pearl station at the Panama Canal; to the Committee on the Library.

Also, petition of Commander C. J. Jones, of St. Louis Camp of the National Indian War Veterans, of St. Louis, Mo., favoring the passage of legislation granting pensions to veterans of the various Indian wars; to the Committee on Pensions.

Also, petition of the Henry Heil Chemical Co., St. Louis, Mo., favoring the passage of legislation for removing the tariff on earthenware and clay crucibles; to the Committee on Ways and Means.

Also, petition of the Missouri Game and Fish League, St. Louis, Mo., favoring the passage of the Weeks bill (H. R. 36) for granting Federal protection to migratory birds; to the Committee on Agriculture.

Also, petition of J. F. Imbs, St. Louis, Mo., relative to the prejudiced effect of the present tariff on the milling industry; to the Committee on Ways and Means.

Also, petition of the Eddy & Eddy Manufacturing Co. and the Roth-Homeyer Coffee Co., St. Louis, Mo., protesting against the passage of legislation for a reduction of duty on spices; to the Committee on Ways and Means.

Also, petition of the Italian Chamber of Commerce, New York, protesting against the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Steamboat Managers' Association, St. Louis, Mo., favoring the passage of bills (H. R. 19405, 19406, 19407) providing for an increase of salary to the members of the Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Association of Master Plumbers, the Moore-Jones Metal & Brass Co., the Wesco Supply Co., the Reinhard Grocer Co., the Bascom Wire & Paper Co., and the Lungstras Dyeing & Cleaning Co., of St. Louis, Mo., and H. T. Abernathy, Kansas City, Mo., 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 Farley Harvey Dry Goods Co., Boston, Mass.; Rev. T. N. Pelonbet, A. L. Goodrich, Horace Dutton, and Rev. William C. Gordon, Auburndale, Mass.; Olin F. Herrick, Boston, Mass.; and Arthur W. Kelly, Auburndale, Mass., all favoring the passage of House joint resolution 100—the anti-conquest resolution; to the Committee on Foreign Affairs.

By Mr. BATES: Petition of the Board of Trade of Erie, Pa., and School No. 17 of the school district of Erie, Pa., both favoring the passage of the McLean bill granting Federal protection to migratory birds; to the Committee on Agriculture.

Also, petition of L. E. White, A. W. McClintock, and James L. Swickard, Meadville, Pa., favoring the passage of the amended Kenyon bill for preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. DWIGHT: Petition of 3 citizens of Cortland, N. Y., favoring the passage of the Kenyon-Sheppard bill preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. DYER: Petition of the American Federation of Labor, Washington, D. C., favoring the passage of the Federal workingmen's compensation bill; to the Committee on the Judiciary.

Also, petition of the Missouri House of Representatives, in favor of the passage of legislation for Federal aid in the building of roads; to the Committee on the Post Office and Post Roads.

Also, petition of the International Reform Bureau (Inc.), favoring the passage of an amended bill to close the Panama-Pacific International Exposition on Sunday; to the Committee on Appropriations.

By Mr. FULLER: Petition of 33 citizens of Rockford, Ill., favoring the passage of the Webb-Sheppard bill (H. R. 17593) preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. HAYES: Petition of M. S. Wildman, Stanford University, Cal., favoring the passage of the Crawford-Sulzer bill providing for the calling of an international conference on the high cost of living; to the Committee on Foreign Affairs.

Also, petition of J. P. Pryor, Pacific Grove, Cal., 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 General Federation of Women's Clubs, protesting against the passage of any legislation tending to destroy the present system of national forest preservation; to the Committee on Agriculture.

Also, petition of David A. Curry, John S. Washburn, William Sells, jr., Palo Alto, Cal., favoring the passage of legislation granting 10-year concessions for camp sites in the Yosemite Valley; to the Committee on the Public Lands.

Also, petition of the Associated Societies of California, Berkeley, Cal., favoring the passage of the McLean bill granting Federal protection to migratory birds; to the Committee on Agriculture.

By Mr. McKELLAR: Papers to accompany bill for the relief of the deacons of the Missionary Baptist Church, of Toone, Tenn.; to the Committee on War Claims.

By Mr. KINDRED: Petition of openers and packers of the United States appraiser's stores, port of New York, favoring the passage of legislation for the increase of salary for the openers and packers of the United States, port of New York; to the Committee on Appropriations.

Also, petition of the Allied Printing Trades Council of Greater New York, protesting against the adoption of the amendment of the Bourne parcel-post bill, making it optional whether user shall send by mail 2 cents per pound or by freight 1 cent; to the Committee on the Post Office and Post Roads.

By Mr. LINDSAY: Petition of James S. Monroe & Co., Boston, Mass., and the Pratt Institute, Brooklyn, N. Y., favoring the passage of Senate bill 3, for granting Federal aid for vocational education; to the Committee on Agriculture.

Also, petition of the California Club, San Francisco, Cal., favoring the passage of legislation making sufficient appropriation for the suppression of the white-slave traffic; to the Committee on Appropriations.

By Mr. MOORE of Pennsylvania: Petition of the West Branch of the Young Men's Christian Association of Pennsylvania, favoring the passage of the Kenyon red-light injunction bill, to clean up Washington for inauguration; to the Committee on the District of Columbia.

By Mr. O'SHAUNESSY: 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.

By Mr. PRINCE: Petition of Rev. W. H. Wetter and others, of Farmington, Ill., favoring the passage of the Kenyon-Sheppard bill, preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. RAKER: Petition of Ernest T. Seton, Greenwich, Conn., favoring the passage of the McLean bill, for granting Federal protection to migratory birds; to the Committee on Agriculture.

By Mr. ROBERTS of Massachusetts: Petition of J. W. Hutchins and others, of Malden, Mass., favoring the passage of the Kenyon-Sheppard liquor bill, preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

Also, petition of J. W. Hutchens and others, favoring the passage of the Kenyon red-light injunction bill, to clean up Washington for the inauguration; to the Committee on the District of Columbia.

SENATE.

THURSDAY, *February 6, 1913.*

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

Mr. BACON took the chair as President pro tempore under the previous order of the Senate.

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

INTERSTATE SHIPMENT OF LIQUORS.

Mr. PAYNTER. Mr. President, yesterday I made an announcement that I would address the Senate at the close of the routine morning business to-day on Senate bill 4043, to prohibit interstate commerce in intoxicating liquors in certain cases; but the Senator from Ohio [Mr. BURTON] did not complete his speech yesterday, so I give notice that I will address the Senate to-morrow at that time, and will give way to the Senator from Ohio to finish his remarks to-day.

SENATOR FROM IDAHO.

Mr. BORAH. Mr. President, I present the credentials of JAMES H. BRADY, chosen by the Legislature of the State of Idaho a Senator from that State, and ask that they be read.

The PRESIDENT pro tempore. The credentials will be read.

The credentials of JAMES H. BRADY, chosen by the Legislature of the State of Idaho a Senator from that State for the remaining portion of the term of Hon. WELDON B. HEYBURN, deceased, ending March 4, 1915, were read and ordered to be filed.

Mr. BORAH. The Senator elect is in the Chamber and ready to take the oath of office.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The PRESIDENT pro tempore. The Senator elect will present himself at the desk for that purpose.

Mr. BRADY was escorted to the Vice President's desk by Mr. BORAH, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

SENATOR FROM RHODE ISLAND.

Mr. WETMORE. Mr. President, I present the credentials of LE BARON B. COLT, chosen by the General Assembly of the State of Rhode Island and Providence Plantations a Senator from that State for the term beginning March 4, 1913, and ask that they be read and filed.

The PRESIDENT pro tempore. The credentials will be read.

The credentials of LE BARON BRADFORD COLT, chosen by the Legislature of the State of Rhode Island a Senator from that State for the term beginning March 4, 1913, were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a memorial of sundry students of the Maplewood Academy, Maple Plain, Minn, 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. BRISTOW presented a petition of sundry citizens of Windom, Kans., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which was ordered to lie on the table.

Mr. MYERS presented a memorial of the congregation of the Seventh-day Adventist Church of Hamilton, Mont., 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. ASHURST presented a resolution adopted by the Chamber of Commerce of Prescott, Ariz., favoring a reduction of the rate of postage on first-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. ROOT presented a petition of the congregation of the Fifth Avenue Methodist Episcopal Church, of Troy, N. Y., and a petition of the Ministerial Circle of Classics of Rochester, N. Y., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which were ordered to lie on the table.

Mr. PERKINS presented resolutions adopted by the Chamber of Commerce of San Francisco, Cal., favoring the exemption from tolls of American coastwise ships passing through the Panama Canal, which were ordered to lie on the table.

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

REPORTS OF COMMITTEE ON PUBLIC LANDS.

Mr. JONES, from the Committee on Public Lands, to which was referred the bill (S. 2622) to authorize the city of Everett, Wash., to purchase certain lands for the securing, establishment, maintenance, and protection of a source of water supply for said city, reported it without amendment and submitted a report (No. 1192) thereon.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 6402) to authorize the issuance of absolute and unqualified patents to public lands in certain cases, reported it without amendment and submitted a report (No. 1193) thereon.

He also, from the same committee, to which was referred the bill (S. 7754) for the relief of Joseph Hodges, reported it with an amendment and submitted a report (No. 1194) thereon.

EMPLOYMENT OF STENOGRAPHER.

Mr. BRISTOW, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred S. Res. 446, submitted by himself on the 3d instant, reported favorably thereon, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay for a stenographer to a Senator who is not chairman of a committee, at $1,200 per annum, from February 3, 1913, to be paid from the contingent fund of the Senate until expiration of the present Congress.

BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. BRANDEGEE:

A bill (S. 8390) to provide for the erection of a public building at Seymour, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Michigan:

A bill (S. 8391) granting an honorable discharge to Henry S. Hunter; to the Committee on Military Affairs.

A bill (S. 8392) granting an increase of pension to Louisa M. Buchanan;

A bill (S. 8393) granting an increase of pension to Joseph Hadden;

A bill (S. 8394) granting a pension to Marcus W. Bates (with accompanying papers);

A bill (S. 8395) granting an increase of pension to Mineria Beeman (with accompanying papers); and

A bill (S. 8396) granting a pension to Isolina M. Forbes (with accompanying papers); to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 8397) granting an increase of pension to Otis Crawford (with accompanying papers); to the Committee on Pensions.

By Mr. NEWLANDS:

A bill (S. 8398) to amend an act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation and government of the Canal Zone," approved August 24, 1912; to the Committee on Interoceanic Canals.

A joint resolution (S. J. Res. 159) regarding the Panama Canal tolls; to the Committee on Interoceanic Canals.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. O'GORMAN submitted an amendment providing for the survey of the Upper Bay, with a view to improving the channel opposite anchorage grounds, New York Harbor, N. Y., 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. FLETCHER submitted an amendment proposing to appropriate $10,000 to collect, collate, and publish statistics relating to the turpentine and rosin industry, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. MARTINE of New Jersey submitted an amendment proposing to appropriate $45,000 for the improvement of Absecon Inlet, N. J., 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 (for Mr. BRIGGS) submitted an amendment providing for a survey of Raccoon Creek, N. J., 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. LODGE submitted an amendment providing for a preliminary examination and survey of Salem Harbor, Mass., 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.

Mr. BANKHEAD submitted an amendment providing that harbors within municipalities along the Mississippi River and on watercourses in connection therewith shall be improved by the Mississippi River Commission upon such municipality or municipalities paying one-half of the cost thereof to the commission, 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.

Mr. JONES submitted an amendment proposing to appropriate $30,000 for paving with sheet asphalt K Street north, between Washington Circle and the bridge at Twenty-eighth Street west, intended to be proposed by him to the District of Columbia appropriation bill, which was ordered to be printed and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. BACON submitted an amendment proposing to appropriate $8,000 for improving Fancy Bluff Creek, connecting Turtle River and Brunswick Harbor with Little Satilla River, Ga., 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.

DEPARTMENT OF LABOR.

Mr. BORAH. I desire to give notice that to-morrow after the close of the routine morning business I will ask the Senate to consider the bill (H. R. 22913) to create a department of labor.

COMMITTEE SERVICE.

Mr. GALLINGER submitted the following resolution, which was read, considered by unanimous consent, and agreed to:

Resolved, That Mr. BRADY be assigned to service on and to the chairmanship of the Committee on National Banks, and to service on the Committees on Agriculture and Forestry, Coast and Insular Survey, Expenditures in the Department of Commerce and Labor, and Military Affairs.

CHARLES H. ARBUCKLE AND BESSIE VON HARTEN.

Mr. BRISTOW submitted the following resolution (S. Res. 453), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, out of the contingent fund of the Senate, to Charles H. Arbuckle, who served as clerk to the Hon. Kirtland I. Perky, Senator from Idaho, from January 25 to February 6, 1913, the sum of $66.67, being at the rate of compensation now paid to clerks to Senators, and to Bessie Von Harten, who served as stenographer to Senator Perky for the same period, the sum of $40, being at the rate of compensation now paid to stenographers to Senators.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

Mr. OVERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from North Carolina suggests the absence of a quorum. The Secretary will proceed to call the roll.

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

Ashurst	Crawford	Lippitt	Smith, Ariz.
Bacon	Cummins	Lodge	Smith, Ga.
Bankhead	Curtis	McCumber	Smith, Mich.
Borah	Dillingham	Martin, Va.	Smith, S. C.
Bourne	Fletcher	Martine, N. J.	Smoot
Brady	Gallinger	Myers	Stephenson
Brandegee	Gamble	Nelson	Sutherland
Bristow	Gardner	O'Gorman	Thomas
Brown	Gronna	Oliver	Thornton
Burnham	Guggenheim	Overman	Tillman
Burton	Hitchcock	Page	Townsend
Catron	Jackson	Paynter	Webb
Chilton	Johnston, Ala.	Perkins	Wetmore
Clapp	Jones	Pomerene	Williams
Clark, Wyo.	Kavanaugh	Root	Works
Clarke, Ark.	Kenyon	Sheppard	
Crane	Lea	Simmons	

Mr. THORNTON. I desire to announce the necessary absence of my colleague [Mr. FOSTER] on account of serious illness in his family, and also that he is paired with the junior Senator from Wyoming [Mr. WARREN]. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Upon the call of the roll of the Senate 66 Senators have responded to their names, and a quorum of the Senate is present. The Senator from Massachusetts moves that the Senate proceed to the consideration of executive business. [Putting the question.] The noes appear to have it.

Mr. McCUMBER and Mr. SMOOT called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. For the day I transfer that pair to the junior Senator from Nevada [Mr. MASSEY] and will vote. I vote "yea."

Mr. GALLINGER (when Mr. CULLOM's name was called). I beg to announce that the Senator from Illinois [Mr. CULLOM] is detained from the Chamber by illness.

Mr. SMITH of Michigan (when his name was called). I am paired with the junior Senator from Missouri [Mr. REED]. I transfer that pair to the Senator from New Mexico [Mr. FALL] and will vote. I vote "yea." I desire this announcement to stand for the day.

Mr. SMITH of South Carolina (when his name was called). I have a pair with the Senator from Delaware [Mr. RICHARDSON]. I transfer that pair to the Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Oklahoma [Mr. GORE] and will vote. I vote "nay."

The roll call was concluded.

Mr. CHILTON. I desire to transfer my pair with the Senator from Illinois [Mr. CULLOM] to the Senator from Oklahoma [Mr. OWEN] and to vote. I vote "nay."

While I am on my feet I wish to announce the pair of my colleague [Mr. WATSON] with the Senator from New Jersey [Mr. BRIGGS]. I ask that this announcement may stand for the day.

Mr. CULBERSON. I inquire if the Senator from Delaware [Mr. DU PONT] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. CULBERSON. I transfer my general pair with that Senator to the Senator from Maryland [Mr. SMITH] and will vote. I vote "nay."

Mr. HITCHCOCK. I desire to announce that the junior Senator from Indiana [Mr. KERN] is absent from the Chamber on public business, and is paired with the Senator from Kentucky [Mr. BRADLEY].

Mr. SMOOT. I desire to announce that the Senator from New York [Mr. ROOT] is paired with the Senator from Indiana [Mr. SHIVELY]. The Senator from New York is unavoidably detained from the Senate.

Mr. OLIVER (after having voted in the affirmative). I inquire if the junior Senator from Oregon [Mr. CHAMBERLAIN] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. OLIVER. I have a general pair with that Senator, and I therefore withdraw my vote.

I wish to announce that my colleague [Mr. PENROSE] is detained from the Chamber on account of illness.

The result was announced—yeas 36, nays 34, as follows:

YEAS—36.

Borah	Clark, Wyo.	Guggenheim	Page
Bourne	Crane	Jackson	Perkins
Brady	Crawford	Jones	Smith, Mich.
Brandegee	Cummins	Kenyon	Smoot
Brown	Curtis	Lippitt	Stephenson
Burnham	Dillingham	Lodge	Sutherland
Burton	Gallinger	McCumber	Townsend
Catron	Gamble	McLean	Wetmore
Clapp	Gronna	Nelson	Works

NAYS—34.

Ashurst	Gardner	O'Gorman	Smith, S. C.
Bacon	Hitchcock	Overman	Swanson
Bankhead	Johnson, Me.	Paynter	Thomas
Bristow	Johnston, Ala.	Poindexter	Thornton
Bryan	Kavanaugh	Pomerene	Tillman
Chilton	Lea	Sheppard	Webb
Clarke, Ark.	Martin, Va.	Simmons	Williams
Culberson	Martine, N. J.	Smith, Ariz.	
Fletcher	Myers	Smith, Ga.	

NOT VOTING—25.

Bradley	Foster	Owen	Smith, Md.
Briggs	Gore	Penrose	Stone
Chamberlain	Kern	Percy	Warren
Cullom	La Follette	Reed	Watson
Dixon	Massey	Richardson	
du Pont	Newlands	Root	
Fall	Oliver	Shively	

So the motion was agreed to, and the Senate proceeded to the consideration of executive business. After four hours spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 7, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 6, 1913.

PROMOTION IN THE ARMY.

INFANTRY ARM.

Second Lieut. Edwin C. McNeil, Fourteenth Infantry, to be first lieutenant from February 4, 1913, vice First Lieut. Calvert L. Davenport, Nineteenth Infantry, retired from active service February 3, 1913.

APPOINTMENTS IN THE NAVY.

TO BE ASSISTANT SURGEONS IN THE MEDICAL RESERVE CORPS FROM THE DATES SET OPPOSITE THEIR NAMES.

J. Forrest Burnham, citizen of Massachusetts, January 23, 1913.

Adolphus B. Bennett, citizen of District of Columbia, January 25, 1913.

Charles A. Simpson, citizen of District of Columbia, January 25, 1913.

William S. Bainbridge, citizen of New York, January 25, 1913.

Homer G. Fuller, citizen of District of Columbia, January 27, 1913.

Louis C. Lehr, citizen of Maryland, January 27, 1913.

James J. Richardson, citizen of District of Columbia, January 31, 1913.

William G. Morgan, citizen of District of Columbia, January 31, 1913.

PROMOTIONS IN THE NAVY.

Pharmacist Oscar G. Ruge to be a chief pharmacist in the Navy from the 15th day of January, 1913, upon the completion of six years' service, in accordance with a provision contained in an act of Congress approved August 22, 1912.

Arthur H. Turner, a citizen of Pennsylvania, to be a second lieutenant in the Marine Corps from the 30th day of January, 1913, to fill a vacancy.

POSTMASTERS.

ALABAMA.

William Wagner to be postmaster at Atmore, Ala., in place of William Wagner. Incumbent's commission expired December 16, 1912.

CALIFORNIA.

George B. Hannahs to be postmaster at San Jacinto, Cal., in place of George B. Hannahs. Incumbent's commission expires February 20, 1913.

Peter J. McFarlane to be postmaster at Tehachapi, Cal., in place of Peter J. McFarlane. Incumbent's commission expired January 22, 1913.

DELAWARE.

John R. Black to be postmaster at Milton, Del., in place of John R. Black. Incumbent's commission expired December 17, 1912.

Irwin M. Chipman to be postmaster at Seaford, Del., in place of Irwin M. Chipman. Incumbent's commission expired January 18, 1913.

Frank F. Davis to be postmaster at Laurel, Del., in place of Frank F. Davis. Incumbent's commission expired December 16, 1912.

Thomas Jefferson to be postmaster at Smyrna, Del., in place of Thomas Jefferson. Incumbent's commission expired January 9, 1912.

George W. Vantine to be postmaster at New Castle, Del., in place of George W. Vantine. Incumbent's commission expired May 27, 1912.

IDAHO.

Ferdinand Beckman to be postmaster at Troy, Idaho, in place of Ferdinand Beckman. Incumbent's commission expired January 22, 1913.

ILLINOIS.

F. E. Herold to be postmaster at Hamilton, Ill., in place of F. E. Herold. Incumbent's commission expires February 9, 1913.

IOWA.

Levi M. Black to be postmaster at Ireton, Iowa, in place of Levi M. Black. Incumbent's commission expired January 24, 1909.

MISSISSIPPI.

R. D. Porter to be postmaster at Tupelo, Miss., in place of Dozier Anderson. Incumbent's commission expired December 16, 1912.

OHIO.

Elmer L. Godwin to be postmaster at West Mansfield, Ohio, in place of Elmer L. Godwin. Incumbent's commission expired May 16, 1912.

TEXAS.

Richard L. Coleman to be postmaster at Rusk, Tex., in place of Richard L. Coleman. Incumbent's commission expired January 27, 1913.

Charles M. Diller to be postmaster at Alto, Tex., in place of Charles M. Diller. Incumbent's commission expired January 27, 1913.

VERMONT.

Henry S. Webster to be postmaster at Orleans, Vt., in place of Henry S. Webster. Incumbent's commission expired January 11, 1913.

WEST VIRGINIA.

Joseph Williams to be postmaster at St. Marys, W. Va., in place of Joseph Williams. Incumbent's commission expired January 6, 1913.

WISCONSIN.

Thomas Gander to be postmaster at Soldiers Grove, Wis., in place of Thomas Gander. Incumbent's commission expires March 1, 1913.

James E. Harris to be postmaster at Prairie du Chien, Wis., in place of James E. Harris. Incumbent's commission expires March 2, 1913.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 6, 1913.*

The House met at 12 o'clock noon.

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

Eternal God our heavenly Father, the same yesterday, to-day, and forever, help us with renewed confidence in Thee and in the gifts Thou hast bestowed upon us, to go forward to the tasks of the new day that we may work out our own salvation with fear and trembling, assured that it is God which worketh in us both to will and to do of His good pleasure. And Thine be the praise through Jesus Christ our Lord. Amen.

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

COLORADO SPRINGS AND MANITOU WATER SUPPLY.

The SPEAKER laid before the House the bill H. R. 23293, an act for the protection of the water supply of the city of Colorado Springs and the town of Manitou, Colo., with Senate amendments.

The Senate amendments were read.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the House disagree to the Senate amendments and ask for a conference.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. FERRIS, Mr. GRAHAM, and Mr. VOLSTEAD.

AGRICULTURAL EXTENSION DEPARTMENTS.

The SPEAKER laid before the House the bill H. R. 22871, an act to establish agricultural extension departments in connection with agricultural colleges in the several States receiving the benefit of an act of Congress approved July 2, 1862, and of acts supplementary thereto, with a Senate amendment.

Mr. LEVER. Mr. Speaker, I ask unanimous consent to disagree to the Senate amendment and ask for a conference.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to disagree to the Senate amendment and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. LAMB, Mr. LEVER, and Mr. HAUGEN.

COMBINATIONS IN RESTRAINT OF TRADE, WITH REFERENCE TO IMPORTATIONS.

The SPEAKER laid before the House the bill (H. R. 25002, an act to amend section 73 and section 76 of the act of August 27, 1894, with Senate amendments.

The Senate amendments were read.

Mr. NORRIS. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

HEIRS OF SAMUEL SCHIFFER.

The SPEAKER laid before the House the bill H. R. 8861, an act for the relief of the legal representatives of Samuel Schiffer, with a Senate amendment.

The Senate amendment was read.

The SPEAKER. Is there objection to the present consideration of the amendment?

Mr. SHERLEY. Mr. Speaker, I would like to have some explanation by the gentleman.

The SPEAKER. The gentleman from Kentucky reserves the right to object, and asks for an explanation.

Mr. MORSE of Wisconsin. Mr. Speaker, this is a bill for the relief of the heirs of Samuel Schiffer, passed by the House unanimously a little while ago. It comes from the Committee on War Claims. The Senate amended the bill. As it passed the House it carried a direct appropriation of $62,158.34. The Senate amended the bill by referring it to the Court of Claims and giving the court authority to try the case and enter judgment. Now I desire to move to concur in the Senate amendment with an amendment, and the amendment I propose is simply to provide that in no event shall the judgment rendered exceed the sum of $62,158.34, the amount in the House bill.

The SPEAKER. Is there objection?

Mr. ANTHONY. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman what committee that came from in the Senate?

Mr. MORSE of Wisconsin. The Senate Committee on Claims.

Mr. ANTHONY. Is it a fact that the Committee on Claims in the Senate is holding up bills sent over from the House?

Mr. MORSE of Wisconsin. This is a House bill.

Mr. ANTHONY. Are there any Senate bills included in it?

Mr. MORSE of Wisconsin. No; it is purely a House bill.

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

Mr. MORSE of Wisconsin. Mr. Speaker, I move that the House concur in the Senate amendment with an amendment which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Add at the end of the Senate amendment the following: "*Provided, however,* That in no event shall the judgment rendered in said cause, if any, exceed the sum of $62,150.34, and the amount of such, if any, when paid to the claimants shall be received by them in full settlement and satisfaction of all claims."

The SPEAKER. The question is on the motion of the gentleman from Wisconsin to concur in the Senate amendment with the amendment which the Clerk has just reported.

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

STANDING ROCK INDIAN RESERVATION, NORTH AND SOUTH DAKOTA.

Mr. STEPHENS of Texas. Mr. Speaker, I call up the conference report on the bill (S. 109) to authorize the sale and disposition of the surplus and unallotted lands in the Standing Rock Indian Reservation, in the States of South Dakota and North Dakota, and making appropriations and provisions to carry the same into effect, and I move to agree to the same. I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Texas calls up a conference report and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report is as follows:

CONFERENCE REPORT (NO. 1430).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 109) to authorize the sale and disposition of the surplus and unallotted lands in the Standing Rock Indian Reservation, in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect, 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 the following amendments:

Page 3 of the amendment, line 21, after the word "said" strike out the word "reservations" and insert in lieu thereof the word "reservation."

Page 6 of the amendment, line 4, after the word "entry" strike out the word "six" and insert in lieu thereof the word "five."

Page 6 of the amendment, line 8, strike out the first two words of said line, to wit, "four dollars," and insert in lieu thereof the words "three dollars and fifty cents," and the House agree to the same.

JNO. H. STEPHENS,
SCOTT FERRIS,
CHAS. H. BURKE,
Managers on the part of the House.
MOSES E. CLAPP,
PORTER J. MCCUMBER,
HENRY F. ASHURST,
Managers on the part of the Senate.

The Clerk read the statement as follows:

STATEMENT.

The amendments agreed to in conference are: Changing the word "reservations," in section 2 of the amendment, page 3, line 21, to "reservation"; and in section 4, page 6, line 4, the price of the land is reduced from $6 to $5 per acre; and in line 8 of same page, reducing the price of the land from $4 to $3.50 per acre.

JNO. H. STEPHENS,
SCOTT FERRIS,
CHAS. H. BURKE,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

FREDERICK H. FERRIS.

The SPEAKER laid before the House the bill (H. R. 21524) for the relief of Frederick H. Ferris, with a Senate amendment thereto.

The Clerk read the Senate amendment.

Mr. MANN. Mr. Speaker, at the request of my colleague [Mr. PRINCE], who has charge of the bill, I move to concur in the Senate amendment.

The motion was agreed to.

REPRINT OF A SPEECH.

Mr. SAUNDERS. Mr. Speaker, I ask unanimous consent that the remarks I have printed this morning in relation to the District bill be reprinted to-morrow, as the printer seems to have gotten the copy confused.

The SPEAKER. The gentleman from Virginia asks unanimous consent to have his speech on the District of Columbia bill reprinted and corrected. Is there objection?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. BURLESON. 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. 28499, the District of Columbia 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 bill H. R. 28499, the District of Columbia appropriation bill, with Mr. RODDENBERY in the chair.

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

The CHAIRMAN. Will the gentleman from Kentucky please state to what page and line this amendment is offered?

Mr. JOHNSON of Kentucky. Mr. Chairman, it is not important to what page or line it is offered. It is relative to the sinking fund and interest. It might be well that the amendment go at the foot of page 67, where that item was stricken from the original bill.

Mr. BURLESON. Mr. Chairman, the amendment can be offered just as well on page 98, before line 1.

Mr. JOHNSON of Kentucky. Very well.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 98, by inserting before line 1 the following:

"INTEREST AND SINKING FUND.

"And there is hereby appropriated out of the proportional sum which the United States may contribute toward the expenses of the District of Columbia, in pursuance of the act of Congress approved June 11, 1878, for the fiscal year ending June 30, 1879, and annually thereafter, such sums as will, with the interest thereon at the rate of 3.65 per cent per annum, be sufficient to pay the principal of the 3.65 bonds of the District of Columbia issued under the act of Congress approved June 20, 1874, at maturity, which said sums the Secretary of the Treasury shall annually invest in said bonds at not exceeding the par value thereof, and all bonds so redeemed shall cease to bear interest and shall be canceled and destroyed in the same manner that United States bonds are canceled and destroyed. (Vol. 20, p. 410, U. S. Stat.)

"Hereafter the Secretary of the Treasury shall pay the interest on the 3.65 bonds of the District of Columbia issued in pursuance of the act of Congress approved June 20, 1874, when the same shall become due and payable, and all moneys so paid shall be credited as a part of the appropriaton for the year by the United States toward the expenses of the District of Columbia as hereinbefore provided. (Vol. 20, p. 105, U. S. Stat.)

"For the purpose of meeting the payment of interest and for the purpose of providing for said sinking fund the sum of $975,408, or so much thereof as may be necessary, is hereby appropriated (from the respective funds described in the two acts of Congress above set out), to be charged against the revenues of the District of Columbia, derived from taxes levied and assessed upon the taxable property and privileges of the District of Columbia for the fiscal year ending June 30, 1914."

Mr. BURLESON. Mr. Chairman, upon the amendment I reserve the point of order.

The CHAIRMAN. The gentleman from Texas reserves a point of order upon the amendment offered by the gentleman from Kentucky.

Mr. JOHNSON of Kentucky. Mr. Chairman, I would like to discuss the amendment for just a moment.

The CHAIRMAN. The Chair will inquire of the gentleman from Kentucky if he has a copy of the amendment?

Mr. JOHNSON of Kentucky. No; I did not have one made; I wish I had. Mr. Chairman, the original bill——

The CHAIRMAN. The Chair may possibly exceed the customary exercise of authority that exists or does not exist, but he could not gather the full significance of the somewhat lengthy amendment as read by the gentleman. This is an important matter; a point of order is reserved against it, and if it could be temporarily passed until a copy can be made so members of the committee in charge of the bill and the Chair could have it before them at the time it is under discussion, it seems to the Chair that the Chair and the committee may possibly reach a more correct and speedy conclusion of the matter——

Mr. BURLESON. Mr. Chairman, I will ask unanimous consent that we may conclude the reading of the bill and take up the amendment offered by the gentleman from Kentucky later.

Mr. JOHNSON of Kentucky. Mr. Chairman, I can explain the matter in a very few minutes.

Mr. SAUNDERS. Mr. Chairman, I was going to suggest this in connection with the suggestion of the Chair, and that is instead of having one copy made several copies may be made, so that in connection with the argument on the amendment offered by the gentleman from Kentucky the Chair might have one copy, we might have one copy, and the gentleman from Kentucky one copy. It is only a matter of a few minutes.

Mr. JOHNSON of Kentucky. In a few minutes I can explain what the amendment is to the Chair and anybody else.

Mr. SAUNDERS. But the Chair can not have it, and we want it in connection with our argument.

The CHAIRMAN. The Chair desires to make no innovation, but the Chair is of the opinion that when an important, lengthy amendment is proposed and gentlemen are in doubt as to its wisdom, either as to being proper legislation or as to its being in order, if there is not some reason to the contrary, as a matter of expeditious practice Members of the House interested in it should have convenient access to the text of the matter. It prevents controversy which, we observe, continually arises on the floor of the House or the Committee of the Whole because gentlemen do not fully grasp what the propounders seek, nor can they at all times comprehend and grasp the argument. It tends to cause delay and may be calculated to produce an erroneous ruling thereon. The Chair not only takes the liberty of making this statement in reference to the pending amendment, but likewise to other amendments that are lengthy in their nature and important in their character. The Chair will entertain the request of the gentleman from Texas.

Mr. BURLESON. Mr. Chairman, I ask unanimous consent that we may conclude the reading of the bill and action on such other small amendments that we propose to offer to perfect the bill, and in the meantime the amendment offered by the gentleman from Kentucky may be considered as pending at the point at which it has been offered.

The CHAIRMAN. Is there objection?

Mr. JOHNSON of Kentucky. What is considered as offered?

Mr. MANN. The gentleman's amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the amendment offered by the gentleman from Kentucky may be considered as pending.

Mr. MANN. And the point of order reserved.

The CHAIRMAN. The point of order being reserved thereon and that the same may be taken up for consideration when the reading of the bill shall have been completed. Is there objection?

Mr. BURLESON. And action on certain small amendments.

The CHAIRMAN. Is there objection? [After a pause.] It is so ordered, and the Clerk will read.

Mr. JOHNSON of Kentucky. Mr. Chairman, I believe the main object of the present unprecedented delay is to have some copies made of the amendment which I offered. I take it for granted that it is desired in order to facilitate matters that the clerical force of the House copy this and have it brought right up.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 7. That all laws and parts of laws to the extent that they are inconsistent with this act are repealed.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make the point of order upon section 7 of the bill because it is legislation.

Mr. BURLESON. Mr. Chairman, I will state to the gentleman from Kentucky that that section is placed there for the protection of the Government.

Mr. MANN. It ought to go out.

Mr. JOHNSON of Kentucky. Notwithstanding, Mr. Chairman, I make the point of order.

Mr. BURLESON. Well, it undoubtedly is legislation, although it has been carried in every appropriation act——

Mr. JOHNSON of Kentucky. It went out on the point of order last year.

Mr. BURLESON (continuing). With the exception of last year, for 30 years.

Mr. JOHNSON of Kentucky. Will the gentleman concede the point of order?

Mr. BURLESON. I concede it is subject to a point of order.

The CHAIRMAN. The gentleman from Kentucky [Mr. JOHNSON] makes a point of order on the paragraph, and the point of order is conceded by the gentleman from Texas [Mr. BURLESON], in charge of the bill, and therefore the point of order is sustained.

Mr. BURLESON. Mr. Chairman, I ask unanimous consent to return to page 19, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to return to page 19 of the bill, for the purpose of offering an amendment. Is there objection?

Mr. MANN. Reserving the right to object, what is the amendment?

Mr. BURLESON. On page 19, line 6, after the second word, "materials," insert the words "other than fuel."

Mr. MANN. All right.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 19, line 6, by inserting after the word "material," where it occurs the second time, the words "other than fuel."

Mr. BURLESON. With a comma before the word "other."

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

The amendment was agreed to.

Mr. BURLESON. Now, Mr. Chairman, I ask to return to page 31, for the purpose of offering an amendment to an item that was passed.

Mr. JOHNSON of Kentucky. Reserving the right to object, I wish to hear what it is.

The CHAIRMAN. The gentleman from Texas [Mr. BURLESON] asks unanimous consent to return to page 31 for the purpose of offering an amendment, and the gentleman from Kentucky [Mr. JOHNSON] reserves the right to object until the amendment is reported.

Mr. BURLESON. The amendment is to restore the lines at the top of page 31 that went out on a point of order, with this addition:

Provided, That there shall be paid to the United States from the revenues of the District of Columbia the value of said lands so transferred, and for that purpose the sum of $2,818.50 is appropriated, to be paid wholly out of the revenues of the District of Columbia.

Mr. JOHNSON of Kentucky. I do not object to that.

The CHAIRMAN. The Clerk will report the amendment.

Mr. MANN. The question is on getting permission to return.

Mr. BURLESON. I will state to the gentleman from Illinois that this is a plat of ground that was to be used as an abutment to the bridge that is provided for, and the gentleman from Kentucky [Mr. JOHNSON] said he would have no objection to it provided the District government paid for the plat of ground. I have in my hand a statement from the assessor showing the value of the ground.

Mr. MANN. Do pages 29 and 30 remain in the bill?

Mr. BURLESON. They remain in the bill.

Mr. MANN. I do not object.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Reinsert lines 1 to 6, inclusive, on page 31, as follows:

"And the Chief of Engineers, United States Army, is authorized and directed to transfer to the Commissioners of the District of Columbia the land under his jurisdiction in square 1194 which is necessary, in the judgment of said commissioners, for the construction of the aforesaid bridge and approaches."

With the following proviso:

Provided, That there shall be paid to the United States from the revenues of the District of Columbia the value of said lands so transferred, and for that purpose the sum of $2,818.50 is appropriated, to be paid wholly out of the revenues of the District of Columbia.

Mr. MANN. Mr. Chairman, I reserve a point of order on the amendment. As I understand now, the paragraph relating to the bridge, on pages 29 and 30, remains in the bill.

Mr. BURLESON. In the bill?

Mr. MANN. I understood a moment ago that they were stricken out.

Mr. BURLESON. No, sir; they remain in the bill.

Mr. JOHNSON of Kentucky. My understanding is that pages 29 and 30 went out on a point of order.

Mr. BURLESON. No; there was no point of order directed against those items.

Mr. JOHNSON of Kentucky. The gentleman is right about that. I intended to, and afterwards changed my mind in regard to it.

Mr. MANN. Now is it proposed to have the District to pay out of its own revenues the expense of acquiring the land for this abutment?

Mr. BURLESON. That is the proposition.

Mr. MANN. That is contrary to the half-and-half principle.

Mr. BURLESON. It is. But I want to say to the gentleman from Illinois [Mr. MANN] that we are dealing with this suggestion as we found it. This is the abutment for the bridge.

Mr. MANN. Yes.

Mr. BURLESON. It is a small matter. The entire cost of the two lots is $2,815.50.

Mr. MANN. But it goes along toward establishing a principle which is violative of what some of us believe ought to be

maintained as the practice of the House to follow the organic act.

Mr. BURLESON. Oh, there are a number of items in the bill that are not in accordance with the organic act.

Mr. MANN. Oh, there are a few items in the bill, including the playgrounds item, although I was not willing to have it that way when it was established. I am not willing to put on the District of Columbia the entire payment of the cost of any portion of the construction of a bridge in the District of Columbia.

Mr. BURLESON. This is no part of the construction of the bridge.

Mr. MANN. I understand. It is to acquire land on which to place an abutment. I think that is part of the cost of the construction of the bridge; but it is neither here nor there which it is. I shall make the point of order.

Mr. BURLESON. That it is new legislation?

Mr. MANN. That it is legislation. It is all legislation.

Mr. BURLESON. I would state to the gentleman from Illinois that this plat of ground is absolutely necessary if the bridge is to be constructed.

Mr. MANN. I think the bridge ought to be constructed; I will assume that it ought to be constructed. I do not have knowledge on that subject. And I assume that for the construction of a bridge an abutment is necessary, and that for the construction of an abutment the land is necessary, just as necessary as to have police and fire protection in the District of Columbia.

The CHAIRMAN. The Chair desires to ask the gentleman from Illinois if he understood him correctly in maintaining that for the construction of a bridge the abutment is necessary, and for the construction of an abutment an authorization is necessary?

Mr. MANN. Yes. This is pure legislation, authorizing the transfer of land owned by the Government to the District of Columbia. It is clearly legislation.

Mr. BURLESON. I admit that it is legislation, but I sincerely hope that the gentleman from Illinois will not make the point, because it is very important and necessary that this bridge should be constructed.

Mr. MANN. Admitting that that is all true, it is also important that the Government should preserve its proper relation to the District of Columbia, and any expense that is necessary and required in the District of Columbia ought to be paid on the same principle. We need a fire department; we need a police department; we need many things in the District of Columbia. The gentleman might argue with equal force that they should be paid for wholly out of the revenues of the District of Columbia. I think it is to the interest of the Government to maintain the relationship under which we control, through Congress, the government of the District of Columbia, and pay one-half of the public expense of the maintenance of this city. Without that provision the city would not be respectable to live in nor would we have the same pride in it that we have now. I am not willing to assist toward the reversal of that policy by unanimous consent.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] makes the point of order against the amendment because it contains legislation not authorized by law. The Chair sustains the point of order.

Mr. BURLESON. I concede that the point of order is well taken.

Mr. Chairman, I ask unanimous consent to return to page 5 for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Texas [Mr. BURLESON] asks unanimous consent to return to page 5 for the purpose of offering an amendment. Is there objection?

Mr. JOHNSON of Kentucky. Reserving the right to object, Mr. Chairman, I wish to ascertain the purpose.

Mr. BURLESON. It was a matter that was passed by agreement, with a point of order pending against it, on account of the words "and $500 additional as chairman of the excise and personal-tax boards," beginning in line 1 of page 5. The point of order was reserved against that by the gentleman from Kentucky [Mr. JOHNSON], and we agreed to pass it over until we could make an investigation of the matter.

I concede that it is subject to a point of order, but I will say to the gentleman from Kentucky that after the duties of the assessor had been defined by certain acts of Congress additional burdens were imposed upon him when these two boards—the excise board and the personal-tax board—were created by law; and inasmuch as these duties were imposed upon the assessor the District commissioners recommended $500 additional compensation to cover his services in connection with his duties as chairman of these two boards. It has been carried in the bill for a number of years. It is true that there is no specific authorization of law for this compensation, yet the acts creating the excise board and the personal-tax board did not say that this service should be rendered without additional compensation. And inasmuch as the duties imposed upon him were onerous in their character we thought it was only just and proper that this additional compensation should be allowed him. For that reason, I ask the gentleman not to insist on the point of order.

Mr. JOHNSON of Kentucky. Mr. Chairman, when the assessor was made chairman of the excise board his duties were not increased. Instead, his duties were decreased, because the number of assessors was increased, and so was the number of clerks increased, to do the additional work. Heretofore, up to this time, I have reserved the point of order. I now make the point of order.

Mr. BURLESON. I will state that the gentleman is wholly mistaken about his facts.

Mr. CANNON. If this transaction was between him and myself and I was the party who opposed what is claimed to be the additional duties, does not the gentleman think he could recover under the common counts on a quantum meruit against me?

Mr. JOHNSON of Kentucky. I do not think it amounts to that, Mr. Chairman. The fact still remains that when additional duties were imposed upon the board of assessors abundant help was given to them because of that additional imposition of duty. Therefore I now make the point of order.

Mr. BURLESON. But the gentleman overlooks the fact that there were certain duties imposed upon the assessor by reason of his connection with these boards. I concede that this is subject to the point of order.

Mr. DYER. Regular order!

The CHAIRMAN. The gentleman from Kentucky makes a point of order against the following words, on page 5, beginning in line 1:

And $500 additional as chairman of the excise and personal-tax board.

The point of order is conceded, and it is therefore sustained.

Mr. BURLESON. Mr. Chairman, I ask unanimous consent that the Clerk may be permitted to correct the totals where they are changed by the operation of points of order and any amendments that have been adopted to the bill.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the Clerk be allowed to correct the totals as they appear in the original bill, which totals have been altered by reason of divers and sundry rulings sustaining points of order and the adoption of amendments. Is there objection?

There was no objection.

Mr. BURLESON. On page 16, line 20, I move to strike out the word "of" and insert the word "or." It is a typographical error.

The CHAIRMAN. Which word "of"?

Mr. BURLESON. The first one, before the word "livery."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 16, line 20, by striking out the word "of," after the word "hire," and inserting the word "or."

Mr. MANN. It will then read "hire or livery"?

Mr. BURLESON. That is exactly what it is intended to be.

Mr. MANN. I think it means what is says—"hire of livery."

Mr. BURLESON. No; it is "hire or livery." It has been carried in the bill in that way for many years. You may hire a horse, or you may pay for the livery of a horse, and the latter is the purpose of it.

Mr. MANN. When you hire a horse you pay for the livery of it. I do not care how it is printed. It is correct as it is.

Mr. BURLESON. If the officer owns a horse and puts him in a stable, the Government intends to pay the livery charge. That is what is meant by the livery of a horse.

The amendment was agreed to.

Mr. BURLESON. That finishes the bill.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to return to page 24, in order to ask that the gentleman from Kentucky [Mr. JOHNSON] withdraw his point of order against a paragraph changing the designation of a block on Twentieth Street.

The CHAIRMAN. The gentleman asks unanimous consent to recur to page 24 for the purpose stated. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, while the bill was under consideration a few days ago the gentleman from Kentucky made a point of order against lines 11 to 18, inclusive, on page 24. The language referred to changes the designation of two blocks on Twentieth Street. One of the blocks—3300, Twentieth

Street—is to be called Park Road. Block 2200 is to be called Walbridge Place. The last-named block is entirely unimproved. The first-named block is, in fact, the first block of Park Road. Its being called Twentieth Street probably resulted from the fact that for a considerable length of time the part of Park Road entering the park was not improved. When it came to be improved and slightly changed in locality for some reason or other, difficult to understand, it was not called Park Road but Twentieth Street. It is, in fact, the only part of this old road, nearly a mile long, that is not called Park Road. It is the first block of the street as it leaves the park from which it derives its name. I think the gentleman from Kentucky did not understand the situation when he made the point of order, and my understanding is that he desires to withdraw it.

Mr. JOHNSON of Kentucky. Mr. Chairman, I ask unanimous consent to return to page 24, lines 11 to 18, inclusive.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to recur to page 24, lines 11 to 18, inclusive. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. Mr. Chairman, I ask unanimous consent to withdraw the point of order lodged against the provision in lines 11 to 18 in the bill.

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

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DYER. During the reading of the bill there was an amendment, which I offered, that was passed over by unanimous consent. It was an amendment to the paragraph on page 64, pertaining to the Tuberculosis Hospital. The gentleman from Texas reserved a point of order on the amendment, and I take it that we should return to it for the purpose of disposing of it.

Mr. BURLESON. I made the point of order.

Mr. DYER. I think the gentleman reserved it because the matter was passed over by unanimous consent.

Mr. BURLESON. The statement of the gentleman from Missouri does not accord with my recollection. As I recollect it, the gentleman from Missouri offered an amendment to which I made a point of order, and it was sustained by the Chair.

Mr. DYER. I think the gentleman is mistaken. It is an amendment to insert a provision with reference to the Tuberculosis Hospital at the end of the section on page 64, putting the hospital under the direction of the board of health, because of its being a contagious hospital.

The CHAIRMAN. What is the request of the gentleman from Missouri?

Mr. DYER. I make the motion that the amendment I presented be adopted.

Mr. BURLESON. According to my recollection, the point of order was made against the amendment and the point of order was sustained.

The CHAIRMAN. The Chair will state that before the motion can be entertained it is his impression that unanimous consent should be had to recur to the page to which the gentleman refers.

Mr. DYER. Then I ask unanimous consent.

Mr. MANN: But, Mr. Chairman, if the amendment was offered and the point of order was reserved and passed over by unanimous consent it would not require unanimous consent to return to it. But the gentlemen do not agree as to what the fact is.

The CHAIRMAN. The Chair will state that the following amendment was offered by the gentleman from Missouri when the bill was being read in its order:

Add, at the end of line 23, page 64, the following:
"*Provided*, That hereafter the Tuberculosis Hospital shall be under the direction and control of the health department."

I am advised by the reading clerk that a point of order was made against the amendment and the Chair sustained the point of order.

Mr. DYER. My recollection is that the point of order was not sustained.

The CHAIRMAN. The Chair will correct the statement he has just made. He is advised by the reading clerk that the point of order was made against the paragraph to which the amendment was offered, and that the point of order to the paragraph was sustained.

Mr. BURKE of Pennsylvania. Mr. Chairman, if the Chair will indulge me, the RECORD shows, on page 2551, the following:

Mr. DYER. Mr. Chairman, I desire to offer an amendment which I send to the Clerk's desk. First, I desire to submit a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. DYER. While the point of order is pending here to this paragraph is it in order to offer this amendment?
The CHAIRMAN. It is in order to offer amendments and have them read and remain pending, subject to such disposition as may be made of the point of order.
Mr. DYER. Very well. I offer the amendment.
The Clerk read as follows:
"Add, at the end of line 23, page 64, the following: '*Provided*, That hereafter the Tuberculosis Hospital shall be under the direction and control of the health department.'"
Mr. BURLESON. Mr. Chairman, to that I reserve the point of order.
The CHAIRMAN. The gentleman from Texas reserves the point of order to the amendment, which will be pending, and the Clerk will read.

Then they proceeded to dispose of the other parts of the bill.

Mr. DYER. I think that is correct, Mr. Chairman. I do not think the point of order has ever been disposed of. I ask the gentleman from Texas to withdraw the point of order, because it is desired by the health department and Board of Charities, or at least one of them, that this hospital should be put under the health department because it is a contagious hospital, and the principal work of the board of health is in looking after contagious diseases.

Mr. Chairman, to support the amendment which I have offered, providing that the Tuberculosis Hospital of the city of Washington should be put under the management and control of the health commissioner instead of as at present under the Board of Charities, I cite the testimony of Dr. George M. Kober, himself a member at present of the Board of Charities. He was a witness before a subcommittee of the District of Columbia Committee during a recent investigation of the Tuberculosis Hospital. At this hearing Dr. Kober testified in part as follows:

Dr. KOBER. My opinion is that the Tuberculosis Hospital, for example, might well be under the supervision of the health officer, because tuberculosis is a contagious disease, and the health officer might be intrusted with the immediate supervisory powers of such an institution.

Mr. Chairman, this hospital—the tuberculosis of the District of Columbia—was established and opened to the public four years ago. Congress appropriated $100,000 for its erection and equipment. The building was designed for 130 persons, but the average number of patients that have been in the hospital since it was opened four years ago has been only 85.

Dr. John E. Lind testified before our committee on the 31st day of last May. Dr. Lind is in special charge of tuberculosis cases at the Washington Asylum Hospital and Jail. He stated that at that time there were five positive tuberculosis cases at the Washington Asylum Hospital and Jail, and that some of them had been reported as such to the Board of Charities for a month or more previous thereto, and yet were permitted to remain at the Washington Asylum Hospital to the great danger of other patients and attendants. He further testified that there were no facilities for the special treatment of such a disease at the Washington Asylum Hospital.

This all occurred while the Tuberculosis Hospital was not filled to its capacity. It is convincing, therefore, that the Washington Tuberculosis Hospital was not at that time, at least, meeting the requirements needed for such an institution in this city. Therefore there must be something radically wrong with the arrangements of the Tuberculosis Hospital or with its management, otherwise numerous cases of tuberculosis would not be at the Washington Asylum Hospital, but would be at the Tuberculosis Hospital, one especially equipped and built for the treatment of that dreadful disease. Other testimony elicited at this hearing, including that of the visiting physician at the Washington Asylum Hospital, Dr. D. Percy Hickling, showed that there were, on an average, from 75 to 100 tubercular cases treated at the Washington Asylum Hospital during the last several years, during all of which time the Tuberculosis Hospital has been in operation. For these reasons, and because I believe that this hospital should be under the care and management of the health commissioner, I submitted this amendment.

Prof. Irving Fisher, of Yale University, says that the cost of tuberculosis to the United States, aside from the losses to the victims themselves, amount annually to $570,000,000. This includes the depletion in earnings of those affected by the disease, and the loss of such earnings entirely through untimely deaths. Therefore, not only from a humane standpoint, but from a monetary one, should the Government of the United States use every means within its power to fight this dreadful plague. Whatever is needed in the way of money to make this hospital efficient and a credit to the Capital of the Nation should be readily voted by Congress.

Mr. Chairman, the sick poor should receive proper care and treatment from those in authority. Hospitals should be so conducted and managed that the best possible results can be obtained. Hospitals for contagious diseases should be scrupulously clean, and so conducted as to give the best scientific treatment to such diseases, as well as with due regard to preventing the spread thereof. The hospitals for the sick poor of

the District of Columbia should receive the careful consideration of Congress, and legislation should be enacted to the end that money that is appropriated for such purposes should bring the best results possible. At the present time the management, control, and supervision of these institutions are too much divided. The authority should be centered and responsibility fixed in one principal head, be it a health commissioner, a hospital commissioner, or a supervisor. I hope to see legislation enacted in the next Congress looking to this end.

Mr. BURLESON. Mr. Chairman, I make the point of order against it.

The CHAIRMAN. The gentleman from Missouri offers an amendment which the Clerk will report. Will the gentleman from Missouri state at what point and on what page of the bill he desires his amendment to be considered.

Mr. DYER. At the end of line 23, on page 64. That is where the amendment probably belongs, I think.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of line 23, page 64, add the following:
"*Provided*, That hereafter the Tuberculosis Hospital shall be under the direction and control of the health department."

Mr. BURLESON. Mr. Chairman, I make the point of order against it.

The CHAIRMAN. The Chair will state to the gentleman from Missouri that the entire paragraph between lines 3 and 23, inclusive, has gone out on a point of order. Does the gentleman still desire to offer his amendment in that form as a proviso?

Mr. DYER. No. I ask, then, that it be offered to the end of line 2, at the end of the paragraph having to do with the health department, on the same page—

For the installation of additional furnace at public crematory, $3,000.

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

Amend, page 64, by adding at the end of line 2, the following:
"*Provided*, That hereafter the Tuberculosis Hospital shall be under the direction and control of the health department."

Mr. BURLESON. Mr. Chairman, to that I make the point of order.

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

Mr. DYER. Mr. Chairman, I think the point of order is well taken.

The CHAIRMAN. The point of order is sustained.

Mr. BURLESON. Mr. Chairman, if the gentleman desires to discuss this, I am perfectly willing to reserve the point of order.

Mr. DYER. Mr. Chairman, I do not desire to discuss it, but I ask unanimous consent to extend my remarks in the RECORD upon the Tuberculosis Hospital and the necessity for having it under the direction and control of the board of health.

Mr. BURLESON. The gentleman understands that I have no disposition to shut him off.

Mr. DYER. I understand that perfectly well.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD upon the subject indicated. Is there objection?

There was no objection.

Mr. BURLESON. Mr. Chairman, I believe that disposes of all matters in connection with the bill, save the point of order.

Mr. JOHNSON of Kentucky. Mr. Chairman, there is one other matter I wish to bring up. On page 33 of the bill that portion of it as brought in by the committee relative to the bathing beach went out on a point of order. I desire to offer an amendment to the bill in the exact language of the original bill, with the additional words, however:

All of which shall be paid from the revenues of the District of Columbia, derived from taxes and privileges.

The CHAIRMAN. The Chair will state that unanimous consent is required to return to that page.

Mr. JOHNSON of Kentucky. No; no unanimous consent is required to be obtained. There is no provision in the bill for a bathing beach. The law authorizes the establishment and maintenance of a bathing beach, provided the expenses of it are paid from the revenues of the District of Columbia, and that is what I propose to do.

The CHAIRMAN. But the Chair is inclined to the opinion that the gentleman from Kentucky can not offer an amendment on page 33, that page and section having been passed, unless a right to recur thereto is first obtained.

Mr. JOHNSON of Kentucky. But I do not wish to return to page 33 except for the purpose of getting the language therein contained. I do not care whether the amendment be offered at the last portion of the bill or not.

The CHAIRMAN. But the burden is upon the gentleman from Kentucky to designate the place in the bill so that the Clerk may know to what portion of the bill it is offered.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer the following amendment to the bill:

Bathing beach: For superintendent, $600; watchman, $400; temporary services, supplies, and maintenance, $2,250; for repairs to buildings, pools, and the upkeep of the grounds, $1,500, to be immediately available; in all, $4,830; of all which shall be paid out of the revenues of the District of Columbia derived from taxes and privileges.

Mr. BURLESON. Mr. Chairman, I make the point of order on that.

Mr. MANN. Mr. Chairman, I make the point of order on that if the amendment is considered to be before the House.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] makes the point of order against the amendment.

Mr. JOHNSON of Kentucky. Mr. Chairman, I made a point of order against the original provision in the bill because it provided that the bathing beach should be maintained, one half out of the revenues of the District of Columbia and the other half out of the money in the Federal Treasury. The Chair sustained the point of order, because there was no law authorizing the payment of one-half of it out of the Federal Treasury. An amendment, therefore, is in order, complying with the original bathing-beach act, and my amendment is in full compliance with that.

Mr. MANN. May I ask the gentleman from Kentucky——

The CHAIRMAN. If the gentleman from Illinois will pardon the Chair for just one moment, the Chair will state again that he is inclined to the opinion that this amendment can not be entertained unless some particular place in the bill is designated to which the amendment is offered.

Mr. JOHNSON of Kentucky. Mr. Chairman, if it comes as an addition to the bill, it comes immediately following that which has gone before; in other words, after the last word in the bill.

The CHAIRMAN. Does the gentleman offer it to be so considered?

Mr. JOHNSON of Kentucky. I offer the amendment to the bill, Mr. Chairman.

Mr. BURLESON. Where?

Mr. JOHNSON of Kentucky. It does not matter where. I do not care where it comes in. I am not very particular whether it comes in at all or not.

The CHAIRMAN. The amendment offered by the gentleman from Kentucky will be considered as having been offered at the end of the bill. The gentleman from Illinois.

Mr. MANN. Mr. Chairman, I make the point of order against the amendment. May I ask the gentleman from Kentucky—I was not in the Hall when the matter was disposed of on page 33—was there any law cited to the Chair at that time providing that the maintenance of the bathing beach should be paid wholly out of the revenues of the District of Columbia?

Mr. JOHNSON of Kentucky. Yes; the bathing-beach act was produced and discussed, and the Chair held that it was payable out of the revenues of the District.

Mr. BURLESON. Mr. Chairman, I reserve a point of order that the amendment was not offered at the proper place in the bill.

Mr. MANN. I reserved all points of order.

Mr. JOHNSON of Kentucky. Mr. Chairman, I think the gentleman from Texas has a very peculiar notion relative to this bill. Will the Chair please indulge me for just a moment? The gentleman from Texas has intimated that nobody but the committee can offer anything which may go into this bill, although it is authorized by law. Any Member upon the floor has a right to have incorporated in this bill any provision which is authorized by law and which has been left out of the bill. It is a fundamental principle which, carried to its last analysis, nobody can dispute that anything that is authorized by law to be put into this bill can be put into it by anybody, a majority of the House agreeing and voting with him.

Mr. MANN. Mr. Chairman, will the gentleman from Kentucky pardon me? I do not understand that there is any law authorizing the maintenance of the bathing beach wholly out of the revenues of the District of Columbia. I recall now reading in the RECORD, having my recollection refreshed by the statement made to me privately by the gentleman from Texas, the reasons on which the Chair based his reasons the other day, that the original provision in the bill providing for the creation of the bathing beach and expenses should be paid wholly out of the District of Columbia revenues. I can not see how that requires or authorizes the maintenance of the bathing beach payable wholly out of the revenues of the District of Columbia. Whether it authorizes it at all or not I do not undertake to say. I make the point of order.

The CHAIRMAN. The Chair is ready to rule. On a former day when the item of bathing beach was reached in the consideration of the bill a point of order was made against the paragraph by the gentleman from Kentucky [Mr. JOHNSON] on the ground that the provision charging the expense of upkeep, operation, and conduct of the beach on a half-and-half basis was not authorized by law. The original paragraph provided that the items covered by the paragraph should be paid half from the revenues of the District and half from the Federal Treasury. The Chair then ruled that the point of order should be sustained, because under the law no part of the expense was chargeable to the Government revenues. The gentleman from Kentucky now moves an amendment providing for the bathing-beach item, with a modification and proviso that all the expense of maintenance shall be paid out of the revenues of the District of Columbia derived from taxes and privileges. The gentleman from Illinois [Mr. MANN] makes the point of order against the paragraph upon the grounds as stated. The Chair finds in the CONGRESSIONAL RECORD, Fifty-first Congress, first session, the following:

FREE BATHING BEACH, WASHINGTON, D. C.

Mr. ATKINS of Pennsylvania. Mr. Speaker, I call up for consideration the bill (H. R. 7056) establishing a free bathing beach on the Potomac River near the Washington Monument.

The bill was read, as follows:

"Be it enacted, etc."—

This is section 1, and is the same as already has been fully set out in the RECORD and upon which there is no controversy here—

"SEC. 2. That the sum of $3,000 is hereby appropriated from any unexpended moneys in the Treasury of the United States to be immediately available for the purposes of this bill."

It will be noted that the bill as reported from the appropriate committee provided that all the expenses should be paid from the Federal Treasury.

Immediately upon a completion of the reading of the bill and report by the Clerk, and before any debate was had, Mr. CANNON, of Illinois, was recognized.

The gentleman from Illinois [Mr. CANNON] moved to amend section 2 of the bill by striking out the clause making the appropriation payable wholly from the United States Treasury and providing that one-half of the expense should be charged against the revenues of the District of Columbia and one-half against the Federal Treasury. Thereafter Mr. Bliss, of Michigan, was recognized, and the following appears in the RECORD:

Mr. BLISS. Mr. Chairman, I have no objection to the District of Columbia having a public bathing house, but I have objections to the United States Government paying for it. I wish to offer an amendment as a substitute for that of the gentleman from Illinois. It is to strike out, in line 2 of section 2, the words "any unexpended moneys in the United States Treasury" and insert the words "the revenues of the District of Columbia," so that the section will read:

"That the sum of $3,000 is hereby appropriated from the revenues of the District of Columbia, to be immediately available, for the purposes of this bill."

It will be observed, then, that the amendment by way of substitute offered by the gentleman from Michigan, Mr. Bliss, was to provide that all the expense should be borne by and chargeable to the revenues of the District of Columbia. A vote, after debate, was had, as shown by the following language in the RECORD:

The CHAIRMAN. The question now is on agreeing to the substitute proposed by the gentleman from Michigan for the amendment of the gentleman from Illinois, which substitute will be read.

The Clerk read as follows:

"Strike out, in line 2 of section 2, the words 'any unexpended moneys in United States Treasury' and insert the following: 'That the sum of $3,000 is hereby appropriated from the revenues of the District of Columbia, to be immediately available for the purpose of this bill.'"

The substitute was adopted.

The amendment as amended was adopted.

That is the history, therefore, as it appears in the RECORD on the subject. Now, the question further arises on the point of order, as made by the gentleman from Illinois, that while that might be true, yet the act of continued maintenance of the bathing beach would not be necessarily covered by the language of the act as passed.

Therefore, for the purpose of ascertainment by the Chair as to what the intent of the law was and what the proper construction of the law is, the Chair made inquiry, and from the discussion had when the amendments were pending he finds the following:

Mr. ROGERS. Mr. Chairman, I have only a word to say. I suppose this will furnish a very pleasant sport for the youth of the District of Columbia, and perhaps some of the grown folks; and I commend it to the farmers' organizations of the country whose mortgages are being foreclosed as the relief tendered to them by the Fifty-first Congress, notwithstanding what was promised during the campaign, namely, the appropriation of public money for the purpose of furnishing a bathing place for the people of the District of Columbia.

* * * * * * *

Mr. KERR. * * * It does not seem to me that the people of the United States ought to be charged with the expense of keeping the people of Washington clean. I think they ought to furnish their own soap and everything necessary for that purpose, and the people living in other parts of the country ought not to be required to pay any portion of that expense.

In the early days of the Roman Empire the people of Rome took care of themselves. As the city declined and became more opulent and less patriotic, it was said by a Roman historian that they had declined so much in public virtue that their only aspiration was to be furnished with theaters and bread. I hope that is not the condition of the people of Washington City. I hope they have a little of the spirit which was spoken of by a dstinguished gentleman, who afterwards became the candidate of the Democratic Party, Mr. Greeley, who said that "the most unfortunate day in a man's life was the day in which he made up his mind to get a dollar without earning it." I think the most unfortunate day for the city of Washington is the day in which its people ask for money without earning it, as other people in the country around them have to do.

* * * * * * *

Mr. ROGERS. Mr. Chairman, I rose for the purpose of making the very statement just made by the gentleman from Indiana [Mr. Holman]. I apprehend that they have built bathing places at Philadelphia, but I apprehend also that the Federal Government did not pay for them, but that they were paid by the city government; and I think if we are going to appropriate public money or enter into this business at all it ought to be in the shape of a bill authorizing the Commissioners of the District of Columbia to locate and pay for this establishment from the District funds.

I concede, sir, that we have the power to do it, for we can do what we please within the limits of the District of Columbia. We have exclusive authority here. But I do not believe it would be right for Congress to appropriate the money paid by my constituents to make bathing places for the people of this District. We had just as well appropriate money to build tennis grounds for the people of the District or baseball grounds or to erect ten-pin alleys, or anything else in the shape of amusement, as to appropriate the public funds for the purpose specified by this bill. All of these are sources of amusement and pleasure.

And the discussion went on, participated in by other gentlemen, and after the debate the amendment of the gentleman from Michigan, Mr. Bliss, was adopted as just above recorded, charging the entire expense against the District of Columbia. That being the law as it reads, and this being the discussion had at that time, the Chair is of the opinion that the amendment of the gentleman from Kentucky [Mr. JOHNSON] follows the only statute which authorizes an appropriation for the bathing beach to be made and is therefore in order. Accordingly the point of order is overruled.

Mr. BURLESON. But the decision of the Chair overlooked the point that that is disturbing the orderly arrangement of the bill, and that the amendment was offered after the reading of the bill had been completed and after we had asked unanimous consent to return to other items simply for the purpose of correcting clerical errors and omissions. The point of order is made now that the appropriate place in the bill for this amendment has been passed, and that the gentleman can not tack an amendment onto the end of the bill, even if it is authorized by law, because in that event there would never be any conclusion to the consideration or reading of the appropriation measures.

Mr. JOHNSON of Kentucky. Mr. Chairman, if the gentleman will pardon me, I am going on the assumption that this House can attach to an appropriation bill anything that is authorized by law.

The CHAIRMAN. The gentleman from Texas [Mr. BURLESON] does not dispute that proposition, as the Chair understands, but the Chair will add that the point that the gentleman from Texas makes is that it must be done orderly and in accordance with the rules governing the right to offer amendments.

Mr. BORLAND. I want to speak on that point of order, Mr. Chairman, and say that that question came up at this session in the consideration of the river and harbor bill. The gentleman from Illinois [Mr. FOWLER] had offered an amendment to improve the rivers of Illinois at a place in the bill where the rivers of Illinois were not mentioned. I raised the point of order that it would disturb the orderly procedure of that bill and that it should be offered at the place in the bill where the rivers of Illinois were classified. The chair then being occupied by the gentleman from Tennessee [Mr. MOON], he overruled that objection, and held that if the amendment were in order at any place in the bill the question of its place would not be important.

Mr. SAUNDERS. Mr. Chairman, that is not the question before the committee at the present time at all. When the end of the bill was reached it was not gainsaid that it would be in order to offer that particular amendment at that time, but that is not at all the situation presented by the gentleman from Missouri. If the amendment had been offered then it would have been in order.

The CHAIRMAN. The question, then, after all, resolves itself for the Chair to determine when the end of the bill was reached.

Mr. SAUNDERS. That is all.

The CHAIRMAN. After the reading of the bill was completed Members began to rise, and, not as a matter of right, but as a matter of unanimous consent, asked to recur to certain

pages of the bill, it being then a matter for the House to determine as to whether or not unanimous consent would be granted to recur to certain other pages in the bill. Nothing else save these requests for unanimous consent having been preferred and nothing else having occurred subsequent to the reaching of the end of the bill, the Chair is of the opinion that the amendment offered now by the gentleman from Kentucky [Mr. JOHNSON], at the end of the bill, would be in order. Therefore the point of order is overruled. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

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

The CHAIRMAN. Is it an amendment to the amendment?

Mr. BURKE of Pennsylvania. Yes; to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BURKE] offers an amendment to the amendment offered by the gentleman from Kentucky [Mr. JOHNSON], and the Clerk will report it.

Mr. LLOYD rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. LLOYD. I ask unanimous consent that the amendment may be again read. Quite a number of us did not hear it.

The CHAIRMAN. The gentleman from Missouri [Mr. LLOYD] asks unanimous consent that the amendment of the gentleman from Kentucky [Mr. JOHNSON] be again reported. Without objection it is so ordered, and then the amendment of the gentleman from Pennsylvania [Mr. BURKE] will be read without further order.

There was no objection.

The Clerk again read the amendment offered by Mr. JOHNSON of Kentucky.

Mr. JOHNSON of Kentucky. Mr. Chairman, the correct amount is "$4,750." By changing "$480" in the original bill to "$400" the amount is changed to "$4,750."

The CHAIRMAN. Without objection, the figures will be changed accordingly.

There was no objection.

The CHAIRMAN. The Clerk will now report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amend the amendment by striking out all after the figures "$4,750."

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BURKE] offers an amendment. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania to the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Chairman, I make the point of order.

Mr. BURKE of Pennsylvania. Oh, no; the gentleman is too late. The original amendment has been declared in order, and, of course, my amendment is quite in order under the ruling of the Chair.

The CHAIRMAN. Does the gentleman from Pennsylvania insist that the point of order comes too late?

Mr. BURKE of Pennsylvania. I insist that the point of order comes too late.

The CHAIRMAN. The Chair so rules. The question is on agreeing to the amendment of the gentleman from Pennsylvania.

Mr. BURKE of Pennsylvania. Mr. Chairman, it seems to me that to make the departure that the original amendment seeks to enforce would be unfair, or at least very inconsistent.

The situation is this: The Congress of the United States has absolute control over this District and over this city. The people of this city are at the mercy of the American Congress. They are at our mercy, because in the creation and enforcement of the laws under the Constitution they can not escape it.

We have charge of the health and sanitation of the District of Columbia. It is our business, as the legislative body controlling this District, to see to it that the health of this community is preserved and promoted; and we have just as much right to invite and encourage the people of this, the capital city of the Nation, the one national city in the Union, to participate in the pastime and natural custom of bathing and keeping their bodies clean for the promotion of their health as we have to dig sewers to keep the streets clean and to erect hospitals for the care of the afflicted.

It has been suggested that somebody at some time in connection with this legislation said that Rome fell at a time when her people were indulging in the luxury of baths. That statement is a revelation to me, that Rome fell because she kept herself clean. My impression has always been that Rome fell because she became unclean, unclean morally, because she decayed mentally and decayed physically. There never has been in the history of the world a case pointed out where any nation fell because of the inclination of her people to keep their bodies clean. In the Office Buildings of the Senate and House of Representatives of the United States the Government provides and we use soap and water freely—at least I hope we all use them freely. One gentleman shakes his head [laughter], as if there were some doubt about that, but I hope that the rule is universal.

Mr. TAYLOR of Ohio. The opportunity is universal.

Mr. BURKE of Pennsylvania. The opportunity is universal at least, whether the practice is or not. But the bathing beach that we speak of is within the reach of the 500 Members of the Congress of the United States, and I know that many Members of this House have taken advantage of it in times past. It is within reach of the thousands of Government employees and their children, whether taxpayers or not, who reside in this District. Now, would it not be absurd to say that in a great appropriation bill of this kind the Congress of the United States made one exception, departed from the organic law of the District and general custom of the Government in only one case, and that in the case where they sought to discourage the men, women, and children of the Capital City of the greatest Nation in the world from keeping clean. I hope this committee will not indulge in any such absurd action, and I hope that the gentleman from Kentucky [Mr. JOHNSON], who now takes the floor, will agree with me and make the passage of this amendment as amended by me unanimous.

Let us encourage it in remaining what it is to-day, not only one of the cleanest in the world morally and physically, but the most attractive and beautiful on earth.

Mr. JOHNSON of Kentucky. Mr. Chairman, I thoroughly agree with the remarks of the distinguished gentleman just read by the Chairman of this Committee of the Whole when the original bill was under consideration. That is, that the people of the city of Washington ought to furnish their own soap and water to keep themselves clean, and not impose upon the taxpayers as far away as California to help them buy their own soap and water.

I do not believe, Mr. Chairman, that a body coming directly from the people as this has come desires to impose a tax upon the Nation throughout its length and breadth to keep the citizens of Washington clean. This has been referred to as coming under the "organic act." The gentleman from Pennsylvania [Mr. BURKE] has just made that reference. It does not come under the "organic act." It never has been under the "organic act," and if the gentleman had listened closely to the proceedings which took place at the time of the authorization of the bathing beach he would have been informed that it was at the expense of the people of the District of Columbia, the Congress then being unwilling to impose its maintenance upon the people at large.

Mr. BURKE of Pennsylvania. This bill itself in the first paragraph of it refers to the fact that all the amounts shall be equally divided under the organic act.

Mr. KAHN. Mr. Chairman, I hope the amendment offered by the gentleman from Pennsylvania to the amendment will be adopted. The city of Washington is made up of a population that comes from every section of the Nation. The rich people who reside here close up their homes in the summer. They go to the seashore or to Europe for their creature comfort. There are thousands of Government clerks living here who are accredited to the various States of the Union. They are not residents of Washington. Few of them are taxpayers here. They live in rented quarters. They represent, as I say, every State in the Union, including the State of California, and I want to say to the gentleman from Kentucky that the taxpayers of my State do not object to paying their small pro rata share included in this item for keeping the people who live here, and who have to remain in this humid climate all summer, absolutely clean. I sincerely hope the amendment of the gentleman from Pennsylvania will be adopted.

Mr. BURLESON. Mr. Chairman, the original appropriation used for the construction of the bathing beach was made from the treasury of the District of Columbia. Subsequently an appropriation of $5,000 was made jointly from the Treasury of the United States and the treasury of the District of Columbia for an addition. Then an appropriation of $7,000 was made for still further additions, one-half from the Treasury of the United States and one-half from the treasury of the District of Columbia. For many years the force necessary for supervision and control of the bathing beach has been paid for on the half-and-half plan. It is one of the useful services taken advantage of by the children of the District of Columbia, and your committee, acting in accordance with the spirit of the law as we understand it to be, embodied this provision

in the bill just as it will be if the amendment offered by the gentleman from Pennsylvania is agreed to. I sincerely hope the committee will adopt the amendment of the gentleman from Pennsylvania and not now, on an appropriation bill and in this way, overturn the plan which was adopted in 1878 for the support of the government of the District of Columbia. I ask that the amendment offered by the gentleman from Pennsylvania to the amendment be agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BELL of Georgia 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 bills and resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 8082. An act to amend section 1440 of the Revised Statutes of the United States;

S. 8230. An act for the relief of Loren W. Greene; and

Senate concurrent resolution 40.

Resolved by the Senate (the House of Representatives concurring), That the report of the Secretary of War, under the joint resolution directing the Secretary of War to investigate the claims of American citizens for damages suffered within American territory growing out of the late insurrection in Mexico, approved August 9, 1912, be transmitted to the President, who is hereby respectfully requested to cause a claim for the amount of the damages reported therein as suffered by American citizens within American territory to be presented to the Government of Mexico as a claim in behalf of the Government of the United States.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 28186. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3952) for the purpose of repealing so much of an act making appropriations for the current and contingent expenses of the Indian department for fulfilling treaty stipulations with various Indians located in Kansas City, Kans., providing for the sale of a tract of land located in Kansas City, Kans., reserved for a public burial ground under a treaty made and concluded with the Wyandotte Tribe of Indians on the 31st day of January, 1855.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 7855) to authorize the Northern Pacific Railway Co. to construct a bridge across the Missouri River in section 36, township 134 north, range 79 west, in the State of North Dakota.

Also:

Senate resolution 451.

Resolved, That the Senate extend to the Speaker and the Members of the House of Representatives an invitation to attend the exercises in commemoration of the life, character, and public services of the late James S. Sherman, Vice President of the United States and President of the Senate, to be held in the Senate Chamber on Saturday, the 15th day of February next, at 12 o'clock noon.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 27879. An act providing authority for the Northern Pacific Railway Co. to construct a bridge across the Missouri River in section 36, township 134, range 79 west, in the State of North Dakota.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

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

The question was taken; and on a division (demanded by Mr. JOHNSON of Kentucky) there were 33 ayes and 19 noes.

So the amendment to the amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make a point of order against the amendment.

Mr. BURLESON. And I make the point of order that that comes too late.

Mr. JOHNSON of Kentucky. And on that, Mr. Chairman, I want to be heard.

The CHAIRMAN. The gentleman from Kentucky makes the point of order against the amendment, and the gentleman from Texas makes the point of order that the point of order of the gentleman from Kentucky comes too late.

Mr. JOHNSON of Kentucky. Mr. Chairman, I introduced this provision on page 33 relative to the bathing beach. It went out on a point of order. The Chairman of the committee has just read at some length his reasons for sustaining that point of order. I offered an amendment which was in order; that amendment was in order for no other reason upon earth than because it had attached to it the imposition of its maintenance on the District of Columbia. Now, when that is stricken out then we recur to the original matter which was subject to the point of order. If it was subject to a point of order then, it is subject to a point of order now. Consequently we are now where we were before I introduced the amendment.

The CHAIRMAN. However harmoniously the Chair might agree with the statement of the gentleman from Kentucky relative to the bathing-beach proposition, that can have no bearing here as to whether or not the amendment as it now stands is in order. The gentleman from Kentucky is an able lawyer, and recognizes that there is such a term in the law as "res judicata" and a "day in court." The amendment is now in the control of the committee for adoption or rejection. The gentleman from Kentucky and all Members have had their day in court, and the matter of being in order is res judicata; the point of order of the gentleman from Texas is sustained, and therefore the point of order of the gentleman from Kentucky is overruled. The question is on agreeing to the amendment as amended.

The question was taken; and on a division (demanded by Mr. JOHNSON of Kentucky) the ayes were 41 and the noes were 15.

Mr. JOHNSON of Kentucky. Tellers, Mr. Chairman.

Tellers were ordered, and the Chair appointed as tellers Mr. JOHNSON of Kentucky and Mr. BURLESON.

The committee again divided; and the tellers reported that there were 69 ayes and 21 noes.

Mr. JOHNSON of Kentucky. I make the point of order, Mr. Chairman, that no quorum is present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and three Members present—a quorum. The ayes have it, and the amendment as amended is agreed to.

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

The Clerk read as follows:

Insert at the end of the bill the following:

"INTEREST AND SINKING FUND.

"And there is hereby appropriated out of the proportional sum which the United States may contribute toward the expenses of the District of Columbia, in pursuance of the act of Congress approved June 11, 1878, for the fiscal year ending June 30, 1879, and annually thereafter, such sums as will, with the interest thereon at the rate of 3.65 per cent per annum, be sufficient to pay the principal of the 3.65 bonds of the District of Columbia issued under the act of Congress approved June 20, 1874, at maturity, which said sums the Secretary of the Treasury shall annually invest in said bonds at not exceeding the par value thereof, and all bonds so redeemed shall cease to bear interest and shall be canceled and destroyed in the same manner that United States bonds are canceled and destroyed. (Vol. 20, p. 410, U. S. Stats.)

"Hereafter the Secretary of the Treasury shall pay the interest on the 3.65 bonds of the District of Columbia issued in pursuance of the act of Congress approved June 20, 1874, when the same shall become due and payable; and all amounts so paid shall be credited as a part of the appropriation for the year by United States toward the expenses of the District of Columbia, as hereinbefore provided. (Vol. 20, p. 105, U. S. Stats.)

"For the purpose of meeting the payment of interest and for the purpose of providing for said sinking fund the sum of $975,408, or as much thereof as may be necessary, is hereby appropriated (from the respective funds described in the two acts of Congress above set out), to be charged against the revenues of the District of Columbia, derived from taxes levied and assessed upon the taxable property and privileges of the District of Columbia for the fiscal year ending June 30, 1914."

Mr. MANN. Mr. Chairman, the Chair understands that the point of order is reserved upon the amendment?

The CHAIRMAN. The gentleman from Kentucky is recognized, the point of order being reserved. The language is, "All points of order are reserved against the paragraph."

Mr. MANN. The reason I asked that is because the amendment when originally offered was to go in ahead of line 1 on page 98, but as now reported by the Clerk it is offered to come in at the end of the bill.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer it to come in at the end of the bill.

The CHAIRMAN. The gentleman from Illinois and the gentleman from Texas reserve all points of order on the amendment.

Mr. JOHNSON of Kentucky. Mr. Chairman, in the bill as originally brought in by the committee there were just a few words under the heading "Sinking fund and interest." These were "to pay interest and sinking fund on funded debt, $975,408." To that provision I made a point of order upon the ground that as the item was then in the bill it required half of the sinking fund and interest to be paid out of the Federal Treasury. My contention was and is that the law requires all

of this sinking fund and interest to be paid by the District. The Chair in sustaining the point of order decided that the point of order was well taken, and in rendering that ruling stated that the law did require this amount to be paid out of the revenues of the District of Columbia. From that ruling an appeal was taken to the Committee of the Whole. The Committee of the Whole sustained the Chair and made his ruling its judgment that the whole of this amount was payable out of the revenues of the District of Columbia, and not half out of the revenues of the District of Columbia and the remainder out of the Treasury of the United States.

The act under which these bonds were issued pledged the faith of the United States to their payment. I have heretofore argued at some length—and I shall not do so again on this occasion—but shall simply state my position as briefly as it is possible for me to do so, and that is that the United States has pledged its faith that these bonds shall be paid. That plighted faith is obligatory on the part of the United States only as between the United States and the bondholder, that obligation between the United States and the bondholder in no sense relieving the District of Columbia from its original obligation. As I said, the Chair has thus ruled, sustaining my contention, and the Committee of the Whole House in sustaining the somewhat lengthy opinion of the Chair has passed judgment and has said that the Chair's ruling is the judgment of the committee.

Mr. Chairman, I have never been and am not now in favor of the repudiation of any sort of a debt. The United States has bound itself, has pledged her faith, rather, to see that this interest and debt are paid, and, as has been determined by the Chair and by the Committee of the Whole, this is a debt owing by the District of Columbia. I offer this amendment for the purpose of putting into execution that plighted faith of the United States to compel the District of Columbia not to repudiate but to pay this debt. Parliamentary rules permit the act itself to be reenacted, and in order that the whole matter may be before the House and before the executive officers when they finally come to determine the matter, I have incorporated the act relative to interest in my amendment, and I have also incorporated the act relative to the sinking fund in my amendment, those two acts making it clear to every man who wishes to read impartially that this is a debt of the District of Columbia. Then, carrying out the ruling made by the Chair, carrying out the judgment rendered by this House by a vote of nearly 3 to 1, I provide that that debt shall be paid by the District of Columbia. That, Mr. Chairman, I deem to be sufficient explanation of the matter.

Mr. SAUNDERS. Mr. Chairman, the point of order really brings up the same question that was presented to the Chair a few days ago, and having reference to the importance of the ruling, asked a little further argument, and some additional authorities in support of the position of the committee may not be amiss. A few moments ago the Chair in sustaining a point of order to the bathing-beach item, read copious extracts from contemporaneous debate to show the meaning that was attached at the time to the original act authorizing this beach, and appropriating therefor. This was entirely proper as a legitimate aid to the interpretation of an ambiguous section. But the same aid to interpretation is furnished in a more abundant and emphatic form in the debate upon the act in 1879. This act in part is reproduced in section 1 of the amendment of the gentleman from Kentucky, now pending. We insist again, that if this section is ambiguous, a flood of light is afforded as to its real meaning by the arguments of Mr. Blackburn, and others. The gentleman from Kentucky insists that this act is a contract of reimbusement. But in the contemporaneous debate it was admitted on all hands that it was a contract of assumption, and on that ground was vehemently opposed. If the Chair will look to section 1 of this amendment, which is the part of the act of 1879 with which we are concerned, he will find the following language:

> There is authorized to be appropriated out of the proportional sum which the United States may contribute toward the expense of the District of Columbia * * *.

The real meaning of this sentence must be sought not in this language standing apart and alone, but in its relation to other acts, and in the general attitude of the Government at that time toward the District of Columbia.

Looking to this entire body of legislation without reference even to the illuminating debate on the section under consideration it is palpable that Congress meant to say in substance that the appropriation for the sinking fund thereby authorized should be a part of the proportional sum contributed by the United States to the payment of the expenses of the District. That is to say the amount required for the sinking fund would be included in the first instance in the estimates for the expenses of the District, and the same amount, when paid by the Government, would be credited on the one-half of the total expenses for which it was liable. This was entirely proper. In other words, the United States having assumed to pay one-half of the expenses of the District by their antecedent legislation, did not propose to pay in addition one-half of the sinking fund, but intended to include the same as a portion of their proportional part of one-half. This intent might have been expressed differently. Any statute on the books might be expressed in other, and often in happier terms. It does not argue that a statute is incapable of satisfactory and coherent interpretation, because it is inaptly phrased. To say the least of it, the language used, if it imports an assumption of the whole debt, with a provision for reimbursement is not a clear and positive assumption. At best, whether the one view, or the other is taken of its meaning, the language used is somewhat ambiguous. What then? Shall we look to this section alone, and abandon the usual principles of interpretation? For the time being, I pass by the precedents in the form of parliamentary rulings on the meaning of this section, though these precedents are admittedly in our favor, and taking up the contemporaneous discussion of the act of 1879, I challenge any Member of this House to take issue with me, when I assert that from first to last, this section was discussed with an agreement on all hands, that if it was adopted, a new liability would be fastened upon the Government.

Concede that the act of 1879 was an assumption of the whole debt by the United States, with an accompanying contract of reimbursement, and the whole ground of Mr. Blackburn's vigorous antagonism is at once cut away. Upon this view of the section, he was making a foolish, as well as futile fight. Instead of opposing, he ought to have welcomed the amendment. So far from imposing a burden, it really afforded a protection, since it provided for the repayment in full of any money advanced by the United States for the discharge of the indebtedness of the District. Mr. Blackburn, as a rule, was not a debater to overlook any crevice in the armor of an adversary, but for the time being, he was more than purblind. Setting up a man of straw by virtue of his contention that this section would impose a liability upon the Government for one-half of an unjust debt, he proceeded to belabor this straw man in most terrific fashion. In his benighted condition he did not recognize a friend in disguise, and so far from applauding Mr. Atkins for the very handsome fashion in which his report protected the interests of the Government, he criticized this item in merciless fashion, again and again warning the Members of the House that if they adopted the amendment, they would saddle the Government with an outrageous and indefensible liability for one-half of a fraudulent debt.

At no time did it dawn upon Mr. Blackburn that should the House of Representatives adopt the section which he was urging it to reject, they would admit a friend within their gates, and so far from assuming a liability, would protect the Government against imposition. These foolish predecessors of ours consumed two or three days in the discussion of an amendment, under an entire misapprehension of its terms and effect. After all they builded better than they knew. Who were the real friends of the Government in this controversy? It is a curious inquiry. Blackburn in his desire to protect the Government, insisted that the House reject the amendment. The friends of the amendment agreeing that it would charge the Government with a new liability, urged its passage. Mr. Blackburn in the result is a winner, in spite of himself. After all of these years it is now ascertained that the friends of the amendment erred in supporting it, and the opponents of the same were sadly at fault in their rancorous antagonism to a proposition of real merit. Who is entitled to criticism for his part in that debate? Mr. Blackburn for approving a measure which he ought to have supported, or Mr. Haydee and others in advocating a measure which they ought to have opposed, since in the result, relief and protection has been afforded, when an obligation was intended? In the view now pressed upon the Chair, the Government, as a result of this act of 1879, has a valid claim for many millions upon the District. This is what Mr. Blackburn said in 1879, speaking to section 1 of the amendment of the gentleman from Kentucky:

> This report of the committee on conference binds this Government in its own capacity to the payment of one-half of the debt.

Further, he said:

> This proposition of this section of the bill is to fasten upon the Government of the United States for the first time an obligation to pay one-half of the funded debt.

To the same effect Mr. Atkins, and Mr. Hendee, and many others.

Mr. HAYES, Mr. SIMS, and Mr. MADDEN rose.

Mr. SAUNDERS. I have not concluded, Mr. Chairman. I thought the Chair was going to ask a question, and, therefore, I paused.

Mr. LLOYD. Mr. Chairman, as I understand the law, the Secretary of the Treasury of the United States is required to pay the interest and the sinking fund that is provided by law?

Mr. SAUNDERS. Yes.

Mr. LLOYD. And he is required to pay it, of course, out of the Treasury of the United States?

Mr. SAUNDERS. Yes.

Mr. LLOYD. Then the Secretary of the Treasury is required under the law to give the United States credit by the amount which has been paid?

Mr. SAUNDERS. Yes.

Mr. LLOYD. Would not that divide the amount that is paid equally between the District of Columbia and the United States?

Mr. SAUNDERS. I think it would, and I think that is where difficulty has arisen in minds of many who have construed this section as it was never intended to be construed. Because the law says the amount paid, shall be credited on the proportional liability of the United States, they have construed this to mean a reimbursement, when as a matter of fact if the amount needed for the sinking fund and interest, is included in the total estimate for expenses, the amount thereafter paid by the Government in this respect, that is for sinking fund and interest should be credited on the half for which the Government is liable. If this is done, the Government in the result will pay merely that one-half which it has assumed to pay. I append a statement to make this clear.

Whole expenses of the District including sinking fund and interest, payable half and half, say $4,000,000, proportional part to be paid by the United States $2,000,000, interest and sinking fund charge paid by United States and by law to be credited on the proportional part of one-half of whole expenses, $1,000,000. Balance to be paid by the United States $1,000,000. Total actually paid by the Government $2,000,000.

Mr. Chairman, the importance of this matter justifies a repetition of some of the points presented a few days ago. If the Chairman is still of the same mind, and if he is not aided by the clarifying debate of Mr. Blackburn and others to arrive at the true meaning of section 1, of the Johnson amendment, if he is able to differentiate this case, from the bathing-beach case, if he is mindful of, but not constrained by the precedents afforded in the rulings of Chairman GARRETT and others, why then as a matter of course, he will abide by his former ruling. But I hope that a different conclusion will be reached upon the merits. Is it possible that for so many years so many people have been in error in this matter?

Is it possible that all of the participants in the debate were at fault? Is it possible that in this gathering of distinguished men, Blackburn, and Hewitt, and Grout, and many others, there was no one acute enough to see the manifest meaning of this beneficent amendment now ascertained to be a shield and protection for the Government? So far from binding, this amendment unloosed, so far from entangling the Government in the meshes of a fraudulent debt, it is now insisted that by its very terms the cords of entanglement are cut away. The Committee on Appropriations has not been concerned to inquire into the righteousness of the half-and-half principle. It may be wholly wrong. We have been concerned merely to inquire whether this section authorized an appropriation for the sinking fund on the half-and-half basis. If so, we were required to make it, but it was competent for the committee to strike out the appropriation. The committee can refuse to appropriate for the discharge of this obligation, if it is so disposed, even if it agrees that the half-and-half obligation was explicitly assumed. But no such discretion was lodged in the Committee on Appropriations. Whether the assumption was righteous or unrighteous, conceding that it was actually undertaken, the committee must appropriate accordingly, and its action is not subject to a point of order.

Mr. MARTIN of South Dakota. Will the gentleman yield?

Mr. SAUNDERS. Certainly. I yield with pleasure, because I wish nothing better than to bring before this body not a controversy over the half-and-half principle, which is sought to be injected into the determination, of this controversy, but the merits of the point of order.

Mr. MARTIN of South Dakota. Would not that involve the question as to what the half-and-half division was to apply to?

Mr. SAUNDERS. Certainly.

Mr. MARTIN of South Dakota. I am referring to the act of 1878.

Mr. SAUNDERS. 1879. That is the one relating to the sinking fund.

Mr. MARTIN of South Dakota. Does the gentleman contend in either of those acts, where the items are enumerated, that the District is to pay half and the Government is to pay half, that the item of interest or sinking fund of the debt was enumerated?

Mr. SAUNDERS. The provision for the sinking fund does not come into existence until the act of 1879.

Mr. MARTIN of South Dakota. Is it not true that the particular items to which the half-and-half rule is to apply are enumerated in that act of 1878?

Mr. SAUNDERS. No.

Mr. MARTIN of South Dakota. Perhaps I am not able to read it right, then.

Mr. SAUNDERS. Let me answer this in my own way. I know what the gentleman is going to read. The provision for one-half payments was established, in 1874, and 1878. Before that time Congress had aided the District by varying appropriations. The acts of 1874, and 1878 were intended to establish, and did establish fully the half-and-half principle. The act provided that this principle should apply to the expenses of the District. Clearly the interest on the funded indebtedness for which the District was liable, was one of the expenses of the District. Interest is fairly included within the meaning of the word "expenses."

This is my answer to the gentleman from South Dakota. I will say further to my friend from South Dakota that in the debate in 1879 it was admitted on all hands that the antecedent acts committed the Government of the United States to the payment of one-half the interest, and that if they adopted the first section included in the pending amendment, such action would commit the United States Government to the payment of one-half of the principal.

Mr. MARTIN of South Dakota. The first one in the proposed amendment seems to be the substance of the item in the act of 1879.

Mr. SAUNDERS. It is the act of 1879.

Mr. MARTIN of South Dakota. And something of the same language is in the act of 1878, which reads as follows, if the gentleman will permit——

Mr. SAUNDERS. Certainly.

Mr. MARTIN of South Dakota. It reads this way:

> Hereafter the Secretary of the Treasury shall pay the interest on the 3.65 bonds of the District of Columbia issued in pursuance of the act of Congress approved June 28, 1874, when the same shall become due and payable, and all amounts so paid shall be credited as a part of the appropriation for the year by the United States toward the expenses of the District of Columbia as hereinbefore provided.

The provision thereinbefore enumerates the different items.

Mr. SAUNDERS. Yes.

Mr. MARTIN of South Dakota. How does the gentleman reconcile his present contention with the provision here, that if the Government pays the interest on these bonds it shall get credit for the amount as part of its proportion for general expenses, not for one-half, but credit for the whole amount paid?

Mr. SAUNDERS. That refers to the system of bookkeeping in vogue.

Mr. MARTIN of South Dakota. Oh, well, that——

Mr. SAUNDERS. Permit me to answer the gentleman's question. It may be that I will submit a very imperfect answer, but I desire to answer the gentleman's question as best I can. I have already argued that the language of that section, and the language of the other section, are not very apt, and require reference to other sections of the statute for their proper understanding. When this is done there is no real difficulty. I assert that when these sections were interpreted by the men who enacted the act of 1879, those gentlemen were not troubled by the suggestions that now trouble the gentleman from South Dakota. They interpreted these sections, just as the Committee on Appropriations has interpreted them. That interpretation was of great aid to us, and to every man who seeks to arrive at the real meaning of the language used.

If you segregate this section from the cognate body of legislation, segregate it from the general attitude at the time of the Federal Government toward the District of Columbia, you may find yourself in difficulty. But you must look to all of these aids. In the interpretation of a will, if you take one section by itself, apart from the balance of the will, and look to that section alone, you may find difficulties not easy of solution. Yet on the whole the will may be readily interpreted.

Mr. MARTIN of South Dakota. Well, I will say to the gentleman that perhaps the action of an administrative officer had not been questioned promptly enough to bring out what occurred at the time.

Mr. SAUNDERS. The meaning of the section was discussed by the very men who enacted it into law.

Mr. MARTIN of South Dakota. The gentleman is not allowing me to make a statement of what I had in mind.

Mr. SAUNDERS. I thought the gentleman asked a question.

Mr. MARTIN of South Dakota. I am seeking light on the question, and I am seeking it from the gentleman who is the source of light, but I can take a little time of my own later.

The gentleman from Virginia says that while the language of the bill under an ordinary construction of language would indicate a certain thing, the administrative officers of the Government have determined otherwise, and that probably they are better qualified to make the interpretation than we.

Mr. SAUNDERS. I made no such statement as that. I did not refer to the interpretation by the administrative officers. I did not refer to their interpretation.

Mr. MARTIN of South Dakota. I want to ask the gentleman a question as to the meaning of the language. Are we not obliged to interpret those provisions by the antecedent acts?

Mr. SAUNDERS. That is what I said.

Mr. MARTIN of South Dakota. If the Government is to get credit for the payment of the interest, is it not also safe to assume that it is to get credit for the payment of the whole amount?

Mr. SAUNDERS. No. I do not say that. On the contrary I have undertaken to show that the Government agreed to include the sinking fund and interest, in the expenses of the District, and to pay one half of the total. This is what it means by acts, crediting the amount paid on the proportional part.

I have said nothing about any interpretation of this act by ministerial officers. What I said was this, that it has been interpreted three times by chairmen of this committee. I said that it was interpreted by the body which passed the act of 1879, and in that body there was no contrariety of attitude as to what this section meant. I said further that the action of this body from 1879 forward, was a further interpretation of this act.

I said further that the very body which passed the act of 1879, when it came to appropriate for the sinking fund, appropriated precisely as we have continued to appropriate from that day to the present time. I have referred to all of these things as an aid to our interpretation. If the gentleman, or any Member of this body fastens his attention on one section of these acts without looking to the whole body of legislation, and to the rulings of antecedent Chairmen, one of whom was the gentleman from New York [Mr. PAYNE], why of course they may create difficulties, that a recourse to aids ready to hand, would easily resolve.

The CHAIRMAN. A moment ago the gentleman made reference to the act of 1879. To what act of 1879?

Mr. SAUNDERS. That section which the gentleman from Kentucky [Mr. JOHNSON] embodied in his amendment. I think that act is really not difficult of construction. I think that act could be construed without the aid of the contemporaneous debate, which I so fully cited a few days ago.

The CHAIRMAN. Will the gentleman direct the attention of the Chair to the particular act of 1879 which the amendment refers to?

Mr. SAUNDERS. Why, the amendment is the act itself. The amendment simply reproduces the section of the act of 1879, which affords the foundation for the appropriation originally contained in the bill.

The CHAIRMAN. Does the gentleman mean to say that the first paragraph and the second paragraph of the amendment are taken from the act of 1879?

Mr. SAUNDERS. No, not at all. The amendment before the Chair, reproduces in one case the act of 1879, and in the other the act of 1878.

The CHAIRMAN. Will the gentleman read to the Chair that part of the amendment where the act of 1879 appears?

Mr. SAUNDERS. It is all there:

And there is hereby appropriated out of the proportional sum which the United States may contribute toward the expenses of the District of Columbia in pursuance of the act of Congress approved—

And so on, down to the reference to the act, volume 20.

That was the language contained in the conference report of Mr. Atkins, the chairman of the Committee on Appropriations——

The CHAIRMAN. On what bill?

Mr. SAUNDERS. On the bill of 1879.

The CHAIRMAN. On the sundry civil appropriation bill?

Mr. SAUNDERS. Why certainly. It has been understood all the time, that the appropriation for the District of Columbia for the year 1879 was made in the sundry civil bill. Section 1 of the amendment of the gentleman from Kentucky was brought before the House by a conference report. It was immediately attacked by Mr. Blackburn, then a Member of this body, afterwards United States Senator, upon the ground that it proposed to saddle the Government of the United States to the extent of one-half of the funded debt of the District. This was conceded to be its meaning and intent.

Mr. BURKE of Pennsylvania. Will the gentleman yield?

Mr. SAUNDERS. Certainly.

Mr. BURKE of Pennsylvania. Has there at any time from 1879 been either a bill or a report from any appropriation committee or any conference report or any interpretation placed by any administrative officer with reference to the application of this fund in line with the amendment now suggested by the gentleman from Kentucky?

Mr. SAUNDERS. No. On the contrary, whenever the attention of a presiding officer has heretofore been called to this contention, it has been overruled.

That is all, Mr. Chairman. This has been in a measure a repetition of some portions of the discussion of last Tuesday, but this is so important a subject that it deserves the fullest consideration. The point of order to this amendment raises anew, the question embraced and considered in the former ruling of the Chair. It is hoped that on further consideration the Chair may modify that ruling.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BORLAND having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also announced that the President had, on February 5, 1913, approved and signed bill of the following title:

H. R. 24194. An act 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.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

Mr. BORLAND and Mr. MARTIN of South Dakota rose.

Mr. MARTIN of South Dakota. Will the Chair hear me upon the point of order?

The CHAIRMAN. The Chair will state that he has recognized the gentleman from Missouri [Mr. BORLAND]; but the Chair will be glad later to recognize the gentleman from South Dakota.

Mr. BORLAND. Mr. Chairman, the amendment to which this point of order is raised is offered for the purpose, and has the effect, of making the law as decided by the Chair the other day apply to the appropriations in this appropriation bill. It has no other effect, and it is a proper item to go in. The interest and the sinking fund are amounts that should be appropriated for in this bill, but should be appropriated for in accordance with the law as it was determined under the discussion the other day. The argument of the gentleman from Virginia [Mr. SAUNDERS] is largely a repetition of the argument he used at that time. That matter is, as the Chair said a few moments ago, stare decisis—it has been adjudicated. The particular item in the bill was taken out and the point of order was sustained.

Under that ruling, under that stare decisis, this amendment becomes in order, because it complies with that ruling and with the law upon which the ruling was founded.

In order to refresh the recollection of the gentleman from Virginia and the Chair and the House as to the exact operation of this half-and-half principle, I want to refer to the language of the law of 1878. It is always stated in debate, was so stated a few minutes ago in reference to the bathing beach, and is stated in reference to all of these items, that some kind of a general contract or organic law exists between the Government of the United States and the District of Columbia by which the Government of the United States is obligated to pay one-half of all the expenditures, general and special, of the District of Columbia. That is not the law and never was the law; but that general assumption has enabled items from time to time to creep into appropriation bills to the disadvantage of the Treasury of the United States and to the advantage of the treasury of the District of Columbia. That general impression is cultivated and made universal through the constant appeal to the half-and-half principle as the organic law of the District of Columbia.

As a matter of fact, there can be no organic law of the District of Columbia. I will not stop to argue that question. The statute providing for the form of government for the District of Columbia and amended from time to time is an ordinary act, no different from any other act of Congress. As times and conditions change, as the District gets out of difficulties in which it then was involved, other situations present themselves,

and that law is subject to amendment from time to time as the wisdom of Congress may determine.

Mr. SAUNDERS. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SAUNDERS. We are fully agreed as to that. We never contended that what was called the organic act, and which is a misnomer, is not capable of repeal or amendment at the pleasure of Congress at any time.

Mr. BORLAND. That being true, and no difference existing between us, that impression being removed, I hope, as far as it may have taken lodgment in the mind of any Member here, I want to refer Members and the Chair to what the half-and-half division originally was.

In the act of 1878, United States Statutes at Large, volume 20, page 104, it is said:

The said commissioners shall submit to the Secretary of the Treasury for the fiscal year ending June 30, 1879, and annually thereafter for his examination and approval, a statement showing in detail the work proposed to be undertaken by them during the fiscal year next ensuing and the estimated cost thereof.

There is one item, the work proposed to be undertaken and the estimated cost thereof.

The cost of constructing, repairing, and maintaining all bridges authorized by law across the Potomac River within the District of Columbia, and also all other streams in said District.

That is another item.

The cost of maintaining all public institutions of charity, reformatories, and prisons belonging to or controlled wholly or in part by the District of Columbia and which are now by law supported wholly or in part by the United States or District of Columbia.

That is another item.

The expenses of the Washington Aqueduct and its appurtenances.

That is another item.

An itemized statement and estimate of the amount necessary to defray the expenses of the government of the District of Columbia for the next fiscal year.

Mr. MADDEN. Will the gentleman yield?

Mr. BORLAND. I think I anticipate the gentleman's question, and if he will be patient I will answer it. I will yield later. Those are the items referred to in that law of 1878 which must be estimated for by the commissioners and submitted to the Secretary of the Treasury. Then the Secretary of the Treasury sends them to Congress, and the language of that same section continues in these words:

To the extent to which Congress shall approve of said estimates Congress shall appropriate the amount of 50 per cent thereof, and the remaining 50 per cent of such approved estimates shall be levied and assessed upon the taxable property and privilege in said District other than the property of the United States and of the District of Columbia; and all proceedings in the assessing, equalizing, and levying of said taxes, the collection thereof, the listing, return, and penalty for taxes in arrears, the advertising for sale and the sale of property for delinquent taxes, the redemption thereof, the proceedings to enforce the lien upon unredeemed property, and every other act and thing now required to be done in the premises shall be done and performed at the times and in the manner now provided by law, except in so far as is otherwise provided by this act.

So that those are the items and the only items to which the 50 per cent ever did apply by virtue of any so-called organic act. It is not contended that that includes the interest or the sinking fund.

Mr. SAUNDERS. It does. It was specifically contended in reply to the gentleman from South Dakota that it covered the interest and not the sinking fund.

Mr. MADDEN. Does the gentleman contend that the payment of interest and the payment of the annual proportion of the bonded debt is not a part of the Government expense?

Mr. BORLAND. Yes; and I will explain exactly why, because that is the question I anticipated the gentleman was going to ask. It is not contended that that language specifically designates the interest or the sinking fund. It certainly does not designate the sinking fund, and does not specify the interest. It is contended by the gentleman from Virginia [Mr. SAUNDERS] and by the gentleman from Illinois [Mr. MADDEN], possibly, that the interest is included under the term "expenses of the District of Columbia." That construction must be drawn, as the gentleman from Virginia has himself pointed out, from the entire act, if it is drawn at all. If that implication is drawn at all, it could only be drawn in the absence of some specific language in the act which made provision for the interest. Let us see if the language of the act itself does not make a specific provision for the interest. If the language of that act makes specific provision for the interest, then it is apparent that it dispels any implication that the interest was included in the general language in this estimate.

Mr. DALZELL. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. DALZELL. I am asking for information. As a matter of fact, have the estimates that have been submitted to Congress since 1879 included interest and payment of the sinking fund as part of the expenses of the District?

Mr. BORLAND. I believe so. To return to the proposition I made, this enumeration, not having included the interest in terms, if we want to extend that enumeration by implication to the interest, it must be in the absence of some language in the law which would otherwise take care of the interest. I do not think that would be a necessary implication if the language were entirely absent, because the interest is not a general expense of the District. It might be an expense and it might not be an expense, but it is not necessarily included in the general word "expense."

But this bill makes specific provision for the interest in these words:

Hereafter the Secretary of the Treasury shall pay the interest on the 3.65 bonds of the District of Columbia issued in pursuance of the act of Congress of June 20, 1874, when the same becomes due and payable—

The Secretary of the Treasury shall pay them, so that there is no question between the bondholder and the United States—

and all amounts so paid shall be credited as part of the appropriation for the year by the United States toward the expenses of the District of Columbia as hereinbefore provided.

The United States, as between the bondholder and the United States, pays the interest. Then, as a matter of bookkeeping, it charges that amount against the amount that it would have contributed in cash under the general appropriation bill for the District of Columbia. There is no other construction that can be placed upon that language. It is not necessary for the Secretary of the Treasury to estimate for the interest. He is given specific authority to pay it, and when he pays it, if Congress has contributed an amount equal to one-half of the general estimated expenses under that preceding section, the amount that Congress has appropriated out of the Treasury shall be credited with the amount it has already paid toward the interest coupons.

Mr. LLOYD. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. LLOYD. Would not that make the United States pay the full amount of the interest?

Mr. BORLAND. No; I think not.

Mr. LLOYD. If it is paid by the Secretary of the Treasury out of the Treasury of the United States, and then credited to that part of the fund which is contributed under the District of Columbia appropriation bill, that would make the United States pay all of it.

Mr. BORLAND. No; the word "credited" means a subtraction and not an addition. It does not say in addition to the amount contributed. It says that it shall be credited on the amount contributed.

Mr. LLOYD. But would it not have the effect of requiring the United States Government to pay out of that part it is expected to pay of the District expenses the whole amount of interest?

Mr. BORLAND. I think not. I think it has exactly the reverse effect.

Mr. SHERLEY. Is not the gentleman's whole position predicated necessarily on the proposition that "expenses" do not include the interest?

Mr. BORLAND. Yes.

Mr. SHERLEY. Is not that begging the real question at issue? The matter at issue is whether it does or does not include it.

Mr. BORLAND. No; the argument was made by the gentleman from Virginia [Mr. SAUNDERS] that the general word "expenses" might be stretched to cover interest. The gentleman said there are cases where that might be true. I do not think it is necessarily true, but even the implication would not exist if specific appropriations were made in the same act for the interest and——

Mr. SHERLEY. If the gentleman will permit me, I am not now passing upon the question of whether the term "expenses" does include interest, but it seems to me the gentleman has not quite established the argument that it should not include interest, because provision was made in the same act for the taking care of interest. That very argument seems to fall to the ground because it is predicated on the idea that the interest so paid shall be charged—that is, credited—against the United States part of the "expenses," and there you are brought back to the original question whether "expenses" do or do not include interest. The language quoted was this:

And all amounts so paid shall be credited as a part of the appropriations for the year by the United States toward the expenses of the District of Columbia as hereinbefore provided.

What are those expenses, and do they include interest?

Mr. BORLAND. My view of that is this, I would say to the gentleman from Kentucky: If these estimates come in, as the

law of 1878 requires the carrying of these estimates, then the United States Congress, so far as it approves the estimates, appropriates 50 per cent. Of course it is not bound to appropriate for any particular item only so far as it approves the item. Now the Secretary of the Treasury under authority of the same act is bound to credit the United States share whether they have included some items or no particular items in that estimate; he is bound to credit all he has paid for interest against what they have chosen to appropriate.

Mr. SHERLEY. If the gentleman will permit me there, that does not answer the contention because of the fact you have not determined the primary question whether expenses do or do not include interest.

Mr. BORLAND. Let me answer the question further in this way: If the estimates submitted by the Secretary of the Treasury do not include any interest and Congress appropriates under those estimates, as I believe is the intention of the law, and then the Secretary of the Treasury by virtue of the same act of 1878 had paid the interest in the meantime, the law would compel him to credit against the share the United States contributed toward these expenses what he has paid in the way of interest whether the United States had included the interest in the estimates or not. Now, if the United States has included the interest in its estimates, he goes through the same formula except that the result is that the interest that he credits is the same interest that has been estimated for and allowed, and therefore it nullifies the express wording of that statute because the wording would not be quoted there at all if that were the only result of it; that it should be estimated for by one officer and credited for by another officer would not require that express language in it.

Mr. LLOYD. Is not this true? If the money is paid by the Secretary of the Treasury out of the Treasury of the United States, as is now required by law, and the expense in the District of Columbia is divided equally between the District of Columbia and the United States, and then the amount of this interest account credited to the United States on that account, would not the effect be for the United States to pay one half and the District of Columbia the other half? It has paid the one half which it ought to pay under the equal distribution, and the other half it would get a credit for in its relation with the District account.

Mr. JOHNSON of Kentucky. Will the gentleman yield for just one moment in that connection? I think I can clear the mind of the gentleman——

Mr. BORLAND. I think I can clear it up.

Mr. JOHNSON of Kentucky (continuing). I think I can clear up the mind of the gentleman from Missouri a little bit. If he will take my amendment and read the first two lines of it, he will find it reads this way, and it is a copy of the law:

And there is hereby appropriated out of the proportional sum the United States may contribute toward the expenses of the District of Columbia.

Under that there is no provision for an appropriation out of the Treasury, but there is a provision for appropriating out of the proportional sum that is contributed by the District of Columbia.

Mr. LLOYD. And the proportional sum is half and half—50 per cent?

Mr. JOHNSON of Kentucky. That depends upon whether they contribute half or not.

But if they do contribute half, for the sake of argument, then the sinking fund must be created out of the amount that is appropriated by the Federal Government toward the District of Columbia.

Mr. LLOYD. But the proportional part that is referred to is the proportional part that is provided in the statute, and the proportional part that is provided in the statute is the 50 per cent base—50 per cent by the District of Columbia and 50 per cent by the United States. There is no other proportion, so far as I know, that is mentioned in any of these statutes. If there is, I would like to know what it is.

Mr. JOHNSON of Kentucky. And the gentleman can search all the statute books of the United States from the foundation of the Government until now, and he will find that the appropriation bills read:

That there is hereby appropriated out of any money in the Treasury not otherwise appropriated.

This is the only exception, and it says:

There is hereby appropriated out of the proportional sum which the United States may contribute to the District of Columbia for the purpose of sinking fund for the payment of its funded debt.

Mr. BURKE of Pennsylvania. I understand the gentleman from Missouri to answer the gentleman from Kentucky [Mr. JOHNSON] to the effect that the payment of interest on the funded debt of the District could not be properly considered expense of the District.

Mr. BORLAND. I said it was not necessarily included in the word "expenses."

Mr. BURKE of Pennsylvania. Will the gentleman answer this question: If the Secretary of the Treasury in the enforcement of the corporation-tax law should refuse to allow a corporation, as a matter of bookkeeping, for $100,000 interest on its bonded indebtedness, would the gentleman regard that as a fair proposition or as a legal one?

Mr. BORLAND. The gentleman must recollect that the corporation tax law specifically points out how interest shall be credited and how much interest. It says that the debt must not be larger than the total capital stock. It is specific on that subject. There is no analogy at all.

Mr. BURKE of Pennsylvania. Applying to any general business having a bonded indebtedness, are not the first items that are included in the list of fixed charges the interest on the funded debt?

Mr. BORLAND. Now, the gentleman and I may have come to a purely political question.

Mr. BURKE of Pennsylvania. No.

Mr. BORLAND. I have always contended that the amount of interest on capital that is in a business, public utility, or otherwise, borrowed on its bonds, is not generally a legitimate expense of the business. And to charge the consumer with a rate covering the interest on the bonded indebtedness is a proposition that is rapidly going out of the legislative mind of this country. It is even being dispelled from the judiciary mind that interest on the bonded indebtedness, fixed charges as they are called, are necessary elements of the expenses of the business. We all know now it is not true; that some businesses may have borrowed money in some amount; but, after all, it is capital, whether borrowed or unborrowed.

Mr. BURKE of Pennsylvania. Does not the gentleman think a corporation has a right to borrow?

Mr. BORLAND. Yes.

Mr. BURKE of Pennsylvania. And would it not be its duty to pay the interest on that debt?

Mr. BORLAND. Of course, on its contract.

Mr. BURKE of Pennsylvania. Would not that be a legitimate expense of its business?

Mr. BORLAND. Not at all. They might have borrowed $15,000 when they needed only $10,000. It is not a general expense of the business.

Mr. BURKE of Pennsylvania. There is no question that this particular loan we are discussing now is a legitimate one.

Mr. BORLAND. Oh, yes; there is a great deal of question.

Mr. BURKE of Pennsylvania. The gentleman is not discussing it from that standpoint.

Mr. BORLAND. I am not discussing that, because I did not want to go too far afield in this discussion.

Mr. BURKE of Pennsylvania. But you admit it was a properly acquired loan?

Mr. BORLAND. I do not admit anything, and that is not necessary to this argument.

Mr. BURKE of Pennsylvania. If it was not, the gentleman would repudiate the whole debt?

Mr. BORLAND. My point is that the existence of a loan is merely an incident and not a usual or necessary expense of the business. It is always specific in its obligation.

Mr. SAUNDERS. Let me ask one question. The language there is "expenses." Can you conceive of any situation in which a municipality, bound for municipal indebtedness and therefore under obligation to pay the interest on the same as it accrues, would not properly treat of interest incurred in that way as expense? Give me a case in which a city would be required to pay interest and at the same time say that the interest was not an expense.

Mr. BORLAND. In this case provision has been made specifically for interest and sinking fund of an indebtedness. I have known of very, very few cases, except when they are trying to fix the rates charged by a railroad, where the interest is figured in as a part of the general expense of the business. I never knew of a business man to do it in his own counting room, or in consultation with his attorney, or in a board of directors. I have never known it to be otherwise than a simple, clear-cut proposition of capital for the business itself, but not a necessary expense. I do not think the word "expense" includes interest as a general proposition.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. BORLAND. Yes.

Mr. MADDEN. Does the gentleman contend, although he claims that the borrowing of money and the payment of interest

on a loan is simply an incidental proposition to the conduct of the business, that after that proposition has been entered into it is not a legitimate part in the conduct of the business?

Mr. BORLAND. I do not think there is any misunderstanding about my position, and that is that the obligation to repay money is a mater of specific contract. It is not included in any general words at all.

Mr. MADDEN. Very true; but while the obligation exists, does the gentleman contend that whatever interest must be paid on the obligation is not a specific part of the legitimate annual expenses of conducting the business on which the loan is made?

Mr. BORLAND. Well, I do not know that it is necessary to repeat what I said a while ago. I did not know whether the gentleman was in here or not at that time.

Mr. MADDEN. Yes; I was here and listening to every word the gentleman said; and, as I understand now, the gentleman has worked his mind out to such an extent that he can say to the House that the payment of interest is not a legitimate part of the functions of the government of the District of Columbia.

Mr. BORLAND. I repeat that the payment of interest is not, in my view, either as a legal or a business proposition, included in the word "expense," but is a specific and separate matter in almost every case. There is no particular reason why interest should be an item of expense. Interest may exist or it may not exist. The loans may be too large or they may be too small or they may not exist at all. Now, the gentleman says that if a party is in debt, if the interest on that debt is not a part of the expenses of his business, what is it?

The only implication that interest could arise incident to this expense must be founded, as I presume, upon the absence of any other provision in the same law for the payment of such indebtedness, and if the same law makes other provision for the payment of the interest on the same indebtedness it would be presumed and argued in every court that that special item for interest would take it out of any implication in a general item.

Mr. MADDEN. The gentleman does not contend that the item of interest can be taken out of the category of expense, does he?

Mr. BORLAND. Yes. It does not make any difference to the gentleman from Illinois whether I owe $100 or $1,000, or pay interest on $100 or on $1,000. Neither one of those circumstances is an incident to my living in the District of Columbit, nor has it anything to do with my expenses.

Mr. BURKE of Pennsylvania. Suppose a man offered the gentleman from Missouri $1,000 worth of stock in a corporation, and the gentleman from Missouri purchases it on the strength of this statement, that "last year we made $15,000," and after he had acquired that stock and investigated the business, he found that in fact they had not made a cent, or had lost that much. Suppose the gentleman from Missouri accused the man of false pretense, and he said, "Oh, there is no false pretense about it. That $15,000 went to pay interest on the mortgage indebtedness." Would the gentleman from Missouri say he was deceived? Would the gentleman say the vendor had been guilty of false pretenses in that case?

Mr. BORLAND. Oh, no; but I do not see any application in that to this proposition. If the money was really made, the purpose for which it was used cuts no figure.

Mr. BURKE of Pennsylvania. If it was not used as a part of the expense of the concern it could not be so considered.

Mr. BORLAND. Let me ask the gentleman a question. He is a good lawyer. Suppose the gentleman wanted to go into a business that required $50,000 worth of capital, and he had the $50,000 worth of capital and put it into the business, and thereafter his earnings were $5,000 a year on that capital. He did not have any interest to pay at all. Now, suppose I was located adjoining him or across the street, and I had the same business, and the capital of my business was $50,000, but I had borrowed $25,000 from the gentleman from Kentucky [Mr. SHERLEY] and was paying interest on it. Now, when we come to figure out what were the relative expenses of the business, in the gentleman's case it would not include interest and in my case it would. Is it not evident that the interest is really a dividend or the return on the capital borrowed, just as much as on what the gentleman pays himself? The difference between interest and the running expenses of a business is always clear. That, however, is running far afield from this argument.

Mr. SAUNDERS. Mr. Chairman, may I suggest this to the gentleman in that connection, that in the one instance that the gentleman cites payment is made on a fund that is not related to the business at all. Of course it has no relation to the expense of the business; but suppose it was money paid and interest on a debt that was specifically chargeable on the business. Would not that be part of the expense of the business?

Mr. SHERLEY. I would like to ask the gentleman this question: What does he consider the capital of a city or municipality?

Mr. BORLAND. That is getting to be a pretty deep political question.

Mr. SHERLEY. Very well. Then where does it get its income for the payment of its expenses? It gets it through its taxing power, does it not?

Mr. BORLAND. The capital of a city is its aggregate taxable wealth.

Mr. SHERLEY. Its taxing power?

Mr. BORLAND. Yes.

Mr. SHERLEY. Now, if it is a solvent, going city, does it not have to levy sufficient taxes to pay the expenses of its government, and would it not have to consider a debt as a part of those expenses, or else repudiate it? Is that true or not?

Mr. BORLAND. It would either have to pay the debt or repudiate it.

Mr. SHERLEY. Yes. Then if it has to pay the debt, is it not an expense of the municipality?

Mr. BORLAND. No; it does not follow from that statement that it is an expense. It follows from that statement that it must comply with its contract, whatever it is.

Mr. SHERLEY. There is no contract, other than that the city owes certain money. Now, it has got to pay that.

Mr. BORLAND. It has got to pay that.

Mr. SHERLEY. The paying of that becomes an expense of the city, does it not?

Mr. BORLAND. The general word "expense" is broad enough to cover anything that anybody has to pay.

Mr. SHERLEY. Is there anything here that qualifies the "expense" to make it current?

Mr. BORLAND. I think so, and if we can get back to the law, I want to point out to the gentleman from Kentucky why I think so.

Mr. SHERLEY. That is just the point I want to hear you on.

Mr. JOHNSON of Kentucky. Will the gentleman from Missouri permit an interruption?

Mr. BORLAND. Yes.

Mr. JOHNSON of Kentucky. I will read just one little extract from a speech that I made upon this subject on the floor of this House a year ago, in which I said:

While section 7—

Of the act of 1878—

said that all classes of indebtedness set out in section 6 evidenced by board of audit certificates might be exchanged for the 3.65 bonds, the creditors saw all the "taxes, moneys, credits, securities, assets, and accounts" set aside by section 2 for the payment of "current expenses, schools, fire department, police, and debts secured by a pledge of the (District) securities."

In addition to that I called attention to another feature of this proposition when I said:

If the United States was to pay any part of the interest upon these bonds, why should such often-repeated expressions in the various acts of Congress relative to "reimbursing," "refunding," "credited as a part," and paid "out of the proportional appropriation," and other such expressions be used, when not one of these expressions of limitation is used in connection with any other appropriation?

This is the only expense, if you choose to call it such, of the District of Columbia that Congress at that time saw fit to attach any limitation or qualification. That limitation or qualification was that it should be paid out of the Federal Treasury and then returned to the Federal Treasury by the District of Columbia.

Mr. BORLAND. Now, while it is true, as I have no doubt, that the word "expense," being a word of very broad signification, may be broad enough in a great many cases to cover the payment of interest or the payment of any other charges, yet inasmuch as interest is usually specifically provided for in public acts, and even in the acts of private corporations it is usually classified by itself separately and specific provision made for it, I deny that there is any necessary implication from the word "expense" that would include interest; and if we find in the very same law a specific provision for the payment of interest, then we are entitled to assume, in fact we must assume, that it was not included in the general words which precede it. If it was included in the general words preceding it, the specific provision for its payment would not be necessary; and that is the fact concerning this law of 1878.

Mr. SAUNDERS. May I interrupt my friend a moment?

Mr. BORLAND. Yes.

Mr. SAUNDERS. John Sherman in his day was regarded as the foremost financier of that time. He was Secretary of the Treasury when the first estimates in this matter were submitted to him. He revised those estimates and returned them. Under the head of "General expenses of the District of Columbia" was included provision for the sinking fund and interest. Does

not my friend think that is pretty good authority for the proposition that even under that act these items were properly related to the heading "District expenses"?

Mr. BORLAND. That is a repetition of the same position which the gentleman from Virginia has assumed, that this having been acted upon contrary to the wording of the law, if it be contrary to the wording of the law, that that construction of the law is binding upon subsequent Congresses. Of course, that is not necessarily true. The half-and-half principle that has been so often spoken of here does not, according to the wording of the law and the four corners of the law of 1878, apply to interest or sinking fund. That was the ruling of the Chair the other day, and is still the contention of the gentleman who offers the amendment.

In 1874 and 1878 every municipality in the country was on the verge of bankruptcy. A very general period of depression, and we might say of corruption, had swept over the country, and every city was confronted with a large city indebtedness, and some of them had to go out of existence as municipal corporations because they could not meet their obligations.

What occurred in the District of Columbia, where a debt of $22,000,000 was confronting them? The United States stepped in and took the debt, some of which was in dispute, and reduced the interest to 3.65 per cent, or less than 4 per cent. At that time there was no municipality or private individual in the United States that could get money at such a price. If the District of Columbia got money for less than 4 per cent, it was getting at almost half the current rate paid by the public and municipalities. The District of Columbia, by reason of the guaranty the United States made that it would see that the bondholders were paid out of the appropriate revenues, was enabled to cut its interest bill in half, and the District for 30 years has enjoyed the fruits of that guaranty. Instead of its being in a worse condition, it is in a better situation than any county or municipal corporation or quasi municipal corporation in the United States that went through that familiar wholesale bond issue following the Civil War.

There is not a community in the United States that has been so favorably treated as the District of Columbia from that guaranty of the United States behind it. I do not know of a municipality in the country that would not be glad to have the United States step in and guarantee the interest on the bonded indebtedness and cut the interest down to less than 4 per cent.

Now, the District comes in after that favored treatment of nurturing and nursing that has gone on and after its taxable wealth has largely increased, when it has more taxable property per capita than any other city in the United States, when its taxing power is only used to one-third of its limit—more than two-thirds of the District of Columbia's wealth escapes taxation, where only the little fellows are taxed—I say it now comes in and says that some great hardship is being done and that the Federal Government should continue to pay half of its sinking fund and interest.

We say under these circumstances that unless the strict letter of the law, unless the very letter of the bond, calls for the pound of flesh, the pound of flesh ought not to be rendered. If the District of Columbia can show that either it or the bondholders has a legal enforceable right, a naked, bare, harsh right to demand payment from the Federal Treasury, let it insist on that legal obligation and stand upon its legal rights. But as to its having any moral right, it has no moral right at this time, and never did have a moral right. It was taken out of the slough of bankruptcy and has been started on a prosperous career. It has secured the refunding of its debt at a lower rate of interest than has ever prevailed in any municipal indebtedness of the United States. It has enjoyed the fruits of that statute which has increased its taxable wealth beyond all other cities of its size. It has no moral right at this time. If it has the bare legal right, that is bad enough. It has been decided here that it did not have a legal right to insist upon the continuation of the payment of one-half of the interest of the sinking fund. That being true and the point of order having been ruled upon and it being ruled that the payment of one-half by the United States was not authorized by law and therefore subject to a point of order, it necessarily follows that the amendment offered by the gentleman from Kentucky that the amount be put in and charged against the funds of the District is in order and must prevail.

The CHAIRMAN. The Chair is ready to rule, but recognizing the importance of the question, he will not decline to hear gentlemen further if they wish. But he will ask them to address their remarks to the point of order.

Mr. MADDEN. Mr. Chairman, I understand that no argument has been made as yet on the point of order.

Mr. SAUNDERS rose.

The CHAIRMAN. For what purpose does the gentleman from Virginia [Mr. SAUNDERS] rise?

Mr. SAUNDERS. Mr. Chairman, I ask for 5 minutes to submit a statement.

The CHAIRMAN. The gentleman from Virginia, a member of the committee, is recognized.

Mr. SAUNDERS. Mr. Chairman, as showing how widely gentlemen may differ and fairly so, with respect to the interpretation of the original acts, I will simply say that every citation which my friend from Missouri [Mr. BORLAND] has adduced this morning in support of his position, was adduced by me a year ago in an argument on this proposition to support an entirely different conclusion. This being so, it emphasizes the importance of the contention that the Chair should look to the contemporaneous discussion of these ambiguous statutes for their proper interpretation.

I desire to call the attention of the Chair to a portion of the language cited by the gentleman from Missouri, and to submit a brief argument showing that the use of this language was necessary, and strictly in harmony with the present contention that the Government assumed one-half of the interest on the funded debt as a portion of the debt of the District. The language cited is as follows:

> Hereafter the Secretary of the Treasury shall pay the interest on the 3.65 bonds of the District of Columbia issued in pursuance of the act of Congress approved June 20, 1874, when the same shall become due and payable.

If the act had stopped at that point, it might have been argued that this payment was something additional to the one-half which it had already assumed. Therefore, it was necessary to add the language:

> And all amounts so paid shall be credited as a part of the appropriation toward the expenses of the District, as hereinbefore provided.

The concluding words "as hereinbefore provided," relate back to the half-and-half principle which had been established. Permit me to illustrate by the statement of a hypothetical account between the Government and the District the inevitable effect of this requirement, and demonstrate that in the result the words merely serve to make the Government pay one-half of the interest and no more. Suppose that the expenses of the District of Columbia for the first year after the act of 1879 amounted to $4,000,000, those expenses including of course the sinking fund and interest. How much would the Government of the United States be liable for, under the act 1878. The answer is simple, $2,000,000. Now suppose that the Government proceeded to pay $1,000,000 on the sinking fund and interest. This amount would thereupon be credited on the amount of two million for which it was liable. This would leave the Government liable for one million more.

The aggregate amount therefore paid by the Government would be $2,000,000, the exact amount for which it would be liable, according to the statute, upon the assumption that in any one year, the amount of the aggregate expenses of the District was $4,000,000. So that the direct application of the requirements of this statute, to a settlement of accounts between the District, and the United States, compels the Government to pay one-half of the expenses, in a word the proportional part for which it is liable.

I submit a statement of an account illustrative of my contention:

Whole expenses, including sinking fund and interest, payable half and half	$4,000,000
Proportional part to be paid by the United States	2,000,000
Interest and sinking fund charge paid by United States, and by law to be credited on its proportional part or one-half of whole expenses	1,000,000
Balance to be paid by United States	1,000,000
Total actually paid by the Government	2,000,000

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MADDEN. Mr. Chairman, the gentleman from Virginia [Mr. SAUNDERS] has said what I was going to say, but he has said it so much better than I could have said it that I will not detain the committee longer.

Mr. HAYES. Mr. Chairman, I understand the point of order is simply reserved and that all the gentlemen have been discussing the merits of the amendment. I do not understand that a point of order is pending.

The CHAIRMAN. The point of order has been made.

Mr. HAYES. Mr. Chairman, this discussion has taken a very wide range, not only to-day but previously, and I desire to submit some considerations, not upon the point of order but as to the merits of this amendment. I was present last Saturday when the gentleman from Kentucky [Mr. JOHNSON] made his point of order against the provision in the bill and discussed the proposition substantially now before the House. I was astonished when he made the point of order. I was still more

astonished at various statements which he made in the course of his remarks which he submitted in speaking to the point of order. I wish to call attention to one or two things that were stated in that discussion, and I ought to say in this connection that I am not desirous of criticizing the gentleman from Kentucky, and I am not implying in what I shall say that he has willfully made any misstatement, but I wish to call attention, among others, to the part of his statement which I read from the RECORD of last Saturday, February 1:

Tracts of land in the District of Columbia in the midst of primeval forests are opened up and laid out into town lots. Under that plan the District of Columbia calls upon the Federal Government to pay one-half of the expense of the streets that are opened and macadamized and paved through that, and the Federal Government does it.

Mr. Chairman, I was very much astonished at that statement, and it caused me to make a little investigation upon my own account. I want to say to the House that that statement is erroneous.

The law of 1893 provides that when new land is to be subdivided or platted in the District of Columbia the owner must dedicate the streets included in the plat in accordance with the District highway plan; and without a single exception since 1893, according to my investigation of subdivisions of land in the District of Columbia, the owners of all subdivisions of land have not only dedicated the streets without expense to the District, but they have, as a general rule, improved those streets at their own expense.

Other public improvements that are made in the undeveloped parts of the District of Columbia are generally paid for at private expense or are charged to the abutting or adjacent lands. This is not true of the improvement of the streets in the older part of the District where the District government pays for the expense of the improvement. It is also true that in the older parts of the city of Washington, when streets are opened, the universal practice of Congress has been to provide in every case that the total expenses shall be assessed to the neighborhood as benefits so as to cover the total cost of opening, and paying for the lands for those streets, and no part of the cost comes out of the Public Treasury. There are certain exceptions to this rule, notably Massachusetts Avenue extended and Sixteenth Street, where Congress has made appropriations on the usual basis for the opening, improvement, and macadamizing of these streets.

For example, in Massachusetts Avenue Heights subdivision, where improvements are now going on; on Connecticut Avenue, in Sauls's Addition; in Cleveland Park; in all of those subdivisions the District of Columbia has never paid for the improvement of the streets nor for any other public improvement. I think I am stating the fact, and I have been quite carefully investigating the matter——

Mr. CAMPBELL. If the gentleman will permit, I want to corroborate what the gentleman has stated. I know he has stated the fact, because the legislation providing for the opening of those streets provided that the property abutting should pay for the improvements.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYES. I ask unanimous consent that I may proceed for five minutes. I have not taken up much of the time of this House.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. HAYES. Now, Mr. Chairman, one more thing I think in justice to the District of Columbia should be stated, and that is this: That in every case the improvement of extending water or sewer connection to any part of the District is paid for by the abutting property. That is rather unusual, I think. I know that in most of the cities where I have lived the waterworks being owned by the cities which charge rental to the various property owners for the use of the water, thus having a revenue from its investment, the city puts in the mains, but in this city that is not the rule, although the city does charge the property owner for the use of the water.

Mr. LOBECK. It gets no rental from the sewers.

Mr. HAYES. Not from the sewers, but from the water. It gets a rental or charges the consumer for the use of the water, and yet the consumer is obliged also, under the laws of the District of Columbia and the practice here, to pay for putting in the mains along the streets upon which his property abuts.

Mr. CARY. I would like to say that in the city of Milwaukee, where it owns the waterworks, the laying of the mains is charged to the abutting property owners; they pay all of it.

Mr. HAYES. In the city of Madison, where I once chanced to be a part of the government, and in other cities where I have lived, that is not the rule. It seems to me an unjust rule——

Mr. LOBECK. In a majority of the cities it is the rule, except where storm sewers are constructed; the sanitary sewers that belong to the residents are paid for by the people.

Mr. HAYES. Of course, that is the rule in the city of Washington——

Mr. LOBECK. That is the rule in a majority of cases.

Mr. HAYES. I think the gentleman is mistaken. Now, Mr. Chairman, I criticize no Member of this House who regards it as his duty to attack the District of Columbia or its people, but I do think when a gentleman attacks the people of the District of Columbia, the Capital of the Nation, he ought at least to base his attack upon the facts. Statements were also made in the course of this discussion on Saturday, not only by the gentleman from Kentucky [Mr. JOHNSON], but by the gentleman from Iowa [Mr. PROUTY] and by the gentleman from New York [Mr. REDFIELD], that the city of Washington pays the lightest taxes of any city in the United States. Now, Mr. Chairman, I investigated that matter somewhat, and I have here a statement showing the taxes paid by some cities in the United States approaching the size of the city of Washington. That statement will bear me out in saying that the city of Washington is assessed, or at least it pays as high taxes as the average of the cities in the United States near its size.

That statement is as follows:

City.	Population.	Total assessment of real estate.	Tax on real estate.	Revenue from other sources.	Tax on real estate per capita.	Total tax per capita.
Philadelphia	1,549,000	$1,553,791,867	$14,528,028	$14,324,777	$9.38	$18.62
St. Louis	687,000	441,854,410	9,809,168	7,240,904	14.36	24.76
Boston, Mass	670,600	1,146,663,400	18,805,280	4,046,100	28.04	34.07
Buffalo, N. Y	423,700	325,489,250	8,060,318	2,412,815	19.04	24.72
Milwaukee, Wis	373,900	345,052,170	5,620,899	1,706,960	15.03	19.60
Cincinnati, Ohio	364,500	368,088,390	3,077,218	1,900,695	8.44	13.65
New Orleans, La	339,000	166,677,805	3,668,912	[1] 1,505,915 1,386,530	10.81	19.35
Washington, D. C	331,000	293,389,839	4,400,850	2,000,000	13.30	19.34
Indianapolis, Ind	233,650	153,336,255	3,240,728	902,925	13.87	17.73
Providence, R. I	224,300	194,910,720	3,216,027	2,528,500	14.33½	26.05
Rochester, N. Y	218,100	180,687,350	3,520,754	537,006	16.14	18.60
Portland, Oreg	207,200	224,050,420	5,466,830	143,245	26.38	27.07
Atlanta, Ga	154,800	135,101,491	1,688,768	3,428,782	10.80	36.93
Richmond, Va	127,600	83,034,275	.....	.....	.....	.....
Trenton, N. J	96,800	62,208,200	1,318,813	.....	13.62	.....

[1] Personal.

Mr. HAYES. An examination of the table will show that Buffalo and Providence pay higher taxes per capita than the city of Washington, while the taxes of the cities of Cincinnati and Indianapolis are much lower.

Now, the gentlemen I have referred to have gone upon the theory that because the city of Washington paid only 1½ per cent on a two-thirds valuation they could compare that with other cities which pay a higher rate per cent on their valuation, and because they found in other cities a lower rate have jumped to the conclusion that, therefore, Washington does not pay the taxes it should pay. Now, of course, the tax rate has nothing to do with the taxes a city pays. I have in mind a city where the total rate is 2¼ per cent on the valuation, but the valuation is only 40 per cent of the market value of the property, because that city is part of a county, and it not only has its city tax to pay, but State and county tax, and in order to put it on the same basis as the county and State the attempt is made by the assessor to put it on the same basis as to valuation, whereas in the city of Washington the valuation of the assessor is supposed to represent the value of the property.

I went over a list of the property reaching from the Mall to H Street and from the Capitol to the White House, and I find the valuation of the assessor is within 5 per cent of the market value of the property as indicated by the sales for the last five years of that property. I mean that the valuation of this property by the assessor is within 5 per cent of its market value.

As a further refutation it can be shown that during the years 1908 to 1912 there were some 200 sales between Ninth and Fifteenth Streets and B and H Streets NW. These sales aggregated over $13,000,000, and the basis of assessment for this property, which was examined and valued in 1910, is within 5 per cent of these sales. More than 90 of these sales were below the basis of the assessment, showing that the assessors had taken an average figure in making their appraisement, and it is generally conceded that a fair assessment should agree with the average sales of any section.

As an example of how property was valued I will state that the northwest corner of Fourteenth and H Streets was valued at $132,810 in 1910 and sold for $135,000 in 1912; 1409 H Street was valued at $70,335 in 1910 and was sold just before the valuation for $70,000; 1405 G Street was valued at $136,000 in 1910 and sold for $130,000 in 1911; 1407 and 1409 F Street were valued at $121,000 in 1910 and sold for $110,000 during that year; 1406 G Street was valued at exactly the amount of the sale. The southwest corner of Fourteenth and G Streets was valued at $553,000 in 1910 and sold in 1909 for $499,490. The Hall of the Ancients was valued at over $200,000 in 1910, and two years after that sold at auction at nearly 25 per cent less; No. 722 Thirteenth Street, $25,000 in 1910, sold at that figure in 1912; No. 609 Fourteenth Street, valued at about $76,000 in 1910, sold for a little over $72,000 in 1911; 1227 New York Avenue, valued at $16,762 in 1910, was sold at $17,500 in 1912; 719-21 Thirteenth Street, valued at $151,000 in 1910, sold at $150,000 during the same year.

The northwest corner of Twelfth and F, valued at $211,320 in 1910, has been offered for three years at $215,000, and was finally disposed of by a trade; 1229-1231 E Street, valued at $29,000 in 1910, had been sold the previous year for $28,000; 519 Thirteenth Street, valued at $28,000 in 1910, sold during that year for less than $22,000; 1216 F Street, valued at $124,000 in 1910, sold two years after for $120,000; 1215 to 1219 Pennsylvania Avenue, valued at $151,000, sold the year previous for $114,000; 1227 Pennsylvania Avenue, valued at $57,000 in 1910, sold the year previous for $52,000; 732 Eleventh Street, valued at $12,429 in 1910, sold for $11,000 in 1912; 726 Eleventh Street, valued in 1910 at $21,000, sold during that year at $18,000; 611 Twelfth Street, valued in 1910 at $46,845, sold two years after for $41,200; No. 708 Tenth Street, valued in 1910 at $13,450, sold for $13,300 in 1912; 1004 E Street, valued at over $17,000 in 1910, sold for less than $14,000 in 1912; 934 New York Avenue, valued at $13,000 in 1910, sold for a less amount in 1912; 922-924 F Street, valued at over $64,000 in 1910, sold the year after for about $10,000 less than the valuation. Many other sales can be shown through this section, illustrating the closeness of the assessment, one of the most recent sales on F Street between Ninth and Tenth being almost exactly on the basis of assessment. The same thing can be shown in the high-class residential portions of the northwest, for although sales have been cited to show an underassessment of high-class property, yet hundreds of sales can be given where the values are below the basis of assessment. For instance, just north of the Pinchot property on Massachusetts Avenue is a residence situated in the same way as the Pinchot property in reference to Scott Circle. This residence sold at about $10,000 less than the basis of the assessment and a majority of the sales for five years within a radius of a thousand feet of the Pinchot property have been less than the basis of assessment. Property values have been increasing along Sixteenth Street, Massachusetts Avenue, and Connecticut Avenue during the last three years, and I am informed that the new assessment will show a decided increase on this account.

It seems likely that the erroneous statements that the gentlemen have made, although really without much if any foundation in fact, have largely influenced the votes of many Members on this floor in this matter. Hence I have thought it best to correct them.

We have in this House a committee charged with the duty of representing and taking care of the interests of the District of Columbia. I am credibly informed that this Committee on the District of Columbia has had but one legal meeting since last April or May, and therefore the interests of the District have received no consideration at the hands of this committee, and no legislation, except a few bills that were reported by unanimous consent, has been reported by this committee to this House. I believe I am stating the fact. Yet the chairman of that committee seems to feel that it is his duty to get up here and object by raising a point of order to every provision in the interest of the District that another committee of this House felt called upon to place in the bill which is now under consideration.

If there was ever an emphatic argument for representation on this floor of every part of the United States, the way District business is handled in this House certainly affords it. The exhibition we have had here while this bill has been under consideration is a most pronounced illustration of the outrageous evils of taxation without representation. The people of the District of Columbia have no one on this floor whose duty it is to represent their interests and to speak for them. And so gentlemen who are full of spleen, from whatever cause, seem to feel called upon to vent it upon the people of the District, and upon the District of Columbia generally. I do not deny their right to do this, but I do say that when they do it they should be very sure that the facts on which they base their statements are real facts and not error generalities.

The CHAIRMAN. The time of the gentleman from California [Mr. HAYES] has expired.

The Chair is ready to rule. Substantially the same questions for ruling that are presented now were presented on Tuesday when the point of order was made against the interest and sinking fund paragraph in the bill. The Chair has indulged gentlemen at length in the argument to-day because the question determined on Tuesday, and to be again ruled on now, involves not only the exercise by Congress of the taxing power as it affects the District of Columbia, but it involves the exercise of the taxing power as it affects the people of the United States. And further, that if, may be, the Chair had not given sufficient attention and entertained full comprehension of the question on the first ruling, he is now given again an opportunity to correct any error he may have made or to correct any error the committee may have made when it voted the decision of the Chair to be the decision of the committee. Therefore, the Chair now rules somewhat further on the question, although it may be said that if the Chair and the committee were right on the former ruling, of course the point of order must now be overruled. Yet the question is of sufficient importance in view of the arguments presented, and particularly the able and researchful argument of the gentleman from Virginia [Mr. SAUNDERS], that a further and more extended ruling touching the interpretation and meaning of the act of 1878 and the act of 1879 perhaps should be made now.

The amendment as offered by the gentleman from Kentucky [Mr. JOHNSON], against which the point of order is made, consists of three paragraphs in its form, but not of three paragraphs by number. Therefore, for the purpose of orderly treatment and clearness of decision, the Chair will consider the first grammatical paragraph as "paragraph 1," the second grammatical paragraph as "paragraph 2," and the third grammatical paragraph as "paragraph 3." As between the contending opinions there is no doubt or difference on some points involved. A proposition that we all agree upon is that the Government of the United States, by the act of 1878, in some cases contributes a proportional sum to the support of the District of Columbia.

There is no disputing the fact that that proportional sum is 50 per cent, because the language of the statute itself says "50 per cent." In the light of this common ground let us examine the words of paragraph 1:

> And there is hereby appropriated out of the proportional sum which the United States may contribute toward the expenses of the District of Columbia, in pursuance of the act of Congress approved June 11, 1878—

And so forth.

As stated, the proportional sum is 50 per cent, and there is no dispute on that. Then the act of 1879, if read to conform, would be:

> And there is hereby appropriated out of the 50 per cent which the United States may contribute toward the expenses of the District of Columbia—

And so forth. If that be true, there can be neither duplicity, obscurity, nor ambiguity in the act of 1879 unless there is ambiguity in the plainest terms of the English language.

Consequently the Chair now rules that the act of 1879, by the plain terms of the act, provided and directed that that proportional sum, to wit, 50 per cent, should be ultimately chargeable to and borne by the District of Columbia. If so, is it not a palpable violation of law to otherwise appropriate for it?

So much for the act of 1879. The act of 1878, paragraph 2, reads:

> All amounts so paid shall be credited as part of the appropriation for the year by the United States toward the expenses of the District of Columbia.

And so forth. By the literal language of law, if the Government appropriates anything from the Federal Treasury, it appropriates 50 per cent, and the express language of the act says it shall, when paid, be—

Credited as a part of the appropriation for the year by the United States—

And so forth. Then if, in fact, the money is paid or advanced from the Treasury it would, under the letter of the act, be credited to the proportional half that the Government may appropriate toward the support of the District of Columbia. If that be true, then the language—

Hereafter the Secretary of the Treasury shall pay the interest—

And so forth—

and all amounts so paid shall be credited as a part of the appropriation for the year by the United States toward the expenses of the District of Columbia—

Is clear.

Then there is no duplicity, there is no obscurity, and there is no ambiguity in the language of the act of 1878.

It is not contended that any authorization of appropriation, in any form provided for in this or any past bill, has stood for its foundation on any other law. Members of the committee will observe that the first and the second paragraphs of the amendment follow the exact language of the statute. The Chair now comes to rule on the question as to whether paragraph 3 of this amendment is in order. Paragraph 3 reads:

For the purpose of meeting the payment of interest and for the purpose of providing for said sinking fund the sum of $975,408, or so much thereof as may be necessary, is hereby appropriated—

From the respective funds described in the two acts of Congress above set out—

to be charged against the revenues of the District of Columbia derived from taxes—

And so forth, following the statute.

If the legal construction by the Chair of the first paragraph, being the act of 1879, is correct, and if the legal construction by the Chair of the second paragraph, being the act of 1878, is correct, then the third paragraph, in explicit language, provides that Congress by its annual appropriation shall give force and effect to existing law. The Chair is of the opinion that the ruling made on a former occasion and sustained by a vote of the committee was correct, for the reasons then stated, and for the further reasons, somewhat analytically, we hope, presented at this time to the committee.

This point of order raises, as already observed, a question of law, which the Chair is compelled, in the very nature of things, to reach and announce an opinion upon. After an earnest and careful consideration of the several acts it is the opinion of the Chair that the first two paragraphs of the proposed amendment correctly set out the appropriate law and that the interpretation given is the correct construction of that law. The last paragraph of the amendment, in fulfillment of this law, appropriates the money and directs its payment according to the construction announced. So the point of order lodged against the amendment is overruled.

Mr. BURLESON. Mr. Chairman, I offer a substitute for the amendment.

The CHAIRMAN. The gentleman from Texas offers a substitute, which the Clerk will report.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve all points of order against the substitute.

The CHAIRMAN. The gentleman from Kentucky reserves all points of order against the substitute, which the Clerk will report.

The Clerk read as follows:

Substitute for the amendment:

"Interest and sinking fund: For interest and sinking fund on the funded debt, $975,408, which sum shall be paid out of funds and accounted for in accordance with the acts of Congress in relation thereto."

Mr. JOHNSON of Kentucky. Mr. Chairman, I make a point of order against the amendment.

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

Mr. BURLESON. I should like to know what the point of order is.

Mr. JOHNSON of Kentucky. That it is legislation, Mr. Chairman.

Mr. BURLESON. It says:

In accordance with the acts of Congress in relation thereto.

I will state to the Chair the purpose I have in mind. If this amendment is adopted, the question of the payment of this interest and sinking fund will be passed upon, under the Dockery Act, by the Comptroller of the Treasury. Under the terms of that act he is directed to settle the question. He can take the advice of the Attorney General of the United States, and if any citizen of the District of Columbia or any other interested person sees fit to test his ruling, the question can be decided in the courts.

I feel quite sure that there is no one in this committee who desires to repudiate any part of the debt of the District of Columbia, or relieve the General Government if the General Government is bound, or to impose this debt exclusively upon the District of Columbia if it should not be imposed exclusively upon the District of Columbia. The purpose of this substitute is to relieve us from passing on the legal questions involved; to impose the duty upon the Comptroller of the Treasury, who has the advice of the law officers of the Government, and to give an opportunity to test this question in the courts.

The CHAIRMAN. The Chair is ready to rule.

Mr. JOHNSON of Kentucky. Mr. Chairman, if the Chair will indulge me just a moment——

The CHAIRMAN. Yes.

Mr. JOHNSON of Kentucky. As far back as five years ago I sought diligently to get into this appropriation bill, under the item of sinking fund and interest, something more than the unqualified charge against the United States. In other words, I have endeavored to get out of that very item the direct mandatory language that it should be paid for upon the half-and-half principle. In all of my efforts I have been unsuccessful. A year ago I stood here for more than two weeks, and upon the presentation of every opportunity I sought to get into this bill either the law itself, or a construction of it by somebody else other than the committee.

On Tuesday, under a ruling of the Chair, and by a vote put to this House, my views were sustained. To-day, insisting that there shall be no repudiation of this debt, I offered the language of the statute itself as an amendment.

The language of the statute, incorporated into this bill, quoted verbatim, may be of no more value than the amendment which has just been offered by the gentleman from Texas. If the language of the statute, quoted word for word as I have offered it, were incorporated in the bill, then it would be subject to construction by the legal authorities of the United States. Now the gentleman from Texas himself has come to offer an amendment, without quoting the statute, which in substance and effect is just what I contended for in previous years.

If it is the law that the Federal Government is to pay half of this item, I have said repeatedly, and I repeat it now, that I wish it done. I have never believed it to be the law. When it has been passed upon by the highest legal officers of the Government, then I shall accept it. But I have believed all along, and I believe now, that nothing more horrible could happen to the Nation than to come in here and repudiate the faith of the United States, so solemnly pledged to see both principal and interest of this debt paid. It is unfortunately better that the States should pay their part wrongfully than that the people who have bought these bonds with that plighted faith of the United States behind them should have that plighted faith repudiated. I believe that the amendment offered by the gentleman from Texas [Mr. BURLESON] accomplishes what I have been contending for through these long years, and if my remarks of last year are taken, it will be found that hour after hour I stood here and contended for that much at least. It was denied then, but granted now, and I am glad that the bill with that amendment will contain no mandatory clause directing the payment of one-half by the United States.

Mr. MURDOCK. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. MURDOCK. The upshot of this whole matter is, if the gentleman accepts the amendment of the gentleman from Texas and it is adopted and this becomes the law, that we shall have an opinion from the Attorney General to the administrative officer as to what this law means. Is that true?

Mr. JOHNSON of Kentucky. That may be true, or we may go into the courts. But if Congress does not wish to stand by the Attorney General's opinion in the matter, then another Congress almost immediately follows, and we can offer a bill and change the law.

Mr. MURDOCK. I will ask the gentleman if in past years an administrative officer of the Government has not interpreted the law, and if his interpretation did not have the support of an opinion by the Attorney General?

Mr. JOHNSON of Kentucky. The Comptroller of the Treasury has not interpreted all of the law. I believe now the law will be put before him just as it has been in this discussion, and I hope that he will see the law as this House has seen it and as this House adjudged it. If he does not, we can at least change the law. Now, I have never sought, and I challenge anybody to point out an instance where I have sought, to change existing law. My contention has been that the half-and-half act should

not be violated to the detriment of the Federal Government. Other people have been insisting that it should not be violated to the detriment of the District of Columbia.

Mr. MURDOCK. Has not the gentleman contended that the act has not been properly administered?

Mr. JOHNSON of Kentucky. No; it has not.

Mr. MURDOCK. And now the gentleman appeals to the executive branch of the Government for a new interpretation. Is not that exactly the gentleman's position?

Mr. JOHNSON of Kentucky. No. I will say that I would rather have my amendment setting out before the executive officers a copy of the law just as it is, but if it be couched in other language that the executive officers are to construe these two acts, I see but little difference. In the one instance the law would be in the present bill, while in the latter it will be in the statute books.

Mr. BURLESON. Mr. Chairman, I do not desire for this time to be consumed by a conversation between the gentleman from Kentucky and the gentleman from from Kansas.

Mr. JOHNSON of Kentucky. I think we ought to have a few minutes to discuss it.

Mr. BURLESON. Very well; I withdraw it.

Mr. JOHNSON of Kentucky. As I was about to say, the third paragraph of my amendment is mandatory that the District of Columbia pay it, and therefore I very greatly prefer it to the amendment offered by the gentleman from Texas [Mr. BURLESON]. I stood here last year and I not only argued but begged and pleaded for what is now conceded. If they had conceded it then, or if the House had adopted the amendment then, I would have been pleased.

Now those opposing my views have come to do that for which I begged and pleaded and argued as strenuously as I could a year ago and two years ago and three years ago. I must say, however, that I prefer my own amendment, because it is mandatory that it should be paid by the District of Columbia, but I have never been unwilling to leave the question to the courts as to whether I was correct or not.

I am not unwilling to do so now, although I prefer that my own version of it be taken and Congress declare, as it practically did on Tuesday, that it is the duty of the District of Columbia to pay this item out of the taxes and privileges levied by the District of Columbia.

Mr. DIES. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. DIES. If the gentleman's amendment were adopted instead of the amendment of the gentleman from Texas, could not the officers of the law still rule as to whether or not the people of the United States were bound to pay half?

Mr. JOHNSON of Kentucky. No; in the third paragraph, if the amendment which I offered should be adopted, it is mandatory that the District pay it out of the revenues derived from taxation and privileges.

Mr. BURLESON. That is a statement that I desire to make, that under the gentleman's amendment there is a construction of the question to be determined. Under the substitute I offer it is left for the accounting officers of the law department to construe the law.

Mr. JOHNSON of Kentucky. Mr. Chairman, in conclusion I wish to modify what I first said, that I would accept the amendment. I can not do that because that is beyond my privilege. The amendment is the property of the House, but in so far as I am concerned, my modification is that I will not accept it, but I will be pleased to get either one of the amendments.

Mr. DIES. If the amendment which the gentleman [Mr. BURLESON] is contending for is adopted in good faith, does not that leave the situation just where we found it?

Mr. JOHNSON of Kentucky. Oh, no; where we found it was mandatory that it should be paid for on the half-and-half plan. My amendment is just as positive that it should be paid for out of the revenues of the District of Columbia. The amendment now offered by the gentleman from Texas [Mr. BURLESON] does not say it shall be paid upon the half-and-half plan, neither does it say that the District of Columbia shall pay it, but it leaves the plain law heretofore enacted to be followed.

Mr. DIES. Mr. Chairman, in order to have a ruling from the Chair upon the peculiar language of the amendment, I am going to make the point of order against it.

The CHAIRMAN. The point of order being reserved, the gentleman from Texas makes the point of order.

Mr. BORLAND. Mr. Chairman, I will ask the gentleman from Texas to reserve his point of order.

Mr. DIES. No; I make the point of order against the amendment of the gentleman from Texas.

Mr. JOHNSON of Kentucky. Mr. Chairman, I desire to put in just one single sentence in my remarks before concluding.

Mr. MARTIN of South Dakota. Mr. Chairman, I desire to ask the gentleman a question.

Mr. DIES. Mr. Chairman, I have no disposition to take the gentleman off his feet on a point of order. I reserve the point of order, to be made as soon as the statement is concluded.

The CHAIRMAN. If the point should be overruled it would leave both amendments open to debate.

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. MARTIN of South Dakota. Mr. Chairman, I would like to ask the gentleman from Kentucky if it is not true that the officers of the law, under the act of 1878 and under the act of 1879, have uniformly charged one half of this interest, when paid by the Government, to the District and the other half to the United States Treasury?

Mr. JOHNSON of Kentucky. They have; and I will tell the gentleman why: Because all of the appropriation bills have embodied a direction that it shall be paid half-and-half, whereas I have been contending and fighting for five years to get that direction out of the bill.

Mr. MARTIN of South Dakota. Mr. Chairman, I call the gentleman's attention to the fact that the very first appropriation act of 1879, following this act of 1878, did not make such direction to charge it half-and-half.

Mr. JOHNSON of Kentucky. The gentleman is correct in that.

Mr. MARTIN of South Dakota. And, notwithstanding that fact, have not the law officers of the Treasury charged one-half to the District and one-half to the General Government?

Mr. JOHNSON of Kentucky. They have, because all the bills carried the item as a half and half since about 1879. But I wish to make this statement: The accountant who has been going through these items down there has found that the accounting officers did not give the credit under the act of 1879 they should have given, and I believe that if it were put up to this Congress, and I believe still more strongly when put up to the succeeding Congress, they will compel the District of Columbia to refund to the United States, just as the District of Columbia under the lunatic-asylum matter has been compelled to refund $769,000. I do not wish to be understood as advocating the amendment offered by the gentleman from Texas. I still advocate my own amendment, but if the amendment offered by the gentleman from Texas should prevail, then I shall have accomplished that for which I have been contending through these long five years, that the positive direction that this item should be paid on the half-and-half plan will not be in this bill.

Mr. DIES. Mr. Chairman, if the Chair overrules the point of order——

The CHAIRMAN. The Chair has not ruled, but the Chair is ready to rule.

Mr. MANN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The Chair is ready to rule. When the "interest and sinking fund" paragraph was reached in its order on the bill on Tuesday the gentleman from Kentucky [Mr. JOHNSON] lodged against it a point of order upon the ground that by the terms of the bill half of the sum would be paid from the revenues of the District of Columbia and half from the Treasury of the United States. In order for the Chair to rule on the point of order as made it was necessary to announce his judgment of what was a proper construction of the effect of the interest and sinking fund paragraph in connection with the first paragraph of the bill, which contained the half-and-half clause. The Chair did so, and sustained the point of order. To-day the gentleman from Kentucky offers an amendment which directs that the entire sum be paid from the revenues of the District of Columbia. Thereupon the gentleman from Texas [Mr. BURLESON] made a point of order, upon the ground that the entire sum is not chargeable to the District of Columbia. Accordingly there was presented a question that again required that the Chair in his ruling must of necessity interpret what in his judgment, the several relevant statutes meant. Accordingly the Chair did announce his construction of the law and overruled the point of order.

The gentleman from Texas now offers an amendment by way of substitute in this language:

> For interest and sinking fund on the bonded debt, $975,408, which sum shall be paid out of the funds and accounted for in accordance with the acts of Congress in relation thereto.

To that amendment the gentleman from Texas [Mr. DIES] makes the point of order. Now, the amendment of the gentleman from Texas [Mr. BURLESON] provides that the interest and sinking fund on the funded debt shall be paid out of funds, and accounted for, in accordance with the acts of Congress in relation thereto, which presents no question for the Chair to

determine or rule upon save whether or not the Congress is authorized to appropriate for the interest and sinking fund when such appropriation is unequivocally directed to be paid out and accounted for in accordance with the law authorizing such appropriations to be made. The amendment of the gentleman from Texas being framed and presented in such language, the Chair accordingly overrules the point of order.

Mr. MARTIN of South Dakota. Mr. Chairman, I desire to offer an amendment. I move to strike out the last word of the substitute. Mr. Chairman, for two full legislative days some of us in good faith have been following the leadership of the gentleman from Kentucky [Mr. JOHNSON] in his effort to demonstrate and have declared by a congressional interpretation of this House that the ruling of the Treasury Department as to what the existing law is upon the subject of the application of the half-and-half rule to interest payments was wrong. Now here is simply a horseplay by which we are throwing it back upon the Treasury, making it possible for them to continue to interpret it in their own way. If that is the effect of the amendment offered by the gentleman from Texas, we have certainly wasted a lot of very valuable time. What reason has the gentleman from Kentucky, or any other Member of this House, to suppose the Treasury Department will interpret the act of 1878 any differently from what they have——

Mr. SHERLEY. Will the gentleman yield?

Mr. MARTIN of South Dakota. I have only a short time.

Mr. SHERLEY. The gentleman has five minutes.

Mr. MARTIN of South Dakota. I can give the gentleman one minute of that time.

Mr. SHERLEY. Does the gentleman realize that under the Dockery Act it is in the power of a citizen to have the matter tested in the courts?

Mr. MARTIN of South Dakota. It is no more in the power of the citizen to have the matter tested in the courts than it has been in the last 30 years. The interpretation has been uniformly different from what some think it ought to have been——

Mr. SHERLEY. The gentleman is mistaken there, because in the first clause is the provision requiring it to be paid on the half-and-half basis, and therefore there was nothing to interpret.

Mr. MARTIN of South Dakota. The act of 1879 had no such provision, and yet the Treasury Department interpreted that half should be paid by the Government, and the present Treasury officials will take that interpretation of the act of 1879. The gentleman assumes that 30 years afterwards they will make a different interpretation from the one passed upon it in 1879. Gentlemen can vote upon this subject as they please, but they had better understand that we have thrown away this whole debate and our time has been wasted if this sort of an amendment offered by the gentleman from Texas prevails.

Mr. CAMPBELL. Has not Congress for 35 years, or such a matter, been giving an interpretation that it should be paid for on the half-and-half basis?

Mr. MARTIN of South Dakota. That goes to the merits of the question. I think it has, and I think it has wrongfully done so, and I shall keep my stand upon that question at least until the end of this closing short session of Congress. I think we are throwing away the whole fight made under the leadership of the gallant knight from Kentucky, who has now practically surrendered to the opposition all he has gained under the present legislative situation.

Mr. BURLESON. Mr. Chairman, I move that all debate on this amendment——

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The Chair will recognize the gentleman from Texas [Mr. DIES] who rose simultaneously with the gentleman from South Dakota.

Mr. DIES. Mr. Chairman, I was laboring under the apprehension that this question of law—for it was and is a question of law, as stated by the Chairman—was passed upon by the Chairman on yesterday, and an appeal having been had from the decision was passed upon by the House of Representatives. Now, Mr. Chairman, if the Chair was wrong in his interpretation of the law, if the House was wrong in sustaining the Chair upon that interpretation, then you are justified in marching back down the hill so suddenly as this proposes to do. If the Chair was right in his interpretation, the taxpayers of the United States are not bound to pay any part of this interest. If that is true, then the amendment of the gentleman from Texas ought not to be adopted because Congress, having said that no obligation lies against the Federal Government, we ought not to leave it in such a shape that any officer of the Government may impose an obligation where Congress says there is none.

Mr. Chairman, that seems so clear to me that to argue it almost insults the intelligence of the House. You say in one breath that no legal obligation rests, and in the next one we submit it to the officers of the law if a legal obligation does exist. For myself, Mr. Chairman——

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

Mr. DIES. Indeed.

Mr. CANNON. What are the courts for except to construe the law?

Mr. DIES. Mr. Chairman, Congress made this law, if it is a law, and if it is a law, Congress can unmake it; and for myself I plant my feet on the ground here now that, if it is the law, the Government of the United States should pay half of all of these expenses, I want, as one Member of this body, to repeal that law. [Applause.]

Mr. BORLAND. Will the gentleman yield?

Mr. DIES. Certainly.

Mr. BORLAND. I agree with the gentleman thoroughly in his desire to repeal that if it be the law, but we have been contending that it is not the law, and have been seeking some way to determine it.

Mr. DIES. The House of Representatives passed on the question, as I understood, yesterday.

Mr. CANNON. Will the gentleman allow me another question?

Mr. DIES. With pleasure.

Mr. CANNON. If it is the law, and rights have accrued to creditors, citizens of the District, is it in the power of Congress to pass a provision that would forfeit those rights? Of course, we can legislate for the future.

Mr. DIES. I do not understand that any such proposition is before the House or was before the House. But I want to address myself just a moment to the equities of this whole question. I conceive that a patriotic man might want to make this Capital of the Nation the city beautiful. I conceive some justification for appropriations extraordinary, to be paid for by other people of the country to help make it a city beautiful, but a proposition which taxes the people of the United States six or seven million dollars a year toward the extension of streets far away from the center of the Capital, making improvements of all description, building up additions, laying out pavements far in advance of the foot of man, is no longer in line with building up a great and beautiful Capital in the District of Columbia. If those who believe that Congress should share the expense of improving the National Capital beautiful would confine their endeavors and their aspirations and ambitions to the Capital proper, there would be some little justification for this tremendous expenditure. But to tell the District of Columbia that you will give them a dollar every time they spend a dollar of their money, that you will make them a present of a dollar of the people every time they spend a dollar of their own money, is to invite them to do that which they have done. It is to invite them to enter upon a career of extravagance and of unnatural expansion. So it follows, Mr. Chairman, that you will see in this city that which you will not see in any other American city.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BURLESON. Mr. Chairman, I move that all debate on the pending amendments and amendments thereto be closed in six minutes, five minutes to be controlled by the gentleman from Kentucky [Mr. JOHNSON] and one minute by either the gentleman from Virginia [Mr. SAUNDERS] or myself.

The CHAIRMAN. The gentleman from Texas [Mr. BURLESON] asks unanimous consent that all debate on these amendments and amendments pending thereto be closed in six minutes, five minutes of the time to be controlled by the gentleman from Kentucky [Mr. JOHNSON] and one minute of the time to be controlled by himself. Is there objection? [After a pause.] The Chair hears none. The gentleman from Kentucky [Mr. JOHNSON] is recognized for five minutes.

Mr. JOHNSON of Kentucky. Mr. Chairman, just as I have been saying, year after year the District appropriation bill was brought into the House with a provision in it affirmatively compelling the Federal Government to pay one-half of this interest and sinking fund. After a long fight, which started almost without hope of success, the subcommittee upon the appropriation bill has been driven at last from its untenable position that the Federal Government should by this bill be charged with the payment of one-half of the interest and sinking fund item of about a million dollars. It is a victory to which I have looked forward with gratification and hope during all these years. I am like the gentleman from Texas [Mr. DIES] and like the gentleman from Missouri [Mr. BORLAND], in that I believe the Federal Government should pay no part of it.

I am confident that the two sections of the law which I have incorporated in my amendment permit the Federal Government to pay no part of it. I further have sufficient confidence in the

courts to believe that when this matter is put to them they will say that these two provisions of the law forbid the imposition of any part of this debt upon the Federal Government.

Now, in reference to what the gentleman from South Dakota [Mr. MARTIN] has just said, I will say the department officials have placed no construction thus far upon this law.

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. In a minute.

In the year 1879 they paid this interest and sinking fund, but thus far the succeeding officers have failed to reimburse the Federal Government upon that account; and since then those executive officers have had no right to speak, for the reason that the language in the bill has since then been mandatory that it should be paid on the half-and-half plan. At last I would be glad to see the amendment offered by the gentleman from Texas [Mr. BURLESON] defeated and that offered by myself adopted. But either amendment brings relief to the Federal Government, because either gets away from the positive direction that the Federal Government must pay half of this large sum.

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. MARTIN of South Dakota. Did not the accounting officers of the Government, in paying the appropriation of this interest under the act of 1879, charge one-half of it to the Federal Government and one-half to the District?

Mr. JOHNSON of Kentucky. They did not. They simply advanced the money and paid it; and have not reimbursed the United States, as they should have done.

Mr. MARTIN of South Dakota. The expert of the Appropriations Committee, then, is not as well informed as the gentleman upon that subject?

Mr. JOHNSON of Kentucky. I do not think he is upon this subject.

Mr. MARTIN of South Dakota. It seems the gentleman has no hope of improving the condition in the Treasury Department.

Mr. JOHNSON of Kentucky. By either amendment, I say, we get rid of the positive direction that the District of Columbia must pay half. That is the thing I have been fighting. My amendment is far better than that of the gentleman from Texas [Mr. BURLESON]; but the gentleman from Texas, the head of the subcommittee on the appropriation bill, has at last conceded that for which I have been fighting.

Mr. BEALL of Texas. Mr. Chairman, will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman yield?

Mr. JOHNSON of Kentucky. I yield.

Mr. BEALL of Texas. Is not the situation about this: If the amendment of my colleague is adopted, before any part of this appropriation shall come out of the Federal Treasury there will have to be some construction to that effect by some executive officer?

Mr. JOHNSON of Kentucky. It must be found that the United States is liable under the law as it exists, else the United States escapes.

Mr. BEALL of Texas. Now, under the amendment of the gentleman from Kentucky [Mr. JOHNSON], before anything can be done, before any money can be taken out of the Treasury of the United States, there will have to be a judgment of the court.

Mr. JOHNSON of Kentucky. No. Under my amendment the matter will never go to the court, for the reason that the third paragraph of my amendment is so certain and mandatory that it shall be paid out of the revenues of the District of Columbia that the executive officer will have to obey it and the court will have nothing to do in connection with it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURLESON. Mr. Chairman, under the terms of the substitute offered by me there will undoubtedly be a ruling on this much controverted question by the Comptroller of the Treasury, who will have the advice of the law officers of the Government.

I want to direct the attention of the committee to the further fact that we ought to be practical in our efforts to legislate. All of you gentlemen know that there is absolutely no hope of securing the passage of a District appropriation bill containing the amendment offered by the gentleman from Kentucky [Mr. JOHNSON]. There is a chance—and I am as anxious as anybody else to have this legal question determined—there is a chance, if this substitute offered by me is adopted, that it will be continued in the bill and that we will have an actual test of this question, just as was said by my colleague from Texas, Mr. BEALL. If the substitute I have offered goes through, there will be an opinion by the Comptroller of the Treasury and some of the law officers of the Government, whereas if the amendment that has been offered by the gentleman from Kentucky [Mr. JOHNSON] is adopted, even if that could get through the Senate, the money would never be paid until after a bitter lawsuit.

The CHAIRMAN. The question is on the amendment of the gentleman from Texas [Mr. BURLESON], in the nature of a substitute.

The question was taken, and the Chair being in doubt, a division was ordered; and there were—ayes 45, noes 50.

Mr. BURLESON. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. JOHNSON of Kentucky and Mr. BURLESON.

The committee again divided; and the tellers reported—ayes 61, noes 58.

Accordingly the amendment in the nature of the substitute was agreed to.

The CHAIRMAN. The question is on the adoption of the substitute.

The substitute was agreed to.

Mr. BURLESON. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments to the House, with the recommendation that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RODDENBERY, 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. 28499) making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BURLESON. Mr. Speaker, I move the previous question on the bill and the amendments thereto to the final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. MANN. I ask for a separate vote on what is known as the Borland amendment.

The SPEAKER. Is there any other demand for a separate vote?

Mr. MARTIN of South Dakota. I demand a separate vote on the amendment in relation to the payment of interest on the funded debt.

The SPEAKER. The question is on agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the Borland amendment.

The Clerk read as follows:

Page 31, after line 6, insert the following:

"That hereafter whenever, under appropriations made by Congress, the roadway of any street, avenue, or road in the District of Columbia is improved by laying a new pavement thereon or by resurfacing an existing pavement from curb to curb or from gutter to gutter, where the material used is sheet asphalt, asphalt block, asphaltic or bituminous macadam, concrete, or other fixed roadway pavement, such proportion of the total cost of the work, including the expenses of the assessment, to be made as hereinafter prescribed, shall be charged against and become a lien upon the abutting property, and assessments therefor shall be levied pro rata according to the linear frontage of said property on the street, avenue, or road or portion thereof upon the roadway of which said new pavement is laid or the existing roadway of which is resurfaced: *Provided, however,* That there shall be excepted from such assessment the cost of paving or resurfacing the roadway space included within the intersections of streets, avenues, and roads, as said intersections are included within building lines projected, and also the cost of paving the space within such roadways for which street railway companies are responsible under their charters or under law on streets, avenues, or roads where such railways have been or shall be constructed.

"The assessments hereinbefore provided for shall be levied in the following manner, viz: Where the average width of roadway is 32 feet or less between curbs, or between gutters where no curb exists, one-half the total cost of the work, including the expenses of the assessment, shall be assessed as hereinbefore provided; where the average width of roadway is greater than 32 feet between curbs, or between gutters where no curb exists, one-half of the proportion of the total cost of the work which the width of 32 feet bears to the total width of the roadway between curbs, or between gutters where no curbs exist, together with one-fourth of the proportion of the total cost of the work which the balance of the roadway width in excess of 32 feet bears to the total width of the roadway, including the expenses of the total assessment, shall be assessed as hereinbefore provided.

"Assessments levied under the provisions hereof shall be payable and collectible in the same manner and under the same penalty for nonpayment as is provided for assessments for improving sidewalks and alleys in the District of Columbia, as set forth on page 248 of volume 28, United States Statutes at Large: *Provided,* That the cost of publication of the notice of such assessment upon the failure to obtain per-

sonal service upon the owner of the property to be assessed therein provided for, and of the services of such notices, shall be paid out of the appropriation for the work, and such assessments when collected shall be deposited in the Treasury of the United States to the credit of the United States and the District of Columbia in equal parts."

The question being taken on agreeing to the amendment, on a division (demanded by Mr. MANN) there were—ayes 94, noes 35.

Accordingly the amendment was agreed to.

The SPEAKER. The Clerk will report the Burleson amendment.

The Clerk read as follows:

Insert at the end of the bill the following:

"Interest and sinking fund: For interest and sinking fund on the funded debt $975,408, which sum shall be paid out of funds and accounted for in accordance with the acts of Congress in relation thereto."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. MARTIN of South Dakota. Mr. Speaker, I desire to be recognized for the purpose of making a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MARTIN of South Dakota. I am.

The SPEAKER. The gentleman will send up his motion.

Mr. MARTIN of South Dakota. I move to recommit the bill to the Committee on Appropriations, with instructions to strike out what is known as the Burleson amendment appropriating $975,408 for interest on the sinking fund, and to substitute the amendment which I now send to the Clerk's desk.

Mr. FITZGERALD. I make the point of order that the House just having adopted the matter described by the gentleman, the motion to strike it out and insert something in its place is not in order.

The SPEAKER. The point of order is sustained. The question is, Shall the bill pass?

The bill was passed.

On motion of Mr FITZGERALD, a motion to reconsider the last vote was laid on the table.

TERRITORY OF ALASKA (H. DOC. NO. 1346).

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the Senate and House of Representatives:

In accordance with the provisions of section 18 of an act of Congress (Public, 334) approved August 24, 1912, I appointed a commission—

to conduct an examination into the transportation question in the Territory of Alaska; to examine railroad routes from the seaboard to the coal fields and to the interior and navigable waterways; to secure surveys and other information with respect to railroads, including cost of construction and operation; to obtain information in respect to the coal fields and their proximity to railroad routes; and to make report of the facts to Congress on or before the 1st day of December, 1912, or as soon thereafter as may be practicable, together with their conclusions and recommendations in respect to the best and most available routes for railroads in Alaska which will develop the country and the resources thereof for the use of the people of the United States.

Under the requirements of the act, this commission consisted of—

an officer of the Engineer Corps of the United States Army, a geologist in charge of Alaska surveys, an officer in the Engineer Corps of the United States Navy, and a civil engineer who has had practical experience in railroad construction and has not been connected with any railroad enterprise in said Territory.

The date when the act was passed was late in the summer season, thus allowing a very limited time for the preparation of a report for presentation at the present session of Congress. Nevertheless, within a week after the act was approved, the commission had been appointed as follows:

Maj. Jay J. Morrow, Corps of Engineers, United States Army, chairman.

Alfred H. Brooks, geologist in charge of Division of Alaskan Mineral Resources, Geological Survey, vice chairman.

Civil Engineer Leonard M. Cox, United States Navy.

Colin M. Ingersoll, consulting railroad engineer, New York City.

This commission has transmitted to me a report, which is herewith submitted to Congress in accordance with the provisions of the act. An examination of this report discloses that the following are among the more important of the findings of the commission:

The Territory of Alaska contains large undeveloped mineral resources, extensive tracts of agricultural and grazing lands, and the climate of a large part of the Territory is favorable to permanent settlement and industrial development. The report contains much specific information and many interesting details with regard to these resources. It finds that they can be developed and utilized only by the construction of railways which shall connect tidewater on the Pacific Ocean with the two great inland waterways, the Yukon and the Kuskokwim Rivers. The resources of the inland region, and especially of these great river basins, are almost undeveloped because of lack of transportation facilities. The Yukon and Kuskokwim River systems include some 5,000 miles of navigable water, but these are open to commerce only about three months in the year. Moreover, the mouths of these two rivers on Bering Sea lie some 2,500 miles from Puget Sound, thus involving a long and circuitous route from the Pacific Coast States. The transportation of freight to the mouths of these rivers and thence upstream will always be so expensive and confined to so limited a season as to forbid any large industrial advancement for the great inland region now entirely dependent on these circuitous avenues of approach.

From these considerations the commission finds that railway connections with open ports on the Pacific are not only justified but imperative if the fertile regions of inland Alaska and its mineral resources are to be utilized, but that with such railway connections a large region will be opened up to the homesteader, the prospector, and the miner. So far as the limited time available has permitted, the commission has investigated and in its report describes all of the railway routes which have been suggested for reaching the interior, including the ocean terminals of these routes. The relative advantages and disadvantages of these routes are compared. The principal result of this comparison may be stated to be that railroad development in Alaska should proceed first by means of two independent railroad systems, hereafter to be connected and supplemented as may be justified by future development. One of these lines should connect the valley of the Yukon and its tributary, the Tanana, with tidewater, and the other should be devoted to the development and needs of the Kuskokwim and the Susitna.

The best available route for the first railway system is that which leads from Cordova by way of Chitina to Fairbanks; and the best available route for the second is that which leads from Seward around Cook Inlet to the Iditarod. The first should be connected with the Bering coal field and the second with the Matanuska coal field. Other routes and terminals are discussed, but are found not to have the importance or availability for the development of the Territory possessed by the two mentioned. Thus the route extending inland from Haines in southeastern Alaska has value for local development, though chiefly on the Canadian side of the boundary, but the distance to Fairbanks is found to be too great to permit of its being used as a trunk line to the Yukon waters. The route from Iliamna Bay also has value for local use, but is too far to the southwest to permit of its use as a trunk line into the interior. The proposed terminals at Katalla and Controller Bay are found to be very expensive, both as to construction and maintenance, besides furnishing very inferior harbors. The route inland from Valdez is at a disadvantage because it would not serve any of the coal fields, although, as hereafter noted, Valdez is regarded by the commission as an important alternative terminal in the possible future development of the Chitina-Fairbanks route.

The investigations of the commission indicate that the route from Cordova by way of Chitina to Fairbanks would furnish the best trunk line to the Yukon and Tanana waters: (1) Because Cordova has distinct advantages as a harbor; (2) because this route requires the shortest actual amount of construction, but chiefly (3) because the better grades possible on this route should give the lowest freight rates into the Tanana Valley. The Copper River & Northwestern Railroad is now constructed from Cordova to Chitina and thence up the Chitina River. The commission recommends the building of a railway from Chitina to Fairbanks—313 miles—estimated to cost $13,971,000, with the provision that if this railway is built by other interests than those controlling the Copper River & Northwestern Railroad, and if an equitable traffic arrangement can not be made with it, connection should be made with Valdez by the Thompson Pass route—101 miles—estimated to cost $6,101,479.

The commission finds that Cordova offers the best present ocean terminal for the Bering River coal. The commission also points out that it would not be economical to haul the Matanuska coal to either Valdez or Cordova, and that therefore the logical outlet for that field is Seward. If commercial development of these two fields should disclose that the quality of the coal is the same in both, the Bering River field would have the advantage of greater proximity to open tidewater. A branch line from the Copper River Railway to the Bering River field—a distance of 38 miles—at an estimated cost of $2,054,000, is recommended to afford an outlet for the coal on Prince William Sound and into the Copper River Valley and the region where there is at present the largest market for Alaska coal.

The commission finds that a railway from Chitina to Fairbanks will not solve the transportation problem of Alaska, because it will not give access to the Matanuska coal field, the fertile lands and mineral wealth of the lower Susitna, or the great Kuskokwim Basin. This province properly belongs to an independent railway system based on the harbor at Seward. The commission recommends a railway from Kern Creek, the present inland terminal of the Alaska Northern Railway, to the Susitna River—distance 115 miles; estimated cost $5,209,000—with a branch line to the Matanuska coal field—distance 38 miles; estimated cost $1,618,000—and an extension of the main line through the Alaska Range to the Kuskokwim River—distance 229 miles; estimated cost $12,760,000.

The entire railways thus recommended will constitute two independent systems involving 733 miles of new construction at a cost of $35,000,000. Eventually these systems will be tied together and there will be earlier demands for branch and local lines as the country develops. One of these systems will find an outlet to the coast over the Copper River & Northwestern Railroad, the other over the Alaska Northern. If these new lines are constructed by others than those financially interested in these two railroads, respectively, satisfactory traffic arrangements would have to be made with them. If the new railways recommended should be constructed by the Government, the question is necessarily presented as to whether the Government should acquire the whole or any part of the existing lines or either of them or should endeavor to make appropriate traffic agreements. Much would depend upon whether the Government would operate its own railroads or would make operating agreements with those operating existing lines. The commission has not discussed these questions for the reason pointed out in its report that the act of Congress omits questions of this sort from those upon which the commission was instructed to report.

The report of the commission contains the following statement:

Its instructions from Congress do not contemplate that any recommendation should be made as to how railroads in Alaska should be constructed—i. e., by private corporate ownership or by one of the many forms in use whereby Government assistance is rendered. The commission disavows any intention of making such recommendations, believing that Congress in its wisdom desired to reserve to itself the solution of that problem; but it has been impossible to form any estimates of costs of operation without some assumption as to the interest rate on the capital required for construction. This interest rate would obviously differ in two cases—construction by Government or bond guarantee and construction by private capital. Moreover, were construction carried on by private capital unassisted, the necessity of earning sufficient income to pay operating expenses and interest on bonded indebtedness might make it the duty of the directors of the corporation to impose rates on traffic that would seriously retard the development which the Territory so greatly needs.

The commission has therefore been forced to base its studies upon two hypotheses, viz, that the capital necessary for construction is obtained at 6 per cent interest, assumed as possible if construction is carried out by private corporate ownership unassisted, and that capital is obtained at 3 per cent interest, assumed as possible if the construction is done either by the Government itself or by private capital, with bonded indebtedness guaranteed both as to principal and interest.

On similar grounds the commission did not feel justified in discussing the use of the Panama Canal machinery and equipment or in including in its estimates the effect of such use, but a list of the machinery and equipment available at Panama is given in an appendix.

Upon the assumption that the railroad from Chitina to Fairbanks is built by private capital, eliminating promotion profit, but assuming the necessity of earning 6 per cent on the capital invested, it is the judgment of the commission that on estimated available traffic the road could be operated from Cordova to Fairbanks without loss at a passenger rate of 7 cents per mile and an average freight rate of 8 cents per ton-mile. This would mean a through freight rate of $36.94 per ton from Cordova to Fairbanks and a through passenger rate of $31.15. It is the opinion of the commission that—

an average freight rate exceeding 5 cents per ton-mile and passenger rate in excess of 6 cents per mile would defeat the immediate object of the railroad, namely, the expeditious development of the interior of Alaska, and, furthermore, would introduce the question as to whether or not the Seattle-Cordova-Fairbanks freight route would be able to compete with the present all-water route via the Yukon River system, except on shipments in which the time element is of such importance as to warrant the payment of a higher freight rate.

To meet the requirements of expeditious development and water competition, the estimate of the commission involves a through freight rate from Cordova to Fairbanks at $22.25 per ton and a through passenger rate of $26.70. The report further says:

Were the road to be constructed by the Government, or by private corporate ownership with a Government guaranty of principal and interest on bonded indebtedness, the capital required should be obtained at a much lower rate of interest, thus materially reducing the annual expenditures.

Using 3 per cent on the investment as fixed charges, and omitting mileage tax of $100, on the assumption that this tax would not be levied in the case of a Government owned or aided road, the commission estimates that the road would pay on the basis of a passenger rate of 6 cents per mile, and a freight rate of 5.49 cents per ton-mile, making the average through freight rate from Cordova to Fairbanks $24.43 per ton and the through passenger rate $26.70. I give these figures as illustrations. The report contains similar estimates of freight and passenger rates and traffic for the road recommended from Seward to the Kuskokwim.

After recommending the construction of the two principal systems and their extensions already mentioned, the commission states, in conclusion, that it—

is unanimously of the opinion that this development should be undertaken at once, and prosecuted with vigor; that it can not be accomplished without providing the railroads herein recommended under some system which will insure low transportation charges and the consequent rapid settlement of this new land and the utilization of its great resources.

The necessary inference from the entire report is that in the judgment of the commission its recommendations can certainly be carried out only if the Government builds or guarantees the construction cost of the railroads recommended. If the Government is to guarantee the principal and interest of the construction bonds, it seems clear that it should own the roads, the cost of which it really pays. This is true whether the Government itself should operate the roads or should provide for their operation by lease or operating agreement. I am very much opposed to Government operation, but I believe that Government ownership with private operation under lease is the proper solution of the difficulties here presented.

I urge the prompt and earnest consideration of this report and its recommendations.

WM. H. TAFT.

THE WHITE HOUSE, *February 6, 1913.*

The SPEAKER. Evidently this message ought to be referred to the Committee on Territories. It is accompanied by many charts and a large number of documents. Unless there is some suggestion the Chair will order not only the message printed, but the other charts and documents.

Mr. MANN. I think, Mr. Speaker, that before the maps are printed some one should investigate as to how far they ought to be printed.

The SPEAKER. The Chair thinks so too.

Mr. FINLEY. Mr. Speaker, I suggest that the message be referred to the Committee on Territories and let the Committee on Printing examine the charts and maps before printing.

The SPEAKER. The message is ordered to be printed and referred to the Committee on Territories, together with the maps and documents, with the understanding that the Committee on Printing will examine into the maps and documents before they are printed.

BRIDGE ACROSS THE MISSOURI RIVER, N. DAK.

The SPEAKER laid before the House the following resolution of the Senate.

The Clerk read as follows:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 7855) to authorize the Northern Pacific Railway Co. to construct a bridge across the Missouri River, in section 36, township 134 north, range 79 west, in the State of North Dakota.

The resolution was agreed to.

MEMORIAL EXERCISES TO THE LATE VICE PRESIDENT.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the Speaker lay before the House the invitation of the Senate to attend the memorial exercises of the late Vice President.

The SPEAKER laid before the House the following resolution, which the Clerk read:

Senate resolution 451.

Resolved, That the Senate extend to the Speaker and the Members of the House of Representatives an invitation to attend the exercises in commemoration of the life, character, and public services of the late JAMES S. SHERMAN, Vice President of the United States and President of the Senate, to be held in the Senate Chamber on Saturday, the 15th day of February next, at 12 o'clock noon.

Mr. FITZGERALD. Mr. Speaker, I move that the invitation be accepted, and that the Clerk be directed to notify the Senate to that effect.

The SPEAKER. The gentleman from New York moves that the invitation of the Senate be accepted, and that the Clerk be directed to notify the Senate to that effect.

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

The following resolution, submitted by Mr. FITZGERALD, was agreed to:

House resolution 817.

Resolved, That the House accept the invitation of the Senate extended to the Speaker and Members of the House of Representatives to

attend the exercises in commemoration of the life, character, and public services of the late JAMES S. SHERMAN, Vice President of the United States and President of the Senate, to be held in the Senate Chamber on Saturday, the 15th day of February next, at 12 o'clock noon.

WITHDRAWAL OF PAPERS.

Mr. RUCKER of Colorado, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, papers in the case of Robert S. Risley (H. R. 20025, Sixty-second Congress, second session), no adverse report having been made thereon.

HOUR OF MEETING ON SATURDAY, FEBRUARY 15, 1913.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that when the House adjourns on February 14, 1913, it adjourn to meet at 11.30 a. m. on Saturday, February 15, 1913.

The SPEAKER. The gentleman from New York asks unanimous consent that when the House adjourns on the 14th of February, 1913, it adjourn to meet at 11.30 a. m. on Saturday, February 15, 1913. Is there objection?

There was no objection.

GUSSIE A. SWORDS.

Mr. LLOYD. Mr. Speaker, I call up privileged House resolution 787.

The Clerk read as follows:

House resolution 787 (H. Rept. 1457).

Resolved, That the Clerk of the House is hereby authorized to pay, out of the contingent fund, to Gussie A. Swords, widow of Charles L. Swords, late an employee in the folding room of the House, a sum equal to six months of his salary as such employee, and an additional amount, not exceeding $250, for the funeral expenses of said Charles L. Swords.

Mr. LLOYD. Mr. Speaker, this is the usual allowance made on the death of an employee of the House.

The resolution was agreed to.

ADDITIONAL CLERKS FOR COMMITTEE ON ENROLLED BILLS.

Mr. LLOYD. Mr. Speaker, I also call up privileged House resolution 805.

The Clerk read as follows:

House resolution 805 (H. Rept. 1458).

Resolved, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to appoint two additional clerks of said committee, who shall be paid out of the contingent fund of the House at the rate of $6 per day from and after the time they enter upon their duties, which shall be evidenced by the certification of said chairman.

Mr. LLOYD. Mr. Chairman, I offer the following amendments:

In line 3, strike out the word "two" and insert the word "one," and strike out the letter "s" in the word "clerks"; and in line 5 strike out the words "they entered upon their" and insert "shall have entered upon his."

The amendments were agreed to.

The resolution as amended was agreed to.

INDIAN ALLOTMENTS DISPOSED OF BY WILL.

The SPEAKER laid before the House the bill (H. R. 1332) regulating Indian allotments disposed of by will, with a Senate amendment thereto.

The Senate amendment was read.

Mr. STEPHENS of Texas. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

AGRICULTURAL APPROPRIATION BILL.

Mr. LAMB. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 28283) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1914. Pending that motion, I will ask the gentleman from Iowa if we can agree upon a time for general debate. I suggest that we have an hour on a side, if that is agreeable to him.

Mr. HAUGEN. Mr. Speaker, there have been several requests for time, and I would very much like to have two hours on a side, though I appreciate the very great pressure for time.

Mr. LAMB. I will ask the gentleman if he will be satisfied with an hour and a half on a side?

Mr. HAUGEN. Very well.

Mr. LAMB. Mr. Speaker, I ask unanimous consent that three hours be devoted to general debate, one hour and a half on a side, one-half of the time to be in the control of the gentleman from Iowa [Mr. HAUGEN] and one-half in the control of myself.

The SPEAKER. Pending the motion to go into the Committee of the Whole House on the state of the Union, the gentleman from Virginia asks unanimous consent that general debate shall be limited to three hours, one hour and a half on each side, one half to be controlled by himself and the other half to be controlled by the gentleman from Iowa [Mr. HAUGEN]. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, can not we have some understanding now, while the Chamber is fairly well filled, whether or not the gentleman expects the House to meet earlier to-morrow than 12 o'clock?

Mr. LAMB. Yes; at 11 o'clock.

Mr. MANN. Why not make that request now?

Mr. LAMB. 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?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia that there be three hours of general debate, one-half to be controlled by himself and one-half by the gentleman from Iowa [Mr. HAUGEN]?

There was no objection.

The SPEAKER. The question now is on the motion of the gentleman from Virginia that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Agricultural 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 consideration of the agricultural appropriation bill, with Mr. BEALL of Texas in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. LAMB. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LAMB. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. HUGHES].

Mr. HUGHES of Georgia. Mr. Chairman, I beg to return thanks to the gentleman from Virginia who has so kindly granted me time. Owing to the fact that I shall be absent for several days I was anxious to present my views on a bill which I reported on behalf of the Committee on Military Affairs on April 4, 1912. That bill is known as H. R. 11397, and is known generally as the Armes bill.

Mr. Chairman, it has been intimated that those who oppose that bill were determined that it should not appear before this House during this session. I do not know whether that be true or not; but if it be true, it clearly indicates the fact that they are not willing to trust to the wisdom of this House the passage of this bill.

Mr. Chairman, the Committee on Military Affairs, to whom was referred the bill (H. R. 11397) authorizing the appointment of Maj. George A. Armes, United States Army, retired, to the rank and grade of major general on the retired list of the Army, having considered the same, report thereon with a recommendation that it be amended as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, appoint George A. Armes, now a major on the retired list, a brigadier general in the United States Army and place him upon the retired list with the rank of brigadier general, and with the same pay he is now receiving, viz, that of a major on the retired list, to take rank from the date of the approval of this act, the retired list being increased for that purpose only.

Also amend the title so as to read: "A bill providing for the appointment of George A. Armes as a brigadier general in the United States Army and placing him upon the retired list."

As thus amended, the committee recommends the passage of this bill.

Mr. Chairman, the records of the War Department show that Maj. Armes was retired from active service on September 15, 1883; that he was on sick leave from September 12 to 15—three days.

The same officers and element which court-martialed him still remained in the service, and your committee, after a full investigation of the records presented to them, are of the opinion that Maj. Armes should not have been retired from the service on September 15, 1883, but allowed to continue in the service, as his character and ability to command and do his duty as an officer of the Army was beyond question.

Mr. Chairman, I wish I had time to discuss this bill at length; but it is impossible for me to do so owing to the limited time granted, but I do wish to call the attention of the House to the following facts:

On October 10, 1882, Maj. Armes asked to appear before a retiring board, his health having been impaired by prosecutions and persecutions by maligners pregnant with revenge.

But whereas this is true, remember the record shows that within four days he withdrew this request, and asked that the

application be held for further notice from him. This application was never renewed or acted upon.

On April 14, 1883, he was ordered to move with his troop to meet and combat a desperate band of Indians who were committing murder and depredations upon the settlers.

This he did with such effect that he received high commendation and special mention from his superior officers.

On the 28th of June, 1883, Maj. Armes was ordered before a retiring board with the view to retire him from active service.

Now, on this board were two members who had been on previous courts-martial who had sentenced him to dismissals.

I wish to impress these facts, viz:

October 10, 1882, Maj. Armes asked to be retired. On October 14, 1882—within four days—he withdrew his request for retirement; on same day, request returned indorsed "No action taken."

I ask you to note that on April 14, 1883, six months after Maj. Armes had withdrawn his request for retirement and two and a half months after Maj. Armes had been ordered with his troop to fight the Indians, he was retired by a partisan board. He was at that time on the frontier, on active duty, scouting the country for Indians at the time he was ordered before a retiring board.

Maj. Armes protested at once by wire against his retirement, without avail. This gallant, brave officer, who had regained his health, was retired by this board without hearing or representation.

Under these facts I ask, Was Maj. Armes justly retired?

Mr. Chairman, Maj. Armes may have been at times indiscreet, and doubtless every Member of this Congress would have to plead to the same charge of guilt, but I wish to say this—that Maj. Armes possessed a characteristic which all true men admire. He never received an insult unchallenged whether tendered by an inferior or a superior. Mr. Chairman, Maj. Armes even as a boy was a boy of decision. In the war between the States he felt that it was his duty to follow the flag of the Union. Feeling that was his duty he dared to perform it under the protest of every member of his family and all of his neighbors. Mr. Chairman, he had a brother who was also a man of decision who followed the flag of the Confederacy; one wore the blue and the other wore the gray; one was on the staff of Gen. Hancock and the other upon the staff of Gen. Jeb Stuart. These two gallant brothers won honors worthy of two brave soldiers in their respective commands. Maj. Armes joined the Army when he was a mere lad, and was a member of the Union Army throughout that bloody struggle between the North and the South. He went in as a private and he retired at the end of the war as a captain, perhaps the youngest captain in the Army of the United States.

After the war Maj. Armes joined the Regular Army. He was sent to the frontier to combat and fight the Indians who were committing murder and robbing the citizens of the country. By his valiant deeds of daring and bravery he rose rapidly to the front over his superiors, and, Mr. Chairman and gentlemen of this House, here is where his troubles began. He was persecuted, he was prosecuted by robbers, thieves, assassins, and in one comprehensive term, cowards. They were led in their damnable purpose by rage from jealousy intensified by the blue vapors of vitriolic hate. They were determined to remove that gallant soldier from the Army, and they pursued him relentlessly until finally they accomplished their diabolical act. Mr. Chairman, some of his persecutors who had chained him to the vulture's rock fell from their high estate and some were sent to the penitentiary and others shot as highway robbers. Mr. Chairman and gentlemen of this House, should this bill come before this body I do not believe that this House will agree to condone such perfidy, but I do believe that they will give justice to this brave and gallant soldier who, as did that patriotic statesman and gallant warrior, John B. Gordon, of Georgia, wears all of his wounds in front. I sincerely hope that if this bill comes before this body it will give to this distinguished soldier justice and deserved honor by passing this bill. [Applause.]

Mr. LAMB. Mr. Chairman, I ask the gentleman from Iowa [Mr. HAUGEN] to use part of his time.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from New York [Mr. AKIN].

Mr. AKIN of New York. Mr. Chairman, since I have been a Member of Congress I have never hired a man in my office to compose any letters for me. I have been the author of all my own correspondence. I have never hired a press agent to write my speeches or to write voluminous articles for the newspapers booming myself as well as trying to convince the reading public that I have been here in Washington attending to business while at the very time such letters went out I was a thousand miles away from Washington. With the exception of a few days, I have always been in attendance at roll calls and answered to my name. No press agent of mine having the privilege of the floor has ever instructed me when to vote and when not to vote, nor have they ever told me how to vote, and no man has ever been able to ride on my coattails while I was making an aeroplane flight from the floor of this House, for I never duck a vote. I did not come down here for that purpose. I have no excuses to offer nor any apologies to make for my conduct since I have been in Washington as the Representative of the people of my district. As far as I know and can recollect, I have kept every promise and every pledge I have made to the people of my district.

Mr. Chairman, the time has arrived—and I notice that those who do not intend to return to Congress are making their farewell speeches, sometimes known as swan songs. This will not be my swan song, Mr. Chairman.

There is a bird known as the laughing jackass. It is a cross between the swan and the gilli-gilli-galoo bird. The swan-song singers have misnamed their bird.

I intend to introduce a resolution in the House of Representatives touching on expert interbreeding of turkey buzzards and humming birds, which I incorporate as a part of my remarks. The resolution provides that—

The Secretary of Agriculture be, and he is hereby, authorized to expend not exceeding $1,000 in the purchase of 6 high-grade, thoroughbred male turkey buzzards and 99 thoroughbred humming birds, each to be passed upon by Dr. A. D. Melvin, Chief of the Bureau of Animal Industry, as to the soundness of limb and heart strength, in order that a test may be made as to the value of the offspring, be they gnats or fleas, for agricultural purposes, and to report to Congress whether the experiment is more valuable to the American farmer than the one now going on in this bureau, where thousands of dollars have been expended in buying zebras in Africa and transporting the same to the District of Columbia, where they are joined in wedlock to Missouri mules, the offspring of which seems to be a cross between a North Dakota jackrabbit and an Australian kangaroo; and the sum of $1,000, or so much thereof as may be necessary, is hereby appropriated out of the contingent fund of the House to carry out the purpose of this resolution.

I do not think that resolution goes far enough, Mr. Chairman. I think that the Government experts should investigate the feasibility of making crosses between the common sperm whale and the spitchcock. Would it not be well also for the Agricultural Department experts to investigate the feasibility of interbreeding the orang-utan and the goat with a view to producing a species of human being that could be used as experts in the Bureau of Animal Industry who would have no selfish ambitions, would be devoid of all grafting propensities, and whose highest ambitions would be to serve the people honestly and economically during their official tenure in the Agricultural Department?

The Washington Times of February 1—I include an editorial taken therefrom, which I desire to incorporate in my remarks—speaks beautifully of Elder McCabe:

VALE, M'CABE.

The Hon. George P. McCabe, too long—altogether too long—Solicitor of the Department of Agriculture, has resigned, to take effect March 4. In view of very excellent reasons for belief that the copper toe on the Wilson right boot was placed there with special reference to detailed plans for separating the Hon. McCabe from his solicitorship, we can but regard his resignation as a formality.

It is good to know that Mr. McCabe is going. It will be the most notable act of public service he has rendered since he became an ornament to the salary list and an obstacle to enforcement of the pure-food laws.

Further, it is pleasing to know that he will live hereafter in Portland, Oreg. That is about as far away from Washington as he could get.

With Ballinger in Seattle and McCabe in Portland, the division of honors between the two great rival cities of the Pacific Northwest will continue balanced to a nicety.

We have no doubt that Portland will be glad to have him, and at the same time his absence here will create a most joyful feeling in the hearts of every man who has a personal acquaintance with his official performances since he has been Solicitor—at one time for the Department of Agriculture and at another time solicitor to the Secretary of Agriculture. But I do not intend to make any further remarks in regard to the old father Neptune of the Agricultural Department; he is politically dead, and the least said about a dead man the better.

Mr. Chairman, in this bill Congress is appropriating almost $20,000,000, to which must be added $3,000,000 for meat inspection and other millions for various purposes, and all chargeable to the Agricultural Department. And we who are the guardians of the Public Treasury should have a care that in the expenditure of these vast sums of money the public is receiving its just deserts, and that extravagance and waste are not permitted to run riot through the various bureaus, either on account of ignorant and incompetent officials or because of favoritism to employees, officials, or sections of the country. Affairs may run smoothly for a while in all branches of the service, but if out of joint at any one place a slip of a cog may

expose the weak spot, and then complacency and standpatism give place to revolution and reform. New York City for years has boasted of her police force, but a cog slipped, and the population of Sing Sing is on the increase.

In many respects I am proud of the grand work performed by many employees in the Agricultural Department, and to all such I say, "Well done, thou good and faithful servant." But for the misdeeds and blunders, to speak mildly, of a few—a very few—officials in the Agricultural Department, who have been unworthy of the responsibility and salary given them, I hang my head in shame, for they have disgraced the service and brought ridicule and condemnation upon the Government which they agreed to faithfully serve. However, their days are numbered, for Woodrow Wilson will give them the toe of his boot, and their connection with the public service will end forever, and with them will go inefficiency, incompetency, and waste.

One of the extravagant items in this bill is $200,000 increase for the Bureau of Animal Industry, ostensibly for meat inspection, but as confessed in the report—for increase in salaries. The Government is already expending $3,000,000 for meat inspection, and all of this vast sum, save a trifle over $100,000, goes to salaries—the best paid labor for the services performed in the whole Government service. This appropriation is a lump sum, and the tyrannical methods of its disbursement, as is the case in the expenditure of all lump-sum appropriations, condemns this method of appropriating money.

Suppose John Doe is chief of a bureau and distributes a lump sum of $3,000,000 in salaries to those under him, what is to prevent him from having a cringing, sycophantic roll of employees doing his bidding, whether right or wrong, in order that increase in salary will always go to him who sticks closest to the heels of his master? I am opposed to lump-sum appropriations in the Government service. Let the laborer be worthy of his hire, place him upon the statutory roll at a wage commensurate with his work, and save a scandal that is already imminent. In lump-sum appropriations the temptation to annually increase it is always present, and the excuse given for such an increase is not always creditable to those who make the request. Only last year President Taft was imposed upon by the Department of Agriculture in this manner, but, thanks to Congress, no harm was done. Several years ago a good deal of money was expended by the Bureau of Animal Industry in examining, microscopically, pork to detect trichina. After a thorough test the bureau decided to discontinue the examination, both on account of the expense and its inefficiency. "Experience has shown that under practical conditions a reliable inspection for trichina is not possible," page 13 in Twenty-fourth Annual Report, Bureau of Animal Industry. Yet last year, when the minister from Switzerland compalined to our Government that inhabitant of Switzerland had died from the effects of eating American pork, the Department of Agriculture, in the face of its statement to the world that microscopic examination of pork failed to produce the result desired, prevailed upon President Taft to send a special message to Congress asking for a lump sum of $1,000,000 for this very purpose. The trick was discovered and the appropriation failed to materialize. Of course, that $1,000,000 was evidently intended to swell the salary list in the Bureau of Animal Industry. In this bill the mask is off and only $200,000 increase is requested, yet those who know claim that meat inspection could be handled by one-half the large force now employed and with better results. We respectfully refer this bureau to President Wilson for reformation and purification.

Another item in this bill attracts my attention. Almost one-third of a million dollars is appropriated for free seeds. We move to strike out the word "seeds" and insert in lieu thereof the word "bunk," for if there ever was a case of highway robbery this free-seed proposition belongs to that category. It is a species of cheap graft and generally used for campaign purposes. We are passing laws limiting the size of campaign contributions, yet Congress goes on year by year increasing the appropriation for free seeds in order that the statesman from Bunkville may grab a few more votes at public expense. If free seeds, why not free coal, free lumber, or free chickens? Why be parsimonious with Government money, when it can be so easily had in the name of agriculture? We have expended thousands of dollars through the Bureau of Animal Industry for zebras from Africa. Upon their arrival they are joined in wedlock to Missouri mules, and thus far we have not produced either a North Dakota jack rabbit or an Australian kangaroo. Then why waste the money? Possibly, if the money holds out, the department hopes to produce a new kind of automobile. Uncle Sam is rich; let the game go on.

I also note that a solicitor and a score and a half of law clerks are performing labor that properly belongs to the Department of Justice. Two full-grown lawyers and a stenographer could perform all the legal work that develops in the Agricultural Department, but we must have jobs, and Uncle Sam has the money, so why complain?

In time every bureau will have a solicitor; an editor, who is really a publicity agent bent on earning his salary by "booming" his bureau and its chief; a chief clerk; an architect; a carpenter; a dentist; and a cook. This situation is not peculiar to the Agricultural Department. We find it everywhere. This extravagance is only equaled by the money wasted in printing trash, which finds it way to cellars or bonfires. Annually the Government is wasting millions of dollars in printing, and the Agricultural Department is one of the chief offenders along this line. Reform in the civil service is badly needed, but not half so badly as in the printing business at Government expense. Some fool is liable to devise a method of printing thoughts as well as words if a halt is not soon called.

This bill is not all bad. In fact there is more good than evil in it, but when it is bad it is awful bad. As I said in the beginning, the Agricultural Department is full of intelligent, conscientious employees who are reflecting credit upon themselves and their country by the service they are giving the American farmer, and as a farmer I love to sing their praises. My only regret is that the few exceptions make the department malodorous.

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. LINDBERGH].

Mr. LINDBERGH. Mr. Chairman, the subject I have to consider will take a good deal more time than five minutes in order to treat it in the way I wish. I desire to extend some remarks in the RECORD concerning what I believe should be the policy of this Government in regard to authorizing the construction of dams across navigable rivers, and particularly the policy in regard to water powers, and I also wish to ask leave to extend some remarks in regard to the direct election by the people of Presidents of the United States; and also on the proposition of whether or not the President should be eligible to more than one term. On those two propositions—water powers and election of President—I ask leave to extend my remarks in the RECORD, each separately.

The CHAIRMAN. The gentleman from Minnesota [Mr. LINDBERGH] asks unanimous consent to extend his remarks in the RECORD on the subjects indicated by him. Is there objection?

There was no objection.

Mr. LINDBERGH. Mr. Chairman, the Connecticut River Power Co. seeks authority from Congress to dam the Connecticut River, and at an expense of $5,500,000 to develop one of the greatest powers in the country. It is proposed to give to the company the first 8 per cent profits and to divide the excess up to 9 per cent equally with the Government, and above 9 per cent give the Government an increasing ratio.

If this Congress permits the execution of such a contract, the people in the future would wonder what sort of statesmanship prevailed here. It would commit this Government to a policy that by its very laws would encumber the people with an unbearable burden. Consider this monstrosity for a moment.

The geometrical progression of accumulated dividends at the minimum, 8 per cent on $5,500,000 the first 100 years would be over $12,000,000,000. It is proposed to grant to the individuals the legal privilege to proceed to extort from the people on that basis. To be sure, it would have only a 50-year charter, but the policy is the same. But the proposition here is not to stop with the 8 per cent, for an inducement is held out to the corporation to extort more, so that it may divide the excess with the Government, while the latter supports the legalized robbery.

What do we understand by the government of the people? It is presumably a government by themselves for themselves. Why should they first permit a company to rob them of 8 per cent and then offer the company an inducement to rob them some more, if they will be permitted to divide in the robbery? Suppose the company and the Government should succeed in extorting from the people 12 per cent; the geometrical progression of accumulated dividends on that compounded annually, and that is the rule, would in 100 years consume the total present real and personal valuation of all the people more than three times over. That is the policy to which it is proposed to commit the Government.

I shall not assume that this is a temporary government. I assume that our fathers, who fought the Revolutionary and the Civil Wars, the test struggles of our national existence, did so with the purpose of making it as lasting as mankind. I would not knowingly commit the Government to any economic or social policy that can not be fairly carried from one generation to another as a principle.

I realize that some people will say that there will be no complete centralized accumulation of the dividends so as to have the rule of geometrical progression apply to the extent I have stated. They will claim, of course, that the profits will be scattered by those who get them. That would be true to a greater or lesser extent. There would be extravagance of one kind and another to prevent the complete accumulation; but the extravagance itself would be a tax upon us. The real point, however, that I make is that we would by passing Senate bill 8033 commit the Government to a policy which, if applied literally, according to the proposals of the Secretary of War, would become a burden that would in the end break down by its own weight.

I do not oppose granting the company the right to construct the improvements. The water power is there, going to waste, while it should be a service to humanity. Therefore, whenever any of the water powers may be utilized to the public advantage I am in favor of giving the right to make the improvements, and I am opposed to levying an extortion on the people for the service. Let us give the right with the power reserved to the Government to regulate from time to time the charges to be made for the service, but in doing so let it be reasonable and subject to revision by the reasonable construction of things measured by the common necessities. I am not in favor of making any charge against the company above that which is incidentally required to maintain proper regulation, and I will not consent to establishing a vested interest in any person or corporation to levy a toll on future generations. I would simply give assurance of protection to the parties who make the improvements that so long as they are reasonable they shall be entitled to operate them with such return as the general patronage entitles them. When men come to Congress to ask for privileges they must be content to trust the people, whose Congress this is, to treat them consistently, and they must expect that Congress will not pledge future generations to policies that can not be literally or practically carried out in the common interests of humanity. We of this time are operating under disadvantages that are the results of some of our predecessors' failures to look beyond the immediate necessities of the day of their service. Let us not commit such errors ourselves.

Mr. HUGHES of Georgia. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

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

There was no objection.

Mr. HAUGEN. Mr. Chairman, I now yield to the gentleman from California [Mr. KNOWLAND].

Mr. KNOWLAND. Mr. Chairman, I ask unanimous consent to insert in the RECORD some resolutions and comments relative to the exemption of coastwise vessels from the payment of tolls through the Panama Canal.

The CHAIRMAN. Is there objection?

There was no objection.

The matter referred to above is as follows:

NEWSPAPER COMMENT AND RESOLUTIONS UPHOLDING THE POSITION OF THE UNITED STATES IN GRANTING FREE TOLLS THROUGH THE PANAMA CANAL TO AMERICAN SHIPS IN THE COASTWISE TRADE.

DECLARATION IN PLATFORM OF NATIONAL DEMOCRATIC PARTY UNANIMOUSLY APPROVED AT BALTIMORE ON JULY 2, 1912.

We favor the exemption from tolls of American ships engaged in coastwise trade passing through the Panama Canal. We also favor legislation forbidding the use of the Panama Canal by ships owned or controlled by railroad carriers engaged in transportation competitive with the canal.

DECLARATION IN PLATFORM OF NATIONAL PROGRESSIVE PARTY UNANIMOUSLY APPROVED IN CHICAGO ON AUGUST 7, 1912.

The Panama Canal, built and paid for by the American people, must be used primarily for their benefit. We demand that the canal shall be so operated as to break transportation monopoly now held and misused by the transcontinental railroads, by maintaining sea competition with them; that ships directly or indirectly owned or controlled by American railroad corporations shall not be permitted to use the canal, and that American ships engaged in coastwise trade shall pay no tolls.

[Extract from letter of Theodore Roosevelt in Outlook, January 18, 1913.]

I believe that the position of the United States is proper as regards this coastwise traffic. I think that we have the right to free bona fide coastwise traffic from tolls. I think that this does not interfere with the rights of any other nation, because no ships but our own can engage in coastwise traffic, so that there is no discrimination against other ships when we relieve the coastwise traffic from tolls. I believe that the only damage that would be done is the damage to the Canadian Pacific Railway. Moreover, I do not think that it sits well on the representatives of any foreign nation, even upon those of a power with which we are, and I hope and believe will always remain, on such good terms as Great Britain, to make any plea in reference to what we do with our own coastwise traffic, because we are benefiting the whole world by our action at Panama, and are doing this where every dollar of expense is paid by ourselves. In all history I do not believe you can find another instance where as great and expensive a work as the Panama Canal, undertaken not by a private corporation but by a nation, has ever been as generously put at the service of all the nations of mankind.

[From the Pittsburgh (Pa.) Press.]

KNOX'S REPLY TO ENGLISH GOVERNMENT.

American public opinion is so fully convinced that this country is in the right in the canal-tolls dispute with England, and has such well-grounded suspicions that the whole English contention is in the interest of the English stock and bond holders in the Canadian Pacific and other Pacific railroads, that popular interest in the notes exchanged between the foreign offices of the two countries is not keen.

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That will has been expressed by the act of Congress freeing American ships from tolls, and if "diplomacy" tries to veto that decision diplomacy will get a bad upset.

[From the Seattle (Wash.) Times.]

Secretary Knox, in presenting the American argument relative to Panama Canal tolls, has demolished some of the British contentions. It is a complete answer to the objections raised by those who think American coastwise vessels should be compelled to pay for using a waterway which Uncle Sam has built for their own convenience.

[From the Baltimore American.]

KNOX RIGHT; GREY WRONG.

Diplomacy should suffice to adjust the points of difference between this country and Great Britain in respect to the abrogation of tolls for American coastwise shipping. This is the underlying note of the Knox response to the objections entered by Sir Edward Grey in his note to this Government. The proclamation of President Taft so altered the situation as to have vitiated the British contention.

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There is no disposition to credit England with plotting to drive an entering wedge into the canal through its note of objection so as to force the way for interference in American domestic affairs. The precedent sought to be established would give recognition to further interference of Great Britain in other ways in case this country should supinely permit it to dictate modification of the laws and usages bearing upon the domestic coastwise traffic. Yet, while this view is not entertained, the fact exists that such would be the effect. A hundred years ago the United States and England definitely settled the matter for all time of British interference with American commerce, and that settlement can not be revamped at the present day, so that any course of arbitration would have to assume at the outset the full right of Americans to make any laws they see fit for their own shipping.

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Mr. Knox has made the American position irrefutable, and the Taft proclamation made this possible.

[From the Marine Journal, New York, N. Y.]

THE REAL OPPOSITION—INFLUENCES THAT ARE HOSTILE TO FREE CANAL TOLLS FOR AMERICAN SHIPPING.

The real opposition to this proposal is not likely to show its head in public at Washington. This opposition is made up in part of short-sighted officials of some of the transcontinental railroads—though to their credit be it said, many of the railroad managers are manfully accepting free tolls as a policy destined to benefit the entire country, and thereby the railroads themselves in the long run. Another element of opposition, powerful and sinister, is doubtless the influence of the European steamship corporations in the United States. Foreign ships are entirely barred from coastwise carrying through the canal, and the granting of free tolls to American ships in foreign trade would no more than put them on an equality with their foreign competitors.

But these European steamship corporations and their agents and attorneys hate and dread any form of national encouragement to American shipping.

These European companies, which control nine-tenths of our ocean carrying, are a fighting power all over the United States. There are many quiet ways in which they can make their influence felt. Some of their representatives are American citizens, and these men will usually be found lined up aggressively against every proposal to strengthen the national merchant marine.

They see in the Panama Canal a possibility of future growth of the coastwise shipping of the United States which might menace the ocean-going shipping of other countries. A great American coastwise fleet developed by the canal might gradually encroach upon the European monopoly of our over-seas carrying. This great coastwise fleet would constitute a valuable naval reserve for the United States.

[From the Statesman, Yonkers, N. Y.]

OUR SHIPS IN THE CANAL.

The foreign trade from American seaports will be greatly stimulated by the completion of the canal, but a provision exempting American vessels from toll is necessary if they are to engage in it, paying, as they must, the higher wages which sailors on American vessels demand and receive.

[From the Baltimore Sun.]

CONCERNING PANAMA CANAL TOLLS.

From an article by an Englishman in an English magazine we learn that under the treaty of 1815 between Great Britain and the United States no higher duties or charges may be imposed on United States vessels in British ports than are paid by British vessels in the same ports, notwithstanding which Great Britain has always discriminated in favor of her coastwise vessels.

[From the Detroit (Mich.) Free Press.]

PROPER ENOUGH BUT BADLY TIMED.

Senator ROOT'S attempt to repeal the exemption clauses in the Panama Canal tolls act is badly timed and is practically certain of defeat by Congress. It comes into conflict with diplomatic argument of the Government. It can hardly fail to prejudice the position of the State Department in British relations and prove a difficult handicap to

Secretary Knox in his exchange of notes with the English foreign office over the protest against the American position.

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No other nation has any right to interfere in our treatment of our domestic shipping, and every true American must resent the effort by Great Britain to intrude in such a purely national matter. While the proper authority is rejecting the claims to such interference there should be no weakening of our attitude, and the legislative branch ought to be backing up the executive branch of the Government instead of interposing obstacles to patriotic effort. The Root bill should not have been presented at this time. Having been presented, it should be withdrawn by its author or overwhelmingly rejected by Congress.

[From the Lincoln (Nebr.) Star.]

It is not difficult to imagine that it is not so much the thought of Uncle Sam's bad faith as it is the thought that free tolls for American ships through the canal might provide competition for the big transcontinental railway combinations.

It is the men and the combinations who own the stock in these railroads who are appalled at the enormity of offense in this free-tolls proposition. They are not all in this country. Many of them are in England. Their presence there accounts for the protest entered by the English Government against this proposal of Uncle Sam to put life into his shipping industry by putting his ships into actual competition with the railroads between his east and west coasts.

It is the first time in history that anyone has discovered dishonor in a proposition of any government to provide encouragement to its own shipping, and the peculiar thing about it all is that those who profess to consider it a monstrously dishonorable proposition are the same ones who have for many years been clamoring for ship subsidies in the form of cash out of the people's Treasury.

Perhaps they do not like this plan because the ship-subsidy plan would be so much more profitable to them. But to the man who pays the freight—the historic "Jones, of Texas"—the free-tolls plan looks mighty good.

[From the Denver (Colo.) News.]

Whatever its faults, the Taft Congress must be given credit for courage. It means to die as it lived, disdaining any weak thing like a deathbed repentance. As if in very defiance of the public opinion that has crushed them, the Tories have decided to devote their remaining minutes to the service of the Railroad Trust in connection with the Panama Canal regulations.

The money of the American people bought the Canal Zone, that every cent of expense came out of the American Treasury, and that our investment in the great ditch approximates a half billion dollars.

England's "feelings" are hurt by the action of the United States in trying to encourage our shipping and our commerce by remitting the tolls on American ships engaged in coastwise trade. It is a discrimination against British ships that is in no manner justified by the fact that we bought the land and built the canal and own the whole business in fee simple.

There was a time, not so many years ago either, when the people might have been deceived by balderdash. But we have come to an appreciation of the intricacies of monopoly.

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They know that free tolls for American ships and the barring of railroad-owned vessels from the canal are at the bottom of sudden passion for arbitration. As long as these regulations obtain, the canal stands as an obstacle in the way of monopoly and insures competition in transportation rates.

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There is, of course, small chance of the bill's amendment or of its submission to any sort of arbitration. Even in the Senate there are not enough men sufficiently bold to defy the wrath of a Nation and to court infamy and disgrace.

[From the Nashville (Tenn.) Tennesseean.]

PANAMA CANAL CONTROVERSY.

Reply to the protest of Great Britain regarding the proposition to exempt our coastwise shipping from Panama Canal tolls has been made by Secretary Knox.

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English expert opinion of the merits of the controversy is divided, as it is in this country, which will be a shock to those who roll up their trousers because it is raining in London, or who sneeze because the British King takes snuff. Two articles appeared in a recent number of the Law Magazine and Review, a London periodical, both bearing on the Panama Canal status. In summing up, one writer says:

"(a) That the United States can support its action on the precise words of the material articles of the Hay-Pauncefote treaty; that its case is strengthened by reference to the preamble and context; and that its case is difficult to challenge on grounds of general justice.

"(b) That there is no international obligation to submit the construction of its legislative act to any process of arbitration; and

"(c) That the aggrieved party has an appropriate, an impartial, and a competent tribunal in the Supreme Court of the United States."

The second writer expresses this view:

"The treaty could never have been intended to prevent the Federal Government from arranging and regulating its domestic or coastwise commerce and in the use and enjoyment of its own property as it saw fit."

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As the granting of free tolls to coastwise vessels is a part of the last Democratic platform the chances for the incoming Senate to recede from its present position do not appear to be flattering.

[From the Springfield (Mass.) Union.]

CANAL TOLLS AND OUR NATIONAL HONOR.

It strikes us that the hue and cry about our national honor being sullied by the tolls-exemption clause of the Panama Canal act is being a little overdone in some quarters. One is moved to wonder if the agitation proceeds in every case from motives as lofty and patriotic as appears. We would cast no general aspersion on those who insist that this clause should be repealed on that ground. But it is well to remember that there is an important interest in this country that has good reason, purely on private grounds, to foster this agitation. That interest consists of the great corporations engaged in transcontinental business. The tolls-exemption feature is expected to afford a new element of competition by which rates from one coast to the other may be substantially reduced. The same act which proposes to remit the tolls in the case of our coastwise shipping also prohibits railroad companies from owning steamships. Thus it is sought to deprive concerns engaged in the two fields of transportation between which competition is sought from combining in a manner to keep rates up and rob the public of the anticipated benefits of cheap water transportation.

[From the Washington (D. C.) Post.]

SETTING WILSON RIGHT.

The more conservative Democrats of the Senate and House are none too soon in making a concerted effort to offset the wrong impression which their ultraprogressive brethren have created as regards the Wilson program.

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The stereotyped method of misstating the President elect's attitude is for a speaker or an editor to assert that there are "excellent reasons for believing" that this or that diatribe represents Woodrow Wilson's views on the subject. Thus the spokesman for the Interstate Commerce Committee is emboldened to declare that the first thing Mr. Wilson will do upon coming to Washington will be to secure the repeal of the Panama Canal tolls law, as if the President would at once set out to repudiate his party's platform and his party in Congress.

[From the Denver (Colo.) News.]

MR. KNOX'S CRUSHING REPLY.

Secretary Knox's note in reply to the British request for arbitration of the Panama controversy throws a flood of light upon the matter. It shows that a state of facts exists quite different from the hypothetical situation imagined by Sir Edward Grey, and that upon this state of facts the United States is not discriminating against British shipping; that the Hay-Pauncefote treaty is not violated in letter or spirit, and, therefore, there is nothing to arbitrate. Mr. Knox makes the somewhat humorous suggestion that if there should be a dispute over the facts it might be well to refer the question to a commission of inquiry, in the manner provided for in the arbitration treaty of August 31, 1911.

[From the Oshkosh (Wis.) Northwestern.]

BASED ON SUSPICION.

The reply of Secretary of State Knox to the British protest against the exemption of American coastwise shipping from Panama Canal tolls furnishes a clear and comprehensive exposition of the American side of this dispute.

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As to the right of this Government to favor its coastwise shipping by a remission of canal tolls, this is a point the Secretary insists is beyond question. Nor should the British complain on this score, so long as American ships engaged in the foreign trade are placed on exactly the same basis as British ships, which is exactly what is proposed by the canal regulations already approved.

[From the Elmira (N. Y.) Advertiser.]

The British Government does not make as strong claims that the treaty is violated by the Panama act as do the American champions of this view on this side of the water. Most of the British objections are already answered by the schedule of tolls prescribed by President Taft and which the British foreign secretary had not seen when he wrote his note of protest. As for the rest, it is not the exemption of the coastwise vessels that he complains of so much as the possibility that this exemption may somehow be used surreptitiously to the disadvantage of British ships. When this occurs Great Britain will have a real cause of complaint, but until it does occur, it does not appear, according to the secretary's own showing, that his Government has any grievance whatever.

[From the Philadelphia Inquirer.]

AN AMERICAN ENTERPRISE.

The Panama Canal is an American canal—an American enterprise pure and simple.

And it is American in spite of the fact that there are some persons who appear to think that it is English.

There are the transcontinental railroads, for instance. They are a unit in arguing that the United States has no right to control its own property.

And there are the representatives of the railroad corporations in Congress. They quite agree with the railroads.

[From the Philadelphia (Pa.) Star.]

THE CANAL AND TOLLS.

While the fight continues in the Senate regarding the question of free passage for coastwise ships bearing our flag or of submission to the English idea that she has just as much right in the canal as we have Secretary Knox has made an important communication to the British foreign office.

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Mr. Knox points out to England that the United States regards as coastwise vessels those which ply from port to port of this country only and that it is only such as would be free from tolls in using the canal. That is to say, vessels flying our own flag and sailing from one part of the United States to another would not be obliged to pay toll in going through the canal.

Surely there can be no right on the part of any to object to such an arrangement as this. It is purely domestic, a matter relating to our own housekeeping, and it would seem to be utterly absurd that any outside party or country could be permitted to say what we shall or shall not do in such a relation.

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In addition to communicating these facts Secretary Knox has informed England that the exemption of such coastwise vessels as described will not make it necessary to increase the tolls charged to others. And this eliminates the last possible excuse for any sort of foreign intervention. It takes away the last possibility that this matter is the business of any country but our own. It is to be hoped that the matter will end there and that we shall soon hear no more about it.

[From the Mobile (Ala.) Register.]

COUNTING UNHATCHED CHICKENS.

The efforts of Great Britain to have the matter of free toll for American coastwise vessels through the Panama Canal submitted to arbitration have been neatly met by the reply of Secretary Knox. In effect he says that this is not a matter now germane to the issue. The admission of these vessels to free tolls is not yet a fact. There has been no law passed to that effect. It is yet in the making. What the United States may do in the future is not a subject for present arbitration.

Possibly it may be handled in diplomatic correspondence as to the merits or demerits of the idea as affecting existent treaty regulations. Possibly it may be proper to discuss it now with a view of getting a better understanding of the situation, but to submit it to arbitration now is not to be thought of, for there is nothing as yet to arbitrate.

When this law is a fact instead of a possibility, or probability as it is at present, there will be sufficient time in which to consider whether arbitration is the remedy for an apparent irreconcilability of viewpoint. Until that time has arrived it would be most foolish for the United States to submit a largely abstract question to a court composed of representatives of nations at one with the position of Great Britain, and from which court an adverse verdict to the United States is largely a foregone conclusion. Mr. Knox has neatly avoided a pitfall set for him by the wily Britishers.

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[From the Navy, Washington, D. C.]

RECRUDESCENCE OF CANAL-TOLL DISCUSSION.

The formal British protest against the remission of Panama Canal tolls has aroused renewed discussion of that much thrashed-over subject.

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To restate the present American contention:

The Hay-Pauncefote treaty was adopted when it was supposed that the canal was to be built in foreign territory. The acquisition of the Canal Zone from Panama rendered the treaty voidable, due to a radical change in the conditions existing at the time it was made. The contention that the treaty was thus rendered voidable is well supported by both English and American authorities on international law.

Mr. Hannis Taylor in a recent magazine article quotes from his work on International Law, as follows:

"A treaty may become voidable through subsequent events. After the validity of an international agreement has been firmly established by the concurrence of such antecedents it may become voidable through the operation of subsequent events which might not have such an effect in the case of private contract. So unstable are the conditions of international existence and so difficult is it to enforce a contract between States after the state of facts upon which it was formed has substantially changed that all such agreements are necessarily made subject to the general understanding that they shall cease to be obligatory so soon as the conditions upon which they were executed are essentially altered."

Mr. Hall, an English authority, thus states the case:

"Neither party to a contract can make its binding effect dependent at his will upon conditions other than those contemplated at the moment when the contract was entered into, and, on the other hand, a contract ceases to be binding so soon as anything which formed an implied condition of its obligatory force at the time of its conclusion is essentially altered. If this be true, and it will scarcely be contradicted, it is only necessary to determine under what implied conditions an international agreement is made. When these are found, the reasons for which a treaty may be disregarded will also be found."

When the authorities on international law of both Nations admit that the Hay-Pauncefote treaty is voidable, any protests by either party having for their object the enforcement of the terms of that treaty seem unnecessary. * * *

* * * The United States has built the canal at an expense of nearly $400,000,000, thereby opening new routes of commerce to the world. The canal tolls have been fixed by the President of the United States, in accordance with the Panama Canal act. These tolls will not pay interest on the cost of the canal for an indefinite period, if ever, which fact eliminates the claim made by owners of foreign shipping that their ships are called upon to pay an unjust proportion of the charges for the maintenance of the canal.

The root of these protests is the fear of English and other foreign shipowners that there will be an increase in American merchant marine, which will interfere more or less with foreign carrying business. Furthermore, it is questionable if it is thoroughly understood that tolls are remitted only to vessels engaged in a trade from which foreign vessels are barred. To summarize from an American standpoint:

The Hay-Pauncefote treaty has become voidable, owing to a radical change in the conditions existing at the time of its enactment.

The canal is built in American territory.

Its construction has cost the people of the United States $400,000,000.

The maintenance, neutrality, and defense of the canal is guaranteed by the United States.

Tolls will not for an indefinite period (if ever) pay for the maintenance of the canal and interest on the cost of construction.

As a slight encouragement to strictly domestic trade, tolls on ships engaged in coastwise trade are remitted.

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[From the Bangor (Me.) Commercial.]

REPLY OF SECRETARY KNOX.

It is a strong reply that has been made by Secretary Knox in answer to the request of Great Britain for arbitration in regard to the controversy over the Panama Canal matter and will go far to correct a faulty idea of the situation that has existed in some quarters and which has led to assertions that the United States, by exempting our coastwise shipping from the payment of tolls, is violating a treaty.

The Commercial has taken the position that Congress has acted wisely in providing that the free-tolls provision should be extended to our ships in carrying out the principle of favoring coastwise trade carried in our own bottoms, and that any other position would be unfair to certain sections of our country—as, for example, a toll charge for coastwise shipping would discriminate against the great Pacific coast in its carrying trade with the Atlantic ports. As the Commercial has stated, the Pacific Coast States are taxed to pay for the canal, and it is not fair to say that American vessels from Pacific ports shall pay special charges to take a cargo to New Orleans or Galveston, for instance, when shipping from Boston or New York to those ports are not required to do so. Secretary Knox in his reply bears out the statement of the Commercial that a treaty with Great Britain does not repeal an act of Congress relating to coastwise shipping which has been long in force.

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There would be but scant opposition to the giving of free tolls to American coastwise shipping if it were not for the attitude of people in New York and elsewhere who are interested in the great transcontinental railroads. As has been remarked, if the coastwise shipping from the Pacific should be obliged to pay tolls, it would place a tax of $1.10 a ton on natural coarse products for the benefit of the transcontinental railroads, which would be enabled to add just that much more to their freight charges.

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[From the Wichita (Kans.) Eagle.]

ENGLISH VIEWS OF THE CANAL TOLLS.

Certain English newspapers profess to be greatly disturbed over the plan to make American shipping free of tolls for use of the Panama Canal, and they complain that this would be a distinct violation of the Hay-Pauncefote treaty, which, as concluded between Great Britain and the United States, provides that the use of the canal shall be enjoyed on equal terms by all shipping.

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Incidentally, it might be asked what right Great Britain had to exact such terms. That country had no rights on the Isthmus and took no part in the construction of the canal. The waterway is a purely American enterprise, financed and owned by the United States, and subject to no other jurisdiction.

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[From the Philadelphia Evening Bulletin.]

THE CANAL TOLL QUESTION.

The Panama route has been the basis for regulating the transcontinental traffic schedule and the Panama Railroad has been the determining factor in that rate. An all-water route from one coast to the other might afford a chance for real and disturbing competition. It will be hard to convince the country that this is not a pertinent reason for making the canal free to American ships. Certainly the public will not agree that the question of toll or of the rate per ton shall be determined on the basis of the transcontinental railroad interests.

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[From the Toledo (Ohio) Blade.]

PANAMA TOLLS.

There is power in bluff, particularly when nations bluff. The stir raised in European courts over the proposal in the United States that American vessels be charged a lower toll than other vessels is based almost wholly upon the hope that a little snarling, a few protests, an imposing document or two, and the speech of a cabinet officer may cause this country to exact as large a sum from those who have helped to pay for the canal as from others.

The administration contends that the canal, having been built by the United States, ought to be used for our benefit. One benefit we should reap, if we possibly can, is the restoration of the American merchant marine. To open the canal to every nation upon the same plane would be to sacrifice an opportunity. It would amount to a gift over and above the great gift of a shortened waterway for the commerce of the world. It would also be a gift that Europe can not and surely does not expect, though taking a long chance at frightening us into granting it.

The Panama Canal is ours. Why should we not do what we wish with our own?

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[From the Baltimore (Md.) Evening Star.]

AN UNFAIR REQUEST.

England's diplomats have known for months that the prevailing sentiment in this country, both in and out of Congress, is in favor of free passage through the canal for American ships, but reasonable tolls for foreign vessels using the new route.

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[From the Knoxville (Tenn.) Sentinel.]

A TOLL-FREE CANAL.

During the last generation the United States Government has expended about half a billion dollars in the improvement of our rivers and harbors. By law we have adopted as a national policy that all our waterways shall be toll free. We are expending somewhat less than this on the Isthmian Canal. It will be a national waterway, a prolongation of our coast line. Why not free it of all tolls just as we have done all public canals, harbors, and other waterways? New York is now investing $120,000,000 in the Erie Canal. * * * It will be satisfied, it will feel itself more than repaid if the Erie Canal carries an abundance of traffic diverts freights from the St. Lawrence route, and keeps down railway freight rates. The commercial rôle of the Panama Canal should be the same as that of the Erie Canal. It will join two great bodies of water on which our coastwise traffic is carried. And in addition it will open to our Atlantic and Gulf ports all the harbors of the vast Pacific.

The Panama Canal was not undertaken as a money-making enterprise.

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The South is interested in a toll-free canal because it is interested in the widest possible use of the canal.

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[From the Baltimore American.]

ENGLAND AND THE CANAL.

England is not more interested than any other country in the question of the abrogation of tolls for American ships. Under the treaty of 1903 it was, indeed, specifically agreed between the two countries that the canal should be free and open to the vessels of commerce and of war of all nations without discrimination with respect to charges of traffic or otherwise. The fact remains that in certain respects this agreement is found inapplicable. It does not apply to coastwise traffic, as this would be in the case of American shipping. Other considerations have left no doubt in the minds of American international lawyers as to the sound position of this country should it abrogate tolls for its vessels. This action would simply be a counter to the subsidies that are granted foreign vessels by their governments. The abrogation

of tolls is the only method by which the United States can equalize traffic advantages of its own ships. Great Britain seems bent upon assuming a captious stand.

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[From the Salt Lake City (Utah) Herald-Republican.]

YANKEE VESSELS SHOULD GO FREE.

If the provision in the canal treaty with the Republic of Panama guaranteeing the use of the waterway on equal terms by all nations means that American vessels shall pay whatever tolls are fixed for general observance, then Uncle Sam should arrange himself to pay those charges on American ships. It is a ridiculous absurdity that this Nation, after having gone to prodigious expense to construct this great artery of commerce and to maintain it, should assess tolls against ships of American register owned and operated by citizens of this country.

It is understood that the Spanish Government will assume the tolls for canal use by all vessels that fly the Spanish flag, and that Great Britain will undoubtedly perform the same office for English vessels. The Nation which built the canal can scarcely afford to be less alive to its own commercial interests. Such policy will not only encourage the use of American vessels by shippers, but it will stimulate American shipbuilding.

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[From the Brooklyn (N. Y.) Citizen.]

PANAMA CANAL TOLLS.

Despite what has been said on both sides regarding the British protest against the exemption of American coastwise vessels from tolls in the Panama Canal, there is no occasion for any hostile expression, still less for any hostile feeling on either side. Of the right of the United States to do as it will with its own there should not be dispute in any quarter. It owns the territory and the waterway through it.

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[From the Boston (Mass.) Post.]

TOLLS AT PANAMA.

Objections have been heard from the other side of the Atlantic to discrimination in tolls to be charged vessels passing through the Panama Canal—giving free passage to those sailing under the United States flag and requiring payment from all others. It is not likely that such a claim of equal privilege will be strenously urged.

The basis of the representation, as alleged, is that such discrimination would do violence to the provisions of the Hay-Pauncefote treaty. This, however, does not seem to hold. By the terms of that convention the United States is bound to maintain uniformity and impartiality of treatment toward the shipping of all foreign nations. It by no means follows that we must not admit our own shipping to the enjoyment of larger and special privileges in the use of our own property, erected, paid for, and maintained at the expense of our people.

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[From the Pittsburgh Bulletin.]

THE PANAMA PROBLEM.

Basing her protest upon the provisions of the Hay-Pauncefote treaty, which guarantee that no discriminations shall be practiced against the ships of any nation in the administration of the canal, England has protested against the exemption planned. America's contention is that the terms of the treaty forbid discrimination only between foreign nations, while England insists that even America, the owner of the canal, may not be favored.

To the casual observer it would seem that America is right. Surely the owner of an international utility should be able to enforce whatever regulations, not incompatible with the just law of right and wrong between nations, it desires. The contentions of the two great Nations may result in some bitterness and some controversy, but there is little probability of anything more serious. England and America can be trusted to work their differences out amicably if heatedly. It is safe to predict that America will retain full control of the canal and at the same time satisfy the contentions of the empire across the seas.

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[From the Lowell (Mass.) Courier-Citizen.]

CANAL TOLLS.

The President is of opinion that the United States has ample power to remit the tolls that will be charged for use of the Panama Canal in the case of our own shipping. He points out that the canal is ours, was built by us at our own cost, and can certainly be made the subject of charges for use. He also points out that just as other nations subsidize shipping the United States may do the same, proportioning its subsidiary in this case to the amount due from the shipping for canal tolls. It has the look of a lawyer's device, but it is difficult to see any flaw in the reasoning. In essence, of course, no matter how we manage to do it, it amounts to giving our ships a freer use of the canal, whereas foreign vessels must pay the tolls without rebate. We can see no objection to the idea, in any case.

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[From the Philadelphia Inquirer.]

NO TOLLS FOR AMERICAN SHIPS.

Both of the great parties have expressed a desire to aid American shipping. We are about to put the Republicans and Democrats of the Senate to the test.

If we permit American ships to go through the Panama Canal free of tolls, we shall be giving the best of inducements for the building up of the merchant marine.

* * * * * * *

We are expending something like $400,000,000 in the canal enterprise. Are we to get nothing out of it? Are we to hand it over to foreign nations? England takes the view that we must. But what do the American citizens connected with the United States Senate say?

We are obligated by treaty to treat all foreign ships alike. But with our own shall we not do as we like?

There will be Senators to say that we can not. But such Senators will be found to be among those who are opposed to the development of an American merchant marine.

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[From the Pittsburgh (Pa.) Chronicle-Telegraph.]

THE CANAL DISPUTE.

The protest of Great Britain is based on the contention that the proposed free transit of American vessels through the canal will be a violation of the Hay-Pauncefote treaty, under which the canal was built. On its face this objection is untenable, since the guarantee of no discrimination in tolls which the treaty embodies can not in reason be interpreted as requiring that our Government, which owns the canal, shall be placed on the same footing in regard to tolls as foreign Governments using our property.

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[From the Houston (Tex.) Post.]

PANAMA CANAL TOLLS.

In view of the fact that the canal is being constructed wholly with American money and on soil belonging exclusively to the United States, public sentiment in this country seems to be practically a unit in favor of fixing a system of tolls that will give the advantage to American shipping making use of the canal.

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Lagging, as the United States does, behind other countries in the extent of its shipping interests, Congress should leave nothing undone within the scope of its legitimate powers to insure that Americans derive the largest possible benefit from this great waterway constructed with their money.

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[From the Bridgeport (Conn.) Standard.]

The remonstrance of England in the matter of the Panama Canal tolls hinges on the clause in the canal treaty which provides that all rules shall apply equally to all users of the canal. That American coastwise shipping ought to be exempted from such a ruling will be the general feeling, we think, in this country.

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[From the Brooklyn (N. Y.) Citizen.]

PANAMA CANAL TOLLS.

It suits some people to speak of this exemption from tolls as a subsidy, but it is not worth while to define the difference between it and the appropriation called for to build ships. It is enough to know that the revenue to be derived from the canal is to be provided by the tolls to be charged on vessels belonging to nations which have borne none of the expense of constructing the waterway, and without the toll charge would bear none of the expense of its operation.

In that view of the matter it has seemed from the first utterly ridiculous for anybody to question the right of the owners of the canal to exempt their own vessels from tolls while charging them to others, provided the revenue derived from the same is what it should be. That, more than the competition of the Suez Canal or other routes, is the question for us to settle.

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[From the Brooklyn (N. Y.) Citizen.]

CANAL TOLLS.

As to the power and right of the Government to exempt American ships from payment of the canal tolls, in spite of treaties with other nations, that is a point that admits of no dispute. The canal and the territory it traverses belong absolutely to the United States, and the Nation has a perfect right to do as it will with its own.

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[From the Portland (Oreg.) Journal.]

Every State along the Great Lakes, every State along the Atlantic, every State along the Gulf, every State on the Pacific slope, has a direct and vital interest in free tolls. Every State within reach by a waterway or by easy rail haul of the Great Lakes, the Atlantic, the Gulf, or the Pacific has a direct and vital interest in free tolls for domestic commerce.

Every State in the Union has, if not a direct, a strong indirect interest in free tolls because of the beneficial effect free tolls will have in promoting American shipping and because of the powerful influence free tolls will have in the promotion of the commercial interests of a common country.

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[From the Lockport (N. Y.) Union Sun.]

NOTHING TO ARBITRATE.

Secretary of State Knox politely tells England there is nothing to arbitrate in the Panama Canal matter. In this respect he is right.

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The elementary proposition to the American people is the fact that they built the canal with their hundreds of millions and should have some say in its management, technical constructions on treaties notwithstanding.

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[From the Brooklyn (N. Y.) Times.]

PANAMA TOLLS.

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How about the livest question now on the international carpet? Have we a right to decide for ourselves whether or not our own ships shall be handicapped so badly that they have no chance of winning in a field that we had set forth originally for our own advantage, and for which we willingly paid more than $300,000,000? Was the Panama Canal solely a piece of Quixotic altruism, and are we compelled to be restrained by the dead hands of John Hay and Sir Julian Pauncefote from gaining any advantage to ourselves thereby? That is the nub of the contention between Great Britain and ourselves. The British, who speak for nine-tenths of The Hague tribunal, say it must be so; that we are bound hand and foot by the terms of the Hay-Pauncefote treaty and the folly of our own legislators, who would not permit us to encourage our ocean shipping, as other nations do, by paying them a bounty. Since that is so, says Great Britain, we dare not even relieve them of the canal tolls, and they and their agents here say we must submit the question to The Hague tribunal.

Perish the thought! We can stand a good deal in the interests of peace, but we can not permit a packed tribunal to dictate to us how we shall or shall not utilize a public convenience that we ourselves created.

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[From the Cumberland (Md.) Times.]

CANAL MONOPOLY AND TOLLS.

As to coastwise commerce, which is carried on solely in American ships, it should be free from canal tolls. Foreign ships can not engage in such commerce, and there is no good reason why American ships should be taxed while going from one American port to another. No tax is laid by the United States upon any shipping using the internal

waterways of the country, although more money has been spent upon improving these waterways than in the building of the Panama Canal. It is no discrimination against any other nation to exempt American shipping in the coastwise business, for no other nation can engage in it. No other nation has ever suggested that the United States has not a perfect right to pass its own coastwise shipping through the canal free of tolls.

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[From the Charleston (S. C.) News and Courier.]

MR. KNOX ANSWERS ENGLAND.

We scarcely expect that the reply of the Department of State to the British protest in the canal matter will influence public sentiment in this country materially, for very few of those who have been crying out about our "betrayal" of our treaty obligations know enough of the question to be able to follow Mr. Knox's argument intelligently. It is difficult, however, to see how the English Government will be able to sustain its position longer in the face of the clear exposition made by the Secretary of State of the groundlessness of the objections which England has raised. The showing made by Mr. Knox that the canal rates were really computed upon the basis of the inclusion of all American ships engaged in the coastwise trade as well as of all other vessels would seem to dispose effectively of the only argument upon which England could base even the semblance of a claim that she was being discriminated against. * * *

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[From the Newark (N. J.) Star.]

CANAL TOLLS AND SUBSIDY.

If an American coastwise vessel trading between New York City and San Francisco, and sailing the whole distance in American waters, is subsidized because it passes free through an American canal across American territory, then an American coastwise vessel trading between New York City and Galveston is subsidized. In both cases British and other foreign ships are discriminated against in favor of American ships, for they are forbidden to engage in the coastwise trade. Whether the American vessels pay tolls or not does not in the least affect the foreign vessel. If the Panama Canal was on foreign soil and not a part of our coast line, the same as the New Jersey coast is, and we had the administration of it for all the world, the claim of Great Britain under the Hay-Pauncefote treaty would be valid, and it might justly be said that free tolls was a subsidy. But nations do not subsidize their domestic commerce, and our coastwise trade is wholly domestic.

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The question should not be permitted to be befogged with the subsidy issue. The twaddle about the "national horror" has been made ridiculous. Let Congress see in the question simply the naked right of this country to regulate its domestic commerce without foreign dictation.

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[From the Birmingham (Ala.) Herald.]

TOLLS IN THE PANAMA CANAL.

The reply of Secretary Knox to the British protest against the exemption of American coastwise shipping from Panama Canal tolls, presented by Sir Edward Grey, foreign secretary of Great Britain, was given to the public just in time to answer at every point the effort of Senator ELIHU ROOT in behalf of the combined shipping companies and transcontinental railroad companies who desire to throttle the canal. These companies do not desire to pay tolls out of love for their country, but they do want a toll sheet that will keep tramp and occasional steamers and independent lines from interfering with rates from one ocean to another.

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[From the Wheeling (W. Va.) Intelligencer.]

PANAMA CANAL TREATY.

In his reply to the British protest against the exemption of American coastwise shipping from Panama Canal tolls, Secretary Knox says that domestic coastwise trade will not be permitted to extend into competitive fields and that increased tolls will not be laid on foreign shipping to balance the remission to American ships. Surely this is fair. It would seem that it is going too far. If the canal tolls as originally fixed do not pay expenses with the exemption of coastwise trade, then the tolls laid on foreign shipping should be increased to cover the deficit. By Secretary Knox's proposition a deficit could, and naturally would, be charged to the fact that American coastwise trade pays no tolls, but no increased tolls could be laid on foreign shipping to make up the deficit.

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[From the Detroit (Mich.) Free Press.]

PROGRESS OF THE CANAL DISPUTE.

The diplomatic contest over the Panama Canal tolls proceeds with reasonable speed. Secretary Knox has delivered his reply to the British protest and Senator ROOT has rid himself of the speech that has been accumulating in his system for some weeks, as the dispatches have been informing the public.

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Congressman DOREMUS, who was prominently active in the adoption of the disputed exemptions, has very clearly pointed out in the Free Press certain vital and fatal flaws in Mr. ROOT's position, and it will be unnecessary here to elaborate on what he has said. Most Americans, we think, will agree with him and differ with the Senator as to the international part of the argument and will, from natural instincts of patriotism, refuse to consider the possibility that a foreign nation can by any construction of a treaty secure the right to intrude upon such a matter as the treatment of American shipping by the American people in a canal constructed with American money by American skill and enterprise.

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[From the American Banker, New York.]

Is there any good reason why the United States should build a canal for the benefit of other countries? The cost of the isthmian waterway is so great that a substantial interest charge, together with sinking-fund payments, must be made each year, and it is simple justice that the burden of these payments should be placed upon the commerce of other countries which have contributed nothing toward the construction of the canal. This is a question wholly outside of the field of partisan discussion, and the proposal to make the canal free to American ships should have the hearty support of every Member of the Senate and the House of Representatives.

[From the San Francisco Call.]

NO CANAL TOLLS REPEAL WITHOUT A BATTLE ROYAL.

Say this for the transcontinental interests: They never quit trying. For years they fought against the building of the Panama Canal. Next they exhausted every resource of corporation power and ingenuity to nullify or minimize its effect upon their monopoly of domestic transportation and by adjustment of canal terms and tolls to preserve their control of the coastwise traffic borne by sea. Again they lost. Now they are busier than ever in Congress and throughout the country seeking to repeal the exemption of our coastwise shipping from canal tolls.

It is a shrewd fight, waged in masterly fashion. There is absolute silence about the provision of the canal bill excluding ships owned or controlled by the railroads. The issue is cunningly made one of national honor and international morals. Nothing is said about the plain commercial questions involved. The appeal is entirely to sentiment.

Thus it has been easy to enlist on the side of repeal the sentimentalists, but your sentimentalist is an uncertain ally. He can be depended upon to talk too much and go too far. That is happening now to the embarrassment of the interests laboring for the undoing of justice. The sentimentalists are trying to persuade the country that its future as a world power depends upon more and more intimate relation with Great Britain. They point to the menace of Germany on one ocean and of Japan on the other, and hint broadly at a defensive alliance—all this coupled with near-treasonous talk to the effect that we have not the right, under the Hay-Pauncefote treaty, to subsidize our own coastwise shipping by remission of its canal tolls.

But the battle does not seem to be going exactly as the British shipping interests, the Canadians, and the American railroads desire. It is suggested that to repeal the exemption clause is not really a backdown, but would put us in a position to negotiate with England. Thus, the Cleveland Plain Dealer:

"That there is at least basis for British dissatisfaction would probably be denied by very few Americans. Under the circumstances it would be no 'backdown' and no betrayal of national honor for Congress to pass the Root bill and postpone final action on the disputed issue till the international lawsuit has been decided."

But there is a sturdy opposition to any such construction of "national honor" as would permit Great Britain or any other nation to dictate the terms on which, if we choose, we shall subsidize our domestic commerce by sea and prescribe the manner in which we shall administer our canal, constructed with our money.

Senators O'GORMAN and NEWLANDS have answered Senator ROOT's pro-British harangue in language that must appeal to the patriotism as well as the common sense of thoughtful Americans. In the House Mr. KNOWLAND, of California, whose efforts to protect our domestic shipping in canal legislation have been heroic and effective, is keeping up his good work.

There will be no repeal without a battle royal. And in that struggle we shall see the same railroad lobby at work that fought so bitterly last year against exemption; we shall hear some of the same Members of Congress that opposed preferential treatment for our own domestic shipping shouting for the preservation of the national honor by surrender of the Nation's greatest enterprise.

It is the same old fight waged from another angle.

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[From the Philadelphia Inquirer.]

NO BUSINESS OF ENGLAND'S.

England has no interest whatever in our coastwise trade. She, like all other foreign nations, is barred by law from participating in the coastwise steamship traffic of the United States.

This being the case, what possible interest can she have in the question of canal tolls which affect coastwise vessels only? To put it another way, what possible right has she to dictate to the United States regarding the control of the United States over American coastwise ships?

Secretary of State Knox, in his reply to England's argument, informs England in the polite language of diplomacy that it is none of her business what this Government does with its own ships.

And Secretary Knox is entirely right.

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[From the Manchester (England) Guardian.]

THE PANAMA CANAL BILL.

The amendment limiting the exemption from tolls to coastwise traffic is important for this reason: By the American navigation laws (as by all navigation laws) coastwise traffic is reserved to American registered ships. As none but American ships can make a voyage, say, between San Francisco and New York there can be no question of discrimination against other ships. This coastwise traffic was an American monopoly before the Hay-Pauncefote treaty, and a monopoly it remains, for no one has alleged that the treaty suspends the navigation laws. As America retains the monopoly, we fail to see how any question of discrimination can arise against a second party who does not exist, so far as coastwise traffic is concerned. The real grievance against the bill in its amended form is not against its morality, but something much narrower. It may with fairness be said that the American definition of coastwise traffic is so wide that it includes practically all American shipping. An American vessel may leave San Francisco, touch at Hawaii in the Pacific, double Cape Horn, call at Porto Rico, and finally discharge its cargo at New York without ever losing its coasting character. Our foreign office, when it concluded the Hay-Pauncefote treaty, should have foreseen this practical difficulty, and it could then with reason have pressed for the restriction of the American definitions of coastwise traffic to those limits which hold on European courts. There may still be a chance of so restricting the definition of coastwise traffic, and every effort should be made to use it. But if we are to hope for success we must at any rate give the United States Congress the credit for wanting to do the right thing. We must not begin to call names or stir up passion.

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[From the Washington Post.]

MR. KNOX'S CRUSHING REPLY.

Secretary Knox's note in reply to the British request for arbitration of the Panama Canal controversy throws a flood of light upon the matter. It shows that a state of facts exists quite different from the hypothetical situation imagined by Sir Edward Grey, and that upon this state of facts the United States is not discriminating against British shipping, that the Hay-Pauncefote treaty is not violated in lettter or spirit, and therefore that there is nothing to arbitrate. Mr. Knox makes the somewhat humorous suggestion that if there should

be a dispute over the facts it might be well to refer the question to a commission of inquiry in the manner provided for in the unratified arbitration treaty of August 3, 1911.

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Mr. Knox's note is a crushing answer to those Americans who have jumped to the conclusion that this Government has deliberately violated a treaty, to the injury of a friendly nation, for the sake of favoring coastwise shipping, and has then refused to arbitrate the dispute. Sir Edward Grey, whose protest unquestionably was inspired by the Canadian railroads, is clearly shown to have protested against an injury that has not been committed and which he has no right to assume will ever be committed.

[From the New York American.]

THE EIGHT REASONS AGAINST FREE CANAL PASSAGE FOR OUR COASTWISE TRADE.

The eight transcontinental railway lines—the Great Northern, the Northern Pacific, the Union Pacific, the Southern Pacific, the Missouri Pacific, the Santa Fe, the Canadian Pacific, and the Milwaukee & St. Paul.

They fought the canal during the period of its inception and growth. Now that it is built they are fighting its service to the people who built it.

Our coastwise vessels mean the carriage of our American products from one coast of our country to another—from one side to another side—from San Francisco and the West to New York and Boston and Philadelphia and the East. We can carry those products by water cheaply and economically, and the East and the West can sell cheaply to each other if each can transport cheaply what it raises and what the other wants. This is the great compelling reason why at an enormous cost we built the canal.

The transcontinental lines never carry cheaply unless competition compels them to do so. They do not dread competition with other continental lines, because they can combine to charge the rates they prescribe. What the transcontinental lines dread is water competition. Water competition, unless they own it, compels cheap rates. When the Government owns the vital link in water competition they can not combine with it to oppress the people. Therefore the transcontinental lines dread Government-owned water competition, and they fight it in each of the many ways they know how to fight.

They are fighting now with all their might the Government's proposition to allow its coastwise vessels to pass free through the Government's great canal.

As long as they can prevent the Government from giving the freight of our coastwise vessels this exemption of $1.25 a ton through the canal, just so long can the transcontinental lines impose this $1.25 a ton upon their freight across the continent. Is it plain?

The transcontinental lines under water competition carry freight cheaply from San Francisco and Portland and Seattle to New York. But these lines charge or have charged as much to carry freight to Denver, which is halfway across the continent and has no water competition, as they charge to carry it 1,500 miles farther on to New York.

Under water competition through the Lakes and the St. Lawrence the vertical continental lines carry freight from Chicago through Atlanta and 300 miles on to Jacksonville, Fla., cheaper than they carry it to Atlanta.

When the Government put a duty on lemons to protect the fruits of California, the transcontinental lines immediately added a freight charge exactly equal to this duty on lemons and thereby destroyed the Government's consideration for a struggling industry on the Pacific coast.

And to-day the transcontinental lines are fighting to make sure that through the canal the Government has built our coastwise vessels can not bring a cargo of California fruit any cheaper than England can bring a cargo of her Asiatic goods.

These are the eight reasons against passing our coastwise vessels free through the canal. These are the eight great obstacles that have laid themselves sheer across the canal to bar free passage to our ships. These are the eight opponents that are joining with England to thwart the purpose of the Government in this vast enterprise.

The transcontinental lines—their owners, their stockholders, their agents, their officials, and their gigantic lobbies—are making the greater part of the clamor that is opposing the people in the canal and the coastwise trade.

Every reason is a selfish reason. Every argument is a selfish argument. Every plea is tainted with self-interest and insincerity.

Corporations have more selfishness than soul. They think less of patriotism than of profit. They put profits above all things, and patriotism can come in if it can find a place.

Don't misunderstand the sentiment against the canal and our coastwise vessels. Don't fail to remember the source from which it comes. Don't fail to trace the eight reasons against the canal to the eight reasoners and their railway rates.

And don't fail to refute and rebuke them all at the ballot with the simple answer of patriotism and common sense.

[From the Providence (R. I.) Tribune.]

GREAT BRITAIN AND THE CANAL.

The protest of Great Britain regarding Panama Canal legislation * * * is entitled, of course, to most respectful consideration. It is but natural that that great maritime country should desire to have a voice in the final arrangements for the administration of this important waterway.

The vital fact should be kept in mind that the canal is an exclusively American undertaking. It is being dug by our money under the direction of our citizens, and it is only reasonable that we should provide legislation safeguarding whatever advantage accruing from the piercing of the Isthmus can properly be secured to United States citizens.

The proposed exemption from tolls is not in favor of American shipping as such, but only in favor of shipping plying between American ports. If British vessels were engaged in traffic between American ports they would, by the proposed legislation, be just as much entitled to the exemption as American vessels were engaged in traffic between such traffic, and hence can not hope for the exemption, is because of a shipping law of ours a century old which embodies a national policy. Can we reasonably be asked to abandon that policy and repeal that law on account of the Panama Canal? What Great Britain is really asking is not protection against discrimination at Panama alone but admission into our coastwise traffic on terms of equality.

We may listen to the British appeal, of course, with due courtesy, but it does seem that what is really asked is rather extravagant. Indeed, it will very likely be found that Great Britain is more interested in the bills concerning railroad-owned ships.

[From the Portland (Oreg.) Journal.]

FREE TOLLS.

It is possible that Congress may commit an unpardonable blunder with reference to canal tolls.

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The canal is one national opportunity to benefit almost every State. The East wants Pacific coast lumber, fruit, and other products. It can not get them now at living prices, because the railroads can not afford to haul them at rates to justify their shipment.

The Pacific coast wants eastern manufactured products at prices that do not make them prohibitive. There is scarcely a section of the Union that will not profit in lowered freight rates if the canal tolls are made free to American coastwise shipping. There is scarcely a community in the Union that will not suffer if the tolls are placed so high as to make the canal noncompetitive.

The East, the North, the South, the Middle West, and the Pacific coast are all vitally interested in free tolls. Free tolls will be stimulus for a country-wide development of waterway commerce. They will favorably affect the Lake States, the Mississippi States, the Gulf States, the Atlantic States, and the Pacific States.

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Public sentiment, voiced by public bodies and otherwise, should thunder at the doors of Congress. That body should not be permitted to make the paramount blunder of imposing tolls at Panama that will drive the remnant of our coastwise shipping from the ocean.

[From the Salt Lake City (Utah) Tribune.]

PANAMA CANAL TOLLS.

The only workable point in the claim that the United States must make no discrimination as to tolls through the Panama Canal is in this, that it must make no discrimination as between the vessels of other nations, whatever it may do with regard to vessels of our own. That is all that the world is entitled to claim of us on any fair or businesslike basis. The notion that we can be barred from doing what we will with our own after an expenditure of $400,000,000 to construct that canal is both unreasonable and fantastic. It would, indeed, be a serious assault upon common sense for any nation to come forward with the plea that it had just as much right in the Panama Canal for its vessels as we have there ourselves for our own. It would seem as though the mere statement of the case ought to be enough to refute the claim of common use on equal terms by all the nations of the earth.

[From the New Orleans (La.) Times-Democrat.]

CANAL TOLLS AND PLATFORMS.

Within the past few days, we are glad to note, the supporters of the Panama Canal act have been coming to its defense. For a month or more its opponents have been exceedingly busy. The clause exempting coastwise commerce from payment of canal tolls has been vigorously attacked in public addresses, in tracts, and by personal letters. Its enemies are well organized and their campaign seems to be well financed. Its defenders paid little attention to the attack until Senator ROOT delivered his philippic in the Senate and Representative ADAMSON journeyed to Trenton with the hope of winning over the President elect to the Root view.

Since then the discussion has not been so one-sided. Senators O'GORMAN and MARTINE made vigorous reply in the Senate to Mr. ROOT. Secretary KNOX, in his note to the British Government, corrected the misstatements upon which the antiexemption propagandists have builded much of their argument. President Taft reiterated his belief that the exemption should be retained and is not a violation of the treaty.

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It was Senator O'GORMAN, we believe, who called attention to the fact that the easement to coastwise commerce was a part of the Democratic Party's contract with the voters. The Baltimore platform specifically declared for "the exemption from tolls of American ships engaged in coastwise trade passing through the Panama Canal." So did the platform of the Progressives. The Republican platform was silent upon the issue. So far as the question has been submitted to the people, then, the popular expression has been overwhelmingly in favor of the exemption. There have been no new developments since that expression. The allegation that the exemption would be violative of the treaty was exhaustively discussed in both Houses. There is room for an honest difference of opinion on that point, but it is one to be dealt with for the present through diplomatic channels. Meanwhile it is pleasant to note that the effort of the antiexemption propagandists to stampede public opinion by extravagant speech and by parading mere expressions of opinion as facts is being met by careful and well-considered arguments from the champions of exemption.

[From the Los Angeles (Cal.) Times.]

SENATOR ROOT ON THE TREATY.

The distinguished statesman-Senator from New York has deserved so well of his country and performed so many valuable services to it that much may be tolerated from him. But the Times regrets that he has taken very advanced ground and used very strong language in support of his demand that Congress shall either repeal the Panama Canal law or submit it for arbitration to The Hague tribunal.

The Senator is evidently carried away with his subject when he intimates that the United States is "false to its agreements and false to its pledged word," and is "astute, cunning, and slippery."

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"On the representations made in the Hay-Pauncefote treaty," continued the Senator, "Great Britain relinquished her right to all control over the future of the Panama Canal."

"Her right." Where did she get any right to control over the future of the Panama Canal? What member of her foreign office ever negotiated with the United States of Colombia or the Republic of Panama with respect to the construction of a canal? What surveyor employed by her ever planted a theodolite in the swamps of Colon? Did she ever expend a shilling in a preliminary examination of a Panama route?

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Congress, it is to be hoped, will not repeal the Panama Canal law. President Taft, the Times trusts, will not undo what he has done, and

it is not believable that President Wilson will smite all the traditions of Democracy in the face and crouch at the feet of Sir Edward Grey. At all events the Times insists that it would be a piece of folly to submit the question to the arbitrament of The Hague—a jury packed against us. That would be self-stultification on our part, and self-reversal would be infinitely preferable. We can not arbitrate whatever we may do in this case.

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[From the Wichita (Kans.) Eagle.]

The real competitors to American coastwise shippers are not British ships but American transcontinental railroads.

The whole United States has sanctioned and rejoiced in the enormous expense of building the Panama Canal on an idea that the west coast and the east coast would be united by a cheaper interchange of traffic than is being afforded by the transcontinental railroads.

Great Britain's mighty marine, built up by a subsidy, traverses the high seas of the world. But this coastwise traffic is of infinitely less concern to international traffic than it is to the movement of freight from one domestic border to another.

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[From the Buffalo (N. Y.) Enquirer.]

MISDIRECTED FIRE.

If Sir Edward Grey can not think up all the points to offer in reply to Secretary Knox he can discover the remainder by studying the columns of sundry American newspapers. These journals supply all that Sir Edward's ingenuity and acumen may lack.

Instead of massing their argument behind the British foreign secretary, the American opponents of the exemption of American coastwise shipping from the payment of Panama Canal tolls would do better to concentrate on points more likely to have effect on Congress. Prating that the national honor will be sullied by running our own shipping in our own trade through our own canal in our own way will not have overwhelming effect on national policy.

The strong points are that the exemption is a subsidy, and that a new monopoly should not be created when the country is trying to extinguish monopoly. Congress is afraid of the subsidy and monopoly cries. It has little fear of clamor backing the proposition that any other nation can tell us what not to do in our own affairs. Sentiment for the repeal of the exemption for our own purposes is easier to arouse than sentiment for yielding to British pressure to suit British purposes.

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[From the Pittsburgh (Pa.) Press.]

KNOX'S REPLY TO ENGLISH GOVERNMENT.

American public opinion is so fully convinced that this country is in the right in the canal-tolls dispute with England, and has such well-grounded suspicions that the whole English contention is in the interest of the English stock and bondholders in the Canadian Pacific and other Pacific railroads, that popular interest in the notes exchanged between the foreign offices of the two countries is not keen.

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[From the Pittsburgh (Pa.) Chronicle-Telegraph.]

CANAL LEGISLATION.

* * * * * * *

In suggesting the repeal of the exemption clause in the canal bill Mr. ROOT asks something more than Congress can do without, in a measure, stultifying itself. The way out of the difficulty that has arisen is clearly through arbitration, and considering that our Government stands practically pledged to the arbitration principle, it will be strange if Congress should demur to this mode of settlement. The first consideration is to maintain the national prestige by making good a treaty obligation deliberately contracted. The time for discussing the advisability of undoing that obligation will come later on.

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[From the Scranton (Pa.) Times.]

NOTHING TO ARBITRATE.

Good for Philander Knox. Good Americans will agree with him he is right, in his reply to Sir Edward Grey in the matter of the Panama Canal tolls, in bluntly declaring our Government does not agree with the Grey interpretation of the Hay-Pauncefote or Clayton-Bulwer treaty.

* * * * * * *

We have had too much Tory toadyism and maudlin peace in the Panama Canal business. The canal is an American enterprise, built with American money and on American soil, and the American Republic proposes to rule and govern the canal without foreign advice or interference, as long as we stand within our rights and international law.

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[From the Washington Herald.]

SHOULD DISCUSS THE TREATY.

Of Secretary Knox's note replying to the British complaint that the Panama Canal act violates the Hay-Pauncefote treaty, the Pall Mall Gazette says:

"Coming from any other country than the United States Mr. Knox's reply would be deeply resented. We know, however, that American statesmen never have caught the trick of diplomatic courtesy as it is understood in Europe, so therefore we are indisposed to lay stress upon mere crudeness of language."

* * * * * * *

Another London newspaper, the Westminster Gazette, says, "Mr. Knox's reply does not bolt the door, but it scarcely can be said to be satisfactory."

Well, what would have been satisfactory? An admission by the American Secretary of State that the Panama Canal act does contravene the treaty and a promise forthwith to repeal it? Or immediate acceptance of the British proposal of arbitration without any effort to attain a diplomatic settlement? Apparently from the British standpoint only that is satisfactory which is favorable to Great Britain.

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[From the Portland (Oreg.) Oregonian.]

WHY ALL THIS HULLABALOO?

Secretary Knox's reply to the British protest against the Panama Canal law whittles the points in dispute down so small that one is inclined to exclaim, "Why all this hullabaloo?"

* * * * * * *

Had not the interests of Canadian railroads in poaching on American commerce been adversely affected there would have been no British protest. Had not American financiers seen that toll exemption would intensify water competition with transcontinental railroads they would not have backed the protest. The controversy is not really between the American and British Governments; it is between the American people on the one side and the railroads, Canadian and American, on the other, which are using the British Government to fight their battles.

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[From the Newark (N. J.) Evening Star.]

KNOX SETTLES THE PANAMA TOLLS.

Those newspapers that have been upholding the British and the American railroad idea of our national obligations at Panama have been laughably put out of countenance by the reply of Secretary Knox to the clumsy note of protest from the British foreign minister. The Secretary completely riddles the British pretensions, knocks the Root logic into smithereens, and takes all the starch out of the Tory newspapers. It is diverting to read their editorial comments on the Secretary's reply, which really leaves them nothing to say, for it exposes all their sham sentiment and convicts them either of imbecility or unpatriotic motive to sacrifice the national interests in the Panama Canal to foreign dictation and corporate greed at home. Secretary Knox's exposition of the case virtually settles it.

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Resolutions passed at meeting of the Savannah (Ga.) Cotton Exchange.

Whereas the building of the Panama Canal was undertaken by the people of the United States in pursuance of the great national policy, amongst other things, of providing for the national defense, of opening up the shortest possible water route between the respective coasts of the United States and foreign countries, to provide, through natural methods and to prevent monopoly of transportation, means for transportation between the various sections of the foreign nations, and, incidentally, to encourage the upbuilding of a now decadent merchant marine: Be it

Resolved, That it is the sense of this meeting that there should be no tolls charged through the canal to coastwise vessels flying the United States flag.

* * * * * * *

Be it finally resolved, That the Congress should make careful and thorough investigation for the purpose of extending, if possible, free tolls through the canal to all vessels flying the flag of the United States, whether engaged in coastwise or foreign commerce.

* * * * * * *

J. J. GAUDEY,
Secretary and Superintendent.

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Resolution of Superior Commercial Club, of the city of Superior, Wis.

Resolved, That it is the sense of this club that American waterways and harbors continue to be free, and that American vessels engaged in coastwise traffic shall be entitled to passage through the Panama Canal free of tolls and charges.

* * * * * * *

ROY B. LEWIS, *Secretary.*

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Resolution unanimously adopted by the board of directors of the San Francisco Chamber of Commerce.

Whereas on October 11, 1911, a conference of the Pacific Coast Chambers of Commerce and the Pacific Coast congressional delegation adopted a resolution indorsing the proposition that no tolls be charged through the Panama Canal to vessels coastwise flying the American flag; and

Whereas the board of directors of the San Francisco Chamber of Commerce, on December 8, 1911, approved the position taken by the conference and adopted the following resolution: "*Resolved*, That no tolls should be charged by the United States Government on vessels using the Panama Canal on voyages between the Atlantic and Pacific ports of the United States": Therefore be it

Resolved, That the San Francisco Chamber of Commerce hereby expresses itself as in full accord with the position taken by the Hon. Philander C. Knox, Secretary of State, in his reply to the protest of Great Britain against the exemption of American coastwise shipping from Panama Canal tolls.

I hereby certify that the above is a true and correct copy of resolution unanimously adopted by the board of directors of the San Francisco Chamber of Commerce on January 31, 1913.

D. M. KING,
Executive Secretary San Francisco Chamber of Commerce.

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Preamble and resolutions adopted by the Cincinnati Chamber of Commerce and Merchants Exchange.

Whereas the Cincinnati Chamber of Commerce, through its authorized representatives, has heretofore expressed the view that American ships engaged in coastwise commerce through the Panama Canal should be passed free of tolls; and

Whereas we believe that all of the waterways of the United States, including the canal, should be so managed as to provide and to assure the greatest possible advantage to the people of this Nation; and

Whereas the modern developments of transportation demand a complete coordination between the movements of freight by water and by land: Therefore be it

Resolved by the Cincinnati Chamber of Commerce and Merchants Exchange, That we hereby reaffirm our position in favor of permitting American vessels engaged in coastwise commerce to use the Panama Canal free of tolls.

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W. C. CULKINS,
Superintendent and Executive Secretary.

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Los Angeles Chamber of Commerce indorses Secretary Knox's position.

The Los Angeles Chamber of Commerce, after careful consideration by board of directors and subsequently almost unanimous post-card vote membership, is in favor of free tolls through Panama Canal for American shipping engaged in the coastwise trade, reiterates its position upon question, and approves position taken by Secretary of State

Knox in his reply to protest of Great Britain against exemption of American coastwise shipping from Panama Canal tolls.

LOS ANGELES CHAMBER OF COMMERCE.
H. Z. OSBORNE, *President.*

Resolutions adopted by New Orleans Progressive Union, February 9, 1912.

(1) The New Orleans Progressive Union indorses the proposition that American vessels engaged in coastwise trade shall pay no tolls in passing through the Panama Canal.

(2) Should it be found necessary that American ships engaged in foreign trade shall pay tollage, the United States Government, by drawback, rebate, or otherwise, shall refund amount to such American vessels.

Resolutions adopted by Central Labor Council of Portland, Oreg., October 10, 1911.

Resolved, That it is the sense of this meeting that there should be no tolls charged through the canal to vessels coastwise flying the American flag.

Resolutions adopted by the Merchants' Association of New York.

Whereas the United States, by act of Congress, passed in 1884, made the following declaration of policy regarding tolls or charges relative to waterways acquired or constructed by the Federal Government: "No tolls or operating charges shall be levied upon or collected from any vessel, dredge, or other water craft for passing through any lock, canal, canalized river, or other work for the use of and benefit of navigation now belonging to the United States, or that may be hereafter acquired or constructed"; and

Whereas, under that policy, which is still in operation, the United States has expended on local waterway developments nearly $700,000,000 at the general expense of the whole country; and

Whereas the Federal Government, in addition to its vast expenditures of public funds upon internal and seacoast waterways, for the use and benefit of all sections and of all the people, free from imposition of tolls or charges for the use thereof, has also made vast grants of public lands of incalculable present value to the transcontinental railways to promote their construction and the interests of the whole country, especially of the sections which they directly serve; and

Whereas the Panama Canal is constructed primarily because of the military and economic necessities of the entire United States, and when completed will be of direct commercial benefit to a larger area of the country than any other waterway ever constructed or improved by the Federal Government; and

Whereas the extension of the general policy of freedom from tolls to the domestic coastwise commerce of the United States passing through the Panama Canal can not create a discrimination against any other nation or its citizens or subjects in respect to the conditions or charges of traffic or otherwise because of the fact that no such nation has been or now is permitted by law to engage in such coastwise commerce, which law was in operation and contemplation at the time of the negotiation and ratification of the Hay-Pauncefote treaty; and

Whereas the provision of the Hay-Pauncefote treaty appears to relate to the avoidance of discriminations between the nations and therefore does not pertain to our domestic coastwise trade, in the treatment of which there can be no such discrimination as prohibited in said treaty: Now therefore be it

Resolved, That the report of the special committee on tolls on coastwise commerce passing through the Panama Canal, dated February 26, 1912, be, and hereby is, approved; and be it further

Resolved, That the Merchants' Association of New York opposes the proposition of imposing any tolls whatsoever upon the domestic coastwise commerce of the United States passing through the Panama Canal, unless it be determined by competent authority that the imposing of such tolls is required in fulfillment of our treaty obligations.

Resolutions adopted by the Maritime Association of the Port of New York, July 12, 1912.

Whereas from present indications the Panama Canal will be ready for use by merchant shipping in about two years' time; and

Whereas it is necessary that those contemplating the operation of vessels through the canal should be informed at the earliest possible moment regarding the regulations that will govern said operation, so that sufficient time will be given to conform with every requirement: Therefore be it

Resolved, That Congress be strongly urged to enact at this session such legislation as will enable the President to fix the tolls to be charged for the use of the canal, it being the consensus of opinion of this committee that in the fixing of said tolls American vessels should be exempted from all charges.

Resolutions adopted at the forty-second annual meeting of the National Board of Trade, Washington, D. C.

Whereas the Government of the United States is constructing, entirely at its own cost, the Panama Canal, for the benefit of its own people, as a military measure for the naval protection of either coast in time of war and for facilitating its domestic and foreign commerce, as well as for the furtherance of the commerce of the world;

Whereas the coastwise commerce between ports of the United States is confined by law to vessels registered under the American flag, so that regulations established by the Government of the United States for the use of the canal by such vessels will not conflict in any way with the treaty obligations of the United States with other nations;

Whereas there is a great and growing demand for cheaper and freer interchange of commodities between the States of the Pacific slope on the one hand and those bordering on and tributary to the Atlantic and Gulf coasts, including all the States along the Mississippi and its navigable branches, on the other;

Whereas the opening of the canal, through the continuous and direct water transportation it will afford, will give the people of this country opportunities to interchange commodities of the different districts to an extent heretofore found impossible, and thus will reduce the cost of a large number of articles of daily use and necessity;

Resolved, That the National Board of Trade urgently recommends that vessels engaged in domestic commerce between ports of the United States shall be granted preferential tolls in passing through the Panama Canal.

Resolution adopted by Philadelphia Chamber of Commerce.

Whereas the Government of the United States is constructing, entirely at its own cost, the Panama Canal for the benefit of its own people as a military measure for the naval protection of either coast in the time of war and for the facilitation of its domestic commerce as well as for the furtherance of the commerce of the world;

Whereas the coastwise commerce between the ports of the United States is confined by law to vessels registered under the American flag, so that regulations established by the Government of the United States for the use of the canal by such vessels will not conflict in any way with the treaty obligations of the United States with other nations;

Whereas there is a great and growing demand for cheaper and freer interchange of commodities between the States of the Pacific slope on the one hand and those bordering on and tributary to the Atlantic and Gulf coasts, including all the States along the Mississippi and its navigable branches, on the other;

Whereas the opening of the canal, through the continuous and direct water transportation it will afford, will give the people of this country opportunities to interchange commodities of the different districts to an extent never contemplated before, and thus will reduce the cost of a large number of articles of daily use and necessity;

Whereas ample precedents exist for exempting the domestic commerce of the United States from the payment of tolls for passage through the canal; and

Whereas the operation of the canal under this condition will greatly stimulate and increase American shipping:

Resolved, That the Philadelphia Chamber of Commerce urgently recommends that vessels engaged in domestic commerce between ports of the United States shall be granted free passage through the Panama Canal.

Resolutions adopted by commercial bodies of the State of Washington, November 3, 1911.

Whereas the building of the Panama Canal was undertaken by the people of the United States in pursuance of a great national policy, amongst other things to provide for the national defense; to open up the shortest possible water route between the ports of the United States and between the United States and foreign countries; to prevent monopoly of means of transportation between the various sections of the Union; and to provide such transportation to the people of the United States at the lowest possible cost; to build up and expand commerce with foreign nations; and, incidentally, to encourage the upbuilding of a now decadent merchant marine; and

Whereas it is of the utmost importance to the State of Washington, and to all the States bordering on the Pacific Ocean, that their products—lumber, shingles, salmon, fruits, hops, wool, and other products—be most widely distributed at the least possible expense throughout the United States: Now therefore be it

Resolved by the following civic bodies of the State of Washington, viz: The New Seattle Chamber of Commerce, the Tacoma Commercial Club and Chamber of Commerce, the Olympia Chamber of Commerce, the Bellingham Chamber of Commerce, the Everett Chamber of Commerce, the Port Townsend Commercial Club, the Aberdeen Chamber of Commerce, the Hoquiam Chamber of Commerce, the Bremerton Commercial Club, the Raymond Commercial Club, through their representatives in conference assembled, That there should be no tolls charged through the Panama Canal to vessels flying the American flag engaged in coastwise traffic of the United States.

Resolution adopted by directors of Industrial Association of Keokuk, Iowa.

Whereas the American people are building the Panama Canal for the good of the Nation; therefore any toll levied on American domestic commerce passing through the canal would be a direct and unjust tax to be paid by the people on every pound of freight moving, whether by water or by rail, between the east and west portions of our country.

Resolutions of Junior Order United American Mechanics.

Hon. JOSEPH R. KNOWLAND,
House of Representatives, Washington, D. C.

DEAR SIR:

Whereas England, through her foreign minister, Sir Edward Grey, has presented a second formal note of protest against the Panama Canal act exempting coastwise ships from tolls, contending that the said exemptions would not comply with the stipulations of the Hay-Pauncefote treaty, that the canal should be open on terms of entire equality, and that the charges should be just and equitable; and

Whereas the foreign minister's note asks that the question be taken to The Hague for arbitration, and also suggests that the repeal of said American law would probably be even more expeditious; and

Whereas the said protest has created in certain quarters fresh opposition to the Panama Canal tolls law; and

Whereas the Panama Canal has been built by the United States, which owns and controls both the canal and adjacent territory; and

Whereas one of the cardinal principles of the Junor Order United American Mechanics is to bear true allegiance to the institutions, Constitution, and laws of the United States: Therefore be it

Resolved, That while we deplore the British point of view as to the interpretation of the Hay-Pauncefote treaty, we fervently believe and regard, far and above any treaty, the Constitution of the United States, which provides that Congress has exclusive and plenary power to regulate the interstate and foreign commerce of the United States, and that as American native-born citizens we would deem it incongruous and disastrous for the United States to agree to submit to arbitration a purely American problem to be passed upon by European judges; and be it further

Resolved, That we, members of General George A. Custer Council, No. 22, Junior Order United American Mechanics, of Oakland, Cal., urge our representatives in Congress to stand faithful and fast to the ground heretofore taken in the Panama Canal act; and that copies of these resolutions be forwarded to Senators GEORGE C. PERKINS and JOHN D. WORKS, and to our Congressman JOSEPH R. KNOWLAND.

The foregoing was unanimously adopted by Custer Council, No. 22, Junior Order United American Mechanics, in regular session January 7, 1913.

H. J. HAESLOOP, *Councilor.*
JAS. A. DE POY, *Secretary,*
2010 Filbert Street.

Resolutions of Seattle (Wash.) Chamber of Commerce.

The trustees of the Seattle Chamber of Commerce, in special session, resolved that the chamber express itself as in full accord with position taken by Hon. Philander C. Knox, Secretary of State, in his reply

to protest of Great Britain against exemption of American coastwise shipping from Panama Canal tolls.

J. E. CHILBERG, *President.*

Resolutions adopted by the New York Board of Trade and Transportation, December 13, 1911.

Whereas the Panama Canal is being constructed by the United States Government and the people of the United States are paying the whole cost theerof, and will be obliged to pay the cost of maintenance and repairs, whether the revenues are adequate or not; and

Whereas the people of the United States have entered upon this great work chiefly for the benefit that it will be to our own commerce; and

Whereas the construction of the Panama Canal by the United States will not give to the American people the full measure of benefits they are entitled to if our commerce is compelled to pay the same tolls that other peoples are required to pay: Therefore

Resolved, That, having expended so large a sum in constructing the Panama Canal, the people of the United States are entitled to receive the fullest possible advantages therefrom; that other nations should be permitted to use the canal upon reasonable terms alike to all; that American vessels in the foreign trade should pay the same tolls as vessels of other nations, unless existing treaties would permit such American vessels to pass free; that the commerce of the United States passing between United States ports should be allowed free passage through the Panama Canal in all ships of American registry and should be regarded and regulated as coastwise commerce of the United States.

Resolved, That we petition the Government and Congress of the United States to give the most serious consideration to the enactment of laws declaring commerce between American ports passing through the Panama Canal as coastwise commerce of the United States and free of tolls, and if treaty provisions or commercial conventions which have provisions for termination by notice from either party will permit, to also consider the making of the Panama Canal free to all vessels of American registry.

Resolutions adopted by the resolutions committee of the Waterway Conference of the Southern Commercial Congress, and unanimously approved and adopted by the Southern Commercial Congress at its convention at Nashville, Tenn.

We favor the adoption of a law by Congress granting the use of the Panama Canal to American ships engaged in coastwise commerce free of toll and the prevention of the use of the canal by any steamship line owned or controlled by a railway or any monopolistic interest.

We favor such legislation as is necessary to induce the construction of a merchant marine for the United States and the carrying of American commerce in American ships under the American flag.

Resolutions passed at meeting of the Mobile (Ala.) Chamber of Commerce and Business League, held Monday, March 18, 1912.

Whereas the building of the Panama Canal was undertaken by the people of the United States in pursuance of the great national policy, amongst other things, of providing for the national defense; of opening up the shortest possible water route between the respective coasts of the United States and foreign countries; to provide, through natural methods and to prevent monopoly of transportation, means for transportation between the various sections of the foreign nations and incidentally to encourage the upbuilding of a now decadent merchant marine: Be it

Resolved, That it is the sense of this meeting that there should be no tolls charged through this canal to vessels coastwise flying the American flag.

Resolution adopted by Board of Trade of Tampa, Fla.

Whereas the Government of the United States has expended nearly $700,000,000 for the improvement of rivers and harbors and the construction of canals, and by act of Congress, passed 1884, declared as follows: "No tolls or operating charges shall be levied upon or collected from any vessel, dredge, or other water craft for passing through any lock, canal, canalized river, or other work for the use and benefit of navigation now belonging to the United States, or that may be hereafter acquired or constructed"; and

Whereas the Panama Canal was built by American money, American genius, and American enterprise, and with the understanding by the American people that the canal would be operated for their benefit, primarily because of the military and economic necessities of the entire United States and for commercial benefit of the whole country; and

Whereas the imposition of tolls or charges for the use thereof of American boats engaged in American commerce would in many instances prohibit the shipping of American products from coast to coast, the interchange of products of the Pacific and the Atlantic and the Gulf, therefore defeating the very ends for which the American people indorsed the tremendous project and the expenditure of nearly a half billion of American dollars in the building of the Panama Canal: Therefore be it

Resolved, That * * * preferential treatment may be accorded American vessels of commerce, or at least those engaged in the coastwise trade.

* * * * * * *

[SEAL.] F. C. BOWYER, *President.*

Attest:

W. B. RIVELL, *Secretary.*

Recommendations of Railroad Commission of California in re Panama Canal bill.

After a public hearing and a careful investigation into the law and the facts, the Railroad Commission of the State of California makes the following recommendations in the matter of the Panama Canal: * * *

We recommend that American shipping engaged in coastwise trade through the canal be exempt from the payment of tolls.

We recommend that American shipping engaged in foreign trade and using the Panama Canal be likewise exempted from the payment of tolls or that subsidies equivalent in amount, at least, to those paid by other Governments to their ships using the canal be provided by the United States.

Otherwise, the United States, which built the canal at a tremendous outlay, will be the only nation whose vessels are sailing through the canal without Government assistance. We do not believe that there is anything in the Hay-Pauncefote treaty to prevent such action on the part of the United States. The treaty provides that the rules of neutralization to govern the canal are to be substantially the same as those which govern the use of the Suez Canal. The vessels of Great Britain and other nations using the Suez Canal receive subsidies from their Governments, and no one has ever contended that the principle of equality in the use of the canal is thereby violated. In the same way the United States can clearly pay subsidies to her vessels using the Panama Canal, and what she can do directly by the payment of subsidies she certainly can do indirectly by the remission of tolls in the same amount.

We respectfully direct the attention of California's Representatives in Congress. * * *

JOHN M. ESHLEMAN,
H. D. LOVELAND,
ALEX GORDON,
MAX THELEN,
E. O. EDGERTON,
Railroad Commission of California.

Resolution of the Oakland (Cal.) Chamber of Commerce.

Resolved, That Oakland Chamber of Commerce urges upon Congress such laws as will exempt from canal tolls all ships sailing under American flag engaged in coastwise traffic.

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OAKLAND CHAMBER OF COMMERCE,
A. A. DENNISON, *Secretary.*

Resolution of the San Jose (Cal.) Chamber of Commerce.

The board of directors of the San Jose (Cal.) Chamber of Commerce unanimously passed the following resolution:

"*Resolved*, That this chamber of commerce * * * strongly urge upon the Senators and House of Representatives the enactment of laws that will exempt from canal tolls all ships sailing under the American flag engaged in coastwise traffic."

Yours, very respectfully,

JOS. T. BROOKS,
Secretary-Manager.

Resolutions unanimously adopted by the Lakes-to-the-Gulf Deep Waterways Association.

The policy of free waterways is fundamental with the American people, and hence this association declares that this principle should be extended to our coastwise trade through the Panama Canal.

Resolutions unanimously adopted by the National Rivers and Harbors Congress, consisting of over 1,200 delegates, representing every State in the Union.

We submit that waterways improved or created by the Federal Government by the use of money contributed by the whole people of the United States should be free for the use of American ships in fair and open competition and on equal terms, without the payment of tolls, but we contend that a water carrier owned, controlled, or operated by a competing land carrier is unfair competition, and in order to preserve to the whole people the benefits of continued fair competition so that the beneficent influence of open waterways shall not be nullified by hostile interests, we recommend the enlargement of the powers of the Interstate Commerce Commission, to the end that the commission may more effectually regulate competing land and water carriers and competing water carriers and provide for the interchange of traffic.

Resolutions adopted by Boston Chamber of Commerce.

Whereas the Government of the United States is constructing, entirely at its own cost, the Panama Canal for the benefit of its own people as a military measure for the naval protection of either coast in time of war, and for the facilitation of its domestic commerce as well as for the furtherance of the commerce of the world;

Whereas the coastwise commerce between ports of the United States is confined by law to vessels registered under the American flag, so that regulations established by the Government of the United States for the use of the canal by such vessels will not conflict in any way with the treaty obligations of the United States with other nations, and particularly with Great Britain;

Whereas there is a great and growing demand for cheaper and freer interchange of commodities between the States of the Pacific slope, on the one hand, and those bordering on and tributary to the Atlantic and Gulf coasts, including all the States along the Mississippi and its navigable branches, on the other;

Whereas the opening of the canal, through the continuous and direct water transportation it will afford, will give the people of this country opportunities to interchange commodities of the different districts to an extent never dreamed of before, and thus will reduce the cost of a large number of articles of daily use and necessity to the consumer;

Whereas ample precedents exist for exempting the domestic commerce of the United States from the payment of tolls for passage through the canal; and

Whereas the operation of the canal under this condition will greatly stimulate and increase American shipping:

Resolved, That we urgently recommend that vessels engaged in domestic commerce between ports of the United States shall be granted free passage through the Panama Canal.

Resolutions passed by delegates representing the various chambers of commerce of the Pacific coast held in San Francisco, Cal.

Whereas the building of the Panama Canal was undertaken by the people of the United States in pursuance of a great national policy, amongst other things of providing for the national defense, of opening up the shortest possible water route between the respective coasts of the United States and foreign countries, to provide through natural methods and to prevent monopoly of transportation means for transportation between the various sections of the Union at the lowest possible cost, to build up and expand our commerce with foreign nations, and, incidentally, to encourage the upbuilding of a now decadent merchant marine: Be it

Resolved, That it is the sense of this meeting that there should be no tolls charged through the canal to vessels coastwise flying the American flag.

Mr. HAUGEN. Will the gentleman from Virginia [Mr. LAMB] yield some of his time?

Mr. LAMB. I yield 15 minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Chairman, during the year 1912 the farm lands in every section of our glorious country have truly "blossomed as the rose." To use the language of Mr. Secretary Wilson, in his report for the year's activities, it has been the most productive of all years. Earth's greatest dividends have been yielded to us. The reward is a high general level of production. The man behind the plow has filled the Nation's larder, crammed the storehouses, and will send liberal supplies to foreign countries.

During the consideration of the supply bill for the Department of Agriculture, it seems to me right and proper that this Congress, acting for 96,000,000 of people, about one-third of whom reside on the farm, should at least devote a few hours of time in considering the farmer as our Nation's chief asset. In this connection, I call to the attention of this House some impressive figures taken from Mr. Secretary Wilson's report for the past year.

Based on the census item of wealth production on farms, the grand total for 1912 is estimated to be $9,532,000,000. Being an increase of more than twice the value of the wealth produced on farms in 1899, and about one-eighth more than the wealth produced in 1909. This is the record for some of the leading products of the farm for the year 1912:

Corn, 3,169,000,000 bushels, value $1,759,000,000; hay, 72,425-000 tons, value $861,000,000; cotton, including both lint and seed, estimated value $860,000,000; wheat, 720,333,000 bushels, estimated value $596,000,000.

Oats, 1,417,172,000 bushels, of the estimated value of $478,000,000.

Potatoes, 414,289,000 bushels, of the estimated value of $190,000,000.

Barley, 224,619,000 bushels, of the estimated value of $125,-000,000.

Tobacco, 959,437,000 pounds, estimated value $97,000,000.

Flax seed, 29,755,000 bushels, estimated value $39,000,000.

Rye, 35,422,000 bushels, estimated value $24,000,000.

Rice of the estimated value of $20,000,000.

Buckwheat, 19,124,000 bushels, of the estimated value of over $12,000,000.

Hops, 44,500,000 bushels, of the estimated value of $11,000,000.

Beet sugar, cane sugar, molasses, maple sugar, etc., of the value of $117,000,000.

Dairy products, $830,000,000.

Poultry and eggs, $570,000,000.

Wool, 318,548,000 pounds, valued at $55,500,000.

Animals sold from the farm and slaughtered on the farm, 111,000,000 head, estimated farm value $1,930,000,000.

Mr. Chairman, these figures, as taken from the annual report of Mr. Secretary Wilson, are of such large proportions that the average mind can not grasp the full significance of the stupendous wealth that flows from the farm and that comes to bless our millions of people.

Truly, it would seem that we should congratulate ourselves that we are in a land of plenty—that verily flows with milk and honey.

Mr. Chairman, the farmer, being the Nation's chief asset, from whom comes the very basis of all our prosperity, has not fared so well at the hands of Congress as have those in other sections of our country and following other pursuits.

I want to say here, speaking as a man who comes from an agricultural district, and knowing how receptive the farmer is as to all matters of information that are sent to him from the Federal Government through bulletins and otherwise, I think there is no more appreciative citizen in this country of ours than the one on whom we must depend for our livelihood.

Do you know, Mr. Chairman, that as a new Member of Congress, I came here imbued with an idea gathered directly from the controlling sentiment of an agricultural community, that there ought to be economy in the administration of the affairs of the National Government; and I still adhere to that idea. In the short time that I have had the honor to serve on the Committee on Agriculture, being the only appropriation committee about which I know anything as to its practical workings, when an item has been increased here and there in the bill, I began at once to draw on the information which I had directly from the people, that we must cut down the expenses of the Government. I was slow in casting any vote that would increase an estimate or a former appropriation.

But what was my horror when I came to think of the thirty-odd millions of people constituting our agricultural class, who are the very base of the wealth and prosperity of this Nation, and to learn that the total appropriation given the Agricultural Department of this Government is less than the cost of one battleship. I say, Mr. Chairman, that in my judgment, while the expenses of the Government should be held in check, and we should not dissipate the funds that are placed in our hands as a trust fund, we should go to another truth, and that truth is to spend money wisely and where the best results can be obtained. Take the great agricultural section and see the magnificent crops that we had last year. It would be well to consider some of the means at command that brought about such wonderful results. The work in organizing the boys' and girls' corn clubs, whose memberships are receiving advanced ideas as to intensive farming and modern methods as to crop culture, and the practical application of these methods is an important movement well worthy of note. It a recent hearing before our committee, when a number of boys and girls from agricultural States were there, and in their own way made reports as to the acres they had cultivated and the methods used, it developed that on farm land that had heretofore yielded 25 to 30 bushels of corn to the acre, that by modern methods, land tilled by the average boy and girl was yielding from 100 to 212 bushels of corn to the acre. This was brought about, Mr. Chairman, by the information that goes out from the Agricultural Department, supplemented by the agricultural departments of the States of this Nation, and by local organizations where the spirit of pride has been stirred up in the breast of the young people by splendid prizes being offered for which they compete.

In the State of Texas—one of the greatest agricultural States in this Union, and I might say a State that can support the entire Nation with its agricultural wealth, if its acreage were developed—this last year $10,000 in prizes was put up by organizations of business men and others who were interested in farm development, and the yields made by the great number of people who took advantage of the opportunity presented by the contest were remarkable indeed. I believe that the United States Government, as well as the States of the Union, should promote agriculture and make every acre of land produce as much as it can produce. And whether my stay in Congress shall be long or short, my support shall always be cheerfully given to any legislation looking to a still greater development of our agricultural interests.

Mr. Chairman, one trouble with farm life is that people on the farm have not the conveniences that the city man has. The farmer has not the mail facilities that the city man has, yet he has been aided by the rural free delivery in the last few years. Many of the comforts that are enjoyed in the village and in the city are not vouchsafed to the farmer, and the farmer's boy, ambitious to do something in this world, gets discontented with his surroundings. His school opportunities frequently are limited, and yet we are building up along that line. And by reason of his surroundings the farmer's boy yearns to get into a more active sphere of life.

We can not blame him for that. But this Congress, if it acts wisely, will look to the condition of the farmer boy and make his conveniences and his surroundings such as that he will have a love for the old farm that gave him birth, and such as that he will have a desire to see that the acreage that has now dwindled down, where the briers have come in here and there, so that the farm is not as large as it once was, shall be redeemed and enlarged so that it will be made to yield what it can yield under modern improvements and modern methods. [Applause.]

Mr. Chairman, while this report that I make of last year's great earning power and the great wealth that has been turned loose from the soil would indicate that the farmers in every section of our country are indeed prosperous, I want to say to you that, while this great wealth has been yielded up, the farmers, as a matter of fact, are not as prosperous as the figures would indicate.

What is the trouble? One of the great difficulties that confront us as an agricultural people is the fact that the farmer does not get the price for his products that he ought to have in the markets of the world. He goes forth in the springtime; he bets his time and his energy and his ability against the seasons and the insects. He plants in faith, he cultivates in hope, and he reaps in grace. If he wins out with a great crop, it frequently happens that that crop brings in the markets of the world a less price than a crop half of that amount would bring. There is no reason for that except our modern system of marketing. I want to say that in a country as big as this, with 96,000,000 people to be fed, it is only fair to the man on the farm that he should receive 100 cents on the dollar for everything that he produces on that farm. [Applause.]

Does he get it? The figures will show, Mr. Chairman, that of the products of the farm, taking the markets for these products as a whole, where the products have gone out to the ulti-

mate consumer, and when you trace them back to the farmer you find he gets only 46 per cent of what the consumer has had to pay for those products. I declare to this Congress that that kind of system is wrong. It is enough to discourage the farmer. It is enough to drive the boys from the farm into other walks of life, and it is so driving them as the days go by.

Mr. Chairman, in July, 1910, I noticed in an article published by Mr. B. F. Yoakum, known this country over, some figures on this subject that, were it not for the conservative source whence they came, might seem to be highly exaggerated. Among other things, Mr. Yoakum states in the article referred to: "After a careful investigation it is estimated that during the year (1909) the farmers received and the consumers of the city of New York paid for the following articles of food approximately the amounts respectively shown:

Article.	Paid to farmer.	Paid by consumer.
Eggs	$17,238,000	$28,730,000
Cabbage	1,825,000	9,125,000
Onions	821,000	8,212,000
Milk	22,912,000	48,880,000
Potatoes	8,437,000	60,000,000

Where is that exorbitant waste? Any system of marketing that would deny to the farmer a participation in the profits from the products he grows in this tremendous amount that is paid by the consumer, that system is wrong.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAMB. I yield to the gentleman from Texas 5 minutes more.

Mr. YOUNG of Texas. Mr. Chairman, I beg to call attention to certain figures and statements recently made by Mr. Yoakum, and editorial comment thereon by the Washington Post, and commend same to the best thought of the membership of this House. I read:

A NATIONAL MARKET BUREAU.

In a letter to Senator HOKE SMITH, of Georgia, B. F. Yoakum, of the Frisco Railway system, has presented some facts and statistics that point the way to the solution of the problem of reducing the high cost of living, at least in part. Mr. Yoakum's plan vitalizes the parcel post and supplies the one thing necessary to make it an effective medium.

On the basis of a $9,000,000,000 crop, of which it is estimated that one-third remains on the farm, Mr. Yoakum gives figures which fairly represent the distribution of the profits. He points out that if the crop is worth $9,000,000,000 and one-third remains on the farm, $6,000,000,000 worth of products are actually sold by the farmer, the consumers paying $13,000,000,000, or more than twice as much as the farmer receives.

Using the estimate of the Department of Agriculture that farmers receive only 46 per cent of what the consumers pay, Mr. Yoakum asserts that the distribution of profits and expenses is about as follows:

"Received by the producers, $6,000,000,000, or 46.1 per cent.

"Allowing for a reasonable expense of selling and dealers' and retailers' profits, $4,945,000,000, or 38.1 per cent.

"Waste under existing methods, $1,560,000,000, or 12 per cent.

"Received by the railroads, $495,000,000, or 3.8 per cent.

"Total, $13,000,000,000."

It is true, as Mr. Yoakum says, that up to the present time the Government has done nothing in a practical way to aid in reducing the cost of distribution, although, conservatively estimated, there is an annual loss of about $1,500,000,000, which could be divided between the consumers and the producers.

The remedy suggested by the railroad man is a national market bureau under the Department of Agriculture, with an annual appropriation of $500,000 for the establishment of a system of market reports, cutting out unnecessary expenses between the producer and the consumer and cooperating with agricultural organizations. The bureau of markets should have offices in different agricultural States, where, through associations of agricultural bodies, market prices could be furnished to the farmers of the different localities daily during their respective shipping seasons.

The best part of Mr. Yoakum's plan is that it would enable farmers and consumers to take full advantage of the parcel post, each class being aware of the prices that should prevail. The ultimate outcome would be the elimination of the middlemen. The reason why the consumer pays so much now is because farm products pass through so many hands, each grasping for profit, before the stuff reaches the consumer.

That is a part of the record that he submits, and other men of equal authority with Mr. Yoakum give like figures.

This leads me to this thought, Mr. Chairman. In this system that prevails there is a rotten waste somewhere, and it is the duty of this Government to help our farmers who are scattered through every State in the Union to find where this waste lies, and by educational methods help to avoid that waste.

There are in many cases too great freight charges; in many cases there are 5 middlemen between the farmer and the ultimate consumer. In the case of fruit, berries, and truck that are perishable, too frequently the case, the charges of railroad, icing, and express in transporting shipments from the farm to the markets are greater than proceeds of sale, and the farmer is drawn on to pay for the loss of the shipments, instead of getting a profit. How can you expect the farmer to have the courage to plant the same crop the succeeding year?

How long can we ask the boy to farm in conditions like these?

This bill, Mr. Chairman, reaches out in a limited way and provides $50,000 for a division of markets in the Department of Agriculture that information be obtained and disseminated that will lead to remedying the present market conditions. The farmer will be benefited in that he will get a better price for his product, and the consumer will be benefited in that he is put in closer touch with the producer.

In this connection, Mr. Chairman, I want to say this Congress has not hesitated to vote $40,000,000 for river and harbor improvements to carry the commerce of the world, that commerce being, in the main, the crops that come from the farms; we had better begin at the other end of the line and create that commerce by making the boys love the farm. [Applause.]

We can take it, Mr. Chairman, in all walks of life, the farmer is the backbone of our country. While you may have isms and schisms in politics in the congested centers, wild theories which if adopted would destroy our institutions, the great conservative force on the farm, the farmer living close to nature, and nature's God, has saved the Government in the past and will continue to save it in the future. He bears the burdens of tax in time of peace and answers to the call of Old Glory in time of war, and I ask in his name that this measure, carrying $50,000 for the initial expense for a division of markets, may be enacted into law. [Applause.]

Mr. LAMB. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. BEALL of Texas, 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. 28283, the agricultural appropriation bill, and had come to no resolution thereon.

SENATE CONCURRENT RESOLUTION AND BILLS REFERRED.

Under clause 2 of Rule XXIV, the following concurrent resolution and bills were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

Senate concurrent resolution 40.

Resolved by the Senate (the House of Representatives concurring), That the report of the Secretary of War, under the joint resolution directing the Secretary of War to investigate the claims of American citizens for damages suffered within American territory growing out of the late insurrection in Mexico, approved August 9, 1912, be transmitted to the President, who is hereby respectfully requested to cause a claim for the amount of the damages reported therein as suffered by American citizens within American territory to be presented to the Government of Mexico as a claim in behalf of the Government of the United States—

to the Committee on Foreign Affairs.

S. 8230. An act for the relief of Loren W. Greeno; to the Committee on Naval Affairs.

S. 8082. An act to amend section 1440 of the Revised Statutes of the United States; to the Committee on Military Affairs.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills and a joint resolution of the following titles:

S. 3225. An act providing when patents shall issue to the purchaser or heirs of certain lands in the State of Oregon;

S. 3952. An act repealing the provision of the Indian appropriation act for the fiscal year ending June 30, 1907, authorizing the sale of a tract of land reserved for a burial ground for the Wyandotte Tribe of Indians in Kansas City, Kans.; and

S. J. Res. 156. Joint resolution to appoint George Gray a member of the Board of Regents of the Smithsonian Institution.

ADJOURNMENT.

Mr. LAMB. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, February 7, 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 Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Gloucester Harbor, Mass., with a view to removal of certain ledges in Harbor Cove and securing a depth of 15 feet (H. Doc. No. 1357); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Darien Harbor, Ga., with a view to securing best

channel to the sea (H. Doc. No. 1354); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Hughes River, W. Va. (H. Doc. No. 1355); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Northeast Cape Fear River, N. C., from its mouth to Hallsville (H. Doc. No. 1356); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

5. A letter from the Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of the Navy reporting certain claims for damages for which the vessels of the Navy were found to be responsible (H. Doc. No. 1348); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Commissioners of the District of Columbia, reporting expenses incurred in connection with the travel and attendance of Lieut. Col. Luther H. Reichelderfer, Medical Corps, National Guard District of Columbia, as delegate to the annual meeting of Association of Military Surgeons held in Baltimore, Md., October 1 to 4, 1912 (H. Doc. No. 1347); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Yaquina Bay and bar entrance, Oreg. (H. Doc. No. 1358); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Chula Lake, Miss. (H. Doc. No. 1353); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

9. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Port Orford Harbor at Grave Yard Point, Oreg. (H. Doc. No. 1351); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

10. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Tonawanda Creek at North Tonawanda, N. Y. (H. Doc. No. 1359); to the Committee on Rivers and Harbors and ordered to be printed.

11. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Port Orford Harbor, Oreg. (H. Doc. No. 1352); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

12. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of State calling attention to estimate of appropriation contained in House Document No. 1262 for the Permanent International Council for the Exploration of the Sea (H. Doc. No. 1349); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce and Labor submitting estimate of appropriation for the purchase of a large testing machine for the Bureau of Standards (H. Doc. No. 1350); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. REDFIELD, from the Committee on the District of Columbia, to which was referred the bill (H. R. 28530) to provide for a warehouse for the receipt, care, and distribution of supplies for the use of the government of the District of Columbia, and for other purposes, reported the same with amendment, accompanied by a report (No. 1446), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAKER, from the Committee on the Public Lands, to which was referred the 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," reported the same without amendment, accompanied by a report (No. 1447), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BEALL of Texas, from the Committee on the Judiciary, to which was referred the resolution (H. Res. 808) requesting the Attorney General to transmit to the House of Representatives certain information, reported the same with amendment, accompanied by a report (No. 1451), which said bill and report were referred to the House Calendar.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 28021) authorizing the Minneapolis, St. Paul & Sault Ste. Marie Railway Co. to build a bridge across the Yellowstone River in sections 15 and 16, township 151 north, range 104 west of the fifth principal meridian, in the State of North Dakota, reported the same with amendment, accompanied by a report (No. 1452), which said bill and report were referred to the House Calendar.

Mr. GOEKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 28187) to authorize the construction, maintenance, and operation of a bridge across and over the Great Kanawha River, and for other purposes, reported the same with amendment, accompanied by a report (No. 1454), which said bill and report were referred to the House Calendar.

Mr. CALDER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 7461) construing the provisions of section 8 of the act entitled "An act to improve the efficiency of the personnel of the Revenue-Cutter Service," approved April 16, 1908, reported the same without amendment, accompanied by a report (No. 1453), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PRAY, from the Committee on the Public Lands, to which was refered the bill (S. 7318) to accept the cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park, and for other purposes, reported the same without amendment, accompanied by a report (No. 1456), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 5138) authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assinniboine Military Reservation and open the same to settlement, reported the same with amendment, accompanied by a report (No. 1455), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BRADLEY, from the Committee on Military Affairs, to which was referred the bill (S. 186) for the relief of Francis Grinstead, alias Francis M. Grinstead, reported the same without amendment, accompanied by a report (No. 1450), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FULLER: A bill (H. R. 28646) to increase the limit of cost of public building at La Salle, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. FORNES: A bill (H. R. 28647) providing for the grading and improving of Otis Street NE. from Twelfth Street to Fourteenth Street NE.; to the Committee on the District of Columbia.

By Mr. RAKER: A bill (H. R. 28648) to amend the act of June 23, 1910, entitled "An act providing that entrymen for homesteads within the reclamation projects may assign their entries upon satisfactory proof of residence, improvement, and cultivation for five years, the same as though said entry had been made under the original homestead act"; to the Committee on Irrigation of Arid Lands.

By Mr. RUCKER of Colorado: A bill (H. R. 28649) to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes; to the Committee on the Public Lands.

By Mr. STEPHENS of Texas: A bill (H. R. 28650) to provide for the disposition of land in the Cherokee, Choctaw, and Chickasaw Nations reserved for cemetery purposes; to the Committee on Indian Affairs.

By Mr. LOBECK: A bill (H. R. 28651) to regulate the pay of internal-revenue storekeepers, storekeeper-gaugers, and gaugers; to the Committee on Ways and Means.

By Mr. UNDERHILL: A bill (H. R. 28652) authorizing the Secretary of War to donate to the Grand Army of the Republic Association of Painted Post, in the State of New York, two bronze or brass fieldpieces or cannon, with their carriages and

outfit of cannon balls, etc.; to the Committee on Military Affairs.

By Mr. STANLEY: A bill (H. R. 28653) to amend an act entitled "An act to regulate commerce, approved February 4, 1887, as amended June 18, 1910"; to the Committee on Interstate and Foreign Commerce.

By Mr. LENROOT: A bill (H. R. 28654) authorizing the Secretary of the Interior to dispose of the merchantable timber on the unallotted lands within the Bad River Indian Reservation, in the State of Wisconsin; to the Committee on Indian Affairs.

By Mr. SMITH of Texas: A bill (H. R. 28655) authorizing the payment of damages to persons for injuries inflicted by Mexican Federal or insurgent troops within the United States during the insurrection in Mexico in 1911, and making appropriation therefor; to the Committee on Interstate and Foreign Commerce.

By Mr. COVINGTON: A bill (H. R. 28656) to authorize aids to navigation and other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HEFLIN: Resolution (H. Res. 815) for consideration by the House of S. 6497; to the Committee on Rules.

By Mr. SLEMP: Resolution (H. Res. 816) creating a standing committee on post roads and amending Rules X and XI; to the Committee on Rules.

By Mr. LAFFERTY: Memorial from the Legislative Assembly of the State of Oregon, favoring the enactment of Senate bill 6109, providing for the setting aside of game refuges only where such action should be requested by the action of the several States affected thereby; to the Committee on the Public Lands.

Also, memorial from the Legislative Assembly of the State of Oregon, requesting that the pensions of Oregon Indian War veterans of 1847, 1848, 1855, and 1856 be increased to $30 per month; to the Committee on Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURLESON: A bill (H. R. 28657) granting an increase of pension to John N. Sessom; to the Committee on Pensions.

By Mr. CARLIN: A bill (H. R. 28658) for the relief of the estate of Murray Mason, deceased; to the Committee on War Claims.

By Mr. CLARK of Missouri: A bill (H. R. 28659) granting a pension to Sallie Clark; to the Committee on Invalid Pensions.

By Mr. FERGUSSON: A bill (H. R. 28660) for the relief of John F. Wilkinson; to the Committee on Military Affairs.

By Mr. FOWLER: A bill (H. R. 28661) granting a pension to Hannah Dukes; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 28662) granting an increase of pension to John A. Bounds; to the Committee on Pensions.

By Mr. LAMB: A bill (H. R. 28663) granting an increase of pension to Henrietta Lee Coulling; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 28664) granting an increase of pension to James A. Fitzgerald; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 28665) granting a pension to Hattie E. Wallace; to the Committee on Invalid Pensions.

By Mr. PLUMLEY: A bill (H. R. 28666) granting a pension to Aaron P. Cutler; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 28667) granting an increase of pension to Jonathan N. Baker; to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 28668) granting an increase of pension to Benjamin N. Shropshire; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARCHFELD: Petition of the Grain and Hay Exchange, Pittsburgh, Pa., favoring the passage of House bill 3010, for the regulation of the transmission, delivery, etc., of messages by telegraph and telephone; to the Committee on Interstate and Foreign Commerce.

By Mr. CALDER: Petition of the California Club, of San Francisco, Cal., favoring the passage of legislation making sufficient appropriation for the suppression of the white-slave traffic; to the Committee on Appropriations.

By Mr. CARY: Petition of A. E. Rowland, West Allis, Wis., favoring the passage of House bill 25685, providing for the labeling and tagging of all fabrics and articles for sale under interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

Also, petition of the American Forestry Association, Washington, D. C., protesting against the passage of House bill 23293, for the protection of the water supply of the city of Colorado Springs and the town of Manitou, Colo., as amended and passed by the Senate; to the Committee on the Public Lands.

Also, petition of the Wisconsin Bankers' Association, New Richmond, Wis.; citizens of Milwaukee, Wis.; the Wisconsin Natural History Society, Milwaukee, Wis.; Ernest M. Seton, Mary I. Kirkland, and Josephine L. Kirkland, Milwaukee, Wis., favoring the passage of the McLean bill granting Federal protection to all migratory bills; to the Committee on Agriculture.

By Mr. DANFORTH: Petition of the Bastian Bros. Co., Rochester, N. Y., favoring the passage of legislation for a reduction of duty on compounds of pyroxyline; to the Committee on Ways and Means.

By Mr. DYER: Petitions of A. F. McMurry and wife, J. A. McMurry and wife, and W. M. McMurry and wife, residents of Washington, D. C., 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.

Also, petition of the Association of Master Plumbers, St. Louis, Mo., and the Commercial Club, of Kansas City, Mo., favoring the passage of House bill 27567, for a 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

By Mr. FERGUSSON: Petition of T. Edward Bradley and 36 other citizens of Hudson, N. Mex., praying for an amendment of the homestead law so that former entries may be completed under the provisions of the three-year term; to the Committee on the Public Lands.

By Mr. FORNES: Petition of the Remington Typewriter Co., New York, protesting against the passage of the Oldfield patent law substitute bill (H. R. 23417) relative to certain changes in the present patent laws; to the Committee on Patents.

Also, petition of M. S. Decker, commissioner of Public Service Commission, second district, Albany, N. Y., favoring the passage of Senate bill 6099, authorizing the Interstate Commerce Commission to prescribe a uniform classification of freight; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Thread Agency, New York, favoring the passage of House bill 16663, permitting corporations, joint-stock companies, etc., to file the annual returns at the close of their fiscal year; to the Committee on Ways and Means.

Also, petition of the Chamber of Commerce of the United States of America, Washington, D. C., favoring the passage of Senate bill 3, for Federal aid for vocational education; to the Committee on Agriculture.

By Mr. FOSS: Petition of the St. Paul Evangelical Lutheran Church, Evanston, Ill., favoring the passage of the Webb-Kenyon bill preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. FULLER: Petition of the Chicago Hardware Co., of Chicago, Ill., favoring the passage of the bill (H. R. 27567) for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of the Chicago Hardware Foundry Co., Chicago, Ill., 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 W. E. Edens, of Illinois Bankers' Association, favoring the passage of Senate bill 3, for Federal aid for vocational education; to the Committee on Agriculture.

Also, petition of Syracuse (Ill.) Chapter, Daughters of the American Revolution, favoring the passage of legislation to prevent the desecration of the American flag; to the Committee on the Library.

Also, petition of Ernest Thompson Seton, Greenwich, Conn., favoring the passage of the McLean bill, granting Federal protection to all migratory birds; to the Committee on Agriculture.

By Mr. GOULD: Petition of the Chamber of Commerce of Houlton, Me., protesting against the passage of legislation reducing the present tariff on potato starch; to the Committee on Ways and Means.

Also, petition of the men's bible class of the First Baptist Church, Waterville, Me., favoring the passage of the Kenyon "red light" injunction bill, to clean up Washington for the inauguration; to the Committee on the District of Columbia.

By Mr. HAMILTON of Michigan: Petition of citizens of Constantine, Mich., favoring the passage of the Kenyon-Sheppard

bill, for preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

Also, petition of citizens of Barry and Eaton Counties, Mich., favoring the passage of the McLean bill, granting Federal protection to all migratory birds; to the Committee on Agriculture.

By Mr. KINDRED: Petition of the Ford Motor Co., Detroit, Mich., and John Burroughs, New York, favoring the passage of the McLean bill, granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of the Public Service Commission, second district, Albany, N. Y., favoring the passage of Senate bill 6099, authorizing the Interstate Commerce Commission to prescribe a uniform classification of freight; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Waterbury Felt Co., of Skaneateles, N. Y., and Rice & Adams, of Buffalo, N. Y., favoring the passage of the Weeks bill (H. R. 27567) for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of the Brainerd Manufacturing Co., East Rochester, 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.

By Mr. KINKEAD of New Jersey: Petition of the common council of the city of Hoboken, favoring the passage of legislation granting pension to letter carriers who have grown old in the service; to the Committee on Pensions.

By Mr. LINDSAY: Petition of Ernest Thompson Seton, Greenwich, Conn., favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of the American Forestry Association, Washington, D. C., protesting against the passage of the Senate amendment to House bill 23293, relative to the protection of the water supply of the city of Colorado Springs and the town of Manitou, Colo.; to the Committee on the Public Lands.

Also, petition of Ernest T. Seton, of Greenwich, Conn., favoring the passage of the McLean bill for protection of migratory birds; to the Committee on Agriculture.

By Mr. MOTT: Petition of the Dentist Supply Co., New York, favoring the passage of the amendment to the pharmacy law of the District of Columbia to regulate the sale of poisons and the practice of pharmacy; to the Committee on the District of Columbia.

Also, petition of the California Club of San Francisco, Cal., favoring the passage of legislation making sufficient appropriations for the suppression of the white-slave traffic; to the Committee on Appropriations.

By Mr. PAYNE: Petition of 75 citizens of Palmyra, N. Y., favoring the passage of the Kenyon-McCumber bill, for the preventing of the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. PORTER: Petition of sundry citizens of Ensworth, Avalon, Ben Avon, and Pittsburgh, Pa., and sundry citizens of the twenty-ninth congressional district, Pittsburgh, Pa., favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

By Mr. RAKER: Petition of 500 citizens of Humboldt County, Cal., circulated by the club women of Humboldt County, favoring the passage of legislation for the establishment of a redwood national park; to the Committee on Agriculture.

Also, petition of the California Club of California Women, favoring the passage of legislation making an increase of appropriation for the suppression of the white-slave traffic; to the Committee on Appropriations.

Also, petition of the Western Forestry and Conservation Association, favoring an additional appropriation enabling Federal cooperation with the States in the protection of forested watersheds from fire; to the Committee on Agriculture.

Also, petition of Coffin Redington Co., San Francisco, Cal., protesting against the passage of any legislation for the reduction of tariff on chemicals; to the Committee on Ways and Means.

By Mr. ROTHERMEL: Petition of John Butlin Rothermel and other members of the Conrad Weiser Society, Children of the American Revolution, of Reading, Pa., favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

By Mr. SCULLY: Petition of the California Club of San Francisco, Cal., favoring the passage of legislation making sufficient appropriations for the suppression of the white-slave traffic; to the Committee on Appropriations.

By Mr. SMITH of Michigan: Memorial of the First Methodist Episcopal Church, Albion, Mich., favoring the passage of the Kenyon-Sheppard bill preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. SPARKMAN: Petition of Mrs. H. B. Morse and others, favoring the passage of the Jones-Works bill for limiting the number of saloons in the District of Columbia; to the Committee on the District of Columbia.

By Mr. WEEKS: Petition of the Men's Class, First Baptist Church, Watertown, Mass., favoring the passage of the Kenyon-Sheppard bill preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. WILSON of New York: Petition of the American Flint Glass Workers' Union, Brooklyn, N. Y., and Local Union No. 69, of the American Flint and Glass Workers' Union, Woodhaven, N. Y., protesting against the passage of legislation for the reduction of tariff on imported glass wares; to the Committee on Ways and Means.

SENATE.

FRIDAY, *February 7, 1913.*

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

Mr. BACON took the chair as President pro tempore under the previous order of the Senate.

The Journal of yesterday's proceedings was read and approved.

RAILROADS IN ALASKA (H. DOC. NO. 1346).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Territories and ordered to be printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 18 of an act of Congress (Public, No. 334) approved August 24, 1912, I appointed a commission—

to conduct an examination into the transportation question in the Territory of Alaska; to examine railroad routes from the seaboard to the coal fields and to the interior and navigable waterways; to secure surveys and other information with respect to railroads, including cost of construction and operation; to obtain information in respect to the coal fields and their proximity to railroad routes; and to make report of the facts to Congress on or before the 1st day of December, 1912, or as soon thereafter as may be practicable, together with their conclusions and recommendations in respect to the best and most available routes for railroads in Alaska which will develop the country and the resources thereof for the use of the people of the United States.

Under the requirements of the act, this commission consisted of—

an officer of the Engineer Corps of the United States Army, a geologist in charge of Alaska surveys, an officer in the Engineer Corps of the United States Navy, and a civil engineer who has had practical experience in railroad construction and has not been connected with any railroad enterprise in said Territory.

The date when the act was passed was late in the summer season, thus allowing a very limited time for the preparation of a report for presentation at the present session of Congress. Nevertheless, within a week after the act was approved the commission had been appointed, as follows:

Maj. Jay J. Morrow, Corps of Engineers, United States Army, chairman.

Alfred H. Brooks, geologist in charge of Division of Alaskan Mineral Resources, Geological Survey, vice chairman.

Civil Engineer Leonard M. Cox, United States Navy.

Colin M. Ingersoll, consulting railroad engineer, New York City.

This commission has transmitted to me a report, which is herewith submitted to Congress in accordance with the provisions of the act. An examination of this report discloses that the following are among the more important of the findings of the commission:

The Territory of Alaska contains large undeveloped mineral resources, extensive tracts of agricultural and grazing lands, and the climate of a large part of the Territory is favorable to permanent settlement and industrial development. The report contains much specific information and many interesting details with regard to these resources. It finds that they can be developed and utilized only by the construction of railways which shall connect tidewater on the Pacific Ocean with the two great inland waterways, the Yukon and the Kuskokwim Rivers. The resources of the inland region and especially of these great river basins are almost undeveloped because of lack of transportation facilities. The Yukon and Kuskokwim Rivers system include some 5,000 miles of navigable water, but these are open to commerce only about three months in the year. Moreover, the mouths of these two rivers on Bering Sea lie some 2,500 miles from Puget Sound, thus involving a long and circuitous route from the Pacific Coast States. The transportation of freight to the mouths of these rivers and thence upstream will always be so expensive and confined to