropriate an equal amount, devoting $60,000,000 to vocational education for farm boys and girls in their home rural-school districts. This would provide $1,500 for each 40,000 consolidated and village rural schools for the teaching of agriculture and home economics. Senator PAGE nor any of his associates have thought of suggesting anything so radical. The Page bill proposes to bring the work of the agricultural and mechanical colleges down nearer to the people who manage our farms, our farm homes, and who work in the trades and industries and manage the homes of our industrial workers by producing local leaders and teachers for the rural schools and county demonstration farm workers. It leaves the financing of the local schools to the States and communities. Mr. Gross has shown that the Page bill is really a conservative measure.

The Lever-Smith bill, on the other hand, fails to recognize that already the Federal Government and the States have farm-efficiency men in more than one-third of the counties of the United States. Nearly all counties in the Southern States, under the leadership of Dr. Knapp, are thus supplied in part with Federal, in part with State, and in part with private and local, funds. The Federal Government, the State governments, and private and local organizations are rapidly extending this work into the Northern States. Both the Page bill and the Lever bill propose to extend this work to all counties and to systematize and standardize it; but to say that this minor matter, which is largely working itself out, completes the land-grant act of 1862 is, in the face of the above-stated facts, absurd, to say the least.

The Page bill, by providing some hundreds of agricultural high schools in the country by providing some hundreds of trade schools in the large centers of population, by providing vocational courses of study in the general run of secondary or high schools of the country, by providing for college extension, and then by providing that in the State colleges of agriculture and State normal schools teachers shall be trained for these lines of work, proposes a system which really does supplement and look to thoroughly completing the purpose of the land-grant act of 1862.

That the proposed branch experiment stations are needed is shown by the fact that the United States Department of Agriculture and the State experiment stations are establishing branch stations of this kind in many States. Under the Page bill these branch stations would be systematically placed beside the agricultural high schools, where, besides serving as investigational farms, they would have an immediate educational value to the students as well as a general educational value to the farmers of the agricultural regions in which these schools are placed.

The Page bill has been wrought out by men best acquainted with vocational education in this country. The Gross letter shows that his propaganda for the Lever-Smith bill is in the hands of men who do not know concerning agricultural high schools, trade schools, agriculture, trades and industries, and home economics in the public schools, and who do not know or appreciate the need of preparing teachers for these schools and for extension work.

Very sincerely, yours,

CLARENCE J. OWENS,
Managing Director Southern Commercial Congress.

Mr. PAGE. Mr. President, something has been said here about the right of the Federal Government to enter upon the secondary educational work of the country. I received a very interesting communication recently on the constitutional features of this bill. The communication is from an attorney who was formerly Assistant Secretary of the Navy, Hon. Frank Warren Hackett. I will only read one paragraph, and will ask that the entire article may be printed, if there is no objection.

The paragraph referred to is as follows:

The grand object of this bill, as we have seen, is to render aid in furnishing vocational education to the American boy and girl. Here a question of the power of Congress involves something more than an examination into what has heretofore been done by Federal authority to help along the cause of education in general. An underlying purpose is to check the growing evil that is threatening the well-being of the body politic. There is, and for some time has been, disquietude in the field of labor. No longer is it prudent to allow a great majority of the boys and girls of the land to grow up without early training in the art of earning a livelihood. Something better must be furnished than an ordinary school training. It is the part of wisdom to heed betimes the warning, and diligently to seek and apply the remedy.

He treats the matter from the standpoint of constitutional rights, and I ask that his article may be inserted in full in the RECORD.

The PRESIDENT pro tempore. Without objection, that order will be made.

The matter referred to is as follows:

IS THE PAGE VOCATIONAL EDUCATION BILL CONSTITUTIONAL?

The Page bill now pending in the Senate proposes to appropriate nearly $15,000,000 annually, beginning in 1916, in order to cooperate with the States in encouraging instruction in agriculture, the trades and industries, and home economics in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; and in maintaining extension departments in State colleges of agriculture and the mechanic arts. It has been carefully drawn, after consultation with our leading educators. The plan it embodies appears eminently practical. It is sensible and businesslike. The bill has earnest supporters in every part of the country.

A leading purpose is to encourage a State to appropriate a reasonable sum of money for teaching boys how to succeed in industrial pursuits, and to instruct the girl likewise for such occupation as may be suited to her as well as to educate her in what is styled "home economics." A sum is offered to the State, according to the amount that the local community shall have raised for the purpose. The State will appropriate an amount equal to the Federal appropriation, and the local community is expected to contribute as much as the State and Federal appropriation combined. This method is a judicious one, and the expenditure of the fund is well safeguarded.

The moving cause of this most important enterprise is found in the conditions that confront the great majority of our American boys just as they are leaving the public school. What they have been taught there, however valuable for some purposes, has not had the direct effect of fitting them to earn a living. Many of these boys, losing a chance to become useful citizens, fail in obtaining regular employment, while some of them, sad to say, degenerate into the criminal class.

Says an observer interested in the welfare of young men: "Our reformatories and jails are still filled with mere boys." The period is that where the boy's nature is impressionable; his aspirations are awakened, and he deserves to have a fair opportunity presented where he can follow his bent. What he has been compelled to apply himself to at school has not been much to his liking. He looks around him, and he feels that he does not have a chance to make a man of himself. Not a little of the unrest existing to-day among workingmen is to be traced to a conviction on the part of a father that somehow his children are not getting fair treatment. While not a subject for recrimination, it is a source of danger that every good citizen must stop and think about. What a recent writer says is unhappily true: "Too many boys are being turned loose in the world to live in a makeshift way."

This deplorable state of things, which has been going on from bad to worse, brings a duty home to the legislator. In all seriousness, it must be admitted that action should be taken, and that speedily, to meet and correct this growing evil. It is not too much to say that, aggravated as it is by the character of the immigration of recent years, the situation constitutes a menace to the peace and safety of the State. It is not simply a check to prosperity, it is a peril to our institutions.

What can be done to help these boys that will make of them good citizens and thereby conserve law and order? The Page bill endeavors to answer this question.

While this inquiry presses upon our attention, we find ourselves face to face with another factor in our national life hardly less disturbing. The country has come to realize the truth that much of our soil has been overworked, its fertility exhausted, and that we must work hard to restore to it, if we can, it former productivity. Already the Department of Agriculture has done praiseworthy work in the direction of enabling the farmer to raise heavier crops. To the Morrill Act of 1862 and to the Hatch Act of 1887 is due the gratitude of the entire country for fine and efficient service rendered by the agricultural college. Much remains to be accomplished in order to bring home to the tiller of the soil a knowledge of scientific farming. It is here that the Page bill seeks to benefit the people in every part of the country. Experimental farms are projected where practical work will be done by the students

with a result that the adult farmer will profit by what has been demonstrated, after research and experiment, in some instances not far from his home. When we reflect that in 1907 Germany, as compared with the United States, in less than one-half the area, harvested nearly double the bushels of wheat, oats, barley, rye, and potatoes, we need not be told that it would be folly in us not to bestow our best thought upon the problems of our future food supply.

The Page bill would improve our farming, and by making it more profitable would attract our boys by interesting them in the science of crop raising, thus checking the tendency to desert the healthful surroundings of rural life in order to crowd into the cities. Farm life would have a new meaning. The legislation in view would rescue land from wasteful treatment and bring it under the influence of men eager to cultivate it by the best methods, because they are widening their knowledge of how to make their possessions more and more productive.

Enough has been said to indicate that this measure contemplates the attainment of objects of vital interest and of almost incalculable value to every community in the land. The thought naturally occurs, Is an appropriation of money for such purposes as these within the power of Congress? Is the Page bill constitutional?

Were this question the first of its kind, the reply that most lawyers would make offhand, it is likely, would offer no contradiction to the views expressed by President Buchanan in his message of February 24, 1859, vetoing a bill for giving public lands to the States to establish agricultural colleges: "I presume the general proposition is undeniable that Congress does not possess the power to appropriate money in the Treasury raised by taxes on the people of the United States for the purpose of educating the people of the respective States."

Yet three years later Abraham Lincoln signed the bill and it became a law, bearing the honored name of "the Morrill Act." One ground upon which its constitutionality was vested was that Congress had power to dispose of the public lands. In January, 1887, when a bill to establish agricultural experiment stations was under debate in the Senate, an amendment was adopted adding after the words "money in the Treasury" the further words "proceeding from the sales of public lands," although the Senator in charge of the bill remarked in accepting the amendment that he thought it unnecessary. During the debate Senator Vest said: "We have established a Bureau of Agriculture. It is very questionable whether the power to do that exists or not. Some of the best lawyers in the United States doubted it when established and doubt it to-day, but it was done and that bureau is now in existence." Senator Butler expressed a like doubt, but added: "It has been acquiesced in so long as to have become an acknowledged and accomplished fact."

The Department of Agriculture, it must be admitted, exists under no express grant of power to Congress, but only because that body, in obedience to public sentiment, found a power to create and maintain it in the "general-welfare" clause of the Constitution. The Bureau of Education, worth to the country many times over what it has cost, can refer its existence to the same clause. So of other forms of expenditure by Congress that have responded to public needs in contributing to the general welfare.

This section of the Constitution (Art. I, sec. 8) begins as follows:

"The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States * * *."

In the earlier days it was generally understood that these words "provide for * * * the general welfare" would not support an appropriation of money to carry out a purpose other than is to be discerned in the language of the enumerated powers conferred upon Congress. A strict constructionist may hold to this doctrine at the present time. But the growth of the country, the change in its needs, and the imperative demand for the means to carry into effect what it is the obvious duty of the National Government to accomplish sustains Congress in appropriating money, for the benefit of the entire people, for objects not embraced within the language of the enumerated powers. Where the Nation requires action to be taken for its safety or its welfare, in a sense that everyone must experience the advantage of the protection and help afforded, Congress has demonstrated that it has felt itself justified in voting an appropriation therefor.

The furtherance of agriculture, the preservation of forests, the conduct of mining are some of the purposes which have induced Congress to take upon itself the responsibility of appropriating money under the "general-welfare" clause. This action has been followed apparently by no successful attempt to set aside the law for lack of constitutional power, and it may be inferred that the people are willing to trust Congress and the President that the limits of a wise discretion are not transgressed.

So far as the bill under consideration, therefore, proposes that money be appropriated for teaching the elements of agriculture, it is apprehended that no serious objection will be advanced on the score of a lack of power in Congress under the Constitution to vote money for such a purpose. The policy of making annual appropriations of this character has now become firmly fixed, and a further discussion here of constitutional power in regard to it would be merely academic.

The grand object of this bill, as we have seen, is to render aid in furnishing vocational education to the American boy and girl. Here a question of the power of Congress involves something more than an examination into what has heretofore been done by Federal authority to help along the cause of education in general. An underlying purpose is to check a growing evil that is threatening the well-being of the body politic. There is and for some time has been disquietude in the field of labor. No longer is it prudent to allow a great majority of the boys and girls of the land to grow up without early training in the art of earning a livelihood. Something better must be furnished than an ordinary school training. It is the part of wisdom to heed betimes the warning and diligently to seek and apply the remedy.

Well it has been said in an editorial upon the subject of this bill:

"Battleships and standing armies are not the only means of protection for a nation. Danger from a foreign foe is a remote possibility. Danger from ignorance, inefficiency, and poverty is an ever-present peril."

A like thought is conveyed in the following extract from Senator PAGE's speech in advocacy of his bill:

"National defense is just as effectually provided for in promoting good citizenship as in building battleships. An illiterate, uneducated citizen, disloyal and anarchistic, as he oftentimes is, is a greater menace to our safety than the combined battleships of Great Britain, France, and Germany."

These expressions, uttered in all sincerity, points the way unwittingly to the real power that exists in Congress to put this proposed enactment upon the statute books. One need not resort to the "general-welfare" clause, though the measure is entitled to the protection and encouragement which these words afford. Its constitutionality may securely be vested on another ground, and that is the power conferred upon Congress to provide for "the common defense."

These words, "the common defense," are found in the preamble of the Constitution. They occur also in the Articles of Confederation. Our forefathers had them ever in mind. They but expressed that instinct of self-preservation which governs every organized society. Of course they are entitled to be liberally construed. The framers of the Constitution doubtless had chiefly in view the dangers to be apprehended from a foreign enemy, but they employed the term in no restrictive sense. Domestic enemies are not omitted from the reckoning. Congress, as we would naturally expect, is authorized to resort to every measure that in its judgment is needful and proper to insure the safety of a common country.

There is no call for argument. It surely will not be denied that the people, through their Congress, can seasonably guard against dangers that threaten the fabric of Government. If the peace and happiness of the country demand that a larger and a better opportunity of education be given to the boy or the girl before going out into the world, Congress will not hesitate from any lack of power to provide for the "common defense" of our institutions by hastening forward this salutary legislation.

Another consideration is not altogether without merit, and that is the attitude of the several States themselves toward this proposed extension of aid. So fair and so strong is the inducement we may with reason assume that every State in the Union will join in the work of putting into successful operation this admirably conceived plan for strengthening and elevating the American people. As State after State falls into line, what in the sequel will have become of any fancied objections that State rights have been invaded or that Congress, in holding out a helping hand to the State, had entered a field which the Constitution had not authorized it to occupy?

FRANK WARREN HACKETT.

JULY 26, 1912.

Mr. PAGE. Mr. President, I presume that before this discussion is concluded there may be a good many interrogatories which I may be called upon to answer. I simply wish to say that, having discussed this matter at considerable length on a previous occasion, I am now inclined to let other Senators continue the discussion, although I should be very glad to answer any question or correct any wrong impression regarding the bill.

Mr. ROOT. Mr. President, I have a brief letter from a very distinguished educator in regard to this bill which states better than I myself can state some questions I should like to have answered. I will ask to have the letter read from the desk.

The PRESIDENT pro tempore. The letter will be read as requested.

The Secretary read the letter, as follows:

THE CARNEGIE FOUNDATION FOR
THE ADVANCEMENT OF TEACHING,
OFFICE OF THE PRESIDENT,
New York, January 20, 1913.

Hon. ELIHU ROOT,
United States Senate, Washington, D. C.

MY DEAR SENATOR ROOT: I venture to call your attention to what seems to me very serious objections to the Page bill now before the Senate, which contemplates a large appropriation by Congress for the support of vocational education in the secondary schools of the various States.

This bill seems to me unwise both from the standpoint of public policy and from that of education.

Here for the first time Congress undertakes to appropriate money for secondary schools. If Congress is to enter upon this policy it should be only after a fair discussion of the whole question. It is difficult to see where Congress is to stop if it is to begin the practice of appropriation to local State agencies. There is no enterprise of the local or State government which may not with equal justice ask for a grant from the National Treasury. One does not need to be a State rights man in the party sense to appreciate that this is a most far-reaching change in our fundamental policy and one to be entered upon only after thorough understanding of what it means. Elementary schools, mining schools, hospitals, schools for defectives, or any charitable or educational agency are within the scope of such legislation. All sorts of paternalistic possibilities are here included.

Educationally the measure seems to me of very doubtful wisdom. It provides for a system of education without adequate educational supervision. In order to secure some sort of educational control vocational schools are brought by this bill under the jurisdiction of the Secretary of the Interior, and elaborate requirements for expenditure and courses of study and even of personnel are included. No such centralization of educational power has ever before been attempted. Secondary education would practically be directed by the Secretary of the Interior. It is possible that the Secretary of the Interior would exercise this authority wisely; it may be that he would direct the secondary schools of the various States better than the States themselves; but it is certainly open to question whether the natural, systematic development of their own school systems by the various States is not a wiser thing. In order to secure an appropriation from the General Government the States are here asked not only to accept a very large degree of direction in the matter of secondary and vocational education but the plan of education proposed has little or no relation to the present State school systems, and seems more likely to produce educational confusion than educational order. The experience of the Morrill Act shows that money expended without educational planning may be made to do harm as well as good. The effort in this bill to compel the States accepting the money to do wisely in its expenditure goes to the other extreme, but it contains no greater assurance of wise educational oversight than did the Morril bill, after which it is patterned. The questions involved both in public policy and in education seem too important to be settled in the hurry of a short session.

I am,
Very sincerely, yours, HENRY S. PRITCHETT.

Mr. PAGE. Mr. President, I am well aware that a few States—notably Massachusetts and New York—have taken the attitude of Dr. Pritchett in his letter written to the senior Sena-

tor from New York. The strong objection, it seems to me, of Dr. Pritchett is that contained in the following words:

It provides for a system of education without adequate educational supervision. In order to secure some sort of educational control vocational schools are brought by this bill under the jurisdiction of the Secretary of the Interior, and elaborate requirements of expenditure and courses of study and even of personnel are included. No such centralization of educational power has ever before been attempted. Secondary education would practically be directed by the Secretary of the Interior. It is possible that the Secretary of the Interior would exercise this authority wisely; it may be that he would direct the secondary schools of the various States better than the States themselves, but it is certainly open to question whether the natural systematic development of their own school systems by the various States is not a wiser thing.

From the first I have realized that this was a most serious objection to the Page bill as originally drawn, and I addressed myself to the task of so revising the original bill as to eliminate as far as possible this objection.

One of the leading friends of the Page bill is a Representative in Congress from the city of New York, Hon. WILLIAM C. REDFIELD. He is, as is well known, the president of the National Society for the Promotion of Industrial Education. We were early in conference as to these objectionable features of the Page bill, but we were both anxious to construct the best possible measure, and, after repeated conferences, we reached what we thought was a fair solution of this problem; and he brought back word from New York that the rewritten bill as it now appears in the amendment which I have offered to the Lever bill was generally satisfactory to the educators of his State.

The valuable aid of Dr. Snedden, head of the educational system of Massachusetts, was secured in the effort to so rewrite the Page bill as to eliminate the objection of Dr. Pritchett and others who felt as he did. The result, was, let me repeat, that after a good deal of painstaking labor the Page bill was so reconstructed as to these objectionable features as to secure the warm approval of both New York and Massachusetts. Dr. Snedden was so delighted with the rewritten bill that he sent me a telegram, in which he said:

I hope the bill as now drawn may pass without the change of a single line.

Mr. President, I would like to call the attention of the Senator from New York to a statement made by the chief magistrate of the New York municipal court, Judge William McAdoo, in his annual report. He says:

There is growing up in this city a menacing army of boys and young men who are the most troublesome element the authorities have to deal with. From the ranks of these lawless, reckless rowdies, who are organized in bands or bound up with chums or pals, come most of the crop of burglars, truck thieves, holdup men, and other criminals and dangerous characters.

Another New York City judge, Judge Merritt W. Pinckney, of the New York juvenile court, says that apparent neglect and incompetence are responsible for most of the delinquency which brought to his court three-fifths of the 12,000 children who have passed through it during his incumbency of that office.

Prof. George Walter Fiske, in his series of lectures on "Boy life and self-government," makes the following significant statement:

Our reformatories and jails are still filled with mere boys. The maximal age for malicious mischief is only 14; for petty larceny and assault, 15; for crimes against property, 16; while the maximum curve for fornication is at 17. Early and middle adolescence is still the great crime period. The shirking of the average home largely accounts for this boy waste, but the ethical failure of the public school is, to a degree, responsible also.

Mr. President, by the college extension features of Senate bill No. 3, which are exactly the same as the provisions of the Lever bill, we are appropriating $3,480,000 for the benefit of the adult farmer on the farm. In my judgment, the time has arrived when we should reach down and take the hands of the neglected boys who, in far too large numbers, are being turned adrift, and are to-day—to use the language of Judge McAdoo—"developing into a crop of burglars, truck thieves, holdup men, and other criminals and dangerous characters."

Mr. President, out of our unparalleled prosperity and our great wealth we must do something for the sons of our laboring men. That New York, the great Empire State, has lamentably failed in this particular is shown by the statements of Judges McAdoo and Pinckney, and I presume other States are equally guilty of wrong in this particular.

If the States will not act in the matter, we must do so, because without some change for the better in this regard we can not have good citizenship.

I believe that the boys now growing up must have a different kind of education from that which they are now receiving, or we are going to produce in the next generation a race of anarchists; and if the States themselves will not do this work, it seems to me that we ought to go ahead and blaze the trail, pointing the way whereby it may be done, not by a single State, but under one great plan of cooperation between the several States and the Federal Government.

I know that away back in 1856 the constitutional question was raised. James Buchanan vetoed the first Morrill agricultural college bill, but the Congress of 1862 again passed that bill, and to-day, in speaking of Abraham Lincoln, we often say that his first and greatest act was the liberating of 4,000,000 slaves, and second to it only, was his signing of the Morrill agricultural college act. No one to-day would think of repealing that law. But, more than this, in 1887, we passed the Hatch Act; a little later the Adams Act; in 1907 we passed what is known as the Nelson amendment; and from time to time we have established repeated precedents for granting Federal aid to education.

I am not a lawyer and do not care to discuss constitutional questions. I only know that something must be done or, in my judgment, we are going to raise up, in the next decade, a race of very undesirable citizens.

Mr. SMOOT. Mr. President, I have in my hand the amendment offered January 24, 1913, as a substitute for the so-called Lever bill. I notice that section 16 reads as follows:

SEC. 16. That the Secretary of the Interior is hereby charged with the duty, and to him is hereby given all necessary power, to administer the provisions of this act relating to the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, and the teachers' training fund, to secure advice and assistance from the Secretary of Agriculture and the Secretary of Commerce and Labor in carrying out the provisions of this act, in the making of investigations concerning education in the industries, home economics, and agriculture, and in the making of reports thereon; to cooperate with the State boards of vocational education herein provided for the respective States and the District of Columbia in developing the work of schools and in the training of teachers benefited by this act; and to give to such boards for vocational education such advice and assistance as will best enable them to carry out the provisions of this act.

I also notice in section 22 a statement almost similar, but I believe going a little further, for it provides:

SEC. 22. That in order to secure the benefit of the rural-school fund, the agricultural-school fund, the college teachers' training fund, or the teachers' training fund, the board for vocational education for each State and the District of Columbia shall adopt, with the approval of the Secretary of the Interior, and place in operation a general administrative scheme or plan, with such modifications as may be made from time to time, for the proper distribution of moneys to schools and colleges as herein provided; for the inspection and approval of such schools and colleges under the provisions of this act.

Do I understand, under this bill, that the Secretary of the Interior, through the advice and the assistance of the Secretary of Agriculture and the Secretary of Commerce and Labor, is given the power to administer the provisions of the act relating to the distribution of the appropriations and to prescribe the instruction which may be given in a State which participates in the fund? Is that what it means?

Mr. PAGE. Mr. President, if the Senator will read the bill through he will find that it has been changed from the form of the original bill for the express purpose of meeting the ideas which he now advances; in other words, it provides that the suggestions of the Secretary of the Interior shall not be mandatory. On the contrary, the board for vocational education shall formulate the plans for the school work under the provisions of this bill.

Mr. CRAWFORD. That is a State board.

Mr. PAGE. Yes; the State board for vocational education. I do not know, Mr. President, that I can answer the Senator from Utah any better than by saying that for a year a fight has been on to protect the autonomy of the States. It has come from various quarters, notably from New York and from Massachusetts. One of the commissioners of education from Massachusetts came here to Washington and stayed two weeks to assist in getting this bill into such shape that it would meet the views of those States which insisted that the autonomy of the States should not be materially disturbed. At the same time it was conceded that there should be thrown around these appropriations some measure of Federal supervision.

Mr. SMOOT. But, Mr. President, as I read section 16 it is not in the alternative. It is a direct power to them to cooperate with State boards for vocational education, and so forth.

Mr. PAGE. Will the Senator let me read a part of section 19?

Mr. SMOOT. Section 16 refers to all of the different school funds, and, it seems to me, is the section that would cover the point I am trying to reach, and that is this: If I read that section aright, it gives to the Secretary of the Interior power to administer the provisions of the act and virtually to control the expenditure of the money.

Mr. PAGE. Does the Senator understand that one section can be picked out and not read in connection with all the other sections of the measure?

Mr. SMOOT. I do not so understand, and I should be very glad to have the Senator read the section to which he refers.

Mr. PAGE. I should like to call attention to section 19:

SEC. 19. In order to secure the benefit of the secondary school department fund, the industrial or home economics school fund, the district agricultural school fund, the college teachers' training fund, or the normal teachers' training fund, the board for vocational education for each State and the District of Columbia shall adopt, with the approval of the Secretary of the Interior, and place in operation a general administrative scheme or plan, with such modifications as may be made from time to time, for the proper distribution of moneys to schools of secondary grade and to colleges and normal schools as herein provided; for the inspection and approval of such schools and colleges under the provisions of this act.

Note that the board for vocational education adopts and places in operation the general administrative scheme or plan. The Secretary of the Interior can only approve the plan adopted by the State board for vocational education.

It is true that the Secretary of the Interior has a supervisory power, but it would be entirely contrary to the spirit of this bill for him to exercise other than a supervisory power.

Mr. SMOOT. Mr. President, from what print of the amendment was the Senator reading? The one I have is different from the one he read.

Mr. PAGE. I read from the original bill. There has been no change in the text of the last 15 sections of the bill, although the sections are renumbered. It is number 16 in the amendment. I do not know from what section the Senator was reading.

Mr. SMOOT. Section 16 of the amended amendment was what I was reading from.

Mr. CRAWFORD. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from South Dakota?

Mr. SMOOT. Certainly.

Mr. CRAWFORD. I simply wish to suggest that the provisions to which the Senator refers are those which touch these officials, the Secretary of the Interior and the Secretary of Agriculture; but nowhere in the bill, as I read it, is there imposed upon these officials the duty of controlling the distribution of any of these expenditures. The language used here relates to the provisions in the act with which they have to do.

Mr. SMOOT. Mr. President, I take it the wording of section 16, if the Senator will bear with me, refers particularly to a power that is conferred upon the Secretary of the Interior, for it states——

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. Just a moment, and then I will gladly yield. Section 16 provides:

That the Secretary of the Interior is hereby charged with the duty, and to him is hereby given all necessary power, to administer the provisions of this act relating to the rural-school fund—

And all the other funds. It seems to me that that is wide power given him.

Mr. CRAWFORD. Does the Senator object to having that power in the Secretary of the Interior to administer this act so far as its relation to the Federal Government is concerned?

Mr. SMOOT. No; but it goes further than that, Mr. President, as I have already called attention to, and as I was about to proceed to elaborate; but I yield to the Senator from Iowa, as I said I would.

Mr. CUMMINS. Mr. President, if the Senator from Utah is of the opinion that this bill authorizes the Secretary of the Interior to distribute the fund among the teachers of the schools in each and every State, he has greatly, I think, misread it. The Secretary of the Interior administers it, in so far as it is necessary for him to determine whether the States shall have the money. If he determines that the particular State is entitled to the money, then it is paid over to the authorities of the State, to be distributed, I assume, in the ordinary way as a school fund. In the amendment that is now before us, as the Senator will see if he will turn to section 22, it becomes perfectly clear:

That in order to secure the benefit of the rural-school fund, the agricultural-school fund, the college teachers' training fund, or the teachers' training fund, the board of vocational education—

And that board must be organized in each State before it is entitled to any part of the appropriation—

shall adopt, with the approval of the Secretary of the Interior, and place in operation a general administrative scheme or plan, with such modifications as may be made from time to time, for the proper distribution of moneys to schools and colleges as herein provided.

Mr. SMOOT. Now go on.

Mr. CUMMINS. That is the administrative feature of this bill, as far as these schools and colleges are concerned.

Mr. SMOOT. I do not disagree with the Senator as far as that is concerned; but I will ask the Senator to proceed and read from that point on—from the word "provided," in line 9, page 17.

Mr. CUMMINS. The language is:

For the inspection and approval of such schools and colleges under the provisions of this act, and for the formulation and application in such inspection and approval of standards and requirements in vocational education as to types of schools, location, course of study, etc., qualifications of teachers, etc.

Undoubtedly, under the bill, each State, through its vocational board, must present a plan for the distribution of the money so far as vocational training is concerned, and that plan must be approved by the Secretary of the Interior. That is the general idea of the bill. But there, I think, the power and responsibility of the Secretary of the Interior end.

Mr. SMOOT. It seems to me that it specifically states that the Secretary of the Interior will have the power to pass upon the question of the types of schools, the location of the schools, the course of study, the qualifications of the teachers, the methods of instruction, the conditions of admission, and the employment of pupils.

Mr. CUMMINS. Undoubtedly. That is the purpose of this bill.

Mr. SMOOT. I rather think that is a dangerous power to give to the Secretary of the Interior.

Mr. CUMMINS. But the vocational board must make this plan and present it to the Secretary of the Interior, and if he approves it the State gets the money. If he disapproves it, the State does not get the money.

Mr. PAGE. The Senator from Utah has failed to read the whole bill. I will read it.

Mr. SMOOT. Before the Senator reads further, I should like to ask him whether or not he agrees with the statement just made by the Senator from Iowa.

Mr. PAGE. My attention was called away by my clerk and I did not hear the statement.

Mr. SMOOT. I will make the statement again. Does the Senator agree that under section 22 the Secretary of the Interior has the power to pass upon the qualifications of the teachers, the methods of instruction, the conditions of admission, and the employment of pupils?

Mr. CUMMINS. I hope the Senator from Utah does not put that as though it were a proposition to which I agree. It is the plan that is submitted to the Secretary of the Interior—not the detail of the qualifications of the teachers or the employment of pupils.

Mr. SMOOT. It seems to me, Mr. President, that if the Secretary of the Interior has the power to reject the plan that must be approved before the money will be given to the State for this particular purpose, he has it in his power to say whether or not the State shall have any of the appropriation.

Mr. PAGE. That matter was taken up in our committee with a great deal of care; it was thrashed out very thoroughly; and we finally thought that we had put up the bars safely by this section.

Mr. SMOOT. What section is it?

Mr. PAGE. Section 30. I will read it:

If the Secretary of the Interior or the Secretary of Agriculture, as herein provided, shall withhold a certificate from any State or the District of Columbia for the whole or any part of its allotment, the facts and reasons therefor shall be reported to the President, in order that the State or the District of Columbia may, if it shall so desire, appeal to Congress from the determination of the Secretary of the Interior or the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

That seemed to satisfy those who made objections to the bill substantially such as have been made by the Senator from Utah. I think it is a pretty good safeguard.

Mr. CUMMINS. I think the Senator from Vermont misunderstands the Senator from Utah. The Senator from Utah is objecting because the bars have been put up too effectually—not because they have not been put up sufficiently.

Mr. CRAWFORD. Mr. President, I should like to ask the Senator from Utah if he means that this bill should leave to the discretion of the State authorities the use they should make of this fund, so that while they were receiving it for the purpose of providing some method of vocational education they might divert it to a use entirely different, and there should be no supervisory control left in the Secretary of the Interior or the Secretary of Agriculture to prevent the misuse of the fund?

Mr. SMOOT. No, Mr. President; that is not my position at all.

Mr. CRAWFORD. This language provides for the submission to the Secretary of a plan which must receive his approval before the money is turned over to the State authorities.

Mr. SMOOT. Yes; but it is not the plan that would be adopted by the president of the agricultural college, or the board of the agricultural college, or the board of the State. They say how the plan shall be formulated. It must conform to certain requirements before it will be approved by the Secretary of the Interior.

Mr. PAGE. That is it.

Mr. SMOOT. It seems to me that that puts a power into their hands that is hardly justifiable. I think the Secretary of the Interior ought to have power to see that the money is expended for that particular purpose. But to extend that power to cover the form in which it shall be expended, as provided in section 22 of the proposed amendment, I think is going too far.

Mr. PAGE. I should like to read another section that was introduced here for the express purpose of preventing the Secretary of the Interior from making an arbitrary decision which is in conflict with the views of the State authorities.

Section 31 of the amendment reads:

That the moneys received by any State or the District of Columbia for any given purpose under the provisions of this act shall be used only for such purpose and shall be distributed among the institutions entitled to the benefit of such moneys in proportion to the amount which each expends out of other income derived from general or from local public funds for the same purpose during the same period.

Here is the modification:

Or such money shall be distributed on some other basis and according to some other plan previously adopted by the board for vocational education or by legislative authority for such State or the District of Columbia with the approval of the Secretary of the Interior.

Mr. SMOOT. Why does not the Senator rest his whole amendment upon that provision rather than to have section 19 put in here, as it is, virtually in conflict with that?

Mr. PAGE. I think the two provisions will have to be taken together. We do not want to remove from the Federal Government some power of supervision. The States may bring forward any plan or scheme they see fit. It is true that the Federal Government, through the Secretary of the Interior, must supervise. But if the Secretary of the Interior withholds the money, the amendment gives Congress the final power to give it back, and it provides, beyond that, in about the strongest terms it can, that it shall be expended under the provisions of this act or under some other provision to be formulated by the board of vocational education. In fact, Mr. President, we have gone a little further than I thought we ought to go in trying to establish State autonomy. But that was the view of Massachusetts and of New York and of some of the other States, and I did not believe it would work out with any harm, so I consented to give the States this almost unlimited power to arrange the matter according to their own wishes.

Mr. CRAWFORD. Mr. President, I do not wish to detain the Senate for any length of time, but I want to make a few brief observations in regard to the Page amendment.

If any of the Senators here ever acted as a member of a local board of education and witnessed the graduating classes each year in the high schools and even in the grammar schools, whether in agricultural States or in States with great cities and congested population, he must have been impressed by the fact that only a small portion, indeed, of the children that flock to our public schools graduate from the high schools or the grammar schools, and that only an infinitesimal portion of them ever enter a college of higher education. He must have been impressed by the fact that often two-thirds and sometimes three-fourths of the graduating classes in the high schools are girls, and that the great army of boys from the families of moderate circumstance and from the homes of the poor leave these schools before they reach the age of 14 years. They are compelled to leave these schools by the demand that they go forth and seek employment to win bread for their families. It is even so in the villages in the agricultural States, and it is lamentably true in the great congested centers and the factory districts of this country. More and more, Mr. President, are we looking squarely into the face the question, "How are these people of the future to earn a living? How can we add to their efficiency and make them more capable of self-support and more useful citizens?"

We have not hesitated here in maintaining the great Agricultural Department to appropriate money from the United States Treasury to send men out into the fields in Georgia, in Mississippi, and elsewhere, and have them play the part of local educators, to tell men how to treat the soil and how to plant the seed and how to supervise the growth of products. We have not stopped because we feared we were extending Federal authority too far and extending Federal functions beyond the limits of the Constitution of the United States. We have not hesitated in taking steps to protect the health of our people, to pass pure-food laws and meat-inspection laws. We have been legislating for years indirectly to help great industries through protective tariffs and one thing and another, and here we face a question of humanity.

Not long ago I rode through one of the manufacturing districts. A gentleman and I were looking out of the train window down one of the streets, and he pointed to a row of "company houses," as he called them, on each side of the street as far as you could see. He said: "These people live in houses owned by the barons who own the manufacturing plants and pay rent to them and they are protected by law, and in the case of these families many a time the boys who grow up there feel that a few inches above their heads is a steel ceiling above which they can not rise."

These schools are to reach into fields like that and increase the efficiency of the coming race, and I believe in them with all my heart.

Every dollar appropriated here requires another dollar to meet it in the State and another dollar in the municipality. The inspiration to this great work will come from this law. We establish and support, through our States, great universities for higher education, schools for the law, medicine, and all that sort of thing, and help a very few of our people. We ought to do that. But here we are laying the foundation for reaching the boy who has before him the stern struggle of life. We are making him more fit.

Mr. SMITH of Georgia. Will the Senator allow me to ask him a question?

Mr. CRAWFORD. Certainly.

Mr. SMITH of Georgia. I understood the Senator to say that the bill required that for each dollar the National Government gave the State should give a dollar and the municipality a dollar.

Mr. CRAWFORD. That was the statement of the author of the measure here on Friday.

Mr. SMITH of Georgia. I do not see that anywhere in the amendment.

Mr. PAGE. If I may be allowed to explain, the bill provides that for every dollar furnished by the Federal Government two dollars more shall be contributed by the State and local authorities.

Mr. CRAWFORD. Very well. That is the same thing in effect.

Mr. SMITH of Georgia. Will the Senator call my attention to the place where that is found?

Mr. PAGE. Yes; in just a moment.

Mr. CRAWFORD. Mr. President, I rose only to make a few general observations about this bill. It does not affect the people of my State very much. As I said the other day, we have no great cities. We come directly in contact with the benefits of the agricultural extension system. We are an agricultural community. We know what the experiment stations are doing in our midst. We know what the experiments with drought-resisting plants are doing in parts of our State that are sometimes afflicted by drought. We know how directly we benefit from all that, and, of course, we welcome the provisions of what is known here as the Lever bill. But I think we should take a broader view of the situation than that which affects us in our localities. When we consider the conditions prevailing in the United States generally, in its great cities, in its congested centers, and the stern problems of life that the children who are growing up to-day must face from this time on, I believe the provisions of this bill are reaching out in the right direction, and I am in favor of it.

Mr. PAGE. Mr. President, answering the Senator from Georgia, I would refer to section 31, the latter part of which reads as follows:

But there shall in no case be disbursed under the terms of this act to any school or college, out of moneys derived from the secondary school department fund, the industrial or home economics school fund, the district agricultural school fund, the college teachers' training fund, or the normal teachers' training fund, as provided in this act, more money than 50 per cent of the amount which is supplied and expended during the same period for the same purpose, for which such fund is to be expended, out of either State and local or State or local public moneys.

In other words, the Federal Government pays 50 per cent and the State and local authorities 100 per cent, making 2 for 1.

Mr. McCUMBER. Mr. President, there is a theoretical and a practical side to the provisions of this bill. I suppose if I deal with the practical side of it I shall subject myself to the charge of pessimism. I am willing, however, to chance that charge if I may bring to the attention of the country at large, and especially to the farming population, some provisions of this bill to the end that they shall not be deceived in regard to what it means for them.

I represent a farming section—one purely agricultural. I know the needs of that section. I know what kind of a bill will benefit it. I have seen resolutions and bills pass the Senate and the House designed to make farm life more genteel and pleasing, with the intent that some benefit would be derived by the farming community from them. But there is just one thing in the world that will take the people from the congested cities to the farm, and that is to make farming more profitable. There is the foundation, and there necessarily must be the foundation, of any legislation that is to affect our farming industry—make farming profitable.

Population will always drift to the field of greatest remuneration. That is a law which no character of legislation can possibly change; and the only way we can by legislation effect the drift of population from one section of the country to another is to make it more profitable for the people of one section of the country to go to another section of the country.

The one thing that makes farming unprofitable to-day more than any other one thing is the cost of farm labor, and the reason for the cost of the farm labor lies in the scarcity of farm help due to the greater remuneration in the great cities, and the lesser hours of labor in all lines of employment.

I appreciate the theoretical side of this bill, namely, that we are attempting to overcome the lack of labor to operate our farms as they should be operated by teaching intensified agriculture, so that a given amount of labor expended by the farmer and his family upon the farm, where he can not secure labor outside, may be more profitable to him, and to that extent that portion of the bill which relates purely to agricultural extension and agricultural education may operate to the benefit of the farmers of the country. But by an amendment which has come into the bill since it was originally introduced we have abandoned the original policy. Instead of educating the owner of a business to make that business more profitable by seeking to introduce methods that will economize in labor and expense, we go outside of that, in section 10 of the amendment, and provide for the industrial education of the laborer employed in such business. We do not do this for the farmer.

There is not a single line in this bill that educates a boy to become a farm laborer. This bill, by section 10, is designed to furnish and increase the supply of skilled labor for work in the cities, but nowhere do we seek to increase the supply of farm laborers. There is that which educates the owner of the land so to economize or so to intensify his farming operations as possibly to make them more profitable.

We want to get the boys away from the cities and back on the farms. We want the boys, of whom the Senator from Vermont has been speaking, those who grow in ways of idleness, and who become criminals, to abandon their evil associates in the cities and to get out onto the farms where temptations are few indeed and the surroundings morally healthful.

Will we be able to accomplish this under this bill? I can hardly believe that we are adopting the proper method in carrying this bill beyond the question of instruction in agriculture at the present time. We are not extending it to instruction in agricultural labor. And if we do not extend it to instruction in agricultural labor, why should we extend it to education in other kinds of labor?

I could see some consistency in the two portions of the bill if section 10, for instance, provided that education should be given for the purpose of economizing in the operation of mines or economizing in the operation of factories, so that a given amount of labor in the mine or in the factory would produce a greater result. Then you would have two sections of the same bill which reached toward the same purpose. But I believe you could properly take section 10 as an independent measure and entitle it "A bill to induce the boys on the farm to enter into the cities and obtain a vocational education."

We already teach that vocational education of the character provided in this bill in every city of any importance in the land and in every little town. Take the case of a boy on the farm; let us look at the practical side of this matter as it affects him. He knows that he has to labor from 12 to 16 hours a day on the farm. He knows that his remuneration for that 16 hours a day is never, on the average, a dollar a day. He knows that. There is not a farmer in the country, if he were compelled to pay the wages that are paid in the cities for a given number of hours of energy upon the farm, that would not go into bankruptcy in less than six months.

Now, you invite the farm boy, by reason of the greater remuneration and the lesser number of hours in the city, to abandon the farm and go into the nearest little town and there obtain a vocational education to become a carpenter, a bricklayer, a blacksmith, or any other skilled laborer. It will certainly benefit him under present conditions to leave the farm, and I believe under section 10 we are expending the general funds of the country to draw the young man from the farm rather than to induce the people of the overcrowded cities to migrate to the farm. I am speaking now from the farmer side of the question, from the practical side of it. While we may get some benefit from this intensified farming, which is, of course, the real purpose of this bill, I doubt if that will not be overcome by the excessive prices of farm labor brought about by taking the boys from the farm and leading them to the cities and teaching them city vocations.

I wish, Mr. President, not only to bring to the attention of the Senator who asks us to go into this new field of producing labor the importance of entering other fields, but so that the country at large when reading the record of this debate will at least know that there has been one Senator who represents a farming community who believes that there may be as much injury resulting from section 10 to the farming interests as there will be benefits derived under the other portions of the bill.

Mr. PAGE. Mr. President, I wish to say to the Senator from North Dakota that the National Grange, which is perhaps the strongest farmers' organization in the Northern States, has given this bill extended and very careful consideration and have unanimously passed resolutions indorsing it. The National Farmers' Congress, which is very strong in the South, have taken it up not in a perfunctory way but with a great deal of painstaking care, and having decided that this bill is what they want, they have indorsed it. I do not know of a single national farmers' organization in this country that has not put its stamp of approval on the bill except possibly the Dry Farming Congress. The executive secretary of that body has written me that he is for the Page bill, and I understand from another source that the organization has indorsed the Lever bill.

Mr. McCUMBER. Mr. President, I have no doubt but that any farm organization feeling that they would get a benefit from some provision of the bill would pass a resolution in favor of it without considering very much possibly what the effect might be of some other provision of the bill. Their minds would be centered only upon the question of the benefits to be derived under a certain section. I should like to have some farm organization, however, answer the proposition I have made here, that the practical operation of section 10 would be to draw the farm boy from his home and send him to the nearest town and learn some vocation.

Mr. HITCHCOCK. Mr. President——

Mr. PAGE. Just a word, if the Senator from Nebraska will allow me. In the Senator's State and in the great Northwest the bankers' association have taken this matter under advisement and have discussed it at length. They have sent me a report of their meetings devoted to this particular feature. I do not know what the bankers of the East wish, but I know that the bankers of North Dakota, of Minnesota, and that section of the country have devoted to the Page bill at least one-third of its annual report, and they are assuming to speak for the best economic interests of the great Northwest.

Mr. McCUMBER. May I ask the Senator, because he has read it, what the banking or agricultural organizations have said specifically as to the operation of section 10 of the bill? Have they said anything?

Mr. PAGE. I interrupted the Senator from Nebraska and will not longer trespass upon his time now. I shall perhaps answer the Senator from North Dakota later.

Mr. HITCHCOCK. Mr. President, I rose to express the hope that the Senate will accept the amendment offered by the Senator from Vermont to the House bill. I favor the House bill. I have some doubt whether the amendment offered by the Senator from Vermont has been well digested, but I believe that such changes as are necessary to perfect his amendment can be well worked out by the conference committee, to which the bill will probably ultimately go.

I do not agree fully with what my friend the Senator from North Dakota [Mr. McCUMBER] has said as to the effects of this amendment upon the rural population. The great fact that we are compelled to confront is that over the course of recent years there has been an enormous increase in the relative population that lives in our cities. At the present time something in the neighborhood of one-half of all the population of the United States live in what we call the large towns or cities, which constitute the urban population. We may deplore this. We may wish that the proportion were not so large. We may wish that more boys would stay upon the farm. We may differ as to the reasons which tend to increase the population in our cities. But whatever the reason and however we argue, the great fact is that half the population of the United States have selected that mode of life. This being the fact, it seems to me that when we come to legislate and provide national aid to encourage the States to help in making useful citizens we should bear in mind not only those who are on the farms, but those who, for one reason or another, are within the cities.

I agree fully with what the Senator from South Dakota [Mr. CRAWFORD] said, that the education which we are giving in our public schools is not well calculated at the present time either to hold the boys in the schools or to make of those who attend the schools useful citizens. Those who graduate in our public schools have theoretical knowledge, no doubt; they have education of a certain sort; but they are not receiving that

education which fits them to be useful and valuable members of society. This fact is appreciated in most of the States, and many of these city educators appreciate it to some extent, but in spite of all that appreciation the various States and the various cities go on with their education largely of a theoretical nature. Congress has the power by appropriating a certain sum of money to be used under certain conditions to modify to some extent this education in our public schools. I believe this bill affords that opportunity.

The Senator from North Dakota [Mr. McCUMBER] has said that the effect of section 10 of the amendment will be to draw the boys from the farms to the schools in the city in order that they may get an education which will fit them better to fight the battle of life and fit them better to enjoy the opportunities of success in life. I doubt whether that is so, but if it is true it is a concession to the excellence of this bill. To my mind those who leave city life and go into country life are those who have learned to do something with their hands as a rule.

You find that carpenters will go into country life at certain periods and try their chances upon farms, because they have learned to do something with their hands. So with bricklayers—and the Senator has referred to bricklayers. I believe that by cultivating a knowledge of manual work, by teaching some useful employment, by teaching the city-bred boy to use his hands and his body in some useful work, you are more apt to lay the foundation for ultimately inducing him to go on a farm where all that training will ultimately be of some benefit.

So, Mr. President, whatever the cause may be which has led to the congestion of the population in our great cities, I believe we should recognize the fact that it exists, and in passing a measure to encourage useful training and to make valuable citizens we should take the city as well as the country into account, and help all the thousands and tens of thousands of boys and girls who are now getting a smattering of an education, theoretical knowledge, to acquire something that will be useful to them in future life.

This refers not to the cities only but, as I understand the character of the Senator's bill, it provides for teaching in household economics, which is of particular value to women. If this country is in need of any particular thing it is a knowledge of household economics, and it should be encouraged among the women of the land, among whom it has lately fallen into very serious desuetude.

Before taking my seat, Mr. President, however, I wish to call the attention of the Senator from Vermont to what seems to be an omission in several of the sections here. I think if he will turn to section 11 he will find that he has failed to make provision for the appropriation of the money which he mentions there, and the same is true of section 12 and also of sections 13, 14, and 15. I suppose it is due to the fact that he hastily drew this substitute. I would therefore suggest to him, if he will take the memorandum, that on page 9, line 6, after the word "sixteen," he insert the words "is hereby appropriated," and again, on page 10, line 11, after the word "sixteen," to insert the words "is hereby annually appropriated."

Mr. LODGE. If I may say a word——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. HITCHCOCK. I do.

Mr. LODGE. I think that matter of appropriation would have to be made in the annual bill. If the law establishes the service, whatever it may be, and fixes the amount, the appropriations from year to year would have to be made in the regular bill. We could not make an annual appropriation in this bill in the nature of a fixed charge. Of course, the appropriation bills would have to carry the appropriations, because it is necessary that they should carry everything that is needful to enforce existing law.

Mr. HITCHCOCK. That occurred to me, but I notice that in section 10 the author of the bill makes the appropriation annually thereafter, and in the sections I have referred to it is omitted.

Mr. LODGE. I think that is perhaps unusual. The bill authorizes the appropriation just as a bill fixes a salary. It does not appropriate; it fixes the salary of an office; and then the annual appropriation bill, being required by statute, makes the appropriation year after year for that purpose.

Mr. SMOOT. Mr. President——

Mr. HITCHCOCK. If the Senator will permit me, I will read the language of section 12 as an illustration to show that something is lacking to indicate plainly that Congress intends to have this as an annual appropriation hereafter. It reads as follows:

That for the maintenance of instruction in agriculture and home economics in agricultural high schools, as hereinafter provided, the sum of $3,000,000 annually, beginning with the fiscal year ending June 30, 1916, such sum to be allotted annually to the States in proportion to the number of persons engaged in agricultural pursuits—

And so on.

There is no statement as to what is to be done annually.

Mr. SMOOT. This is an allotment and not the appropriation. If you make the appropriation direct and make it apply for this year and the year hereafter, then at any time when any change is made the law itself would have to be amended, whereas if you make the allotment now for this year——

Mr. HITCHCOCK. I realize there would have to be an appropriation annually from time to time, as is always the case, I understand, with fixed annual appropriations.

Mr. SMOOT. That is, providing it simply says "annually," but if it says "hereafter," then it is a fixed amount, and the only way it could be changed would be by changing the law itself.

Mr. CLARK of Wyoming. If the Senator from Utah will read the section carefully he will find that there is not an appropriation or allotment or anything else. There is an entire absence of anything affirmative.

Mr. HITCHCOCK. There is evidently the omission of some words to indicate what is to be done. I propose to cure it by inserting the words "annually appropriated." The sentence is incomplete; it is not finished.

Mr. THORNTON. Mr. President, I have for nearly a year past told the junior Senator from Vermont, the author of the pending amendment, that I would vote for it, and if I had the opportunity to vote for it as a separate proposition I would still do so. I have always told him, however, that my own State would not be able to receive any benefit from the measure, because of her inability to comply with the conditions that were attached to the grant from the General Government. Yet I told him that would not prevent me from voting for a bill which I recognized would bring a large measure of benefit to large sections of the country, because under those circumstances the fact that it brought no benefit to my immediate State or my section would not justify me, in my opinion, in voting against it.

But the proposition now before us is this: If I vote for the Page bill as a substitute for the Smith bill I assist in eliminating from further consideration entirely the Smith bill, which, while it is not of such general scope in its application, yet will bring material benefit to every State in the Union.

Mr. HITCHCOCK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Nebraska?

Mr. THORNTON. Certainly.

Mr. HITCHCOCK. I think, perhaps, the Senator is under a misapprehension as to the present status. The Senator from Vermont is not offering his bill as a substitute for the Smith-Lever bill, but is accepting the Smith-Lever bill as it has been perfected, and is merely proposing to add certain sections to it to incorporate his views and provide for industrial education. So the Smith-Lever bill will remain a part of the bill, if it is adopted with this amendment.

Mr. THORNTON. Mr. President, I will give the answer to that. I have taken pains to investigate, through inquiries among Members of the House, as to what would be the chances of the Page bill passing the House if it was passed by the Senate, and I am justified in assuming that there would not only be the gravest doubt about the passage of the bill, but that the probability would be against it. That would apply to the very case that is now submitted by the Senator from Nebraska, because there are so many of the provisions of the Page bill which added to the Smith bill would be objectionable to the House that I most seriously doubt its passage there. As between the proposition of voting for a bill which has already passed the House and will become a law if it passes the Senate and voting for a bill which, if it passes the Senate, will not, in my opinion, pass the House, I could not hesitate. For these reasons I am obliged to vote against the substitute.

Mr. CUMMINS. Mr. President, I beg to remind the Senator from Louisiana who has just spoken that there is another way in which this can be accomplished. I am as much interested in the House bill as he can possibly be, but I am likewise interested in some of the features of the Page bill, so called.

Now, if we attach a part or all of the Page bill to the House bill as an amendment, or amendments, then the subject is in conference, and we will get at the least the House bill. We may get, I hope will get, a part or all of the so-called Page bill.

I hope, therefore, that no Senator will vote against the amendment proposed by the Senator from Vermont for the reason that he fears that if it should be adopted it will not receive the concurrence of the House, because we can not in any event lose the House bill.

I believe it commands a very large majority in the Senate, and we have a right to assume that it will continue to have a majority in the House. Therefore we ought not to decide this matter upon any such proposition.

The real truth is we ought to come back to the issue stated by the Senator from North Dakota. A Senator who does not believe in vocational training ought to vote against the amendment proposed by the Senator from Vermont. One who does believe in vocational education ought to vote for the proposal of the Senator from Vermont, or at least help to so adjust that proposal that it will be workable, if it is not already so.

I for one believe in vocational education. I do not believe in the policy that would pour out money from the Treasury of the United States for the benefit of the farmer and leave the worker in the cities without aid. I think the Senator from North Dakota has possibly analyzed it with a good deal of accuracy. I suppose it is true that if we were in this country to pursue a policy which would make the lives of those who work in the cities or towns at the trades as miserable and as hopeless as possible, there would be a greater tendency and a greater temptation for them to return or, if not to return, to go to the country and enter agricultural pursuits.

But I do not believe that this country can be carried on upon any such policy of education. It does not make any difference what effect it has upon the wages of agricultural labor, it is our duty—and I am not now speaking particularly about the duty of the Federal Government, but I am speaking of the duty of members of society—it is our duty to make as happy and as comfortable and as efficient the workers in trades as we try to make the workers who pursue agriculture as a means of livelihood.

Indeed, the problem of the city is vastly more serious than the problem of the country. If neither the State nor the General Government ever extended one particle of aid to those who live in the country—I mean aid in training, aid in education, aid in formulating character—there would still be no menace from those who live in the country. The very conditions which surround them protect society against the excesses which are so often observed in the crowded populations. If we could do but one thing, it would be our first duty to help to train the boys who, above all other boys, need training.

There is not much danger from the country boy. He will never go far wrong. There is danger from the city boy and the town boy. I need not describe the influences which affect the life of the one and the life of the other. Therefore I have always thought that we ought in our school system to give our first concern to the culture, the training, the education of the boy who through his life as a man would probably be surrounded by many temptations, by many difficulties.

I am for vocational education. I regard it as of the highest necessity for the future, if we would guard ourselves against the dangers which are now so apparent. Upon this point all careful observers are in agreement that we ought to give these boys, and these girls, too, because it is not limited to boys, every opportunity to become upright, self-respecting, self-supporting, efficient members of society.

I am speaking in behalf of a people largely engaged in agriculture, because in my State that is the dominant industry. I would feel a sense of humiliation if we were now to enlarge our appropriation or contribution for agriculture and not make a beginning, at least, in this even greater work of training our young men and our young women in the trades and industries.

I know that there are some objections to this bill in its present form. They are not, however, serious. If we do not in the very first instance succeed in getting a perfect bill, there will be abundant opportunity in the future to correct any inadequacies that may now creep into it.

I earnestly hope that, having now the opportunity, we will join the States in the efforts they are making for vocational training. The contribution is not great, it is true, but it points the right policy. It indicates that the General Government intends to do something that is adequate and enduring in this grave problem before us, and I think it would be a profound mistake if we did not now add to this contribution to the agricultural interests of the country—and no one supports that contribution with more heartiness than I—a contribution for beginning this other work. I mean beginning it on the part of the Government of the United States, because it has already been begun in every intelligent and patriotic community in the country. Let us go hand in hand with these two great branches of education and carry them on together.

I realize when it is said in the letter from a distinguished educator of New York that we might as well do a great many other things as to do this the force of the suggestion. I do not know when I will be willing to stop making contributions to worthy purposes; I hope I will never be able to stop if the contributions will promote the object sought to be accomplished. My friend Pritchett is wrong about this bill. He is a very learned man; he is one of the best men in the United States, and is profoundly interested in education. Of course you all know him as one of the advisers and administrators of Mr. Carnegie's benevolence, charity, and philanthropy; but he is wrong about this bill. He seems to assume that the Government of the United States is to enter the secondary schools of the several States and readjust them, participating in their conduct and management. It is a mistake. There is nothing in this bill that proposes anything of that kind. The utmost that it proposes is that a board of vocational education shall prepare a plan for the expenditure of money for this particular purpose, and that that plan shall be submitted to the Secretary of the Interior, and, if approved by him, then the money passes into the treasury of the State, to be paid out under the regulations of the vocational board. I think if Mr. Pritchett did not overlook these provisions of the bill he at least did not fully realize their force.

Before I conclude, Mr. President—and I had but a word to say about it—I intend to offer an amendment to the amendment. Senators will note a print of the Page bill which was presented on the 17th of January that has been changed, as explained by the Senator from Vermont [Mr. PAGE] after a consultation with or a conference with the Senator from Georgia [Mr. SMITH]. The Senator from Vermont, as he told the Senate the other day, accepted certain changes, and among them he rewrote section 3 of the print of January 17, and it has become section 10 of the print of January 24.

I do not like the substitute as well as I like the original. My chief objection to it is that it strikes out the appropriation for the trades and industries in the secondary schools and limits the help to agricultural and domestic economy. In my State the secondary schools are filled with pupils who have more interest in the trades and industries than they have in agriculture. They are all in cities or towns, and it would be vastly better for the State I in part represent if this aid were given to the trades and industries in the secondary schools as well as to agriculture.

Again, I do not exactly understand the name used in the new print. What is a "rural high school"?

Mr. SMITH of Georgia. Mr. President, I should like to say to the Senator from Iowa that I disclaim any responsibility for that name or for the details of that paragraph. I do not think it reaches at all what I had in view.

Mr. CUMMINS. I did not mean to have it inferred from anything that I have said that the Senator from Georgia is responsible for it.

Mr. SMITH of Georgia. I merely want to express my agreement with the Senator.

Mr. CUMMINS. I only know that the Senator from Vermont said the other day that the Senator from Georgia had made certain suggestions to him with regard to this particular phase of the matter, but I did not understand that the Senator from Georgia had rewritten the section.

Mr. SMITH of Georgia. No.

Mr. CUMMINS. Then I ask the Senator from Vermont what is meant by "rural high school"?

Mr. SMITH of Georgia. My suggestion would be that you strike out the word "high" and let it read "rural schools."

Mr. CUMMINS. I myself prefer, Mr. President, the language of the section as it was, namely, "secondary school," and I offer section 3 of the print of January 17 for section 10 of the print of January 24; that is to say, I move to strike out section 10 of the amendment proposed by the Senator from Vermont and to substitute in lieu of the part stricken out section 3 in the print of January 17.

The PRESIDING OFFICER (Mr. CLARK of Wyoming in the chair). The Senator from Iowa proposes an amendment to the amendment which will be stated.

The SECRETARY. On page 7 it is proposed to strike out from line 17 down to and including line 22, on page 8, and to insert:

> That for the maintenance of instruction in agriculture, the trades and industries, and home economics in departments or divisions of schools of secondary grade, other than the separate industrial or home economics schools and the separate district agricultural high schools for which provision is hereinafter made, the sum of $3,000,000 annually, beginning with the fiscal year ending June 30, 1916, such sum to be allotted annually to the States and the District of Columbia in proportion to their population as shown by the Federal census next preceding the year for which such allotment is made. The moneys appropriated under this section shall be known as the secondary school department fund.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. CUMMINS] to the amendment of the Senator from Vermont [Mr. PAGE].

Mr. SMITH of Georgia. Mr. President, I do not think the amendment offered by the Senator from Iowa [Mr. CUMMINS] is sound. My objection to it is that I do not think it is possible to do any good with an appropriation of this character used in the way section 3 provides. It proposes to appropriate $3,000,000, $3,000,000 more to be appropriated by the States, making $6,000,000, to be used in our secondary schools throughout the entire country for the purpose of giving instruction in three things—agriculture, the industries and trades, and home economics. There are over 13,000 schools of the secondary grade, and to undertake to distribute $6,000,000, or even $12,000,000, to 13,000 and more schools for the purpose of giving instruction in agriculture, instruction in the industries and trades, and instruction in home economics is to provide for the distribution of your fund so thinly that nothing can be done with it. You can not put this instruction into the ordinary high school; you can not mix agriculture and the industries and trades in all these high schools; you can not introduce the industries and the trades into high schools by the use of a thousand dollars to the school, and you would not have that much if you had $12,000,000. If you had $13,000,000, you would only have, I believe, a thousand dollars to the school.

My observations as well as my advice is that to do industrial and trades work you must have a distinct plant, and you must equip it with experts—experts both in the hand and in the head. I suggested to the Senator from Vermont that his section 3 would be simply a waste of money; I objected to it because I believed it was an impracticable appropriation, one from which nothing could come, and that it would be far better to put the whole of it into his next section and make our appropriation apply to schools that have distinctive departments, plants, equipment, and officers, to really do something in the line of instruction in the industries and trades.

Mr. President, while I am on my feet, I wish to add that I am going to vote against the proposed amendment of the Senator from Vermont because I do not think it is well digested. I am in favor of vocational education; I am intensely in favor of special training upon the line of the trades and industries; I believe thoroughly in instruction in home economics, and I sincerely believe in agricultural training; but I do not believe that the amendment offered by the Senator from Vermont has been yet worked out. One great trouble with it when we undertake to involve the National Government in this class of work, is the question of how far the National Government is to simply turn the money over to the States and let it alone, and how far the National Government is to follow the money and undertake to interfere with the secondary school and the plans of education in detail in the States.

I am opposed to this amendment as it is now drawn, because it retains too much power in the National Government with reference to secondary schools. I am utterly opposed to the Commissioner of Education interfering in any way with our high schools in Georgia or our rural schools. There might be a man in that position—there have been men in that position—that I would not mind interfering. Take old Dr. Harris, who was the great Commissioner of Education of 20 years ago. If I had a guaranty that such a man as he would always be the Commissioner of Education, I would not object; but only last year we had brought to our attention the fact that the Commissioner of Education had undertaken to grade, through some one of his employees, the colleges of the United States, and to say just what each amounted to. He did it in such an absurd and utterly inaccurate manner that it was almost ludicrous. I would not want any national money to come to Georgia for our secondary schools if the plan of their management and the rules of their conduct were subject to his supervision and direction. We would rather do it for ourselves.

I believe that problem can be worked out. There is too much power left nominally in the Secretary of the Interior, but, in reality in the Commissioner of Education, to satisfy me with this measure as it stands. I believe that if we would let the House bill pass and take up the bill of the Senator from Vermont when it is reached on January 30, and proceed with the consideration of it, we would accomplish better results. It is a great piece of legislation; it is a new line of work; and even if we do not get through with it at this session we will have made progress. I think if we could have a commission composed of men from different parts of the country work on it for us, and make suggestions, that before the end of 12 months we could work out the problem.

The Senator from Vermont has invited me to make suggestions, and I have made them; but I could not to-day draft a bill for which I myself would be willing to vote. I do not as yet sufficiently understand the matter as it bears upon all parts of the country to know just what shape the bill ought to assume.

I am for vocational education. I hope to see a plan worked out by which the National Government will contribute toward vocational education and help inspire additional work both for the boy in the vocational school and for the grown artisan, after the plan pursued in Germany, especially in Berlin, where their part-day schools advance the standard of skill of their full-grown artisans; but I can not vote for this amendment as it stands. I am going to vote against it.

Mr. LODGE. I send to the desk an amendment, which, at the appropriate time, I intend to offer to the so-called Lever bill, and I ask that it be printed and lie on the table.

The PRESIDENT pro tempore. That order will be made.

Mr. McCUMBER. Mr. President, I would say nothing further on this bill did I not consider that the remarks of the Senator from Iowa [Mr. CUMMINS] have rather placed words in my mouth, or a construction on my words, which is entirely inconsistent with my own intendment or with my words themselves. The Senator assumed, though I can scarcely understand the basis of that assumption, that if I raised a question concerning a bill introduced primarily for the purpose of assisting the rural communities of the country in agricultural education but providing more benefit to and bestowing more attention upon urban education, I therefore must be opposed to vocational education.

Mr. President, I think I can safely make a suggestion as to this bill without being accused of opposing vocational education. I do not oppose it in any way. I think it one of the advanced steps which should be taken in education in our great cities, but, Mr. President, we must look at this bill under present conditions, and we must and should understand just exactly what its effect may be.

The great trouble in the cities now is that they are oversupplied with labor. That is the complaint on the part of the labor unions, it is the complaint on the part of the cities, that there is not work enough for the labor in the great cities. On the contrary, the rural districts are not supplied with a sufficient amount of labor, and yet we have a provision here that exaggerates rather than mitigates the evil of the lack of labor in the rural districts and an oversupply of labor in the urban districts.

This bill, Mr. President, goes much further in urban education than it does in rural education. There is, as I have said, not a sentence in the bill that provides for the education of farm labor. All of the appropriations which are to be used in the urban districts are for the purpose of teaching people to earn a livelihood; in other words, it is to instruct the boys in education along vocational lines. In every city in the country we now have those facilities. I do not think there is a boy in the city of Washington who can not obtain a vocational education if he desires to obtain it. That is not true as regards agricultural labor in the country. I can appreciate the fact why it is difficult that it could be made true that you could teach a boy the vocation of a farm laborer. In the city of New York, and in every other city in the Union, I believe, there are sufficient schools to accommodate those who desire to learn any vocation. The objection that I find to this bill is that we are giving more attention to the urban than we are to the rural districts in the line of education.

Mr. President, I intend to vote for the Page amendment. I intend to vote for it with the hope that when the bill goes to conference we can probably find some way of so amending it that even better provision can be made for the interests of the rural population without any injustice to the urban population; but I certainly shall not retract any words which I have uttered that will put the farming population in possession of the truth in reference to this bill. It does not mean, because I prefer to make this bill purely an agricultural one, that I am necessarily opposed to vocational education, nor does it mean, because I assert that the farm laborer can not under present conditions receive as much for his service as do those who labor in the city, that I must therefore be in favor of starving those in the city into a condition in which they must go to the farm. I think we can reach a proper result without injustice to any class of labor.

Mr. SMOOT. Mr. President, the Senator from Nebraska has called attention to the fact that in certain sections of the bill certain sums of money were provided but were not appropriated. I believe the mistake happened in this way: I find that section 2 of the original bill, S. 3, provides as follows:

> That the several sums as herein provided in section 3 to section 10, inclusive, be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated—

And so forth.

In the substitute almost the exact words of other sections have been used, but section 2 has been omitted. I call the attention of the Senator from Vermont to the fact that section 2 should be included in his substitute if he wishes to use the language that he uses in sections 10, 11, 12, and a few others.

Mr. PAGE. Mr. President, the Senator from Nebraska has very kindly aided me in this matter, so that it will take only a moment to change the phraseology satisfactorily. The Senator is right. In drawing the new bill to make it harmonious with the Lever bill section 2 was omitted.

I move that on page 9, line 6, after the word "sixteen," the words "is hereby appropriated" be inserted.

The amendment to the amendment was agreed to.

Mr. PAGE. On page 10, line 11, after the word "sixteen," I move to insert the words "is hereby annually appropriated."

The amendment to the amendment was agreed to.

Mr. SMOOT. Why not say "is hereby appropriated," so as to use the same language in all of the sections? I suggest using in one section whatever language is used in the other, viz, "is hereby appropriated."

Mr. PAGE. I think the Senator will find that that is right as it is now. The Senator from Nebraska has very carefully gone over it. The language is slightly different. I should like to use the words "is hereby annually appropriated."

In section 13, page 11, line 2, after the word "thereafter," I move to insert the words "is hereby appropriated."

The amendment to the amendment was agreed to.

Mr. PAGE. On the same page, in section 14, after "1913," line 21, I move to insert the words "is hereby annually appropriated."

The amendment to the amendment was agreed to.

Mr. PAGE. In the same section, on page 12, at the end of line 2, after the amount "$3,000," I move to insert the words "shall be allotted."

The amendment to the amendment was agreed to.

Mr. PAGE. In section 15, line 8, page 12, after "1913," I move to insert the words "is hereby annually appropriated."

The amendment to the amendment was agreed to.

Mr. PAGE. On the same page, line 14, after the word "annually," I move to insert the words "is hereby appropriated."

The amendment to the amendment was agreed to.

Mr. PAGE. In line 23, on the same page, after "1913," I move to insert the words "is hereby appropriated."

The amendment to the amendment was agreed to.

Mr. PAGE. That, I believe, makes the appropriation part of the bill entirely correct.

Mr. BRANDEGEE. Is there not another place on page 12, or did the Senator state that?

The PRESIDENT pro tempore. The Senator has the right to modify his amendment without the Senate voting on these amendments. The Chair understands that is a pending amendment. The Senator from Vermont, however, has modified his amendment as indicated. The question is upon the amendment submitted by the Senator from Iowa to the amendment of the Senator from Vermont, which will be stated.

The SECRETARY. In the proposed amendment it is proposed to strike out section 10 and insert the following as section 10:

> That for the maintenance of instruction in agriculture, the trades and industries, and home economics in departments or divisions of schools of secondary grade other than the separate industrial or home economics schools and the separate district agricultural high schools for which provision is hereinafter made, the sum of $3,000,000 annually, beginning with the fiscal year ending June 30, 1916, such sum to be allotted annually to the States and the District of Columbia in proportion to their population as shown by the Federal census next preceding the year for which such allotment is made. The moneys appropriated under this section shall be known as the secondary school department fund.

Mr. CUMMINS. Mr. President, I do not intend to delay the Senate by arguing the matter further, except to say that I understand the provision is very inadequate; but it is no more inadequate than the one for which it is to be substituted. In fact, it is more adequate because it appropriates $3,000,000, whereas the one which I seek to strike out appropriates but $2,000,000.

But the Senator from Georgia is very much mistaken about one thing. That is that this admits the General Government to the management or control of the secondary schools of the State. I think he overlooks the fact that before any money can be paid out to the States under this section a plan must be formulated by the vocational board, or the board of vocational education, and must be submitted to the Secretary of the Interior and approved by him.

Unless the board can present a plan by which this money will accomplish the purpose in view, of course there would be no money paid out under it. If it were shown that the $1,000 for each school or $2,000 for each school could not be expended so as substantially and materially to aid in the work of the school, of course the Secretary of the Interior would not approve the plan, and that State would not receive any part of this appropriation.

Broadly speaking, I do not believe you can make a more effective regulation than to give it into the hands of the vocational board. If we have a plan prepared by that board and approved by the Secretary of the Interior, I think we can assume that while the aid would be inadequate it would not be useless.

I do not see any difference on that score, however, between what I have proposed as a substitute for section 10 and section 10 itself, save that instead of calling these "secondary schools," as they are ordinarily called, they are called "rural high schools." I think that is a misnomer, because some of them would be rural and some of them would not be. Take the high school in my own city, a city of 100,000 people; would it be called a rural high school.

Mr. SMITH of Georgia. Not at all. The modification, as I understand, was this, if the Senator will permit me: A million dollars of the amount appropriated here was transferred to the next section, so as to give $4,000,000 for industrial vocational education in schools that had approved plans and that were really prepared to do substantial work in the industries and trades. Then the industries and trades were omitted from section 3; and the two millions left were to be used for farm and domestic or home economics work.

Mr. CUMMINS. I think I understand that; but there is no definition of "rural high school," so far as I know.

Mr. SMITH of Georgia. Where the author got the idea of a rural high school I do not know. In discussing the matter with me, he contemplated having a leader in agricultural work who would take a section of territory and visit the rural schools and teach the teachers and teach the children, especially in agricultural lines, covering a territory of rural schools.

Mr. CUMMINS. I do not depreciate the value of that kind of work; but the next section does not take in any high school that may have a department for the trades and industries. They must be, as I quote now—

> In separate industrial or home economics schools.

No matter how well equipped a high school might be to carry on the vocational education, it would not be able to receive any aid under the following section—formerly section 4, now section 11—because it would not be a separate economics or industrial school.

I have nothing further to say about the amendment I have offered to the amendment.

The PRESIDENT pro tempore. The question is upon the amendment of the Senator from Iowa to the amendment of the Senator from Vermont.

The amendment to the amendment was agreed to.

Mr. CLARK of Wyoming. Mr. President, I move to insert, on page 1, line 6, after the word "State," the words "and Territory."

The PRESIDENT pro tempore. The Chair will suggest to the Senator from Wyoming that that portion of the amendment has been abandoned. Doubtless his amendment would apply to the House bill.

Mr. CLARK of Wyoming. I am reading from the amendment proposed by the Senator from Vermont to-day—from the print of January 24.

Mr. PAGE. That has been changed.

Mr. CLARK of Wyoming. Then I will change my motion and move that the Secretary be instructed to insert in the bill at the proper place the words "and Territory" in connection with the word "State," the intention being to secure for the Territories the benefit of the bill.

The PRESIDENT pro tempore. The proposed amendment to the amendment will be stated.

The SECRETARY. On page 1, line 6, after the word "State," it is proposed to insert "and Territory."

Mr. SMITH of Georgia. Was the Senator on the floor this morning when an amendment was adopted extending it to Hawaii, Alaska, and Porto Rico and providing that, before any money should be paid to either, the Secretary of Agriculture should determine that their colleges were ready to proceed with the work?

Mr. CLARK of Wyoming. No; I was not here, Mr. President. I regret that I was not here.

Mr. SMITH of Georgia. That amendment was adopted this morning as a part of the main bill.

Mr. CLARK of Wyoming. Then I will not urge the amendment that I have proposed, although I may present it later to the bill if the bill should not pass to-night. I have an indistinct recollection that Hawaii even now comes under the provisions of the old act; and if it comes under the provisions of the old act it ought not to have more restrictions placed upon it than are placed upon like States and Territories in the bill. But I will withdraw my amendment to the amendment for the present.

Mr. BRANDEGEE. Mr. President, in view of what has been said by the Senator from Georgia as to the adoption of an

amendment this morning—I was not on the floor at that time, and I may not be when the bill is perfected—I should like at this point to suggest that there are several other places in the bill that I think ought to be looked at.

For instance, on page 5, the amendment provides that money shall be paid out of the Treasury of the United States—

to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same.

I think perhaps that language would not cover the District of Alaska. They may not have what is known as a State treasurer there.

Similar language appears on page 14, in line 22, where it provides that the States—

shall, through the legislative authority thereof, accept the provisions of this act relating to such fund, and shall appoint the State treasurer custodian.

I think these expressions, perhaps, ought to be modified if the amendment has been adopted.

Mr. SMITH of Georgia. I hardly think that is true. I think a general provision extending the provisions of the bill to Hawaii, Alaska, and Porto Rico would carry with it such a construction as would make the necessary modification of the particular language theretofore used with reference to the States. But that is a matter which can be investigated in detail a little later on.

Mr. BRANDEGEE. That is the only purpose I had in saying what I did. I do not know whether the district of Alaska has any such official as would compare with the treasurer of a State of the Union. My object is simply to draw attention to that point.

Mr. SMITH of Georgia. Under the terms of the bill it would be some one duly authorized by the Legislature of Alaska to receive it.

Mr. BRANDEGEE. The bill itself provides in one place that the State shall designate the State treasurer or some other officer to receive this money.

Mr. SMITH of Georgia. Yes; the duly constituted authorities of the State.

Mr. BRANDEGEE. Then, on the other page that I alluded to it is provided that the State treasurer shall be the custodian. All my interest in it is to have the terms of the bill in harmony, so that it will be workable.

While I am on my feet I should like to make another suggestion to the Senator from Vermont. On page 19, in section 25, the amendment provides:

That the Secretary of the Interior shall annually * * * ascertain whether such State or the District of Columbia is using moneys received by it out of the rural-school fund, the industrial-school fund, the agricultural high-school fund, the college teachers' training fund, or the teachers' training fund in accordance with the spirit and terms of this act.

The terms of the act are perfectly visible, but the spirit of it may not be. I move to strike out the words "spirit and," so that the law may be administered according to its terms.

Mr. PAGE. I accept that amendment.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

Mr. SMITH of Georgia. Mr. President, I should like to give notice that on Wednesday morning, at the close of the morning business, I shall ask the Senate to resume the consideration of House bill 22871.

DEATH OF REPRESENTATIVE SYLVESTER C. SMITH.

A message from the House of Representatives, by J. C. South, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. SYLVESTER C. SMITH, late a Representative from the State of California, and transmitted resolutions of the House thereon.

Mr. PERKINS. I ask the Chair to lay before the Senate the resolutions just received from the House of Representatives.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
January 27, 1913.

Resolved, That the House has heard with profound sorrow of the death of Hon. SYLVESTER CLARK SMITH, a Representative from the State of California.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. PERKINS. Mr. President, I offer the resolutions I send to the desk, for which I ask present consideration.

The PRESIDENT pro tempore. The resolutions submitted by the Senator from California will be read.

The Secretary read the resolutions (S. Res. 443), as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. SYLVESTER C. SMITH, late a Representative from the State of California.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the late Representative SYLVESTER C. SMITH the Senate do now adjourn.

The PRESIDENT pro tempore. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to; and (at 4 o'clock and 51 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 28, 1913, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 27, 1913.*

The House met at 12 o'clock noon.

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

Father in heaven, draw near to us as we draw near to Thee and fill our minds with clear perceptions, noble desires, pure convictions, and the courage to live them, that we may be one with Thee in the furtherance of every good, and thus be strengthened by imparting strength, wise by imparting wisdom, pure by imparting purity as we journey through life's rugged way, and so glorify Thee in a faithful service to our fellow men.

Once more in the dispensation of Thy providence death has entered our family and taken from us a faithful servant. Comfort us and his bereaved family by the blessed hope of the life eternal; in Jesus Christ our Lord. Amen.

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

DISTRICT DAY.

The SPEAKER. This is District day, and the gentleman from Kentucky [Mr. JOHNSON] is recognized.

GERMAN ORPHAN ASYLUM ASSOCIATION.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill S. 7508.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 7508) to amend an act entitled "An act to reincorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the German Orphan Asylum Association of the District of Columbia."

Be it enacted, etc., That the act entitled "An act to reincorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the German Orphan Asylum Association of the District of Columbia," approved on the 6th day of February, 1901, be, and the same is hereby, amended by adding to and making a part of section 1 of the said act the following:

"And the said German Orphan Asylum Association of the District of Columbia may hereafter fix, limit, and determine the number of directors to constitute its board of directors by any constitution or constitutions which may hereafter be adopted by the said association, and the number of its said directors may be decreased or increased as provided by any constitution or constitutions, or any amendment or amendments thereto, which the said association may lawfully adopt."

Mr. EDWARDS. Mr. Speaker, I make the point of no quorum, and move a call of the House.

The SPEAKER. The Chair will count.

Mr. EDWARDS (during the counting). Mr. Speaker, I withdraw the point temporarily.

The SPEAKER. The gentleman from Georgia [Mr. EDWARDS] withdraws the point temporarily.

Mr. MANN. I should like to ask the gentleman from Kentucky [Mr. JOHNSON] a question. If this bill should pass, giving to this corporation the authority to increase or decrease this board of directors as it pleased in the future, would that be practically in conformity with the general law in reference to corporations?

Mr. JOHNSON of Kentucky. I may say, Mr. Speaker, that I have no more information on that subject, and perhaps not so much, as the gentleman from Illinois [Mr. MANN] himself.

Mr. MANN. I do not remember, I will say to the gentleman.

Mr. JOHNSON of Kentucky. I do not remember either; but the committee was simply endeavoring to do what those in charge of the German Orphan Asylum desired, and we did not believe that there was any question as to their motives.

Mr. KAHN. I think they have a charter from the Congress.

Mr. MANN. As I understand from the report and the statements, they wish to increase the number of their board of directors. But suppose hereafter they should wish to decrease it to one; would that same power exist in reference to an ordinary corporation?

Mr. JOHNSON of Kentucky. I am sure I do not know. I did not go into it with such detail as that, having absolute confidence in the management.

Mr. MANN. The management in the course of time might change.

Mr. JOHNSON of Kentucky. I do not think it would change for the bad in this matter.

Mr. KAHN. I do not think that they would decrease it to one.

Mr. MANN. I think under this law they could increase it to a hundred or decrease it to one.

Mr. KAHN. The purpose is to give them additional power to that which they have.

Mr. MANN. This gives them the power to increase or decrease hereafter as they choose.

Mr. JOHNSON of Kentucky. Some of the managers of the asylum said the law was absolutely necessary in order to enable them to carry on their business.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was read a third time and passed.

FIFTH REGIMENT MARYLAND NATIONAL GUARD.

Mr. JOHNSON of Kentucky. Mr. Speaker, I now call up Senate joint resolution 153.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 153) granting to the Fifth Regiment Maryland National Guard the use of the corridors of the courthouse of the District of Columbia upon such terms and conditions as may be prescribed by the marshal of the District of Columbia.

Resolved, etc., That the marshal of the District of Columbia be, and he is hereby, authorized to permit the Fifth Regiment Maryland National Guard to occupy and use the corridors of the courthouse of the District of Columbia, from 6 o'clock in the evening of March 3 to 7 o'clock in the evening of March 4, 1913, upon such terms and conditions as the marshal of the District of Columbia shall impose upon the colonel of the Fifth Regiment Maryland National Guard.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

CAPITAL PUNISHMENT BY ELECTROCUTION.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up Senate bill 7162.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

An act (S. 7162) to amend section 801 of the Code of Law for the District of Columbia.

Be it enacted, etc., That section 801 of an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, as amended by the acts approved January 31 and June 30, 1902, and subsequent acts to and including March 4, 1911, be, and the same is hereby, amended to read as follows:

"SEC. 801. The punishment of murder in the first degree shall be death by electrocution. The punishment of death must, in every case, be inflicted by causing to pass through the body of the convict a current of electricity of sufficient intensity to cause death, and the application of such current must be continued until such convict is dead. The punishment of murder in the second degree shall be imprisonment for life or for not less than 20 years. In all cases where the accused is found guilty of the crime of murder in the first degree the jury may qualify their verdict by adding thereto 'without capital punishment,' and whenever a jury shall return a verdict as aforesaid the person convicted shall be sentenced to imprisonment for life."

Mr. MANN. Mr. Speaker, is the gentleman from Kentucky [Mr. JOHNSON] sure as to what effect the passage of this bill would have upon the persons now under sentence of death in the District?

Mr. JOHNSON of Kentucky. I will say to the gentleman from Illinois that I do not regard that as a question of importance. It is my opinion, however, that those who are now under sentence of death in the District of Columbia must be executed under the laws which were in existence at the time of the conviction and passage of sentence. We had practically the same subject in Kentucky two or three years ago, and my recollection is that that was determined to be the law there when we changed the method of capital punishment from hanging to electrocution.

Mr. MANN. My recollection is—and I am not certain how far it is correct—that there is a general law providing that where a law is repealed and changed it shall not affect a prosecution then being carried on. How far it would affect a case where sentence had been imposed I do not know. Here, for example, is a sentence, sentencing a man to be hanged until he is dead. Now, if you take away the power to hang that man, he probably goes free. There is now no way of punishing him.

Mr. JOHNSON of Kentucky. I will say to the gentleman from Illinois that I understand the bill was prepared by the United States district attorney for the District of Columbia, and I will further say that I myself in committee voted against the bill. This bill comes in with a report from the majority of the committee. I am in favor of inflicting the most ignominious kind of death possible upon a man guilty of deliberate murder. I believe that hanging is a more ignominious death than the other form, and for that reason I was against this bill. But I am here supporting it in accordance with the majority vote of the committee.

Mr. MANN. I presume that the district attorney in drafting the bill gave consideration to its effect upon sentences now in existence, although there is nothing in the letter of the commissioners upon that subject, as there should be.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

UNLAWFUL DEPOSITS IN THE POTOMAC RIVER.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up Senate bill 1072.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

An act (S. 1072) to amend section 895 of the Code of Law for the District of Columbia.

Be it enacted, etc., That section 895 of the Code of Law for the District of Columbia, making harbor regulations, is hereby amended by adding thereto the following:

"SEC. 895 a. That it shall be unlawful for any owner or occupant of any wharf or dock, any master or captain of any vessel, or any person or persons to cast, throw, drop, or deposit any stone, gravel, sand, ballast, dirt, oyster shells, or ashes in the water in any part of the Potomac River or its tributaries in the District of Columbia, or on the shores of said river below high-water mark, unless for the purpose of making a wharf, after permission has been obtained from the Commissioners of the District of Columbia for that purpose, which wharf shall be sufficiently inclosed and secured so as to prevent injury to navigation.

"That it shall be unlawful for any owner or occupant of any wharf or dock, any captain or master of any vessel, or any other person or persons to cast, throw, deposit, or drop in any dock or in the waters of the Potomac River or its tributaries in the District of Columbia any dead fish, fish offal, dead animals of any kind, condemned oysters in the shell, watermelons, cantaloupes, vegetables, fruits, shavings, hay, straw, ice, snow, filth, or trash of any kind whatsoever.

"That nothing in this act contained shall be construed to interfere with the work of improvement in or along the said river and harbor under the supervision of the United States Government.

"That any person or persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding $100, or by imprisonment not exceeding six months, or both, in the discretion of the court."

Mr. JOHNSON of Kentucky. Mr. Speaker, on page 2, line 11, I move to strike out the words "ice, snow" and to insert in lieu thereof the word "or," and also to strike out the words "or trash." That means sweepings.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, line 11, by striking out the words "ice, snow" and inserting in lieu thereof the word "or," and also striking out the words "or trash."

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

The amendment was agreed to.

Mr. MANN. Mr. Speaker, the idea of this bill is to prevent the depositing of stone, gravel, sand, and so forth, in the Potomac River within the District of Columbia, unless for the purpose of making a wharf after permission has been obtained from the Commissioners of the District of Columbia.

Supposing somebody wants to build a wharf down at Alexandria, does he have to obtain the consent of the Commissioners of the District of Columbia?

Mr. JOHNSON of Kentucky. I think the gentleman will find the jurisdiction accurately described in line 11, on page 1.

Mr. MANN. No. It reads:

In the water in any part of the Potomac River or its tributaries in the District of Columbia, or on the shores of said river below high-water mark.

The words "or on the shores of said river below high-water mark" do not seem to be limited to the District of Columbia.

Mr. JOHNSON of Kentucky. The gentleman from Illinois has often criticized bills that come from the Municipal Building, and he is pretty nearly always right.

Mr. MANN. I am not criticizing it.

Mr. JOHNSON of Kentucky. I think I agree with the gentleman that this might have been more accurately drawn, but I think nobody will hesitate to give it the meaning that it applies to the District of Columbia alone.

Mr. LOBECK. Why did you strike out the word "trash"?

Mr. JOHNSON of Kentucky. If they sweep the deck of a boat on the river, must they carry the sweepings ashore? We thought that was too small a matter to deal with, and so we concluded to strike it out.

Mr. LOBECK. All right.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

UNAUTHORIZED USE OF VEHICLES.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up the bill (S. 6919) to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That the Code of Law for the District of Columbia be amended by adding to subchapter 2 of chapter 19 the following section:

"SEC. 826b. Unauthorized use of vehicles.—Any person who, without the consent of the owner, shall take, use, operate, or remove, or cause to be taken, used, operated, or removed from a garage, stable, or other building, or from any place or locality on a public or private highway, park, parkway, street, lot, field, inclosure, or space, an automobile or motor vehicle, and operate or drive, or cause the same to be operated or driven for his own profit, use, or purpose, shall be punished by a fine not exceeding $1,000 or imprisonment not exceeding five years, or both such fine and imprisonment."

The bill was ordered to a third reading, and was accordingly read the third time and passed.

OBSCENE OR VULGAR PICTURES.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (S. 2600) to authorize the Commissioners of the District of Columbia to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in public places of amusement in the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia, in addition to the police powers now vested in them, be, and they are hereby, empowered and directed to prevent the exhibition of obscene, lewd, indecent, or vulgar pictures in any theater, moving-picture show, or other public place of amusement in the District of Columbia, and to make all needful and necessary regulations for such purpose.

SEC. 2. That no picture film or picture intended for exhibition in any such theater, show, or other public place of amusement shall be exhibited without previous submission to the said commissioners for investigation and approval, and be approved, found, and determined by said commissioners, after opportunity to be heard, not to be obscene, lewd, indecent, or vulgar. Every violation of this act or of any regulation made under the authority hereof shall be punished by a fine not exceeding $40, on prosecution by information in the police court of the District of Columbia, filed in the name of said District of Columbia by the corporation counsel or any of his assistants.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

CATHERINE MARONEY.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up from the Private Calendar the bill (H. R. 23939) to legalize titles in the District of Columbia to certain citizens.

The SPEAKER. This bill is on the Private Calendar. The House will have to go into Committee of the Whole.

Mr. JOHNSON of Kentucky. I ask unanimous consent to consider it in the House as in Committee of the Whole.

Mr. MANN. May we have the bill read first to see what it is?

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That Catherine Maroney, a citizen of the United States and a resident of the city of Leadville, in the State of Colorado, be, and she hereby is, authorized to acquire, hold, and dispose of any and all real estate lying in the District of Columbia, as heir at law of Mary Shugrue, a citizen of the United States and late of the District of Columbia, notwithstanding the alienage of the common ancestor of said Mary Shugrue and Edward D. Brown, son of said Catherine Maroney by her first husband, through whom the said Catherine Maroney traces her right to acquire the said real estate, and that all forfeitures incurred by reason of any act of Congress or law in force in the District of Columbia in respect of said real estate are hereby remitted; and further, that the United States hereby quitclaim and release in favor of said Catherine Maroney, her heirs and assigns, any and all title which they, the said United States, have in or to any real estate in the city of Washington and District of Columbia of which the said Mary Shugrue died seized and possessed.

The SPEAKER. Is there objection to considering this bill in the House as in Committee of the Whole?

There was no objection.

Mr. BORLAND. Mr. Speaker, I move to strike out the last word. I should like to have some explanation of the necessity for this legislation.

Mr. RUCKER of Colorado. Mr. Speaker, if the gentleman from Kentucky [Mr. JOHNSON] will permit me, I will say in answer to the gentleman from Missouri [Mr. BORLAND] that Mrs. Maroney, whom the bill is designed to benefit, owns, or thinks she owns, a small piece of land with a building upon it here in Washington. She has sought to dispose of it a number of times, asking the guaranty companies to pass upon the title, but by reason of certain confiscatory acts providing that title held by aliens should not pass, they would not certify this title to be perfect and it was deemed necessary to introduce this bill to relieve her of the embarrassment in the sale of this property. The Supreme Court of the United States passed upon a similar case, but left it in some doubt, and the Commissioners of the District, in writing upon this subject, disclose the fact that there is yet some doubt as to whether the acts of Congress heretofore enacted upon the subject of these titles, accompanied and fortified as they are by the decision of the Supreme Court of the United States, are effective. The bill can do no possible harm, and in this particular case it will enable the owner to sell it.

Mr. BUCHANAN. What does the property consist of?

Mr. RUCKER of Colorado. It is a small piece of real estate in the District of Columbia. I have not the description so that I can answer the gentleman's question. It is a piece of property that she fell heir to.

Mr. BORLAND. Mr. Speaker, this is a form of legislation that would not be permitted in any State in the Union that I know of. It would be forbidden by the constitution of almost every State in the Union. It is not permissible to validate private title by legislative act in this way. If the Congress of the United States has passed an act forbidding title by descent through aliens it does not seem to me that it is proper by private act to change that in individual cases. If that act is unjust, it ought to be repealed. If there is any other way to arrive at justice in this case, Congress ought not to be required to sit here and pass private acts. We have no information before us as to the extent of the interest of the United States in this property. The bill says that whatever interest the United States has shall be quitclaimed by this act and released in favor of said Catherine Maroney. I take it from that that the United States must have some interest necessary to be quitclaimed.

Mr. RUCKER of Colorado. That does not follow at all. The commissioners have found that this act on the face of it is to confirm the title to this claimant. It is not taking anything from the United States. It is to enable the owner to pass the property that has been in the possession and in the control and in the use of this party and beneficiaries and their ancestors for two generations. It is no use to make a bugbear of a matter of this sort. The gentleman knows very well that the United States has no title to this property, that if it had it would have been discovered. Many acts have been passed, and it is conceived by the legal adviser of the District of Columbia that there is no doubt about the title being in this woman at the present time, but he does not, nor does the Supreme Court of the United States, pass on this identical question.

Mr. BORLAND. Mr. Speaker, notwithstanding the gentleman's objection, the report contains a letter from the Commissioners of the District in which they say:

The commissioners, however, are advised by their legal officer that there is a very great doubt of the necessity for the legislation in view of the Statutes of 11 and 12 of William III, chapter 6, as construed by the Supreme Court of the United States in McCreery's Lessee *v.* Comerville (9 Wheat., 354); the act of Congress of March 2, 1897 (29 Stat. L., 619), made applicable to this District by an act of February 23, 1905 (33 Stat. L., 733); of the act of Congress of March 3, 1857 (24 Stat., 576); of the Maryland act of 1791 (Albert's Compilation, p. 46); and sections 396 and 960 of the Code of Law for the District of Columbia, all of which relate to the holding of an inheritance of land by or through aliens.

Now, if the woman has any valid claim under the statutes of the United States and under the decision of the Supreme Courts of the United States, she would not need this legislation. If this legislation is to convey to her a title which she is not able to establish at law, it seems to me Congress ought not to pass the bill.

Mr. JOHNSON of Kentucky. Mr. Speaker, I might say that if I am correctly informed there is no necessity for the passage of this bill except to meet the requirements of one corporation in the District of Columbia that seems to stand higher in the District than all the laws and all the courts themselves—the company that guarantees titles. In my judgment, the title to this property is clear in these people, but no matter how good a title may be in the District of Columbia, unless this guarantee title company accepts the title in so far as getting a loan the title is absolutely worthless. This bill is intended to meet the exactions of that title company and not the requirements of the law. [Applause.]

Mr. BORLAND. Mr. Speaker, I think the statement of the chairman is absolutely correct. There were two title guaranty companies in this District, and some years ago they amalgamated, or came under a common management, and now there is but one title guaranty company in the District. That company issues all the certificates of title; no abstracts are examined by lawyers in the District of Columbia, but they are required to get a certificate from this company, the only one in existence.

The only way in which that can be corrected with justice to the citizens of the District of Columbia, and with justice to the committee in Congress, is to put the registration of land titles in the District of Columbia under law and let that guaranty certificate be issued by the District of Columbia itself,

and not by a private corporation that is fattening upon the condition of land titles in the District of Columbia. [Applause.]

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read the bill.

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LITTLEPAGE, for two days, on account of important business.

RIVER AND HARBOR 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 the further consideration of the bill H. R. 28180, the river and harbor appropriation bill.

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 river and harbor appropriation bill, with Mr. MOON of Tennessee in the chair.

The CHAIRMAN. The Clerk will read.

Mr. MOORE of Pennsylvania. Mr. Chairman, before the Clerk proceeds, I desire to offer the following amendment at the point where we left the bill on Saturday.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add as a new paragraph, page 47, after line 2:

"Philadelphia, Pa., to connect the Delaware River with the back channel at the navy yard, with a view of securing a width and depth sufficient to accommodate the largest naval vessel afloat."

Mr. MOORE of Pennsylvania. Mr. Chairman, the purpose of this amendment is to direct attention to the very great necessity of a connection between the Delaware River and the back channel at the Philadelphia Navy Yard. The Government of the United States has a basin back of the navy yard, which is sufficient to accommodate the entire battleship fleet. An agitation is on for a dry dock, which is to extend from the Delaware River to the back channel, a distance of 1,700 feet. There is some question whether that can be accomplished through the Committee on Naval Affairs, which I understand has not favorably reported upon the project. Whatever is done here necessarily involves dredging, and as the business of the Government is involved, and this connection between the Delaware River and the back channel is necessary in order that the vessels of the Navy may swiftly and easily move, it seems proper to introduce at this time this provision for a survey that will give us an estimate of the cost of construction of a connecting link between the Delaware River and the back channel.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Certainly.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, did I understand the gentleman to say that the Committee on Naval Affairs had not reported this or had refused to report this?

Mr. MOORE of Pennsylvania. I understand the Committee on Naval Affairs, which has not yet presented its report for printing, is not favorable to the project.

Mr. HUMPHREYS of Mississippi. It is clearly a naval affair.

Mr. MOORE of Pennsylvania. Not necessarily. That channel should be cut through for the benefit of commerce as well as for the Navy. The Navy essentially is to protect commerce.

Mr. HUMPHREYS of Mississippi. Oh, yes; I understand that.

Mr. MOORE of Pennsylvania. And this would be incident to the proper movement of commerce, both in time of peace and in time of war.

Mr. HUMPHREYS of Mississippi. Let me ask the gentleman another question for information. This dry dock that the gentleman speaks of, if completed, will go from the Delaware River back?

Mr. MOORE of Pennsylvania. Unquestionably.

Mr. HUMPHREYS of Mississippi. And if that were constructed, then there would be no necessity for any other channel.

Mr. MOORE of Pennsylvania. First, we must have the channel. I want to say to the gentleman that there is very little opposition to this project on the part of Members of Congress who have already been upon the ground. A short time ago the city of Philadelphia made an appropriation for the purpose of having an inspection made of this particular project, and some 57 Congressmen, Members of this House and of the other body, went from Washington to Philadelphia to look it over, and as a result there were some speeches and a good many promises in regard to what ought to be and what would be done.

Mr. TRIBBLE. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. TRIBBLE. Mr. Chairman, I would ask the gentleman if he did not state in the hearings before the Naval Affairs Committee that that dry dock was absolutely impracticable; that to place that dry dock there as was proposed would put it in a hole, and you could not get out on either side.

Mr. MOORE of Pennsylvania. Oh, no; the gentleman is entirely in error, and I will repeat to the gentleman the statement I did make to the Committee on Naval Affairs.

Mr. TRIBBLE. Let us have that.

Mr. MOORE of Pennsylvania. It is this: That the bill introduced to obtain a 40-foot depth for this dry dock would be building a hole in the ground that would be absolutely unnecessary, and would practically kill the meritorious part of the project. In other words, with a depth of river channel of only 30 feet, a little less than that on the inside, it would be the height of folly to dig a hole 40 feet deep when there was no necessity for it, and I said to the committee that it was my belief that some one inserted the 35-foot proposition in the Chesapeake & Delaware Canal project with a view of killing that project, and when we get back to it I want to say something about that. If the gentleman will agree with me, if he is one of those who went to Philadelphia——

Mr. TRIBBLE. I was there.

Mr. MOORE of Pennsylvania. That there was the most remarkable unanimity of sentiment upon this proposition, and everybody, especially some of the leaders of this House, were entirely favorable to granting us this little bit of consideration at the Philadelphia Navy Yard.

Mr. TRIBBLE. Now, the gentleman is asking for a channel to carry the largest boats of the Navy——

Mr. MOORE of Pennsylvania. Yes.

Mr. TRIBBLE. Is not it true the Delaware River will not convey these boats up to this point? Does the gentleman want dredging at Philadelphia——

Mr. MOORE of Pennsylvania. That positively is not true; this river is dredged to-day to 30 feet and capable of accommodating the largest naval ships built, and——

Mr. TRIBBLE. You have not a sufficient depth to carry all these vessels without dredging——

Mr. MOORE of Pennsylvania. It is to cut through from the Delaware and dig a channel to reach the storage basin, where these——

Mr. TRIBBLE. Does the gentleman approve of the dry dock which he condemns here on the floor of the House?

Mr. MOORE of Pennsylvania. I have not condemned the dry dock; I have approved of it; but I am asking the gentlemen upon that side to make good their promises and give this matter consideration.

Mr. TRIBBLE. Did not the gentleman oppose it in the Naval Committee, and did not the gentleman state to the Naval Committee——

Mr. MOORE of Pennsylvania. I did not; most assuredly I did not. Now, I would like to ask the gentlemen who promised this dry dock to give it to us now; here is the opportunity.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TRIBBLE. Mr. Chairman, I move to strike out the last word; I would like to ask the gentleman another question. Did not the gentleman use as an argument in the Naval Committee against that dry dock at Philadelphia that it is not a river of more than 28 feet of water?

Mr. MOORE of Pennsylvania. I did not use that argument.

Mr. TRIBBLE. Is not that the argument the gentleman made in the hearings before the Naval Committee?

Mr. MOORE of Pennsylvania. That argument is not in the hearings before the Committee on Naval Affairs, and if the gentleman wants to get a further answer to his question I think I can explain to him that some one asked me at what draft a vessel could get in that dry dock and I said 27 feet; but I say to the gentleman now we have got a 30-foot depth of the Delaware to Philadelphia, while the city of Baltimore has 35 feet and the city of New York has 40, and while the city of Boston is moving on from 35 to 40 feet, I am asking you gentlemen now, who are in control of Congress, with influential Representatives from Pennsylvania upon the Committee on Naval Affairs and the Committee on Rivers and Harbors, that you loosen your control and let the city of Philadelphia move on with the other cities along the Atlantic seaboard.

Mr. LEE of Pennsylvania. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will be glad to do so; this is my opportunity.

Mr. LEE of Pennsylvania. Is it the gentleman's purpose in offering this amendment to kill the dry-dock proposition?

Mr. MOORE of Pennsylvania. Not at all. I am wholly in favor of the dry dock, and if the gentleman will vote for it, as he did not vote for the survey for the Frankford Creek, as he did not vote for the survey of the Schuylkill River, as he did not vote for dredging out the shoals behind the breakwater, I will be very much obliged to him.

Mr. LEE of Pennsylvania. Is the gentleman for that dry dock or for a channel?

Mr. MOORE of Pennsylvania. I am for a dry dock, but I want the channel first, because it is necessary to dig it out before you get the dry dock.

Mr. GALLAGHER. I want to ask the gentleman a question. The gentleman speaks of the delegation——

Mr. MOORE of Pennsylvania. There were 57 Congressmen reported by the newspapers to have been there, and I did not report the fact.

Mr. GALLAGHER. Do you know whether any member of the Rivers and Harbors Committee made any promises on that occasion?

Mr. MOORE of Pennsylvania. I remember of one or two of the most distinguished gentlemen of this House being there and speaking——

Mr. GALLAGHER. I asked if there was any member of the Rivers and Harbors Committee there.

Mr. MOORE of Pennsylvania. I think they are very cautious. They have been so right along. That is my trouble.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Division, Mr. Chairman. I would like to see how many votes we can get for this meritorious project of the dry dock at Philadelphia.

The committee proceeded to divide, and the Chair announced that the ayes were 4.

Mr. LEE of Pennsylvania. Mr. Chairman, a parliamentary inquiry. I would like to ask if the amendment is for the channel or dry dock.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. LEE of Pennsylvania. I wish to call the Chair's attention to the fact that the gentleman from Pennsylvania [Mr. MOORE] made a statement that the amendment was for a dry dock.

The CHAIRMAN. The parliamentary inquiry has been answered by the reading of the Clerk. Those opposed to the amendment will rise and stand until counted.

The vote was announced as ayes 4 and noes 33.

So the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and seven gentlemen are present—a quorum—and the Clerk will read.

The Clerk read as follows:

Big Annemessex River, Md., with a view to providing a suitable channel from Clear Creek Point to Muddy Creek Point.

Mr. GARRETT. Mr. Chairman, I move to strike out the last word. I ask unanimous consent that the Resident Commissioner from the Philippine Islands [Mr. QUEZON] may have permission to address the House for five minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that the Resident Commissioner of the Philippine Islands may have permission to address the House for five minutes. Is there objection?

There was no objection.

Mr. QUEZON. Mr. Chairman, to-day's morning papers publish a dispatch from Manila to the effect that on the 23d of January there was an engagement between the Moros on the one hand and the scouts and constabulary on the other, and in connection with this report it is stated that Aguinaldo and other Filipinos are engaged in political activities and preparing for a revolt. During the last two months, and immediately following the victory of the Democratic Party, reports of this character have been published almost daily throughout the United States, apparently with the purpose of defeating the Democratic proposition to give the Filipinos their independence, by impressing the American people with the fact that independence will be followed by a revolution in the islands.

THE TRUTH ABOUT THE MORO TROUBLE.

It is my desire to comment but little upon the engagement between the Moros and the scouts and the constabulary. Nobody need be alarmed about it. Those who are familiar with what is going on in Jolo and Mindanao will find nothing new in this case. I know of no time when there was not an occasional outbreak among the Moros, except when they were under the wise and gentle hand of Gen. Wood, as governor of Mindanao. For the last two years there has been a regular warfare between the Moros and the American troops, due to an ill-considered policy of the official in charge of the Moros; but it was then to the interest of somebody to conceal this fact from the American people and no reports were therefore given out to the press about it. The explanation of this well-planned secrecy will, perhaps, be found in the following speeches delivered at Zamboanga two years ago before ex-Secretary of War Dickinson by two scarcely educated Moros:

First. "We have only a little to say, and that is that we are happy to be under the sovereignty of the Americans. There has been some talking about that the Filipinos want to tear themselves off from Americans, and that they want to tear us away too, thus tear us away with them. If the Americans should give the Moro country over to the Filipinos they would be responsible to God for the blood that would be shed, because it would be the same thing as if you put two fighting cocks into one bag, for there would be fighting sure."

Second. "* * * The Secretary of War must look the matter in the face. We are a different race; we have a different religion; we are Mohammedans, and if we should be given over to the Filipinos how much more would they treat us badly, when they have treated even the Spanish badly who were their own mothers and their own fathers in generation? How did they treat them? Think about it. Think twice. We far prefer to be in the hands of the Americans who are father and mother to us now than to be turned over to another people."

Of course, after wide circulation was given throughout the United States of these protestations of friendship and love, and they were printed even in the CONGRESSIONAL RECORD, the warfare that followed soon afterwards between the Moros and their American "fathers and mothers" could not be given out to the press, lest the report should convey to the American people an accurate idea of the terrific manner in which a Moro shows his friendship and love. [Laughter.]

But two years have gone by. The result desired at the time has been accomplished, to wit: To show the American people that the United States was a blessing to the Moros. It is now thought that any report of disturbance in the Philippine Islands will foster the policy of retaining the islanders under American control, especially if, in connection with it, it could be said that a general revolt is being contemplated by the Filipinos, and an insignificant clash between a group of Moros and a small detachment of scouts and constabulary is promptly given to the press. This same clash, if it had happened a year ago, would not have been published, or, if it had to be published at all, would have been reported as an engagement between "police officers" and "outlaws"; now it is said to be between "American troops" and "rebels."

The whole truth about the Moro situation is this: They have never been content under their present rulers; they will be better satisfied under a Philippine government; and, at the worst, they can be governed by the Filipinos in the same way that they are governed to-day.

FALSE DISPATCHES ABOUT AGUINALDO.

But, as I said before, I do not wish to discuss at present these Moro troubles. They are not as serious to-day as they were a year ago, when nothing was said about them. What I do wish to call to the attention of the House are the malicious and absolutely false dispatches printed in the newspapers of this country about Aguinaldo and other Filipinos being engaged in revolutionary preparations.

The following is what the morning papers say on this subject, after giving an account of the Moro outbreak:

Emilio Aguinaldo, the leader of the revolt against the United States after the Spanish-American War, and who has reentered politics, is reported to be taking an active part in revolutionary propaganda. There are many rumors that the Katipunan, a Filipino secret society, is renewing its activities against the Americans. Aguinaldo has been insistent in the conferences of the native chieftains that his sole purpose in renewing his activities has been to organize them to accomplish their independence.

AGUINALDO'S POSSIBLE MOTIVE.

It is possible that Aguinaldo's real motive for his activity comes from a fear that the Jones bill, providing for Filipino independence, may not be passed, and that he is scheming to forestall control of the expected discontent of the natives.

The foregoing dispatch reads very much like the one published in the New York Sun of January 24 from its Manila correspondent, which is as follows:

(Special cable dispatch to the Sun.)

MANILA, *January 23.*

Aguinaldo, the infamous leader of the revolt against Americans in the Philippines, has reentered politics while all the time protesting against being interrupted in his farm work. He has frequent conferences with Filipino revolutionary committees of chieftains ostensibly

for the purpose of organizing the militia preparatory to the accomplishment of independence of the islands. It is believed, however, that the real motive for the activity of Aguinaldo is an outgrowth of the fear that the Jones bill providing for Philippine independence may not be passed, and he is prompted by the desire to forestall control of the anticipated discontent among Filipinos because of the nonfulfillment of the promise of politicians.

Mr. Chairman, the statements contained in these dispatches are both false and slanderous. There are no Filipino revolutionary committees, and if there were, Aguinaldo would be the last man to connect himself with them. It is true that Aguinaldo attended the monster meeting held at Manila to celebrate Democratic victory in the United States, but so did thousands of other prominent Filipinos and some Americans. Of this meeting Justice Moreland, of the supreme court, said to me:

If the American people could have witnessed this great demonstration they would give you your independence to-morrow. It was a most impressive sight to witness such a great gathering so orderly that not even one policeman was necessary to preserve order.

Justices Carson and Trent both indorsed this view.

Gen. Aguinaldo was not one of the selected speakers, but he responded very briefly to the call made upon him for a speech. He spoke scarcely a minute, and what he said was this:

I am pleased to join you in celebrating the victory of the Democratic Party, which means to us that the day of our independence is approaching; but I wish to impress upon you that you must not depend too much upon outside influences to secure that independence. You must show the world by your actions that you are capable of governing yourselves.

WHO SENT THESE DISPATCHES.

These were almost his exact words, and yet for saying them he has been shamefully abused and misrepresented by an American correspondent of a New York newspaper, who has been guilty of conduct so outrageous that he has been driven out of office. This man is now revenging himself upon my people for exposing his conduct by sending such dispatches as these to America.

AGUINALDO'S DENIAL.

I have to-day received the following cablegram from Señor Osmeña, speaker of the Philippine Assembly, which I shall publish in the RECORD in this connection. It contains the indignant denial of Gen. Aguinaldo, who, whatever his enemies may say of him, has never been investigated for and found guilty of grafting:

MANILA, *January 27, 1913.*

QUEZON, *Washington, D. C.:*

The following from Aguinaldo: "Please deny very strongly the truth of the dispatches from Manila accusing me of political agitation preparatory to a revolt. On the contrary, I am trying to help preserve union among all elements to insure public order, which is necessary to the stability of a future Filipino government, because I am confident, and the people are also confident, that the Jones bill will be passed. I say this in spite of the possible machinations of the enemies of Philippine independence, who are said to be trying to brew all sorts of disturbances and to employ all means to prevent the passing of said bill."

OSMEÑA.

THE FILIPINO PEOPLE WILL NOT REVOLT AGAINST THE UNITED STATES.

Now, Mr. Chairman, I want to say right here to the American people that the Filipinos are not preparing for revolt. They have faith in the sense of justice of the American people, and they expect to get from the generosity of the American people their freedom and independence. They will never fight the United States [applause], and much less will they fight the United States after the Democratic Party has come into power [applause], the party that is solemnly pledged to give the Philippine Islands independence. In spite of the fact that it is occasionally said that your political platforms mean nothing——

The CHAIRMAN. The time of the gentleman from the Philippine Islands has expired.

Mr. BORLAND. Mr. Chairman, I ask that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] asks unanimous consent that the gentleman from the Philippine Islands have five minutes more. Is there objection?

There was no objection.

THE FILIPINO PEOPLE BELIEVE THE DEMOCRATIC PARTY WILL GRANT THEM INDEPENDENCE.

Mr. QUEZON. In spite of the fact, I say, that we are being told that your party platforms mean nothing, we have a different conception of the great political parties of the United States. We believe that those parties stand by what they say to their people and to our people. We can not believe that your national platforms are meaningless. We believe that they are the official and responsible statements to the American people and to the world of what the party that is coming into power is going to do. [Applause.] Is it conceivable that under these conditions, believing as we do most implicitly in the promises and pledges of the Democratic Party, that my people will take up arms against the United States? What possible reason could there be for such an unnatural and suicidal course? Can any sensible American, whether he believes the Fliipinos capable of self-government or not, credit these untruthful and inspired reports? Unfortunately we have learned from the saddest of experiences what armed opposition to the power of the United States means. It has cost us hundreds of thousands of lives, drenched our fair land with blood, and destroyed millions of dollars worth of property. We have, I say again, learned from a hard experience what it means to oppose with arms the forces of America.

Mr. SHERWOOD. Mr. Chairman, if the gentleman will permit, how many lives have been lost in the Philippine Islands?

Mr. QUEZON. Well, according to a newspaper report attributed to Gen. Bell, the present commanding general of the Philippines, in the island of Luzon alone 600,000 men, women, and children were killed during the war or died as a result thereof.

Mr. DIES. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. QUEZON. Yes.

Mr. DIES. You understand, of course, that in killing your people we did it for their good? [Laughter.]

Mr. QUEZON. Mr. Chairman, I do not care to speak of these harrowing incidents except for the purpose of convincing the House, if that be necessary, that it is impossible for us to again think of such a thing as engaging in an armed conflict with American troops, even if there were some reason for revolting against the United States, because we know too well what the result would be; such being the case, how any sane person could conceive of us revolting when there is no reason to-day for so doing—and I hope that there will never be any reason for so doing, because the administration shortly to come into power in the United States is pledged to grant the Philippines independence. I hope that if the Filipinos ever go to war they will go to war in support of the United States and not against the United States. [Applause.]

And it is very easy to accomplish this. It is very easy to make every Filipino ready to die for the American flag, if you will only heed their cry and give them what they are asking for and longing for—their independence. [Applause.]

If this is done, and the time should ever come when you should have a war in the Far East, gentlemen, you will find every man, woman, and child in my country fighting for you and for your flag. [Applause.]

[Mr. QUEZON, by unanimous consent, was given leave to revise and extend his remarks in the RECORD.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Coan River, Va., with a view to deepening and widening the channel at and near its main entrance.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] moves to strike out the paragraph.

Mr. CALLAWAY. Mr. Chairman, on Saturday, in discussing this bill, I referred to some examinations that I had been connected with the making of, and based a statement on that that I had no confidence in the engineers' reports after the committee cited me to these volumes of the engineers' reports for information on that subject. In that statement I made reference to some statements made before the Committee on Insular Affairs with reference to Benguet Road. This morning I got a letter from Col. McIntyre correcting some statements that I had made with reference to the Benguet Road. It was my impression that the Army engineers made the estimate on that road, estimating that it would cost $75,000 when in fact it cost over $2,000,000. They inform me that it was not an Army engineer who made that estimate and report, but that it was an ordinary civilian; that the Army engineers went ahead and carried out the work.

There is one further thing to which I wish to call the attention of the committee. On Saturday I made the statement that the road was 10 or 12 miles long. This letter from the Army engineer tells me that it is 30 miles long. I want to cite the hearings on that question. When Mr. QUEZON was testifying before the Committee on Insular Affairs he made the statement that it was 10 or 12 miles long. I read from the record of the Committee hearing, February, 1912:

Mr. HELM. How long is the road?

Mr. QUEZON. The Benguet Road is about 10 or 12 miles—the colonel will be able to tell you.

The CHAIRMAN. How far is it from Camp 1 to Baguio?

Mr. QUEZON. I think that is about 10 or 12 miles.

Mr. HELM. Is that where the $2,000,000 was spent?

Mr. QUEZON. Pretty nearly.

Mr. LITTLEPAGE. Is there any tunneling on the road?

Mr. QUEZON. No, sir.

Col. McIntyre was at that time sitting at the table, and Gen. Edwards was in the room, and they made no contrary statement. This letter states that the road was about 30 miles long.

I based my statement that it was 10 or 12 miles long on the fact that the statements which I have read were made before the Insular Affairs Committee in the presence not only of Col. McIntyre, but of Gen. Edwards.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. I ask unanimous consent to proceed for five minutes.

Mr. SPARKMAN. I will not object now, but I give notice that I shall object to any further extension, because this is entirely irrelevant to this bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CALLAWAY. Mr. Chairman, the relevancy of this will appear before I conclude. I call attention to another report of engineers on which this House acted, expending $540,000 in Arizona on the Pima Indian Reservation, on the Gila River. The expenditure was made on a Government engineer's report in the Indian service.

Mr. HUMPHREYS of Mississippi. These appropriations were not reported through the River and Harbor Committee, were they?

Mr. CALLAWAY. No; but I am talking about engineers generally. There was an investigating committee went down to examine this project last summer. The Indian Bureau knew that; they made a report before the Indian Affairs Committee, on which they asked the Indian Affairs Committee to appropriate $20,000 for the maintenance and operation of that project. On December 2 they stated as follows before that committee:

The number of Indians on the reservation is 4,246; the land now irrigated on the reservation, 12,000 acres.

There is not an acre irrigated by these wells of which they are speaking and asking for this $20,000 to maintain and operate.

Land to be supplied with pumped water, 12,000 acres.

And the Indians under that project refused to accept that water. They told the Government before it ever started that expenditure that they would not accept it; that it would kill the land; and they never have accepted it, and this Government has no power to make them accept it. But notwithstanding the facts, notwithstanding their knowledge that this committee made this investigation last summer, they had the unbridled effrontery to ask an additional appropriation of $20,000.

Mr. HUMPHREYS of Mississippi. Who was that engineer?

Mr. CALLAWAY. This comes from the Indian Bureau and the Reclamation Service. Mr. W. H. Code was the original engineer.

Mr. HUMPHREYS of Mississippi. A United States Army engineer?

Mr. CALLAWAY. No; other kind of engineers. They all look alike to me.

Now, I was cited by this committee—and that is what I want to get down to—to the engineers' report, to which they look for information and guidance in appropriating $40,000,000 of the public money. Their bill cites this little pamphlet, containing 262 pages, and I am going to read the back of it:

A letter from the Secretary of War, transmitting a letter from the Chief of Engineers' reports of the survey of the Boston (Mass.)-Beaufort (N. C.) section of the proposed inland waterway, from Boston, Mass., to the Rio Grande River.

On this end of the project from Norfolk, Va., to Beaufort Inlet, N. C., which is about 100 miles, they say it will cost ultimately $5,400,000.

Now, Mr. Chairman, I have stated to the committee these things to show them what the estimates of the engineers working for the Government are worth when it comes to final work. The estimate on this canal from Norfolk, Va., to Beaufort Inlet, N. C., is $5,400,000. That is the initial step in this intercoastal canal, running from Boston, Mass., to the Rio Grande, the ultimate cost of which God Almighty only knows.

In this bill, Mr. Chairman, there is this provision:

Provided, That no part of this amount shall be expended until the canal and appurtenant property belonging to the Chesapeake & Albemarle Canal Co. shall have been acquired by the United States by purchase in accordance with the agreement entered into between the Secretary of War and said company under date of February 17, 1912.

That is this pamphlet here, and they now appropriate $800,000—this initial step in a waterway, the end of which no man born of woman can see. This is the point I make to this House and to the people of the United States, that a chain is no stronger than its weakest link. This proposition is as rotten, from the standard of statesmanship or profit, so far as the American people is concerned, as anything that was ever devised by the mind of man. This proposition is the substructure on which the whole bill stands, and is the standard by which it should be measured. In this bill we are asked to appropriate $800,000 as the initial step in this intercoastal waterway for this particular segment, which is only 100 miles long, and, according to the engineer's estimate, will cost to complete $5,400,000. This is a 100-mile segment of an intercoastal canal 2,500 miles long.

The Clerk read as follows:

Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., with a view to determining whether there should be any change in that part of the route from Alligator River southwardly to Neuse River from that heretofore recommended in House Document No. 391, Sixty-second Congress, second session, and heretofore adopted, and whether it would be desirable to extend the route from Alligator River to Pungo River, thence to Goose Creek, thence from the head of Goose Creek to Jones Bay, and thence to Neuse River, or whether any modification of said part of the route is desirable.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the paragraph. Now, Mr. Chairman, I have been cited by the chairman of this committee to 4,000 pages of stuff that he says if I am patriotic enough and energetic enough to search through I can find the reason why this committee has brought in this bill.

I have not been able to search these 4,000 pages of stuff, but I have looked at these engineers' reports, Mr. Chairman, and I do not find that these engineers give any estimate of what the present waterways carry, or what the increased tonnage will be if there is a change as proposed in this bill, nor what the difference in freight charges for such carriage will be if the changes are made as proposed in this bill.

There is not a man that has got any business sense, from Kalamazoo to kingdom come, whose estimate of a project is worth a cent unless the estimate shows what it will be when constructed, what it will cost in construction, what the maintenance charges are to be, and what the income will be from the project when completed. That is enough to beat any project. But there is another question that ought to enter in here, and that is what particular section will this benefit—whether the whole people of the United States are to be benefited by it. There is no effort to show on the part of these engineers what any of these projects will be worth to the country at large and what the difference in tonnage carried will be. They do not even state the mileage in many instances.

Mr. Chairman, I have never thought anything better of the Republicans, I have never hoped for anything better of them, and I do not think this country at large has expected anything better of them; but we as Democrats came in here on an economy platform and the reduction of expenditures. Here is a bill that increases the expenditures for rivers and harbors almost 50 per cent. The bill carries $40,000,000. The committee in its reports says that is $14,000,000 more than last year. That does not look to me like Democratic economy. Then they come in here on the reports of the same engineers that furnished the data to the Republicans, on which they based their expenditures from year to year. This Democratic House is led by the same bunch of heads of departments and engineers under their charge that the Republicans were led by, that led them to the slaughter of 1910 and into the ignominious defeat of 1912; and if the Democratic Party follows this pork-barrel system the Republicans followed, led by the engineers who are interested in feathering their own nests and furthering their own interests, then the Democratic Party will come to the same bad end that the Republican Party came to.

Mr. DAVIDSON. Mr. Chairman, will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. DAVIDSON. Is the gentleman opposed to the item in the bill which he is discussing, namely, an inland waterway from Boston to the Rio Grande?

Mr. CALLAWAY. Mr. Chairman, I am opposed to every item in this bill except the items to keep in preservation the projects we now have. Everybody in this country but Congressmen in this House knows that the waterways have played out; that transportation has quit going by the water route; that the railways are carrying the freights. This committee had the charge flung in their faces on Saturday that every ton of freight that the Mississippi carried last year cost this Government $30.

Mr. DAVIDSON. Is the gentleman in favor, then, of discontinuing that portion of this inland waterway which extends from Sabine to the Rio Grande?

Mr. CALLAWAY. Yes. I am opposed to every segment of this intercoastal waterway.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. TRIBBLE. Mr. Chairman, I move to strike out the last word. I have before me the hearings of the Naval Committee, and I want to do the gentleman from Pennsylvania [Mr. MOORE] absolute fairness and justice. The question under discussion before the Naval Committee at the time to which I refer was the 28-foot channel, and it was not contradicted that

the Delaware River did not have over 28 feet. Here is the testimony of the gentleman from Pennsylvania [Mr. MOORE]:

The CHAIRMAN. I understood that you have a mean low water of 30 feet.

Mr. MOORE. We have a rise in the tide there of 7 feet.

It will be noticed that there is a rise in the tide there. Continuing:

Our mean low water now exists—

But he did not say how much. He takes a very mild position on that—

It is legislatively now 30 feet, and it is substantially—

Substantially. He does not assert that it is 30 feet—

substantially 30 feet all the way up for 60 miles.

Here is the particular issue that came before the Naval Affairs Committee, and is up before the House here to-day. I read from the hearings the exact language of the gentleman:

There is probably not more than 20 or 25 feet of depth, and in the upper end it was shown that they did not have 30 feet, so that the cutting of a canal to 35 feet seems an absurdity——

Mr. MOORE of Pennsylvania. To what does that refer?

Mr. TRIBBLE. I am reading what the gentleman from Pennsylvania said.

Mr. MOORE of Pennsylvania. Does that refer to the Delaware River or to the back channel?

Mr. TRIBBLE. Wait until I get through.

Mr. SPARKMAN. Mr. Chairman, I insist that the gentleman confine his remarks to the pending amendment.

The CHAIRMAN. The gentleman from Florida makes the point of order that the gentleman from Georgia is not confining his remarks either to the amendment, to the amendment to the amendment, or to the paragraph. The point of order is sustained. The question is on the amendment of the gentleman from Pennsylvania, to strike out the paragraph.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent that the gentleman from Georgia [Mr. TRIBBLE] be permitted to read what he was stating to the House regarding the hearings in which the gentleman from Pennsylvania [Mr. MOORE] was involved, subject matter that has been discussed by the gentleman from Pennsylvania upon this floor.

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, the gentleman should read into the RECORD exactly what is in that statement and not take it by piecemeal, because I stand on that statement.

Mr. HEFLIN. I hope the time will be granted to my colleague.

Mr. TRIBBLE. I only want about three minutes.

The CHAIRMAN. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Chairman, if the gentleman will publish the entire statement I will not object, but if he is not going to publish the entire statement, I will.

Mr. TRIBBLE. I will read every word in it—one-fourth of a page of the hearings.

The CHAIRMAN. The Chair hears no objection.

Mr. TRIBBLE (reading)—

* * * We would have a hole in the ground, which would mean that if you ever built a vessel in there drawing 35 feet it could not get out and would simply have to pass between Chesapeake Bay and Delaware Bay and stay there * * *.

That is exactly what I said here.

Mr. MOORE of Pennsylvania. That is absolutely correct.

Mr. TRIBBLE (reading)—

* * * The difficulty with the bill of Mr. LEE, which contemplates opening up the entire enterprise at once, is that if you make the depth and width of this 1,700 feet to correspond with the depth and width of the Panama Canal you will dig a hole in the ground between the Delaware River and the Schuylkill River out of which you can not get at all. It would seem to be——

Mr. DONOHOE (interposing). Any vessel that got in should certainly be able to get out.

Mr. MOORE. That is true; but I do not understand the necessity of digging 10 feet below the river depths.

Mr. DONOHOE. The further deepening of the Delaware River is certainly in contemplation.

Mr. MOORE. Yes, sir; we are trying to get 35 feet.

Mr. DONOHOE. We do not know what depth we may have to go in the future; it will be limited only by the size of the ships?

Mr. MOORE. That is true.

Mr. DONOHOE. Mr. LEE's bill proposes to construct the dry dock corresponding with the depth of locks of the Panama Canal, which will limit the width and depth of ships in the future; and so if we build it properly now we will not have to rebuild it in the future?

Mr. MOORE. That argument would go if you could get up the Delaware River and out the Back Basin.

Mr. DONOHOE. It would do no harm?

Mr. MOORE. No, sir; it would do no harm; but there are 60 miles of channel that do not now exceed 30 feet, and therefore you would simply be digging a 40-foot hole 1,700 feet long to connect two bodies of water not more than 30 feet deep.

Mr. DONOHOE. That would have to be taken up in the future if we did not get it deep enough now.

* * * * * * *

Mr. BUTLER. What size vessels can go up there?

Mr. MCCREARY. The mean depth is about 29 feet.

Mr. MOORE. Any war vessel the Government has can go up there.

Mr. BUTLER. I mean can it go up there?

Mr. MOORE. Yes, sir.

The CHAIRMAN. I understood that you have at mean low water 30 feet?

Mr. MOORE. We have a rise in the tide there of 7 feet. Our mean low water now exceeds 28 feet. It is legislatively 30 feet and is substantially 30 feet all the way up the 60 miles.

Mr. GREGG. What is the length of the dry dock you have there?

Mr. MOORE. About 750 feet—to be exact, 744.6½ over all. The *Utah*, built across the river by the New York Shipbuilding Co., is one of the very largest vessels the Government has thus far built. She is one of the new *Dreadnoughts*, and she has been in the dock.

* * * * * * *

* * * The question is the construction of a new dry dock. We have a dry dock at Philadelphia about 750 feet long. It is not the biggest dry dock in the United States, but it is an excellent dry dock. It was capable of housing the dreadnought *Utah* and did it very well, but there is some difference of opinion as to the possible capacity in the matter of the entrance at the caisson for the admission of such vessels as may be constructed in the near future.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would like to call the attention of the Chair to the fact that the gentleman is not reading the statement in full, as the gentleman agreed to do, but he is reading page by page and skipping as he goes along. If the gentleman will consent that I have just five minutes to answer him after he is through, he can make as many extracts as he pleases.

Mr. TRIBBLE. That is all, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that he may proceed for five minutes. Is there objection?

Mr. TRIBBLE. Mr. Chairman, reserving the right to object, I shall ask for five minutes to show the gentleman's position before the Committee on Naval Affairs. He is asking for an 800-foot dry dock. He has a 750-foot dry dock there now. He seeks another 800 feet. Mr. LEE is pressing his bill for 1,700——

Mr. HUMPHREYS of Mississippi. Mr. Chairman, for the benefit of the gentleman from Georgia, I will state I am not going to object to the request of the gentleman from Pennsylvania; consent has been granted on this side. Now the gentleman from Georgia asks for five minutes on this side. I shall object then to any further discussion.

Mr. EDWARDS. Mr. Chairman, reserving the right to object, I think it is come to a time now that we should close up this bill. It has been pending for several days. I dislike to be discourteous to anyone, but I am on this committee, and we are tired of this matter, and therefore I demand the regular order, and I object.

The CHAIRMAN. The regular order is demanded. The regular order is the motion of the gentleman from Texas.

The question was taken, and the motion was rejected.

The Clerk read as follows:

Beaufort Harbor, N. C., with a view to providing a suitable turning basin and anchorage area in front of the town or Beaufort.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last paragraph. The gentleman from Wisconsin [Mr. DAVIDSON] asked me awhile ago if I was not in favor of the digging of an intercoastal canal along that southern coast of Texas.

Mr. SPARKMAN. Mr. Chairman, I make the point of order the gentleman is not discussing his amendment.

The CHAIRMAN. The point of order is well taken. The gentleman can proceed in order.

Mr. MANN. How much time does the gentleman want on this subject?

Mr. CALLAWAY. Oh, I just want a few minutes, 5 minutes or 10 minutes.

Mr. MANN. The gentleman has been——

Mr. CALLAWAY. I will yield. I desire to conform to the rules of the House; I do not want to ask any favors.

Mr. MANN. It is not a matter of favor. Let us arrange, if we can——

Mr. SPARKMAN. Mr. Chairman, unless I am mistaken, we will reach the point after a little while, when we will return to certain pages and lines passed over, and where the discussion that the gentleman is going through with now will, perhaps, be in order.

Mr. CALLAWAY. Mr. Chairman, here is the item from Norfolk, Va., to Beaufort, N. C. I was talking about an intercoastal waterway that runs to Beaufort, N. C., from Norfolk, Va. This is the initial project and part of the same system designed to run finally around to the Gulf of Mexico and the Rio Grande River, providing this Nation lives long enough and the United States Treasury holds out. I was asked by the gentleman from Wisconsin [Mr. DAVIDSON] about that part of it running along the southern coast of Texas.

If I were a pork-barrel politician, here to get my hands into the Treasury, I would favor that section along the coast of Texas and submit to the whole project, Mr. Chairman, not

because it would help the people of the State of Texas, not because the people of Texas would generally get any due return on the money expended, but because the money would be spent in Galveston, Houston, and Beaumont; because they would employ men to work who would spend the money at the saloons, grocery stores, and dry-goods establishments, and ride on the railways and the street cars, buy electric lights, and so forth. If this money was taken out of the Federal Treasury and given out in equal amounts to the individuals of Texas, Texas would be more benefited than burdened, but the whole people of the United States would not. That is the reason, if I was a pork-barrel politician, I would favor the Gulf coast section. That is the way the Republicans did. We opposed that system. We came in saying we were going to economize public expenditures, but we invited the same heads of departments to make recommendations and the same engineers to give reports, and went on doling out appropriations in the same way the Republicans had been doling them out. You ask me how much of this I am against. I see here, on the second page of this voluminous report of two pages, that the maintenance items total $2,222,650. The Democrats ought to appropriate that; evidently what we have is worth maintaining, but we ought not to expend one cent more unless it is conclusively shown to be a good business investment, such as an individual would make for himself.

Mr. HUMPHREYS of Mississippi. Does the gentleman believe that on this subject we ought to follow the Democratic platform's declarations?

Mr. CALLAWAY. Yes; I believe we ought to follow the Democratic platform's declarations honestly and wisely——

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Texas to strike out the paragraph.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Clearwater Harbor and Little Pass, Fla., with a view to securing a channel with suitable depth and width from the Gulf of Mexico to a point at or near the town of Clearwater.

Mr. SPARKMAN. Mr. Chairman, I wish to offer an amendment.

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

The Clerk read as follows:

On page 40, line 17, strike out the word "Little" and insert in lieu thereof the word "Big."

The CHAIRMAN. Does the gentleman from Florida desire to address the committee?

Mr. SPARKMAN. I do not.

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

The amendment was agreed to.

Mr. CALLAWAY. If we have reached the clear water on the Gulf of Mexico, line 19, page 49, I vote to strike out the paragraph.

Mr. HUMPHREYS of Mississippi. We have reached it. Now is the time.

Mr. CALLAWAY. Mr. Chairman, what I want to call the committee's attention to is what seems to be a part of this same canal proposition.

Mr. SPARKMAN. It has nothing to do with the intercoastal waterway or any part of the intercoastal waterway.

Mr. CALLAWAY. I can not understand how a harbor would reach clear water if you would not have to go inland in order to reach clear water, and this intercoastal waterway is the only proposition in this bill that would reach clear water, I believe.

Mr. SPARKMAN. I say it kindly, but it only demonstrates the fact that the gentleman is totally unacquainted with the subject he is trying to discuss. I hope he will pardon the statement, because I say it in all kindness.

Mr. CALLAWAY. You have my pardon.

Mr. SPARKMAN. If the gentleman from Texas will take the time to read, not the 4,000 pages that he refers to there, but that smaller document that he has before him there, the title of which he called our attention to a while ago, he will find that the intercoastal waterway does not touch Clearwater Harbor at all; that starting in somewhere about Boston and going down the coast——

Mr. CALLAWAY. Mr. Chairman, I want to know if the gentleman is speaking in my time or in his.

Mr. SPARKMAN. I was trying to inform the gentleman, assuming that he wants information.

The CHAIRMAN. Does the gentleman yield?

Mr. CALLAWAY. I will state, Mr. Chairman, that I read this thing, which is the report of the Army Engineers on the intercoastal waterway project, and that is the thing that made me mad. [Laughter.] That is the thing that has made me lose confidence in the judgment of the committee. That is the thing that has made me question every item in this bill. That is the thing that has put me "on the warpath," and I propose to stay on it as long as this committee brings into the House such propositions as this and asks that the public money be expended on such unheard-of propositions.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Florida?

Mr. CALLAWAY. Yes.

Mr. SPARKMAN. Has the gentleman read everything in that report?

Mr. CALLAWAY. Yes; I have read everything in that report. I put in Saturday night and all day Sunday, Sunday night, and Monday morning reading it.

Mr. SPARKMAN. Then, if the gentleman has read everything in that report, I can not account for his anger except on the theory that the engineers have turned down so much of the project, because they have actually reported adversely everything in it except a very few links in the chain.

Mr. CALLAWAY. They have advised a project that runs along the coast from Boston to the Rio Grande River.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. CALLAWAY. I do.

Mr. MOORE of Pennsylvania. What is the title of the document the gentleman refers to?

Mr. CALLAWAY. "Tidal Waterway from Boston, Mass., to Beaufort, S. C."

Mr. MOORE of Pennsylvania. That is it.

Mr. CALLAWAY. "Letter from the Secretary of the Treasury, transmitting a report of the Engineers on the proposed inland waterway running from Boston, Mass., to the Rio Grande River."

Mr. MOORE of Pennsylvania. That is sufficient. Will the gentleman yield further?

Mr. CALLAWAY. Yes.

Mr. MOORE of Pennsylvania. I know something about this intercoastal waterway, having gone from one end of it along the Atlantic coast to the other, and I wish to say that I wish the gentleman would differentiate the Atlantic from the Gulf project; that he will disassociate the project from Boston to Beaufort from the project that runs through the State of Florida, along the Gulf of Mexico, and into the State of Texas. That is an entirely different project.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MOORE of Texas. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection?

Mr. EDWARDS. I object, Mr. Chairman. We must finish this bill.

Mr. MOORE of Pennsylvania. I am sorry for the gentleman from Texas. I think he should have more time.

Mr. CALLAWAY. Never mind; I will jump on the next paragraph. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. CALLAWAY].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Harbor at Tampa, Fla., with a view to securing increased depth and width in the channel from the Gulf of Mexico through Tampa and Hillsboro Bays to the head of the estuary in the city of Tampa.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] moves to strike out the paragraph.

Mr. CALLAWAY. Now I will yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I was about to say that it is fair for the gentleman from Texas [Mr. CALLAWAY] to criticize the intercoastal waterway if he does not approve the project, but he should differentiate the project as reported on by the engineers, running from Massachusetts to Beaufort, N. C., from this project which the committee has reported. The intracoastal waterway, so called, mentioned in this report has nothing whatever to do with the project that runs across the State of Florida and into the Gulf of Mexico.

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

Mr. MOORE of Pennsylvania. Yes.

Mr. MANN. I understood the gentleman from Texas to say that the reading of the report of the intercoastal waterway from Boston to Beaufort somewhat excited his ire. Does the gentle-

man think he will be able to read the report at all on the project from Beaufort to the Rio Grande, which the gentleman from Pennsylvania intimates is a great deal worse? [Laughter.]

Mr. MOORE of Pennsylvania. Will the gentleman yield for one statement there? Bear in mind that the engineers have reported only upon the section which is described in the report which the gentleman has in his hand. There has been no report yet on the project below Beaufort, nor in Florida, nor along the Gulf of Mexico, so far as I am informed.

Mr. CALLAWAY. In answer to the gentleman's statement I will say that I read this report, which reports on a segment of that canal which they recommend, based on the proposition that ultimately the canal is to be dug from Boston, Mass., to the Rio Grande. That is what I am talking about. That is the only way this report can be considered. You can not consider this matter in segments. It is not made by the engineers for consideration in segments. This segment is reported on by the engineers with the view ultimately of building it from Boston, Mass., to the Rio Grande, and no sensible man can consider it any other way than as a whole canal.

Now, I am wise enough to know that they are going to pick the best segments first, and when they get a segment here and a segment there and a segment yonder that are the least expensive and the most plausible for a beginning they will insist that these segments must be joined in order to make the project complete and valuable. I am wise enough to know another thing, that the people of this country are wise enough to know—that is the way you will do it. If you were wise, you would stop this thing here at its initial point—not begin it. The people of this country will hold you responsible, and they ought to do it. The people understand this pork-barrel business, and it is a matter of ridicule all over the country, except at places where the money is spent.

The money goes to the saloons, groceries, and dry goods houses from the contractors and people who do the work. They are interested in it. They do not care what becomes of the Government or how they burden the people. The question with them is to feather their own nests and further their own interests. And these engineers are the same way. Why, I have a cousin by marriage who is an engineer working in this river and harbor business, and I saw his wife last winter. They are good people. I love them. The man is smart and educated. Something came up about rivers and harbors, and his wife said she hoped I would vote for the biggest appropriation that is offered for rivers and harbors, because "that will help our job."

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CALLAWAY. I would like two minutes more. If you will extend my time two minutes, I will give you a rest and go to lunch.

Mr. MANN. I ask unanimous consent that the gentleman have five minutes more.

There was no objection.

Mr. CALLAWAY. The remark made by that man's wife was natural and human. This House ought to know these engineers are interested not only in furthering their own interests and holding their own jobs and raising their salaries, but they are interested in getting particular friends of theirs into places all along the line. That is human and natural, and the commercial spirit has been cultivated until every man holding a job under the Government looks at the improving of it as a business; he thinks about it as a business, not from the standpoint of the welfare of the whole people or the country.

Then we base our bills on engineers' reports. This report says they did not do all that the engineers asked them to do; that the engineers reported on 170 different projects, and the committee have only taken 60 out of the 170, and that they only recommended 79 for them to look into for another year, and that was all. Where, in heaven's name, is the matter going to stop?

A statement was made on the floor of the House Saturday, which I presume is true—I have not heard a member of the Rivers and Harbors Committee deny it—that every ton of freight floated on the Mississippi River last year cost the Government $30. I will say further that I have not heard any member of the Rivers and Harbors Committee give one single reason that looked either statesmanlike, sound financially, or sensible for the passage of this bill. I have heard no Member deny what the gentleman said—that every ton of freight that went on the Mississippi River cost the people of this country $30. Is that true? That is the greatest inland waterway of the country; that is the biggest river in the whole business. He said not only that, but that the Mississippi River did not carry one-half the tonnage now that it carried 20 years ago. That shows that your work on the Mississippi River "to improve commerce and navigation" has not added to the tonnage. It shows that river and canal commerce is doomed. The railways have superseded them.

The CHAIRMAN. The time of the gentleman has expired, and the question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FINLEY 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 joint resolution of the following title:

H. J. Res. 380. Joint resolution authorizing the granting of permits to the Committee on Inauguration of the President-elect on March 4, 1913, etc.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 6380) to incorporate the American Hospital of Paris.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 26680) making appropriations for legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes, disagreed to by the House of Representatives; had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon; and had appointed Mr. WARREN, Mr. WETMORE, and Mr. FOSTER as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 33.

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound in cloth, with accompanying maps, 4,000 copies of the Report Upon Panama Canal Traffic and Tolls, prepared for the President by Emory R. Johnson, special commissioner on traffic and tolls; that the copies here ordered shall be printed from plates recently prepared for the Isthmian Canal Commission and now in the possession of the Government Printing Office, and that of the copies printed 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,000 for the use of the Committee on Interoceanic Canals of the Senate.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Ochlockonee and Crooked River, Fla.

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

The Clerk read as follows:

On page 50, between lines 1 and 2, insert the following: "Crooked Channel, Fla."

The amendment was agreed to.

The Clerk read as follows:

Mobile Harbor and bar, Alabama, with a view to securing such additional depth and width of channel as the interests of commerce may require.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question for information. Who controls the piers or wharfage in Mobile Harbor? Are they controlled by the railroad companies or by the city of Mobile?

Mr. SPARKMAN. I am not fully advised on that subject, but I will say to the gentleman that I am under the impression that the railroad companies do not control them. They may own their own dock facilities; very likely they do. I am not advised as to that.

Mr. CULLOP. I would like to ask another question in that connection, and that is, While the Engineers are ascertaining the desirability of these improvements and the probable cost, would it not be well to ascertain also who owns the piers and wharfage of Mobile?

Mr. SPARKMAN. I will say to the gentleman that I think that a very pertinent inquiry. In the river and harbor bill of last year there was carried a provision authorizing an examination and such inquiries as will bring that information. We have not the reports in yet, but when they come in I dare say we will have full information on all those subjects.

Mr. CULLOP. Now, Mr. Chairman, while we are considering this matter and making large appropriations for improvement of harbors, I think it would be well to know whether we are appropriating and expending this money to build up the railroad properties of the country or whether we are expending it for the purpose of improving waterways belonging to all the people.

Mr. EDWARDS. Will the gentleman yield?

Mr. CULLOP. Yes.

Mr. EDWARDS. That proposition was carried in the bill of last year. The engineers, under the directions in that bill, are getting up the very data that the gentleman is now referring to.

Mr. CULLOP. I understand, Mr. Chairman, in the testimony taken in the hearings before a number of committees, very large volumes of it, that nearly the entire wharfage or piers in every great harbor in this country is monopolized as terminal facilities by the great railways of the country.

I want to ask the gentleman and Members of this House whether it is right to go into the pockets of the people and appropriate their money to build up the private property of these great corporations? It is undoubtedly a fact that in many of the harbors of this country the piers and landing places are so controlled by the great railways of the country that a ship not controlled by these companies can not land at a single pier. Does the gentleman from Florida believe that he in his official capacity is doing justice to the American taxpayer when he is going into their pockets and taking millions simply to improve the property of these great corporations who hold a monopoly in their terminal facilities along these great highways of commerce which belong to the people?

The docks at these great points of commerce should be preserved for the benefit of the public and not turned over to the control of private enterprise and then employed for the purpose or restricting commerce. This evil which I am calling attention to exists in many places as a public detriment and very injurious to the commerce of the country, and a speedy remedy should be furnished for it.

Mr. SPARKMAN. Mr. Chairman, I want to say to the gentleman that his remarks are timely and pertinent. At the same time the evil of which he complains has not gone, perhaps, to the extent he thinks it has. At all events we are taking steps to remedy it.

Mr. CULLOP. Will the gentleman permit a question?

Mr. SPARKMAN. As soon as I have finished. There is no doubt but that in some, yes, in many places in the country railroads have had control if not of the entire dock facilities, at least a large part of them. In some places they owned them, in others they controlled without owning them. But a few years ago the River and Harbor Committee began to make inquiries into the subject and we have set on foot investigations that will give us the information upon which we can legislate wisely on the subject and correct the evil.

Mr. CULLOP. Mr. Chairman, will the gentleman permit an interruption at that point?

Mr. SPARKMAN. Yes.

Mr. CULLOP. The testimony before the Committee on Interstate and Foreign Commerce in a number of instances has shown that at some of our greatest shipping points certain railroad terminals have obtained possession of the entire frontage of the waterway and simply control the landing and the handling of all the commerce at such places. I am informed that testimony of that character has recently been given—but is not yet published—before the Committee on Fisheries and Merchant Marine regarding this same harbor.

Mr. SPARKMAN. To which harbor does the gentleman refer?

Mr. CULLOP. To the one at Mobile. I am informed that testimony is not yet published, but that it has been given by witnesses who claim to have possession of the facts, and that they say that the terminal facilities of railroads practically control the piers and the wharfage in that city. I will say this, that if they do not do it in Mobile, then that city stands alone almost in that regard in this country. They have been wise and have built wisely in that respect, by obtaining possession and control of those facilities simply for the purpose dominating the commerce at such points. It has been very clearly demonstrated that in certain of our larger cities in the East these facilities are absolutely controlled by the railroad terminals.

Mr. SPARKMAN. Mr. Chairman, I want to say to the gentleman that he is largely correct, at least so far as quite a number of the harbors are concerned.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CULLOP. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, I think this a very important question.

Mr. CULLOP. Mr. Chairman, the gentleman admits the importance of the question, and that we ought not to take the public money to improve the property of these corporations.

Mr. SPARKMAN. I fully agree with the gentleman in that.

Mr. CULLOP. There is no justification for it, he admits. Now, I will ask him if in certain harbors along the Atlantic coast where this is true any appropriations have been provided for in this bill to be expended for the improvement of them solely to advance the value of the private property of these corporations? If so, does not the gentleman believe that he ought to return to those items and have them eliminated from the bill?

Mr. SPARKMAN. Mr. Chairman, I am glad to answer that question, and I will answer it by saying that I know of no harbor for which we are making an appropriation in this bill the terminal facilities of which are entirely owned or controlled by railroads. I know of no harbor where they own any very considerable part of the terminal facilities, except at places where efforts are now being made, successful efforts, too, to correct the evil. Municipalities in many places are acquiring a sufficiency of dock facilities to control the situation. Let us take the city of Jacksonville, Fla., for instance. There railroads and private parties did gain control of nearly all the frontage on the river; but that city, seeing the need of municipally owned docks, has authorized the issue of bonds and will at great expense—nearly a million of dollars—provide sufficient dock facilities to take care of her rapidly growing commerce. Other cities are doing likewise. This is true at Philadelphia, as I understand; it is also true in New York, where they propose to spend many millions of dollars for similar purposes; and, as I said a moment ago, I know of no place for which we are making the appropriations in this bill where the wharfage property and other terminal facilities are entirely controlled by railroads. I think all harbors and rivers improved by the Government should be open to all on equal terms; and if we go ahead as we are going now the time is not far distant, I take it, when we will have reached a point where no appropriation will be made by Congress for the improvement of a river or for the development of a harbor unless ample dock and terminal facilities are provided for such harbor or river free and open to general commerce. [Applause.]

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 50, at the end of line 6, by adding the following: "*Provided*, That the report thereon shall disclose the ownership and control of the wharves, docks, and piers in said harbor."

Mr. FOWLER. Mr. Chairman, I feel, in view of the disclosures which have been made in reference to the ownership of these conveniences in this harbor, that it would be proper and just to the American people that the report on this project should disclose the ownership of the wharves, docks, and piers of this harbor. It has been said here, with some degree of earnestness and also with some degree of authority, that the railroads have a complete control of the approaches to these docks, wharves, and piers. If that be true, Mr. Chairman, I feel that it would be unwise for the Government to make great outlays in the way of expenditures of money for the purpose of improving private property for the benefit of private corporations. I trust, Mr. Chairman, in view of the statements which have been made by members of the committee upon this question, that this amendment will carry. I see no reason why it should not carry; I see no reason why this investigation should not disclose to the American people in its report who are the owners of these approaches for the purpose of commerce, and give to us the advantages of the information concerning the ownership of railroads of such private ownership. I do not know what the committee may think of it, but I see no reason why they should not agree to such an amendment. In fact, I say, Mr. Chairman——

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

Mr. FOWLER. Certainly.

Mr. EDWARDS. Does not the gentleman know that the very provision which he seeks to put in by amendment is now the law?

Mr. FOWLER. Mr. Chairman, I know, to the contrary, that if there is a syllable of information in any report made by any investigation of any of these harbors disclosing the ownership and control of these approaches I have no knowledge of it; and I say to the gentleman who propounded that question that he can not make good his statement, making it clear that there is a report or any investigation made disclosing these facts.

Mr. TAYLOR of Alabama. Will the gentleman allow me to interrupt him?

Mr. FOWLER. Yes.

Mr. TAYLOR of Alabama. The gentleman is now offering an amendment in regard to Mobile Harbor?

Mr. FOWLER. Yes.

Mr. TAYLOR of Alabama. I say to the gentleman that the last report on Mobile Harbor, which I think is No. 967, in which this harbor was reported, gives the mileage and the ownership of every particle of wharfage there is in that situation. [Applause.] Now, I want to say further to the gentleman that if he will read he will find in the last river and harbor bill, and it now becomes the general law, that the engineers are required to make report as to the ownership of wharfage in a city when further improvements are sought to be made. I simply want to give the gentleman that information along the line of his present discussion.

Mr. FOWLER. Mr. Chairman, I have no doubt whatever the distinguished gentleman from Alabama is anxious to get at the information which I seek by this amendment, but I repeat that I have never seen a report from any of these investigating engineers disclosing the information which this amendment seeks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of Alabama. Mr. Chairman, so far as the harbor of Mobile is concerned full information was given to this Congress three years ago when the last project was adopted extending the depth of Mobile Harbor to 27 feet, in House Document 657, Sixty-first Congress, second session. Information was given as to the wharves in that locality. Since that time, within the last two or three years——

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

Mr. TAYLOR of Alabama. I think I will answer the gentleman's question as I proceed, but I will be glad to answer it now.

Mr. FOWLER. Does that report disclose that the railroads have any interest in wharves, piers, and docks, in the harbor of Mobile?

Mr. TAYLOR of Alabama. That report discloses that the Mobile & Ohio, Southern, Louisville & Nashville, and Mobile, Jackson & Kansas City Railroads have considerable terminal facilities in Mobile.

Mr. FOWLER. Does it disclose it has an interest in all the docks and piers of that harbor?

Mr. TAYLOR of Alabama. On the contrary, it discloses it has the interests not only of docking and wharfage, which has not yet been made into important——

Mr. FOWLER. Is it not a fact that this railroad has almost the exclusive right in that harbor to the approach of the piers, docks, and wharves?

Mr. TAYLOR of Alabama. I do not think it is almost an exclusive right. It has at the present time, I think, the largest single wharf frontage. If the gentleman will allow me to give him the information on the subject, I will be glad to do so.

Mr. FOWLER. Is there not complaint now of the crowding out of others in that harbor, and that they can not get there to discharge the duties which devolve upon them now, because of the fact of this railroad's ownership of piers and docks in that harbor?

Mr. TAYLOR of Alabama. Is that question stated as fully as you desire to put it?

Mr. FOWLER. For the present.

Mr. TAYLOR of Alabama. My answer to that is that the Turner-Hartwell Dock Co. owns a splendid dock, with the latest modern improvements upon it, and which is a very large and comprehensive one. That dock is on the wharf front in Mobile, but it happens to be along the line of the Louisville & Nashville Railroad and not along the line of the Mobile & Ohio Railroad. The latter railroad and the Louisville & Nashville Railroad do not discharge their freight at the same places in the city of Mobile, nor do they discharge their freight from the same terminal.

Mr. FOWLER. Does not this——

Mr. TAYLOR of Alabama. Let me answer it.

Mr. FOWLER. I thought you had answered it fully.

Mr. TAYLOR of Alabama. I have not. The Turner-Hartwell Dock Co. claim the Mobile & Ohio Railroad ought to absorb certain switching charges on freight that is shipped to them and directed to them on the way to Europe and elsewhere. The Mobile & Ohio Railroad Co. contend they ought not to be called upon to absorb the switching charges. That question has been before the Interstate Commerce Commission for two years or more—the question between the Turner-Hartwell Dock Co. and the Mobile & Ohio Railroad Co.

Mr. FOWLER. Does not this Mobile & Ohio Railroad Co. control that great frontage there of easy approach to that harbor?

Mr. TAYLOR of Alabama. A part of it.

Mr. FOWLER. And the greatest part to the deep channel?

Mr. TAYLOR of Alabama. I do not think it does control the greatest part.

Mr. FOWLER. I have been so informed, and that is the object of my amendment.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. TAYLOR] has expired.

Mr. FOWLER. Mr. Chairman, I move an extension of his time for five minutes.

Mr. TAYLOR of Alabama. Mr. Chairman, I ask unanimous consent to proceed and clear this situation up, if I can, without interruption.

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none. The gentleman from Alabama [Mr. TAYLOR] will proceed for five minutes.

Mr. TAYLOR of Alabama. The Turner-Hartwell Dock Co. is represented largely by Horace Turner, of Mobile, who is one of the most progressive men in the United States; certainly one of the most progressive men in Alabama and throughout the South. He wants—instead of what we have in Mobile now, 300-feet bottom width in our channel—a bottom width of 1,200 or 1,500 feet in our river channel. He will be greatly surprised to hear that the controversy between the Mobile & Ohio Railroad and the Turner-Hartwell Dock Co. could have impressed the mind of any man, far less a Member of Congress, with the view that he has interposed, or desires to interpose, or that there ought to be any interruption in the development and deepening of the channel at Mobile by the United States. Now, this call for another survey is pressed more vigorously by the Turner-Hartwell Dock Co., perhaps, and those who take their view of the situation, than probably any other business interests in Mobile. They are settling their controversy as well as they are able to do before the Interstate Commerce Commission. In addition to that the public of Mobile are now being very much agitated and are exceedingly interested, as am I and as is every citizen in the State of Alabama, in the development of a belt-line railroad similar to that in New Orleans. We do not know whether we can obtain it or not, but we are agitating the question now, and that is for the purpose of improving the dock facilities at the city of Mobile so as to keep pace with the growth of commerce and the development of our channel and harbor at Mobile.

I can not recollect the number of yards or the number of feet or the exact capacity of the different docks in Mobile, but I am quite safe in saying that I do not think the Mobile & Ohio Railroad owns a controlling interest in our wharf and frontage. The trouble between them, and the dispute between them, is not a question as to the amount of dockage or wharf frontage.

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

The CHAIRMAN. Does the gentleman yield?

Mr. TAYLOR of Alabama. Yes; I would be very glad to.

Mr. CRUMPACKER. Section 3, containing the legislative provisions in this bill, seems to cover this whole question?

Mr. TAYLOR of Alabama. Yes.

Mr. CRUMPACKER. It requires every report to contain information respecting both public and private terminals and transport facilities, and to report especially respecting the public docks and wharves; and if there be none, on their inadequacy. The report must contain the opinion of the local engineer respecting the number and the location. It seems to me this whole question is covered by section 3 on page 53 of the bill—is covered as the gentleman from Illinois [Mr. FOWLER] would require.

Mr. TAYLOR of Alabama. Yes; I stated that, and the gentleman from Illinois stated that it was not so. He disputed the fact.

Mr. CRUMPACKER. I think it is so.

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. TAYLOR of Alabama. Yes.

Mr. FOWLER. Does that law that the gentleman refers to, and to which the gentleman from Indiana [Mr. CRUMPACKER] has just referred, require that there shall be in the report on every one of these surveys of harbors a statement of the ownership of the wharves and the piers and the docks and the control thereof?

Mr. TAYLOR of Alabama. I think so, as nearly as the English language can make it.

Mr. FOWLER. I have never seen it.

Mr. TAYLOR of Alabama. Look at it, on page 53 of this bill, the particular bill that the gentleman has before him, or, if the gentleman desires, I will read it to him. The gentleman from Indiana [Mr. CRUMPACKER] has repeated an abstract of it to him.

Mr. FOWLER. Yes; but he has not repeated what this amendment calls for, and I do not think the gentleman from Alabama can.

Mr. TAYLOR of Alabama. I will only read what is here, and this is made to cover all authorities for surveys. But I

replied to the gentleman from Illinois as to this particular point in Mobile that such report had already been done in the last survey, as required by law.

Mr. FOWLER. If this amendment should carry, it would prevent the Mobile & Ohio Railroad from controlling commerce from that port to the Panama Canal, and the gentleman knows it.

Mr. TAYLOR of Alabama. No; I do not know it. I have nothing to do with the Mobile & Ohio Railroad, but I do not believe in legislation on a river and harbor bill to control a question of interstate and foreign commerce.

The CHAIRMAN. The time of the gentleman from Alabama has expired. The question is on the adoption of the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. MOORE of Pennsylvania. Mr. Chairman, the discussion between the gentleman from Georgia [Mr. TRIBBLE] and myself was left in a rather unsatisfactory condition, and in order not to take up the time of the House I ask unanimous consent that the full statement made by me as to the navy yard before the Committee on Naval Affairs be inserted in the RECORD.

The CHAIRMAN (Mr. HEFLIN). The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to insert in the RECORD a statement concerning the controversy he had with the gentleman from Georgia [Mr. TRIBBLE] with reference to the hearing before the Committee on Naval Affairs. Is there objection?

There was no objection.

The statement is as follows:

NEW DRY DOCK AT PHILADELPHIA NAVY YARD.

Argument of Hon. J. HAMPTON MOORE, Member of Congress, before the House Committee on Naval Affairs.

Mr. Chairman and gentlemen of the committee, there has been a custom for several years, certainly since I have been in Congress, to come before the committee and present the claims of the Philadelphia Navy Yard. This year we are in a somewhat different position as a delegation in that we have two members of what was once the minority party, now the majority party in Congress, very closely associated with this work. Mr. DONOHOE, of Philadelphia, is a Democrat. We have not had the pleasure of having a Democrat with us for several years, and Mr. LEE, a member of the Democratic Party, is a member of this committee.

Mr. DONOHOE. Is it a pleasure?

Mr. MOORE. A very great pleasure [laughter], because it drives us all forward to do the best that is in us.

I think there is no division of sentiment in regard to what we would like to have done for the Philadelphia Navy Yard.

The CHAIRMAN. We never have any politics in this committee.

Mr. MOORE. I understand that this committee is a semijudicial body and will treat us fairly without regard to our party relations. Mr. DONOHOE, of course, will speak for himself, but on behalf of Gen. Bingham, Mr. MCCREARY, Mr. MOON, Mr. REYBURN, and the other members of the delegation I desire to ask the committee to be as considerate of the Philadelphia Navy Yard as possible, more particularly since this year there has been a cut in the estimates from $160,000 to $140,000. We ask that every one of the items presented in the estimates be approved in full. They consist of the sanitation system, reserve basin, to complete, $45,000; Pier No. 5, to extend, $85,000; and water-closets, $10,000. A previous act provided an appropriation for Pier No. 5, but it was not sufficient to complete the work, and the work has not actually been begun, and the appropriation of $85,000 is now absolutely necessary in order to enable the authorities at the yard to begin the work and to give the yard the benefit of that additional pier, which is badly needed.

Mr. GREGG. Were any of those items cut below the estimates?

Mr. MOORE. The amount appropriated last year was $160,000, and the amount submitted by the department this year is $140,000. In speaking of a cut I mean it was a cut from last year's appropriation.

Mr. GREGG. I thought maybe the department had cut out something.

Mr. MOORE. The department cut out a number of things, notably the extension of streets and avenues, which are highly important in a yard of that kind, where we have a great deal of vacant territory that ought to be made available for the purposes of the yard, and the department also cut out one or two of the recommendations made by the officials at the yard. They wanted to extend their electrical and steam power system so that it might be utilized on the vessels at the docks, and so that they might be prepared for permanent improvements over the yard on ground that is not now generally improved. The authorities very properly looked forward to the improvement of the yard on a permanent basis, and having much waste land they are hoping for the opening up of the streets and for the extension of their various sources of power. This is very important in a yard of this kind, because the expense of hauling is very great, and there are times, especially in a season like this, when the streets are heavy and the wagons and drays that carry the material in the yard are stuck in the mud.

In some respects the yard is not up to date in the matter of common ordinary transportation facilities. If it were possible to increase that appropriation in any one respect, we would like to have it done. The extension of the streets, pavements, water, and electric-railroad systems are estimated by the authorities of the yard at $15,000.

Mr. TALBOTT. Was not that all taken up with Admiral Hollyday?

Mr. LEE. Yes, sir.

Mr. MOORE. That was cut out by the department. Whether you propose to go beyond the department's recommendation or not I do not know. All we can do is to urge you to do the best you can with respect to the streets extensions and the construction of a crane for one of the buildings there—building No. 10. This is important at this time for the carriage of freight and materials.

Our main plea is that nothing less than has been submitted by the department be allowed for that yard, particularly inasmuch as we observe that in some of the other yards there have been increased appropriations, notably at the city of Washington. In all fairness it must be stated that the department itself, following the lines of economy which this Congress seems to have sought to work out, and following the general tendency of the departmental administration in Washington, has cut down estimates for appropriations at other yards, so that we may not comparatively be suffering very much. But when we look at the appropriations running up to hundreds of thousands for other yards, we sometimes wonder why, in a general estimate from the department for a great yard like that at Philadelphia, we are left with a total estimated appropriation from the department of only $140,000.

Now, so much for the general conditions at the yard. A question has arisen which is regarded as highly important by certain citizens of Philadelphia, and one that properly should be presented to this committee in a general way by the delegation. In this matter there is, perhaps, a friendly rivalry, particularly so far as the newspapers of Philadelphia are concerned, and it may be that members of the delegation have entered into a friendly rivalry upon this question, but as to the ultimate object there is no difference of opinion whatever. Some of us who have been in Congress for some time feel that a question of this magnitude ought to be approached with very great caution and that this committee ought to be thoroughly fortified with opinions and estimates from the department before it proceeds to go into a matter of so much consequence. The question is the construction of a new dry dock. We have a dry dock at Philadelphia about 750 feet long. It is not the biggest dry dock in the United States, but it is an excellent dry dock. It was capable of housing the Dreadnought *Utah* and did it very well, but there is some difference of opinion as to the possible capacity in the matter of the entrance at the caisson for the admission of such vessels as may be constructed in the near future.

Mr. GREGG. When Admiral Hollyday was before the committee Mr. LEE went very fully into that matter. Have you read the hearing?

Mr. MOORE. No, sir; but I have talked with Admiral Hollyday on the subject and I have been at the yard a number of times, and have talked with officers there. The question seems to be as to the capacity at the entrance. The officers at the yard, supported very largely by public sentiment in the vicinity of the yard and in the city of Philadelphia, and by some newspaper comment, which is more or less limited, have insisted that there should be constructed there a dry dock that would extend from the Delaware River into the back channel which leads in from the Schuylkill River and completes the island, a distance of 1,700 feet. Now, ordinarily this committee would be startled, perhaps, and Congress itself would be somewhat surprised at having a suggestion made that at any yard there should be constructed a dry dock 1,700 feet long. Nobody ever heard of a dry dock 1,700 feet long. There is certainly nothing of the kind anywhere in the known world, but in this particular instance the proponents of the 1,700-foot dry dock contend that by reason of the configuration of the ground and the peculiar adaptability of the situation to the construction of a dry dock that should be continuous and reach from stream to stream, that it ought to be started in the city of Philadelphia. We agree with that and we would be very glad to have this committee take up that question and have some start made upon the proposition.

Some day you will have to have one great dry dock on the Atlantic coast and another one on the Pacific coast to provide for the very largest battleships that may be constructed, although I am one of those who want to limit the size of battleships, as I want to limit the depth of the artificial channels which cost this Government so much money and accommodate only certain great battleships and commercial vessels. But if you have to consider some day the centralization of the dry-dock facilities, naturally there is no point along the Atlantic coast where such a dry dock would be offered more advantages than at the port of Philadelphia and at the League Island Navy Yard, where you have fresh water, a desideratum not found anywhere else in the United States nor in the world, so far as navy yards are concerned.

Now, then, while the proposition may be startling at first blush, the truth is there is an island which presents a peculiar opportunity for the construction of a continuous dry dock that will lead from the Delaware River into the back channel which leads from the Schuylkill River. The distance happens to be 1,700 feet, and that accounts for the peculiar figures that are presented.

Leaving aside all the agitation and the perturbation of mind of a few of our newspaper friends who insist that something should be done, and done immediately, let us see just what the committee can do and let us present our claims as a delegation, so far as I am able to speak for the delegation.

The officials—that is, the local officials, at least—would like to have that dry dock. They believe a start should be made on the work. We will agree that all the citizens of Philadelphia would like to have it done. We contend that it would be a great advantage to the United States in general, and particularly to the Navy Department, in having such facilities in case of emergency. How are we going to present it? As a result of this agitation, Mr. DONOHOE became quite interested and active, and Mr. LEE, a member of this committee, also did us the honor to come to our city and inspect the navy yard—he has been there several times, and he has done it interestingly, as a good Congressman ought to do—and they have concluded that some big work should be started. We have not been oblivious, those of us who have been longer in the service, to the desire of many people to have this dry dock started, but we were always confronted with the peculiar proposition of the 1,700 feet and the enormous cost and the difficulties that we would face when we came before the Naval Affairs Committee of Congress.

In consequence of this agitation and after much thought upon the subject I presented a bill in the House on December 21, 1911, authorizing an appropriation for a dry dock at the Philadelphia Navy Yard. It provided for the construction at that navy yard of a dry dock "sufficient to float the largest battleship of the Navy," and appropriated $1,500,000. I was informed that a 1,700-foot dock would cost over $4,000,000, and it seemed to me that it would be almost a killing proposition to come before this committee and ask for $4,000,000.

Mr. BUTLER. What is the length of your proposed dry dock?

Mr. MOORE. I proposed to have a start and fixed the start at $1,500,000, which would be sufficient to build a dry dock at least 800 feet long—as long as any existing dry dock in the United States—and this bill, which is one paragraph provided——

The CHAIRMAN (interposing). The dry docks we have been building at about that length have been costing something over $2,000,000, if I remember.

Mr. MOORE. That makes the situation so much more difficult. I have had some experience with the building of dry docks. As receiver, I completed the dry dock at Boston and know what it cost. It cost about $600,000 more than the contractor's price.

Mr. BUTLER. Did my colleague have in his mind the construction of a dry dock reaching from the Back Basin to the Delaware River, which, I think, is about 1,800 feet?

Mr. MOORE. One thousand seven hundred feet. This bill of mine contemplated meeting the situation in this way: If we could secure an appropriation of $1,500,000 it was provided—

"That plans for said dry dock shall contemplate its extension from the Delaware River through to the Back Basin, approximately a distance of 1,700 feet, to the end"—

This is the old river and harbor language where you begin something and do not complete it right away—

"to the end that said dry dock when completed shall be capable of admitting or discharging vessels at either end thereof."

That bill itself simply begins this enterprise. You can help us by a start of $1,500,000, which will give us a dry dock, according to the estimates I have, 800 feet long, which will be on the line of the proposed 1,700-foot project and will end somewhere about halfway through, and this leaves us open to come back to this committee with a view to the extension all the way through.

Mr. BUTLER. To put the other end on?

Mr. MOORE. Yes, sir. That was the proposition I presented to the committee, and it struck me as the one most feasible in view of our financial condition and in view of this committee's attitude toward projects of this kind.

Mr. LOUD. Except for the pumping machinery, that would be equivalent to two docks?

Mr. MOORE. That would be one continuous, but it would be constructed half at a time. If Congress later on wanted to run it through, it could continue it, and this would accommodate vessels coming and going. Following the introduction of that bill——

Mr. BUTLER (interposing). Did you have in your mind that it would afford a sort of waterway, too, between the channel and the ocean?

Mr. MOORE. I am an enthusiastic waterway man, and if I did not have that in mind——

Mr. BUTLER (interposing). I have seen some comment that this would afford a means of approach to the ocean which would save or spare vessels the travel of the distance around the end of the island.

Mr. MOORE. I can explain that.

Mr. BUTLER. I wish you would.

Mr. MOORE. I can explain what that means. The gentlemen who advanced that idea evidently hold the notion that it would save time and save the run around what we call the Horseshoe Bend in the river, which makes a curve way out toward the east. Coming up the Schuylkill through this back channel would avoid the Horseshoe Curve, which would save a mile or two.

Mr. DONOHOE. There is something else. You can work about the ships at the same time by the erection of the dry dock in the suggested bill introduced by Mr. LEE?

Mr. MOORE. I was coming to Mr. LEE'S bill, and that very point. On January 12 Mr. LEE, of this committee, introduced a bill (H. R. 17760) authorizing an appropriation for a dry dock at the Philadelphia Navy Yard.

"A dry dock extending from the Delaware River to the Back Basin, approximately a length of 1,700 feet"—

He proposes to go right through—

"of depth and width corresponding with the locks of the Panama Canal."

That is to say, we should have at least 40 feet depth in this proposed new dry dock. Of course, that would mean—I do not want to discuss the bill while I am reading it—

"Of depth and width corresponding with the locks of the Panama Canal and capable of accommodating two of the largest battleships of the Navy, there be appropriated the sum of $3,000,000: *Provided*, That said dry dock be so constructed with a middle gate or caisson that one or two vessels may be handled, as the occasion may require."

That is Mr. LEE'S bill.

The CHAIRMAN. Just at that point may I suggest that in the case of the dry dock at Pearl Harbor, which, I think, is about 850 feet long, the limit of cost is $2,700,000, and in the case of the dry dock at Puget Sound the limit of cost is $2,300,000.

Mr. MOORE. That is over 800 feet?

The CHAIRMAN. A little over 800 feet.

Mr. MOORE. That is the largest dry dock in the United States to-day.

The CHAIRMAN. Now, with a 1,700-foot dry dock, what figures or information have you that such a dry dock would not reasonably cost something like $5,000,000 instead of $4,000,000, the figures given?

Mr. MOORE. Admiral Hollyday told me that a 1,700-foot dry dock, such as is proposed, would cost in excess of $4,000,000.

The CHAIRMAN. But he did not say how much the excess would be?

Mr. MOORE. No, sir.

The CHAIRMAN. That is rather a large quantity.

Mr. MOORE. The question before you now is one as to whether there will be any recognition for this dry dock at all, which we all recommend, and second, whether you should start, as Mr. LEE proposes in his bill, to do the whole thing on the Panama Canal basis, or whether you should start in a more modest way, as I have proposed here, to establish a beginning which probably would prove the worth of the enterprise and then of continuing it if its worth is demonstrated. There is one objection to Mr. LEE'S measure that I can see, and that is the objection I had to the proposal to dig the Chesapeake and Delaware Canal a depth of 35 feet.

There are about 13 miles of that canal, and this situation would correspond to the one at League Island; and at the other end of the canal, the lower end, there is probably not more than 20 or 25 feet of depth, and in the upper end it was shown that they did not have 30 feet, so that cutting the canal to 35 feet seemed an absurdity. But the estimated cost had to be presented to Congress. I have always had the notion that somebody did this deliberately. The report was presented to Congress recommending connecting the Chesapeake and Delaware Bays, but if it should be dug for 13 miles between the Delaware and the Chesapeake 35 feet deep we would have a hole in the ground which would mean that if you ever built a vessel in there drawing 35 feet it could not get out and would simply have to pass between Chesapeake Bay and Delaware Bay and stay there. The difficulty with the bill of Mr. LEE, which contemplates opening up the entire enterprise at once, is that if you make the depth and width of this 1,700 feet to correspond with the depth and width of the Panama Canal you will dig a hole in the ground between the Delaware River and the Schuylkill River out of which you can not get at all. It would seem to be——

Mr. DONOHOE (interposing). Any vessel that got in should certainly be able to get out?

Mr. MOORE. That is true; but I do not understand the necessity of digging 10 feet below the river depths.

Mr. DONOHOE. The further deepening of the Delaware River is certainly in contemplation?

Mr. MOORE. Yes, sir; we are trying to get 35 feet.

Mr. DONOHOE. We do not know what depth we may have to go in the future; it will be limited only by the size of the ships?

Mr. MOORE. That is true.

Mr. DONOHOE. Mr. Lee's bill proposes to construct the dry dock corresponding with the depth of locks of the Panama Canal, which will limit the width and depth of ships in the future; and so if we build it properly now we will not have to rebuild it in the future?

Mr. MOORE. That argument would go if you could get up the Delaware River and out the Back Basin.

Mr. DONOHOE. It would do not harm?

Mr. MOORE. No, sir; it would do no harm; but there are 60 miles of channel that do not now exceed 30 feet, and therefore you would simply be digging a 40-foot hole 1,700 feet long to connect two bodies of water not more than 30 feet deep.

Mr. DONOHOE. That would have to be taken up in the future if we did not get it deep enough now.

Mr. MOORE. So far as the future is concerned, judging from my experience in this House in the past, I would say that we probably will not get 40 feet in the Delaware River for some time.

Mr. DONOHOE. But we hope for it?

Mr. MOORE. We certainly do. We are now striving to get 35 feet, and it will take at least six years.

Mr. DONOHOE. That is an item that can be amended?

Mr. MOORE. Certainly. If this committee will vote to adopt Mr. LEE'S bill, I shall be delighted to see it done, because it will start us at once on the business; but I would suggest to the committee that that section be amended, because it would simply be unnecessary to dig below the approaches.

Now, Mr. Chairman, having commented upon these two measures and pointed out——

The CHAIRMAN (interposing). I would like to ask you a question. What is your idea of the naval necessity for a dry dock of that size at that place?

Mr. MOORE. Mr. Chairman, it would depend entirely upon the recognition given that navy yard by the Navy Department. If the department proposes to continue it even as a reserve basin, which we are informed it does, then it would be well to be prepared with another dock in addition to the one we have, larger than the one we have, to take care of vessels that come there, because it is the best repair station we have anywhere along the coast; it is the best material field, and it is the best labor field, and it is the best protected yard, because it is 100 miles away from the ocean and it is in fresh water.

The CHAIRMAN. Do you think in time of stress many vessels would go up there if the enemy were down at the mouth?

Mr. MOORE. That is a splendid question, Mr. Chairman. I would say that it would be the best place in the United States if our intracoastal waterways were cut through to New York. They could come up the Delaware and get out of the way. That we hope some day will eventuate; but even as it is, the Chesapeake Bay being in danger and in a measure not so thoroughly well protected——

Mr. TALBOTT (interposing). The Chesapeake Bay?

Mr. MOORE. In some respects it is not so thoroughly well protected. I am as fond of it as any man, because it is one of the finest bodies of water in the country. It is not so well protected as it should be, and there is now a commission undertaking to devise ways and means to better shield it against the possibility of a foreign attack; but I take it that if there is going to be a serious invasion it will not be altogether where there is waste land, but where they can reach some of the skyscrapers and get some of the spoils of warfare, and I think they would strike a point like New York or Philadelphia very quickly, if they could. They could get into New York and into Boston, but they certainly would have difficulty in getting into Philadelphia as we are situated now.

Mr. BUTLER. On account of a point of order, how are you going to keep the dry dock in the bill?

Mr. GREGG. They are offering a separate bill.

Mr. BUTLER. I understand that.

Mr. MOORE. I will answer that question.

Mr. BUTLER. Do you request that this item be incorporated in the appropriation bill?

Mr. MOORE. Yes, sir; we hope so. As a matter of fairness to the people we ask that this project be incorporated in this bill, but I am coming to the point now raised by Mr. BUTLER. First you have Mr. LEE'S general bill, which proposes to begin at once and make the entire appropriation, or, at least, make so large an appropriation that it would probably mean the immediate completion of the work. Then you have my bill, which proposes to make a start on a more moderate basis. Now, then, if you will take Mr. LEE'S bill, with the amendments that have been suggested, I hope you will do it. If you find that you can not take Mr. LEE'S bill, and will take my bill and incorporate it in your appropriation bill, I hope you will do that, but if you find that you can not do that—that both requests are unreasonable at this time or are beyond your means at this time—then give us a start of some kind; do what you can as to that.

We have not plans and specifications sufficient to properly inform this committee in regard to this project. Now, if you can't do anything else, will you do this: Will you provide in this bill an appropriation of $100,000 to prepare plans and specifications, so that we may have something tangible to talk about when the next year's appropriation bill comes up? If you will not take Mr. LEE'S bill, and I hope you will, and if you will not take my bill, and I hope you will, then give us $100,000 to give us a start on the plans and specifications.

The CHAIRMAN. May I bring your attention to this fact: That the Government has an engineer corps under the Bureau of Yards and Docks, and that if they see fit they can submit plans and specifications without that appropriation?

Mr. MOORE. I presume they could do that.

Mr. BUTLER. We never have made a separate appropriation.

Mr. LEE. That is the business of the Government?

The CHAIRMAN. Yes, sir; if they see fit to recommend.

Mr. ROBERTS. I would like to call Mr. MOORE'S attention to the fact that he has not told us yet how he is going to word the point of order.

Mr. MOORE. That this is new legislation?

Mr. ROBERTS. Yes, sir.

Mr. MOORE. Well, I admit that there is some difficulty about it. If you feel that you can not put this item in the appropriation bill and that it would be ruled out on a point of order, then I ask that you pass a separate bill, let it come as a new matter, and I think that would be the safer thing to do. I have feared that we were asking too much at the start—I want to be very frank with the committee about it—I have feared that the committee would not take this

so seriously as some of the newspaper headlines in Philadelphia have made it; but we have felt there was nothing for us to do but to come here and ask the committee to help us out in this matter, satisfied in the last analysis if you can not give us Mr. LEE's bill as a separate proposition, or that you can not give us my bill as a separate proposition, you will at least give us a more moderate start.

Mr. LEE. You stated that it would cost between $4,000,000 and $5,000,000 to build a dry dock similar to the one covered in the bill I have introduced?

Mr. MOORE. In excess of $4,000,000.

Mr. LEE. Does the gentleman not know that the properties at League Island would make this dry dock cost practically half what it would anywhere else in this country?

Mr. MOORE. It undoubtedly would cost less, because we would not have to acquire outside property.

Mr. LEE. Do you not know that the sand and gravel at League Island would practically cut down the cost of this dry dock one-half what it would cost any other place in America?

Mr. MOORE. Well, Mr. Lee, I do know that that would be a feature in the way of economy. It would be a saving to the Government.

Mr. LEE. I just wanted to call your attention to it.

Mr. MOORE. That should be considered; but there is no question but that it would cost in excess of $4,000,000, independent of all that.

Mr. LEE. Is it not a fact that we do paving at League Island for half what it costs at any other navy yard?

Mr. MOORE. I can not tell.

Mr. LEE. On account of the properties at the navy yard. We have sand and gravel there to make all the concrete that would be used in building a dry dock of the kind my bill covers.

Mr. MOORE. We have certain decided advantages in the matter of raw material.

Mr. LEE. The dry dock can be built for $3,000,000, and I claim that it will make it the cheapest dry dock which the Government owns. I went over this thing very carefully when I was there, and I am mechanic enough to know that we can mix all the concrete and get all the properties right there on the island so as to make that dry dock cost practically $3,000,000 or less.

Mr. MOORE. I am very glad to hear you say so.

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Mr. BUTLER. What size vessels can go up there?

Mr. MCCREARY. The mean depth is about 29 feet.

Mr. MOORE. Any war vessel the Government has can go up there.

Mr. BUTLER. I mean, can it go up there?

Mr. MOORE. Yes, sir.

The CHAIRMAN. I understood that you have at mean low water 30 feet?

Mr. MOORE. We have a rise in the tide there of 7 feet. Our mean low water now exceeds 28 feet. It is legislatively 30 feet and is substantially 30 feet all the way up the 60 miles.

Mr. GREGG. What is the length of the dry dock you have there?

Mr. MOORE. About 750 feet—to be exact, 744.6¾ over all. The *Utah*, built across the river by the New York Shipbuilding Co., is one on the very largest vessels the Government has thus far built. She is one of the new *Dreadnoughts*, and she has been in the dock.

Mr. LOUD. What is the width of the gate?

Mr. MOORE. At the top of the caisson it is slightly over 102 feet. It tapers off to 80 feet, or thereabouts.

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The CHAIRMAN. How large is the dock at Norfolk, since it was enlarged last year?

Mr. MOORE. That would be a little larger than ours.

Mr. BUTLER. That is not yet completed?

The CHAIRMAN. Yes, sir; it is completed.

Mr. REYBURN. I think, gentlemen, we can present a reasonable case in Philadelphia—that we can show reasonable cause why Philadelphia should be selected as the point, the most strategic and advantageous point, for placing this dry dock and having our large naval base.

Mr. BUTLER. I would like to ask you a question or two. Can you recall how many acres there are in the navy yard?

Mr. REYBURN. I can not.

Mr. LEE. About 800.

Mr. MOORE. Over 900 acres; approximately 1,000.

Mr. BUTLER. They have parade grounds, rifle range, and the Government would not have to purchase any land?

Mr. MOORE. No, sir; they have plenty of land there.

Mr. LEE. Just at this particular point I would like to call Mr. Moore's attention to a few questions I asked Admiral Hollyday when he was before this committee, with regard to the cost at the League Island Navy Yard:

"Mr. LEE. You spoke yesterday of the low cost of paving in the Philadelphia Navy Yard. Is that due to the fact that the sand and everything is right there on the ground?

"Admiral HOLLYDAY. Yes.

"Mr. LEE. Would not that same thing apply to the large dry dock if it was built in the Philadelphia Navy Yard?

"Admiral HOLLYDAY. For making the concrete it would. The concrete would be made at less cost."

Mr. MOORE. Do not misunderstand me. I agree with that thoroughly.

Mr. LEE. I want to show that the gentleman was away off when he said that the dry dock would cost four or five million dollars at Philadelphia, when I know from experts who have made a study of the ground properties that a dry dock of the size I propose could be built for $3,000,000 or less.

Mr. MOORE. I hope that is true.

Mr. LEE. On account of the properties.

Mr. MOORE. For that reason I am advocating your bill, with the limitations I suggested.

Mr. LEE. When the committee gets to Philadelphia, if they will accept the invitation which I extended before Mr. DONOHOE gave his invitation this morning, I propose to show them——

Mr. MOORE (interposing). I join in that invitation.

Mr. LEE (continuing). That the properties at League Island are just as I have stated them to be.

Mr. BUTLER. Mr. Lee, were you here when Admiral Hollyday stated that a dry dock 1,700 feet long would cost $4,000,000?

Mr. LEE. Yes, sir. And then I showed that the cost of paving at League Island was $1.52 and at any other navy yard it was $3 per yard, and it was stated that the sand and mixture for concrete at League Island were the cause of the low cost of paving at that yard.

Mr. MOORE. Do you think that will make a million dollars difference?

Mr. LEE. Yes, sir.

Mr. MOORE. I want to thank you very much for the hearing this morning, Mr. Chairman and gentlemen, and assure you that we appreciate your courtesy.

Mr. DONOHOE. I desire to associate myself with that expression of thanks on behalf of the members of the delegation.

Mr. ROBERTS. I want to call Mr. Moore's attention to the fact that the Navy Department gives the controlling depth of water from League Island to the sea at mean low water as 28 feet.

The CHAIRMAN. But they have a 7-foot tide there.

Mr. MOORE. Answering the question, I desire to say that so far as the War Department is concerned the channel is legislatively completed at 30 feet for mean low water.

Mr. HENSLEY. What do you mean by "legislatively"?

Mr. MOORE. They have reported that we have 30 feet of water, so far as all legislation and engineering is concerned, for a length of 60 miles.

There are creeks and rivers running into the main channel which add to the silt formation. It is a slushy, soft sort of material, and men who navigate the ships differ as to the actual bottom depth; but it is a fact that we have more than 28 feet at mean low water, and we have what the Army engineers and shipping men consider an actual 30-foot mean low-water depth, including this silt. At this time we are working under the new appropriation on a 35-foot channel, and that work demonstrates that here and there may be a formation of silt which raises the bottom at certain points in this 60-mile length. Vessels drawing more than 28 feet can and do push their way through it, but they also take advantage of the tides. The problem is one of dredging and maintenance, and we are now trying to meet it. I think, perhaps, some member of the committee may have in mind the going ashore some years ago of the U. S. S. *Prairie*, which had started on a mission to South America and ran aground; but she was probably 1,800 feet out of her course. We have never charged that up to the Delaware Channel, but we have, rather, charged it up to navigation.

Thereupon the committee adjourned.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Canal leading from Centennial Lake at Vicksburg, Miss., to the Mississippi River, with a view to the preservation of the channel.

Mr. MCKELLAR. Mr. Chairman, I have an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee [Mr. MCKELLAR].

The Clerk read as follows:

Amend, by adding the following, after line 9, page 50:

"Memphis Harbor: With a view to the preservation of the channel between President Island and the Tennessee shore and the preservation of the banks on the Tennessee side in Memphis Harbor; also for the preservation and protection of the channel and banks of the Wolf River in said harbor."

Mr. COLLIER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLLIER. I wish to offer an amendment to come right after line 9 on page 50, which is germane to the proposition in the bill. I would like to ask whether or not the amendment which I wish to offer should come first?

Mr. MCKELLAR. Mr. Chairman, I am perfectly willing that the gentleman from Mississippi may offer his amendment first, and that mine may come in just after.

The CHAIRMAN. Without objection, it will be so ordered. The gentleman from Mississippi [Mr. COLLIER] is recognized.

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

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

The Clerk read as follows:

Amend, page 50, line 9, by adding after the word "channel" the words "and banks."

Mr. COLLIER. Mr. Chairman and gentlemen, prior to 1903 for many years all of the commerce coming down the Yazoo River and its tributaries to Vicksburg was carried through the mouth of the Yazoo River out into the Mississippi and then up Lake Centennial to the city of Vicksburg, but there was no continuous navigation because of a shifting bar at the mouth of the Yazoo River and also because there was low water at certain stages in front of the city of Vicksburg. It was finally determined, and in the river and harbor act of 1892 the project was adopted, to divert the Yazoo River a few miles above its mouth—about 6½ miles south—into the Mississippi River for the purpose of securing continuous navigation. This project was completed in 1905 at a cost of $1,179,210.37. Uninterrupted navigation has been maintained at that point for nine years for boats of 6-feet draft at low water. The amount of commerce carried through the mouth of that canal amply justifies the expense of the project. The report of the Chief of Engineers shows that for the last seven years the amount of commerce has averaged between 220,000 and 440,000 tons, with estimated values of between $6,000,000 and $13,000,000. During the last seven years the average has been 230,000 tons and the value something over $8,000,000. The reductions in freight rates have been as follows: On cotton about 50 per cent; on cotton seed about 33⅓ per cent; on live stock about 66⅔ per cent; on flour, meal, provisions, and grain from 33⅓ to 40 per cent.

On the banks at Vicksburg Harbor there has been a great deal of caving and sliding. A number of warehouses, the com-

press, and other buildings are situated upon this bank and some of them are now in a very exposed condition. In some cases the caving extends within a few feet of the buildings.

This recent caving has been caused by the deepening of the canal, owing to the fact that the entire Yazoo River is now going between these narrow banks, and also probably in a large degree by the fact that last year during the great overflow of the Mississippi Delta an immense volume of water from the crevasses in the levees passed through that canal.

The Rivers and Harbors Committee, realizing the importance of this matter and the seriousness of this situation, have incorporated in their bill a survey with a view to the preservation of the channel. I ask that this survey be extended to the preservation of the banks. That is all I ask, that it be extended right along on the banks of the canal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COLLIER. I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection to the request for two minutes more?

There was no objection.

Mr. COLLIER. It can well be contended, in the interest of navigation, that the widening of the channel between the two banks in a narrow canal might, at certain seasons of the year and certain stages of the water, seriously interfere with permanent navigation.

Again, as I understand it, the purpose of this committee in considering projects is to secure navigation in order that commerce may be preserved. Harbors themselves are essential instrumentalities for commerce, and it may often occur that the preservation of a harbor means that commerce itself has been preserved.

Mr. Chairman, in this bill the committee have proposed a survey. It will not add much to the expense if the engineers extend this survey to the banks.

All I ask the House to give me is the authority of the engineers to investigate the situation and let them report or devise some means or some plan whereby a disastrous situation may be avoided.

Mr. MANN. Will the gentleman yield?

Mr. COLLIER. With pleasure.

Mr. MANN. How far does the gentleman think the Government ought to go for the preservation of the banks of a stream beyond what is necessary to preserve the channel for commerce?

Mr. COLLIER. That is far enough.

Mr. MANN. That is already covered. The item now provides "with a view to preserving the channel." Now, when you have done that, how much further does the gentleman think the Government ought to go in preserving the banks?

Mr. COLLIER. Does the gentleman from Illinois contend that the widening of a channel or the widening of the narrow banks of a canal might not essentially interfere with the navigation at low stages of water where permanent navigation is to be maintained?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MANN. I ask unanimous consent that the gentleman have two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. This item already covers the preservation of the channel, which I assume, of course, is for commerce. Now, when that is done, does not that take care of the banks sufficiently, or does the gentleman desire the Government to wall up the banks for the benefit of private owners?

Mr. COLLIER. As I stated in the first part of my remarks, I believe that the harbor itself is one of the essential instrumentalities of commerce, and the destruction of a harbor might mean the destruction of commerce.

Mr. MANN. Does the gentleman think it the duty of the Government, where it constructs a harbor, to wall up on the outside and construct in that way docks for the use of private property?

Mr. COLLIER. No, sir; the gentleman does not think so.

Mr. MANN. Beyond the preservation of the channel, how much does the gentleman want the Government to do in the preservation of the banks? I do not see the point of the gentleman's amendment.

Mr. COLLIER. I want the Government engineers to look at the situation where the canal is widened, where the banks are caving in, a canal that brings through every year over $8,000,000 of commerce—I want them to look at it and the banks and devise some plan to relieve the situation. It may be that they can not devise any; it may be that under the rules of the engineer's office they can present no reports. I am asking for a chance for them to go there and do it.

Mr. MANN. And I am trying to help the gentleman out. As a matter of fact, under this provision will they not be required to look at the banks and everything that is connected with or affects the channel?

Mr. COLLIER. It may be that they would.

Mr. BURGESS. Mr. Chairman, I suggest that the amendment of the gentleman from Mississippi will not add anything to the authorization already in the bill. The item reads:

Canal leading from Centennial Lake at Vicksburg, Miss., to the Mississippi River, with a view to the preservation of the channel.

Now, there is often great contention before the committee about the extent of damage that is done by caving in of banks, but all that we can do is to give them a survey which covers navigation, and this does it. This amendment itself does not add anything to it. Besides that, this comes up in other cases. On page 51 there is an item, "Saugatuck Harbor, Mich., with a view of determining what additional works are necessary or desirable to maintain the channel of existing project." On the same theory that could be amended, and so on all through the bill. We have used the proper language that ought to be used in all these projects, and we are opposed to any amendment.

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

The question was taken; and on a division (demanded by Mr. COLLIER) there were—ayes 23, noes 37.

So the amendment was rejected.

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

The Clerk read as follows:

Amend by adding the following after line 9 on page 50: "Memphis Harbor, with a view to the preservation of the channel between President Island and the Tennessee shore, and the preservation of the banks on the Tennessee side in Memphis Harbor.

"Also for the preservation and perfection of the channel and banks of the Wolf River within said harbor."

Mr. McKELLAR. Mr. Chairman, on Saturday I offered an amendment to the bill seeking to have the Government aid in protecting the city of Memphis from flood waters which do not belong to her, but are the results of the building of levees on the river generally. In opposing this amendment my distinguished and delightful friend from Mississippi [Mr. HUMPHREYS] and a member of the committee, claimed I was simply for a private gas and water plant in Memphis and further says:

It is a spirit of unfairness, and it is an ungenerous spirit of the people of the city of Memphis, that sits on a high hill surrounded by these deltas from which it draws its trade and its prosperity, and for the upkeep of the levees which protect them she pays not one nickel in taxes. * * * In order to help the city of Memphis, where the assessed taxed value of property exceeds the assessed value of the property in all those deltas combined in order to help that city to protect her gas plant or water works.

Mr. Chairman, this is a very ungenerous and unfair statement. I am going to read from the report of the Mississippi River Commission, which shows how greatly mistaken our friend and neighbor from Mississippi is. There were 170 acres of our city overflowed in the last high waters, according to this report. In this overflowed district are situated dwellings, stores, churches, schools, railroads, street-car lines, jail, gas plant, manufacturing establishments, and a part of the city water supply plant. I further quote from the report:

The character of the pecuniary damages in this area is that due to the submergence of stores, dwellings, churches, schools, jail, etc., which was so extensive that the water reached well up into the first story of these buildings; that of the street-car lines resulting in a loss of revenue; of railroads necessitating the detour over other tracks; of the city gas plant and the discontinuance of the city gas supply; of the city pumping station; of many industrial manufacturing establishments' plants; and a part of the municipal water supply, including its contamination by surface-water sewage.

The estimate of the damages was fixed by the commission at over $1,200,000.

Mr. Chairman, I think that shows that my friend from Mississippi was entirely in error about the facts which urged me to propose that amendment. Talk about being unfair and ungenerous. I think he is unfair and ungenerous on another proposition. While I ask for aid in protecting the city of Memphis from these flood waters, over which it has no control, and for which it has no responsibility, the little city of Greenville, from which my distinguished friend comes, just below us on this river, is year by year receiving large sums from the Government for just such protection as the city of Memphis now asks. But my friend says that we pay no taxes. I want to say to him that the city of Memphis pays more direct taxes to the Government than his entire State does. From the post office in the city of Memphis alone the Federal Government receives annually a net amount of over $400,000, and from the internal revenue another large amount, making the city contribute more than half a million dollars of net income to the Government.

For the past 15 years the city of Memphis has not received any benefits for its harbor except, as I want to say to my distinguished friend from Indiana [Mr. CULLOP], who has just been discussing railroads and their relation to harbor improvements, such as were given by the Mississippi River Commission apparently for the purpose of aiding a railroad crossing there at that city. In this connection I quote as follows from the report of the Mississippi River Commission, 1908, volume 3, pages 2644 and 2645:

During the high water of 1907 the bank behind the Rock Island Railway incline began to cave very rapidly, and by the end of the high water a pocket about 875 by 200 feet had been eroded. This erosion did not extend below low water over a great portion of the pocket, and thus made the repair work very difficult, because the water was too shallow to permit satisfactory pocket mat work, and the wide flank bank exposed when the water was 6 feet on the Memphis gauge had to be paved with stone. This pocket was completely protected, and the high waters of the present season do not seem to have affected it materially.

There are a good many places along this revetment that need repair. These are practically all of them just above the low-water line, and can only be reached when the river is at a very low stage. It is proposed to repair these during the coming season if the stage of water permits.

And also:

The Rock Island Railway Co. has abandoned its incline in Wolf River and is now operating one on the main bank of the Mississippi, thus removing one of the chief reasons for dredging. No work is contemplated at this point during the coming year.

The work on either side of the river where the Rock Island Railroad Co. transfers its cars over the river seems to be the only work which has been done by the commission in the Memphis Harbor in many years. If there was any object other than aiding the railroad company in preserving its west terminus, it does not appear in this report.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. McKELLAR. Mr. Chairman, I ask that this amendment for a survey be adopted by the committee.

Mr. BURGESS. Mr. Chairman, I want to call the gentleman's attention to the fact that he is already given ample authority in the bill. If he will turn back to page 36 he will find the following provision:

Improving Mississippi River from Head of Passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement with a view to securing a permanent channel depth of 9 feet, $6,000,000, which sum shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees between the Head of Passes and Cape Girardeau, Mo., and for surveys, including the survey from the Head of Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river.

Mr. McKELLAR. Mr. Chairman, may I ask the gentleman, Is it not a fact that that same provision has been in all these river and harbor bills for many years, and is it not a fact that no survey has been made of the Memphis Harbor during that time?

Mr. BURGESS. I do not know about that, but it is a fact that we make none in this bill. The gentleman is the first man who has offered an amendment here directly for a survey of the Mississippi River.

Mr. MANN. Mr. Chairman, will the gentleman from Texas yield for a question?

Mr. BURGESS. Yes.

Mr. MANN. Is it not also a fact that since this provision appeared in the river and harbor bills for many years there never has been a special provision for the survey of any harbor on the Mississippi between these points?

Mr. BURGESS. That is a fact. That is what I am telling the gentleman.

Mr. McKELLAR. Mr. Chairman, on line 7, page 50, is there not a provision for the canal leading from Centennial Lake at Vicksburg, Miss., to the Mississippi River, and is not that a part of the harbor?

Mr. BURGESS. Oh, no; that is a canal cut by the Government.

Mr. McKELLAR. This on the Wolf River, or a part of it?

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I will state to the gentleman that that part of the Wolf River is under the jurisdiction of the Mississippi River Commission, and all funds that have been devoted to its improvement are taken from the funds carried for the Mississippi River Commission, but that is not the case with Centennial Lake Canal.

Mr. McKELLAR. It is connected with it just as the Wolf River is connected with the Mississippi.

Mr. HUMPHREYS of Mississippi. But this canal is not within the jurisdiction of the Mississippi River Commission, for the good and sufficient reason that the law has never put it under its jurisdiction.

Mr. McKELLAR. Is there anything that put the Wolf River under the Mississippi River Commission?

Mr. HUMPHREYS of Mississippi. Yes; it is one of the waters connected with it. I will state to the gentleman that when I was young in the service here I made a very desperate effort to have the $25,000 that was called for for the Wolf River appropriated as a separate item, so that it would not come out of the Mississippi River Commission fund, but I was unsuccessful, because they said, "We will make a lump-sum appropriation for the Mississippi River, and all of you will take your chances."

Mr. McKELLAR. That is a chance I have not been able to get from the commission, and I want to get it at the hands of the House if I can.

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

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Mouth of Brazos River up to Freeport, Tex., with a view to securing a depth of 25 feet.

Mr. BURGESS. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 50, between lines 12 and 13, by inserting the following: "Channel at Seadrift, Tex., with a view of providing a suitable connection with the Texas coast waterway."

Mr. BURGESS. Mr. Chairman, I move the adoption of the amendment.

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

The Clerk read as follows:

Little Calumet River, Ill. and Ind., from the junction up to Blue Island.

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 51, between lines 21 and 22, insert the following: "Missouri River at Kansas City, Kans.: The provision of the river and harbor act approved July 25, 1912, authorizing preliminary examination and survey of the Missouri River from the mouth of the Kansas River to a point at or near the western limit of Kansas City, Kans., is hereby amended and reenacted so as to read as follows: 'Missouri River from the mouth of the Kansas River to a point at or near where the west line of Kansas City, Kans., extended intersects the Missouri River.'"

Mr. MANN. Mr. Chairman, I notice in that amendment and in several places in the bill it provides that certain provisions are hereby amended and reenacted. We have invariably in the House stricken out the provision "and reenacted." It is contrary to the statutes, to begin with, and is not required, because when you amend a proposition to read as follows that is all that is necessary. That is the practice, and I hope the gentleman will be willing to strike out the words "and reenacted."

Mr. SPARKMAN. I have no objection to that, and will so move.

The CHAIRMAN. Without objection, the amendment will be so modified. [After a pause.] The Chair hears no objection.

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

The Clerk read as follows:

Stillaguamish River, Wash.

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 52, between lines 13 and 14, insert the following: "Coeur d'Alene River, Idaho."

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

Mr. HAMILL. Mr. Chairman, I ask unanimous consent to recur to an earlier part of the bill in order to present an amendment, and I thought that this was the most opportune time in which to do it before we begin on section 3.

Mr. MANN. The gentleman knows there are several pages of the bill which have been passed over which will have to be recurred to.

Mr. HAMILL. I did not know that, and I withdraw the request for unanimous consent at this time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. McKELLAR 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 disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3175) to regulate the immigration of aliens to and the residence of aliens in the United States, and had still further insisted upon its disagreement to

the amendment of the House, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. LODGE, Mr. DILLINGHAM, and Mr. PERCY as the conferees on the part of the Senate.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

(a) The existence and establishment of both private and public terminal and transfer facilities contiguous to the navigable water proposed to be improved, and, if water terminals have been constructed, the general location, description, and use made of the same, with an opinion as to their adequacy and efficiency, whether private or public. If no public terminals have been constructed, or if they are inadequate in number, there shall be included in the report an opinion in general terms as to the necessity, number, and appropriate location of the same, and also the necessary relations of such proposed terminals to the development of commerce.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I would like to have the attention of the chairman for a moment. Does not the gentleman think, in view of this provision in the bill, that there ought to be a limitation placed upon the appropriations in this bill with reference to the expenditure in these harbors where the docks and piers are owned by private corporations and controlled, withholding it until some remedy is made admitting free use of them? If the public expends the money to improve a property, the public should have the free use of the property. Now, I have just one instance in my mind. In regard to one of the Pacific steamship companies the testimony showed about a year ago before the Committee on Interstate and Foreign Commerce that they had to pay $125,000 a year to one of the dock owners in New York for permission to land their ships, load and unload their cargoes, and that that had been going on for quite a while. Now, is it right to use the public money to improve property over which private dominion is exercised in that manner, making it an obstacle to the commerce of this country, and in view of that ought there not to be a limitation added to this bill withholding the expenditure for any improvement until there is a surrender of this private monopoly to public use? I ask the chairman of the committee for his idea upon that proposition.

Mr. SPARKMAN. I would say no. I do not think that an amendment like that or a provision like that should be inserted in this bill.

I will say to the gentleman and to the House that I have had that matter under consideration now for some little time, and, in order to get information upon which we could legislate intelligently, we inserted in the last river and harbor bill a provision which is like that which has just been read. The effort here is to reenact that provision for the purpose of making the provision general, it having applied by its terms only to the act of the last Congress. When we get all this information in, and not before, we will be in a position to legislate intelligently. Otherwise we might do a great injustice at some place if we went at it blindly. If we should insert a provision like that which the gentleman suggests, it would have to be a general provision applying to every harbor in the country, and in some of them injustice might be done. In fact, we might do injustice to all the harbors. But when we get this provision in and know just what we are doing, I for one propose to try to draft some provision, some law, which will reach the trouble that the gentleman is trying to reach or suggesting that we put something in here to reach.

Mr. CULLOP. The gentleman admits that the trouble exists?

Mr. SPARKMAN. Oh, yes; I admit that.

Mr. CULLOP. And it is a serious trouble and one contrary to sound public policy.

Now, I desire to deny the proposition that the gentleman makes, that such a limitation would withhold the appropriation for every harbor included in the bill. It would, if all of these harbors were in this combine, for it is one of the greatest trusts in this country. If they were not, that fact could be very easily shown to the War Department, and the improvement of every harbor not under that restriction would go on without interference.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CULLOP. May I have five minutes more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CULLOP. Now, while that situation exists, certainly the money of the Public Treasury ought not to be taken to improve private property, and consequently a showing should be made to the War Department by such a limitation as I have suggested being incorporated in the bill, that this or that particular harbor was not thus controlled, and the improvement would go on. That showing could be made, I say, and it would not withhold a single cent of the appropriation for the harbor that was free. But where the harbor and the landing facilities, the wharfage facilities, the dockage facilities, are absolutely controlled, as they are in a number of instances in the most important points of commerce in this country, some limitation ought to be made by which they would surrender this monopoly, which is unjust to the American people.

At this time it is a barrier against commerce and a detriment to the trade of this country. There are places now that the Government is appropriating money to improve where a vessel not controlled by one of these numerous corporations can not land or load or unload a single pound of freight.

Mr. SPARKMAN. Could the gentleman state just what harbor is in his mind now?

Mr. CULLOP. I have in mind the harbor at Baltimore, and in part the harbor at Philadelphia, and in a large measure the harbor at New York; a number of them.

Mr. SPARKMAN. I think the gentleman is mistaken.

Mr. CULLOP. Oh, I have heard testimony before my committee to the effect that no vessel not controlled or operated by the Pennsylvania Railroad Co. has any place in the city of Baltimore where it could load or unload, because the Pennsylvania Railroad Co. controlled the frontage and the dockage, and therefore had possession of the trade and the commerce coming from the high seas into that port. It was within the control of that one company to dominate the use of the docks and wharves there.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. CULLOP. Yes.

Mr. MADDEN. Does the gentleman contend that dockage along public waterways ought not to be owned by private individuals?

Mr. CULLOP. They ought not to be owned and controlled so as to shut out commerce. A rental may be proper, but as long as they are owned and controlled in the interests of some single shipping line that is an absolute detriment to the commerce of the country and a hardship upon the people.

Mr. MADDEN. Suppose, for example, the gentleman owned 25 ships, and these ships were sailing into the various ports, does the gentleman contend it would not be altogether proper for him to own his own docks into which these ships could come, and that these ships owned by him should have exclusive right to come into the docks owned by him?

Mr. CULLOP. As a selfish proposition I might claim it, but as a public proposition I have no right to claim it, and I or any other person ought not to be permitted to do so.

Mr. MADDEN. Does the gentleman contend, then, that the municipalities within which the harbors exist should buy all the property used for dockage purposes?

Mr. CULLOP. Not necessarily that; but the municipality in which the docking exists ought to have municipal regulations by which there would be a free interchange of commerce, and that no one line or no one company should absolutely dominate the landing, the loading, and the unloading of the commerce that comes to that port.

Mr. MADDEN. Does the gentleman contend that if he owned a lot, and wished to build a house on that lot, that I would have the right to build a house on the lot and use it when I pleased?

Mr. CULLOP. Oh, that is a different proposition. No individual owns the streams or waterways in this country. Public policy would forbid it.

Mr. MADDEN. Nobody owns the streets.

Mr. CULLOP. No; and you could not build a house in the street. And no man has a right to build the dockages on the banks of either ocean or river to exclude the right or the free exercise of the uses of the port.

Mr. MADDEN. Then I want to say to the gentleman that if his contention were to be exercised as a fact there would be no commerce coming into any State of the Union.

Mr. CULLOP. I beg the gentleman's pardon. There would be more than double the tonnage the first year you turned them over to public use coming into the ports of this country. To-day you are turning it away from these ports by permitting this monopoly to exist, and the people are suffering on account of it.

The improvement of our rivers and harbors, I admit, is a matter of vast public importance. It affects the commerce of the entire population in the country and involves more or less the prosperity of the whole people, but around every appropriation should be strict limitations, in order that it may be expended for public benefit and not in aid of private enterprise. Unless such restrictions are employed for the protection of the public it will inure to the purpose of assisting private enter-

prise. The control of the dockage facilities in our larger coast points constitutes to-day an aggravated monopoly, which harasses commerce and unjustly burdens the producing and consuming public. Private enterprise owning and controlling these facilities have employed them to create and serve monopoly, and thereby restrict the commerce of our country instead of enlarging it. By it traffic on our waterways is restricted and high rates maintained, which affect injuriously every department of business and retard the development of our resources. Our natural highways should remain free and open to the public, and every attempt to monopolize them should be resented, it matters not under whatever guise it may be presented. Relieve these from the control which now dominate them and open them up to the public, that the commerce of the country may enjoy their unobstructed use and the people have the benefit therefrom and a prosperous condition will result.

The Clerk read as follows:

SEC. 4. That all reports on examinations and surveys authorized by law shall be reviewed by the Board of Engineers for Rivers and Harbors as provided for in section 3 of the river and harbor act approved June 13, 1902, and all special reports ordered by Congress shall, in the discretion of the Chief of Engineers, be reviewed in like manner by said board; and the said board shall also, on request by resolution of the Committee on Commerce of the Senate or the Committee on Rivers and Harbors of the House of Representatives, submitted to the Chief of Engineers, examine and review the report of any examination or survey made pursuant to any act or resolution of Congress, and report thereon through the Chief of Engineers, United States Army, who shall submit his conclusions thereon as in other cases: *Provided*, That in no case shall the board, in its report thus called for by committee resolution, extend the scope of the project contemplated in the original report upon which its examination and review has been requested, or in the provision of law authorizing the original examination or survey: *Provided further*, That said board shall consist of seven members, a majority of whom shall be of rank not less than lieutenant colonel.

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. MANN. Mr. Chairman, I reserve a point of order upon the last proviso.

Mr. MOORE of Pennsylvania. Mr. Chairman, I call attention to the fact that the word "be" is omitted before the word "submitted," on line 5, page 55.

Mr. HUMPHREYS of Mississippi. What page?

Mr. MOORE of Pennsylvania. Page 55, line 5. It reads:

And the said board shall also, on request by resolution of the Committee on Commerce of the Senate or the Committee on Rivers and Harbors of the House of Representatives, submitted—

It should read "be submitted," as the Clerk read. Is the word "be" to be in there?

Mr. SPARKMAN. I think the word "be" should be in there, but it was accidentally omitted.

Mr. MOORE of Pennsylvania. I merely submit it to the committee. I do not know whether it ought to be in there or not.

Mr. MANN. Mr. Chairman, I reserve a point of order upon the last proviso, section 4. May I ask the gentleman, as I understand the law now, this board must consist of not less than five or more than nine, leaving it to the Chief Engineer to determine how many of the members shall be on the board, and as a matter of fact the board does not vary. This provision provides seven, the majority of whom shall not be of less rank than lieutenant colonel. How many lieutenant colonels are there in the Engineer Corps?

Mr. SPARKMAN. They have nine division engineers, and I think they are of the grade of lieutenant colonels or colonels.

Mr. MANN. How many of this board now are lieutenant colonels?

Mr. SPARKMAN. I think there are only two lieutenant colonels—maybe three.

Mr. MANN. It looks to me, unless the committee is fully informed on the subject, that they are likely to be embarrassed.

Mr. BURGESS. The report of the majority of them was in the last bill.

Mr. HUMPHREYS of Mississippi. My understanding is there are six altogether on the commission, four of whom are lieutenant colonels.

Mr. MANN. Does it require the majority of them shall be lieutenant colonels?

Mr. SPARKMAN. That is what I am basing my judgment on, because the last law provides that the majority of them shall be of not less rank than lieutenant colonel.

Mr. MANN. That is the law passed at last session?

Mr. BURGES. The law of 1912 reads:

And provided further, That the majority of said board shall be of rank not less than lieutenant colonel.

Mr. MANN. How does that work? It has not worked well so far.

Mr. SPARKMAN. In what respect has it worked badly?

Mr. MANN. If it has worked well, why do you want to change it?

Mr. BURGESS. We do not want to change it.

Mr. MANN. Oh, yes.

Mr. BURGESS. The language is just the same.

Mr. MANN. You change this feature of the law, which I assume is an evidence that it has not worked well.

Mr. SPARKMAN. No.

Mr. MANN. If it has worked well, then I shall insist on the point of order against changing it.

Mr. HUMPHREYS of Mississippi. The reason is not that it has not worked well, but that it might work ill in the future, because it might be possible to increase the board to nine on one particular project. For instance, where six were unable to agree, it might be possible to increase the number to nine, and thereby get a verdict.

Mr. MANN. On the other hand, it seems to me that there may be some project, not of great importance, which may properly be submitted to 5 members, and there might be some other project, like the intercoastal proposition or the Chicago-Gulf proposition, or something of that sort, where they would want the opinion not only of 9, but perhaps of 19.

Mr. HUMPHREYS of Mississippi. The gentleman can understand, of course, how very severe criticism could be made upon the board of engineers where a project was reported unfavorably by nine, and the board was immediately reduced in number to five, six, or seven. I know the gentleman can draw upon his imagination and see certain gentlemen arising here and claiming that the board had been stacked against a particular project.

Mr. MANN. I think I have quite a vivid imagination at times, but that goes beyond my imagination; not beyond my imagining somebody criticizing it, because during this debate I have heard gentlemen severely criticize the Engineer Corps, although I am sure that it was rather in a facetious than a serious manner, for I think no one who is familiar with that corps really criticizes their judgment or their honesty.

Mr. HUMPHREYS of Mississippi. I agree to that absolutely. Nobody familiar with the corps would criticize them.

Mr. MANN. I have some doubt about this paragraph, but I withdraw the point of order. I question the desirability of it.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 5. That section 5 of the river and harbor act approved July 25, 1912, be, and the same is hereby, amended and reenacted so as to read as follows:

"SEC. 5. That the Secretary of War is authorized and directed to have prepared and transmitted to Congress at the earliest practicable date a compilation of preliminary examinations, surveys, and appropriations for works of river and harbor improvement similar in general form and subject matter to that which was prepared in accordance with the act of June 13, 1902, and printed in House Document No. 421, Fifty-seventh Congress, second session: *Provided*, That the report to be prepared in accordance with this provision shall be a revised edition of the report printed in the document above mentioned, extended to the end of the Sixty-second Congress."

Mr. MANN. Is not the chairman of the committee willing to move to strike out the words "and reenacted," in line 20, page 55?

Mr. SPARKMAN. Yes; I move that the words "and reenacted," in line 20, page 55, be stricken out.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 55, line 20, amend by striking out the words "and reenacted."

The amendment was agreed to.

The Clerk read as follows:

SEC. 6. That the first paragraph of section 6 of the river and harbor act approved July 25, 1912, be, and the same is hereby, amended and reenacted so as to read as follows:

"SEC. 6. That there shall be printed 3,000 copies of a revised edition of the laws of the United States relating to the improvement of rivers and harbors passed between and including August 11, 1790, and the close of the third 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. SPARKMAN. I move to strike out the words "and reenacted" in line 13, page 56.

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

The Clerk read as follows:

On page 56, in line 13, strike out the words "and reenacted."

The amendment was agreed to.

The Clerk read as follows:

SEC. 11. That the President of the United States is hereby authorized to designate any officer of the Corps of Engineers, United States Army, whose assignment of duty relates to harbor work in, or in the neighborhood of, New York Harbor, to act as a member of the New Jersey and New York Joint Harbor Line Commission, constituted by authority of the Legislatures of the States of New Jersey and New York: *Provided*, That no expense shall be incurred by the United States by reason of such designation, except the usual and necessary travel

expenses of the officer so designated between his station and the place of meeting of the commission: *And provided further*, That the officer so designated shall perform his duties as member of the commission without interference with his regular duties, and that he shall receive no additional compensation from any source on account of his service on such commission except such reimbursement of his expenses for other travel with the commission as may be provided by the States aforesaid.

Mr. MANN. Mr. Chairman, I reserve a point of order on that section.

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

Mr. MANN. Does my colleague's amendment relate to this section or is it a separate paragraph?

Mr. FOWLER. It is a separate paragraph.

Mr. MANN. That is what I supposed. I reserve a point of order on the section read.

Mr. Chairman, legislation is a very peculiar thing. I waited until this section had been read. No one offered to strike it out; no one offered to amend it. It contains this provision with reference to the President being authorized to designate an officer of the Engineer Corps in relation to the New York Joint Harbor Lines Commission:

That the officer so designated shall perform his duties as member of the commission without interference with his regular duties, and that he shall receive no additional compensation from any source on account of his service on such commission except such reimbursement of his expenses for other travel with the commission as may be provided by the States aforesaid.

This was about to be agreed to by unanimous consent, having passed through one of the ablest committees of this House, and was about to pass the House without any question. Only within a week this House agreed to an amendment inserted by the Senate in a House joint resolution on this same subject, giving the President the same power named in this section, and this joint resolution, which has now gone to the President for his signature, contains this language, which was also agreed to by unanimous consent:

And the officer designated may receive such compensation for his services on said commission as may be provided by the States aforesaid.

One day we pass a joint resolution authorizing the President to designate an engineer officer to serve on a joint commission and authorize him to receive additional compensation. That is passed by unanimous consent. The next day we pass the same thing and provide that he shall not receive additional compensation, and that is passed by unanimous consent.

Mr. DAVIDSON. The mistake was in passing the first one.

Mr. MANN. This matter has already passed both Houses and gone to the President for his signature, and it seems to me it would somewhat complicate matters to pass a resolution one day stating that the authorities should be given an officer who *shall* receive additional compensation and the next that he shall not receive any additional compensation. I make the point of order.

Mr. MONDELL. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MONDELL. Does the gentleman realize that it has been pretty well demonstrated that it is impossible to change a line of this bill and that Members have got discouraged?

Mr. MANN. Well, the gentleman will see it done now.

Mr. MONDELL. By the masterly hand of the gentleman from Illinois.

Mr. HUMPHREYS of Mississippi. There is no trouble when you know how.

Mr. MANN. I am not criticizing the Committee on Rivers and Harbors, I am only calling attention to this legislation to show its peculiarities.

Mr. SPARKMAN. Mr. Chairman, there are many things that go through this House that I know nothing about. I am sorry to make the admission, but it is true. This bill was reported before the provision had passed to which the gentleman from Illinois has just referred.

Mr. MANN. On the contrary, if the gentleman will pardon me, the House joint resolution passed the House on August 19, 1912. It passed the Senate only a few days ago, and the House within a week agreed to the Senate amendment, which consisted in striking out the preamble. I will state frankly to the gentleman from Florida that I think the provision in the bill is better than the provision in the joint resolution.

Mr. SPARKMAN. Mr. Chairman, I have no objection to the provision going out.

The CHAIRMAN. The point of order is sustained.

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

The Clerk read as follows:

Amend, page 59, after line 13, by adding the following as a separate paragraph:

"Improvement of the Wabash River and Little Wabash River, Ill., $200,000, for the purpose of deepening and widening the channel of said rivers."

The CHAIRMAN. Is this a new paragraph?

Mr. FOWLER. It was intended to follow the section that has gone out, but inasmuch as it has gone out I offer it as a separate paragraph after section 10.

Mr. Chairman, I am aware of the fact that a commission some two years ago was appointed for the purpose of surveying the Wabash River and for the purpose of determining the advisability of improving it on an extensive scale. I am also aware of the fact that there was a provision in the bill during the last session of Congress for the purpose of surveying the Little Wabash River. The survey which was ordered two years ago for the Wabash has not yet been made by the engineers, and the survey on the Little Wabash ordered during the last session of Congress to a certain extent has been made. I have not been able to see it, for it has been so recent.

But, Mr. Chairman, in view of the great amount of territory which would receive the benefit from the improvements of the Wabash and the Little Wabash Rivers, I think that this sum of money ought to be appropriated for the purpose of giving relief. These great waterways drain half of two States. In fact, they run through a territory which is second to none in the world in productivity. It is one of the finest corn belts that is known to man, and some of the finest corn in the world is produced in that section of the country. Indeed, Mr. Chairman, there are ears of corn which grow in that belt 15 inches long, and will compare favorably in size to that of any other corn in the world. That being the case, Mr. Chairman, I insist that this committee ought to give some attention to the improvement of these great waterways.

I say this, Mr. Chairman, in all earnestness. I do not know whether my remarks will appeal to this committee with any degree of consistency or not. I am aware that the committee is a close corporation, and I know that it is the history of legislation during my short period in Congress that it is done by committees and not by Congress, as a rule. These committees are governed largely by the reports of heads of departments, and whatever may be done here, it must first get the brand of approval from a department before any action will be taken by the committee.

And once the report of a committee is filed, once a bill is brought in the House by a committee, an amendment offered to it upon the floor of the House for the purpose of getting meritorious relief to a worthy project is regarded as a most rebellious deed on the part of the little fellow who comes from a country district. I am aware, Mr. Chairman, of the fact that daggers for this amendment are held by the members of this committee, that they are thick in this House, ready to stab it to death as soon as it may be put to a vote. I know that the itching palm of every one of the members of this committee is not only eager to close its grasp upon the handle of the dagger, but just as soon as the amendment is put to a vote by the Chair up will rise as many daggers in the air as there are members of this committee, and at the same time the fatal, deadly blow will be struck, and what Julius Cæsar received at the hands of Cassius and his coconspirators will be nothing but flesh-wounds as compared with the bloody butchery which you have planned for this innocent but meritorious amendment. [Laughter and applause.]

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

The question was taken, and the amendment was rejected.

By unanimous consent, Mr. FOWLER was granted leave to extend his remarks in the RECORD.

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

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry. Is it proper to proceed now with amendments as offered or to revert to the matters left over?

Mr. HAMILL. Mr. Chairman, it is my intention to submit a request for unanimous consent.

The CHAIRMAN. The Chair takes it that it is in order to proceed to the consideration of any independent section.

Mr. HAMILL. Mr. Chairman, it is always in order to ask unanimous consent, and it is for unanimous consent I now ask to return to page 5, line 17 of the bill, and to present the amendment which I have sent to the desk.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to return to the page indicated. Is there objection?

Mr. CALLAWAY. Mr. Chairman, I object, for the reason that I want to offer an amendment. I will reserve the right to object and state that I want to offer an amendment at the conclusion of the bill. If I will not lose my rights by the House going back to some other part of the bill, I shall not object, but I want to offer an amendment at the conclusion of the bill.

The CHAIRMAN. The Chair thinks now is the time to do that.

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

The CHAIRMAN. Does the gentleman object to the request of the gentleman from New Jersey?

Mr. CALLAWAY. For the time being. I do not want to lose any of my rights. I offer the amendment which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Amend by striking out the period after the last word of the bill, inserting a colon, and add:

"*Provided further*, That no part of the appropriations in this bill shall be used for any purpose whatsoever except for maintenance of existing projects."

Mr. CALLAWAY. Mr. Chairman, I see from this report that it will take only $2,222,650 to maintain all of the projects that we now have. The Democratic Party came in preaching economy. This Congress, if it keeps on at the rate it is going, will expend more money than any previous Congress. By adopting this amendment we can cut out over $38,000,000 on this particular bill, and that will be a proof to the people of this country that we mean what we say. It will be in accordance with genuine statesmanship; it will be a genuine economy. There has been no showing on this floor by anyone, not even a contention, that a dollar of the new expenditure provided in this bill is an investment that would be worth anything to the Nation or that could be expected to produce a return on the investment. This is not doing away with or letting go down a single project that we have, though we have wasted millions of money. We ought here and now to adopt a different policy from that we have been following under the Republican lead. We as Democrats ought to expend the public money only when there is a showing by the committee that the investment is such an investment as a reasonable man in the conduct of his own business would make and not simply a pork-barrel proposition handed out to different men in different sections of the country to get them to come in and support a raid on the Treasury which is absolutely indefensible.

Mr. ALLEN. Will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. ALLEN. Would it be the gentleman's idea it would be economical now to discontinue a project, for instance, the improvement of a river that is to be improved, say, with 20 dams, 10 of which have been built and 10 remaining, not to provide anything for the remaining construction?

Mr. CALLAWAY. It would be unless there is a showing by the committee or some member of the committee or somebody in a report or somewhere or somehow that it is a good proposition for the Government to go on and conclude. There has been no statement or showing here of a single project that we are now working on or beginning. It looks reasonable to me that we should keep what we have, protect what we have completed, and let it add as much to commerce as it will, but until there is some conclusive showing that it is right and proper and economical and a good investment to spend more money I would not go further. I would cut this pork-barrel business out.

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

The question was taken, and the amendment was rejected.

Mr. HAMILL. Mr. Chairman, I now ask unanimous consent to take up the amendment I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to return to——

Mr. SPARKMAN. Mr. Chairman, reserving the right to object, I would like to hear some explanation of what the gentleman's amendment proposed to do.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After line 17, on page 5, insert as a new paragraph the following:

"Improvement of the Hudson (North) River channels of the harbor of New York, N. Y., in accordance with the report submitted in House Document No. 719, Sixty-second Congress, second session, $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 complete the said project, to be paid for as appropriations may from time to time be made by law not to exceed in the aggregate $1,370,000, exclusive of the amounts herein and heretofore appropriated."

Mr. EDWARDS. Mr. Chairman, I object.

Mr. HAMILL. Will the gentleman withhold his objection until I can explain the amendment?

Mr. EDWARDS. It will be useless to do so. I will finally object.

The CHAIRMAN. Objection is made.

Mr. EDWARDS. I will reserve the right to object if the chairman [Mr. SPARKMAN] wishes it.

The CHAIRMAN. Does the gentleman reserve the right to object, or does he object now?

Mr. EDWARDS. I reserve the right to object temporarily.

Mr. HAMILL. Mr. Chairman, I do hope this amendment will carry, because it contains a very worthy legislative proposition. The improvement which my amendment contemplates is the dredging and deepening of the westerly side of the Hudson River, in front of Jersey City and of Hoboken and several municipalities north of it. In conjunction with my colleague from New Jersey [Mr. KINKEAD] I introduced a bill on this subject at the beginning of the present session.

The facts are these: This amendment contemplates an improvement by dredging from Cummunipaw to Fort Lee, a distance of about 11 miles, making available for several miles shore front suitable for the erection of docks and piers to accommodate the shipping now crying for accommodations at this port. This improvement is right opposite Manhattan and at the point where the seven great trunk lines have their terminals. Freight and the commerce of the Nation can be handled much more cheaply and readily than anywhere else in this great port—the greatest on earth—for the reason that the goods are on their way either to Europe or other ports of the world; and if it is merchandise arriving, it is on its way for distribution anywhere in the United States from cars to steamships and directly from steamships to cars.

This development will have a great tendency to wipe out this lighterage charge of 60 cents per ton on every carload of freight coming to New York, which would benefit every agriculturist and manufacturer whose products would come to or be shipped through New York.

The benefits to be derived are continent wide.

This particular area of water front, which can be made so much more valuable to all the people of the United States, has never had one dollar of Government money, except away back in 1875, when $25,000 was voted to take out a shoal in front of Jersey City.

Going back and looking over the appropriations of the rivers and harbors for the last 30 years, New York (and this is a part of New York Harbor) has never had anything like its fair share of such moneys, especially when you take into consideration its towering importance as a port.

Since the Government was established (see Doc. No. 382, 62d Cong., 2d sess.)—

New York Harbor has had	$6,979,622.14
Boston Harbor has had	10,402,687.45
Charleston Harbor has had	4,925,191.67
Savannah Harbor has had	8,443,703.28
St. Johns River, Fla., has had	4,813,003.75
Mobile Bay and Harbor has had	5,870,652.43
Galveston Harbor has had	9,416,934.72
Cleveland Harbor has had	6,659,618.31
Detroit River has had	9,700,283.05
Oakland Harbor, Cal., has had	3,476,769.60
San Pedro Harbor has had	2,784,492.20

The port of New York collects about a million dollars a day in duties, and so forth, which is more than all the other ports combined. In passengers and freight to and from other ports this holds good also, and to sum it all up it is the peerless and incomparable port of this country, and the only way to maintain it is to furnish the facilities that the great strides in shipping and business demand and must have.

I do believe that on grounds of national pride, as a matter of fact, on grounds of national interest, inasmuch as the receipts of New York Harbor are a great asset in the Treasury of the United States for the payment of the Nation's bills, this committee ought to adopt and this House ratify its action by incorporating my amendment in the bill under discussion and granting the sum of money provided in it. [Applause.]

Mr. SPARKMAN. I ask now that the committee go back to the items that have been passed.

The CHAIRMAN. Without objection, we will return to the items passed and not considered. The Clerk will report the first item, on page 9.

The Clerk read as follows:

Improving Woodbury Creek, N. J., in accordance with the report submitted in House Document No. 635, Sixty-second Congress, second session, and subject to the conditions set forth in said document, $8,000.

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 10, line 3, by inserting: "Improving Frankford Creek, Philadelphia, $15,000."

Mr. MOORE of Pennsylvania. Mr. Chairman, the discussion on Frankford Creek the other day leads to the belief that the committee is willing to relent upon this proposition. The gentleman from Mississippi [Mr. HUMPHREYS], in discussing the matter with me on the floor on Saturday, indicated that it would be a waste of time to ask for a survey of Frankford Creek, in that it had already been surveyed and the merits of the propo-

sition were understood both by the engineers and by the committee.

Now, in view of the fact that the gentleman from Florida [Mr. SPARKMAN], chairman of the Committee on Rivers and Harbors, has indicated in answer to certain questions that there are many instances in which appropriations are made for the improvement of rivers that bisect cities, I think the time has come fairly and squarely to ask the committee to make the appropriation which the Government itself has asked, which is positively needful in this vicinity for the improvement of commerce.

Mr. MONDELL. Mr. Chairman, this bill is no more remarkable for many of the items that it contains than it is by reason of the fact that it does not contain items that it should contain. It is full of appropriations for lonesome harbors and way-back creeks, and here is a proposition having to do with the commerce of the American people as a whole, which ought to be in the bill and is not. The gentleman from New Jersey——

Mr. SPARKMAN. Mr. Chairman, the matter now being discussed by the gentleman is not before the House, and I make the point of order that he must confine himself to the amendment under consideration.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] raises the point of order that the gentleman from Wyoming [Mr. MONDELL] is not confining himself to the amendment. The gentleman will proceed in order.

Mr. MONDELL. Mr. Chairman, the item which is offered by the gentleman from Pennsylvania [Mr. MOORE], like the amendment offered by the gentleman from New Jersey [Mr. HAMILL], has to do with the commerce of the American people. In the case of the New Jersey item it has been shown that 75,000,000 tons of commerce per annum pays a lighterage charge of at least 3 cents a hundred, or 60 cents a ton, because we refuse to appropriate a million or a million and a half to make it possible to unload the commerce of the country going west on the west bank rather than the east bank of the North or Hudson River. Millions of tons of freight going into the Mississippi River Valley and into the mountain States has for years paid these charges; the country in which I live every year pays a tribute to the lighterage business across this great river because, forsooth, this Congress can not expend the people's money for the people's business, but must expend it for the protection of private property along rivers, for the purpose of dredging out creeks upon which there never has been and never will be commerce, and for the purpose of improving alleged harbors that never have seen and never will see any considerable commerce.

If there has ever been an item offered to an appropriation bill of this character that ought to be adopted, it is the item offered by the gentleman from Pennsylvania [Mr. MOORE]; and the item offered by the gentleman from New Jersey [Mr. HAMILL] is quite as meritorious, if not more so.

Mr. SPARKMAN. I would like to ask the gentleman first if he has read the report on the item offered by the gentleman from Pennsylvania [Mr. MOORE].

Mr. MONDELL. I have not read all the reports on all of these items, but I do know a good deal about the item referred to by the gentleman from New Jersey [Mr. HAMILL], which the committee turned down, just as it will turn down the item offered by the gentleman from Pennsylvania [Mr. MOORE].

Mr. SPARKMAN. Has the gentleman read the report?

Mr. MONDELL. They all suffer the same treatment at the hands of the committee.

Mr. SPARKMAN. I would like to ask the gentleman if he has read the report on the item of the gentleman from New Jersey?

Mr. MONDELL. I do not know that I have read the report to which the gentleman refers.

Mr. SPARKMAN. The gentleman from New Jersey, I should say.

Mr. MONDELL. But it is quite enough for me to know——

Mr. SPARKMAN. That he offered it.

Mr. MONDELL. I do not have to read the engineers' reports in order to know that there are hundreds of millions of tons of freight unloaded on the east side of the Hudson River at the harbor of New York that ought to be unloaded on the west side, and if the chairman of this committee does not know that, there is a fundamental proposition in regard to river and harbor business that it would be well for him to become acquainted with, because everybody else knows about it. We are spending the people's money to dredge out "Way Back Creek," where there is no commerce, while refusing to spend money where it is needed for carrying the commerce of the American people.

Mr. Chairman, we are about to complete the consideration of this bill. During the debate I have made some observations in regard to some of these items. I desire that my position shall not be misunderstood. I am in favor of liberal river and harbor appropriations. I have always been of that mind, and what I have said has been for the purpose of calling attention to items which discredit this great work and render it difficult to secure appropriations for worthy objects. I am in position to be impartial in these matters. The people whom I represent are favorable to proper expenditures for these purposes, and yet we have no selfish interest in any item in the bill.

I desire to be fair and not overcritical, and yet I feel justified in saying that the committee has failed in its duty to the House and country in not printing its hearings and in not making a detailed report. The measly report of 10 pages conveys but little information, and if one wants to be informed they must search through numerous volumes of the reports of engineers, and then we would have only one side of the question and still lack the facts which can only be secured by reading the reports of the hearings. Is the committee afraid or only indifferent? Is the committee so sure of the votes secured by a system of judicious apportionment of benefits as to feel entirely independent of the views of Members?

I am in favor, as I have said, of liberal appropriations for rivers and harbors. Where there is commerce or commerce can be created I am not only favorable to improvements helpful to the general commerce of the country, but I do not object to those projects which only serve local interest if it is clear that the expenditure will in fact give facilities which will be utilized. I object to expenditures which can not and will not increase the water-borne commerce of the country or cheapen the cost of transportation to the people. That there are some items of that kind in this bill no one can deny; the only difference of opinion is as to the number of such items.

On the Mississippi we are spending vast sums on the theory, as stated by the gentleman from Louisiana, that the levees are an aid to navigation. The fact is they are of little, if any, aid, but so long as we build and maintain them on the theory they are we shall waste most of our money. I will join in a plan to make our expenditures on the Mississippi and Missouri really effective, but to do it we must first frankly acknowledge we are proposing to protect private property. My criticisms of this bill are in the hope that a system of false pretense and wasteful expenditure based on it may be abandoned for one of frankness and really helpful and useful expenditure.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. MOORE of Pennsylvania. A division, Mr. Chairman.

The committee divided; and there were—ayes 5, noes 58.

So the amendment was rejected.

Mr. CULLOP. Mr. Chairman, I desire to ask unanimous consent to extend my remarks by having published in the RECORD an article in the Outlook of January 25, 1913, in regard to New York Harbor.

The CHAIRMAN. Is there objection to the gentleman's request? Without objection, it will be so ordered.

There was no objection.

The article is as follows:

NEW YORK HARBOR.

Since 1767 the width of the Hudson River opposite New York City has ben narrowed nearly 50 per cent. This has all been done by successive encroachments of the pierhead line into the fairway. Every few years an agitation would spring up, and the shore would be built farther out into the river and the pierhead line advanced still farther until now the river is only 2,795 feet wide at its narrowest point, opposite Castle Point, Hoboken. This has several bad effects upon navigation.

First. It greatly increases the current at this point in the Hudson River itself and thus requires higher and more expensive power in the vessels navigating it, and it also makes navigation more difficult.

Second. Another bad effect is the crowding of traffic in the river. One hundred and twenty boats have been counted as passing this section in a single hour in the winter season when no excursion boats are running and when navigation in the upper Hudson is closed, so this probably represents a fair daily average.

Third. The obstruction caused by this narrowing of the Hudson at New York tends to reduce the ebb and flow of the tide throughout the length of the Hudson River, and, according to the engineers, is even now responsible for deterioration of navigable depth in the upper and middle Hudson.

The city of New York depends vitally upon the preservation of this great waterway. The commerce on this river, instead of decreasing, is rapidly increasing in size and number of vessels. Any material impairment of it will greatly tend to cripple the future commercial prosperity of the city.

The congestion of the water front of the city does not come from the demands of its ocean commerce, but from the demands made upon it by a species of traffic which has no business on the water front, namely, the use of the water front as distributing terminals for the New Jersey railways. These railway companies occupy, with their terminals, large sections on both sides of the river. Their tracks run down to the New Jersey shore, where their cars are put upon floats and carried across the river to the New York shore. There the bulk of the freight is broken and distributed into drays on the piers them-

selves and on West Street. This work of distribution is a work which does not need to be performed upon the water front; the freight thus distributed is not going abroad, but is being distributed—most of it—in New York City. If, instead of this wasteful method, these freight cars were either carried under the river by tunnels and then distributed by a marginal railway into terminal buildings for distribution into trucks, or even if they were carried across the river by floats to the terminus of such a distributing railway, 30 or 40 per cent of our Hudson River Manhattan water front would be released at once for its true function of serving as a terminus for ocean-going traffic.

The problem of the New York water front therefore is, in the first place, to restrict it as far as possible to its proper function of serving ocean traffic. It is a splendid water front, with deep water and an unsurpassed fairway, provided we do not spoil it.

There has been no difference of opinion on the part of any careful students as to the wisdom of any further narrowing of the fairway of the Hudson River. In 1857 the matter was carefully studied by a board of engineers acting for the State of New York, who set out all of the foregoing objections to any further narrowing of the river. At the time of their report the river was still 500 feet wider than it is now. This reduction has taken place under the same heedless and selfish pressure which is now being brought to narrow it still further. It was narrowed in 1871, in 1890, and again in 1897 under precisely the same cry of emergency which is being raised now. On December 9, 1903, when a similar agitation was raised, Secretary of War Root gave notice that no further encroachment on the fairway would be permitted, and that any further extensions in the length of piers must be made by digging back into the land rather than by stretching out into the river. Three later Secretaries have taken the same ground.

So far as our ocean-going traffic is concerned, the pressure for long piers has arisen thus far simply because it has been cheaper to build out into the river than to dig back into the land. People have preferred to encroach upon the fairway rather than to spend the necessary money to preserve it. We have reached a point where such an attitude is no longer possible or defensible. The city must recognize that the preservation of its primacy in commerce depends upon intelligently attacking these two features of the problem. It must insist upon a proper distribution of its local freight, and it must insist that in future piers the requisite length be attained in a way consonant with the preservation of the river, even if it requires more money to do it.

The vice of the Sulzer bill now before Congress is that, so far from intelligently grappling with these problems, it again seeks to move our pierhead line out into the river. It is a weak yielding to the interested pressure of those who desire to get long piers at the smallest expense and without reference to the insidious but gradual effect upon the city's future. Furthermore, it is an attempt to take out of the hands of the board of engineers a function which they are best suited to perform and to have it done in a much less careful way by Congress. The pierhead line is now in the hands of a board of three engineers known as the harbor line board, who have been making and are at the present time making a careful study of this very question. To pass the Sulzer bill would be to anticipate and foreclose their decision.

Some readers may ask, How does this matter concern the people of inland States and cities? Why trouble us about it? We have problems enough of our own. Let New York settle her own difficulties herself.

The answer is that foreign commerce, coastwise commerce, and transcontinental railway shipments are matters of vital national interest. New York has the most important harbor in the United States; it is the greatest commercial metropolis in the United States; it is the greatest distributing point in the United States. If it does its work inefficiently or expensively the whole country suffers.

In this article we have pointed out defects to be avoided. In a later article we shall describe some definite and scientific plans of harbor improvement.

Mr. CALLAWAY. Mr. Chairman, I want to return to page 14 and offer an amendment.

Mr. SPARKMAN. I object, Mr. Chairman.

The CHAIRMAN. Objection is made.

Mr. MANN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Under the order for passing over, is it not in order to return to the pages we passed?

The CHAIRMAN. That is what we are doing now.

Mr. CALLAWAY. Mr. Chairman, I understood we were returning to the items that had been passed over before. We passed this item on page 14, the page where we now are.

Mr. YOUNG of Michigan. We are now on page 10.

Mr. MANN. We have passed that over.

Mr. CALLAWAY. Mr. Chairman, I ask unanimous consent to return to the item on page 14, providing for the improvement of the inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.

The CHAIRMAN. A motion was made to return to items on pages previous to the paragraph on page 14, and under the order already made we will take them in the order as they come. The Clerk will report the next item that was passed over.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, let me state to the gentleman from Texas [Mr. CALLAWAY] that the particular item that he desires to return to is the item brought up the other day and discussed by the gentleman from North Carolina [Mr. SMALL]. It pertains to his district, and he discussed it very fully; and after the discussion the House adopted it. The gentleman from North Carolina has now, under press of important business, left the city, and is not here. I hope the gentleman from Texas will not insist on returning to that paragraph.

Mr. CALLAWAY. I can not. [Cries of "Read!" "Read!"]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Improving Delaware River, Pa., N. J., and Del.: Continuing improvement and for maintenance from Allegheny Avenue, Philadelphia, to the sea, $1,750,000; for maintenance of improvement from Allegheny Avenue, Philadelphia, to Laylor Street, Trenton, $20,000; and completing improvement above Laylor Street, Trenton, in accordance with the report submitted in House Document No. 839, Sixty-first Congress, second session, and subject to the conditions recommended by the Chief of Engineers on page 2 of said document, $114,000; in all, $1,884,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The Clerk read as follows:

On page 10, line 6, after the word "sea," strike out "$1,750,000" and insert "$2,000,000," and on line 14, strike out "$1,884,000" and insert "$2,134,000."

Mr. MOORE of Pennsylvania. Mr. Chairman, the purpose of this amendment is to induce the committee, if possible, to fix the appropriation for the 35-foot channel in the Delaware River in accordance with the recommendations of the United States Army engineers and in conformity with the plan which contemplates the completion of that channel within six years. An argument has just been made upon another item which indicates that the port of New York is asking for increased facilities; and it is a fact that has been brought out during the last three or four days in the discussion of this bill that the port of New York now has a depth of 40 feet for incoming vessels; that the port of Boston has 35 feet and is asking and will receive through this bill a survey for 40 feet for its harbor; that Boston and Baltimore already have 35 feet, and that Norfolk is substantially at a 35-foot stage.

The city of Philadelphia is 100 miles up the river and bay from the sea, 60 miles from the deep water of the bay. It is without question the greatest revenue-producing inland river of the United States. Last year at Philadelphia there was collected $21,000,000 of revenue, in a customhouse for which no appropriation has been made in the way of improvements for 70 years. We have been asking that the channel of the Delaware River be improved, and in 1910 the first appropriation was made upon a 35-foot channel project, which contemplates placing the city of Philadelphia, with its million and a half of population, upon an equality at least with the city of Baltimore and with the city of Boston. How long it will take for us to catch up to those two cities now, I know not. It will take us centuries at the present rate of appropriations to catch up to the great metropolis of New York; and so long as New York keeps deepening its harbor and the volume of business increases there, so long the monopolies in shipping will increase, because the great bottoms are now being floated upon the high seas, putting out of business the coastwise trade and the smaller craft, and concentrating everything in the way of commerce and navigation at this one port.

If you gentlemen can fairly and decently ask for appropriations for the Mississippi and for the improvement of inland ports, harbors, and waterways, you must excuse us if we become a little insistent in asking that the project you have approved be completed, so that we may at least keep in business on the great Delaware River.

When the 35-foot channel project was adopted in June, 1910, two and a half years ago, it was estimated that the total cost would be $10,920,000; that the maintenance cost would be $300,000, and that appropriations would be made with a view to completion in six years. This was conceded to be due to the great city of Philadelphia and the other cities along the Delaware, producing in 1912 customs revenues in excess of $21,000,000, and an average annual revenue of about $20,000,000 for the last 10 years, or twice in one year what is necessary to give us a good channel for all time. In 1910 we were given $1,500,000 to complete the 30-foot channel and commence work on the 35-foot project, and for 1911–12, $1,300,000 to continue the improvement up to March 4, 1913.

The work done on the 35-foot channel to the close of the fiscal year ending June 30, 1912, as reported by the engineers, is 6 per cent of the whole project. The engineers have urged appropriations "to permit a rapid prosecution of the work," and the Chief of Engineers in his estimate declares that—

For the year 1914 the appropriation should not be less than $2,500,000, of which approximately one-half should be in cash; but unless continuing-contract authorization be made, the appropriation should be not less than $2,000,000 in cash.

Of the amount estimated as a profitable expenditure in the fiscal year ending June 30, 1914, it is proposed to apply $300,000 to maintenance of the existing channel, and the balance to new work of rock removal, dredging, and dike construction.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent that I may have at least five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Now, what has the committee reported? For the Mississippi, whose commerce amounted in 1907 to 4,300,000 tons on the whole 2,500 miles from the Lakes to the Gulf, as against 27,000,000 tons in that year upon the 60 miles of the Delaware alone—for the Mississippi, in this bill, you have appropriated $9,185,000; for the Ohio, $5,550,000; for the Missouri, $2,300,000; a total virtually of $17,000,000, which, if you add the appropriations made to the other tributaries of the Mississippi, will give that stream alone, out of the $40,000,000 you appropriated in this bill, one-half of the total appropriation made for this year.

This bill cuts the Delaware River appropriation from $2,000,000, the minimum asked by the engineers as urgent, to $1,750,000, not for one year, but for 16 months, from March 5, 1913, to June 30, 1914. On this long-term basis the annual appropriation is reduced $337,000 for the extra four months, in addition to the $40,000 that must be deducted for maintenance. Instead of the $2,000,000 recommended by the engineers, therefore, the Delaware River for the next fiscal year will receive but $1,013,000, a rate that will probably postpone the completion of the 35-foot channel for at least 10 years.

In view of the committee's fair and liberal treatment of the other inland waterways of the country, it seems to me that instead of postponing this project of the Delaware, the purpose of which is to put us upon an equality with other great ports along the Atlantic seaboard, you should let up in this instance and give this, the greatest business-getting, revenue-producing river of the United States, the $2,000,000 which was the least asked for by the Chief of Engineers in his report.

Mr. SPARKMAN. Mr. Chairman, I should be much pleased if we could see our way clear to accept the gentleman's amendment. I am convinced that the Delaware River, the portions both above and below Philadelphia, is a very important artery of commerce, and the projects for its improvement should be completed as early as practicable; but we have done in this bill all that the engineers have requested us to do at this time. We are appropriating $1,750,000, which, together with what will go in the sundry civil bill, makes the $2,000,000 that the engineers recommend. It is true that in their report they suggest, as they have suggested in other reports, that a continuous contract be provided for $500,000 more. But they say that if this can not be done we should give the amount—I am not quoting the exact language—which would make, with the $250,000 recommended for the sundry civil bill, $2,000,000. The language actually used is as follows:

For the year 1914 the appropriations should not be less than $2,500,000, of which approximately one-half should be in cash, but unless in the continuing contract authorization be made, the appropriation should be of not less than $2,000,000 in cash.

Now, then, Mr. Chairman, we appropriate in this bill $1,750,000. The engineers estimate $250,000 for the sundry civil bill, which makes up the $2,000,000 in cash.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SPARKMAN. In a moment. So that if we should make this additional cash appropriation we would do something the engineers did not ask.

Mr. MOORE of Pennsylvania. The $250,000 was left over from last year?

Mr. BURGESS. No; that is in the sundry civil bill.

Mr. MOORE of Pennsylvania. That carries the work up to March 4.

Mr. SPARKMAN. No; that is where the gentleman is mistaken. The recommendation is made to cover the longer period of time. Nineteen hundred and fourteen can only mean one of two things. It can only mean the fiscal year ending the 30th of June or the calendar year ending the 31st of December. We are not contending that it does the latter. We take the shorter period of time and are appropriating to cover the period from the 4th of March of this year until approximately the 30th of June next year.

Mr. MOORE of Pennsylvania. The appropriation provided for in this bill begins as of March 5, 1913.

Mr. SPARKMAN. Well, no; the 4th of March, not later.

Mr. MOORE of Pennsylvania. That would aggregate $400,000 for maintenance—$300,000 for the year—and then there is another quarter.

Mr. SPARKMAN. No; not in the sense the gentleman is contending. There was a newspaper statement to that effect, I believe—and I am not criticizing the gentleman, because I know newspapers perform great service in the world, and I do not object to the gentleman getting into the newspapers as often as he can.

Mr. MOORE of Pennsylvania. The gentleman is now touching on a delicate question. If he will confine himself to the facts——

Mr. SPARKMAN. I am going to do that, but I wanted to allude to an injustice done the committee by a Philadelphia newspaper, and I do not think it was intentional——

Mr. MOORE of Pennsylvania. I want to say to the gentleman that I will not discuss matters in the House one way or the other concerning the way the gentleman from Florida or the gentleman from Georgia or any other Member gets into print. I want to know whether we are to be fairly treated in this commercial transaction when Philadelphia presents her claims based upon commercial merit.

Mr. SPARKMAN. Somebody was discussed a few days ago in this connection, and I have no objection to being discussed to-morrow, though I am not seeking newspaper notoriety.

Mr. MOORE of Pennsylvania. I know the gentleman is not.

Mr. SPARKMAN. What I call the gentleman's attention to is that I saw in the newspaper a statement that I know is an injustice to the Committee on Rivers and Harbors, because pursuing the same line of argument that the gentleman from Pennsylvania pursues, it makes almost the same statement that the gentleman made the other day about the amounts proposed in this bill for the allowance, and it asserts that $400,000 of the amount would be used for maintenance. Now, the facts are that the engineers only recommend $300,000, and not $400,000, for maintenance to cover the very period of time to which the gentleman refers.

Mr. MOORE of Pennsylvania. That would be 16 months. That is my point.

Mr. SPARKMAN. Well, it is practically that, but it is what the engineers recommend. Whether it be 24 months or 5 years, it is what the engineers recommend. We have given the full amount recommended by the engineers for maintenance and for the improvement of the river, whether it is 4 months or 12 or 16 months.

Mr. MOORE of Pennsylvania. Mr. Chairman, I accept the gentleman's statement, but I can not harmonize it with the report of the engineers on page 288, in which a maximum of $2,500,000 is asked and a minimum of $2,000,000.

Mr. SPARKMAN. Oh, that was the recommendation in case we provided a continuing contract, but we did not provide for that. True, the report says that for the year 1914 the appropriation should be not less than $2,500,000, but the engineers confuse the word "appropriation" with the word "authorization," as the next line will show—

But unless continuing contract authorization be made—

The report goes on to say—

the appropriation should not be less than $2,000,000 in cash—

Which, together with the $1,750,000 appropriated in this bill and the $250,000 to come in the sundry civil, makes the cash appropriations without any authorizations $2,000,000. At the bottom of the report in a note there is this statement:

Of the amount, $250,000 is for continuing contracts.

That is, of the amount of $2,000,000 recommended $250,000 is to go into the sundry civil bill.

Mr. Chairman, I want to say another thing for the benefit of the gentleman from Pennsylvania and of the committee, that in doing work like we are doing in the Delaware River the matter of maintenance does not amount to so much as in other streams where the work has been completed, because in many places, if not in all, the work of improving the river takes care of the maintenance.

Mr. DONOHOE. Mr. Chairman, I move to strike out the last word. As has been stated by Mr. SPARKMAN, the full amount that can be profitably used, according to the information given by the Government engineers, up until June 30, 1914, is $2,000,000. This bill carries cash of $1,750,000, and the sundry civil bill carries cash of $250,000 additional. No part of the sundry civil appropriation of $250,000 can be used before March 4 of this year. When the sundry civil bill was up last year, and it did not carry the full amount of $700,000 that I expected it to carry for the Delaware, I inquired as to the reason for cutting it to $450,000, and was informed that it was because the engineers could not use more than $450,000 before March 4, 1913. That statement was later corroborated by the engineers.

It may be inexplicable to the members of this committee why my good friend from Philadelphia, Mr. MOORE, has taken occasion to do what he has done to-day. The engineers say that we are appropriating the full amount that they can use, and everyone here knows that we can not get any more than the engineers recommend; and yet here is a motion to increase the amount for the Delaware River and another motion to put in an appropriation for the Frankford Creek, for which no recommendation has been made by the engineers. Everyone knows that we can get no appropriation until we have the approval of the en-

gineers. The Frankford Creek, Mr. Chairman, is in my district. Every inch of it is there. When the cleverly juggled stories go to the Philadelphia newspapers they will read well at home. They will show that my distinguished colleague endeavored to get an appropriation for Frankford Creek which was evidently neglected by the Member from that district of Philadelphia who is on the inside on the committee. [Laughter.] Is there a Member in this House who would stoop to such political methods as these for the purpose of reflecting upon anyone else? I wish we could get $5,000,000 for the Delaware River. The engineers say that after this appropriation of $2,000,000 it will require $6,000,000 to complete the work of the 35-foot channel. If we appropriate $2,000,000 annually, as we are doing now, it will be completed within four years, notwithstanding the fact that the newspapers in Philadelphia have quoted the distinguished exponent of waterways, Mr. MOORE, as saying it will take 10 years to complete that job. I am very glad of this opportunity of clearing the atmosphere to that extent. My good friend does not expect to get any of these amendments through, but it will make splendid reading for the people at home. [Laughter and applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken; and on a division (demanded by Mr. MOORE of Pennsylvania) there were—ayes 3, noes 51.

So the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

Mr. MOORE of Pennsylvania. Choked off again!

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MOON of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 28180) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolutions of the following titles; when the Speaker signed the same:

H. J. Res. 210. Joint resolution authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission;

H. J. Res. 380. Joint resolution authorizing the granting of permits to the committee on inaugural ceremonies on the occasion of the inauguration of the President elect on March 4, 1913, etc.; and

H. R. 23451. An act to pay certain employees of the Government for injuries received while in the discharge of their duties.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 6380. An act to incorporate the American Hospital of Paris;

S. 2666. An act granting an increase of pension to William P. Clark; and

S. J. Res. 145. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1913.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following Senate concurrent resolution was taken from the Speaker's table and referred to the Committee on Printing:

Senate concurrent resolution 33.

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound in cloth, with accompanying maps, 4,000 copies of the report upon Panama Canal Traffic and Tolls, prepared for the President, by Emory R. Johnson, special commissioner on traffic and tolls; that the copies here ordered shall be printed from plates recently prepared for the Isthmian Canal Commission and now in the possession of the Government Printing Office; and that of the copies printed 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,000 for the use of the Committee on Interoceanic Canals of the Senate.

SWEARING IN OF A MEMBER.

The SPEAKER. The newly elected Member from the State of Arkansas, Hon. SAM M. TAYLOR, presents himself with credentials which are regular. Unless there is objection, the Chair will swear him in.

Mr. TAYLOR appeared at the bar of the House and took the oath of office.

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 bill and joint resolution:

H. J. Res. 210. Joint resolution authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission; and

H. R. 23451. An act to pay certain employees of the Government for injuries received while in the discharge of their duties.

HOUR OF MEETING.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

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

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, the Senate has disagreed to the conference report on the immigration bill (S. 3175) and asks for a further conference. I move that the House insist upon its amendment and agree to a further conference.

Mr. MANN. Are the papers here?

The SPEAKER. The papers are here. The gentleman from Alabama [Mr. BURNETT] moves that the House further insist upon its amendment and agree to the conference asked for by the Senate.

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

The SPEAKER. The Chair announces the following conferees.

The Clerk read as follows:

Mr. BURNETT, Mr. SABATH, and Mr. GARDNER of Massachusetts.

DEATH OF HON. S. C. SMITH.

Mr. NEEDHAM. Mr. Speaker, it is my sad duty to announce to the House the death of the Hon. SYLVESTER CLARK SMITH, a Representative from the State of California. During the lifetime of Mr. SMITH he requested in the event of his death while a Member of the House that there be no committee appointed to attend his funeral. I have therefore omitted from the resolutions which I have offered any reference to a committee. Mr. Speaker, I offer the following resolutions and move their adoption.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 797.

Resolved, That the House has heard with profound sorrow of the death of Hon. SYLVESTER CLARK SMITH, a Representative from the State of California.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

The question was taken, and the resolutions were unanimously agreed to.

Thereupon (at 4 o'clock and 33 minutes p. m.) the House adjourned to meet to-morrow, Tuesday, January 28, 1913, at 11 o'clock a. m.

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 Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of State amending his estimate for an appropriation to investigate the opium, morphine, and other allied drug evils (H. Doc. No. 1305); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting a deficiency estimate of an appropriation required by the Post Office Department on account of the parcel post (H. Doc. No. 1306); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of State, transmitting statement of expenses incurred by officers and employees of the State Department when traveling outside of Washington on official business during the fiscal year ended June 30, 1912 (H. Doc. No. 1308); to the Committee on Expenditures in the State Department and ordered to be printed.

4. A letter from the Secretary of the Interior, transmitting a list of useless papers on file in the Interior Department requesting that they be destroyed (H. Doc. No. 1307); to the Joint Select Committee on Disposition of Useless Executive Papers and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. McGUIRE of Oklahoma, from the Committee on Indian Affairs, to which was referred the resolution (H. Res. 773) referring the bill (H. R. 27995) for the relief of Iowa Tribe of Indians in Oklahoma to the Court of Claims, reported the same without amendment, accompanied by a report (No. 1398), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAFFERTY: A bill (H. R. 28452) to amend an act entitled "An act to amend sections 2291 and 2297 of the Revised Statutes of the United States relating to homesteads," approved June 6, 1912; to the Committee on the Public Lands.

By Mr. MANN: A bill (H. R. 28453) to prevent obstructive and injurious deposits within the harbors and adjacent navigable waters of the city of Chicago, Ill., by dumping or otherwise, and to punish and prevent such offenses; to the Committee on Interstate and Foreign Commerce.

By Mr. LAMB: A bill (H. R. 28454) relating to renovated-butter inspection; to the Committee on Agriculture.

By Mr. BERGER: Resolution (H. Res. 796) requesting an inquiry of the clothing and garment industry of New York; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 28455) granting an increase of pension to Hamilton Wise; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 28456) for the relief of A. J. Wright; to the Committee on War Claims.

By Mr. DWIGHT: A bill (H. R. 28457) granting a pension to Johannah O'Keefe; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 28458) for the relief of the heirs of Frederick R. Wylly, deceased; to the Committee on War Claims.

By Mr. HINDS: A bill (H. R. 28459) granting a pension to George A. Loring; to the Committee on Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 28460) granting an increase of pension to C. Milstead; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 28461) granting an increase of pension to William H. Bartolet; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 28462) granting an increase of pension to Charles W. Smith; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 28463) granting an increase of pension to John D. Traft; to the Committee on Invalid Pensions.

By Mr. ROTHERMEL: A bill (H. R. 28464) granting an increase of pension to David Good; to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 28465) to pay an award in favor of the heirs of John W. West, deceased; to the Committee on Indian Affairs.

By Mr. SELLS: A bill (H. R. 28466) granting an increase of pension to William T. Higgins; 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 (by request): Petition of the Twenty-third Council of the Union of American-Hebrew Congregations, Cincinnati, Ohio, protesting against the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also (by request), petition of the Italian-Swiss Colony, San Francisco, Cal., protesting against the passage of Senate bill 3175, for the restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. ANSBERRY: Petition of members of the Sigma Phi Delta Club, the Informal Study Club, the Chautauqua Literary and Scientific Club, and the Zetetic Club, of Leipsic, Ohio, favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of the National Association of Railway Commissioners and the Public Service Commission, of Columbus, Ohio, favoring the passage of legislation (S. 6099) for the establishment of a uniform classification of freight; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNS of Tennessee: Papers to accompany the bill for relief of A. J. Wright, of Williamson County, Tenn.; to the Committee on War Claims.

By Mr. CALDER: Petition of citizens of the United States of America, favoring the immediate passage of legislation validating leases made to the Uncle Sam Oil Mill Co. by the Osage national council; to the Committee on the Public Lands.

By Mr. CARY: Petition of Moisant International Aviators, New York, favoring passage of a bill abolishing the Aerial Corps of the Army and Navy; to the Committee on Military Affairs.

Also, petition of the Mayer Boot & Shoe Co., Milwaukee, Wis., protesting against any reduction or change in the present tariff duties on boots and shoes; to the Committee on Ways and Means.

Also, petition of the Oshkosh Grass Matting Co., Oshkosh, Wis., favoring passage of the Weeks bill (H. R. 27567) for a 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of Herbert J. Piper, Milwaukee, Wis., favoring the adoption of the Mall site and design, as approved by the National Commission of Fine Arts, for the memorial to Abraham Lincoln; to the Committee on the Library.

By Mr. DICKINSON: Papers to accompany bill (H. R. 2096) granting an increase of pension to Jessie T. Moore; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Petition of the American Group of the Société des Architectes Diplômés par le Gouvernement Français, favoring the adoption of the Mall site and design, as approved by the National Commission of Fine Arts, for the memorial to Abraham Lincoln; to the Committee on the Library.

Also, petition of Washington Branch of the Rivers and Harbors Congress, favoring the passage of bill making an appropriation to cover the expense for analyzing the water of the Potomac River; to the Committee on Appropriations.

By Mr. FORNES: Petition of the J. F. Imbs Milling Co., St. Louis, Mo., relative to the present tariff on flour; to the Committee on Ways and Means.

By Mr. FULLER: Petition of C. P. Nelson, Chicago, Ill., favoring he pasage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of the Tuthill Spring Co., Illinois, favoring the passage of bill (H. R. 27567) for the reduction of letter postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of John H. McGee, Ironton, Ohio, favoring the passage of House bill 1339, to increase the pension of those who lost an arm or leg in the Civil War; to the Committee on Invalid Pensions.

By Mr. GARRETT: Petition of members of the Ladies' Missionary Society of the Presbyterian Church, Greenfield, Tenn., favoring the passage of an antipolygamy amendment to the Constitution of the United States placing polygamy under Federal jurisdiction; to the Committee on the Judiciary.

Also, petition of teachers and pupils in biology and agriculture in the Berry School, Mount Berry, Ga., favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

By Mr. GUERNSEY: Petition of the Antre Street Congregational Church, Machias, Me., favoring the passage of the Kenyon "red-light" injunction bill for the cleaning up of Washington for the inauguration; to the Committee on the District of Columbia.

By Mr. HAMILTON of West Virginia: Papers to accompany bill for the relief of J. P. Jones; to the Committee on Claims.

By Mr. HILL: Petition of the New Haven Chamber of Commerce, New Haven, Conn, expressing their confidence in the integrity of the management of the New York, New Haven & Hartford Railway Co.; to the Committee on Rules.

Also, petition of citizens of Connecticut, protesting against the further importation of aigrettes; to the Committee on Ways and Means.

By Mr. LAFEAN: Petition of the congregation of the First Presbyterian Church, York, Pa., favoring the passage of the Kenyon "red light" injunction bill to clean up Washington, D. C.; to the Committee on the District of Columbia.

By Mr. LEVY: Petition of the Dutchess Manufacturing Co., Poughkeepsie, N. Y., favoring the passage of House bill 27567, for a 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of the Philadelphia Association of Friends, Philadelphia, Pa., favoring the striking out or the submitting

to national arbitration of the passage of the Panama Canal act granting free tolls to vessels engaged in coastwise trade of the United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Commission of Fine Arts, Washington, D. C., and the American Group of the Société des Architectes Diplômés par le Gouvernement Français, New York, favoring the adoption of the Mall site and design, as approved by the National Commission of Fine Arts, for the memorial to Abraham Lincoln; to the Committee on the Library.

By Mr. LINDSAY: Petition of Herbert S. Gardner, of St. Louis, and Christopher P. Nelson, of Chicago, Ill., favoring the passage of the McLean bill for Federal protection of all migratory birds; to the Committee on Agriculture.

Also, petition of John H. McGee, Ironton, Ohio, favoring the passage of House bill 1339, granting an increase of pension to veterans of the Civil War who lost an arm or leg; to the Committee on Invalid Pensions.

By Mr. McKINNEY: Petition of the missionary society of the Episcopal Church of Warsaw, Ill., favoring the passage of the McLean bill granting Federal protection to migratory birds; to the Committee on Agriculture.

Also, petition of the Monday Study Club, of Rock Island, Ill., protesting against the passage of legislation transferring the ownership and control of the national forests to the States wherein they lie; to the Committee on Agriculture.

By Mr. MOTT: Papers to accompany a bill granting an increase of pension to Francis P. O'Reilly; to the Committee on Pensions.

Also, petition of the Presbyterian Church of Hannibal, N. Y., favoring the passage of the Kenyon-Sheppard bill preventing shipment of liquors into dry territory; to the Committee on the Judiciary.

By Mr. RAKER: Petition of the Chamber of Commerce of Los Angeles, Cal., favoring passage of bill for increased appropriations for adequate aid to navigation along our coast line; to the Committee on Interstate and Foreign Commerce.

By Mr. SELLS: Papers to accompany bill granting an increase of pension to William T. Higgins; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: Petitions of H. S. Gardner, St. Louis, Mo.; C. P. Nelson, Chicago, Ill.; and the American Game Protective and Propagation Association, New York, favoring the passage of the McLean bill for the Federal protection of all migratory birds; to the Committee on Agriculture.

Also, petitions of the American Laundry Machinery Co., Rochester, N. Y.; the American Manufacturing Concern, Falconer, N. Y.; Hogan & Son, New York; the New York Leather Belting Co., New York; and the Waterbury Felt Co., Skaneateles Falls, N. Y., favoring the passage of House bill 27567, for a 1-cent postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of the Navy League of the United States, Washington, D. C., favoring the passage of House bill 1309, for the establishment of a council of national defense; to the Committee on Naval Affairs.

Also, petition of the National Soil Fertility League, Chicago, Ill., favoring the passage of the Smith-Lever agriculture extension bill for the improvement of the agricultural industry; to the Committee on Agriculture.

By Mr. WILSON of New York: Petition of the Chamber of Commerce of Poughkeepsie, N. Y., favoring the passage of legislation for granting a Federal charter for the Chamber of Commerce of the United States of America; to the Committee on the Judiciary.

SENATE.

TUESDAY, *January 28, 1913.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULBERSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ELECTORS FOR PRESIDENT AND VICE PRESIDENT.

The PRESIDENT pro tempore (Mr. GALLINGER) laid before the Senate a communication from the Secretary of State, transmitting, pursuant to law, an authentic copy of the certificate of the final ascertainment of electors for President and Vice President appointed in the State of Wisconsin at the election held therein on November 5, 1912, which was ordered to be filed.

IMPRISONMENTS IN THE ARMY AND NAVY (S. DOC. NO. 1039).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 7th instant, certain information relative to the number of persons serving in the Army and Navy imprisoned during the year 1912, the terms of sentence, location and nature of places of incarceration, the nature of offenses, etc., which, on motion of Mr. WORKS, was, with the accompanying papers, referred to the Committee on Military Affairs and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a resolution adopted by members of the Monday Study Club, of Rock Island, Ill., against the transfer of the control of the national forests to the several States, which was referred to the Committee on Forest Reservations and the Protection of Game..

He also presented a resolution adopted by the Board of Trade of Springfield, Mass., favoring an appropriation for the improvement of the Connecticut River from Long Island Sound to Holyoke, in that State, which was referred to the Committee on Commerce.

Mr. WORKS presented a memorial of the Humboldt Chamber of Commerce, of Eureka, Cal., remonstrating against the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented a memorial of the congregation of the Seventh-day Adventist Church of Good Thunder, Minn., and a memorial of the congregation of the Seventh-day Adventist Church of Amboy, Minn., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. TOWNSEND presented memorials of the congregations of the Seventh-day Adventist Churches of Jackson, Houghton, and Greenville, all in the State of Michigan, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were ordered to lie on the table.

Mr. BRANDEGEE presented a petition of members of the Young People's Christian Endeavor Society of the South Congregational Church, of New Britain, Conn., praying for the passage of the so-called Kenyon red light injunction bill, which was ordered to lie on the table.

He also presented a memorial of the congregation of the Seventh-day Adventist Church of Willimantic, Conn., 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.

Mr. PERKINS presented a resolution adopted by the Chamber of Commerce of Corona, Cal., favoring the passage of the so-called agricultural extension bill, which was ordered to lie on the table.

He also presented a memorial of the congregation of the Seventh-day Adventist Church of Mountain View, Cal., 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 a memorial of the General Federation of Women's Clubs, remonstrating against transferring the control of the national forests to the several States, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented resolutions adopted by the Humboldt Chamber of Commerce, of Eureka, Cal., against the repeal of the oleomargarine law, which were referred to the Committee on Agriculture and Forestry.

PROOF OF SIGNATURES.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to which was referred the bill (H. R. 20102) relating to proof of signatures and handwriting, reported it with an amendment and submitted a report (No. 1162) thereon.

COURTS IN TEXAS.

Mr. CULBERSON. From the Committee on the Judiciary I report back favorably without amendment the bill (H. R. 24194) to create a new division of the western judicial district of Texas and to provide for terms of court at Pecos, Tex., and for other purposes, and I submit a report (No. 1161) thereon. I ask unanimous consent for the present consideration of the bill.

The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that the counties of Reeves, Ward, Martin, Reagan, Winkler, Ector, Gaines, Andrews, Upton, Midland, Loving, Jeff Davis, and Crane shall constitute a division of the western judicial district of Texas.