

and the Christian Endeavor Society of the First Baptist Church of Roselle Park, all in the State of New Jersey, favoring national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of the fifth congressional district of New Jersey, protesting against national prohibition; to the Committee on Rules.

By Mr. WALLIN: Petition from various residents of the thirtieth New York district, favoring national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of Schenectady, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. WILLIS: Petition of Loverna Kenyon, of Delaware, Ohio, representing 35 members of the Christian Endeavor Society, in favor of House joint resolution 168, relative to national prohibition; to the Committee on Rules.

Also, petition of Anna Ream and Helen Crafts, representing the Christian Endeavor Society of the Presbyterian Church of Ada, Ohio, in favor of the adoption of House joint resolution 168, relating to national prohibition; to the Committee on Rules.

## SENATE.

MONDAY, July 6, 1914.

The Senate met at 11 o'clock a. m.

Rev. J. L. Kibler, D. D., of the city of Washington, offered the following prayer:

Our heavenly Father, we look up to Thee for Thy blessing in meeting the tasks of this day. May we think Thy thoughts, acknowledge Thy ways, and be controlled by those lofty principles that emanate from Thy throne. Give us the consciousness of Thy favor in the consideration of Thy laws. Give us the inspiration of Thy grace in the call of every duty. May Thy kind providence mark out the way and give direction to all our plans, and may we enjoy the blessing of Thy continued favor. We ask it in Jesus' name. Amen.

The Journal of the proceedings of Friday last was read and approved.

### PETITIONS AND MEMORIALS.

Mr. KERN presented petitions of sundry citizens and organizations of Winchester, Shipshewana, Mishawaka, Anoka, Delphi, Indianapolis, West Indianapolis, Anderson, Windfall, Jeffersonville, Red Key, Fort Wayne, Urbana, and Spiceland, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SHEPPARD presented petitions of sundry citizens of Texas, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Texas, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of the Woman's Christian Temperance Union of Lancaster; of J. B. Hall and Roy N. Atwood, of Keene; of sundry citizens of Lancaster; of the congregations of the Methodist Church of Marlboro and of the Methodist Episcopal Church of Peterboro, all in the State of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Manchester, N. H., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Board of Fire Underwriters of Nashua, N. H., favoring the prevention of fire insurance companies soliciting business by mail in territories where not legally admitted, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Woman's Christian Temperance Union of Epping, N. H., praying for the enactment of legislation providing for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of Local Branch, National Letter Carriers' Association, of Concord, N. H., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of White Mountain Lodge, No. 301, Brotherhood of Railroad Trainmen, of Woodsville; of Local

Branch, Granite Cutters' International Association of America, of Concord; and of Mount Monadnock Lodge, No. 513, Brotherhood of Locomotive Firemen and Enginemen, of Nashua, all in the State of New Hampshire, praying for the passage of the so-called Clayton antitrust bill, which were referred to the Committee on the Judiciary.

Mr. KENYON. I have a petition forwarded to me by the National Good Citizenship Movement, numerously signed by citizens of the State of Iowa, praying for the adoption of an amendment to the Federal Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages. I ask that the petition may be received and referred to the Committee on the Judiciary.

The VICE PRESIDENT. The petition will be received and referred to the Committee on the Judiciary.

Mr. KENYON presented petitions of sundry citizens of Hawarden and Rhinehard, in the State of Iowa, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Sioux City, Iowa, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. MARTINE of New Jersey presented telegrams in the nature of petitions from sundry citizens of Milford, Port Monmouth, and of the congregations of the Methodist Episcopal Church of Clinton and the Grace Methodist Church of Red Bank, all in the State of New Jersey, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. STERLING presented a petition of sundry citizens of South Dakota, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of South Dakota, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. PITTMAN presented memorials of sundry citizens of Washoe County, Nev., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. OVERMAN presented petitions of sundry citizens of North Carolina, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. STONE presented petitions of sundry citizens of Mexico, Columbia, Carthage, Joplin, St. Joseph, Fulton, Bowling Green, and Clayton, all in the State of Missouri, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

Mr. BRANDEGEE presented a petition of the Tailors' Industrial Local Union, No. 95, of Stamford, Conn., praying for the enactment of the so-called antitrust legislation, which was referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of New Haven, Georgetown, and Branchville; of the Goshen Young People's Society of Christian Endeavor, of Lebanon; and of sundry citizens of Black Hall, Rowayton, Waterbury, New London, and Bridgeport, all in the State of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. POMERENE presented petitions of the Epworth League of Aberdeen, representing 50 members; of Federated Church Brotherhoods of Piqua, representing 1,000 members; of 113 citizens of East Liverpool; of Business Men's Bible Class of Third Avenue Methodist Episcopal Church, of Columbus, representing 230 members; of 58 citizens of Logan; of the Sunday school of North Liberty, representing 150 members; of 50 citizens of Degrass; of 25 citizens of Shelby; of a mass meeting at Youngstown, representing 12,000 dry voters of Mahoning County; of 6 citizens of Barnesville; of the Epworth Methodist Episcopal Church, of Toledo, representing 630 members; of the Sunday School of the Hildreth Baptist Church, of Columbus, representing 200 members; of 26 citizens of Bucyrus; of the Methodist Episcopal Sunday School of Lewisburg, representing 200 members; of the Baptist Sunday School of Mount Vernon, representing 285 members; of 20 citizens of Kenmore; of the Sunday School of the First Presbyterian Church of Bryan, representing 236 members; of the Christian Sunday School of Versailles and the Christian Church of Versailles, representing 350 and 381 members, respectively; of the Ministerial Association of Akron; of

the Methodist Episcopal Church of Lisbon, representing 527 members; of the First Methodist Congregation of Warren, representing 600 members; of the New Jasper, White Chapel, and the Mount Tabor Methodist Episcopal Churches, representing 475 members; of the Fairview Friends Church and the Vienna Friends Church, representing 48 and 36 members; respectively; of the Lordstown Local, Woman's Christian Temperance Union, representing 80 members; of the First Presbyterian Church of Lisbon, representing 510 members; of the First Congregational Church of Toledo; of the Summit County Christian Endeavor, with headquarters in Akron, representing 1,200 members; of 21 citizens of Ada; of the Woman's Christian Temperance Union, Pataskala; of 17 citizens of Amherst; of the Methodist Church of Amherst, representing 175 members; of 22 citizens of East Palestine; of the Methodist Church of Lytle, representing 50 members; of the West Park Avenue Methodist Church, of Columbus, representing 1,400 members; of 25 citizens of Aberdeen; of 25 citizens of Cincinnati; of 28 citizens of Tedrow and Wauseon; of 20 citizens of Warren; of 40 citizens of New Concord; of the Woman's Christian Temperance Union of Columbus Grove, representing 500 women; of the Young People's Branch and the Loyal Temperance Legion, representing 160 members, of Columbus Grove; of the Methodist Episcopal Church of Junction City, representing 388 members and a constituency of 1,500; of 14 citizens of Lagrange; of 13 citizens of Carterville; of the United Brethren Circuit of Junction City, representing 450 members; of the Christian Endeavor Society of Mount Gilead, representing 32 members; of the United Brethren Young People's Society of Christian Endeavor of Old Fort, representing 70 members; of 65 citizens of Westerville; of the Christian Endeavor Society of the Westminster Church of Steubenville, representing 36 members; of the Young People's Alliance of the Wayne Avenue Evangelical Church, of Dayton, representing 40 voters; of the Presbyterian Christian Endeavor Society of Ada, representing 50 members; of the Christian Endeavor Society of Ashland, representing 54 members; of the Presbyterian Christian Endeavor Society of Sandusky, representing 45 members; of the Christian Endeavor Society of St. Bernard, representing 38 members; of 11 citizens of Sylvania; of a mass meeting of the churches of Lagrange; of 19 citizens of Dayton; of the Bible School and congregation of the Christian Church of Hicksville; of the Central Christian Church, of Toledo; of the Clark Street Methodist Episcopal Church, of Toledo; of the Reformed Christian Endeavor Society of Akron, representing 35 members; of the United Presbyterian Christian Union of Wellsville, representing 51 members; of the United Brethren Christian Endeavor Society of Bucyrus, representing 75 members; of the Sunday School of the Reformed Church of Germano, representing 110 members; of the Christian Endeavor Society of Germano, representing 44 members; of the Reformed Church of Germano, representing 129 members; of a mass meeting of citizens at Chilo; of the Cooperative Temperance Association of Germano, representing the combined membership of its four churches; of the Methodist Episcopal Church of Arcanum; of the Congregational Christian Endeavor Society of Sandusky, representing 25 members; of the Christian Endeavor Society of New Waterford, representing 25 members; of a mass meeting of citizens of East Cleveland, held in the Windemere Methodist Episcopal Church; of the Methodist Episcopal Church of Cleves, representing 220 members; of a mass meeting held in the Methodist Episcopal Church of Cambridge (600 present); of 14 citizens of Uhrichsville; of the Christian Endeavor Society of Powhatan Point, representing 50 members; of the United Brethren Christian Endeavor Society of Middlebranch, representing 23 members; of the Christian Endeavor Society of Sulphur Springs, representing 28 members; of a mass meeting of citizens held in the St. Paul Methodist Episcopal Church, of Springfield; and of the official board of the Methodist Episcopal Church of Berea, all in the State of Ohio, praying for national prohibition; which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented petitions of sundry citizens of McPherson, White City, Lawrence, Independence, Le Roy, Wichita, Canton, McLouth, Blue Mound, Coffeyville, Navarre, Neal, Hoyt, Salina, Belleville, Whitman Community of Sumner County, Mound Valley, Luray, Topeka, Hutchinson, Minneapolis, Pleasant Hill, Harris, Nickerson, Atlanta, St. John, Douglass, Morrowville, Colony, Axtell, Mankato, Clare, West Mineral, Garden City, Udall, Oakley, Abilene, Narka, and Winfield, all in the State of Kansas, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. PERKINS presented petitions of sundry citizens of Alhambra, Riverside, El Centro, and Stockton, all in the State of California, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. CRAWFORD presented petitions of sundry citizens of Spencer, Seneca, Howard, Cresbard, Woonsocket, Lake Preston, Canton, Garden City, Cudra, Artesian, and Yankton, all in the State of South Dakota, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Watertown and Lemmon, in the State of South Dakota, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a telegram in the nature of a petition from the State chairman of the Order of Railway Conductors of South Dakota and a petition from the recording secretary of Prairie Pioneer Lodge, No. 408, International Association of Machinists, of Huron, S. Dak., praying for the enactment of the so-called antitrust legislation, which were referred to the Committee on the Judiciary.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. OVERMAN presented resolutions adopted by the North Carolina Cotton Seed Crushers' Association, in convention at Ocean View, Va., favoring the enactment of legislation providing for the proper regulation of the tax on oleomargarine, which were referred to the Committee on Finance.

Mr. MCLEAN presented memorials of sundry citizens of Meriden, Bridgeport, Hartford, West Hartford, Collinsville, New Haven, and Winsted; of Local Union No. 40, International Union of the United Brewery Workmen, of Bridgeport; and of the Central Labor Union of Bridgeport, all in the State of Connecticut, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 101, International Hod Carriers, of Stamford, Conn., praying for the enactment of the so-called Clayton antitrust bill, which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Trinity Methodist Episcopal Church, of Bridgeport; of the First Congregational Church of South Norwalk; Trinity Methodist Episcopal Church, of Meriden; of the Methodist Church of Bethel; of the Methodist Church of Ansonia; of the Methodist Churches of Tolland and Crystal Lake; of the Methodist Church of Milford; and of the North Methodist Episcopal Church, of Hartford; of sundry citizens of Bridgeport, Seymour, Farmington, and Mansfield; of the Woman's Christian Temperance Union of Georgetown and Branchville; and of the Egbert Club, of Norwalk, all in the State of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Board of Trade of Thompsonville, Conn., praying for the enactment of legislation to regulate the construction of dams across navigable waters, which was referred to the Committee on Commerce.

He also presented a petition of Charles L. Burdett Camp, No. 4, United Spanish War Veterans, of Hartford, Conn., praying for the enactment of legislation granting pensions to widows and orphans of Spanish War veterans, which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Danbury, Conn., praying for the Government operation of the mines in Colorado, which was referred to the Committee on Education and Labor.

He also presented a memorial of Local Branch No. 86, National Association of Letter Carriers, of Hartford, Conn., remonstrating against the repeal of the law granting compensatory time to postal employees on one of the six days following the Sunday on which they perform service, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of 5,000 members of the Federation of Women's Clubs of Norwalk, Conn., praying for the enactment of the so-called Foster radium bill, which was referred to the Committee on Mines and Mining.

Mr. WORKS presented telegrams in the nature of petitions from sundry citizens of Moorpark, Riverside, and Pasadena, all in the State of California, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WARREN presented petitions of sundry citizens of Gillette, Wyo., praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of 111 citizens of the State of Wyoming, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHIVELY presented petitions of Local Union No. 122, Ice Wagon Drivers and Helpers, of Fort Wayne, and of Henry Meyer, David West, August Cline, and 24 other citizens of Allen, Vanderburg, Floyd, and Madison Counties, all in the State of Indiana, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Baptist, Presbyterian, Grace Methodist Episcopal, and Christian Churches of Franklin; of the Blaine Avenue Methodist Episcopal Church, of Indianapolis; of the First Presbyterian Church of Mishawaka; of the Epworth League of the Wall Street Methodist Episcopal Church, of Jeffersonville; of the Methodist Episcopal Church of Middlebury; of sundry citizens of Anoka, Winamac, West Indianapolis, Prairie Grove, Crawfordsville, and Winchester; of sundry Woman's Christian Temperance Unions of Fort Wayne; of S. John Harris, Clarence Harris, Sherman Morris, and 47 other citizens of Summitville; of Henry Vogel, Lewis Wright, W. F. Vogel, and 28 other citizens of Terre Haute; and of Mrs. William Yard, Mrs. B. E. Wright, Mrs. Ira D. Bolt, and 6 other citizens of Peru, all in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of Local Lodge No. 16, Brotherhood of Locomotive Firemen and Enginemen, of Vigo; of Huntington Division, No. 221, Brotherhood of Locomotive Engineers, of Huntington; of Barker Division, No. 213, Order of Railway Conductors, of Michigan City; of Seymour Division, No. 301, Order of Railway Conductors, of Seymour; of Local Branch No. 8, Indiana Bottle Blowers' Association, of Dunkirk; of Local Division No. 121, Brotherhood of Locomotive Engineers, of Indianapolis; and of Harbor City Lodge, No. 300, Brotherhood of Locomotive Firemen and Enginemen, of Michigan City, all in the State of Indiana, praying for the enactment of the so-called Clayton antitrust bill, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Michigan, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Tailors' Industrial Union of Ann Arbor, Mich., praying for the passage of the so-called Clayton antitrust bill, which was referred to the Committee on the Judiciary.

Mr. WILLIAMS presented a petition of sundry citizens of Vicksburg, Miss., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and exportation for sale of intoxicating liquors, which was referred to the Committee on the Judiciary.

#### SUNDAY CIVIL APPROPRIATIONS.

Mr. MARTIN of Virginia. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 17041) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes, and I submit a report (No. 644) thereon.

I will say, Mr. President, that on the 15th of this month, unless this bill is passed before that time, the Government will be embarrassed for the want of the money carried in it. The current appropriations have been extended until the 15th instant only. In view of that situation, I give notice that tomorrow morning, immediately after the conclusion of the routine morning business, I shall ask the Senate to take up and consider the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

#### BILLS INTRODUCED.

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

##### By Mr. MCLEAN:

A bill (S. 6032) for the relief of the heir or heirs of John Howard Payne; to the Committee on Claims.

A bill (S. 6033) granting an increase of pension to Samuel Morris (with accompanying papers);

A bill (S. 6034) granting an increase of pension to Sarah H. Pidge (with accompanying papers); and

A bill (S. 6035) granting an increase of pension to Mary L. De Mars (with accompanying papers); to the Committee on Pensions.

##### By Mr. CATRON:

A bill (S. 6036) granting an increase of pension to Juan B. Gutierrez; to the Committee on Pensions.

##### By Mr. JAMES:

A bill (S. 6037) granting an increase of pension to Osco L. Robinson (with accompanying papers); and

A bill (S. 6038) granting an increase of pension to Martha J. Bretney (with accompanying papers); to the Committee on Pensions.

##### By Mr. MARTINE of New Jersey:

A bill (S. 6039) for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific International Exposition, and for other purposes; to the Committee on Industrial Expositions.

##### By Mr. NEWLANDS:

A bill (S. 6040) granting a pension to Lelia F. Devine (with accompanying papers); to the Committee on Pensions.

#### FEDERAL TRADE COMMISSION.

Mr. SHIELDS. I submit an amendment intended to be proposed by me to the pending interstate trade commission bill, which I ask may lie on the table and be printed in the RECORD.

There being no objection, the amendment was ordered to lie on the table and be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. SHIELDS to the bill (H. R. 15613) to create an interstate trade commission, to define its powers and duties, and for other purposes, viz: On page 20 strike out all of section 5 and insert in lieu thereof the following:

"Sec. 5. That whenever complaint shall be made to the commission, by petition duly verified, that any corporation has violated or is violating any of the provisions of the antitrust acts, it shall issue to such corporation a notice, accompanied with a copy of the petition, fixing therein the time for the hearing of the complaint, which shall be served upon the defendant 30 days before such hearing, within which time it may make its defense by answer. If upon the hearing the commission shall find that the corporation has violated or is violating the antitrust acts as alleged in the petition, it shall make an order prohibiting the continuance of such unlawful acts, agreements, or practices, which orders may be enforced at the suit of the United States, to be brought by the district attorney of the district by direction of the Attorney General, or by any person or persons prejudiced and parties to the complaint.

"The district court of the United States where the said corporation has its domicile, chief office, or may be found, or where the unlawful act was committed, is vested with jurisdiction to enforce all such orders made by the commission where the corporation fails, neglects, or refuses to comply with the same, provided the court, after a hearing upon the merits, shall be of the opinion that the order was properly made. The petition for this purpose shall concisely state the contract, agreement, acts, or practices constituting the alleged violation of the antitrust acts, the order of the commission made in the premises, and the failure or refusal of the corporation to comply with or perform the same, and contain a prayer for process and appropriate relief. The proceedings shall conform to those in equity cases, and the court may enforce its decrees in the premises by injunction, as provided in such cases.

"The evidence introduced before the commission, subject to exceptions for competency, may be used as if originally taken and filed in the district court, a transcript of the same being sufficient for this purpose; and a duly certified copy of the order of the commission, filed with the petition, shall be prima facie evidence of the alleged violation of the antitrust acts.

"When any person files a petition he shall give security for costs of the proceeding, and if successful will recover all costs of the defendant, including a reasonable attorney's fee, for services in the proceeding in the district court."

#### AMENDMENT TO ANTITRUST LAW.

Mr. SHIELDS. I submit an amendment intended to be proposed by me to the bill (H. R. 15657) to supplement existing laws against unlawful restraints and monopolies, and for other purposes, which I ask may be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the amendment was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

On page 2, line 22, insert as section 2, changing the numbers of the other sections so as to conform, the following:

"That all contracts, agreements, arrangements, acts, and practices which tend, separately or with one or more other transactions for like purposes, to lessen competition in commerce, or restrain or monopolize commerce, or which may form a material part of a conspiracy or com-

bination to restrain or monopolize commerce contrary to the provisions of the antitrust acts, and made or carried on with that intent, are hereby declared unlawful and are prohibited."

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had, on July 6, 1914, approved and signed the following act:

S. 751. An act to repeal section 3480 of the Revised Statutes of the United States.

CALLING OF THE ROLL.

THE VICE PRESIDENT. Morning business is closed.

MR. GALLINGER. Mr. President, I suggest the absence of a quorum.

THE VICE PRESIDENT. The Secretary will call the roll.

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

Borah	Goff	Page	Sutherland
Brady	Hughes	Perkins	Swanson
Burton	Jones	Pittman	Thomas
Camden	Kenyon	Sheppard	Thornton
Catron	Kern	Shields	Townsend
Chilton	Lane	Shively	Vardaman
Culberson	Lewis	Smith, Ariz.	Walsh
Cummins	McCumber	Smith, Ga.	White
Dillingham	Martine, N. J.	Smoot	Williams
Fletcher	Norris	Sterling	Works
Gallinger	Overman	Stone	

MR. MARTINE of New Jersey. I was requested to announce the absence of the Senator from Oregon [Mr. CHAMBERLAIN] on official business. He is paired with the Senator from Pennsylvania [Mr. OLIVER].

THE VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. BRANDEGEE, Mr. JAMES, Mr. RANDELL, and Mr. WEST answered to their names when called.

MR. MCLEAN, MR. POMERENE, MR. HOLLIS, MR. MARTIN of Virginia, Mr. REED, MR. HITCHCOCK, MR. SHAFROTH, and Mr. LEE of Maryland entered the Chamber and answered to their names.

MR. KERN. I desire to announce the unavoidable absence of the senior Senator from South Carolina [Mr. TILLMAN] and the junior Senator from South Carolina [Mr. SMITH]. This announcement will stand for the day.

THE VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

NICARAGUAN AND COLOMBIAN TREATIES.

MR. BORAH. Mr. President, out of order I wish to introduce a resolution.

THE VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 411) was read, as follows:

*Resolved*, That the seal of secrecy is hereby removed from all of the hearings heretofore had which have been printed, except such testimony as may have been received under a pledge of confidence, and that hereafter all hearings be given to the public as soon as the same are corrected by the parties and printed, touching the proposed treaties with Nicaragua and Colombia, and that the consideration of both the treaties with Nicaragua and Colombia be in the open session of the Senate.

MR. BORAH. Mr. President, I wish to say just a word in explanation of the resolution. So far as the Colombian treaty is concerned, it has been public for several weeks. It was first printed in the European papers and was recopied from European papers into American papers, and the matter has been in the possession of the public, even as to the details of the treaty, for some time.

Not only that, Mr. President, but it is being discussed by the public press, and all the details of the transaction which gave rise to the treaty are being brought forward. I can see no reason why that matter should not be considered in public upon the part of the Senate. Indeed, it is in the possession of the public, except such matters as may be deemed to be private by reason of the fact that the transactions are being had in the Committee on Foreign Relations. The nature of the discussion which is going on before the public necessarily demands, it seems to me, that the entire proceedings be in the open. The questions which are related to this treaty are such as the public are interested in. They are quite different in a large measure from questions which ordinarily accompany treaties, and the situation and the relationship of the matter are different from those which usually appertain to treaties.

The idea of having treaties considered in executive session is for the purpose of enabling you to transact that business with a foreign Government without exposing the details of the treaty upon the part of the foreign Government until the final arrangement is made; but all the details are now at hand, and the different views are being expressed by different parties, and every

conceivable phase of the controversy is before the public. Why should the evidence be kept from our colleagues not members of the committee and the public?

So far as the Nicaraguan treaty is concerned, Mr. President, I feel that that is essentially a matter of public concern. It is essentially a matter of legislation and may determine a national policy.

MR. NORRIS. Mr. President—

MR. BORAH. I yield.

MR. NORRIS. That is the treaty which the Committee on Foreign Relations have been holding hearings on?

MR. BORAH. Yes.

MR. NORRIS. I understand they are printed privately for the use of the committee?

MR. BORAH. That is correct.

MR. NORRIS. And Members of the Senate generally are not allowed to receive copies?

MR. BORAH. That is correct.

MR. NORRIS. I should like to ask the Senator what action, if any, the committee has taken upon the resolution that I introduced a few days ago to the effect that copies of the evidence which has been taken and which shall be taken on that treaty shall be sent to all Members of the Senate as well as to the members of the Foreign Relations Committee?

MR. BORAH. I do not think that any action has been taken. I am in sympathy with the suggestion of the Senator, only I would go further; I would make the matter completely open to the public.

MR. NORRIS. I would be very glad to go further and to express myself in that way. I can see no reason why at least Members of the Senate should not have the evidence that is being taken for the purpose of enlightening Members who will have eventually to vote one way or the other on the treaty.

MR. BORAH. Mr. President, I do not desire to discuss in public, until this matter is passed upon, anything which it is not proper to discuss here; but I think, in view of the discussion which is going on in the public press and the facts which are now in possession of the public, I can properly say that the Nicaraguan treaty is essentially a subject for public discussion. It is fundamental in its effects; it establishes a precedent which ought not to be established until the public is fully informed with reference to all the details which led up to the transaction. Those who are in favor of the Colombian treaty ought, of all people, to be in favor of a public discussion of the Nicaraguan treaty, because, as I view it, we are doing that in Nicaragua which will lay the basis for the precise kind of a claim which Colombia is now making against this Government for what it is urged and claimed by some that we did in Panama.

I do not believe, Mr. President, that we are dealing with Nicaragua at all; we are not dealing with the Nicaraguan people, nor with the public officers whom the Nicaraguan people have set up or elected; we are dealing with ourselves; we are dealing with the puppets which we put in power; we are making a treaty with those who do not represent the Nicaraguan people at all. Therefore, Mr. President, before we venture upon any such transaction we ought to discuss it, and to discuss it before those who will be finally affected by the transaction—that is, the American people as a whole.

MR. PRESIDENT, I do not say anything about this investigation—I do not care to stand in the way of that—as to how things have crept out before we have authorized them to be given out, but I sincerely hope that this resolution will be either passed to-day or immediately considered by the committee and reported for passage. In view of the situation in which the public is now placed the Committee on Foreign Relations should not have anything in a confidential way concerning this transaction.

MR. WILLIAMS. Mr. President, as I understand, this resolution is to print all the hearings which have been had before the Committee on Foreign Relations in connection with the Nicaraguan treaty. That committee invited, and there appeared before it, the minister of that country and the financial agent of that country. Each of them was assured that he could speak with utter frankness, because he was speaking to us in executive session. I can not imagine a worse piece of bad faith than after that to publish what these gentlemen in thorough frankness and freedom, being thereto invited, said before that committee.

But, Mr. President, I rose for a different purpose. Upon the last meeting of the Senate I reported from the Committee to Audit and Control the Contingent Expenses of the Senate by its direction a resolution which had been introduced by the Senator from Missouri [Mr. STONE]. Upon request of the Senator from Nebraska [Mr. NORRIS] I withheld the report

then, and also the request for its immediate consideration until to-day, because the Senator from Nebraska thought that the Senator from Idaho [Mr. BORAH] desired to be present when the report was made. I now make the report and ask unanimous consent for the consideration of the resolution.

The VICE PRESIDENT. What will become of the pending resolution?

Mr. BORAH. Mr. President, just a moment before the other matter is presented by the Senator from Mississippi.

Of course, if anyone has appeared before the Foreign Relations Committee who has received the pledge of the committee that whatever he said there would be kept secret, that might necessitate a change of this resolution of mine. I was not aware of any personal pledge having been made to anyone who appeared before the committee. I would not, of course, be in favor of breaking that pledge made upon the part of the committee, without more consideration, at least, than I have given to it. Therefore it might be as to some of these things which have been said that we ought not to divulge them because of that promise, but I invite the Senator's attention to the fact that some one else is interested in this transaction besides the finance minister from Nicaragua. If they have said anything that they would not want in print, I would be willing for that to be kept secret; but I am not willing for them to again come before the committee, or for anybody else to come before that committee, upon these two particular treaties, which are being discussed in public and by the public from every conceivable standpoint, without their understanding that the public is going to have all that comes before the committee.

Mr. WILLIAMS. Mr. President, in reply to the Senator from Idaho I will say that during the entire history of this Republic it has been considered of the very highest importance to get at the very truth of matters when treaties are up for consideration, and that it has been thought always that we were very much more apt to get at the very truth if men could speak with entire freedom and with entire secrecy until such time as, in the interest of the public generally and of both countries, that seal might be removed.

We have had before us not only a minister of one of these countries and the other officer of whom I have spoken, but one of them began by saying that, understanding that he was speaking in absolute freedom and secrecy, he wanted to be interrogated, and he would answer with absolute frankness every question put to him. There was not anybody really that appeared before the committee who did not appear with the understanding that he could speak as in executive session.

Nothing, I think, emphasizes the truth of what I have just said more than the difference between the character of debate carried on in this body in open session and the character of debate carried on in the same body in executive session of the Senate. Men speak much more frankly, very much more fully, and go very much more to the real heart of things in executive session. Of course, where business is of a purely public character, concerning the United States alone, the people of the United States have the right to hear what it is; but where it concerns other parties who have their rights as well as we ours, and where it might possibly interfere with the further conduct of negotiations by the State Department with those other parties, it seems to me it is wiser to adhere to the practice of the forefathers and to consider business of that sort in secrecy until the result has been arrived at which is proposed to be sent to the Senate and the Senate has acted upon that result so reported.

I do not care to discuss the matter, and I did not rise for that purpose; but the Senator having made his remarks and this resolution having been withheld until he could return, I thought I would take advantage of the moment while he was in the Chamber to present it.

Mr. STONE and Mr. NORRIS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. BORAH. I yield to the Senator from Missouri.

Mr. STONE. I did not know that the Senator from Idaho had the floor.

Mr. BORAH. Yes; I have the floor.

Mr. STONE. I will wait until the Senator has concluded, though I have been endeavoring to obtain the floor for some time.

Mr. NORRIS. Will the Senator from Idaho yield to me?

Mr. BORAH. I yield.

Mr. NORRIS. I should like, with the permission of the Senator from Idaho, to ask the Senator from Mississippi a question. Is it the intention of the committee to permit this testimony to be read by Members of the Senate?

Mr. WILLIAMS. I should say, in answer to the Senator—I can not speak, of course, of the intention of the committee, for I have no way of arriving at that—but if the Senator wants to know what my opinion of practical results will be, I should say that, if there were a favorable report from the committee upon the treaty and the treaty in that way came before the Senate, Senators in executive session would be, of course, furnished with the information which the committee had.

Mr. NORRIS. I suppose the taking of the testimony is for the purpose of enlightening the Members of the Senate as well as the members of the Foreign Relations Committee?

Mr. WILLIAMS. Of course—

Mr. NORRIS. Suppose the committee should report adversely; and that the Senate desired to approve the treaty, how would Senators not members of the committee be able to get information unless they were permitted to read the evidence that was taken before the committee?

Mr. WILLIAMS. I am giving the Senator merely my idea. When the matter comes before the Senate, then each individual Senator will be entitled to all the information there is; but until it is reported it is not before the Senate. It is always, I suppose, in order to move that a committee be discharged from the further consideration of a certain subject matter, and that it be reported to the Senate. If it be a treaty, then it is reported to the Senate in executive session. I have no reason to believe that the usual motion to discharge a committee from the consideration of a matter and report it to the Senate at a certain time or on a day certain does not apply to treaties as well as to other business before standing committees of the Senate. So that the answer to the second part of the Senator's query would be that, if we reported the treaty to the Senate adversely and the Senate wanted it reported favorably, a motion might be made discharging us and instructing us to bring the matter into the Senate.

Mr. BORAH. Mr. President, the Senator from Mississippi would not have any objection to the Colombian treaty being considered in open session, would he?

Mr. WILLIAMS. I have objections to all treaties being considered in open session. I do not think it is the right way to consider treaties, just as I do not think it is the right way to consider appointments. The Senator and I both know that in considering appointments, for example, we state what we absolutely believe, and we state things that we have heard, but which we do not know. We can meet together and go to the very heart of the matter. Discussions occur in executive session concerning the private character of appointees, and all that sort of thing, that no man would want to give to the public, if he could help it. So it is with regard to treaties. There frequently is in connection with a treaty reasons that are diplomatic in their character that ought to be confided to the State Department, to the President, and to the Senate of the United States in executive session alone. I may be old-fashioned, and that may be somewhat out of date, but that is, at any rate, my notion. I am not arguing it; I am merely stating my idea.

Mr. BORAH. Mr. President, I agree with the Senator from Mississippi that ordinarily that is true; but both of these treaties and the discussion of the facts in regard to them have been lifted out of the confidence of the committee; they are now in the possession of the public, and they are being discussed in the public press. All kinds of charges with reference to misconduct upon the part of public officers, Presidents and ex-Presidents, Secretaries of State, and everybody else are being made. There is only one way to answer charges of that kind, and that is by pitiless publicity of the facts and by discussion in the open upon the part of all parties concerned. It is better for the people of Colombia, better for the people of Nicaragua, and infinitely better for our people that these treaties be discussed in the open, in view of the charges which have been made.

Mr. WILLIAMS. Mr. President, it is always competent for any Senator to ask that the State Department forward to the Senate certain papers or all the papers concerning a certain transaction; and it is competent always in executive session to move that the seal of secrecy be removed from certain papers; but the question would be determined in executive session of the Senate as to whether the seal of secrecy should or should not be removed. Senators in talking to one another in executive session can talk much more freely as to the pros and cons of the motion. I ask the Senator now, however, to let us have unanimous consent to read the resolution reported by me and consider it now. I refer to the resolution which I withheld on Friday last because of the Senator's temporary absence at that time.

Mr. STONE. Mr. President, as I understand, there is a resolution pending that will have to be disposed of in some way, and

I should like a few moments in which to express some views respecting that resolution, if I can have the favor of the floor.

Mr. BORAH. Mr. President, I desire to perfect the resolution which I offered, in view of the suggestion of the Senator from Mississippi, by adding, after the word "printed," in line 2, the words "except such testimony as may have been received under a pledge of confidence." Now, Mr. President, I yield the floor to the Senator from Missouri.

Mr. STONE. Mr. President, I will speak first, briefly, to the inquiry made by the Senator from Nebraska [Mr. NORRIS]. The Senator from Nebraska desired to know what action the Committee on Foreign Relations has taken or is likely to take on the resolution he submitted some days ago calling upon that committee to supply all Members of the Senate with printed copies of the hearings being had with respect to the so-called Nicaraguan treaty. The committee has taken no action on the resolution. What action it may take when we shall have the good fortune to secure a quorum of the committee I am not prepared to say. Personally I do not think there is any good reason for having these hearings supplied at this time to all Senators both on and off the committee.

In fact, there is no treaty with Nicaragua pending before the Committee on Foreign Relations. The Secretary of State, on behalf of the President, is carrying on some negotiations with the Government of Nicaragua with a view to making a treaty between the two countries, but no such treaty has yet been consummated. The Secretary of State has outlined to the Committee on Foreign Relations the general plan of a treaty tentatively agreed upon between the representatives of the two Governments and has asked a conference with the Committee on Foreign Relations. In advance of concluding any treaty he desires the judgment of the membership of the Senate as to the wisdom or propriety of incorporating certain tentative provisions in the proposed convention. So what is being done by the Committee on Foreign Relations with respect to the so-called Nicaraguan treaty is merely to hold a conference with the Secretary of State. In connection with that, some members of the committee have asked that certain gentlemen, more or less familiar with Nicaraguan affairs, should be heard by the committee before it shall express in confidence its opinion to the Secretary of State.

Mr. President, even if the treaty were completed and were pending before the Committee on Foreign Relations, and hearings were being had on a completed treaty pending before the committee, I can see no more reason for having those hearings printed for general distribution among the Members of the Senate than there would be for a member of that committee to come out of an executive session and detail to his fellow Senators, not members of the committee, what was said before the committee orally, and not taken down. To do that would be such a radical departure from the uniform course of procedure in executive sessions of committees as to amount to a complete revolution. It may be that it would be a wise and timely revolution to make it the rule to bring matters that are heard before committees in executive sessions out into the open Senate; but if you do that you will put an end to executive sessions. If we do that the doors of the committee rooms should be opened wide to whomsoever might desire to enter and hear what is said and see what is done. I should oppose a course of that kind with respect to committees generally. I think it would be the height of unwise. I think it is of the highest importance that there should be executive sessions of committees, and that the proceedings had in executive sessions should be kept and guarded by the membership with scrupulous fidelity. I think any Senator who goes out of an executive session and details or exploits what occurred in secret session scarcely deserves the honor of membership on any committee. Especially is that true when we deal with foreign affairs. Our foreign relations involve the most delicate things with which the Nation has to deal, and I think it would be destructive if we abolished the policy of private and confidential communications between Governments. Why, Mr. President, I do not believe diplomatic negotiations could be successfully conducted if they were conducted in the open. There is just as much reason for observing secrecy and confidence on the part of the Foreign Relations Committee as there is on the part of the Secretary of State or the President himself. It ought to occur to any Senator after a moment's reflection that without such confidence the nations of the world, through their representatives, would be slow to communicate with our Department of State, and certainly slow to communicate with the freedom of consultation that must obtain when negotiations of the character we are discussing are being considered. If it did not end all diplomatic negotiations, it would at least desperately embarrass them.

These hearings referred to by the Senator from Nebraska, and which are printed from day to day, are printed for the information of the members of the committee. Of course, they need not be printed. The proceedings could be heard orally without printing; but some of the members of the committee are often unable to attend some of the hearings, and naturally they desire to know what was said at the hearings when they were absent. They are printed for the use and convenience of the committee. As the Senator from Mississippi said, after the treaty has been reported favorably or unfavorably to the Senate, all information in the possession of the Committee on Foreign Relations will, of course, be laid before the Senate in executive session in order that Senators may be advised as fully as members of the committee when they come to discuss and vote upon the ratification of the treaty.

My friend from Idaho [Mr. BORAH] says that in the case of this Nicaraguan treaty and this Colombian treaty an exception ought to be made. The Senator says he was not aware that certain things had been said before the Committee on Foreign Relations at some of the hearings. I know that is true. I think the Senator's information as to what occurred before the committee is for the most part gathered from the newspapers. The Senator is a member of the committee, but I think I am safe in saying that he has not attended a single session of the committee since the hearings began, and therefore, of course, he does not know what was said or done; but he reads the newspapers, and, yielding to the pressure from the outside, he becomes the champion of the policy of putting aside the old rule and the old custom approved by the wisdom of years and of decades, and of dragging these international negotiations into the open for public exploitation. I do not agree with the honorable Senator. I think his premise and his whole argument are utterly and finally defective.

Mr. President, there are few important treaties ever brought into the Senate, few ever even considered by the Foreign Relations Committee, with respect to which the newspapers have not, by one means or another, gotten hold of some information, no matter how firmly set the seal of secrecy may be; and this information, or alleged information, which is sometimes approximately correct, sometimes incorrect, and sometimes little more than guesswork, is printed. But I hope we shall not in future be led, as we have not been in the past, by publications of this character into a course of procedure that would seriously embarrass the Government in carrying on and consummating negotiations respecting great international agreements.

Mr. President, I move that the resolution offered by the Senator from Idaho be referred to the Committee on Foreign Relations.

Mr. TOWNSEND. Mr. President, will the Senator yield for a question?

Mr. STONE. I will.

Mr. TOWNSEND. As I understood the Senator's statement, it presents a different situation from the one I supposed existed in the Senate and before the Foreign Relations Committee. If I understood him correctly, he stated that these hearings had been instigated by the Secretary of State; that he had asked the Foreign Relations Committee to collaborate or consult with him in reference to a treaty. My understanding has been that this matter originated in a resolution of inquiry which was presented to the Senate, asking the Committee on Foreign Relations to investigate for the Senate certain things that were reported to exist in reference to our relations involved in a treaty with Nicaragua, and that the Committee on Foreign Relations was about that business; that it was acting under the instructions of the Senate through a resolution to investigate and report to the Senate such conditions as it might find.

Mr. STONE. What is the question the Senator wishes to propound?

Mr. TOWNSEND. My question is whether or not I am correct in my understanding.

Mr. STONE. The Senator is not correct. I have stated the case as it is. If the Senator heard what I said—

Mr. TOWNSEND. I did.

Mr. STONE. Then it is not necessary for me to repeat it at any length. I will say, in a word, however, that there is no treaty with Nicaragua before the committee. The Secretary of State has laid before the committee a tentative treaty which he has been negotiating with the representatives of the Government of Nicaragua.

Mr. TOWNSEND. Yes; I understood that.

Mr. STONE. But before concluding the treaty or going further with it he has come to the Committee on Foreign Relations and with perfect frankness laid the whole business be-

fore that committee, to ask the judgment and opinion of the committee in advance as to what should be done with respect to the proposed treaty, and whether the committee itself had objections to any particular features of it or to it as a whole.

Mr. TOWNSEND. Then, as I understand, the Senate Committee on Foreign Relations is not acting and has not been acting under a resolution adopted by the Senate to investigate those conditions?

Mr. STONE. No resolution has been adopted by the Senate. The Senator's colleague [Mr. SMITH of Michigan] introduced a resolution authorizing or seeking to authorize the Committee on Foreign Relations to send for persons and papers, to administer oaths, and so forth, in the usual form, which was referred in due course to the Committee to Audit and Control the Contingent Expenses of the Senate. Subsequently, in the course of the conference with the Secretary, certain gentlemen volunteered to appear before the committee and detail what they knew of conditions in Nicaragua. The minister from Nicaragua and the financial agent of Nicaragua, who, before he began to act in that capacity, was the minister of finance of Nicaragua, appeared before the committee and made a statement. They appeared on invitation. The Senator from Mississippi [Mr. WILLIAMS] has very accurately stated all that is necessary to be stated about the hearing of those Nicaraguan officials.

The newspapers printed some matter respecting those hearings that most of the committee, at least, if not all of them, thought was improper to come from any member of the committee; and, on the authority of the committee, I offered a resolution authorizing the committee to take such action as it saw fit to take to discover the source of these committee leaks. That resolution was likewise referred to the Committee to Audit and Control the Contingent Expenses of the Senate; but neither of the resolutions to which I have referred has up to this time been reported to the Senate or acted upon.

Mr. BORAH. Mr. President, a parliamentary inquiry. I understand that the Senator from Missouri has moved that the resolution be referred to the Committee on Foreign Relations. Is that motion not debatable?

Mr. GALLINGER and Mr. STONE. It is debatable.

The VICE PRESIDENT. The Chair thinks it is debatable.

Mr. BORAH. Very well. Then I want to say just a word in answer to the Senator from Missouri.

Mr. President, it is true that ordinarily all negotiations and all hearings and all debate on all pending treaties should be considered in executive session, and I would not be in favor, ordinarily, of opening to the public the discussion of these matters until such time as the committee had determined what it should do. In other words, I agree with what the Senator has said in reference to the virtues of confidential communications and executive sessions, ordinarily. But all the virtues of confidential communication of an executive session have already been forfeited. These matters are in the possession of the public. Both treaties have been published. The matters are being discussed in detail. Documents—I would not say from the Secretary of State, but documents from the State Department—have been printed and are being printed, and every feature and form of the transaction is now before the public.

The only question is whether or not this committee should go on and proceed with the executive sessions, leaving the inference that something is in the possession of the committee which the public has not. Furthermore, these treaties, as I have said, are essentially matters of legislation, necessitating at some time an appropriation of \$28,000,000.

Mr. President, it is true, as the Senator has said—and I presume he thought he had good reason for saying so—that I have not been in attendance upon the Committee on Foreign Relations since the Nicaragua treaty has been up the last time. I might say truthfully, if I desired to, that business elsewhere has engaged me; but I do not desire to place it upon that ground at all. Two years ago this same treaty, in substance, was before the Committee on Foreign Relations, as everyone knows. It was thoroughly discussed and considered, and since the Senator has gone into the matter as to who was in attendance upon the committee, I will state that every Democrat upon the committee voted against the treaty at that time, and my vote, voting with them, killed the treaty.

I made up my mind as to the unfortunate terms of that treaty, and since that treaty was before the committee two years ago I have spent a great deal of time upon my own initiative in ascertaining the exact facts with reference to conditions in Nicaragua and the facts which have brought forward that treaty.

I was not willing to submit the investigation which I have made and the facts which I have in my possession to the clamp

of a confidential or executive session. I regard this treaty as so fundamental, so important to the people of this country, that if I can not get the consent of the Senate to place before the Senate the facts which I have in my possession I shall feel constrained myself to disregard some of the rules of the Senate. I desire to proceed in an orderly way and to get the consent of my colleagues upon this proposition, but I have remained away from the Foreign Relations Committee because I felt that I was in possession of facts which I was not willing to have stated that I secured at the hands of the Foreign Relations Committee and was therefore violating the rules of the committee. I felt that I should likely at some time feel compelled to discuss this question in the open.

Mr. President, I should like to see these matters discussed in the open and by consent of the entire Senate. I prefer very much to proceed in that way. I have no desire to unnecessarily disregard a rule of the Senate, but there are conditions which would compel me to do so.

Mr. STONE. Mr. President, just a word. I regret that my distinguished friend assigns the reasons he gave for not attending the sessions of the committee, especially when we are so often harassed by the lack of a quorum, and that he has not attended the sessions of the committee for the reason that he has in his possession certain information gathered through his own industry respecting this treaty, and that he did not care to be tied up by the rules of executive confidence.

Of course I am surprised to hear the Senator from Idaho declare what course he will pursue if he can not get the consent of the Senate to discuss what is going on in our negotiations with foreign countries. I am surprised to hear him say that if he can not lay before the public with the consent of the Senate what is contained in a treaty even before it is finally acted upon, and give publicly the reasons for his opposition to a treaty, he will do it anyhow; that he will violate the rules of decorum and what have hitherto been recognized as rules of propriety, and, taking the bit in his own mouth, will ride over all rules and customs and expose whatever he thinks he would like to expose.

Mr. SMITH of Arizona. Without even taking the members of the committee into his confidence.

Mr. STONE. My colleague on the committee has suggested that the Senator threatens to do this without even taking the members of the committee into his confidence. I do not know what information the Senator from Idaho has concealed in his breast. He does not honor the committee, of which he is a member, with his confidence.

Mr. BORAH. If the Senate will adopt this resolution, I will take the committee into my confidence. Otherwise I feel constrained to pursue my own course.

Mr. STONE. But unless the Senate does adopt it, then the Senator has something up his sleeve, some secret information that he is husbanding to exploit before the newspaper gallery, that it may go forth to the country as an act of his, destructive of the procedure of this body, a procedure that has had the approval of the Senate from time immemorial.

Mr. BORAH. Mr. President, I believe firmly if this matter is discussed in public the Nicaragua treaty will die as it should die. I believe it is based upon deception, misrepresentation, fraud, and corruption, and I believe I can show it.

Mr. STONE. Does the Senator believe if that is true that his colleagues in executive session would ratify a treaty which for the reasons the Senator has given should be rejected, whether heard in the open or in executive session?

Mr. BORAH. No; I do not believe my colleagues would do so for a moment, but so long as there are called before that committee the mere puppets whom we have set up in that Government, who ask for the concealment of their statements and the secrecy of their testimony, you will not get the true facts; and that is what is happening. If you will take the lid off and invite all interested parties to come before the committee, there will be a different story told from what is being told now.

Mr. STONE. The Senator from Idaho is a distinguished member of the committee, and if he has any confidence in the membership of the committee it seems to me he could come and bring to us what he says are the true facts and lay them before the committee, and if they see any such condition of affairs as he has indicated I venture to say there is not a Senator on the committee who would vote to report the treaty favorably.

Mr. WILLIAMS. Mr. President, before the Senator from Missouri takes his seat, if he will permit the interruption, I would ask him the question whether as chairman of that committee he would not immediately summon before the committee anybody whose name might be given to him by the Senator from Idaho, so that we might judge of the reliability of the witness as well as have in our possession the facts or the alleged facts stated by him?

Mr. STONE. Oh, the Senator can have the full power of the committee and of the Senate to bring before the committee anyone he wishes, leaving it wholly to him to say whom he wishes to be summoned and whose testimony he thinks would throw the flood of light he says it would throw on the whole situation. There would be no trouble about that.

Mr. President, the Senator from Arkansas [Mr. CLARKE] suggests to me that the motion to refer can not be acted upon this morning under the rule.

THE VICE PRESIDENT. There was a request for present consideration, and the Chair understands if there is objection it must go over until to-morrow.

Mr. STONE. I ask unanimous consent that the resolution be referred to the Committee on Foreign Relations.

Mr. BORAH. Mr. President, I do not care to have the resolution referred to the committee at this time. If it can not be voted upon here, I will ask the leave of the Chair to withdraw it.

Mr. CLARKE of Arkansas. Mr. President, I hope the Senator from Idaho will not take that course. A single objection will carry it over until to-morrow, and it will then come up as a resolution coming over from a former day and have a status on the calendar as a part of the morning business. It relates to an important matter. Possibly this is not an opportune time to discuss it in all its details, but it is a proper time to have it understood that the subject matter of it shall be inquired of very thoroughly here before an attitude adverse to the request contained in it is reached and announced by the Senate.

For myself, I believe that the proposed Nicaragua treaty and the Colombia treaty ought to be considered in open executive session, just as the treaty with Panama and the treaty with Colombia were in former Congresses considered on this floor. The proposed treaties are no ordinary conventions entered into by Governments of something like an equal dignity, power, and standing in relation to grave and important matters of differences which occasionally require adjustment by some form of convention. They are somewhat governmental in character, and the treatment of them here will present legislative questions rather than the determination of the mere terms of a contract which will be the end of a given dispute. They pertain to the present and the future relationship of this country to the lesser Governments to the south of us. The relationship that we establish by the ratification of either of these treaties will be fundamental and permanent in character, and will inevitably establish a closer relationship between this Government and those with whom we deal now in this preliminary and indirect way. What this relationship will be when its ultimate extent is defined by the logic of actualities is a matter concerning which I do not find it necessary to express an opinion on this occasion. The first step in a great scheme like that is the vital one, and before we enter upon it we ought to have an opportunity in open session to take the public into our confidence and to discuss it in the light of what the rational public opinion of this country will permit to be done.

Whilst I would not have presented the resolution just at this time, I think now that it has been presented it might create an erroneous idea of what is the real sentiment of the Senate if it should be summarily withdrawn or should be disposed of in some technical way.

Mr. BORAH. I withdraw the request for the withdrawal in order that the resolution may go over.

Mr. CLARKE of Arkansas. It will be printed by that time, and we will have an opportunity of knowing just exactly what there is in it, even if we shall not be fully prepared at that time to finally dispose of it.

THE VICE PRESIDENT. The resolution will go over under the rule.

#### INVESTIGATION BY COMMITTEE ON FOREIGN RELATIONS.

Mr. WILLIAMS. I ask for the reading and for the present consideration of the resolution which I send to the desk.

THE VICE PRESIDENT. The resolution will be read.

THE SECRETARY. The senior Senator from Mississippi [Mr. WILLIAMS] reports favorably from the Committee to Audit and Control the Contingent Expenses of the Senate Senate resolution 407, which is as follows:

*Resolved*, That the Committee on Foreign Relations be, and hereby is, authorized and empowered to investigate and ascertain from whom information of any business transacted before said committee in executive session relating to international affairs is given out; and to prosecute said investigation said committee is hereby authorized and empowered to send for persons and papers, to issue subpoenas, to administer oaths, and to employ stenographers to take testimony at not exceeding \$1 per printed page; the expenses of said investigation to be paid out of the contingent fund of the Senate on warrants signed by the chairman of said committee.

Mr. WILLIAMS. It ought to read at the end, "the chairman of said Committee on Foreign Relations."

Mr. GALLINGER. Does the Senator suggest that the report be referred to the Committee on Foreign Relations?

Mr. WILLIAMS. No; this is for an investigation to be conducted by the Committee on Foreign Relations. It was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and we have reported it favorably, and I ask for its present consideration.

Mr. GALLINGER. Mr. President, I am going to venture to ask the learned Senator from Mississippi if he has the expectation that anything valuable will result from another investigation trying to ascertain how the secrets of executive sessions reach the public through the newspapers.

Mr. WILLIAMS. Mr. President, that would be one of the hardest nuts to crack that has been passed up to me in a long time. I do not believe that I can answer it either yes or no. I have a glimmering hope that we may be able to find out something, but I do not know.

Mr. GALLINGER. I was looking over my desk a few days ago and I came across a bit of parchment—possibly it is some high quality of paper—upon which was recorded the fact that five Senators had been appointed to make an investigation of this kind, at the head of which was the Senator from Texas who recently left the Senate, Mr. Bailey. I chanced to be, I think, possibly second on that distinguished list. I do not at this moment recall what gave rise to the demand for an investigation, but it was a situation similar to this. I believe that committee never was called together, at least I have no recollection of it, and it died, I apprehend, for the reason that the chairman of the committee, perhaps, or the members of the committee looking back over the history of the Senate and ascertaining that we had spent a good deal of money and a great many printed pages in investigations of this kind, with no results, concluded that there was not any use of having another investigation.

I apprehend that this will share the same fate. It will amuse the country a little; the newspapers will have some new text to exploit the futility of the Senate in discovering leaks that happen somewhere and in some way and that must come from this Chamber; they can not come from any other source; and after spending a little money in these days of economy no result will be reached.

Now, I do not object to it, of course. I hope the committee will have a pleasant time in making the investigation; but the newspapers of this country will never be caught when they exploit—getting information from some source not very far from this Chamber—the doings of the Senate in executive session. That is my judgment.

Mr. WILLIAMS. Mr. President, there is this much, that all must acknowledge the truthfulness of what the Senator from New Hampshire has just said. It is a sad commentary upon the membership of this body, and it is a sad commentary also upon the membership of committees now and then, that gentlemen whose honor is at stake should not regard their honor and that, then, afterwards we can not find out which particular gentlemen had not regarded their honor; but, none the less, it is our duty to try to make our rules respected, and if we can do something as a result of the investigation, so much gain. I hope the resolution will pass.

Mr. GALLINGER. Mr. President, I remember sitting here and witnessing a trusted employee of the Senate driven from the position he held, going away from the Senate with a blemish on his character. The Senate believed that that particular individual, who occupied a high position in the country, who afterwards was elected to the other House, was guilty of giving away the secrets of the executive sessions. I did not believe at that time that that man was guilty. I knew him well, and was sure that he was a man of high integrity.

Now, I am not going to say that any Members of the Senate give away these secrets. I will not say that any employee of the Senate gives them away. Sometimes they are so accurate it would seem as though a first-class stenographer had taken down what was said in the Senate—better reports than I could have given, I know, as a matter of recollection; but how they have received them I confess I do not know. It has been a matter of absolute wonder to me how the newspapers do sometimes get such accurate reports. I do not know. It may be that a Senator inadvertently gives out a suggestion and some other Senator inadvertently another suggestion, and these bright men who sit in that gallery looking down on us, sometimes outrageously abusing and misrepresenting us, put those pieces together and make a story. I sometimes thought it came about in that way. It may be that I am wrong. I can not conceive any more than the Senator can that any Member of this body would deliberately and intentionally disclose the secrets of executive sessions. I can not believe that can be true.

Mr. WILLIAMS. Mr. President, I of course do not want to go into a discussion. Very frequently these bright young men, who sometimes know as much about public business as any of us, and, by the way, are just as competent to discuss it, do arrive at their results by putting two and two together and getting four, when it may be that they have neglected another two and there ought to have been six; but I recall one case where a speech of a Senator in executive session appeared verbatim et literatim. However these things come about, there is no use going into it now. I should like to have the resolution passed. We thought it better to recommend its passage.

The VICE PRESIDENT. The question is on the adoption of the resolution.

The resolution was agreed to.

#### RIVER AND HARBOR APPROPRIATIONS.

Mr. SMOOT. Regular order, Mr. President.

The VICE PRESIDENT. The calendar under Rule VIII is in order.

Mr. SMOOT. As I understand, the morning business has been concluded?

The VICE PRESIDENT. The morning business was concluded about an hour ago.

Mr. SIMMONS. Then, I move that the Senate proceed to the consideration of the river and harbor bill.

The VICE PRESIDENT. The question is on the motion of the Senator from North Carolina. [Putting the question.] The ayes seem to have it.

Mr. KENYON. On that motion I ask for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN], which I transfer to the junior Senator from Maine [MR. BURLEIGH] and vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. Root]. In his absence I withhold my vote.

Mr. TOWNSEND (when his name was called). I desire to announce that the senior Senator from Michigan [Mr. SMITH] is absent from the city on important business and that he is paired with the junior Senator from Missouri [Mr. REED]. I ask if the junior Senator from Missouri has voted?

The VICE PRESIDENT. He has voted.

Mr. TOWNSEND. I am paired with the junior Senator from Arkansas [Mr. ROBINSON], but I transfer that pair to my colleague [Mr. SMITH of Michigan] and vote "yea."

Mr. WILLIAMS (when his name was called). I wish to announce the transfer of my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from South Carolina [Mr. SMITH]. I vote "yea."

The roll call was concluded.

Mr. CHILTON. I have a general pair with the Senator from New Mexico [Mr. FALL]. In his absence I withhold my vote.

Mr. SIMMONS (after having voted in the affirmative). I transfer my pair with the junior Senator from Minnesota [Mr. CLAPP] to the Senator from Florida [Mr. BRYAN] and will let my vote stand.

Mr. MCLEAN. Has the senior Senator from Montana [Mr. MYERS] voted, Mr. President?

The VICE PRESIDENT. He has not voted.

Mr. MCLEAN. I have a pair with that Senator, and therefore withhold my vote.

Mr. CRAWFORD. Has the senior Senator from Tennessee [Mr. LEA] voted?

The VICE PRESIDENT. The Senator from Tennessee has not voted.

Mr. CRAWFORD. Then I withhold my vote, as I have a pair with that Senator.

Mr. CATRON (after having voted in the negative). I have a general pair with the senior Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the Senator from Illinois [Mr. SHEEMAN], who, I understand, is absent on account of illness in his family, and will let my vote stand.

Mr. GOFF. I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN]. He being absent, I withhold my vote.

In justice to the Senator from South Carolina, I desire to say that I was paired with that Senator on Friday last. We had made arrangements for an announcement to that effect, but, inadvertently, the announcement was not made.

Mr. WALSH. I have a general pair with the Senator from Rhode Island [Mr. LIPPITT]. He being absent, I refrain from voting.

Mr. JAMES (after having voted in the affirmative). I transfer my general pair with the junior Senator from Massachusetts [Mr. WEEKS] to the junior Senator from Arizona [Mr. ASHURST] and will allow my vote to stand.

Mr. KENYON. I desire to announce the absence of the senior Senator from Washington [Mr. JONES] on important business, and also the absence of the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. SMOOT. I desire to announce that the Senator from North Dakota [Mr. GRONNA] is paired with the Senator from Maine [Mr. JOHNSON]; the Senator from Wyoming [Mr. WARREN] is paired with the Senator from Florida [Mr. FLETCHER]; and the Senator from Wisconsin [Mr. STEPHENSON] is paired with the Senator from Oklahoma [Mr. GORE].

The result was announced—yeas 30, nays 16, as follows:

YEAS—30.			
Bankhead	Martin, Va.	Reed	Swanson
Camden	Martine, N. J.	Snafrath	Thompson
Chamberlain	Nelson	Sheppard	Thornton
Clarke, Ark.	Newlands	Shields	Townsend
Fletcher	Oliver	Sibively	Vardaman
Hollis	Overman	Simmons	West
James	Perkins	Smith, Ariz.	White
Kern	Pittman	Smith, Ga.	Williams
Lane	Pomerene	Smith, Md.	Works
Lee, Md.	Ransdell	Stone	

NAYS—16.			
Borah	Burton	Gallinger	Norris
Brady	Catron	Hitchcock	Page
Brandegee	Cummins	Keynon	Smoot
Bristow	Dillingham	McCumber	Sutherland

NOT VOTING—41.			
Ashurst	Goff	McLean	Smith, S. C.
Bryan	Gore	Myers	Stephenson
Burleigh	Gronna	O'Gorman	Sterling
Chilton	Hughes	Owen	Thomas
Clapp	Johnson	Penrose	Tillman
Clark, Wyo.	Jones	Poindexter	Walsh
Colt	La Follette	Robinson	Warren
Crawford	Lea, Tenn.	Root	Weeks
Culberson	Lewis	Saulsbury	
du Pont	Lippitt	Sherman	
Fall	Lodge	Smith, Mich.	

So the motion of Mr. SIMMONS was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13511) making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BURTON. Mr. President, this river and harbor bill ought not to pass the Senate without very thorough consideration. I am convinced that the Members of the Senate do not understand the nature of many of the items included in this measure. I am compelled to admit that within the last week or 10 days I have discovered some items with which I myself was not familiar. I regret to notice that projects which were maturely considered 10 or 12 years ago, and excluded after careful deliberation, have at the present time, when conditions are less favorable for their development, found their way back into the bill. I do not believe that there is any way by which the extravagant and wasteful appropriations which appear in this measure year after year can be defeated, except by the defeat of a river and harbor bill, or, at least, by its very material modification.

I repeat what I said in the beginning of this discussion, that it is a time for the sincere friends of river and harbor appropriations to pause and consider. If they do, they will, I think, realize that so much that is objectionable is finding its way into this measure that before long there will be such an outcry against it, such an uprising, I may say, that the passage of river and harbor bills will be impossible. I can not think that the people will not, when this measure is thoroughly considered, visit such criticism upon it that it will not be approved, and its passage at this time will be but imposing another load on a system which is becoming very objectionable as it is now prosecuted.

When I was speaking on Wednesday last I mentioned briefly the bill of 1907, and I wish to take up that measure at this time. I do so because that bill was the result of long study and the very courageous elimination of objectionable items. It was the final development in a progress toward more salutary policies, and toward the elimination of waste in river and harbor bills. I do not say it was a perfect bill; in looking it over now after the lapse of seven years I find some items which my present judgment would not approve. I do not say that we made no mistakes; but I think it is due to the committee, which considered that bill so carefully, that it should be explained and its advantages pointed out. It was not a small bill. As I stated on Wednesday, it was the largest river and harbor bill

ever passed by Congress. We were not afraid of appropriating money liberally for the harbors and rivers of the country, but we did desire to make every appropriation count for national benefit and exclude everything which was undesirable. I am credibly informed—in fact, I know—that that bill with the report upon it was before President Taft when he filed his memorandum on the bill of 1910.

In addition to the committee, I wish to give credit to the Engineer Corps of the Army. The bill was not the mere adoption of reports which had been filed, but members of the Engineer Corps from New England to Texas and California were summoned before the committee. They explained the items; there was a pruning where unnecessary amounts had been recommended, and with equal care and equal courage additional amounts were placed in the bill where their estimates were not sufficient. I wish especially to give credit to Gen. MacKenzie, who was at that time Chief of the Engineer Corps of the Army. He spent with me, along with other members of the corps, evening after evening, not only for weeks but for more than a month. He suggested the phraseology of many of the provisions of that bill. He had held, during his membership in the corps, divers assignments on the Mississippi River and elsewhere, and had a familiarity with all the projects in the country that I have never known to be surpassed. The committee and its chairman had the benefit of his judgment in regard to every item in the bill, and it was brought before the House and passed there with little opposition. Then it came to the Senate, where additions were made, but we were able to agree without any very serious difficulty, and passed a bill that carried appropriations and authorizations of about \$87,000,000. Just as they call Lord Coke's reports "the reports," so I assert with confidence that it is proper to call that measure of 1907 "the river and harbor bill"; and I would that the policies exemplified in it and the same care had been continued since.

I do not wish to visit censure upon anyone. I am very sure that the present chairman of the Committee on Rivers and Harbors of the House has given days and nights of the most careful and conscientious study to this measure. Members of the Senate also have granted hearings by days and have given very careful attention to it. Members of both committees have labored upon it, but in the face of the pressure brought to bear they have fallen far behind the ideas and policies which were exemplified in the bill of 1907. If these tendencies continue, wastefulness and extravagance will find such a foothold in the bill that very general popular condemnation will be awakened.

I read briefly from this report, found on page 3581 of the CONGRESSIONAL RECORD for Thursday, February 20, 1913. The original copies of the report have now become very scarce.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from New Hampshire?

Mr. BURTON. I do.

Mr. GALLINGER. I will ask the Senator if at that time we were reporting annual or biennial river and harbor bills? Had we gotten to the annual stage at that time?

Mr. BURTON. We then had biennial river and harbor bills. In 1900 there was a bill passed which was a sort of administrative measure, which included for the first time what is called a provision for emergencies, under which, on the approval of the local engineer and the Chief of Engineers and the Secretary of War, an amount could be given for what was called emergency work for the maintenance of a project already under way. Certain surveys were provided for. In 1901 a bill was reported, which failed at the last moment of the session. In 1902 a river and harbor bill was passed which, with one exception, was the largest in its appropriations that had ever passed up to that time. The continuing-contact system was adopted in that bill on a very large scale. In 1904 another administrative bill was passed, with divers appropriations for projects where appropriations were urgently needed and with another emergency provision. In 1905 a regular river and harbor bill was passed. Then, after two years, this bill of 1907, which, as I have twice stated already, was the largest ever passed, was enacted.

Mr. GALLINGER. I will ask the Senator if it is generally understood that hereafter we are to have annual river and harbor bills?

Mr. BURTON. Annual river and harbor bills.

Mr. GALLINGER. That is an established principle, is it?

Mr. BURTON. I think so. At some time in the course of this discussion I may state the advantages and disadvantages of the annual bill. I think there are both advantages and disadvantages.

Mr. RANSDELL. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Louisiana?

Mr. BURTON. I do.

Mr. RANSDELL. I will ask the Senator if we had reached either annual or biennial bills when the bill of 1907 was passed? Was not the next river and harbor bill passed in 1910?

Mr. BURTON. There was a bill passed in 1909 which made general appropriations for maintenance, and which also provided for certain projects.

Mr. RANSDELL. It was a very small bill, was it not, carrying about \$9,000,000?

Mr. BURTON. No; it carried \$10,071,625.

Mr. RANSDELL. May it not be fairly said that we did not reach the annual principle of river and harbor bills until the bill of 1910?

Mr. BURTON. I think that statement may be correctly made, because that was the first bill after 1907 that may be called a general river and harbor bill in which there was provision not only for the maintenance of existing projects, but also for the further improvement of projects under way and for new projects.

Mr. RANSDELL. So that practically the bill of 1907 provided for three years?

Mr. BURTON. Yes. Indeed, as to many projects, it provided, as I shall point out, for four years.

Mr. KENYON. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. I do.

Mr. KENYON. I should like to ask the Senator, in addition to that, what has been the custom as to carrying appropriations for rivers and harbors, especially for maintenance, in the sundry civil appropriation bill?

Mr. BURTON. It is not the custom to carry appropriations for maintenance in the sundry civil bill.

Mr. KENYON. There are appropriations which relate to rivers and harbors carried in the sundry civil appropriation bill.

Mr. BURTON. Yes; amounting to \$6,990,000 in the bill which has just come over from the House.

Mr. KENYON. Yes; it is here now. I want to ask the Senator whether the custom of carrying those appropriations in that bill is one that has existed for some time?

Mr. BURTON. The first projects of that nature were initiated in 1890. There were then a comparatively small number of them. It may be said that the custom of providing for continuing contracts commenced in 1890 and reached its maximum in 1907. I have not examined these specific items in the sundry civil bill, but I should fancy there were some of them for the completion of projects begun as long ago as 1907, and possibly even earlier than that.

Mr. KENYON. Mr. President, the point I am getting at is that the river and harbor bill does not show the real facts as to the money that is being appropriated for rivers and harbors and creeks throughout the country. We must take into consideration the sundry civil bill, also, to get at the amount.

Mr. BURTON. To get at the total amount expended. I think, however, there is rather a worse objection than that to the present bill, and that is that the bill leaves us in such doubt as to what the project is going to cost, while under the continuing contract system the total expense would be clearly set forth. There are numerous items of that nature in this bill, and I shall call attention to some of them later. I have already called attention to some.

Mr. HUGHES. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from New Jersey?

Mr. BURTON. Yes.

Mr. HUGHES. Are there any items in this bill which were put in over the protest or without the recommendation of the Board of Engineers?

Mr. BURTON. I think there is no new project in this bill—possibly there is one, however, and that added in the Senate—which was placed in the bill contrary to the recommendation of the engineers; but there are very large appropriations here for projects that the engineers never recommended that have been carried from year to year. I shall wish to take up all of those in their order.

Mr. HUGHES. That means, then, that while there are no new projects in the bill which have not been recommended by the engineers, yet the bill carries appropriations which the engineers would not now recommend?

Mr. BURTON. Yes. There is another feature. That question can not be answered without making this explanation: There are projects in this bill that at first the engineers con-

denied, and I may say condemned in decided language; but then a request was made for another survey, or a resolution was passed by the Committee on Rivers and Harbors asking for a reexamination, and the second or third time a report came in mildly commanding the project.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. BURTON. In just a minute. There is another class of appropriations in this bill, and those, I think, are the most extravagant, where the engineers reported the facts, and, instead of recommending or condemning, wound up their report by saying: "It is a matter for Congress to determine whether this appropriation shall be made or not." I think some of the worst items have come in under that kind of a report, where it is correct to say that the engineers never recommended it.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. BURTON. I do.

Mr. THOMAS. I should like to inquire of the Senator how many of those projects, reported upon in that way, were adversely considered by Congress?

Mr. BURTON. There are very few items that have found their way into this bill in which, at the time of the insertion of the item or the adoption of the project, there was a distinctly adverse report.

Mr. THOMAS. Perhaps I did not express the idea I had in mind. The Senator stated that in many instances these engineers would report upon projects without any recommendation of their own, leaving it to Congress to determine whether to go on with it or not.

Mr. BURTON. If I may interrupt the Senator from Colorado a minute, there are not many of those, but they are very important and large ones.

Mr. THOMAS. In how many instances did Congress refuse to act upon them favorably, and in how many did Congress act favorably by making appropriations for them?

Mr. BURTON. I think in the last four years they have acted favorably on every one.

Mr. NORRIS. I want to ask the Senator about the recommendations of the boards that have been changed. Does the Senator mean that the same board, after reporting adversely on various projects, has subsequently made favorable reports?

Mr. BURTON. The same board has done that in some instances. In some instances a special board was constituted to report on a project, and it made an unfavorable report, and then another board with different membership made a favorable report.

Mr. NORRIS. How are these special boards constituted? Who constitutes them?

Mr. BURTON. The members are chosen by the Chief of Engineers. There are sometimes three and sometimes five members.

Mr. NORRIS. What would be the occasion for a special board?

Mr. BURTON. A project of unusual difficulty or complication, or one of exceptional magnitude.

Mr. NORRIS. Would this special board report on a project that had already been examined by the regular board?

Mr. BURTON. There have been, I think, instances of that kind. I ought to add, in explaining about those special boards, that in some instances they have been appointed in pursuance of an express resolution by Congress or a provision in a river and harbor bill. Let me mention a very good illustration, the "Lakes to the Gulf deep waterway," which was examined under a provision in the act of 1907. It was directed that a special board be appointed to examine that project. They did examine it, and made a very elaborate report.

Mr. NORRIS. Had it been reported upon before by the regular board?

Mr. BURTON. No; it had not been. There is this about it: There were different sections of the route on which reports had been made. The proposed waterway to the Mississippi River had been reported by a board of which Gen. Ernst was the chairman, and then engineers had reported on other portions, including part of the Mississippi River, but there had been no general report on the whole project.

Mr. NORRIS. How many special reports had been made on the deep-waterway proposition? The first report was adverse, as I understand, was it not?

Mr. BURTON. I have the report right here before me. Yes; it was practically adverse, at any rate.

Mr. NORRIS. Was it afterwards reversed and made into a favorable report?

Mr. BURTON. No; never. The Engineer Corps have never gone back upon that report.

Mr. NORRIS. They are still standing by their adverse report?

Mr. BURTON. Yes.

Mr. NORRIS. Then that was an instance where Congress provided for something in the face of an adverse report?

Mr. BURTON. Yes; partially.

Mr. NORRIS. Has that occurred very often as to river and harbor bills?

Mr. BURTON. Not in a large number of cases; but, as I have said, they have always been of very considerable magnitude. Here is what the board reported on that proposed 14-foot waterway; this is in the final report of the Chief of Engineers:

It is not desirable to construct a navigable channel 14 feet in depth from St. Louis to the mouth of the Mississippi River, or from Chicago to the mouth of the Mississippi River.

The present demands of commerce between St. Louis and the mouth of the Mississippi River are adequately met by the existing projects, having for their object to obtain and maintain an 8-foot channel from St. Louis to the mouth of the Ohio and a channel of not less than 9 feet in depth below the mouth of the Ohio.

The board believes that an 8-foot channel from Chicago to St. Louis, corresponding to the present 8-foot project from St. Louis to Cairo, is the least that would adequately meet the demands of commerce, and believes such a waterway would be desirable, provided its cost is reasonable.

That is, they reported against a 14-foot waterway.

Mr. NORRIS. And in favor of an 8-foot waterway?

Mr. BURTON. And they favored an 8-foot waterway.

Present and prospective demands of commerce between Chicago and the Gulf will be adequately served by a through channel 9 feet in depth, which may be obtained without violent changes of existing methods of development.

Notwithstanding that recommendation, the river and harbor act of 1910, I think, provided an appropriation of \$1,000,000 for an investigation with a view to beginning the work, and that was regarded as a sort of commitment to the project. I give notice that before we are through with the consideration of this bill I shall move to repeal that provision, and shall offer an amendment to that effect.

Mr. NORRIS. Has not that \$1,000,000 been expended?

Mr. BURTON. I do not think so.

Mr. NORRIS. Now, I should like to ask the Senator another question about these projects, where he said reports were made to the effect that "it was for Congress to decide." Does the Senator recollect any project that, in his judgment, was a desirable one where that kind of a report was made?

Mr. BURTON. I have not all of them in mind at this minute. I should be inclined to think there had been no case in which that kind of a recommendation was made where it would seem desirable to go ahead with the improvement; in other words, that we ought to make it our settled policy to depend upon a positive, affirmative recommendation before undertaking any work of this kind.

Mr. NORRIS. Now, I will ask the Senator whether, in his judgment, from his long experience with this work and his years of study, he would regard with suspicion a project recommended in that way in the first place?

Mr. BURTON. I should think so.

Mr. NORRIS. Will the Senator tell us just why? How does he account for the board making that kind of a report? I presume the Senator, in his experience, has talked over those matters with members of the board. Why do they make reports of that kind?

Mr. BURTON. The Senator from Nebraska knows that a great many men have asserted on this floor and in the House, and the argument has been made in the country, that the engineers may have very good judgment in regard to dredging channels, river and harbor work, and, comprehensively speaking, engineering problems; but that they do not have any better judgment than the average business man on commercial propositions, and hence pressure has been brought to bear in many instances to adopt a project, notwithstanding there was an adverse report from the engineers.

Mr. NORRIS. What does the Senator mean by "pressure"? What kind of pressure?

Mr. BURTON. I could spend considerable time in telling what that is.

Mr. NORRIS. I think the Senator could well afford to do so, because there are a lot of projects in this bill which are in that category.

Mr. BURTON. Boards of trade, business associations in the localities interested, associations to promote a specific project, with salaried officials sometimes running up as high as \$5,000 or \$6,000 a year, which associations are formed for no purpose except to induce Congress to accept some river and harbor improvement. That is reinforced by the demand of the press

over a large area that certain improvements shall be made. Those newspapers usually say in effect: "We are against improving the little creeks; we are against wasting money in river and harbor bills, but we are in favor of our project"; and the chances are at least even that their project is the worst in the whole list.

## FEDERAL TRADE COMMISSION.

THE VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which is House bill 15613.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15613) to create an interstate trade commission, to define its powers and duties, and for other purposes.

MR. NEWLANDS. I ask that the bill be temporarily laid aside in order to permit the Senator from Ohio [Mr. BURTON] to conclude his remarks.

MR. KENYON. I object. I think we should proceed with the consideration of this important measure.

MR. NEWLANDS. Then I move that the bill be laid aside until 1 o'clock to-morrow afternoon.

MR. GALLINGER. It is proper to suggest to the Senator from Nevada that the bill would lose its place as the unfinished business. Perhaps that is not important.

MR. NEWLANDS. I do not wish it to lose its place. I will go on with the bill, Mr. President.

THE VICE PRESIDENT. The question is on the amendment proposed by the committee.

MR. CUMMINS. I did not hear the motion of the Senator from Nevada.

THE VICE PRESIDENT. He has withdrawn the motion.

MR. NEWLANDS. I made none. The bill is now before the Senate.

MR. CUMMINS. Then a parliamentary inquiry. I think the pending question is upon an amendment that I offered to section 5.

THE VICE PRESIDENT. The Chair has not been here all the while.

MR. CUMMINS. The Senator from Utah [Mr. Smoot] was in the chair at the time.

THE VICE PRESIDENT. The Secretary will state the pending amendment.

THE SECRETARY. The Senator from Iowa [Mr. CUMMINS] moves to amend section 5 by adding thereto the following proviso:

*Provided*, That no order, or finding, of the court or commission, in the enforcement of this section, shall have any force or effect, nor be admissible as evidence in any suit, civil or criminal, brought under the antitrust acts; nor shall anything contained in this act be construed to alter, modify, or repeal the said antitrust acts, or any part or parts thereof.

MR. SMOOT. If we are going to consider the bill, I suggest the absence of a quorum.

THE VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Cummins	Newlands	Smith, Ariz.
Bankhead	Fletcher	Norris	Smith, Ga.
Brady	Gallinger	Overman	Smith, Md.
Brandegée	Goff	Page	Smoot
Bristow	Hollis	Perkins	Sutherland
Bryan	Hughes	Pittman	Swanson
Burton	James	Pomerene	Thomas
Camden	Kenyon	Ransdell	Thornton
Catron	Kern	Reed	Vardaman
Chamberlain	Lane	Shaftroth	Walsh
Chilton	Lee, Md.	Sheppard	Warren
Clarke, Ark.	Lewis	Shields	West
Colt	Martin, Va.	Shively	White
Crawford	Nelson	Simmons	Williams

THE PRESIDENT pro tempore. Fifty-six Senators having answered to their names, a quorum of the Senate is present. The Senator from Iowa is entitled to the floor.

MR. CUMMINS. Mr. President, a single word with regard to the amendment now pending.

MR. REED. Will the Senator from Iowa yield to me for a moment?

MR. CUMMINS. Certainly.

MR. REED. I understand that a request for unanimous consent to temporarily lay aside the pending measure was made, and that some Senator or Senators objected. I have been endeavoring to examine the law applicable to one or two sections of this bill, and I have pursued that inquiry with as much diligence as I was able. It has been interfered with by service upon committees, and this afternoon I am compelled to be upon attendance at the Banking and Currency Committee, where we have an important matter pending.

My investigation thus far has led me to the conclusion that unless the phraseology is changed in one section of the bill it will not at all effect the purpose its authors have in mind. I desire to speak upon this bill, but I can not under the circumstances do so to-day. It has been generally the custom in the Senate under those circumstances to allow a measure to lie over, and I ask unanimous consent that the pending measure may be temporarily laid aside.

MR. CUMMINS. Mr. President, I am not the Senator who made the objection. I think my colleague [Mr. KENYON] made it, and he is not in the Chamber just at this moment. I think he possibly may be in the corridor. I suggest that one of the pages notify him.

THE PRESIDENT pro tempore. The Senator from Missouri can not make any such request as that unless the Senator from Iowa yields the floor. He can not get the floor for the purpose of asking a question and then make a motion.

MR. CUMMINS. I do not intend to occupy the floor more than a moment at the most, and then the Senator from Missouri can make his request.

MR. REED. I did not understand the Senator from Iowa.

MR. CUMMINS. I do not intend to occupy the floor more than a very few moments at most. The amendment which is now pending is an amendment that I have offered to section 5, providing that nothing in this section or the bill shall be held to interfere with or restrict in any way the operation of the antitrust law. I think the Senator from Missouri probably thought it was my amendment relating to interlocking directorates or holding companies.

MR. REED. No. I understand the rule, and I understand, of course, that I could not rise in the Senator's time and make the request unless I did it with his full acquiescence and consent. I thought the Senator was not especially anxious to go on this afternoon. If he is, of course I would not proffer the request.

MR. CUMMINS. As I said a moment ago, I did not make the objection, and I am not especially anxious to go on this afternoon. My colleague made the objection. He is now in his seat. I yield to the Senator from Missouri for the purpose of preferring the request.

THE PRESIDENT pro tempore. The Senator from Iowa yields the floor and the Senator from Missouri is recognized.

MR. REED. I wish to state to the Senator from Iowa who has just come in what I have already said in his absence. I have been examining the law with reference to certain phases of this bill. I have not been able to conclude that examination because I have been constantly occupied upon service on committees. I was engaged all this forenoon and will be engaged this afternoon upon the Banking and Currency Committee, where we have a matter pending demanding immediate attention. I wish to speak upon this bill. It is impossible for me to do so this afternoon. I have therefore asked that I be accorded the courtesy that is ordinarily accorded of allowing the bill to go over, and I have requested unanimous consent that the bill might be temporarily laid aside. I hope that will be granted.

THE PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the unfinished business may be temporarily laid aside. Is there objection?

MR. GALLINGER. Mr. President, I will offer the suggestion that perhaps some other Senator is ready to go on.

MR. REED. I have understood not.

MR. GALLINGER. We have had very little information from the other side of the Chamber as to why we should pass this bill. I presume the chairman of the committee knows the Senators who are to speak upon it. I apprehend that we are going to have some affirmative discussion from the other side of the Chamber. All we have heard up to the present time has been from the Senator from Iowa on this side of the Chamber.

MR. NEWLANDS. I was under the impression that the chairman of the committee had discussed the bill somewhat at length.

MR. GALLINGER. Is not this an opportune time? Is the chairman going to discuss it further?

MR. NEWLANDS. Not except in running debate.

MR. GALLINGER. I presume the chairman did discuss it in my absence, but this is said to be a bill of great importance, of mighty magnitude. It is revolutionary in one sense in its character for good or for bad, and we certainly ought to have a good deal of information given to us from the other side of the Chamber as to why we should pass it. Perhaps that information is held in reserve, but the summer is passing, the fences are out of repair, and the vegetable garden is getting ready to tempt us, and it seems to me that we ought to make a good deal of progress in considering this very important bill.

MR. POMERENE. The Senator certainly does not mean that suggestion to apply to New Hampshire fences.

Mr. GALLINGER. Oh, yes; the vegetable gardens are coming along in New Hampshire even to the extent of having green peas. Well, Mr. President, I will not object.

Mr. NEWLANDS. I will say as to this side of the Chamber that there is thus far no indication that anyone wishes to speak at length upon the bill. I presume there will be more or less current discussion as we proceed with the amendments, but not at any length, I am informed. So far as the Senator from Missouri [Mr. REED] is concerned, I am aware that he has made a very serious study of this question of late, particularly with reference to section 5. He is desirous of presenting his views to the Senate, and I have no doubt the Senate will profit by it.

Mr. GALLINGER. Let me ask this question: We all want to accommodate the Senator from Missouri. How would it do to lay this bill aside and take up the calendar of unobjection cases this afternoon? There are a couple of hundred bills on the calendar that Senators and our friends in the other House are interested in. That would be a good way to dispose of the afternoon. I will ask the Senator from North Carolina [Mr. SIMMONS] if that course would be agreeable to him?

Mr. REED. Mr. President, just one word, with the permission of the Senator who has the floor. Of course I had no idea of the Senate stopping business. I understand there is pending a very important river and harbor bill, and there is also a calendar. I assume the Senate will go on with its regular work. Therefore, whatever the Senate does, it would seem to me that this bill might well be laid aside temporarily. However, I have said all I care to submit.

Mr. GALLINGER. I do not object to the request, of course. I would not do that under any circumstances.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri?

Mr. KENYON. Mr. President—

Mr. BURTON. I may state that I should be entirely willing to go on with the discussion of the river and harbor bill for an hour or two hours, if it would in any way facilitate the business of the Senate. I had, of course, counted on occupying perhaps nearly all the morning hour. I desire to prepare my material carefully, and I am not sure that I have my facts and figures for more than two hours, possibly for not more than one hour. If it will facilitate the business of the Senate, however, I can proceed for a time.

Mr. GALLINGER. Has the bill been laid aside?

The PRESIDENT pro tempore. It has not. The question is on the request of the Senator from Missouri that the pending measure be temporarily laid aside. Is there objection?

Mr. KENYON. Mr. President, I had not thought to object to any request that the Senator from Missouri might make in this case. If it can be arranged and understood that the Senator from Ohio will go on, say, for an hour and then we will take up the calendar, it would seem to me a very fair proposition, and I would not object to something of that kind. Of course, the Senator from Ohio is not prepared to consume the entire day and to finish his argument, and he does not desire to do so. That would seem to be about as unfair as to object to accommodating the Senator from Missouri. I will ask the Senator from North Carolina if he will have any objection to the Senator from Ohio proceeding?

Mr. SIMMONS. I, of course, have no objections to the Senator from Ohio proceeding. I hope that he will proceed and be able to conclude this evening, and upon his conclusion I think the Senator from Mississippi desires to take the floor and also discuss the river and harbor bill.

Mr. KENYON. I am certain that it will be impossible for the Senator from Ohio to conclude this evening. He has not all his material here, but he is perfectly willing to go on for an hour or an hour and a half. If that can be done, I will make no objection. I think it is a fair proposition.

Mr. SIMMONS. I think the Senator from Ohio can probably go on for a longer time. The Senator from Ohio does not require very much data in making a speech.

Mr. SUTHERLAND. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Utah will state it.

Mr. SIMMONS. I think the Senator from Ohio is well prepared—

The PRESIDENT pro tempore. The Senator from Utah is recognized to submit a parliamentary inquiry. The Senator will state it.

Mr. SUTHERLAND. The inquiry I desire to submit is this: If the pending bill, which is the unfinished business, should be temporarily laid aside, could not a Senator at any time during

the afternoon call for the regular order, and would not that bring the unfinished business again before the Senate?

The PRESIDENT pro tempore. If the request of the Senator from Missouri is granted, the calendar under Rule VIII is in order. It may be followed by the motion of the Senator from North Carolina that the Senate proceed to the consideration of the river and harbor bill. If that motion is adopted, of course, a single objection would not displace its further consideration.

Mr. SUTHERLAND. No; but my inquiry was this: The unfinished business, which is the regular order—

The PRESIDENT pro tempore. Being out of the way, the calendar under Rule VIII is in order.

Mr. SUTHERLAND. But if it is temporarily laid aside, is it not in order at any time to demand the regular order, and when the regular order is demanded does not that bring up the unfinished business?

The PRESIDENT pro tempore. Under our precedents it would not. It would not come up again until 1 o'clock tomorrow. A mere demand for the regular order would be a demand for the consideration of the bills on the calendar under Rule VIII.

Mr. SIMMONS. That would be the case unless the river and harbor bill was called up.

The PRESIDENT pro tempore. There is nothing in the rule on this subject. The practice has been the other way.

Mr. BRANDEGEE. Mr. President, if the unfinished business is laid aside temporarily by unanimous consent, can a Senator demand the regular order the next minute and reinstate it?

The PRESIDENT pro tempore. The Chair rules he can not. Is there objection to the request of the Senator from Missouri [Mr. REED]? The Chair hears none, and it is so ordered. The calendar under Rule VIII is in order.

#### RIVER AND HARBOR APPROPRIATIONS.

Mr. SIMMONS. Mr. President, I move that the Senate proceed to the consideration of House bill 13811, the river and harbor bill.

Mr. GALLINGER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from New Hampshire suggests the absence of a quorum. The Secretary will call the roll.

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

Ashurst	Gallinger	Oliver	Smith, Ga.
Bankhead	Goff	Overman	Smith, Md.
Brady	Hollis	Page	Smoot
Brandegee	Hughes	Perkins	Sterling
Bristow	James	Pomerene	Sutherland
Burton	Kenyon	Ransdell	Thomas
Camden	Kern	Reed	Thornton
Catron	Lane	Shafroth	Vardaman
Chamberlain	Lee, Md.	Sheppard	Walsh
Chilton	Lewis	Shields	Warren
Clarke, Ark.	McCumber	Shively	West
Cummins	Martine, N. J.	Simmons	White
Fletcher	Newlands	Smith, Ariz.	Williams

The PRESIDENT pro tempore. Fifty-two Senators having answered to their names, a quorum of the Senate is present. The question is on the motion of the Senator from North Carolina [Mr. SIMMONS], that the Senate now proceed to the consideration of the river and harbor bill. [Putting the question.] The ayes seem to have it. The ayes have it, and the motion is agreed to.

Mr. KENYON. On that question I ask for the yeas and nays.

The PRESIDENT pro tempore. The Chair presumes that the Senator from Iowa was on his feet for the purpose of making that request before the announcement of the Chair. The Chair, therefore, will grant the request. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CATRON (when his name was called). I have a pair with the senior Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the Senator from Illinois [Mr. SHERMAN], who is absent on account of sickness in his family, and I vote "nay."

Mr. GALLINGER (when his name was called). I transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the junior Senator from Maine [Mr. BURLEIGH] and vote "nay."

Mr. GOFF (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLYMAN], and therefore withhold my vote. I desire to let this announcement stand for the day.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. Root], who is absent. I therefore withhold my vote.

Mr. WALSH (when his name was called). In the absence of the Senator from Rhode Island [Mr. LIPPITT], with whom I have a pair, I withhold my vote.

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENNOCK] to the junior Senator from South Carolina [Mr. SMITH], I vote "yea."

The roll call was concluded.

Mr. TOWNSEND (after having voted in the affirmative). I voted inadvertently. I am paired with the junior Senator from Arkansas [Mr. ROBINSON], but I will transfer that pair to the senior Senator from Washington [Mr. JONES], who is necessarily absent, and will allow my vote to stand.

Mr. SIMMONS (after having voted in the affirmative). I transfer my pair with the junior Senator from Minnesota [Mr. CLAPP] to the junior Senator from Illinois [Mr. LEWIS] and will let my vote stand.

Mr. CRAWFORD. I have a pair with the senior Senator from Tennessee [Mr. LEA], who is absent. I therefore withhold my vote.

Mr. SMITH of Georgia. I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. If my vote is necessary to make a quorum, I am at liberty to vote; but I also think, in view of our understanding, that on a measure such as this I could vote to take up a bill; but if my vote is not necessary to make a quorum I shall not now vote.

Mr. STONE. I have a general pair with the Senator from Wyoming [Mr. CLARK]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. JAMES. I have a general pair with the Senator from Massachusetts [Mr. WEEKS]. In his absence I withhold my vote.

The result was announced—yeas 38, nays 15, as follows:

YEAS—38.

Bankhead	Lane	Poindexter	Swanson
Bryan	Lee, Md.	Ransdell	Thompson
Camden	McCumber	Shafroth	Thornton
Chambers	Martin, Va.	Sheppard	Townsend
Clarke, Ark.	Martine, N. J.	Shields	Vardaman
Dillingham	Nelson	Shively	West
Fletcher	Newlands	Simmons	White
Hollis	Oliver	Smith, Ariz.	Williams
Hughes	Overman	Smith, Md.	
Kern	Perkins	Stone	

NAYS—15.

Ashurst	Bristow	Hitchcock	Smoot
Borah	Catron	Kenyon	Sutherland
Brady	Cummins	Norris	Warren
Brandegee	Gallinger	Page	

NOT VOTING—43.

Burleigh	Gore	Myers	Smith, Ga.
Burton	Gronna	O'Gorman	Smith, Mich.
Chilton	James	Owen	Smit, S. C.
Clapp	Johnson	Penrose	Stephenson
Clark, Wyo.	Jones	Pittman	Sterling
Colt	La Follette	Pomerene	Thomas
Crawford	Lee, Tenn.	Reed	Tillman
Culberson	Lewis	Robinson	Walsh
du Pont	Lippitt	Root	Weeks
Fall	Lodge	Salsbury	Works
Goff	McLean	Sherman	

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13811) making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BURTON. Mr. President, I have already made reference to the act of 1907. I will state briefly its distinctive features and then some of the items included in that measure. After stating the amount that I have already given, it is said:

The aggregate of appropriations and authorizations is larger than in any preceding river and harbor bill, although the act of June, 1896, contained a larger amount of authorizations. There are several distinctive features in this bill:

1. Provision is made for completion in a much larger proportion of the projects than in any preceding measure.

2. The total amount necessary to complete the unfinished improvements, which the committee regards as most important, is provided by appropriation or authorization if completion can reasonably be expected within four years from July 1, 1907. Also upon large projects, where the amount required to finish the work is necessarily indeterminate, such as in the three divisions of the Mississippi River, provision is made for an equal time.

That is for four years.

3. Now projects are not adopted unless provision is made for completion.

4. In the case of rivers and harbors of secondary importance a somewhat larger amount than in former acts is appropriated for a considerable number of the most promising improvements.

In providing for the completion of new projects a radical departure from former methods has been adopted by the committee. It has been thought best to undertake no new improvement unless the whole amount required for its completion, whether the project involves large or small expense, is appropriated or authorized. This policy has been followed with barely an exception.

At a later time I shall take up the references made by my friend the Senator from Louisiana [Mr. RANSDELL] and show that, with one or two exceptions, the eight provisions which he named were not exceptions to this rule.

It is believed that the advantages of such a method are sufficiently obvious. Assured results will be obtained at an early date by the completion of the improvement. More substantial benefit will be conferred by selecting the most deserving projects and avoiding the scattering of appropriations. The expense for each improvement will be very much diminished, because work can be more advantageously and economically prosecuted if the whole amount necessary to complete it is made available. It is also true as a practical fact that when the total expense is to be provided at one time more careful consideration will be given to a proposed improvement and the question of its adoption more intelligently considered. The rule has been followed that between two projects equally deserving it is better to complete one than to make partial appropriations for both.

Sixty-eight million seven hundred and seventeen thousand three hundred and ninety-eight dollars of the amounts included in the bill are for improvements of considerable magnitude already undertaken by the Government or for further improvements in connection therewith where increased traffic requires additional facilities.

The following is a list of appropriations and authorizations of this kind, in which a division is made into two classes—first, those aggregating \$1,000,000 or more; second, those aggregating \$200,000 or more, but less than \$1,000,000:

Before taking up these items, I should say, Mr. President, that in some instances, upon further examination, it was found that the estimates of the engineers had not been sufficient, though that fact did not usually develop for two or three years after the bill of 1907. It has been a source of honest pride to the Engineer Corps that, in making their estimates, sufficient amounts have been included, and that in very few instances, until within recent years, was it found necessary to expend more than was named in their computations. In the last five to seven years a considerable number of instances have developed in which the estimates have been found insufficient. I take it that is but a manifestation of increased prices; it is coincident with a notable increase in the cost of living; and these inadequate estimates are rather due to facts beyond the control of the engineers than to any error in their computations.

I wish now, Mr. President, to take up a list of some of these projects and ask where in any river and harbor bill a selection can be made that can compare in merit with the 1907 bill in the provision made for the whole country and every section of it?

First, harbor at Boston, 35-foot channel, to complete, cash appropriation of \$500,000; authorization under continuing contract \$3,804,000. This project had been adopted by the bill of 1902, and a very considerable amount of work was done upon it. It was thought necessary that the channel should have a depth of 35 feet, notwithstanding there is at that point a considerable tide, a greater tide than at New York. The tide at Boston is about 9 feet, but in view of the importance of the port—for it was then the second in the United States in its exports and imports—it was thought best to provide a channel of 35 feet depth and to press that to completion. Indeed, the wisdom of the committee has been confirmed in that respect, because there is a provision in this very bill for deepening the outer portion of the channel nearest the sea to 40 feet.

Second, harbor of New York, Ambrose Channel, to complete, \$1,148,510. That was a provision for the completion of a channel, the work upon which was undertaken under the bill of 1899. Slow progress was made at first, because there was no dredging equipment in the country adequate to dredge in channels of such considerable depth; but the Government of the United States built dredges to meet this situation. By reason of this fact there was a considerable amount of delay; but in the act of 1907 provision was made for the completion of the work. That channel is now finished and probably affords the finest entrance channel to a great port in the world. It is 40 feet deep, with a tide of 54 feet, and 2,000 feet wide. It replaces the old channel by which boats went down to Sandy Hook and then turned almost at right angles.

Third, Black Rock Harbor and channel, \$1,000,000 cash; \$1,000,000 continuing contract. That channel is an extension of the harbor facilities around Buffalo and affords facilities for a lake terminus for the proposed barge canal. It has been the policy of the Government to cooperate with the State of New York in the building of the barge canal. By a vote of the people of the State of New York in 1903 it was decided that this waterway should be undertaken and paid for by the issuance of bonds, I believe, under an obligation of the State of New York. The estimated cost was \$103,000,000. In view of this very large undertaking of the State, and that, too, in a type of project which in many States is appropriated for by the Federal Government, it seemed to the committee best to recommend a liberal policy. As an illustration of the same policy we have in the bill now before us a provision for improving the narrows of Lake Champlain, and in earlier bills we have made provisions

for improving the Hudson River at Waterford and below, the easterly terminus of the barge canal, and also this provision for Black Rock Harbor, which served the double purpose of additional harbor facilities and providing more conveniently for the western terminus of the proposed barge canal.

Delaware River, below Philadelphia, to complete, cash \$805,000; continuing contract, \$500,000. This was for a channel 30 feet in depth extending to the sea, which is reinforced by a tide of about 5½ feet. It is true that since the completion of this 30-foot channel the Government has undertaken to dig a 35-foot channel from Philadelphia to the sea, and we are making appropriations for that in the pending river and harbor bill; but the policy of the committee at that time was to provide deeper channels for harbors immediately abutting or fronting on bays or portions of the sea, than for harbors which must be reached by sailing through a river for a considerable distance, as is the case at Philadelphia. So a distinction of 5 feet was made between Philadelphia and Boston.

With the growth of the traffic of the port, however, it seems desirable, though at enormous expense, to deepen the Philadelphia channel in the Delaware River to 35 feet. It will probably, when completed, be the most expensive improvement of any on our list connected with a harbor of the United States.

Next is the Patapsco River and channel to Baltimore, to complete, \$500,000 cash; \$1,715,000 continuing contract.

So, out of the first five items of this bill it will be observed that we have made provision—and ample provision at that—for the whole expense of improving the four harbors of Boston, New York, Philadelphia, and Baltimore; and I may say that the plans recognized in this bill raised those harbors to a standard unsurpassed anywhere in the world.

The next is a very important item: Channel from deep water in Hampton Roads to Norfolk, \$282,000 cash, \$850,000 continuing contract. Here is another harbor, altogether the greatest in its tonnage in the South, though not equal in the value of its shipments to Galveston or, perhaps, New Orleans. Provision was made for the completion of the improvement under way there.

The next is Savannah Harbor, \$300,000 cash, \$700,000 continuing contract. That is a very important harbor. In years past next to New Orleans it was the great cotton-receiving port in the United States. I think at one time the amount of cotton received there was greater than at any other port. It ranks now behind Galveston. I am uncertain whether it is behind New Orleans or not; but it is, nevertheless, a port of great importance.

Next, the Black Warrior, Warrior, and Tombigbee Rivers, \$350,000 cash, \$1,842,000 continuing contract. This was to complete this project for locks and dams up to and beyond the city of Tuscaloosa, and now includes 17 locks and dams—the number was somewhat less than that when this bill was passed.

I have always regarded this improvement as a somewhat doubtful one. It was well under way before I became a member of the Rivers and Harbors Committee. The committee took the ground that if there were any stream or series of streams of comparative shallow depth which could be profitably improved by canalization, the Black Warrior, the Warrior, and the Tombigbee, affording access to the Gulf from the coal streams in the neighborhood of Birmingham, constituted such streams.

I am frank to say that when this appropriation was made I do not think the committee anticipated the total cost would amount to some \$10,000,000, though we did recognize that it would be very expensive. It was, as I have said, well under way when I became a member of that committee, and a very excellent showing was made on its behalf. The advantages of this route are that there is abundant coal in the headwaters of the Black Warrior and that at Mobile and all along the Gulf there is a great demand for coal, but no supply in near-by mines.

To illustrate the cost of coal on the Gulf I may say that a business acquaintance of mine having the management of a steamship line shipping products abroad some 10 years ago made a computation as to whether it was more profitable to buy coal at Galveston or to load at that point with only sufficient coal to furnish steam to Norfolk and there take on a sufficient quantity of coal to propel the ships to their destination in Europe, which, I believe, was Rotterdam. He made this computation with a great deal of care, and concluded that the expense of coal was so much more considerable at Galveston than at Norfolk that it was profitable to load only sufficient coal to propel the boat to Norfolk, and then buy coal there for the remainder of the journey.

It will be readily seen that if any coal supply can be made available to the Gulf it is very desirable to have access to it; and while I am not now oversanguine as to the success of this

improvement, while I do not believe it will pay the interest on the investment, I trust that its success may yet be attained. The official statistics up to date have been extremely discouraging, but I am informed that within the last year there has been a very large increase in shipments from the Black Warrior River.

In this connection I may say that it is not correct to base our calculations on the desirability of an improvement upon transportation facilities as they were 20 or even 10 years ago. In our country, especially, and in some degree in Europe, the advantages of the railroad and other means of overland transportation have been emphasized, while the method of transportation by water has not shown the same improvement and development. There has been little improvement in the models of the boats which carry traffic on the inland rivers, while, on the other hand, the railway car has increased in its average haul, and by the improvement of tracks and construction of larger locomotives, they can haul very much larger trainloads, as well as carloads, than formerly.

There is another factor in this situation which no one can overlook and which finds its best illustration in the United States. When a railway is constructed there is a certain fixed expense whether the traffic be large or small. To begin with, a right of way must be obtained. Then a track or tracks must be laid, and also switches to warehouses and to wharves. Next, there must be a certain force of officers and men. Those expenses are practically uniform, whether the traffic be a million tons or ten million tons; and in the development of railway traffic in the last 15 years there has been no factor more marked than the carriage of a larger share of coarse freight which it was formerly thought railroads could not haul profitably. They have their right of way; they have their tracks; they have their office force; they have their locomotives; they have their cars; and all that is necessary in order to multiply their traffic by adding coarse freight is an additional number of locomotives and an added number of cars and a somewhat increased number of employees; that is, men to man the cars and locomotives. For watching the track, and so forth, nothing additional is necessary.

This has led to the hauling of coal by railroads at very much lower rates than formerly and also to their undertaking the carriage of coarse freight, where formerly it was not regarded as at all desirable.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER (Mr. Smoot in the chair). Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. I do.

Mr. BORAH. This is a very important measure, and I think it ought to be discussed with more Members present. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Bankhead	Clarke, Ark.	Page	Stone
Borah	Crawford	Perkins	Sutherland
Brady	Fletcher	Sheppard	Thomas
Brandegee	Gallinger	Shields	Warren
Bryan	Hughes	Shively	West
Burton	Kenyon	Simmons	White
Camden	Lane	Smith, Ariz.	Williams
Catron	McCumber	Smith, Ga.	
Chamberlain	Martine, N. J.	Smoot	
Chilton	Oliver	Sterling	

Mr. CHILTON. I wish to announce, for the day, that the senior Senator from New Mexico [Mr. FALL] is necessarily absent from the Senate.

The PRESIDING OFFICER. Thirty-seven Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. CUMMINS, Mr. LEWIS, Mr. NEWLANDS, Mr. RANSDELL, Mr. SHAFROTH, Mr. SMITH of Maryland, Mr. SWANSON, Mr. THOMPSON, Mr. THORNTON, and Mr. VARDAMAN answered to their names when called.

Mr. SHAFROTH. I wish to announce that the members of the Banking and Currency Committee are in session upon business of the Senate. The Senators there consist of Senator HITCHCOCK, Senator POMERENE, Senator LEE of Maryland, Senator HOLLIS, Senator NELSON, and Senator CRAWFORD.

Mr. MARTIN of Virginia, Mr. OVERMAN, Mr. JAMES, and Mr. KERN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators having answered to the roll call, there is a quorum present. The Senator from Ohio will proceed.

Mr. BURTON. Mr. President, as showing the great increase in the capacity of railways for carrying freight which has developed contemporaneously with a lack of corresponding improve-

ment in river boats of shallow draft, I read some specimen freight rates from the Railway Gazette.

On June 18, 1909, the Pennsylvania Railroad hauled 94 gondola cars from Altoona to Harrisburg, 124 miles, with a load of 5,042 tons, an average load of 56.3 tons per car. The total weight of the train, including locomotive and cars, was 6,992 tons. In August, 1909, the Lake Shore & Michigan Southern Railway hauled 100 steel cars, loaded with 7,433 tons of iron ore, from Ashtabula, Ohio, to Youngstown, in the same State, a distance of 65 miles. This is an average load per car of 74.3 tons.

To revert to the question of these waterways, the improvement of the Warrior and Tombigbee Rivers, as I have stated, presents hopeful features—the possible development of coal traffic, and possibly also the transportation of iron and marble from the headwaters to the sea. There is one very encouraging feature in connection with this waterway, and that is that boats of comparatively shallow draft can pass from the mouth of Mobile Bay, by way of Mississippi Sound and the Passes in that neighborhood, to a canal which leads to the Mississippi, and thereby can carry coal and other freight to New Orleans. The great problem with most of these waterways is a return cargo. Oftentimes charges have to be fixed in accordance with the rate for carriage for only one way, while the traffic the other way is so trivial that it is hardly a factor in maintaining a transportation agency of this kind. It is hoped that some traffic may develop from New Orleans to Mobile on the return trip.

We regarded this at that time as a desirable improvement. And I sincerely hope that it may justify the expenditure made upon it. Nevertheless, I regard these canalized rivers as problematical rather than otherwise. The railways in that neighborhood are now carrying coal at a very low rate to New Orleans and points on the Gulf. There will be sharp competition between them. I think it may be said that some degree of benefit, at least, has been conferred by this potential competition, which has had a tendency to lower these railroad rates. The question remains open, however, as to which organ of transportation will in the future carry that coal, that iron, and other articles of commerce. Will it be the railway or railways, or will it be these canalized rivers? If we may judge by instances in other localities, the chances are very largely that the railways will carry it.

The next item in this bill was the Southwest Pass of the Mississippi River below New Orleans. One million dollars in cash and \$1,500,000 for continuing contracts were appropriated to complete the work. I think this amount, when expended, proved inadequate; but that was not the fault of the committee, nor of the estimates made by the engineers at that time. The sum reported as necessary to complete, two millions and a half, was according to the best judgment both of the engineers and of the committee in 1907.

That, again, is one of the most important channels in the United States. Formerly, under a plan devised and worked out by Mr. Eads, the means of communication between the deep water of the Mississippi River back from the Gulf and the Gulf itself, between which there is low land, was by the South Pass; but by an examination made, I believe, about the year 1900, it was concluded that the Southwest Pass would ultimately furnish the better route. Hence that was adopted in one of the river and harbor bills, perhaps in 1902, and it has been now practically completed, giving a channel 35 feet in depth from New Orleans to the sea.

The next is Galveston Harbor, for which an appropriation of \$300,000 in cash was made and a continuing contract or contracts for \$700,000 were authorized. This harbor, one of the most expensive in the United States to improve, ranking in cost with Philadelphia and the improvement of the Southwest and South Passes between New Orleans and the sea, has shown remarkable results in that it affords a gateway for the traffic north of the Gulf on the westerly side of the Mississippi River up as far as Nebraska, and to an extent even beyond that. I believe that at the present time the exports from this port are second only to those of New York in value; and the committee felt justified in making a generous appropriation for this harbor and pressing the improvements there rapidly, so that the facilities might be sufficient to meet the increasing demands of traffic.

The next is Cleveland Harbor, with \$223,000 cash and \$900,000 in continuing contracts. The aim of this was to improve this harbor to provide for the enormous traffic there, which now amounts to some 14,000,000 tons per annum, made up largely of coarse material, iron ore and coal, but also showing a very considerable traffic in timber and general merchandise. This improvement had been adopted in the year 1902, but the appro-

priation was not sufficient for its completion. The thought was that this would at least prosecute this improvement for four years, and perhaps complete it.

The next is Lock and Dam No. 26, Ohio River, \$265,000 cash and \$800,000 continuing contract. That lock and dam had been commenced and was under way. It has an important location, below the mouth of the Kanawha River, and there was this singular situation, to which I shall revert again later: While the Kanawha River had been canalized and improved with locks and dams to a depth of 6 feet, yet for long seasons of the year the depth of water in the Ohio below the mouth of that improvement was less than that in the canalized Kanawha; so that if coal barges were brought out from the coal mines, while they could readily find their way to the lower dam in the Kanawha River, they would find an insufficient depth in the Ohio River. There they were stopped. It was thought desirable to complete this dam, which is also in an important locality, below the city of Parkersburg.

The next is the St. Marys River at the Falls, "additional lock and duplicate canal, to complete." There were two locks there, but they had already become insufficient to handle the enormous traffic passing through the Soo, which, in the year 1913, reached, I believe, some 72,000,000 tons. It was foreseen that with the constant increase of traffic it would be at best but a few years before the two locks already there on the American side, joined with one on the Canadian side, would be entirely inadequate to meet the demands. Hence, the committee, noticing this great increase, and believing that this improvement ought to be finished as promptly as possible, instead of appropriating \$200,000 or \$500,000, as had been the custom, and as appears in some appropriations in this bill of 1914 for improvements of similar magnitude, provided for the whole sum at one time—\$1,200,000 in cash, and \$5,000,000 for continuing contracts.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. BURTON. I do.

Mr. BORAH. What is the particular project to which the Senator is now referring?

Mr. BURTON. A second canal and a third lock in St. Marys River, the connecting waterway between Lake Superior and Lake Huron. That is the locality through which the great bulk of the iron ore comes from the mines of Minnesota—those furnish the principal quantity—and from the mines of northern Wisconsin, destined for the furnaces in Ohio and in Pennsylvania, and also for the furnaces around the southerly end of Lake Michigan. While there are furnaces scattered around in other places, that constitutes the great consuming field—western Pennsylvania, west of the Alleghenies; northeastern Ohio; and around Gary, Calumet, and the southerly part of Lake Michigan.

The next appropriation is for the Detroit River, an alternative channel, "to complete." Here passes the greatest traffic in the world, marvelous in its quantity, boats passing sometimes on an average of one for every minute. The figures of the total traffic in each year are so large that I hardly dare give them. For the last year the estimate is 72,871,432 tons.

There was but one channel that was adequate, and the boats in going up and down were in constant danger of collision. It was thought desirable to have an alternative channel, so this appropriation was made, not of a partial amount, but of the whole amount required—an appropriation of \$2,000,000 and an authorization of \$4,670,950.

The next appropriation was for the Mississippi River, from the Head of Passes to the mouth of the Ohio River, \$3,000,000 cash and \$6,000,000 continuing contracts. The cost of this work is indeterminate. The policy was adopted of providing for four years, \$3,000,000 for the first year and \$2,000,000 for each of the succeeding years. This was commensurate with the appropriations which had been made up to that time, though in later years, and especially after the great flood of a few years ago, these appropriations have been increased.

Next, the Mississippi River between the Ohio and the Missouri, \$250,000 cash and \$750,000 continuing contracts.

Mr. President, I have addressed the Senate again and again on that stretch of river, but before this debate is finished, at the risk of reiteration, I feel that I must talk about it again. I regard that as one of the very worst blemishes on our river and harbor appropriations.

Mr. BORAH. Mr. President, what particular portion of the work on the Mississippi River does the Senator now refer to?

Mr. BURTON. That part of the Mississippi between the mouth of the Ohio and the mouth of the Missouri, about 206 miles in length.

Mr. KENYON. Mr. President, is the Senator going to give the amount that has been spent on that portion of the river?

Mr. BURTON. I have not done so, but I think I can give it in a moment.

Mr. KENYON. It runs over \$16,000,000, does it not?

Mr. BURTON. Yes.

Mr. BORAH. How much?

Mr. KENYON. Over \$16,000,000.

Mr. BURTON. The appropriations to date are \$16,894,900. Mr. BORAH. How long have the appropriations been going on?

Mr. BURTON. Oh, I think since before the Senator from Idaho was born; and the worst of it is that the estimate for obtaining a suitable channel was less in 1881 than it is now. I have those figures here, and since we have paused here I will advert to them.

Mr. NORRIS. The cost of living has gone up since then.

Mr. BURTON. Yes; but the cost of this channel went up before the cost of living went up.

Mr. NORRIS. That was probably one reason why the cost of living went up.

Mr. BURTON. If all the appropriations made by the Government and by States and municipalities were on this basis, the cost of living would go up still more.

Mr. KENYON. The commerce of this river has gone down about 80 per cent, has it not?

Mr. BURTON. Yes; I gave some figures on that point a few days ago, and I will repeat them. I will say that prior to the great exposition at St. Louis it was thought desirable to increase this appropriation somewhat, and there was a boom in traffic in the years 1903 and 1904, which, however, proved to be only a temporary spurt. When we came to consider this stretch of river in 1907 we thought \$250,000 a year was ample, full measure, running over; but for each of the last four years, and in this bill, too, \$1,000,000 has been carried for this stretch.

Now, let us see what are some of the results accruing from what we have done. Sixteen million eight hundred and ninety-four thousand nine hundred and ninety-nine dollars is the amount appropriated to date. In 1881 the amount estimated to make an 8-foot channel was a little over \$16,000,000. After this \$16,894,000 had been appropriated and most all of it spent, the estimate to obtain 8 feet and complete the work is \$17,250,000; and the worst of it—and that gives it a spic of humor, which no one who has been favoring this large appropriation seems to recognize—is that they are seeking 8 feet, but, barring just a few days in each year, they have had 8 feet for 8 or 10 years.

Mr. President, if I were to fail to criticize this improvement I should be lacking in my duty to the Senate. What justification is there for it? I repeat some figures given in my minority report on the pending bill. The traffic from St. Louis in 1880 was 1,038,000 tons, in 1900 but 245,800 tons, in 1911 but 191,965 tons. In the year 1871, 44 per cent of the shipments from the city of St. Louis were by river. In 1909 the proportion was one-half of 1 per cent. Thus, 43 years ago the proportion of shipments by the river was 88 times as large as it was in 1909. Yet we are going on solemnly appropriating a million dollars a year for that stretch of the river after the 8 feet has been obtained that we have been seeking for all those years.

I see they have a balance left on hand there, or did have when this memorandum was made out. June 30, 1913, they had a balance available of \$1,325,574. I do not wonder that they had that balance of \$1,325,000 left. Indeed, I do not see how they can spend a million a year on that stretch. Here at the end of that fiscal year, 1913, this very large amount was left as a balance in the Treasury.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. BURTON. Certainly.

Mr. THOMAS. I have had the impression, which the statement the Senator now makes seems to prove, that this appropriation was largely designed for the construction of levees.

Mr. BURTON. There is another appropriation for levees. Formerly the jurisdiction of the Mississippi River Commission extended only up to Cairo, but by an act passed in 1906 it was extended up to Cape Girardeau, because on the west side of the Missouri River the alluvial lands extend up to Cape Girardeau and there is every reason why the jurisdiction of the Mississippi River Commission should reach to that point.

I do not know what this is for. I fancy that to some extent it is for putting in revetment along on the banks of the river there, but it seems to me we are forcing money on them against their will at the rate of a million dollars a year before we are sure that they will need it or can even use it.

I wish to give some further statistics prepared by the Merchants' Exchange. They prepare the most careful statistics gathered in the country, showing how utterly trivial is the traffic carried.

Mr. BORAH. Mr. President—

Mr. BURTON. Excuse me for just one minute. There is just one item in which there has been something of a revival within the last two years. I do not know exactly how long ago it began, but perhaps three or four years ago. There is a kind of coal around Pittsburgh especially suitable for making gas. I do not know whether the gas works are private or whether they belong to the city of St. Louis, but the managers of it regard that coal as the best available, and so each year they have been shipping between perhaps one and two hundred thousand tons. If it were not for that coal there would be practically nothing of substantial importance left of the traffic. I yield to the Senator from Idaho.

Mr. BORAH. I wish to ask the Senator what showing was made before the committee to get that kind of an appropriation?

Mr. BURTON. I do not know. That was put in the river and harbor bill in the House. I think the engineers recommend \$1,000,000.

Mr. BORAH. Who are the engineers?

Mr. BURTON. I do not know the engineer at that particular place, but I refer to the Corps of Engineers.

They can spend money protecting the banks along there, putting in revetments, and putting in hurdles, and all that sort of thing; but it seems to me they have gained all that is deserved when they have 8 feet, and that, too, with such a trivial traffic there.

Mr. RANSDELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Louisiana?

Mr. BURTON. Certainly.

Mr. RANSDELL. I think I might help the Senator by a suggestion. If I understand correctly, this project was adopted in 1910 on the recommendation of the Engineer Corps. We have been trying to carry it on the river and harbor bill since, and in accordance with the advice of the Engineer Corps of the Army.

Mr. BURTON. Mr. President, I am exceedingly loath to criticize the engineers. They have been among the best friends I have ever had. I have associated with them; I have been with them on their trips. In the old days they were ready to accept suggestions from me in regard to these improvements; but I must say I think it is time, in the most friendly spirit, to look over these river and harbor bills and see whether all their recommendations are such as the United States ought to appropriate money for carrying out.

As I said, they are not so much to blame. They have an idea that these wild schemes are approved by the country. They have sometimes reported against a project and then Congress has sent an intimation in a resolution or statute in effect saying, "We are in favor of the project; we overrule you." You can imagine what men who were the executive officers of the Government would think as to what they ought to do after a few prods of that kind.

But, with a feeling of the utmost friendliness, before I get through I must take up some of the projects they have recommended and ask the Senate to consider whether there was any rational basis for them.

Mr. BORAH. The Senator says that when the engineers have recommended that a project be discontinued, they have been corrected by Congress?

Mr. BURTON. When they have reported against a project.

Mr. BORAH. Has Congress any information on which it recommended the appropriation?

Mr. BURTON. In the old days we used to turn down a good share of those which were favorably reported. I do not know whether they do now or not, but I think that at least they do not to the same extent.

I want to say a few words on another matter, now that we are on that subject, and I do not know but what this custom of varying somewhat from the thread of my argument is not, after all, the best. Whenever there is a fault in the men we have as officials in city and State, the fault is usually with the people themselves, because their ideals are not high or they are asleep. So the fault in this matter here is with Congress, and then with the force that is behind Congress demanding these river improvements. You have men who want to have lands drained, and they come here and tell us what a great benefit it would be to navigation if some canal or channel was dug through the broad acres that they possess.

Mr. KENYON. Mr. President—

Mr. BURTON. Excuse me just a moment. We have been ordering surveys by the hundred. It used to seem necessary to the House committee in the days when I belonged to it to shear out a good many of these surveys. When the proposition came in we looked to see if the proposed channel or harbor had been surveyed within six or eight years. If it had and if there had been an adverse report, we decided that it had better wait. If upon examining the map it seemed to be an unpromising project, we said, "No." But of late it has been the custom just to say, "Come on, Members of the House; come on, Members of the Senate, anybody who wants a survey may have it included in this bill." This multiplication of surveys is a fruitful source of evil.

To begin with, it is impossible to examine all this multitude of projects and do it as thoroughly as was the case when there was a smaller number of them. I think I am not mistaken when I say that when the bill was passed every two or three years instead of annually we did not have as many surveys, such as Big Muddy Creek and Little Muddy Creek, and all that sort of thing, as we have now. Then, with all those to report upon, the engineers are entangled; they are confused. How do they know just what Congress wants? Of course, when an executive officer is directed to do anything he proceeds on the theory that every force which has been at work, every statute under which he is to act, is rational. He does not stop to inquire how all this great list of surveys was inserted in the bill. It has been stated here occasionally in the four years past that in the next bill all these surveys will have been exhausted; that there will not be any more rivers or creeks to survey; but with every new bill there is a new crop that comes along with other directions for resurveys.

Mr. KENYON. Generally, is the fault the lack of water or is it lack of navigability. Is it the aim of some to carry a channel on the side of a mountain or some other place where the scheme is absurd?

Mr. BORAH. Does the Senator say there has been about sixteen or seventeen million dollars spent upon this particular part of the river?

Mr. BURTON. That amount has not been quite spent yet.

Mr. BORAH. If appropriated it will be spent.

Mr. BURTON. From the 30th of last June they have had a chance to spend it.

Mr. BORAH. The Senator is so familiar with the subject I should like to know what, in the opinion of the Senator, has been the benefit to the country or the benefit generally to commerce or to business of the expenditure of the sixteen or seventeen million dollars. How much worse off would we be if we were now making the first appropriation?

Mr. BURTON. Well, I do not know. Of course that question does not altogether square itself with the facts. That channel was at one time very much used. St. Louis was a great haven for boats. I may say, if the Senator from Idaho or anyone else is interested in reading upon the subject, he will find the very best treatment of the decadence of the Mississippi River traffic in a place where he would little expect to find it, and that is in Mark Twain's *Life on the Mississippi River*. Mark Twain had been a pilot on the Mississippi River, and he gives a quasi-humorous account of the declining commerce there, concluding by saying, "alas, for the woodyard man," who did not longer have a chance to sell his wood to boats. He points out how formerly the whole levee was lined with boats, but then they had almost disappeared. I sought to give some reasons for this a few days ago. The cause of it is the development of traffic routes by rail east and west and the general growth of other agencies of transportation.

Mr. RANSDELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Louisiana?

Mr. BURTON. Certainly.

Mr. RANSDELL. May I ask the Senator a question in connection with what he said about the surveys? I have before me a report showing the number of surveys in these bills. I should like to read it at this time. In the act of 1902 there were 170 surveys ordered; in the act of 1905, 176; in the act of 1906, which was not a regular river and harbor bill, there seems to have been but 1 survey ordered; in the act of 1907, which the Senator praises so highly, and I believe justly—and it was a magnificent bill—there were 200 surveys ordered; in the act of 1909—the last one, I think, prepared under the Senator's chairmanship—

Mr. BURTON. It was prepared under my chairmanship, but I did not have very much to do with it.

Mr. RANSDELL. There were 274 surveys ordered.

Mr. BURTON. But I did not have much to do with framing it. The aim certainly was to include everything and make an end of surveys.

Mr. RANSDELL. The Senator was generally pretty active when he was chairman.

Mr. BURTON. I will stand for it. That is all right.

Mr. RANSDELL. I was sure the Senator would.

In the act of 1910 there were 187 surveys; in the act of 1911, 90 surveys; in the act of 1912, 226 surveys; in the act of 1913, 122 surveys; and this bill carries 186 surveys. So you see it is not so very much worse than others. It does not carry as many as the act of 1907, which carried 200, and nothing like as many as the act of 1909, which carried 274.

Mr. BURTON. I rather think it is because those bills of 1905 and 1907 carried the accumulations, respectively, of three and two years. I am free to admit that the bill of 1909 was prepared with the same removal of the brakes and that more were put in at that time. I did not exercise that supervision that I had in bills preceding that time. I really would like to have that list.

Mr. RANSDELL. I will be very glad to give it to the Senator. I wish to ask the Senator if it is not a fact that the surveys in the period of 1907 and 1909 were really as a rule a great deal more pretentious and important than the surveys made now, and if a good many of the surveys carried in the pending bill are not for the purpose of producing some slight modification of an already existing project?

Mr. BURTON. To an extent that is true, because naturally the surveys would exhaust the larger projects—the harbors, bays, and larger rivers. But that is being made up in these bills by putting on additional appropriations for the old ones. So there is not very much gain.

It will appear that the act of 1902, which was after an interval of three years, and the act of 1905, again after an interval of three years, did not have as many surveys as the act of 1910. The act of 1902 had 170. The act of 1905, three years later, had 176. The act of 1910 had 187 and the act of 1912 had 226. I do not know how many there are in this bill. There are a good many, but I have not counted them.

Mr. BRADY. What is the book and page from which the Senator quotes?

Mr. BURTON. That is the engineer's reports for 1913, volume 1, page 1419. It will perhaps be better to take the page if the Senator desires to look at it. It is on page 1419. It may in another binding be found in the second volume. I am obliged to the Senator from Louisiana.

Mr. GALLINGER. Mr. President, if the Senator will permit me, it is safe to assume that the number of the items in this bill relating to surveys will be greatly increased after the Senators have had an opportunity to offer amendments from the floor. I think the Senator will admit that. It always happens so.

Mr. BURTON. Yes; but in the framing of a bill deliberately and carefully there ought to be no amendments adding surveys on the floor. It was found necessary by the Rivers and Harbors Committee years ago to make another rule that seemed severe, but which, however, I think might have been followed with good results. It was to consider no engineer's report that came in after, say, the 1st of January, so that if any reports came in after that we would not consider them.

Here we consider reports for new projects when the document is still almost wet off the press, when there is no map with it, when it is impossible to give to the project thorough consideration. Representatives and Senators rush up to the board of review the very week, almost the very day, before a bill is to be reported and say in red-hot haste, "Get out that report for us." Then it comes up here and it can not be carefully considered.

I do maintain that the old way, though it had some degree of severity, fixing a time beyond which reports could not be considered, say two or three months before the bill was brought into the House, was much better.

Mr. RANSDELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Louisiana?

Mr. BURTON. Certainly.

Mr. RANSDELL. I ask the Senator if that was not an arbitrary rule, which was probably founded upon the fact that we were having bills then every three years and there was a greater length of time in which the engineers could prepare and make their reports on surveys ordered three years prior to the passage of the succeeding act?

Mr. BURTON. The Members whose plans were kept back said it was an arbitrary rule, but I really think it was a pretty good one.

Mr. RANSDELL. Did not the engineers have three years in which to prepare their reports in that instance, and do they not have much less time now? For instance, the last bill was just before the 4th of March, 1913, and they had but a few months in which to get their reports ready.

Let me call your attention to one of the most meritorious projects in the present bill—that for the improvement of Boston Harbor, which I know the Senator sanctioned heartily. We got the report just a day or two, if I recall it, before we prepared that bill, but it was so meritorious there was no dissenting voice.

Mr. BURTON. It was long before that.

Mr. RANSDELL. It was a very few days before. I do not remember exactly the time. If we had adopted an arbitrary rule we could not have gotten that appropriation in.

Mr. BURTON. Nevertheless, it is well not to make exceptions. If you had a general rule there, the probability is the report would have been in sooner, and, on the other hand, the insertion of that which is, I have no doubt, a desirable improvement might lead to the introduction of half a dozen others that were only insufficiently considered and were undesirable.

The next item here is the Mississippi River between the Missouri River and Minneapolis, \$500,000 cash and \$1,500,000 continuing contract.

Mr. President, I have been regarded as friendly to that improvement. When a Representative or Senator has responsibilities in regard to these appropriations, he ought not to be a friend to any project. His duty is to help in framing a good bill and to look out for the interests of the whole country; but I will say I have thought there were possibilities in that upper portion of the Mississippi River. There was at one time very considerable traffic there, but in the year 1907 we thought it was sufficient to appropriate \$500,000 cash per year.

I think I have the figures of that traffic near at hand. The last year it was 1,830,000 tons, not more than one-third of what it was back in the eighties. The average haul on that stretch of 658 miles was 31.6 miles, and I must submit that a million and a half dollars a year for that stretch of river is too high. That has been the amount appropriated for some years, and yet the traffic has been very gradually diminishing, due in some considerable degree to the fact that formerly logs constituted the larger part of the traffic and that the supply of standing timber has diminished.

But there is another feature here to which I will later call attention in detail. The average haul is not a twentieth part of the navigable length of the river. That is a most surprising feature. Indeed, as the reports used to come to us, there would be, say, 1,830,000 tons on the Mississippi River above the mouth of the Missouri, and I suppose everyone in reading that would think that the freight, or a good share of it, was hauled from St. Paul to St. Louis, or at least from Davenport to St. Louis, or from Burlington to Winona or some other point; but, really, when they come to give ton mileage, it appears that the total ton mileage on the whole river is about 55,000,000, or 31.6 times the number of tons. What does that show? That they haul their freight on short routes, as from Keokuk to Burlington, or perhaps from some place which has no railroad facilities. They haul the freight to the first point where there is a railroad crossing the river. So far as through traffic is concerned, traffic which is distinctly national in its scope, or at least interstate, the quantity has diminished, and it is practically vanishing.

Here is the Arkansas River, with something over 400 miles of length. The average haul on that river is only 34 miles. In the old days freight used to be carried down from St. Louis to New Orleans in great quantities. Until about 10 years ago grain used to be shipped in barges from St. Louis to New Orleans. I think it is a considerable time since any grain has been shipped between those places.

Here is the city of Memphis. That is another illustration of the extent to which traffic on the Mississippi River is local. Formerly cotton used to be carried down to New Orleans by boat, but now I do not believe there is a single bale carried from Memphis to New Orleans by boat. The river is divided into two sections between the two cities, Memphis to Vicksburg and Vicksburg to New Orleans. A great deal of cotton is picked up at local landings in those two stretches and carried to some market, but there is none carried through from Memphis to New Orleans. Indeed a prominent official of the Government who has contributed as valuable statistics as anyone to the solution of this problem and who is himself friendly to the improvement of waterways to a reasonable degree, stated before the Inland Waterways Commission that in 1906 he was at Memphis and there was then a surplus cotton crop which filled all the warehouses. The bales were even crowding the

streets, and it was almost impossible to take them all away; but not a bale went down by river.

In the following year, 1907, President Roosevelt visited Memphis and with a great deal of enthusiasm he with his strong arms bound a bale of cotton. Traffic was to be restored. That was the first one to be taken down the Mississippi River to New Orleans. The statistics do not show that even that bale was ever taken from Memphis to New Orleans, because in a list of commodities from Memphis carried past Vicksburg there is not a single bale, and if that did go down probably it was the only one. I suppose, of course, as an object lesson that found its way along the river by Vicksburg and Baton Rouge down to New Orleans, but no figures are furnished to show that it ever did.

Now, the next one on this list of projects of more than a million is the mouth of the Columbia River, Wash. and Oreg., to complete, \$750,000 cash, \$1,700,000 continuing contract.

I regret to say that this estimate, which was before us, furnished by the engineers at that time, has proven insufficient for the completion of that very important work at the mouth of the Columbia. The amount appropriated and authorized was for the south jetty. The Columbia is the second river in the volume of its waters in the United States; it drains a very fertile region, especially rich in wheat and in timber; but the treatment of the mouth, providing access from the sea to the river and vice versa, has been exceedingly difficult, so that it is now estimated, after a lapse of years and the expenditure of a great deal of money, that \$5,100,000 will be required to complete. It was not, however, the fault of the committee, because we appropriated and authorized at that time all that was thought to be necessary.

Mr. KENYON. Mr. President, will the Senator from Ohio yield a moment?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Certainly.

Mr. KENYON. It seems to me that during the discussion of this item the Senators from Oregon and Washington would desire to be present. So I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Hollis	Nelson	Smith, Md.
Borah	James	Norris	Smoot
Brady	Jones	Overman	Swanson
Bryan	Kenyon	Page	Thomas
Burton	Kern	Perkins	Thornton
Chamberlain	Lane	Pomerene	Vardaman
Chilton	Lee, Md.	Randsell	West
Crawford	Lewis	Reed	White
Cummins	McCumber	Shafroth	Williams
Fletcher	Martin, Va.	Sheppard	Works
Gallinger	Martine, N. J.	Simmons	

The PRESIDING OFFICER. Forty-three Senators have answered to their names. A quorum is not present. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. CAMDEN and Mr. SMITH of Georgia answered to their names.

Mr. STONE, Mr. HITCHCOCK, and Mr. NEWLANDS entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is not a quorum present.

Mr. KERN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

Mr. JOHNSON entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present. The order directing the Sergeant at Arms will, by unanimous consent, be vacated. The Senator from Ohio will proceed.

Mr. BURTON. Mr. President, I was dwelling upon the last item of much importance in the bill of 1907—the appropriation for the mouth of the Columbia River, Wash. and Oreg. The appropriation of \$750,000 made in that bill and the appropriation of \$1,700,000 it was thought would complete the improvement; for that was the engineer's estimate at that time. But later estimates have shown that the improvement could not be accomplished with those amounts. So, as I said a moment ago, though not in the hearing of the Senators from that locality, it is now estimated that \$5,100,000 will be required to complete the work. It goes without saying that that is one of the most difficult channels in the United States. Our friend, whom we all so highly respect, the Senator from California [Mr. PERKINS], in his practical experience in the sailing of boats has, I believe, been twice shipwrecked or stranded at the mouth

of that river. The improvement is one of the most difficult in the world.

Mr. CHAMBERLAIN. May I interrupt the Senator from Ohio for a moment?

Mr. BURTON. Certainly.

Mr. CHAMBERLAIN. The appropriation bill for 1907, the Senator recognizes, was for the south jetty, and that has been completed.

Mr. BURTON. Yes.

Mr. CHAMBERLAIN. It has been eventually completed; but the appropriation in the present bill has reference entirely to the north jetty. I do not know that the Senator from Ohio knows that.

Mr. BURTON. I do not know but that fact had escaped my attention.

Mr. CHAMBERLAIN. It is a fact.

Mr. BURTON. This improvement of the south jetty was completed for the amount provided in the bill of 1907, was it not?

Mr. CHAMBERLAIN. It drifted along a good many years until it was put on a continuing-contract basis and then it was finally completed.

Mr. BURTON. It was in 1907 that it was put on that basis.

Mr. CHAMBERLAIN. One reason why it cost more than was contemplated was because the rule which the Senator advocates had not been adopted; that is, appropriations were then made piecemeal. When the appropriation was exhausted, the jetty works would be washed out, and until it was put on a continuing-contract basis it was almost impossible to get the work completed within any reasonable appropriation.

Mr. BURTON. But, Mr. President, not to return at any length to the subject of the policy of making partial appropriations as a business method, I wish to say there can be no justification for such an appropriation as that was. The part of a jetty or a breakwater which is made by an appropriation of a small part of the amount necessary to complete is likely to be absolutely destroyed, and then you must begin again and build it over entirely. A still further fact is that it is necessary for such a work to assemble a plant and equipment on a very large scale, and unless you have this large plant and equipment it is impossible to do work economically.

There is a second class of appropriations contained in the bill of 1907 for improvements already under way aggregating \$200,000 or more, but less than a million dollars. I do not care to read these through, but as there are those who may be interested in this report I would like to have it printed in the RECORD again, and I ask leave to have it inserted in my remarks. I ascribe such value to it as a guide in river and harbor appropriations that I think it would be useful.

The VICE PRESIDENT. The Chair hears no objection, and it is so ordered.

The report referred to is as follows:

#### RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON, of Ohio, from the Committee on Rivers and Harbors, submitted the following report, to accompany H. R. 24991:

The Committee on Rivers and Harbors, having had under consideration House bill 24991, files the same and respectfully reports thereon, recommending that the bill do pass.

The measure carries in cash appropriations \$35,181,612 and in authorizations for expenditures under continuing contract appropriations which may hereafter be made a further sum of \$48,634,526.

The following statement gives the amounts of appropriations and authorizations in recent river and harbor bills:

Year.	Cash.	Authorized.	Total.
1896.	\$12,659,550.00	\$59,616,404.91	\$72,275,954.91
1899.	16,091,841.94	23,866,324.13	39,958,166.07
1902.	26,771,142.00	38,336,160.00	65,107,002.00
1905.	18,181,375.41	17,184,657.63	35,366,533.04
1907 (as reported by Committee on Rivers and Harbors).	35,181,612.00	48,634,526.00	83,816,138.00

The aggregate of appropriations and authorizations is larger than in any preceding river and harbor bill, although the act of June, 1896 contained a larger amount of authorizations. There are several distinctive features in this bill:

1. Provision is made for completion in a much larger proportion of the projects than in any preceding measure.

2. The total amount necessary to complete the unfinished improvements, which the committee regards as most important, is provided by appropriation or authorization if completion can reasonably be expected within four years from July 1, 1907. Also upon large projects, where the amount required to finish the work is necessarily indeterminate, such as in the three divisions of the Mississippi River, provision is made for an equal time.

3. New projects are not adopted unless provision is made for completion.

4. In the case of rivers and harbors of secondary importance a somewhat larger amount than in former acts is appropriated for a considerable number of the most promising improvements.

In providing for the completion of new projects a radical departure from former methods has been adopted by the committee. It has been thought best to undertake no new improvement unless the whole amount

required for its completion, whether the project involves large or small expense, is appropriated or authorized. This policy has been followed with barely an exception. It is believed that the advantages of such a method are sufficiently obvious. Assured results will be obtained at an early date by the completion of the improvement. More substantial benefit will be conferred by selecting the most deserving projects and avoiding the scattering of appropriations. The expense for each improvement will be very much diminished, because work can be more advantageously and economically prosecuted if the whole amount necessary to complete is made available. It is also true as a practical fact that when the total expense is to be provided at one time more careful consideration will be given to a proposed improvement and the question of its adoption more intelligently considered. The rule has been followed that between two projects equally deserving it is better to complete one than to make partial appropriations for both.

Sixty-eight million seven hundred and seventeen thousand three hundred and ninety-eight dollars of the amounts included in the bill are for improvements of considerable magnitude already undertaken by the Government or for further improvements in connection therewith, where increased traffic requires additional facilities.

The following is a list of appropriations and authorizations of this kind in which a division is made into two classes: First, those aggregating \$1,000,000 or more; second, those aggregating \$200,000 or more, but less than \$1,000,000:

#### First class—\$1,000,000 or more.

	Cash.	Authorization continuing contract.
Harbor at Boston, 35-foot channel (to complete).	\$500,000	\$3,894,000
Harbor of New York, Ambrose Channel (to complete).	1,000,000	1,148,510
Black Rock Harbor and Channel.	895,000	1,000,000
Delaware River below Philadelphia (to complete).	500,000	500,000
Patapsco River and channel to Baltimore (to complete).	282,000	1,715,000
Channel from deep water in Hampton Roads to Norfolk.	350,000	850,000
Savannah Harbor.	350,000	700,000
Black Warrior, Warrior, and Tombigbee Rivers.	350,000	1,812,000
Southwest Pass, Mississippi River, below New Orleans (to complete).	1,000,000	1,500,000
Galveston Harbor.	300,000	700,000
Cleveland Harbor.	224,000	900,000
Lock and Dam No. 26, Ohio River (to complete).	265,000	800,000
Ohio River, general improvement and completing unfinished work on locks and dams.	1,458,906	1,500,000
St. Marys River at the Falls, additional lock and duplicate canal (to complete).	1,200,000	5,000,000
Detroit River, alternative channel (to complete).	2,600,000	4,070,950
Mississippi, from Head of Passes to mouth of Ohio River.	3,000,000	6,000,000
Mississippi River, between Ohio and Missouri Rivers.	250,000	750,000
Mississippi River, between the Missouri River and Minneapolis.	500,000	1,500,000
Mouth of Columbia River, Wash. and Oreg. (to complete).	750,244	1,700,000
Total.	14,774,210	36,670,460

Total of appropriations and authorizations, \$51,444,670.

#### Second class—Appropriations and authorizations aggregating \$200,000 or more, but less than \$1,000,000.

	Cash.	Authorization continuing contract.
Massachusetts:		
New Bedford.	\$100,000	\$200,000
Sandy Bay, harbor of refuge.	100,000	100,000
Rhode Island: Newport (to complete).	85,000	163,900
Connecticut:		
New Haven breakwater.	100,000	170,000
Bridgeport Harbor (to complete).	113,000	350,000
New York:		
Oswego Harbor.	100,000	100,000
East River and Half Gate.	250,000	—
Hudson River.	250,000	—
Buffalo Harbor.	583,138	—
New Jersey: Newark Bay and Passaic River to Newark.	200,000	650,000
Pennsylvania:		
Monongahela River, Dam No. 5 (to complete).	256,042	500,000
Allegheny River, dam at Springdale, repairs (to complete).	200,000	—
Washington, D. C.: Potomac River at Washington.	238,000	—
North Carolina: Cape Fear River at and below Wilmington.	165,000	250,000
Georgia: Brunswick Harbor (to complete).	146,050	350,000
Florida:		
Biscayne Bay (conditional—to complete).	100,000	148,000
Key West.	200,000	—
Alabama:		
Mobile.	200,000	360,000
Alabama River.	200,000	—
Mississippi: Pascagoula River.	200,000	—
Louisiana: Red River, Louisiana, Arkansas, Texas, and Oklahoma.	250,000	—
Texas:		
Sabine Pass.	100,000	200,000
Aransas Pass and Bay.	200,000	290,000
Galveston ship channel and Buffalo Bayou.	200,000	200,000
Brazos River, from Old Washington to Waco.	75,000	150,000
Trinity River.	75,000	300,000
Arkansas: Ouachita and Black Rivers, Arkansas and Louisiana.	140,780	200,000
Tennessee:		
Cumberland River, Tennessee and Kentucky above Nashville (to complete part recommended).	150,000	400,000
Tennessee River, Chattanooga, Tenn., to Riverton, Ala.	467,970	213,000
Kentucky: Kentucky River.	100,000	420,000

Second class—Appropriations and authorizations aggregating \$200,000 or more, but less than \$1,000,000—Continued.

	Cash.	Authoriza-tion continu-ing contract.
Michigan:		
Ludington Harbor (to complete).....	\$100,000	\$739,087
Detroit River (old project).....	150,000	150,000
Wisconsin:		
Milwaukee Harbor (to complete).....	200,000	392,000
Manitowoc Harbor (to complete).....	100,000	276,000
Minnesota: Duluth, Minn., and Superior, Wis.	525,000	
Illinois: Chicago Harbor (to complete).....	250,000	
Oregon:		
Osage River (to complete).....	78,000	160,000
Missouri River (general improvement).....	300,000	
California:		
San Luis Obispo Harbor (to complete).....	63,660	200,000
Oakland Harbor (to complete).....	68,203	300,000
Washington: Grays Harbor and Bar entrance.....	200,000	400,000
Hawaiian Islands: Honolulu Harbor.....	200,000	200,000
Total.....	8,260,741	9,011,987

Total of appropriations and authorizations, \$17,272,728.

Total of appropriations and authorizations, pending improvements, \$200,000 to \$1,000,000, inclusive..... \$17,272,728

Add total of appropriations or authorizations for pending improvements in amounts of \$1,000,000 or more..... 51,444,670

Total..... 68,717,398

The following is a list of appropriations made for improvements which may be designated as new projects, although some of them are closely connected with or extensions of projects already adopted. For all of these an amount sufficient for completion has been appropriated or authorized:

Project.	Appropriations, cash.	Expenditures, authorized, continuing contracts.
Maine:		
Cape Porpoise Harbor.....	\$46,000	
Penobscot River.....	130,000	
Kennebec River.....	75,000	\$200,000
Massachusetts:		
Beverly.....	38,500	
Dorchester Bay and Neponset River.....	125,233	
Connecticut: Norwalk and East and South Norwalk.....	63,500	
New York: Coney Island Channel.....	188,300	
New Jersey:		
Cold Spring Inlet, Cape May.....	311,000	900,000
Perrig Bar, Delaware River, between Trenton and Bordentown.....	50,000	
Salem River.....	29,000	
Cohansey River.....	55,800	
Delaware:		
Broadkill River.....	33,330	
Maryland: Crisfield Harbor.....	37,707	
North Carolina: Meherrin River from the mouth thereof to the town of Murfreesboro.....	6,000	
Florida:		
Fernandina.....	115,000	
Withlacoochee River.....	65,400	150,000
Alabama: Conecuh River.....	31,000	
Mississippi:		
Wolf and Jordan Rivers.....	30,000	
Big Sunflower.....	100,000	
Louisiana: Inland waterway.....	89,292	200,000
Texas:		
Intercoastal waterway.....	133,829	300,000
Sulphur River.....	36,000	
Tennessee: Caney Fork River.....	3,000	
Wisconsin: Two Rivers Harbor.....	90,000	
Alaska: St. Michael Canal.....	98,000	150,000
Hawaiian Islands: Hilo Harbor.....	200,000	200,000
Porto Rico: San Juan.....	157,500	600,000
Total.....	2,338,391	2,700,000

Total new projects, \$5,038,391.

#### SUMMARY.

Total appropriations and authorizations for existing projects in amounts of \$200,000 or more..... \$68,717,398  
Total appropriations and authorizations for new projects..... 5,038,391

Total..... 73,755,789

The balance of \$10,060,349 is made up of a variety of items, including \$300,000, the usual appropriation for examinations and surveys; an emergency fund of \$300,000; an appropriation of \$190,000, part of which is conditional, for the survey of a deep waterway from St. Louis to the Gulf. This balance also includes appropriations for the maintenance and extension of various rivers and harbors, the amounts for which are not included in the above lists, including approximately 300 projects already under improvement, and upon which appropriations have heretofore been made.

In the discussion of the river and harbor bill of 1902 attention was called to a popular misapprehension to the effect that a very large amount of money was appropriated for rivers and creeks of trivial importance, and it was shown that the total amount appropriated in the act of that year for streams having tonnage of less than 100,000 tons, or a traffic of a value less than \$1,000,000, was \$417,000.

It is impossible to make an accurate comparison of such appropriations in the act of 1902 with those recommended in this bill. Some streams on which no considerable traffic has yet developed are appropriated for, with the expectation that traffic may follow the improvement of these channels. The actual appropriations for the smaller streams already under improvement in which no considerable additions are contemplated are, however, approximately the same as in the bill of 1902, or somewhat less than half a million dollars.

In many instances a comparison shows that the traffic upon this class of streams has greatly increased since 1902, while in other cases the amount has remained stationary or even diminished.

While doubts have been expressed of the propriety of improving waterways of mere local importance at national expense, it must be conceded that if there is a comparison between appropriations and benefits the provision made for many of them is as beneficial as any appropriations in the bill. In this list may be included, with the amount or value of traffic and the amount herein appropriated, the following:

Project.	Appropriation.	Annual tonnage carried.
Thames River, Conn.....	\$30,000	446,004
Bronx River and East Chester, consolidated.....	29,000	287,368
Mantua Creek, N. J.....	34,450	136,105
Raccoon Creek, N. J.....	15,000	263,317
Smyrna River (Duck Creek), Del.....	2,000	204,731
Nanticoke River, Del. and Md.....	2,000	121,769
Neuse and Trent Rivers, N. C.....	30,000	731,534
Waccamaw River, N. C. and S. C.....	20,000	207,630
St. Johns River, Fla., above Jacksonville.....	25,000	269,610
White River, Ark.....	30,000	100,083
French Broad and Little Pigeon Rivers, Tenn.....	2,000	188,700
Petaluma Creek and Napa River, Cal.....	23,239	404,983
Okanogan and Pend Oreille Rivers, Wash.....	20,000	55,917

Liberal provision is made for the prosecution or completion of improvements in a considerable number of rivers or harbors of secondary importance, and in cases where satisfactory results are anticipated substantial additions have been made to the average of prior appropriations. Among improvements of this class are:

Project.	Appropriations authorized, continuing contracts.
Rhode Island: Pawtucket River (conditional).....	\$138,584
Connecticut: Thames River.....	30,000
New York:	
Bronx River and East Chester Creek.....	29,000
Ogdensburg Harbor.....	75,000
Delaware: Mispillion River.....	40,000
Virginia: Rappahannock River.....	77,729
South Carolina: Santee, Wateree, and Congaree Rivers and Esterville-Minim Creek Canal.....	\$90,000
Georgia:	
Oconee, Altamaha, and Ocmulgee Rivers.....	60,000
Chattahoochee River, Ga. and Ala., below Columbus.....	150,000
Florida:	
East Pass and Carabelle.....	60,000
Apalachicola Bay.....	85,000
Manatee River.....	70,710
Louisiana: Bayou Teche.....	130,000
Texas: Brazos River, from Velasco to Old Washington.....	75,000
Tennessee: Tennessee River, above Chattanooga, and Little Tennessee River.....	105,000
Michigan:	
Holland Harbor.....	138,452
Grand River.....	88,000
Wisconsin: Two Rivers Harbor.....	90,000
Minnesota: Red River of the North, Minn. and N. Dak.....	15,000
California: Sacramento and Feather Rivers.....	50,000
Washington: Columbia River and tributaries above the mouth of Snake River.....	120,000

MR. KENYON. I ask the Senator from Ohio where the matter which he is reading appears in the RECORD?

MR. BURTON. It is in the RECORD of February 20, 1913, beginning on page 3581. The full report is there inserted. The request was then made that it be printed because the original copies had almost all disappeared, and it was thought desirable to preserve it.

These appropriations and authorizations for projects aggregating \$200,000, but less than a million dollars to complete, include a great variety. There were two in Massachusetts, namely, New Bedford and Sandy Bay, harbor of refuge; one in Rhode Island, the harbor at Newport, which has been completed at an expense of about \$250,000; Bridgeport Harbor, to complete which an appropriation was made amounting to \$113,000 cash and \$350,000 continuing contract. Generous appropriation was made for Newark Bay and the Passaic River of about \$900,000. Then there was an appropriation for the Potomac River at Washington, for the Cape Fear River at and below Wilmington; an appropriation to complete the harbor at Bruns-

wick, Ga., which has been one of the most successful improvements made by the United States; an appropriation for Sabine Pass, for Aransas Pass, and for divers other projects, rivers, and harbors as well. Appropriations were made to complete Ludington Harbor, Mich., a harbor which has now the largest traffic of any harbor in the southern peninsula of Michigan; Milwaukee Harbor, Manitowoc Harbor, Chicago Harbor, Osage River; the San Luis Obispo Harbor in California, the traffic on which now has grown to very large proportions, mostly in oil; Oakland Harbor, the cost of the improvements in all these places aggregating between \$200,000 and \$1,000,000.

Now I come to the third class of new projects, to complete which an appropriation was made in every case. My friend, the Senator from Louisiana [Mr. RANDELL], mentioned a few days ago some six or eight projects which it was alleged found their way into the bill of 1907, where appropriations were not made in sums sufficient to complete them. I think it is hardly worth while to take much of the time of the Senate on this, but practically everyone was in accordance with the rule to undertake no project unless it was completed. The first one cited is New Bedford and Fairhaven, for which there was appropriated \$300,000, and which, it is alleged, would cost to complete \$527,000. On that subject the Government engineer, Col. Willard, in a report of May 18, 1906, page 7, Document 271, Fifty-ninth Congress, second session, says:

To get the most favorable terms funds should be available for payment as earned, which should be accomplished by three successive appropriations, say, \$300,000, \$350,000, and \$250,000, respectively.

There was there a plain recommendation that the appropriation be made in three divisions.

The Oswego Harbor project was one which caused a great deal of perplexity between two methods, the former engineer favoring one and the latter another, and it was not thought desirable to appropriate more than \$200,000 at the time.

As regards the Newark Bay and Passaic River improvement, for which an appropriation of \$850,000 was made as against an estimate of \$1,216,775—the fact is that the committee is entitled to credit for having cut down that amount, because, as I said here a few days ago, the estimate for the project seemed to be exceedingly large per unit or yard. The engineers were called in, and they thought that by depositing the soil or dredged material nearer to the place where the dredging was done the work could be performed much more cheaply, and an estimate was made on that basis. I think that estimate also has proven sufficient, though a still further and more extended improvement is now in contemplation.

The Mispillion River is in a way an exception to the rule. This is a stream in Delaware, which has been under improvement for many, many years, and the \$40,000 appropriation in the bill of 1907 was regarded as altogether out of keeping with prior appropriations. It is technically an exception to the rule that was followed of appropriating the whole amount for a new project, although the improvement of the river itself is an old project and by no means a new one.

The item in regard to Club and Plantation Creeks is readily explained, because it was a Senate amendment, under which \$20,000 was appropriated. According to the understanding which prevailed in the committees at that time, when an amendment had been made by the Senate the amount thus fixed could not be increased above that figure. In the bill of 1910, I think it was, the Senate made an exception to that rule. I still question the desirability or the correctness of fixing a figure beyond that in either bill as a matter of parliamentary law, but in the appropriation for the harbor of Bridgeport, I think in the bill of 1910, a certain amount was fixed by the House, say \$30,000, and the Senate increased it to \$60,000. A decision was reached to the effect that the conference committee might raise the amount above \$60,000; for illustration, I will say to \$90,000. It was the impression of the committee of conference in 1907 that, as a matter of parliamentary procedure, we could not raise the amount above the maximum inserted by one of the two Houses.

In the case of the Tennessee River the project was the result of a reexamination, and the amount appropriated, \$205,000, was in exact accordance with the recommendation of Col. Kingman, then having charge of the Tennessee River, now brigadier general and head of the Corps of Engineers. He stated that, with separate plants in the different sections of the river, the work could be prosecuted somewhat more rapidly, but that the expense would be greatly increased, and so he thought it desirable to proceed with one plant alone, and the amount of \$205,000 appropriated was in accordance with his recommendation.

As regards the falls of the Ohio at Louisville, that is made up of two appropriations. I can see no basis whatever for the

statement made that the appropriation is a violation of the rule that when a project is entered upon it should be completed. The appropriation of \$314,000 is made up of two items:

Improving the Ohio River at Louisville, Ky.: By the removal of rocks in the channel of said river near to the falls, \$43,000.

That was an item complete in itself. The other is:

Improving the Ohio River at Louisville, Ky.: By raising the dam so as to give a minimum depth of 9 feet upstream to Madison, Ind., and a minimum depth of 6 feet on the lower miter sill at lock No. 1, Kentucky River, \$271,000.

The appropriation in the bill was the aggregate of these two, and each is complete in itself. How the estimate of \$1,760,000 is obtained I am unable to state; at any rate it does not apply to these two improvements.

Again, the improvement at Hilo, in the Hawaiian Islands, was very carefully considered by Gen. Mackenzie and myself. It was found that a separate portion of the improvement could be finished at a cost of \$400,000, and it was thought that was all that was desirable to be done at that time.

Among the smaller projects are the Cape Porpoise Harbor, in Maine, which was provided for in one cash appropriation of \$46,000; the Penobscot River in Maine, \$130,000; the Kennebec River in Maine, \$75,000 cash and \$200,000 continuing contract.

In Massachusetts, the harbor at Beverly, for which a cash appropriation of \$38,500 was made; Dorchester Bay and the Neponset River, for which a cash appropriation of \$125,223 was made.

In Connecticut, the harbors of Norwalk and East and South Norwalk, for which an appropriation of \$63,500 was made.

In New York, Coney Island Channel, for which an appropriation of \$188,300 was made; in New Jersey, Cold Spring Inlet, Cape May, at a total cost of \$1,211,000; Perriw Harbor, Delaware River, between Trenton and Bordentown; Salem River, Cohansey River, for which a cash appropriation of \$55,800 was provided.

In Delaware the Broadkill River—I will not read all the amounts, as they will be printed with the report—the Meherrin River, N. C., from the mouth thereof to the town of Murfreesboro; Fernandina, Fla., Withlacoochee River; Alabama, Conecuh River; Mississippi, Wolf and Jordan Rivers and the Big Sunflower; inland waterway in Louisiana; inland waterways in Texas; Caney Fork River in Tennessee; Two Rivers Harbor, Wis.; St. Michael Canal, in Alaska; Hilo Harbor, Hawaiian Islands; and San Juan, P. R.

Mr. President, beginning with the great harbors, New York, Boston, Philadelphia, Baltimore, and Norfolk on to Savannah, New Orleans, and Galveston, the mouth of the Columbia River, the bill in 1907 was representative of all portions of the country. It took up the great projects then pending and provided either for their completion or for the prosecution of the work for four years.

The bill might have been improved. As I look over that bill, my eye rests on one item that I do not feel should ever have been included there, though time may justify its insertion; but it was a bill passed upon a businesslike method; it was a measure which was framed with a view to keeping pace with the commercial progress of the country and increasing facilities for transportation. Perhaps the most urgent requirements were for the great harbors of the Atlantic coast and the connecting waterways of the Great Lakes, the waterway between Superior and Huron and the Detroit River between Lake St. Clair and Lake Erie; but appropriations were not made in large amounts unless they meant assured results. It was thought that these places where there was a dwindling traffic, though they were not to be put off the map, though they were not to be entirely abandoned, should be postponed in favor of others where the traffic was increasing, and where all the while greater facilities were required to meet the growing demands.

With the adoption of the one-year bill, however, this policy of continuing contracts has gone glimmering. The result is that Congress appropriates enough to finish a part; the engineers make a partial contract for the work at a greatly increased proportion of cost; no assurances are given as to the time when the work will be completed, and, worst of all—far worst of all, Senators—a project may be adopted which may be very objectionable and extravagant, when the bill only shows a comparatively small amount of appropriation.

In one instance in this bill the appropriation is only one-twenty-ninth of the total amount that will be required to finish. An item very innocent in its appearance, but requiring before completion a very large expenditure, and at best a measure of very doubtful desirability.

I now pass to another branch of this inquiry relating to the policies and methods of this bill, and that is the custom of improving branch streams before the main stream is finished.

That, more than anything else in our river and harbor legislation, gives to this measure the characteristic which some have termed the "pork barrel."

It is perfectly easy to see how this arises. The Nation starts out to improve a great main stream like the Ohio, or, say, the Columbia or the Mississippi. Before that improvement is completed along come the communities located on the branches, and say, "Why, you are improving the Ohio. All our branches here must be improved as well. You must not make an appropriation merely for this main stream. We must all have some participation in this plan."

What has been the result? There is not a stream emptying into the Ohio River that is improved with locks and dams but which for seasons of the year, sometimes continuing for months, has higher water in the pools of the tributary than there is in portions of the Ohio River itself. I want to read, briefly, some figures on that point.

The Kentucky River, the Big Sandy River, and others are canalized to a depth of 6 feet. That 6 feet extends upward from the lowest lock and dam in the tributary stream. The report of the chief of engineers for 1913, part 2, page 2527, shows the navigability of the Ohio River for 10 years from Pittsburgh to Cairo. This is close to a thousand miles. With the improvement and partial canalization of the river the depth has very greatly improved in recent years; but after the Kentucky River project was well under way, after the Big Sandy, the Green, the Cumberland, and the Tennessee had been improved so that a depth of 5 or 6 feet had been obtained in the canalized portion, let us see what we had in the Ohio.

In 1903 the number of days when the river, say at Cincinnati or Paducah, was under 3 feet in depth—Paducah is at the mouth of the Tennessee—was 29. The number of days when it was 3 feet and under 6 feet was 336.

Now, let us proceed. It is not worth while to read all these figures, but let us pass on to the latest year. In the year 1912 it was 3 feet deep at all the towns on the river the year around, although that is the first year when that has occurred. For 366 days it was 3 feet and over in practically every place. The number of days when it was 6 feet, or equal to the depth in these canalized tributary streams, was at Davis Island Dam, 255 days, or 111 days in which it was less than the depth in the canalized portions of the tributary streams; at Wheeling, 314 days, or 52 less; at Parkersburg, which is at the mouth of the Little Kanawha, a canalized river, 296 days. That is, there were 70 days of the year when the Ohio River at Parkersburg had not the depth of this branch stream which had been improved. At Catlettsburg, Ky., 309 days out of the 366. At Louisville, a very important point on the river, there was 6 feet and over all but 3 days; but at Evansville, Ind., there were 36 days when it was not 6 feet deep, and at Paducah, Ky., there were 46 days.

Mr. RANSDELL. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Louisiana?

Mr. BURTON. Certainly.

Mr. RANSDELL. I have listened with much interest to the remarks of the Senator indicating a criticism of the method of improving branch streams before the parent streams are improved. I will ask the Senator if the project for giving the Ohio River a minimum depth of 6 feet was not adopted in 1875?

Mr. BURTON. I think it was.

Mr. RANSDELL. I will ask the Senator when the project for giving these branch streams a depth of 6 feet or more was adopted?

Mr. BURTON. At a later time, mostly.

Mr. RANSDELL. Considerably later, was it not?

Mr. BURTON. Yes; most of them, I think. The Kentucky was improved a considerable time ago by the State of Kentucky.

Mr. RANSDELL. I will ask the Senator what headway was made in adopting a practical, businesslike method for the improvement of the Ohio during the 10 years when the Senator was chairman of the Rivers and Harbors Committee?

Mr. BURTON. There were certain dams finished or prosecuted, some below Pittsburgh, where the nonnavigable period is longest; also below Wheeling and Marietta; one below East Liverpool, below Parkersburg, below Gallipolis and the Big Kanawha, and especially one below Cincinnati. I have forgotten whether there was one below Steubenville or not. I think perhaps that was adopted at that time.

Mr. RANSDELL. I will ask the Senator if he considers that the work of improving the Ohio so as to get a minimum depth of 6 feet at all stages was carried on in what he conceives to be a systematic, businesslike manner during the time the Senator was chairman of the Rivers and Harbors Committee?

Mr. BURTON. I shall get to that matter in a minute.

The question of the Senator from Louisiana does not at all affect the point I have made. If you project an improvement and do not prosecute it on the main stream, that is no reason why you should both project and prosecute it on the branch stream.

As regards the improvement of the Ohio, I am perfectly aware that there was an attempt to make the slow progress on that river a political issue against me for years in the State. It was but an illustration of what I said a few days ago. One reason why such slow progress has been made on many projects has been that we have been so doubtful about whether any good result could be obtained. My idea about the Ohio River was to try out the problem by the construction of dams which would at the same time serve as harbors at the more important towns upon the river and extend the period of navigation in the shallower portions. Below Pittsburgh the descent is steep, and here in its unimproved condition the navigation was suspended for the longest time.

Mr. RANSDELL. But did the Senator give it a chance to be tried out by securing a depth of 6 feet?

Mr. BURTON. Oh, yes; decidedly. The depth of 9 feet was established.

Mr. RANSDELL. You did not give enough locks to make it 6 feet.

Mr. BURTON. Oh, yes; it was 9 feet.

Mr. RANSDELL. I beg pardon. We adopted the 9-foot project about 1907, I think, or 1910; I am not sure which.

Mr. BURTON. The House adopted it as early as 1905; but in the year 1900 the Senate voted it down. I myself inserted in the river and harbor bill in 1900 the provision that it should be 9 feet.

Mr. RANSDELL. I recall very well a great trip down the Ohio in the summer of 1905, which was conducted by a party of which the Senator from Ohio was the head and which was strongly advocating giving a depth of 9 feet from Pittsburgh to Cairo; and my recollection is that we practically adopted that project in the act of 1907.

Mr. BURTON. Beginning in 1900, as rapidly as the House could, the improvement was made with a view to 9 feet. I myself drew the provision that thereafter the improvements should be made—that was the substance of it—with a view to a depth of 9 feet. For some reason, which I never have been able to understand to this day, the Senate struck out the 9 feet and put in 6 feet, though the conference committee agreed on 9 feet. The Senator from Minnesota [Mr. NELSON] was one of the conferees, and brought the report here to the Senate, but the Senate refused to accept the 9 feet, and the provision for 9 feet went out of the bill and was not adopted until a later river and harbor bill. I have forgotten which one it was, but I think it was in 1905.

Mr. RANSDELL. I wish to ask the Senator, further, if it is not a fact that it was not until the act of 1910 that the Ohio River project was taken up in what may be called a really systematic and businesslike manner, with a statement in the bill that we proposed to finish it in 12 years, and an appropriation of about \$5,000,000 looking to the completion within 12 years of that great project which had been under way since 1875?

Mr. BURTON. Oh, I say that it was taken up in a systematic manner. It was never taken up with a view to completing it; but I will take the full responsibility for the policy that prevailed before 1910. The seventy or eighty million dollars to be expended there staggered me, and I thought it was best for us to ascertain results by dams below Pittsburgh and below the other principal towns on the river, so that we could determine whether or not it would succeed.

Mr. SHEPPARD. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Texas?

Mr. BURTON. I do.

Mr. SHEPPARD. What is the length of the longest nonnavigable period on the Ohio River each year?

Mr. BURTON. It depends on the place. In 1903, at Davis Island Dam, there were only 185 days when it was 6 feet and over in depth. That would be just about half of the year. In 1912, however, there were 255 days when it was navigable for 6 feet and over.

I feel that if I can not commend myself to my constituents in the State of Ohio by something better than getting appropriations for their rivers and harbors I can not commend myself to them at all. Probably it was considered that I held back this river for some time, but the policy was a good one. We were going through a tentative period of river development. It was a question whether these streams would prove of sufficient importance, when improved, to pay the cost; and so, pursuing the custom that had been in vogue for more than 20 years

before I became a member of the committee, and for nearly 25 years before I became its chairman, dams were selected here and there. Every one was complete in itself; every one improved a certain stretch of the river; every one made the navigable period of the whole river somewhat longer, so that there was some advance in the improvement of the river; but I did not see my way clear, during the time I was chairman of the Rivers and Harbors Committee, to advocate this enormous expense.

I have said, since the bill of 1910—and it is now under way—that the Ohio River and the Large Canal are the two places in this country to determine the feasibility of inland navigation on rivers or canals; that is, on shallow streams. Of those two the Barge Canal is the more promising, because it connects the Great Lakes with the Hudson River and the Atlantic Ocean.

Mr. RANSDELL. Mr. President, will the Senator yield to me for a moment?

Mr. BURTON. Certainly.

Mr. RANSDELL. I assure the Senator that I have no disposition whatsoever to criticize him or to hold him up to anything like trouble with his Ohio constituents. No man admires him more than I do; I am sure of that, and he knows it. I am just trying to give the Senator a chance to explain what seems to me an inconsistency on his part in criticizing Congress for improving branch streams and not improving the main streams.

During the 10 years the Senator was chairman of this committee a great deal of this improvement of the branch streams was made. The Ohio River project had been started long before he was chairman; and he carried on the improvement of these branch streams and finished some of them, I believe, but did not give money enough to finish the Ohio. It seems to me that is inconsistent, and I simply want to give him a chance to explain it.

While I am on my feet, I should like to say that he has complained a good deal about the dribbling policy in the present bill. Surely the term "dribbling" could be applied with justice to the great Ohio River, which has an enormous commerce and which for years got very, very small appropriations in the bill.

Mr. BURTON. I am not afraid of that issue. These branch streams were improved to an extent, but there was none of the policy of putting locks and dams into streams here, there, and elsewhere, and going ahead with such an enormous expense. On some of them locks were completed; on others there were a few locks commenced, but there was not the mad rush, as in this bill and in the bill of 1910, for providing locks and dams everywhere, like one of our humorists, who desired to put a lightning rod first on one wing of the house, then on the other, then on the barn, and finally to wind up with putting one on the mule and all the other animals around. That sort of thing is the worst waste of public money that can be found in this bill.

I say again that I favored improving the Ohio River so far as conditions promised results. While I favor the policy of completing what you have commenced, yet in the case of an indeterminate improvement, like the lower Mississippi, where estimates are made mounting up to \$200,000,000 or thereabouts, it certainly would be the height of inconsistency for anyone to say that you must appropriate the whole of that \$200,000,000 before you could improve any other main stream or branch stream in the country.

There is a certain amount of navigability in the Ohio, and there always was. The improvement of branch streams, I think, was pressed more rapidly. Certainly in the case of these canalized rivers it was pressed more rapidly than in the main stream. That is what I am finding fault with.

Mr. KENYON. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Certainly.

Mr. KENYON. It is true, is it not, that very many of these canals that have been constructed under the provisions of the river and harbor acts have been abandoned?

Mr. BURTON. Not a considerable number of those constructed under the provisions of the river and harbor acts. A great many State canals have been abandoned.

Mr. KENYON. I notice in the report of the Commissioner of Corporations on Transportation by Water in the United States, part 1, a letter of submittal, in which he states:

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

It seems to me, however, that that refers to canals constructed by the Government—over 2,000 miles.

Mr. BURTON. I do not recall at this time any of any importance.

Mr. KENYON. I judge that from the language here. He continues with the statement that about \$80,000,000 has been spent on canals that have been abandoned. He goes on then to speak of the State canals.

Mr. BURTON. It is true, however, that the Federal Government made subscriptions to some canals constructed by private corporations. For instance, it made a subscription to the Chesapeake & Ohio Canal, which extends up the Potomac from Georgetown and the Chesapeake and Delaware, which will come up in this bill; but I do not at this minute recall any canal constructed by the Federal Government which has been abandoned. I think this statement must refer, although the language is perhaps a little ambiguous, to canals constructed by private corporations or individuals, and by States. I will say here, in regard to the canals in Ohio, that now they hardly operate at all, although over large stretches there is a depth of 6 and 8 feet in those canals and to the passer-by they look like model waterways.

Mr. KENYON. Does the Senator mean State canals?

Mr. BURTON. Yes; State canals.

Mr. KENYON. Not the canalization of the Ohio River?

Mr. BURTON. Oh, no. The Federal Government, by giving land grants, and so forth, assisted in the building of those canals. While I am on that point I may say that those canals, commenced in the year 1825 by the State of Ohio, determined the location of cities and the course of business. They were of the utmost importance in the development of the State. They reached their maximum traffic in the forties. Then the traffic began to decline, and now it is practically nothing, although they connect the leading cities in the State. The Miami & Erie connects Cincinnati with Toledo. The Ohio Canal connects Zanesville with Cleveland.

Mr. RANSDELL. Mr. President, the time to which the Senator alludes was before the days of railroads, I believe, was it not?

Mr. BURTON. Yes.

Mr. RANSDELL. Canals were practically the only really good means of transportation in those days?

Mr. BURTON. Yes.

Mr. KENYON. It is true, too, is it not, that the transportation tonnage on the Ohio River has very much decreased in the last 10 years?

Mr. BURTON. It is somewhat irregular. The traffic last year was, I believe, 8,000,000 tons; between eight and nine million tons. It has run as high as 14,000,000 tons; but I should be slow to believe that that meant a permanent decline in the total traffic.

Mr. KENYON. I have seen figures which I thought were authentic, and which I have somewhere, to the effect that the commerce had decreased 25 per cent in the last 10 years; there was a constantly decreasing traffic; and this Ohio River project, as I understand, involves the Government in an expenditure of some \$63,000,000 before it is completed.

Mr. GALLINGER. Mr. President, I will venture to ask the Senator from Ohio, in addition to the information the Senator from Iowa has asked for, if he has any statistics which show the relative cost of transportation between the river and the railroads, including the loading and unloading of the products and getting them to the consumer?

Mr. BURTON. I have worked on that problem a great deal. It is almost impossible to come to any definite result, as the conditions are so different in different places. Of course, the argument is made by the opponents of river transportation that if you capitalize the cost of the improvement, compute interest on it, say, at 4 per cent—that is the figure that the students of the subject in France adopt—add to that the annual cost of maintenance, and then add the cost of carriage by boat, by that time the cost of water transportation is as great as or greater than that by rail. In some places that is true, and in some places it is not.

Then, there are two further additions to be made to the cost of river transportation. The first is insurance. Sometimes, of course, river traffic is sent without insurance; but in carrying on the business on a large scale, as a shipper by railroad would do, he would wish to insure. The next item is the greater cost of loading and unloading.

I shall hope during this discussion to enumerate quite a number of cases in which I shall make comparisons between the cost of transportation by water and the cost of transportation by rail. I desire to suggest to the Senator from New Hampshire and to the other Senators who are so kind as to listen to me that there is another comparison that may be profitably made in view of the development of the automobile business, and

that is a comparison between the cost of traffic by water and the cost by autotruck. That comparison assumes especial importance when we take into account the fact that the average haul on most of these streams is so short—30 or 40 miles, or something like that.

Mr. GALLINGER. Yes, Mr. President; that is a very interesting suggestion. The fact is that the autotruck is now very largely taking the place of horses. I happen to know an instance where a truck service was inaugurated in the city of Boston, and the saving to the manufacturer in delivering his goods has been enormous. In fact, his goods are delivered as far away as 90 miles from Boston at a very small cost. I hope that may be worked out.

I should like to ask the Senator another question. It will take only a moment. However it may be as to the decline in river traffic on the Ohio River, I take it that it is an undisputed and indisputable fact that the decline on the Missouri River and the Mississippi River has been very large.

Mr. BURTON. I think the traffic on the Ohio is easily 30 times what it is on the Missouri.

Mr. GALLINGER. Yet I believe we have two and a half million dollars in this bill for the Missouri River.

Mr. BURTON. Something like \$2,000,000.

Mr. GALLINGER. And eleven or twelve million dollars for the Mississippi.

Mr. BURTON. I will dwell at length on the traffic upon the Mississippi River.

Mr. RANSDELL. With the consent of the Senator from Ohio, I should like to furnish a few figures I have in response to the question of the Senator from New Hampshire if I may get his attention.

Mr. GALLINGER. Certainly.

Mr. RANSDELL. I made a careful examination of this question some time ago, and I have a few figures here. I read from a speech which I made on the Panama Canal tolls question:

A study of the rates on railroads leading out of St. Louis affords striking evidence of the effect of waterways. Havana, Ill., is 159 miles from St. Louis, and Poplar Bluff, Mo., 169 miles distant, but Havana is on the Illinois River and has a first-class rate of 36.1 cents per 100 pounds, while Poplar Bluff is an inland town and has to pay 52 cents. The distance to Poplar Bluff is only 10 miles greater; the rate is more than 44 per cent higher.

Springfield, Mo., is 239 miles from St. Louis, while the distance to St. Paul is 593 miles. Springfield, Mo., being inland, pays 62 cents, while St. Paul, being on the Mississippi River, pays only 1 cent more—63 cents—for the greater distance. If the rate to Springfield, Mo., were the same per mile as the rate to St. Paul, Springfield, would pay only 25 cents per 100 pounds instead of 62 cents. Vice versa, if the rate per mile to St. Paul were the same as to Springfield, Mo., the rate would be \$1.54 instead of 63 cents.

Mexico, Mo., is 116 miles from St. Louis; Cincinnati, Ohio, is 339 miles. Cincinnati is on the Ohio River and boats can ply between St. Louis and that city, so the railroad rate on commodities of the first class to Cincinnati is 41 cents, while that to Mexico, Mo., is 43 cents. Cincinnati is almost three times as far away and has a rate of 2 cents per 100 pounds less than the town to which the steamboats can not run.

These rates were compiled by the Interstate Commerce Commission from the railway tariffs on file, and the distances were taken from the official railway guide.

Mr. GALLINGER. Has the Senator ascertained what proportion of freight was carried on those streams and the amount carried by the railroad?

Mr. RANSDELL. I did not examine that to see just how much freight was carried; but even if the freight is not carried on the river, there is a very large volume of freight, I take it, between St. Louis and St. Paul and between St. Paul and Cincinnati, and that freight, whether carried by water or carried by rail, is actually carried, according to the report of the Interstate Commerce Commission, at rates which are very much smaller in every instance than the rates of freight to the inland points which do not have the benefit of water transportation.

Mr. GALLINGER. If that be so, why is it that these great waterways of commerce are not utilized and why does not capital engage in the building of steamboats to go into that business?

Mr. RANSDELL. The only way I can account for it is that the railroads have so reduced the freight at competitive water points that the boats have been driven out of the business. The Senator will recall that when the Panama Canal act was passed in 1912 it was found necessary to include section 11, which provides that hereafter no railroads shall own boats that compete with them, and you also remember that we have made provision for the long and the short haul, requiring railroads to charge relatively the same for a long haul as for the short haul. We have done everything we possibly can to overcome the unfair competition to which the railroads have subjected the waterways, and it is my firm belief that when the

waterways can get on the basis that they were many years ago the Congress of the United States will protect them from the unfair and cutthroat competition to which they were subjected by these railroads until practically all the boats and commerce were driven from the rivers.

Mr. GALLINGER. Is it the Senator's opinion that the waterways will ever get on the same footing that they occupied some years ago?

Mr. RANSDELL. I do not think there is the smallest doubt about it. Let me cite you one case where there is an enormous carriage of freight by water. On the Great Lakes alluded to to-day by the Senator from Ohio, there were, if I recollect correctly, over 72,000,000 tons of commerce carried last year through the canal which we improved, the St. Marys River, because it is a canal, a canalized river, and just on that river alone the commerce between the Huron and Superior amounted to over 72,000,000 tons. It was carried an average distance of about 826 miles at a rate less than seven-tenths of 1 mill per ton per mile, whereas the average railroad rate in this country last year was something like 7.7 mills per ton per mile, more than eleven times the average rate actually paid on this colossal commerce through the Soo.

Mr. President, I see no reason why if this great commerce is carried through the Great Lakes from one end to the other and to various points along either shore at a rate ridiculously low compared with the railroad rate there should not be relatively the same amount of commerce on the Ohio River and the other great rivers when they are improved.

Why does not a large commerce move on the Ohio now? Because at certain times of the year there are not more than 2 feet of water in that river.

I was at Cincinnati in the summer of 1905 and was told that you could wade across the river without getting wet to your waist. There were only about 2 feet of water over one of the bars in the river. Everyone knows that a chain is no stronger than its weakest link, and that the shipper is not going to depend on the watercourse when just at the time he needs his freight the river may be out of business.

Mr. GALLINGER. Why—

Mr. RANSDELL. If the Senator will pardon me one moment, we are trying to give the Ohio a dependable depth of 9 feet at all stages from Pittsburgh to Cairo, and I am firmly convinced that when we do give it that depth, a depth at all stages except when stopped by ice, there will be a very considerable commerce on it; and what is true of the Ohio applies largely to many of these other rivers.

Mr. GALLINGER. No doubt that is possibly so. I know that commerce is carried on the Great Lakes at very low rates per ton. There is no question about that. The reasons are obvious. Has the Senator taken into account the cost of improving the Ohio and Mississippi so that they will be open waterways like the Great Lakes and give us an opportunity to test this question there? How far do the appropriations of this bill go toward solving that problem?

Mr. RANSDELL. On the Ohio River we are giving a little over \$5,000,000 in this bill. We started in 1910 on what I conceive to be a businesslike method of improving the Ohio. We said we were going to finish it in 12 years and we gave \$5,000,000 for it. This is the fourth appropriation since that time. We have appropriated in round numbers \$25,000,000, including the Ohio item in the pending bill, on a project which the engineers said would cost \$63,000,000. I have no reason to assume that the engineers are wrong in their estimate. So if they be correct this bill carries in round numbers one-twelfth of what is necessary to complete the Ohio.

We are carrying it on about as fast as good business and ordinary prudence dictate that it should be carried on. I do not believe you could spend wisely more than \$5,000,000 a year on that river. I doubt if you could find contractors who could do the work more rapidly than at the rate of about \$5,000,000 a year.

The Mississippi River is such a large affair that I will take it somewhat in sections. In 1910 we adopted a project to improve the Mississippi River between St. Paul, or perhaps I should say Minneapolis, and the mouth of the Missouri. As I recall the project, it was to cost about \$18,000,000, and in that instance we said we were going to finish it in 12 years. Since that time we have been consistently appropriating, as I recall, about \$1,500,000 a year. That is what the present bill carries for that stretch of the Mississippi River. It is a great river; it now has a considerable commerce; there is a magnificent country on both sides of it; and I believe there is going to be a very large commerce on the river when it is completed.

The stretch between the mouth of the Missouri and the mouth of the Ohio, the one to which my friend the Senator from Ohio

[Mr. BURTON] has alluded to-day, is quite a difficult stretch. There has been a project under way for many years to improve that portion of the river, but it has not been carried on in a businesslike way until within very recent years. It is now being pushed to what I believe will bring about its completion within the same 12-year period that we have applied to the Ohio and to the upper Mississippi.

As to the lower Mississippi there is a big problem of floods and caving banks there. It is very hard to state just what percentage of that work is carried in the pending bill.

Mr. GALLINGER. Mr. President, we have spent on the Mississippi River about \$140,000,000, not taking into account the improvements within the limits of two or more States, which are very large. Does the Senator think that that enormous expenditure of money has brought us an adequate return in giving us water transportation and reducing the cost? Is it not a fact, I will ask the Senator in all seriousness, that a very large proportion of the money that we have spent upon the Mississippi River, especially for dikes, has been utterly thrown away, except that it has protected property along it adjacent to those levees? In other words, has it actually to any appreciable extent improved navigation?

Mr. RANSDELL. In reply to the question I will say to the Senator that in September, 1882, where I live at present, Lake Providence, La., there were a great many shallow bars in the Mississippi River. I have seen as many as three large steam-boats within 3 or 4 miles of the town of Lake Providence stuck hard and fast on sand bars. Across these bars there were not more than 4 or 5 feet depth of water at that time, and the channel was greatly impeded.

Congress passed in 1879 an act creating the Mississippi River Commission, which began the systematic improvement of the river, and a part of its plan was to revet the banks and to build levees. For many years now we have had practically 9 feet of water over the shallowest bars on the river from Cairo to the Gulf. In the early eighties there were a great many places, not only at Lake Providence, but at other places, especially in the vicinity of Memphis, Hopeville Bend, and elsewhere, where there were 5 feet and less over the bars.

As I said, for years we have had 9 feet from Cairo to the Gulf. I can not say that any of the appropriations made for the river have been thrown away. Some of them perhaps have not brought just the results we expected and hoped for. Some of them may have been failures, just as all of us make failures, just as some of our appropriations for the Navy have been failures, but in the main I can say that a wonderful country in the Mississippi Valley has been developed by the building of levees. I can say that in the main we have a region there which is as rich as there is in the Union anywhere, a region which is devastated whenever we have floods, by the concentrated rainfall of 31 States, and the people there can not build levees sufficient to protect themselves. They have had considerable help, but let me say to the Senator that they have been a brave people. They have spent, according to official reports, since 1865 something like \$66,000,000 on their levees, during which time the National Government has spent about \$31,000,000. They have spent for every dollar expended by the Government more than \$2 of their own money wrung from their hard toil, from a tax on everything in the world they possess. Every kind of crop, every acre of land, indeed, everything on earth down in that country has been taxed, and the people have struggled valiantly to save themselves from the Nation's floods. They were not the normal floods of their own valleys, but the rains of nearly two-thirds of the Union, including a part of Canada.

Mr. GALLINGER. Mr. President, I am quite familiar with those facts, and they are to the credit of the people living along the banks of the Mississippi River, but I have been unable in my investigation thus far to discover that the expenditures of the Government have very materially improved the navigation of the stream, but they have enormously increased the value of the land, in some instances 300 per cent. I think if the Senator would strike a balance and ascertain the amount of profit that has come to the people owning those alluvial lands, enormous in quantity, he would find it greatly exceeded any expenditures that have been made by those people to help protect their own homes. That is my judgment. I do not say that the Government ought not to do this, but I think we might just as well now as at any time look it squarely in the face and ascertain whether these appropriations are being made for the benefit of commerce or for the benefit of private parties.

Mr. RANSDELL. There has been—

Mr. GALLINGER. I will add that the argument the Senator has suggested finds a lodgment in my mind. I am not at all indifferent to it, and I do not want to be indifferent to it. The

floods come from several States remote from the towns along the lower Mississippi, and to that extent it may well be argued that the Nation owes a debt to those people and is under obligation as far as it can to protect them from those disastrous floods that come from distant points. I think there is very great argument in that, and I am not at all indifferent to it.

Mr. RANSDELL. I thank the Senator for his kindly expression toward my people. They certainly have been very sorely tried.

In this connection, let me remind him that the awful floods which did so much damage in Ohio last year—millions and millions of dollars' worth—one scarcely knows how many million dollars of damage was done in Ohio and Indiana last year, not only to the property, but to human life. Many lives were destroyed and the floods swept on down the Ohio, thence into the Mississippi River, where they continued their work of destruction, and onward for nearly 2,000 miles before they finished their damage and rested in the Gulf.

In the district I formerly represented in Congress, in Tensas Parish, La., 70 miles below the city of Vicksburg, a magnificent levee was broken by the waters which fell in Ohio and Indiana. We had little rain there last spring, practically none anywhere in the Mississippi Valley proper; but every drop of water, Senators, that falls between the Alleghenies on the east and the Rockies on the west, even much that falls in the Dominion of Canada, has to find an outlet to the Gulf through the Mississippi River. It has been well called the Nation's sewage ditch. These waters can not get to the Gulf in any other way. Now, think of those awful flood waters, which, after drowning many good people in Ohio and Indiana, and destroying much valuable property, rushed on down through the small rivers in those States to the big Ohio and the Mississippi, and thence on down to bear terrible destruction to Missouri, Kentucky, Tennessee, Arkansas, Mississippi, and Louisiana.

Near the home of my friend from Mississippi, Senator VADAMAN, there was a terrible break in the Mississippi River levees which did enormous damage. Does anyone say that the people of Mississippi should be required alone and unaided to hold back flood waters that fell more than 1,500 miles away from them? Surely not. I am glad to hear such noble sentiments as those just expressed by the Senator from New Hampshire [Mr. GALLINGER]. I am glad to find in the Senate a growing sentiment that it is the duty of Congress to protect the Mississippi Valley from floods which it can not control by itself. I am glad to know that all three of the great political parties of this country in their recent platforms have committed themselves to the control of that valley from floods. The local people have done their best and they intend to continue to help themselves to the very utmost. But, Senators, in the name of common sense, how can people do much when they are overflowed as they were in 1912 and again in 1913 and all their crops ruined? With no crops out of which to get any money with which to pay taxes, how can they help themselves? It is impossible. The Nation must come to their relief.

Mr. GALLINGER. Mr. President—

Mr. RANSDELL. Just one word more on the subject of navigation. I always believe in being fair about everything, and it is a fact that a considerable portion of the expenditures made on the Mississippi River have been to protect those lands from floods. I have never thought otherwise; I have never contended otherwise during the 16 years that I have been in Congress; but there has been a very large increment of navigation as well. Let me say to Senators, that when a big flood is in progress, unless you have levees there is no landing place. You can not have commerce, no matter how deep the water, unless there is a place for the boats to land, unless there is dry land on the inside of the levees for the people to haul freight out. How much commerce can there be on a river when the entire valley is overflowed? When the railroads are flooded, as well as the dirt roads, how much transportation can there be?

Is it not the duty of Congress to provide for safe carriage of the mails to all of the citizens of the country? How much mail can there be carried when there are floods 50 miles wide, as I have seen them in that valley?

The levees, let me repeat, are necessary to form landing places for the boats in time of flood, and they are also necessary to cause the river to scour out the shallow places. As I said a moment ago, before the building of those levees in 1882 there were many shallow bars, from 4 to 5 feet, and when the levees were built, when the gaps were closed, when the waters were confined to the river, those bars were scoured out and became deep, and we now have 9 feet of water in the shallowest places. That navigable depth is very largely due to the levees.

Mr. GALLINGER. Mr. President, I will ask the Senator from Louisiana if there is not a great diversity of opinion among those who have given study to this subject as to the value of the scouring process when the flood is confined?

Mr. RANSDELL. I have never heard any difference of opinion expressed among really able engineers on that subject. I have been studying it very carefully, and I will state that in connection with the preparation of this bill we had several of the ablest engineers in the country before us. I shall be glad to furnish the Senator one of the bulletins containing their report. All of them testified to the very valuable aid which the levees are to the navigation, to the scouring qualities, of the stream, as well as to the protection of the lands from overflow.

Mr. GALLINGER. Was there in the section that the Senator mentions—I do not know the facts—any dredging done?

Mr. RANSDELL. There were some dredging done here; yes, sir. The Mississippi River Commission has several dredges, and they use them as an adjunct. The building of the levees alone did not complete the scouring; but I will say to the Senator that the engineers contend that if the levees had been perfect and continuous all the way down, the scouring would have been sufficient; but, unfortunately, during every flood there would be more or less breaks in the levees, and it invariably followed that when a break occurred in the levee the water would sweep out with a tremendous rush in the gap, and the volume of water in the river would be very much diminished, a large percentage of it sometimes, probably half, escaping through the gap. That would cause a very great diminution in the rapidity of the flow, the impetus of the flood; and the sand and sediment carried in solution, naturally being affected by the decreased flow, would be deposited in large quantities, and a great sand bar would be formed below a crevasse.

Mr. GALLINGER. I wish to ask the Senator one further question in that connection. While a bar is washed out—and we will say that it is done because of controlling the water in a comparatively narrow channel—is not that silt carried to some other point and deposited, and thereby another bar formed?

Mr. RANSDELL. Well, it is scattered throughout the river to some extent, and a great deal of it is carried to the Gulf of Mexico. As the Senator knows, Louisiana is the youngest State in the Union, geologically speaking. That great jurist and wonderfully good man, Judge Robert S. Taylor, of Fort Wayne, Ind., said a few years ago in a public address which I heard him make, that Louisiana was composed of the geological cream of the American Continent; that it was formed of the washings of soil from the hillsides and valleys of the 41 States which contribute their waters to the flood of the Mississippi River; and in very recent times the peninsula has extended quite a long way into the Gulf of Mexico. Land is being made there all the while. Our area is growing annually.

Mr. GALLINGER. Mr. President, in that respect Louisiana is different from the little State which I in part represent. Some distinguished southerner once said that after the other States had been made the débris was gathered up and deposited in New England, and that was the reason we had so many rocks.

Mr. RANSDELL. They must have deposited some very good débris in New England from the character of the people who come from there.

Mr. GALLINGER. However that may be, I want to ask the Senator a really honest, practical question. We all recognize the Senator—and I do not think I will exclude the Senator from Ohio [Mr. BURTON] from that suggestion—as having perhaps given more profound study to this question of waterways than has any other Senator. I, too, have given some study to it. I came to the conclusion long ago that levees were of small account in the matter of benefiting navigation; they did something, but that their chief value was—and I am not at war with that thought—that they protected the adjacent territory from inundation and destruction. I gave some thought and investigation to the matter of the reservoirs, and I about came to the conclusion that you might as well stick a knitting needle into the Potomac River and undertake to stop the flow to the ocean as to undertake to control the Mississippi River by the construction of reservoirs.

I gave a good deal of consideration to the subject, and in my innocence was profoundly impressed with the thought that we might at least greatly mitigate the evils of floods by the outlet system; but in that respect scientists differed from my immature views, and I abandoned them.

Now, I ask the Senator if he has given—and I have no doubt he has given—consideration to the question as to whether or not this great country, with all its wealth, will ever be able

probably to devise a means within the limits of human expenditure that will remedy the evil of which the Senator complains and which I very fully recognize.

Mr. RANSDELL. Does the Senator from New Hampshire refer to the floods on the lower Mississippi River?

Mr. GALLINGER. I refer to the floods on the lower Mississippi River.

Mr. RANSDELL. In answer to the Senator's question, I will state very frankly that I have studied it. I have studied it as the representative of my people, who have suffered terribly from those floods; of my entire State, which is damaged by them more than any other State in the Union, for out of about 28,000 square miles of flood area in the valley of the Mississippi River 14,000 are in the State of Louisiana. I have studied the question as one whose every dollar is invested back of the levees, for I have lived during all my business life in the little town of Lake Providence, on the banks of the Mississippi River. In front of that little town there are levees about 17 or 18 feet high.

During the 32 years I have lived there I have seen a number of overflows in the river. My plantation and property—for I am a cotton planter—have been overflowed a number of times, and my individual losses have been very heavy; so that I have had every incentive that could make a man study a subject make me study this one. As the result of practically a third of a century of earnest study and investigation I am firmly convinced that if we will build the levees along the banks of the Mississippi River from Cape Girardeau, Mo., to the Gulf on both sides of the river, where they are needed, according to the plans of the Mississippi River Commission, the valley will be fully protected from overflow. In some places the hills come down and levees are not needed. If we will build the levees strong and high, as this commission suggests, with the crown, the height, and the base they suggest, with the banquetttes as adjuncts to the levees, and prevent the caving of the banks of the river by proper revetments along the plans advocated by the Mississippi River Commission, worked out by them in detail, and which to some extent they have actually carried into practice, I believe the people of the lower valley will have adequate relief.

The most recent testimony in regard to that subject was given by Judge Robert Taylor, of Indiana. Let me say that he is one of the greatest men in the United States. I compare him favorably with any man I have ever known. He was appointed—

Mr. GALLINGER. Mr. President, if the Senator will permit me, I want to indorse what he has said concerning Judge Taylor.

Mr. RANSDELL. I thank the Senator. Judge Taylor is a great man, and the people of that valley honor and love him. I wish he belonged to my political party, but unfortunately he does not.

Mr. GALLINGER. Which party is that?

Mr. RANSDELL. The Democratic Party.

Mr. GALLINGER. I supposed it was the "Louisiana" party, of which we have heard lately.

Mr. RANSDELL. No, sir; I do not belong to that branch of a political party.

When the Mississippi River Commission was created, in 1879, there were seven members, six of whom were engineers and one was a civilian. The first civilian was Benjamin Harrison, afterwards President of the United States. I presume that it will not be necessary to prove that he was an able man.

When he resigned from the commission to become United States Senator, in March, 1881, he was succeeded by Robert S. Taylor, and Judge Taylor held the position until March, 1914—33 years. If ever a great man studied a great subject carefully and understood it well, Judge Taylor studied and understood that subject. He was not an engineer, but in many respects he was better qualified to understand those problems than an engineer. He did not have the limitations which every profession, be it law, medicine, engineering, or any other, throws upon its members. He was a great lawyer, and he gave to the study of that question a wonderfully clear mind. Twice every year the Mississippi River Commission, during the 33 years when he was a member, went from St. Louis to New Orleans in their boat, called the *Mississippi*, studying those levees, studying every problem connected with the river, and time and again has Judge Taylor been summoned to Congress to testify in regard to the river. He studied, I believe, every question connected with the subject everywhere in the world. He has written a number of most instructive and entertaining articles concerning the river, and to any Senator who wishes to know about it, who wishes something really interesting, let me advise that he read these articles by Judge Taylor.

A few weeks ago this gentleman was summoned to testify before a subcommittee of the Commerce Committee in regard to the Mississippi River, and he again repeated what he had said often before, that the one, sole, and only solution of the floods of the river was to build the levees big and strong under the plans of his commission and to prevent other levees from caving into the river by the construction of bank revetments.

Mr. GALLINGER. And to build them on both sides of the river?

Mr. RANSDELL. Yes, sir; he thought they should be built on both sides of the river. The other man to whom I wish to refer and who testified before us recently was Maj. J. A. Ockerson, also a member of the Mississippi River Commission. As a young engineer he was employed by the great James B. Eads when working out that wonderful problem which resulted in the jetties at the mouth of the Mississippi River. For years and years, after being with Eads, who himself was an early member of this commission, Maj. Ockerson occupied a high position under the Mississippi River Commission. For 16 or 18 years he has been one of its members; he has attended a great many international engineering conferences in the Old World; he has visited and studied the levee systems of the Po, the Danube, the Nile, and of other rivers of the world. He is a remarkably high-grade engineer.

Recently, when the great break in the levees of the Colorado River occurred, and the Salton Sea, in southern California, with which we are all more or less familiar, was being filled with flood waters pouring out of the Colorado, Maj. Ockerson was employed and sent there, along with other great engineers, to close the break during the time of the flood, and his efforts and those of the others were successful. He testified very fully before the Senate committee recently. He repeated the same things stated by Judge Taylor, that if we will build the levees as they should be built, build them as the Mississippi River Commission advocates they be built, and at the same time protect the banks from caving so that the new levees when built will not cave into the river, we will get the desired protection; and I am firmly convinced, as the result of my own study, that the levees, and the levees alone, will give us that protection.

Mr. THOMAS. Mr. President, will the Senator yield for a question?

Mr. RANSDELL. I will be delighted to yield to the Senator.

Mr. THOMAS. I am greatly impressed, Mr. President, by what the Senator has just said. His conclusion is based upon his own and the experience of other very able men who have studied the subject. I quite agree that if the United States Government can put a stop to these enormous overflows and the consequent destruction of life and property which they entail, it ought to be done; and, for my part, I am willing to give my vote to any appropriation within reason that would bring about that result. Now, does not the Senator think that it would be very much better to enter upon the accomplishment of that plan than to continue these river and harbor bills, with their numerous enterprises, so many of which are of a questionable character?

Mr. RANSDELL. I thank the Senator sincerely for his expression of interest in the Mississippi Valley; and, in response to his question, I will say that for years I have personally been very anxious to see a solution of the Mississippi River flood problem adopted as a great, broad, general project, similar to the Panama Canal. Beyond question, Senators, it is as big a problem from an engineering viewpoint as the Panama Canal.

Mr. THOMAS. A larger one, perhaps.

Mr. RANSDELL. Perhaps larger. It is not going to cost anything like as much money, but it is a more difficult engineering problem than even the Panama Canal. I have been exceedingly anxious to have it adopted as a specific single project, put under the continuing contract system, and the money provided just as we provided it in the case of the Panama Canal. There is no question about that being the wise thing to do. I have advocated it, but there seemed to be no chance to get it adopted.

There is now pending in the Senate a bill which I introduced, proposing to appropriate \$12,000,000 a year for five years to build levees on the river, requiring the local people to contribute \$3,000,000 a year for five years, making a total of \$15,000,000. Now, how do I arrive at that sum? The Mississippi River Commission says it will cost \$60,000,000 to complete the levees. They tell us that in order to carry on properly the work of bank revetment an appropriation of \$3,000,000 per annum is advisable. So, if the commission had \$15,000,000, \$12,000,000 to be furnished by the National Government and \$3,000,000 by the local people—and that is all they can pay to save their lives—it would give them during the next five years \$75,000,000, of which \$12,000,000 per annum, or a total of \$60,000,000, would go into levees, while

\$3,000,000 per annum, or a total of \$15,000,000, would go into the work of bank revetment; and at the end of that time the work would have been completed, so far as the levees were concerned.

In all candor, Senators, I must say that the work of bank revetment must go on for a number of years. Some of the engineers estimate that it will probably cost \$90,000,000 to finish the work of bank revetment, but it will run on through a long period of years. If you had the whole amount now, you could not possibly spend it. Why? You would not have the plant with which to operate. Three million dollars a year is a large sum, and they would have to increase their present plant considerably to spend more than \$3,000,000 a year. Moreover, there is a very large amount of willows needed in revetment work. They use the very small willows, and you would exhaust the supply of willows if you tried to expend over three or four million dollars a year.

Another thing: In order to do the work properly you must slightly precede the caving of bends. You revet one bend; the Mississippi winds around, as you know, like a great snake down through the country; caving occurs on a certain bend. You revet that bend to prevent any further caving from going on there, and you do not know where the next caving will break out. You must wait a few months, or perhaps a year or two, to see where the indications of caving are; and then, before the next high water, you put in revetments at that point, 1 or 2 or 3 miles, as the case may be. So you could not spend more than about \$3,000,000 a year if you had it.

Let me say again that I believe it would be wise for us to take this great project away from the annual river and harbor bill, and no man would sanction it more than myself. My bill is pending for that purpose. I am not opposed to the Senator from Ohio in his general idea of continuing contracts. When my time comes to speak—and I thank the Senator for letting me talk so long now—I shall show that this bill is framed along the lines of continuing contracts, and along the lines of his great bill of 1907; but I should like to see some exceptions made, and this is one of them. We ought to be statesmen enough to take the Mississippi River out of the ordinary river and harbor bill and provide for it once and for all, and I hope the Senator is going to help me when my bill comes before us.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from New Hampshire?

Mr. RANSDELL. I do.

Mr. GALLINGER. I will ask the Senator from Louisiana if he is at all certain, from the investigations he has made—and doubtless they have been very thorough—that the amount included in his bill will accomplish this great result?

Mr. RANSDELL. Mr. President, in response to that I will say that, I believe it will more than do the work, and I will tell you what I base that on.

The engineers, in making their estimate of \$60,000,000, thought, and so estimated, that it would cost about 30 to 35 cents per cubic yard to move the dirt. Most of the levee building is done with scrapers and mules. It is about like making the fills in railroads. The estimate was 35 cents per cubic yard to move that dirt. Very recently a great dirt-moving machine has been invented. I have some pictures of it here. It is very recent. It is not on the market, but they are building a levee with it now in the vicinity of Memphis, Tenn. It is thought that this wonderful machine will probably move that dirt at about 10 cents a yard; so that instead of our having to pay 30 to 35 cents, the estimate made by these engineers—and they have made it very carefully; they have erred, if at all, on the conservative side—we may be able to move it for 10 cents. I am sure that if we have \$60,000,000, and have it systematically, at the rate of at least \$12,000,000 a year, which is enough, as we could not very well spend more than that economically, and could make our contracts and our calculations in advance, we could build the levees for less than \$60,000,000.

Mr. GALLINGER. Mr. President, I am interested in the statement the Senator has made that this great project includes the building of levees on both sides. It has seemed to me that we have been profligate in our expenditures in levee building, for the reason that we have constructed levees only on one side of the river at critical points. There are lodged now in the proper department of the Government perhaps thousands of claims, and certainly hundreds of claims, of citizens on the side of the river opposite where the Government has built levees, the contention being that their property has been destroyed and the Government ought to reimburse them.

I know that as far back as 1898 there were claims of nearly a million dollars filed. I at one time thought they were ridiculous; but more recently, after giving the matter more mature

consideration, it looks to me as though they have a pretty valid claim. The property holders on the one side where the levees were built have had their property increased from 50 to 300 per cent in value, while the property holders on the opposite side have had their property swept away. It does seem to me that if this great project is to be entered into—and it commands itself pretty warmly to my untutored mind—the levees ought to be built the entire stretch on both sides of the river.

Mr. THOMAS. At the same time.

Mr. GALLINGER. At the same time. I presume, however, that if we solve the problem of floods on the lower Mississippi, we shall have to back up and come to Pittsburgh and some other points farther north and engage in another great enterprise to prevent floods there. There is, or was recently, a great clamor in Pittsburgh to the effect that they were suffering from floods that might be controlled and that the Government ought to make liberal appropriations for that purpose.

I simply want to say this to the Senator from Louisiana: I may not be wise in saying it, because I do not know exactly how it will strike the people I represent, and yet I am in the habit of doing things without much regard to the popular view. I suppose the bill to which he alludes is before the Committee on Commerce?

Mr. RANSDELL. Yes, sir.

Mr. GALLINGER. And the Senator is a member of that committee?

Mr. RANSDELL. Yes, sir.

Mr. GALLINGER. If the Senator's pleasing personality can induce that committee to report the bill and it ever comes before the Senate for action, unless I change my mind I will vote for it. That would be only one vote, of course; but I think we ought in some way to take up this great question on a large scale and see if it can not be solved, because I do think our piecemeal work is not very wise.

Mr. RANSDELL. I again wish to thank the Senator for his very kind and statesmanlike remarks.

Mr. THOMAS. Mr. President—

Mr. RANSDELL. Let me answer the Senator from New Hampshire for just a few moments, and then I will yield to the Senator from Colorado.

I wish to say that the Senator is only partially correct in regard to the building of levees on both banks of the river. From the Gulf of Mexico to the city of Baton Rouge, La., there is a continuous line of levees on both banks of the river. Then, from the city of Baton Rouge, La., to a short distance above the city of Vicksburg, Miss., there is a levee on the east bank of the river. Then, from a point just above Vicksburg, for several hundred miles, to the city of Memphis there is a levee along the east bank. On the west bank of the river there is a practically continuous levee line from the Gulf to a point slightly north of the city of Cairo, except at the mouth of the Red River, the mouth of the Arkansas, the mouth of the White, and the mouth of the St. Francis. There is practically a continuous levee line on the west bank.

So, repeating what I said, on the east bank from the Gulf to Baton Rouge and from a point just above Vicksburg to Memphis there is a levee line. There are narrow strips of land in the sections between Baton Rouge and Vicksburg and between Memphis and the Ohio River, with the exception of a few miles at Reel Foot, which never have been leveed in the past because they were comparatively small and the money was so scarce, and the commission and others thought they would have to spend the money where it would do the most good.

I am delighted to hear the Senator say that this matter should be taken up in a big, broad, general, far-reaching way. Let me call your attention to section 13 of this bill, which provides:

That the President of the United States is hereby authorized to appoint a commission of three persons, two of whom shall be from civil life, and the third an engineer of the United States Army, one of whom shall be designated as chairman, to investigate the question of damage to lands on the Mississippi River below Cape Girardeau, Mo., resulting from the construction of levees and the improvement of said river in the interest of navigation since 1890. Said commission shall examine and report upon all such damages caused by floods resulting from levees and shall report the facts to Congress with suggestions of a basis of equitable adjustment of the liability, if any, for such damages, and what part the National Government, the State and local authorities shall, respectively, contribute in the settlement of such liability. Said commissioners shall have power to subpoena witnesses and to administer oaths: *Provided*, That no fee shall be paid to any witness except those subpoenaed on the part of the Government. The commission is appointed from civil life shall receive a salary of \$5,000 a year each, payable monthly, on the warrant of their chairman, and the commission shall be entitled to necessary clerical and expert assistance, stationery, etc., together with traveling expenses. The term of office of this commission shall expire when its final report is made to Congress, which shall not be later than July 1, 1916. In order to carry out the purposes of this section, the sum of \$60,000 is hereby appropriated. All expenditures herein authorized shall be paid out of this appropriation upon the warrant of the chairman.

This section provides for a commission to study that question and report to Congress, so that we will have intelligently before us all matters connected with damages by floods and levees on the river, and an estimate of the cost of probable damages if the Government is to pay them. The friends of the river wanted light on the subject, and we are trying to get it under the provisions of this bill.

Mr. SMOOT. Mr. President, do I understand the Senator to say that in his opinion \$60,000,000 would do all the necessary improvement on the Mississippi, including the necessary revetment work?

Mr. RANSDELL. No; I stated that \$60,000,000 would finish the levees, and that the revetment work would probably cost about \$90,000,000. That estimate of \$90,000,000 is made by Maj. Ockerson. I have his report here, if the Senator would like to see it.

Mr. SMOOT. I am not an engineer, but—

Mr. RANSDELL. Let me say that that \$90,000,000 would be expended during a period of about 30 years. They can not expend the money much more expeditiously than at the rate of \$3,000,000 a year, for the reasons I have stated, owing to the scarcity of willows and many things of that kind.

Mr. SMOOT. The last trip I took down the Mississippi River from St. Louis to New Orleans I came to the conclusion that if \$500,000,000 would do the necessary levee work on the Mississippi River and also provide the necessary revetments, it would be a closer estimate than the one just cited by the Senator. I do not believe \$150,000,000 will begin to cover the expense. I watched the banks on both sides of the river caving in, caused by the high water at that particular time, and I noticed the immense amount of work that would have to be done for hundreds of miles on both sides of the river, which would be exceedingly costly work, particularly the revetment; and yet I thought to myself that if that river could be made navigable and secure against future floods and the great Mississippi Valley could become all that people thought it would be in case floods were prevented, even that amount of money could be justified. I would not, however, want to start in with any idea of \$150,000,000 doing the work, because, in my opinion, it is absolutely impossible to accomplish that work for that amount of money.

Mr. RANSDELL. Mr. President, responding to the Senator, I thank him for his kind words, as I have the other Senators. Of course I am not an engineer, and I would not like to put up my untutored opinion against that of the doctors in a case of this kind. When I get a serious disease I go to the best doctor I can find and take his medicine, and I usually get well. We have had, I believe, the best doctor on earth on this question, the Mississippi River Commission, composed of six very able engineers and that great man, Judge Taylor, of whom I have spoken. All of the members of the commission, so far as I know—and I think I know them well—are a unit in saying that the levees can be built for \$60,000,000; and I have given the reasons which make me believe and make some mighty well-posted people believe that the levees will not cost \$60,000,000, because that estimate was based on 35 cents a cubic yard for moving dirt, and we believe—I stated it while the Senator was out—that a recently invented dirt-moving machine, of which I will show the Senator a picture—

Mr. SMOOT. I heard the Senator's statement. I was here.

Mr. RANSDELL. A machine has been evolved which will cheapen it very much. There was one estimate made that the revetment work would cost \$158,000,000, but I do not consider that a reliable estimate.

Mr. BURTON. May I ask, first, who made that estimate of \$158,000,000?

Mr. RANSDELL. It was made, as I understand, by the Mississippi River Commission, under a resolution of Congress asking them to go into some details and give an estimate of the entire cost; but Maj. Ockerson, who was a member of the commission when the estimate was made, stated before our committee the other day that he was convinced that \$90,000,000 would do the work.

Mr. BURTON. What was the estimate of Col. Townsend on the revetment and on the levees?

Mr. RANSDELL. As I recall, Col. Townsend thought something like ninety to a hundred million dollars would probably do it.

Mr. BURTON. That is for the revetment?

Mr. RANSDELL. For the revetment, and \$60,000,000, he said, for the levees.

Mr. BURTON. What is the average cost per mile, under present conditions, of levee construction and of revetment construction? It has changed so from year to year that I could not rely on the estimates I had in mind some years ago.

Mr. RANSDELL. The cost of levee construction depends entirely upon the yardage. I should have to give it to the Senator by yardage rather than otherwise.

Mr. BURTON. Running from levee district to levee district, what has been about the average cost per mile or per thousand feet—we can get the result by computation in either case—of those two, the levees and the revetments?

Mr. RANSDELL. Our revetment work 20 to 25 years ago, when I first became closely connected with it, and they were doing some work in the vicinity of my home, cost between \$140,000 and \$150,000 a mile; but the latest reports of the commission show that it costs in the neighborhood of \$200,000 per mile. The cost of labor has increased considerably. Willows have diminished in quantity. They are more expensive to get than they used to be. Everything that is used in connection with the revetment seems to be more expensive. They say this revetment will cost in the neighborhood of \$200,000 per mile.

I can not give you the exact figures of the cost of levees. I know that the price per yard ranges from about 18 to 35 cents. Just after a levee is breached during the overflow, when much of the materials have to be hauled a long distance and you have all the bad material that has to be moved before they can get the good, the prices sometimes run considerably over 35 cents per cubic yard. Some of the levees, at least, are small—that is, only 12 or 15 feet high. Others range 25 feet high. A levee has a crown of 8 feet, with a slope of 3 to 1 on each side. On the land side the best levees are always built with a banquette, which banquette should be in width twice the height of the levee. If the levee is 20 feet high, the crown of the banquette should be 40 feet. The crown of that banquette is practically level. It reaches within 8 feet ordinarily of the top of the levee, and slopes back very gradually. There is just enough slope to let it drain off nicely. Then the remainder of it is built at a slope of 3 to 1.

So, you see, the conditions as to the dimensions of levees are so variable that I could not state just what it would be per mile, but the engineers have all this calculation. They have figured out very carefully throughout the entire length of the levee line just how many cubic yards are needed to put these levees up to what they conceive to be the necessary grade, and, having multiplied that by 35, they arrive at the \$60,000,000.

Mr. BURTON. Where are those figures published?

Mr. RANSDELL. It is the statement made by the witnesses, and I would be very glad to point it out to the Senator in the testimony given before us.

Mr. KENYON. I should like to ask the Senator the status of the bill at this time.

Mr. RANSDELL. It is pending before a subcommittee of the Commerce Committee. We have had a number of hearings on it. We actually had hearings relating to the terrible flood on the Hwai River in China. Our Government has sent Col. Sibert, formerly a member of the Panama Canal Commission, to China. I expect that he has gotten there about to-day. We saw in yesterday's paper where there have been great loss and suffering on the rivers in China. I suppose Col. Sibert is over there now and will help them to solve that problem. We had testimony in regard to that.

Mr. KENYON. The bill would provide for levees that would protect the adjacent country?

Mr. RANSDELL. Yes, sir; it will protect the entire alluvial delta along the river.

Mr. KENYON. I hope the Senator will get that bill into the Senate. For my part, I should like to vote for some protection to the people of the South. I do not think it is fair or just to dump all this water from the North down upon the people of the South. I hope the Senator will get that bill out of committee. I think it would be better to do something in that way by means of a defensive bill. It seems to me that the pending bill is composed of patchwork and some things that in the end will practically amount to nothing. The other is a substantial proposition. It is more important than the Panama Canal, and we ought to undertake it. I think the Senator will find great support for his plan in the cooperation of the States and the landowners and the Government.

Mr. RANSDELL. I appreciate very highly your encouraging words, and assure you it is my intention to press that bill. There is a valid reason why it was not done heretofore, but it is my intention to press it hereafter as rapidly as I can.

Mr. GALLINGER. In addition to the Government loaning China one of our best engineers, is it not a fact that the Red Cross has taken up that matter and is going to make a large donation of money toward the consummation of that scheme?

Mr. RANSDELL. I understand that is true—that it has already made a donation of a very large sum and that it is helping considerably. It is not going to furnish money, if I

am correctly informed, for building levees on the Hwai River, but it is going to lend its moral support. It is going to encourage an engineering and constructive firm in this country to undertake the work of building those levees and is going to help in every way possible.

Mr. GALLINGER. My attention was called to that recently, and it seemed to me a philanthropic movement that was very commendable. At that time I thought, and it rather impresses me now, that if that great organization had taken up the Mississippi River first and gone to China afterwards it might have been a better scheme.

Mr. RANSDELL. I want to say to the Senator that the president of the Red Cross, Miss Mabel Boardman, testified before our committee, the particular committee which has in charge the bill of which I have been speaking, and said that their association during the last three years—that is, during the flood season of 1912 and 1913—had expended something over \$3,000,000 on the floods in the Mississippi River and the Ohio. She did not differentiate between the two, but I know they have been doing a great deal of magnificent work, for which I am delighted to give them credit, during the floods there in 1912.

Mr. GALLINGER. That was for the relief of the sufferers?

Mr. RANSDELL. Yes, sir; for the relief of the sufferers.

Mr. GALLINGER. Not for construction?

Mr. RANSDELL. Not for construction. Unfortunately we have not had as much construction as we should have had.

Mr. THOMAS. Mr. President, there is no question that the duty devolves upon the Government of the United States to prevent the recurrence of these floods, or, rather, the consequences of the floods, in the Mississippi River; but I fear that one of the obstacles, and possibly it is an insuperable one, for the consummation of the project which the Senator has outlined in a bill yet to be reported is due to the fact that so much money is being and has been appropriated in so-called river and harbor bills for enterprises that are not meritorious and which smack very strongly of enterprises that are designed for personal and local benefit instead of those benefits for which river and harbor bills are supposed to be designed.

I wish the Senator could in some way substitute as an amendment to this bill his project for the improvement of the Mississippi River, that we could cut out some twelve or fifteen million dollars in appropriations, which we are going to be asked to pass, which are not necessary and some of which are indefensible; take the amount of those appropriations and give it for the great enterprise which is designed to be accomplished by the bill to which he has referred.

I am very much afraid that if these huge river and harbor bills continue to be presented to the Congress for passage every year, subject as they are to criticism, not only in but outside of Congress, the feeling against the making of appropriations will continue to grow to such an extent that the improvement of the great Mississippi River for the prevention of these floods will be so confused and confounded with the popular notion of what river and harbor bills in these modern days are designed for that we shall not be able to enact that measure into a law even if it should be reported from a committee.

Mr. RANSDELL. I would not like at this time, as I am trenched on the time of the Senator from Ohio, to go into a general defense of this bill. At the proper time I shall do so, but I am going to ask the Senator to please make me out a list of what he terms the indefensible items in this bill and I will endeavor to explain them hereafter. There are a great many items in the bill, something like 350, and I am quite sure those items are good. If there be any bad ones, I do not know it. I took part in preparing the bill, and I studied it just as well as I knew how. All humanity is liable to err. I do not pretend to claim that we have not been guilty of errors in the preparation of this bill.

There may be bad items; we may have some items in it which should not be there; but we have tried our best to get a good bill. Some of the very small items that several Senators would like to cut out are just as important relatively as the large items. I should like to have the items pointed out to which the Senator refers, and then I will try to explain them.

Mr. THOMAS. I am depending very largely upon the Senator from Ohio in the statements which he has made and those which I think he will make concerning this bill for my assertion that much of the bill is indefensible. My own personal knowledge of the various items is too indefinite to enable me to comply with the Senator's request, but I think the Senator from Ohio is doing that identical thing now. So I think that by the time he will have finished his remarks all the information, and very much more than I could possibly give the Senator, will have been furnished.

Mr. RANSDELL. From my experience on this floor I think the Senator from Colorado is one of the best lawyers I have ever come in contact with, and his experience must teach him that when one knows but one side of a case he knows very little about it. When we get through defending this bill you will know something of the other side, and we will be very glad to answer any criticism made upon the bill. All we ask is that Senators sit patiently by and listen to our defense as they have listened to the criticism of the bill by the Senator from Ohio.

Mr. THOMAS. That is what I have done and what I propose to do. I will also remind the Senator that I also sat by and listened to a great deal of the discussions of the bill which was passed a year ago.

Mr. RANSDELL. I thank the Senator from Ohio very much for yielding to me so long. I did not intend to trespass on his time.

Mr. BURTON. Mr. President, I am much obliged to the Senators from New Hampshire and Louisiana, as well as to the Senator from Colorado, for their suggestions and for bringing to the attention of the Senate important subjects relating to this bill.

There are three subjects which have been treated by them which must require very careful discussion before we are through. The first one to which at a later time I intend to give considerable attention is the question of discriminatory railroad rates between cities on and off waterways, and whether the United States should improve waterways with a view to regulating freight rates. Is that a correct policy or not? Another question arises is this: Are those differences in rates between towns on and off from rivers exclusively traceable to the fact that there is potential water competition? Are the towns which have lower rates located on rivers or near to them? Must they ascribe their lower rates exclusively to water competition?

The second topic is the general subject of the improvement of the lower Mississippi from Cape Girardeau and Cairo to the Gulf. The third, which has just been suggested by the Senator from Colorado [Mr. THOMAS], is a list of objectionable items in this bill. I shall try before I am through and before the end of the general discussion to point out some of those objectionable items. It is possible that there will also be other items to which remarks can be more profitably directed when the bill is taken up in detail.

I wish to say now that I am going to submit two amendments relating to prior bills. One is for the repeal of the item of \$100,000 for the Youghiogheny River, the project which contemplates the building of three locks, each to cost \$350,000. As an illustration of the piecemeal policy that was pursued in the bill of 1910, \$100,000 was appropriated—not enough to finish one lock or one dam; not enough to even begin a lock or a dam profitably.

The other item is an appropriation in the same bill of \$1,000,000 for the 14-foot waterway from the Lakes to the Gulf. It is an extended provision, and it is a question how far, if at all, this million dollars commits Congress to proceeding with its construction. In any event I wish to introduce an amendment to repeal that provision so that there may be no doubt about it.

I wish to say just a word more in regard to the remarks of the Senator from Louisiana on the improvement of the Ohio River and its tributaries. He raises, and very naturally, the argument that the prosecution of the improvement of the Ohio was somewhat slow during the time when I was a member of the River and Harbor Committee of the House. In view of the appropriations made at that time, Mr. President, I do not think so. The fact of the matter is when I first became connected with the River and Harbor Committee or had an active part in its proceedings, about 1898, it was exceedingly difficult to reconcile the sentiment of the country to the passage of bills carrying any considerable amount.

In 1882 President Arthur vetoed the river and harbor bill. It was passed over his veto, but a vote in favor of such passage over his veto was a fatal obstacle to the reelection of many Members of the House of Representatives in the autumn of that year. In the year 1896 President Cleveland vetoed a river and harbor bill. That was passed over his veto, but I do not think it exercised any very great influence on the fortunes of those who voted for it, because in the following campaign of 1896 there was an all-absorbing issue, the so-called silver question of 16 to 1. I was one of those who voted to pass that bill over his veto, nevertheless there was a very strong feeling against river and harbor legislation.

It was the first effort of the committee during my incumbency, or, at least, during the time in which I was chairman, to relieve these river and harbor bills of excrescences, to bring forward no appropriations unless the projects for which they were to be made had had expert examination and would stand the acid

test. Even so, items were included in the bills of 1899 and 1902 which I do not think commend themselves to our judgment to-day.

So a new plan was devised of a river and harbor board, which should review all projects and make recommendations. That board was expected to contain some of the ablest officers in the Engineer Corps. It had been found that in the years preceding 1902 reports came to Congress made oftentimes by a single engineer. If a man had the rank of lieutenant colonel or higher his estimates virtually came directly to Congress. It was in the power of the Chief of Engineers to review his findings, but virtually his report came directly here. If the rank was under that of lieutenant colonel, the report went to the division engineer, who expressed his opinion upon the judgment of the local engineer, and then the two were transmitted. It developed that we had as many different judgments as there were men in the corps. One man would examine a project that would cost \$100,000, and being of a conservative disposition he would report against it. Another man would examine a project costing \$200,000 that did not promise nearly the same benefit, and he would report enthusiastically in favor of it, and so we were including many ill-considered projects in our bills.

This board of engineers did most excellent service, and is doing it to this day; but I do not think that of recent years they have shown by any means the care—I will not say “the care”—but they certainly have not maintained the conservatism which they maintained in the first five or six years of their existence. So, I say that it is hardly just to say that the Ohio River was not improved with rapidity while I was chairman because the first effort of the committee during my membership of it was to relieve these bills from the obloquy which was so general throughout the country.

The people of the United States and the Congress would not then submit to a bill carrying the great figures which have been carried in bills in later years. Beyond that, I am perfectly free to say that I did not at that time feel sure that this improvement, costing sixty or seventy million dollars, although it borders on my own State, was justified. It would have been out of keeping with improvements that we were making at that time, and it is hardly fair to say that the Ohio River should have been improved to a high grade and hence the tributary streams. If it were not desirable to improve the Ohio River on this enormous scale, then the tributary streams should have waited as well. In any event, we should adopt a broad and comprehensive policy, the rational policy of first improving the main stream, and not, as has been done in many instances, as is being done in this bill, and in bills preceding it, provide a channel in a branch stream deeper, more ample, more thoroughly improved than in the main trunk line or stream itself.

#### EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

Mr. KERN. I move that the Senate adjourn until to-morrow, at 11 o'clock a. m.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 7, 1914, at 11 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate July 6, 1914.*

##### MINISTER.

Ira Nelson Morris, of Chicago, Ill., to be envoy extraordinary and minister plenipotentiary of the United States of America to Sweden, vice Charles H. Graves, resigned.

##### SUPERINTENDENT OF THE MINT.

Adam M. Joyce, of Philadelphia, Pa., to be superintendent of the mint of the United States at Philadelphia, Pa., in place of John H. Landis, resigned.

##### COMMISSIONER OF IMMIGRATION.

Henry J. Skeffington, of Massachusetts, to be commissioner of immigration at the port of Boston.

##### PROMOTIONS IN THE ARMY.

###### INFANTRY ARM.

First Lieut. Bruno T. Scher, Twenty-eighth Infantry, to be captain from March 3, 1914, vice Capt. John F. Madden, Twenty-ninth Infantry, promoted.

First Lieut. Gustave A. Wieser, Fifteenth Infantry, to be captain from March 13, 1914, vice Capt. William Wallace, Seventh Infantry, promoted.

First Lieut. Charles R. W. Morison, Sixteenth Infantry, to be captain from April 19, 1914, vice Capt. Dwight W. Ryther, Sixth Infantry, detached from his proper command on that date.

First Lieut. Walter L. Reed, Tenth Infantry, to be captain from April 19, 1914, vice Capt. Charles M. Gordon, jr., Sixth Infantry, detached from his proper command on that date.

First Lieut. Ira F. Fravel, Nineteenth Infantry, to be captain from April 28, 1914, vice Capt. Ferdinand W. Kobbé, Twenty-second Infantry, promoted.

First Lieut. Ned M. Green, Fifteenth Infantry, to be captain from June 5, 1914, vice Capt. John McA. Palmer, Fifteenth Infantry, promoted.

First Lieut. J. Alfred Moss, Twenty-third Infantry, to be captain from June 6, 1914, vice Capt. Dana W. Kilburn, Twenty-sixth Infantry, dismissed June 5, 1914.

First Lieut. Charles F. Leonard, Twenty-eighth Infantry, to be captain from July 2, 1914, vice Capt. Frank M. Savage, Fifteenth Infantry, dismissed July 1, 1914.

Second Lieut. John W. Simons, jr., Sixth Infantry, to be first lieutenant from March 3, 1914, vice First Lieut. Bruno T. Scher, Twenty-eighth Infantry, promoted.

Second Lieut. Jubal A. Early, Twentieth Infantry, to be first lieutenant from March 13, 1914, vice First Lieut. Gustave A. Wieser, Fifteenth Infantry, promoted.

Second Lieut. Edward G. Taylor, Fourth Infantry, to be first lieutenant from April 10, 1914, vice First Lieut. Herndon Sharp, Second Infantry, resigned April 9, 1914.

Second Lieut. Alfred H. Erick, Fifth Infantry, to be first lieutenant from April 28, 1914, vice First Lieut. Ira F. Fravel, Nineteenth Infantry, promoted.

Second Lieut. Fred P. Jacobs, Twenty-ninth Infantry, to be first lieutenant from April 30, 1914, vice First Lieut. Clarence H. Farnham, Fourth Infantry, dropped for desertion April 29, 1914.

Second Lieut. Walter S. Greacen, Twelfth Infantry, to be first lieutenant from May 5, 1914, vice First Lieut. Horatio K. Bradford, Twenty-sixth Infantry, who died May 4, 1914.

Second Lieut. Cary I. Crockett, Second Infantry, to be first lieutenant from May 9, 1914, vice First Lieut. Robert B. Parker, Thirtieth Infantry, dismissed May 8, 1914.

Second Lieut. Oliver A. Dickinson, Fifth Infantry, to be first lieutenant from June 5, 1914, vice First Lieut. Ned M. Green, Fifteenth Infantry, promoted.

Second Lieut. Homer H. Slaughter, Fourteenth Infantry, to be first lieutenant from June 5, 1914, vice First Lieut. Evan E. Lewis, Second Infantry, detached from his proper command on that date.

Second Lieut. Henry C. K. Muhlenberg, Infantry (detailed first lieutenant in the Ordnance Department), to be first lieutenant of Infantry from June 6, 1914, vice First Lieut. J. Alfred Moss, Twenty-third Infantry, promoted.

Second Lieut. John F. Curry, Fifth Infantry, to be first lieutenant from June 6, 1914, vice First Lieut. Henry C. K. Muhlenberg, whose detail in the Ordnance Department was continued from that date.

Second Lieut. James E. Chaney, Ninth Infantry, to be first lieutenant from June 20, 1914, vice First Lieut. Charles S. Donavin, Twenty-third Infantry, detailed in the Ordnance Department on that date.

Second Lieut. William J. Fitzmaurice, Tenth Infantry, to be first lieutenant from June 20, 1914, vice First Lieut. Arthur D. Minick, Eleventh Infantry, detailed in the Ordnance Department on that date.

Second Lieut. Carl C. Oakes, Fourth Infantry, to be first lieutenant from July 2, 1914, vice First Lieut. Charles F. Leonard, Twenty-eighth Infantry, promoted.

#### APPOINTMENTS IN THE ARMY.

##### INFANTRY ARM.

Additional Second Lieut. Frederick Herr, Infantry, to be second lieutenant of Infantry, with rank from June 12, 1914.

Additional Second Lieut. Clifford James Mathews, Infantry, to be second lieutenant of Infantry, with rank from June 12, 1914.

NOTE.—The above-named officers were recently graduated from the United States Military Academy, nominated to the Senate on June 22, 1914, and confirmed by that body on June 29, 1914, for appointment as additional second lieutenants of Infantry. This message is submitted for the purpose of correcting the title of the office to which each of the nominees has been appointed.

##### PROMOTIONS IN THE NAVY.

Commander Carlo B. Brittain to be a captain in the Navy from the 1st day of July, 1914.

Commander Lloyd H. Chandler to be a captain in the Navy from the 1st day of July, 1914.

Lieut. Commander Walter R. Gherardi to be a commander in the Navy from the 1st day of July, 1914.

Lieut. George F. Neri to be a lieutenant commander in the Navy from the 28th day of April, 1914.

Lieut. (Junior Grade) John W. Lewis to be a lieutenant in the Navy from the 17th day of May, 1914.

The following-named paymasters with rank of lieutenant to be paymasters in the Navy with rank of lieutenant commander from the 1st day of July, 1914:

James A. Bull,  
Frank T. Watrous,  
Edwards S. Stalnaker,  
Chester G. Mayo,  
James F. Kutz,  
Alvin Hovey-King,  
John R. Hornberger,  
Noel W. Grant,  
David G. McRitchie,  
Philip J. Willett,  
Ben D. McGee,  
Neal B. Farwell,  
Reginald Spear,  
Elijah H. Cope,  
Brainerd M. Dobson,  
William W. Lamar,  
William L. F. Simonpietri,  
Fred W. Holt,  
Walter D. Sharp, and  
Raymond B. Westlake.

The following-named naval constructors with rank of lieutenant to be naval constructors in the Navy with rank of lieutenant commander from the 1st day of July, 1914:

John W. Woodruff,  
Clayton M. Simmers.

The following-named civil engineers with rank of lieutenant to be civil engineers in the Navy with rank of lieutenant commander from the 1st day of July, 1914:

De Witt C. Webb,  
Walter H. Allen,  
James V. Rockwell,  
Carl A. Carlson,  
Frederick H. Cooke,  
Clinton D. Thurber.

Lieut. Frank McCommon to be a lieutenant commander in the Navy from the 5th day of May, 1914.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1914:

Penn L. Carroll,  
Comfort B. Platt,  
Frank A. Braisted,  
Edgar A. Logan,  
Zachary Lansdowne,  
David H. Stuart,  
Lucius C. Dunn,  
Rush S. Fay.

Asst. Naval Constructor James Reed, jr., to be a naval constructor in the Navy from the 1st day of January, 1913.

First Lieut. William T. Hoadley to be a captain in the Marine Corps from the 9th day of June, 1914.

Second Lieut. Samuel P. Budd to be a first lieutenant in the Marine Corps from the 1st day of May, 1914.

#### REGISTER OF THE LAND OFFICE.

Charles D. Mackay, of Winnemucca, Nev., to be register of the land office at Carson City, Nev., vice Louis J. Cohn, term expired.

#### POSTMASTERS.

##### ALABAMA.

Daniel W. Houston to be postmaster at Bessemer, Ala., in place of H. W. Crook, deceased.

L. C. Kelley to be postmaster at Carbon Hill, Ala., in place of James M. Stovall. Incumbent's commission expired February 2, 1914.

##### ARKANSAS.

James M. Crider to be postmaster at Winslow, Ark. Office became presidential April 1, 1914.

John W. Puckett to be postmaster at Rogers, Ark., in place of William C. Roberts. Incumbent's commission expired April 19, 1914.

J. Lewis Ragsdale to be postmaster at Russellville, Ark., in place of George W. Burris. Incumbent's commission expired May 31, 1914.

Hugh F. Reagan to be postmaster at Fayetteville, Ark., in place of Benjamin F. Campbell. Incumbent's commission expired February 22, 1914.

Ella H. Smith to be postmaster at Wynne, Ark., in place of George E. Davis. Incumbent's commission expired February 4, 1914.

S. J. Smith to be postmaster at Beebe, Ark., in place of Earl Harrison, removed.

CALIFORNIA.

Charles H. Guy to be postmaster at Concord, Cal., in place of Emily Gavin, resigned.

W. P. Thorne to be postmaster at San Luis Obispo, Cal., in place of Warren M. John. Incumbent's commission expired January 24, 1914.

DELAWARE.

Effie M. Truitt to be postmaster at Rehoboth Beach, Del. Office became presidential July 1, 1914.

FLORIDA.

J. Y. O'Neal to be postmaster at Dade City, Fla., in place of Hettie B. Spencer. Incumbent's commission expired January 17, 1914.

GEORGIA.

Walter B. Cheatham to be postmaster at Dawson, Ga., in place of William J. Lewis. Incumbent's commission expired June 24, 1914.

Thomas Davis to be postmaster at Meigs, Ga., in place of John L. Johnson, resigned.

ILLINOIS.

Daniel C. Eylar to be postmaster at Pontiac, Ill., in place of Ralph F. Bradford. Incumbent's commission expired February 4, 1914.

INDIANA.

Francis M. Fultz to be postmaster at Akron, Ind., in place of Charles A. Daniels, resigned.

IOWA.

J. H. Baughey to be postmaster at Nora Springs, Iowa, in place of Charles A. Merrill. Incumbent's commission expired January 26, 1914.

John T. Lanigan to be postmaster at Monticello, Iowa, in place of William D. Magee. Incumbent's commission expired June 24, 1914.

William H. McClain to be postmaster at Conrad, Iowa, in place of Charles W. Wood, resigned.

H. A. Nash to be postmaster at Perry, Iowa, in place of Frank M. Hoeye. Incumbent's commission expired May 31, 1914.

J. Brady Pyatt to be postmaster at Tipton, Iowa, in place of Harry R. McNamara. Incumbent's commission expired June 24, 1914.

C. A. Sample to be postmaster at Oakland, Iowa, in place of Newton W. Wentz. Incumbent's commission expired March 15, 1914.

William C. Tambell to be postmaster at Sigourney, Iowa, in place of L. H. Hinkley, resigned.

LOUISIANA.

Andy W. Bryan to be postmaster at Murryville, La., in place of A. P. Windham, resigned.

Joseph Voegtle to be postmaster at New Orleans, La., in place of Alexander F. Leonhardt, resigned.

MASSACHUSETTS.

Edward M. Bent to be postmaster at Medfield, Mass., in place of Robert W. Baker. Incumbent's commission expired April 23, 1914.

Thomas F. Dean to be postmaster at South Attleboro, Mass. Office became presidential April 1, 1914.

James J. Gorman, to be postmaster at Bridgewater Mass., in place of Charles A. Wilbar. Incumbent's commission expired June 10, 1914.

MICHIGAN.

Charles J. Tarte to be postmaster at Marine City, Mich., in place of Charles L. Doyle, removed.

MINNESOTA.

J. D. Whaley to be postmaster at Fosston, Minn., in place of John Lohn, resigned.

MISSOURI.

Earl J. Wright to be postmaster at Tarkio, Mo., in place of Frank McKin. Incumbent's commission expired June 22, 1914.

NEBRASKA.

A. G. Corey to be postmaster at Fairfield, Nebr., in place of George M. Prentice. Incumbent's commission expired April 13, 1914.

Ralph L. Duckworth to be postmaster at Indianola, Nebr., in place of William A. McCool. Incumbent's commission expired February 2, 1914.

John Kinsella to be postmaster at Hemingford, Nebr., in place of William F. Walker. Incumbent's commission expired March 8, 1914.

Robert F. Pate to be postmaster at Minden, Nebr., in place of Levi M. Copeland. Incumbent's commission expired February 2, 1914.

Nixon H. Reed to be postmaster at Butte, Nebr., in place of Charles A. South. Incumbent's commission expired April 13, 1914.

R. F. Rowe to be postmaster at Arcadia, Nebr., in place of David C. Thompson. Incumbent's commission expired January 31, 1914.

NEW JERSEY.

M. Warner Hargrove to be postmaster at Brown Mills, N. J. Office became presidential April 1, 1914.

NEW YORK.

Albert E. Moran to be postmaster at Gardiner, N. Y., in place of John Lyons, declined.

NORTH CAROLINA.

J. T. Bynum to be postmaster at Hope Mills, N. C. Office became presidential July 1, 1914.

W. W. Jones to be postmaster at Franklin, N. C., in place of Frank B. Benbow, resigned.

Benjamin A. Summerlin to be postmaster at Mount Olive, N. C., in place of William J. Flowers, resigned.

NORTH DAKOTA.

Patrick H. Long to be postmaster at Page, N. Dak., in place of John Long, resigned.

OKLAHOMA.

J. S. Latta to be postmaster at Fargo, Okla., in place of Grant W. Bailey, removed.

PENNSYLVANIA.

Joseph Rodgers, Jr., to be postmaster at Lansdale, Pa., in place of William H. D. Godshall, resigned.

James P. Van Etten to be postmaster at Milford, Pa., in place of Harry S. Angle, resigned.

TEXAS.

T. A. Boothe to be postmaster at Cleveland, Tex. Office became presidential January 1, 1914.

Maude Strain to be postmaster at Lancaster, Tex., in place of William S. Strain, deceased.

CONFIRMATIONS.

*Executive nominations confirmed by the Senate July 6, 1914.*

MEMBERS OF THE FEDERAL RESERVE BOARD.

Charles S. Hamlin for a term of 2 years.

W. P. G. Harding for a term of 8 years.

A. C. Miller for a term of 10 years.

PROMOTION IN THE PUBLIC HEALTH SERVICE.

Asst. Surg. David C. Turnipseed to be passed assistant surgeon.

COLLECTOR OF CUSTOMS.

Rivers McNeill to be collector of customs for the district of Chicago, Ill.

POSTMASTERS.

CONNECTICUT.

John F. Penders, Meriden.

FLORIDA.

Peter A. Dignan, Jacksonville.

MICHIGAN.

Leo C. Campeau, River Rouge.

NEBRASKA.

Fred W. Mathews, Rising City.

Mark W. Murray, Pender.

J. S. Myers, Grant.

John H. O'Kane, Gothenburg.

George D. Thomas, Seward.

NEW YORK.

James O. Murphy, Orchard Park.

VERMONT.

Edward Dunn, Castleton.

Roger Dwyer, West Rutland.

John H. Wood, Wallingford.

## HOUSE OF REPRESENTATIVES.

MONDAY, July 6, 1914.

The House met at 12 o'clock noon.

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

Behold, O God our Father, we seek Thee with all our heart, for we realize that without Thee our work is vain; for Thy ways are fixed, Thy laws inexorable. Open Thou our eyes that we may see the way; strengthen our hearts that we may walk therein, and be profitable servants to those for whom we labor, and feel Thine approval welling up in our souls. Thus may our work live, and Thy will be done; in the spirit of the Master. Amen.

The Journal of the proceedings of Friday, July 3, was read and approved.

## THE PRESIDENT'S FOURTH OF JULY SPEECH.

Mr. CULLOP. Mr. Speaker, I ask unanimous consent to have inserted in the RECORD the speech of the President of the United States made at Philadelphia on Saturday, July 4.

The SPEAKER. The gentleman from Indiana asks unanimous consent to print in the RECORD the President's Philadelphia speech of July 4. Is there objection?

There was no objection.

## COMMITTEE CHANGES.

Mr. UNDERWOOD. Mr. Speaker, I desire to move the election of certain gentlemen to fill vacancies on committees.

The SPEAKER. The gentleman will send up the list.

Mr. UNDERWOOD. First I will ask the Clerk to read the letter which is at the Speaker's desk.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,  
Washington, D. C., July 6, 1914.

Hon. CHAMP CLARK, Speaker.

DEAR SIR: I beg to herewith tender my resignation as a member of the Committee on Election of President, Vice President, and Representatives in Congress, and of the Committee on the Revision of the Laws.

Yours, respectfully,

FRANK PLUMLEY.

The SPEAKER. If there be no objection, the resignation will be accepted.

There was no objection.

Mr. UNDERWOOD. Mr. Speaker, I move the election of Hon. FRANK PLUMLEY, of Vermont, as a member of the Judiciary Committee, to fill the Republican vacancy caused by the unseating of Mr. Dyer. I make this motion at the request of the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Alabama moves the election of the gentleman from Vermont [Mr. PLUMLEY] to the Judiciary Committee in the place of Mr. Dyer. Are there any other nominations? If not, the nominations are closed. The question is on the motion of the gentleman from Alabama.

The motion was agreed to.

Mr. UNDERWOOD. Mr. Speaker, also at the request of the gentleman from Illinois [Mr. MANN] I move the election of Hon. Dow H. DRUKKER, of New Jersey, to the Committees on the Census, Election of President, Vice President, and Representatives in Congress, and Expenditures in the War Department.

The SPEAKER. Are there any other nominations? The Chair hears none, and the nominations are closed. The question is on the motion of the gentleman from Alabama.

The motion was agreed to.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WILSON of Florida, indefinitely, on account of the death of his brother.

## CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. This is unanimous-consent day. The Clerk will report the first bill on the Calendar for Unanimous Consent.

## CERTAIN LAND OWNERS IN MISSISSIPPI AND LOUISIANA.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 13581) for the relief of the landowners on the east bank of the Mississippi River, in the counties of Warren, Claiborne, Jefferson, Adams, and Wilkinson, in the State of Mississippi, and the parish of West Feliciana, State of Louisiana.

The bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object—

Mr. QUIN. Mr. Speaker, the Committee on Rivers and Harbors of the Senate have reported an amended bill, and I

would like to have the bill hold its place until some time when it can be taken up under a motion to suspend the rules. If the gentleman from Illinois [Mr. MANN] wishes to object to it, I shall have it put on the calendar to come up under a suspension of the rules.

Mr. MANN. If the gentleman asks unanimous consent to pass the bill over, I will not object.

The SPEAKER. Does the gentleman from Mississippi ask to pass this bill over?

Mr. QUIN. I ask unanimous consent that it be passed without prejudice.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to pass this bill without prejudice. Is there objection?

There was no objection.

## POST OFFICE AT THOMASVILLE, GA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15110) to acquire, by purchase, condemnation, or otherwise, additional land for the post office in the city of Thomasville, Ga.

The bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I do not see the gentleman from Georgia [Mr. PARK].

Mr. ADAMSON. I do not know the reason for his absence. He is usually very punctual.

Mr. MANN. He is, indeed.

Mr. ADAMSON. I ask unanimous consent in his behalf that the bill be passed without prejudice, if it is agreeable.

The SPEAKER. The gentleman asks unanimous consent to pass the bill without prejudice. Is there objection?

There was no objection.

## CERTAIN LANDS IN OREGON.

The next business on the Calendar for Unanimous Consent was the bill (S. 49) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land.

The bill was read.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to have this bill passed without prejudice.

The SPEAKER. The gentleman from Oregon asks unanimous consent to pass this bill without prejudice. Is there objection?

There was no objection.

## PUBLIC BUILDING AT MARLIN, TEX.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13815) to increase the limit of cost for the construction of a public building at Marlin, Tex.

The bill was read, as follows:

*Be it enacted, etc.* That the limit of cost fixed by the act of Congress approved June 25, 1910, for the erection and completion of a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, complete, for the use and accommodation of the United States post office and other governmental offices at Marlin, Tex., be, and the same is hereby, increased from \$45,000 to \$65,000.

With the following committee amendment:

Page 1, line 10, strike out the figures "\$65,000" and insert in lieu thereof the figures "\$57,000."

The SPEAKER. Who has charge of this bill?

Mr. MANN. It is the bill of the gentleman from Texas [Mr. HENRY].

Mr. STEPHENS of Texas. My colleague, Mr. HENRY, is not present, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. First, is there objection to the present consideration of the bill?

Mr. HUMPHREY of Washington. Reserving the right to object, I want to ask where the gentleman from Texas [Mr. HENRY] is?

Mr. STEPHENS of Texas. He is not in the House at this time.

Mr. HUMPHREY of Washington. Is he one of the band of heroes so commended in the President's Fourth of July speech for staying here and performing his patriotic duty? Is he not here?

Mr. STEPHENS of Texas. I can not answer the gentleman's question.

Mr. HUMPHREY of Washington. Then is he present?

Mr. STEPHENS of Texas. I do not see him. I have not seen him this morning.

The SPEAKER. The gentleman does not appear to be in the Hall.

Mr. STEPHENS of Texas. I ask unanimous consent, then—  
The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The committee 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 and passed.

#### AIDS TO NAVIGATION—LIGHTHOUSE SERVICE.

The next business on the Calendar for Unanimous Consent was the bill (S. 2876) to amend an act entitled "An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," approved March 4, 1913.

The Clerk read the bill at length.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

#### ORDINANCE OF SECESSION—LOUISIANA.

The next business on the Calendar for Unanimous Consent was House concurrent resolution 34, authorizing the Secretary of War to return to the State of Louisiana the original ordinance of secession adopted by said State.

The Clerk read the concurrent resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring),* That the Secretary of War be, and is hereby, authorized to return to the State of Louisiana the original ordinance of secession that was adopted by the people of said State in convention assembled and that is now in the possession of the War Department.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, this is a concurrent resolution. I do not know who has charge of it.

The SPEAKER. The gentleman from Louisiana [Mr. WATKINS] introduced it.

Mr. MANN. I do not see where Congress has any authority to restore property in the hands of the War Department by a concurrent resolution.

Mr. GARRETT of Tennessee. It ought to be a joint resolution.

The SPEAKER. There is no question about that.

Mr. GARRETT of Tennessee. Mr. Speaker, would it be in order to amend it so as to make it a joint resolution?

The SPEAKER. The Chair sees no objection to it.

Mr. GARRETT of Tennessee. Then, Mr. Speaker. I ask unanimous consent that the resolution may be amended so as to make it a joint resolution.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that this concurrent resolution be so amended as to make it a joint resolution.

Mr. GARRETT of Tennessee. And that it may be properly numbered as a joint resolution.

The SPEAKER. And that it may be properly numbered as a House joint resolution. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Does the title need changing?

Mr. MANN. It has no title. I move that it be given a title when it passes.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The resolution (H. J. Res. 295) was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. Without objection, it will be given a title.

There was no objection.

#### TERMS OF COURT AT JONESBORO, ARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2187) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The Clerk read the bill, as follows:

*Be it enacted, etc.* That section 71 of chapter 5 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same is hereby, amended to read as follows:

"SEC. 71. The State of Arkansas is divided into two districts, to be known as the eastern and western district of Arkansas. The western district shall include the territory embraced on the 1st day of July, 1910, in the counties of Sevier, Howard, Little River, Pike, Hempstead, Miller, Lafayette, Columbia, Nevada, Ouachita, Union, and Calhoun, which shall constitute the Texarkana division of said district; also the territory embraced on the date last mentioned in the counties of Polk, Scott, Yell, Logan, Sebastian, Franklin, Crawford, Washington, Benton, and Johnson, which shall constitute the Fort Smith division of said district; also the territory embraced on the last date mentioned in the counties of Baxter, Boone, Carroll, Madison, Marion, Newton, and

Searcy, which shall constitute the Harrison division of said district. Terms of said district court for the Texarkana division shall be held at Texarkana on the second Mondays in May and November; for the Fort Smith division, at Fort Smith, on the second Mondays in January and June; and for the Harrison division, at Harrison, on the second Mondays in April and October. The eastern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Lee, Phillips, St. Francis, Cross, Monroe, and Woodruff, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Independence, Cleburne, Stone, Izard, Sharp, and Jackson, which shall constitute the northern division of said district; also the territory embraced on the date last mentioned in the counties of Crittenden, Clay, Craighead, Greene, Mississippi, Poinsett, Fulton, Randolph, and Lawrence, which shall constitute the Jonesboro division of said district; and also the territory embraced on the date last mentioned in the counties of Arkansas, Ashley, Bradley, Chicot, Clark, Cleveland, Conway, Dallas, Desha, Drew, Faulkner, Garland, Grant, Hot Spring, Jefferson, Lincoln, Lonoke, Montgomery, Perry, Pope, Prairie, Poinsett, Saline, Van Buren, and White, which shall constitute the western division of said district. Terms of the district court for the eastern division shall be held at Helena on the second Monday in March and the first Monday in October; for the northern division, at Batesville, on the fourth Monday in May and the second Monday in December; for the Jonesboro division, at Jonesboro, on the second Monday in May and the fourth Monday in November; and for the western division, at Little Rock, on the first Monday in April and the third Monday in October. The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Little Rock, at Helena, at Jonesboro, and at Batesville, which shall be kept open at all times for the transaction of the business of the court. And the clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Fort Smith, at Harrison, and at Texarkana, which shall be kept open at all times for the transaction of the business of the court."

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### ORDER OF BUSINESS.

The SPEAKER. The Chair will make two suggestions in regard to this Unanimous Consent Calendar: If a Member knows in advance that he is going to ask that a bill be passed over without prejudice, it seems that it would expedite business very much if he would make the request as soon as the title is read. That saves the reading of the bill. If any Member has made up his mind resolutely that he is going to object and that he is not going to be persuaded, after debate, to yield his opinion, it seems that it would be better for him to make his objection as soon as the title is read. These are suggestions merely to expedite business.

#### GRANTING COAL LANDS TO CITY OF GRAND JUNCTION, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1633) granting certain coal lands to the city of Grand Junction, Colo.

The Clerk read the bill.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill maintain its place on the calendar.

Mr. MANN. What is the use? This is not a bill that can pass except by discussion and consideration. No one ought to think of it.

Mr. RAKER. It has the unanimous report of the committee.

Mr. MANN. That is not in its favor; it is a little against it. [Laughter.]

The SPEAKER. The gentleman from Illinois objects.

#### INTERSTATE TRANSPORTATION OF IMMATURE CALVES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1818) to regulate the interstate transportation of immature calves.

The Clerk read the bill, as follows:

*Be it enacted, etc.* That no person, firm, or corporation shall ship or deliver for shipment, nor shall any common carrier nor the receiver, trustee, or lessee thereof, receive for transportation or transport from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia any live calf not accompanied by its mother unless the same is 6 weeks old or over: *Provided*, That the Secretary of Agriculture may make rules and regulations permitting, in cases of emergency only, the shipment in interstate commerce of live calves less than 6 weeks old; and the Secretary of Agriculture may also permit, under such restrictions as he may deem proper, one shipment in interstate commerce of live calves less than 6 weeks old and over 3 weeks old when the entire time consumed in such interstate shipment to final destination, including time of loading and unloading, does not exceed 12 hours.

SEC. 2. That any person, firm, or corporation, or any common carrier or the receiver, trustee, or lessee thereof, who shall violate any of the provisions of this act shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$20 nor more than \$50 for each calf offered for shipment, shipped, or received for transportation or transported in violation of any of the provisions of this act.

Mr. MURRAY of Oklahoma. Mr. Speaker, I object to the bill. The SPEAKER. The gentleman from Oklahoma objects to the bill.

Mr. HAMILTON of Michigan. Will not the gentleman reserve his objection for a moment?

Mr. MURRAY of Oklahoma. I regret very much to have to object; but if there is any sense in making the limitation for six weeks, there is for six months. Sometimes the stock grower is obliged to ship stock when it is in good condition and when they could not comply with these regulations. As a man experienced in the stock business, I object.

Mr. HAMILTON of Michigan. I ask the gentleman to hear me a moment. The very objection that the gentleman refers to was made by a committee representing the stockmen of the Southwest, who appeared before the Committee on Interstate and Foreign Commerce, and an amendment—

Mr. MURRAY of Oklahoma. I am not talking for the stockmen. I am talking about the farmer.

Mr. HAMILTON of Michigan. The farmers of the Southwest—

Mr. MURRAY of Oklahoma. Mr. Speaker, I will withdraw the objection, and vote against the bill.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I will ask the gentleman from Michigan [Mr. HAMILTON] to let this bill go over until I can look into it. I did not know that this bill was on the calendar.

Mr. HAMILTON of Michigan. Certainly, if my friend from Texas feels that the bill ought to go over until he can have an opportunity for further consideration, I would feel in duty bound to ask that.

Mr. GARNER. I will say to the gentleman that two years ago the representative of the Cattle Raisers' Association of Texas and the National Cattle Raisers' Association did appear before his committee to oppose a bill of this nature. I am informed that that same gentleman, Mr. Cowan, has not had an opportunity or, at least, has not taken the opportunity to be heard on this bill.

Mr. HAMILTON of Michigan. He has withdrawn his objection.

Mr. GARNER. I do not know just exactly what the position of the cattlemen on this bill is.

Mr. HAMILTON of Michigan. He has withdrawn his objection. After he appeared before the committee, I personally conferred with the Bureau of Animal Industry and asked the Committee on Interstate and Foreign Commerce to insert an amendment in the bill which provided for the very matter in relation to which Mr. Cowan appeared before the committee, so that his objection is completely met in the bill as it is now presented, and he makes no objection to it in its present form.

Mr. GARNER. Has the gentleman any statement to that effect from him—that he does not object to it in its present form?

Mr. HAMILTON of Michigan. I have no statement in writing; but on the occasion when he appeared before the committee—and the chairman of the Committee on Interstate and Foreign Commerce is here, though I do not know whether he recalls the circumstances or not—he stated that at times there were peculiar conditions existing in the Southwest; that at certain times of drought it was necessary, perhaps, to slaughter cows before their calves were six weeks old, so we inserted in the bill a provision that calves might be shipped in interstate commerce under certain conditions under rules and regulations provided by the Agricultural Department in cases of emergency.

Mr. GARNER. We can refer back to this a little later on.

Mr. HAMILTON of Michigan. The only difficulty about that is that I have tried for some time to get this bill up. It is designed to reach not conditions in the Southwest, but abuses which exist in other parts of the country; and if the gentleman only appreciated the cruelties that are being perpetrated by shipping calves as young as two days old in interstate commerce, and the barbarisms that are being practiced upon humanity in offering for food the flesh of these calves shipped under those conditions, I am sure he would withdraw any objection that he has to the bill. These calves which have suffered agony for hours in transportation are slaughtered and the meat is sold for food. They are kept in shipwreck for three and sometimes for six days, and the testimony shows that in every carload many starve to death. The gentleman knows from his experience and observation that a calf taken from its mother at the age of 2 or 3 days has not yet learned to take any other sustenance than the milk of its mother. These calves are taken from the mothers out of warm stables and are put on cars, 50 or a hundred of them at a time, and many of them are dead when they arrive at their destination, and in many instances those calves are slaughtered when they are on the verge of

death by starvation, and their carcasses are sold for food to the poor people. It is an outrage, not only from the standpoint of the kind of food that is being offered to humanity, but it is a cruelty in the extreme.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the bill be temporarily passed over.

The SPEAKER. The gentleman from Texas asks unanimous consent that the bill be passed over temporarily without prejudice. Is there objection?

There was no objection.

#### ARMY AND NAVY MEDAL-OF-HONOR HONOR ROLL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12179) to establish in the War Department and in the Navy Department, respectively, a roll designated as "the Army and Navy medal-of-honor honor roll," and for other purposes.

The Clerk read the bill, as follows:

*Be it enacted, etc.* There is hereby established in the War Department and Navy Department, respectively, a roll designated as "the Army and Navy medal-of-honor honor roll." Upon written application made to the Secretary of the proper department, and subject to the conditions and requirements hereinafter contained, the name of each surviving person who has served in the military or naval service of the United States in any war, who has attained or shall attain the age of 65 years, and who has been awarded a medal of honor for having in action involving actual conflict with an enemy distinguished himself conspicuously by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty, and who was honorably discharged from service by muster out, resignation, or otherwise, shall be, by the Secretary of the proper department, entered and recorded on said roll. Applications for entry on said roll shall be made in such form and under such regulations as shall be prescribed by the War Department and Navy Department, respectively, and proper blanks and instructions shall be, by the proper Secretary, furnished, without charge, upon request made by any person claiming the benefits of this act.

SEC. 2. That it shall be the duty of the Secretary of War and of the Secretary of the Navy to carry this act into effect and to decide whether each applicant, under this act, in his department is entitled to the benefit of this act. This act and the evidence in favor of each claimant's claim shall be liberally and favorably construed in favor of the applicant, and in cases of doubt the applicant shall be given the benefit of the doubt. If the official award of the medal of honor to the applicant, or the official notice to him thereof, shall appear to show that the medal of honor was awarded to the applicant for such an act as is required by the provisions of this act, it shall be deemed sufficient to entitle the applicant to such special pension without further investigation. Otherwise all official correspondence, orders, reports, recommendations, requests, and other evidence now on file in any public office or department shall be considered, and it shall be liberally construed and considered in favor of the applicant as aforesaid and without regard to technical requirements; but no evidence not now on file, as aforesaid, shall be admitted or considered. A certificate of service and of the act of heroism, gallantry, bravery, or intrepidity for which the medal of honor was awarded, and of enrollment under this act and of the right of the special pensioner to be entitled to and to receive the special pension herein granted, shall be furnished each person whose name shall be so entered on said roll. The Secretary of War and the Secretary of the Navy shall deliver to the Commissioner of Pensions a certified copy of each of such of said certificates as he may issue, as aforesaid, and the same shall be full and sufficient authority to the Commissioner of Pensions for the payment by him to the beneficiary named in each such certificate the special pension herein provided for.

SEC. 3. That each such surviving person whose name shall have been entered on said roll in accordance with this act shall be entitled to and shall receive and be paid by the Commissioner of Pensions in the Department of the Interior, out of any moneys in the Treasury of the United States not otherwise appropriated, a special pension of \$10 per month for life, payable quarterly yearly. The Commissioner of Pensions shall make all necessary rules and regulations for making payment of such special pensions to the beneficiaries thereof.

Such special pension shall begin on the day that such person shall file his application for enrollment on said roll in the office of the Secretary of War or of the Secretary of the Navy after the passage and approval of this act, and shall continue during the life of the beneficiary.

Such special pension shall not deprive any such special pensioner of any other pension or of any benefit, right, or privilege to which he is or may hereafter be entitled under any existing or subsequent law, but shall be in addition thereto.

The special pension allowed under this act shall not be subject to any attachment, execution, levy, tax, lien, or detention under any process whatever.

SEC. 4. That in case any person has been awarded two or more medals of honor, he shall not be entitled to and shall not receive more than one such special pension.

Rank in the service shall not be considered in applications filed hereunder.

SEC. 5. That all acts and parts of acts in conflict with any of the provisions of this act are hereby modified so that they shall conform thereto.

SEC. 6. That this act shall take effect immediately.

With the following committee amendment:

Page 2, line 21, after the word "liberally," strike out the words "and favorably."

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

Mr. MANN. Mr. Speaker, reserving the right to object, does not the gentleman from Ohio [Mr. SHERWOOD] think that this bill ought to be considered in the Committee of the Whole?

Mr. SHERWOOD. Mr. Speaker, if the gentleman will reserve his objection, I will ask to be heard for 12 minutes upon this bill.

Mr. MANN. I reserve the right to object.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that I be granted 12 minutes, so that I may be heard upon this bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent to proceed for 12 minutes. Is there objection?

There was no objection.

Mr. SHERWOOD. Mr. Speaker, it seems like a remarkable statement that the United States is the only civilized country around the world that does not give a substantial recognition to its scanty array of medal of honor heroes. And this statement is still more remarkable when we consider that in our seven years' War for Independence, in our War of 1812, in our War with Mexico, and in the great Civil War it was the volunteer soldier who led the battle lines. There is still another deplorable condition in our scanty recognition of the men of blood and brawn who have done valorous deeds in war's horrid front. In all our wars from the birth of the Republic to this hour the Government of the United States has issued, all told, only 3,088 medals of honor, and given to no single medal winner any financial recognition or aid. This bill, if enacted into law, will be the most exacting in its requirements of any nation or empire around the world. This bill relates exclusively to those who have been awarded medals of honor and who have served in any war, whether in the Civil War, the Samoan disturbance, the Chinese insurrection, the Cuban insurrection, the Indian wars, the Philippine war, or the Spanish-American War.

All medals of honor heretofore awarded have been granted under a joint resolution of Congress approved July 12, 1862, and act of Congress March 3, 1863. A correct understanding of the present situation in relation to the existing medals of honor is necessary in order that the provisions of this bill may be entirely clear. It will be noticed that this bill makes no reference to those who may be hereafter awarded medals of honor. These will be adequately cared for in a bill now pending, prepared and introduced by Mr. HAY, of Virginia, the experienced and able chairman of the Military Committee—H. R. 5388. The provisions of the bill now under consideration are all medals granted and all benefits conferred must be in strict accord with basic laws, with the President's orders, with the rulings and regulations of the Secretaries of War and Navy. All heroic soldiers whose names shall be entered on the roll hereby established shall have performed deeds of valor at least equal to, if not greater than, those performed by wearers of the Iron Cross of Germany, the Cross of the Legion of Honor of France, or the Victoria Cross of England. To this end this bill requires that each person whose name shall be placed on the honor roll must have received a medal of honor for having in action involving actual conflict in battle distinguished himself conspicuously by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty.

The words "in action" were requirements in both the basic laws which instituted the medal of honor. Gen. Schofield, commanding general of the Army, defined that medals of honor should be awarded for distinguished bravery "in action."

The Army Regulations of 1901 provided that medals of honor shall be awarded for most distinguished gallantry "in action." Subdivision 1 says "the service must have been performed 'in action.'" General Orders, No. 125, Headquarters of the Army, Adjutant General's Office, December 11, 1902, say "the regulations of the President are based on the act of Congress approved March 3, 1863, which authorized the President to present medals of honor to such as most distinguished themselves 'in action.'"

To the limited number of soldiers who have been awarded medals of honor under existing laws and who are not excluded by the rigid rules of this bill and who have attained the age of 65 years, it is proposed that they shall be given a special pension of \$10 per month. All heroic history is crowded with instances where soldiers and sailors, for exceptionally heroic deeds, have received high promotions, and in some instances their blood has been ennobled and they have been given dukedoms and kingdoms. The very foundation of the title to all real estate in England was the feudal system, under which the lands of the nation were given to knightly soldiers for valorous deeds.

Take, for illustration, the law for the Legion of Honor in France, instituted by the great Napoleon May 19, 1802. National lands providing 200,000 francs of income were at first set apart for each of 15 cohorts of the order. Afterwards the revenues and property of King Louis Philippe, which had been restored to the State, were added to the reserves to pay the pensions of the wearers of this decoration. Each grand officer was given a pension of 5,000 francs, each commandant 2,000 francs, each officer 1,000 francs, each legionary 250 francs. The highest decorated officer was given a pension of \$915 per year and the common soldier \$50 per year. Please compare the vast number

whom France has decorated in this and other orders and the vast amount she has paid them as pensions with the small number of medals of honor the United States has granted for all her wars up to date, with no special pensions whatever.

In 1810 the first class already exceeded by 19,000 the limits fixed by law. In 1843 the Legion of Honor counted 80 Knights of the Grand Cross, 196 grand officers, 803 commanders, 4,454 officers, and 43,884 knights. (Page 91, Burke.) On November 30, 1845, about 50,227 persons were in possession of the medal. The amount of pension then paid out was 5,975,000 francs.

#### CONFEDERATE STATES OF AMERICA.

The Confederate Congress authorized the bestowal of medals and badges of distinction "for courage and good conduct on the field of battle." The following is a copy of the act:

*The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to bestow medals with proper devices upon such officers of the armies of the Confederate States as shall be conspicuous for courage and good conduct on the field of battle; and also to confer a badge of distinction upon one private or noncommissioned officer of each company after every signal victory it shall have assisted to achieve. (Approved, Oct. 13, 1862.)*

This act of the Confederate Congress was published in an order from the adjutant and inspector general's office at Richmond, November 22, 1862.

Under these rules by General Order No. 31 of October 3, 1863, 12 pages of the official reports, pages 829 to 840, both inclusive, are occupied by the names of 699 Confederate soldiers who were placed on the Confederate roll of honor for gallant services in the Battle of Chickamauga. For like heroic services and gallant deeds the soldiers of the Union Army in that battle received, all told, nine medals of honor as shown by the official lists.

#### ENGLAND.

Among many military orders, decorations, pensions, and vast pecuniary rewards given by England to her soldier heroes the one most generally known is the Victoria Cross, which was instituted by Queen Victoria by royal warrant given at Buckingham Palace, January 29, 1856, wherein she provided that those who particularly signalized themselves should receive the decoration which should be highly prized and greatly sought after by the officers and men of her navy and military services, to be designated as the "Victoria Cross," and by the fourteenth section of her royal warrant provided that a special pension of £10 (\$50) a year should be granted to the wearer of the cross from the date of the act by which the decoration was gained, and it was further ordered that an additional special pension of £5 (\$25) should be granted for each extra clasp or bar which might be awarded for additional acts of bravery. It was also ordered that the special pension may be increased to £50 (\$250) a year when the recipient is incapacitated by old age or ill health. The rules provide that if a man died in winning the Victoria Cross the decoration should be given to his relatives. See book of the Victoria Cross, A. L. Hayden, London, 1906. Also see Burke's Peerage, page 2589.

I will not burden the Record by allusion to the decorations given in England to the officers of the Royal Naval Reserve; the decorations for the Royal Naval Volunteer Reserve; for the decorations of the Order of the Bath; to other medals, annuities, and gratuities for conspicuous gallantry in action.

#### HOW ABOUT GERMANY?

The award of the Iron Cross carries with it an allowance of 3 to 6 marks monthly. Wearers of the Iron Cross receive a small gratuity or pension if they have not arisen above noncommissioned rank. Two other military orders in Germany are awarded pensions for conspicuous service. Their recipients, if noncommissioned, receive under different conditions 71 cents, \$1.43, and \$2.14 monthly, in addition to any pensions for invalidity or other causes, which they also draw.

The Franco-Prussian War lasted seven months. See "The Franco-German War, Von Moltke," page 420. The German losses in battle throughout the war, killed or died soon after, were 17,547; died of wounds eventually, 10,707. Harper's Book of Facts, article "Franco-Prussian War," in note near close of article. The total German troops in the war were 1,124,000. About 40,000 were decorated in 1870-71. The German Empire was very appreciative of her soldiers.

Compare the short duration of the war, the small number of losses even after counting in all who "died soon after" the war, the comparatively small number of troops in the army, and the large number of decorations and rewards given by Germany with the long years of war, not only the Civil War, but all the wars of the United States, the many millions of her men engaged, the terrible losses by death, not counting those who died "soon after."

Even Spain, that current writers of history regard as a decadent nation, is more generous with her soldiers than the United States.

## SPAIN.

The Cruz Laureada de San Fernando, similar to the Victoria Cross of England and the Iron Cross of Germany, is granted to officers and privates of the Spanish Army and Navy for exceptional bravery in action. When granted to a private it carries 75 pesetas—peseta equals 18 cents—per month for life. Thus the special pension with this decoration for a private is \$13.50 per month. If granted to an officer, the pension carried varies with the rank of the officer. The Cross of St. Ferdinand is given to reward heroic acts in the campaign and on the field of battle. There exist five classes for rewarding distinguished heroic acts in the campaign and on the field of battle for soldiers, officers from ensign up, chief officers, and generals, and to all is assigned a life pension in addition. They also give the right to special honors and promotions. The Cross of Maria Christina is given to reward distinguished acts in a campaign, and he who receives it receives the full pay of the position immediately above that in which he serves; that is to say, if he is a lieutenant, that of captain; if captain, that of major, and so forth. See letter of Spanish ambassador, dated at Washington, D. C., December 4, 1913.

## AUSTRIA.

The military medal of honor, also called medal of valor or merit, was founded by Emperor Joseph II as a reward for sub-officers and privates, and is divided into gold and silver medals, according to the respective degrees of merit and distinction. To the first is attached an increase of pay of 50 per cent. The medals may be worn even after the owners have quitted the military service, in which case the holders of the golden medal enjoy the additional amount of one-half pay connected with it.

## ITALY.

A decoration, a gold and silver medal, was instituted March 26, 1853. A special pension is attached of 100 lire for the gold and 50 lire for the silver. Medals for 1,000 men who landed at Marsala with Garibaldi were given, in 1865, by the law of January 22, a life pension of £1,000 to wearers of this decoration, and this pension by law of January 26, 1879, was extended to others.

## RUSSIA.

Russia has several military orders and decorations with pensions. In the Order of St. George the silver cross for sub-officers and men is accompanied by an additional pay of one-third. In the Imperial Order of St. George of Russia the senior knights of the four classes enjoy considerable pensions—those of the first class, 700; those of the second, 400; of the third, 200; and of the fourth, 100 rubles yearly. A ruble is valued at 77 cents. (Page 280, vol. 2, Historical Account of Orders of Knighthood—Sir Scott Hanson.)

## DENMARK.

The medal is divided into two classes, each of which enjoys a pension for life of 30 and 15 thalers (90s. and 45s., English currency). (Page 80, Burke.)

## GRAND DUCHY OF OLDENBURG.

There are two Knights of the Grand Cross, with annual pensions of 500 gold thalers (£75); two grand commanders, with annual pensions of 400 gold thalers (£60); four commanders, with annual pensions of 300 gold thalers (£45); eight Knights of the Small Cross, with annual pensions of 200 thalers (£40). (Page 168, Burke.)

I am not going into the Orient to find more examples to fortify my contention. We did not borrow our civilization or our laws or our religion from the Orient. Upton says China is the only country in either Europe or Asia in which the profession of arms is not honored. In China special acts of bravery are rewarded by permission to wear the yellow jacket.

## THE COST.

A careful examination of the official lists of medals of honor, issued by W. H. Taft, then Secretary of War, shows that from the time the medal of honor was instituted up to September 1, 1904, there had been issued, all told, to Regulars and Volunteers of the Army—

Medals of honor totaling	2,570
Add all Army medals of honor in supplemental list Sept. 1, 1904, to Dec. 31, 1906	21
Add all Army medals of honor in supplemental list of Jan. 1, 1907, to Dec. 31, 1909, last possible list	10

Total of all Army medals of honor issued to date of last report	2,601
Add all Navy medals of honor for service in battle (p. 98, Report of Navy Department, record of medals of honor, 1862 to May, 1910)	487

Grand total of all medals of honor, Army and Navy, to date of last report

3,088

On page 64 of the Report of the Board of Officers it is shown that 864 medals of honor were awarded to officers and men of the Twenty-seventh Maine Infantry under circumstances which

will clearly exclude them from being entered upon the honor roll. Also, 29 medals of honor were bestowed as a reward for escorting the remains of Abraham Lincoln from Washington to Springfield, Ill.

The total number of surviving soldiers who would be available for medals of honor and pensions under this bill is only 95. Hence, if every medal winner should live to the end of the first year, the total cost of the bill would be \$11,400.

## CARNEGIE HERO FUND.

March 12, 1904, Andrew Carnegie, living in peace and prosperity, and having accumulated vast wealth, set aside \$5,000,000 of first collateral 5 per cent bonds of the United States Steel Corporation to establish a fund to reward those who in civil life should perform deeds more or less akin to those who proudly wear the United States medal of honor. To Mark Custo, for rescuing some passengers who were stranded during a fierce gale, a gold medal and \$6,500 in cash was given by the Carnegie Commission. To Edgar Littlefield (p. 35), for the rescue of eight passengers, was awarded a gold medal and \$6,000 in cash. To the widow of Albert C. Zeiner, on account of his heroism, was given a silver medal and \$800 in cash to pay debts with and \$45 a month during her life, or until she remarries. To Rodney A. Perry, aged 13, a schoolboy, for saving another boy from drowning, was awarded a bronze medal and \$2,000 in cash. To Nathaniel Duncan, colored, aged 41, for rescuing a well digger from a cave-in in a well, was given a gold medal and \$2,000 in cash toward the purchase of a farm. To Miss Lena B. Hunsaker, aged 17, a schoolgirl, for attempting to save two other schoolgirls from drowning, although unsuccessful, was given a bronze medal and \$2,000 in cash. These awards are a few taken at random from a record of similar acts. The Carnegie Hero Fund Commission report shows that up to January 31, 1913, the commission had awarded to heroes and their dependents—

Including pension payments	\$671,041.90
To funds for relief of sufferers from disasters	174,462.06
For special purposes	200,000.00

Total

1,045,503.96

Mr. Carnegie's admiration of heroes and their heroic deeds has been so great that since the creation of the Carnegie Hero Fund of America he has established similar funds from his personal resources in Great Britain and Ireland, France, Germany, Belgium, Netherlands, Sweden, Switzerland, Italy, Norway, and Denmark.

Please compare these special pensions and awards which Mr. Carnegie has given to the doers of heroic deeds with the special pensions that the United States has not given to her heroes who wear her medals of honor for the most illustrious deeds in all history.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended 5 minutes. I am much interested in this bill and the gentleman's able presentation of it.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHERWOOD. Patriotism is the noblest emotion of the human heart. It is that deep devotion to country that is willing to sacrifice everything, even the only life on earth, for the vindication of national honor or the safety of humane government. Heroism is the best beloved child of patriotism. And it is vital to the perpetuity of a Government by the people to maintain the highest standard of patriotic sentiment among the people. If the hereditary monarchs of the Old World, whose rule is upheld by professional soldiers trained to kill for hire, maintain an extravagant medal-of-honor class, how much more vital is it to this Republic, where all power and control is lodged in the people?

Let us place on the statute books of the Nation a permanent recognition of the heroic soldiers of the Republic, not only as an act of justice to the men of valorous deeds in the past, but as an inspiring incentive to the stalwart young men of future wars. Let us teach our young men, both by example and law, to be patriotic and unafraid. Never shall it be said of us as Thackeray said of Louis XIV of France:

To fight and to run was our fate;  
Our fortune and fame had departed;  
And so perished Louis the Great;  
Old, lonely, and half broken hearted.  
His coffin they pelted with mud,  
His body they tried to lay hands on;  
And so having buried King Louis,  
They loyally served his great-grandson.

[Applause.]

I present herewith also a table which has been prepared showing the conditions of the presentation of medals of honor in every civilized country on the globe. The table is self-

explanatory. It will be seen that it represents the pensions paid first by France, being the largest of any country in the world, next by England, next by Germany, next by Russia, next by Spain, and then in China, where they get only the yellow shirt, and next Mexico, and down to the United States, which is represented by a cipher. Then there are the requirements for the medal of honor, commencing with the most strict ones in this country and running down to China, which is the last. This bill will cost only about \$10,000 in order to accomplish its purpose.

*Requirements for medals of honor of leading nations of Europe.*

To gain the Congressional Medal of Honor the Congress of the United States requires that her hero must have—

"In action, in actual conflict with an enemy, distinguished himself, conspicuously, by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty." (See Acts of Congress and rulings thereunder by Secretary of War and board of officers.)

The Confederate States placed on her roll of honor "such officers as shall be conspicuous for courage and good conduct on the field of battle, and one private or noncommissioned officer of each company after every signal victory it shall have assisted to achieve." (Act of Confederate Congress, October 13, 1862.)

FRANCE.

The Legion of Honor: "In times of war distinguished acts shall furnish a title for all the grades." (Title, section 5, Constitution and Document of France.)

ENGLAND.

The Victoria Cross: "To be awarded to those officers or men who have served as in the presence of the enemy and shall have then performed some signal act of valor or devotion to their country." (Section 5, Royal Warrant of Queen Victoria, January 29, 1856.)

GERMANY.

The Iron Cross: "To distinguish the merit which shall in the war be displayed either in actual fight with the enemy or also in the field or at home." (Decree of Frederick William, March 10, 1813.)

RUSSIA.

Awards the St. George medal for acts of heroism. (Naval Attaché, United States Embassy, February 18, 1914.)

SPAIN.

The Cruz Laureada de San Fernando "is granted officers and privates for exceptional bravery in action." (Letter of American Consul in Spain, December 8, 1913.)

CHINA.

China is the only country (in Europe and Asia) in which the profession of arms is not honored. (Upton, p. 21.)

MEXICO.

Mexico has no military decoration corresponding with the Congressional Medal of Honor of the United States. (Mullholland.)

The Congress of the United States requires a far higher degree of valor to gain the Congressional Medal of Honor than is required of any other nation.

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

**Mr. MANN.** Mr. Speaker, reserving the right to object, I had thought that probably this bill was one that ought to be considered at a time when it would be open to discussion and amendment, and after the very learned discussion by the gentleman from Ohio, I would like to have the opportunity to read what he has said. I suggest to him that he ask unanimous consent that the bill be passed over without prejudice.

**Mr. SHERWOOD.** Of course the gentleman has the power to compel me to do that.

**Mr. MANN.** Well, I was not able to get near all the gentleman said.

**Mr. SHERWOOD.** Well, if there are any questions the gentleman desires to ask me I will be very glad to answer them.

**Mr. MANN.** I am perfectly willing to take the chances on reading what the gentleman said.

**Mr. SHERWOOD.** Well, the gentleman has the power; if he is going to object, he will have to do that.

**Mr. MANN.** Well, when the gentleman forces me to the point of saying whether I will or whether I will not, that is the question. The gentleman can do as he pleases about having the bill passed over.

Gen. Logan at the Battle of Atlanta, on the 22d of July, 1864, after the left of our army was demoralized, after McPherson was killed, when he rallied the staggering battalions and saved the left of Sherman's army, would have been entitled to a medal of honor under this bill. So would Gen. Pat Cleburn in the terrible struggle at Franklin, Tenn., November 30, 1864, when with drawn sword he led that charging line of gleaming bayonets. I thank the House for the consideration it has given me, and I hope the bill will pass. [Applause.]

*Rewards offered by leading nations of Europe.*

FRANCE.

National lands providing 200,000 francs of income shall be appropriated for each cohort. (Title 1, section 3, Constitution and Documents of France.) Among other pecuniary provisions for the Legion of Honor the lands and property of King Louis Philippe were set over as an endowment for the order. "There shall be appropriated for each grand officer 5,000 francs; for each commandant, 2,000 francs; for every officer a thousand francs; for each legionary, 250 francs. (Title 1, section 7, Hospitals and Dwellings established in each cohort; title 1, section 9, Constitution and Documents.) Schools and colleges were established for their children. No ignoble punishment can be inflicted on a member of the order (Burke, p. 92). November 30, 1845, the pensions then paid were 5,975,000 francs. (Burke, p. 94.)

ENGLAND.

Each person who has received the Victoria Cross shall, from the date of the act by which the decoration was gained, be entitled to a special pension of £10 a year, and each bar additional shall carry with it an additional pension of £5 per annum. (Royal Warrant of Queen Victoria, section 14, January 29, 1856.) The annuity increased to £50 a year if the holder of the cross is aged or infirm. (Royal Decree, February 2, 1899.)

GERMANY.

Recipients of Militär Ehrenzeichen and Militär Verdienst-Kreuz receive under different conditions (values in United States money), 71 cents, \$1.43, and \$2.14 monthly, in addition to other pensions. (Letter of Consul General, December 16, 1893.)

RUSSIA.

In the Imperial Order of St. George, the Senig knights enjoy considerable pensions; those of the first class, 700; those of the second, 400; of the third, 200; and of the fourth, 100 rubles yearly. (Volume 2, Sir Scott Hanson.)

SPAIN.

The special pension for Cruz Laureada de San Fernando is (values in United States money) \$13.50 per month to a private. To an officer the pension varies with the rank. (Letter of Spanish Ambassador, Washington, D. C., December 4, 1913.)

CHINA.

In China special acts of bravery are rewarded by permission to wear yellow jacket. (Upton, p. 24.)

MEXICO.

**MEXICO CITY, January 4, 1914.**  
A dog named Togo, a pet of one of the federal regiments, captured a burro laden with 3,000 cartridges, in a fight at Las Bocas. The dog was promoted to the rank of sergeant major. (Special telegram to Washington, D. C.) Post.)

United States Congress gives its heroes nothing.

**Mr. SHERWOOD.** All right.

**The SPEAKER.** The gentleman from Ohio [Mr. SHERWOOD] asks unanimous consent that the bill be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none.

**Mr. SHERWOOD.** Mr. Speaker, I desire to ask permission to print the map in connection with my speech. It is full of very valuable statistics.

**The SPEAKER.** The gentleman from Ohio asks unanimous consent to print the map which he used a while ago.

**Mr. MANN.** Mr. Speaker, reserving the right to object, let me suggest to the gentleman from Ohio that he make application to the Joint Committee on Printing. The House and the Senate refuse to do that; that is a matter within the control of the Joint Committee on Printing.

**Mr. SHERWOOD.** All right.

**Mr. MANN.** I believe the gentleman got permission to extend his remarks in the RECORD.

**Mr. SHERWOOD.** Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

**The SPEAKER.** The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

## CONFeree ON PENSION BILLS.

**THE SPEAKER.** The Chair announces the appointment of Mr. LANGLEY as conferee on the five bills reported from the Committee on Invalid Pensions in lieu of Mr. LANGHAM.

## MARRIAGE OF HOMESTEAD ENTRYWOMAN WITH AN ALIEN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11745) to provide for certificate of title of homestead entry by a female American citizen who has intermarried with an alien.

The Clerk read the bill, as follows:

*Be it enacted, etc.* That any female citizen of the United States who has filed, or shall hereafter file, a homestead entry upon public lands, and who thereafter has complied with all the conditions as to the acquisition of title to such entry prescribed by the public-land laws of the United States, shall, notwithstanding her intermarriage with an alien, be entitled to a certificate or patent to such entry equally as though she had remained unmarried or had married an American citizen.

The committee amendments were read, as follows:

First. On page 1, lines 3 and 4, strike out the following words: "filed, or shall hereafter file, a homestead entry upon public lands," and substitute in lieu thereof "initiated a claim to a tract of public land under any of the laws applicable thereto."

Second. On page 1, line 6, strike out the word "entry" and substitute therefor the word "land."

**THE SPEAKER.** Is there objection?

Mr. KINKAID of Nebraska. Mr. Speaker—

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

Mr. KINKAID of Nebraska. The bill is on the Union Calendar, and I ask unanimous consent—

**THE SPEAKER.** We have not got to that yet. The question is whether the House wants to consider this bill at the present time. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, I would like to hear from the gentleman from Nebraska what this bill proposes.

Mr. KINKAID of Nebraska. Mr. Speaker, I am pleased to explain to the gentleman from Illinois [Mr. Foster] that the purpose of the bill is to relieve homesteaders from the drastic, disastrous effects of section 3 of the act of 1907, known as the expatriation act, which reads:

That any American woman who marries a foreigner shall take the nationality of her husband.

Now, I apprehend the purpose of this act and of this particular section should apply to American heiresses who would marry foreigners with titles; in other words, who would swap their wealth for the foreigner's title and move with the foreigner to his country, to his European home, and thus the wealth would be removed from the United States. It was not intended to apply to females possessed of moderate means, or no means, yet with independence, ambition, and courage enough to go through the ordeal of living up to the requirements of the homestead laws for five years, the minimum time required when the expatriation act was passed in 1907. Now, the effect of this section which I have just read, as applied by the Department of the Interior, is to make a female, an American citizen born in this country, who has taken a homestead and married a foreigner before she makes her final proof, forfeit her homestead because she has married a foreigner, notwithstanding the foreigner joins her and lives with her upon the claim and becomes a permanent citizen of the United States.

Mr. FOSTER. This bill is for the purpose of permitting those women who have taken up a homestead to marry some foreigner before the final proof is made on the homestead; is that true?

Mr. KINKAID of Nebraska. If the gentleman chooses to put it in that form; but I would express it in a form more just to the courageous female homesteaders.

Mr. FOSTER. In other words, she does not wait long enough before getting married to prove up on this homestead?

Mr. KINKAID of Nebraska. They ought not be required to wait.

Mr. MANN. This bill shortens the engagements.

Mr. FOSTER. I knew the gentleman from Nebraska may have some good reasons for it—

Mr. KAINKAID of Nebraska. There are many excellent reasons for it.

Mr. FOSTER. But can the gentleman tell about how many cases have occurred in the past?

Mr. KINKAID of Nebraska. The Secretary of the Interior here says:

Hardships have occurred in many cases, due to this state of the law, while there is no apparent reason why the entrywomen should not be allowed to perfect their claims and receive patents, notwithstanding their marriage with the alien, especially as they generally continue to reside in the United States.

We know all of them continue to reside in the United States except the heiresses, and they go abroad and take their bus-

bands with them; and this latter is the evil the expatriation act was intended to remedy.

Mr. MANN. They do not get homestead entries.

Mr. FOSTER. That does not indicate how many cases there are.

Mr. KINKAID of Nebraska. We asked for that. The gentleman from California [Mr. RAKER], as a member of the Public Lands Committee who was painstaking in the consideration of the bill as chairman of the subcommittee, wrote the Secretary, who had previously indorsed it, to know how many cases there were, and the Secretary replied—I have a copy of his letter here, but I will not take time to read it—in effect that they had not attempted to ascertain the number of cases, but there were a goodly number of cases.

Mr. MANN. If the gentleman will pardon me, I think that the Secretary did not say that he did not have time but that he did not have the data. That is what his letter says.

Mr. KINKAID of Nebraska. That is the substance and effect.

Mr. FOSTER. That is the substance of the report.

Mr. KINKAID of Nebraska. At any rate, the committee used diligence to ascertain the number. He says that there are a great many cases and a great many hardships occasioned by the law.

Mr. MANN. I would like to suggest to my colleague from Illinois [Mr. Foster] if there are not very many cases it is not very important. If there are very many, it is evidence of the need of such legislation.

Mr. FOSTER. Well, it might be just as important to a few.

Mr. MANN. I take it that if some enterprising girl makes an entry on the public domain with a view of getting a home, and then meets some man who has newly come over from abroad and falls in love with him, and wants to marry him and settle down on a homestead, we really ought to encourage that. That is the best way of making the incomer a good citizen.

Mr. FOSTER. Well, I expect the gentleman from Illinois is right. I had about come to that conclusion myself. I want to say to the gentleman from Nebraska that I will offer no objection to the bill.

**THE SPEAKER.** Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. KINKAID of Nebraska. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

**THE SPEAKER.** Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendments one at a time.

The Clerk read as follows:

Page 1, lines 3 and 4, strike out the following words, "filed, or shall hereafter file, a homestead entry upon public lands," and substitute in lieu thereof "initiated a claim to a tract of public land under any of the laws applicable thereto."

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

The amendment was agreed to.

The Clerk reported the next amendment, as follows:

Page 1, line 7, strike out the word "entry" and substitute therefor the word "land."

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

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

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

## LICENSED OFFICERS IN MERCHANT MARINE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16392) to better regulate the serving of licensed officers in the merchant marine of the United States and to promote safety at sea:

The bill was read as follows:

*Be it enacted, etc.* That sections 4448 and 4449 of the Revised Statutes of the United States be, and are hereby, amended to read as follows:

"SEC. 4448. That all officers licensed under the provisions of this title shall assist the inspectors in their examination of any vessels to which such licensed officers belong and shall point out all defects and imperfections known to them in the hull, equipments, boilers, or machinery of such vessel, and shall also make known to the inspectors at the earliest opportunity all accidents or occurrences producing serious injury to the vessel, her equipments, boilers, or machinery, and in default thereof the license of any such officer so neglecting or refusing shall be suspended or revoked.

"No inspector or supervising inspector receiving information from a licensed officer who is employed on any vessel as to defects in such vessel, or her equipments, boilers, or machinery, or that any provision of this title is being violated, shall impart the name of such licensed officer, or the source of his information, to any person other than his superiors in the Steamboat-Inspection Service. Any inspector or super-

vising inspector violating this provision shall be subject to dismissal from the service.

“SEC. 4449. That if any licensed officer shall, to the hindrance of commerce, wrongfully or unreasonably refuse to perform his official duties after having signed articles or while employed on any vessel as authorized by the terms of his certificate of license, or if any pilot or engineer shall refuse to admit into the pilot house or engine room any person whom the master or owner of the vessel may desire to place there for the purpose of learning the profession, his license shall be revoked or suspended upon the same proceedings as are provided in other cases of revocation or suspension of such license.”

Sec. 2. That all laws or parts of laws in conflict with this act are hereby repealed.

Also the following committee amendment was read:

Page 1, line 9, after the word “which,” insert the word “such.”

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Reserving the right to object, I notice that the report in this case gives no information. I see that the distinguished gentleman from Texas [Mr. HARDY], who made the report, is here and doubtless he has the information in his head which he did not incorporate in the report.

Mr. HARDY. The report is subject to that criticism.

Mr. MANN. I think so, or I would not have made it.

Mr. HARDY. And I will explain the purpose of the legislation if it is desired. The first section of the bill is the present law down to the end of the sixth line on page 2.

Mr. MANN. Down to the middle of the fourth line on page 2.

Mr. HARDY. Down to the seventh line on page 2.

Mr. MANN. There are some changes in the first paragraph.

Mr. HARDY. The first paragraph provides that the license may be suspended or revoked. The present law provides only that it may be revoked.

Mr. MANN. And also has the word “equipments” inserted before the word “boilers.” But that is neither here nor there. What is the purpose of the legislation?

Mr. HARDY. Briefly, the purpose of the legislation is this: The law now requires certain officers licensed under the provision of this title to assist inspectors in examination of the vessels to which such licensed officers belong and to make report of any defect to the inspector, and so forth.

Mr. MANN. That is, the licensed officer belonging to the vessel is required to give this assistance and make this report under the existing law?

Mr. HARDY. Under the existing law.

Mr. MANN. Or under the existing regulation?

Mr. HARDY. It is under the existing statute. He is required to make known to the inspectors at the earliest opportunity all accidents or occurrences producing serious injury to the vessel, her equipments, boilers, or machinery, and defects, and so forth, and in default thereof the license of any such officer so neglecting or refusing shall be suspended or revoked. That is the present law. We were requested, and there seems to be very little, if any, objection to adding to that the provision that when the officer obeys his obligation and makes this report the report he makes shall not be imparted by the inspector to anybody except to his superior officer. In other words, an officer making a report of an accident or defect did not want to be discharged, possibly, for having made that report by the owner of the vessel.

Mr. MANN. That may be true; but suppose an officer reports a defect and there is a controversy as to whether the defect exists? What is the reason why the inspector may not ask the captain about it and tell him who says that there is a defect? This forbids any information given to anyone else in reference to a claimed defect.

Mr. HARDY. I take it that this provision would not at all forbid the disclosure of the complainant or party who gave the information in judicial proceedings or anything of that kind.

Mr. MANN. Well, I do not know. I am not speaking of judicial procedure. The inspector claims there is a defect, and the captain claims there is not—

Mr. HARDY. The fact is that when a complaint is made to the inspector the inspector goes and inspects the vessel.

Mr. MANN. I understand—

Mr. HARDY. But it sometimes happens that if the party gives the information and it is reported to the owner of the vessel, that the man giving information as to the defect is discharged.

Mr. MANN. I can see that that might happen; but, on the other hand, I can see it may be very onerous the other way. Here is a mate on a vessel who goes around with a Government inspector inspecting the vessel, and comes back, and there is a question of whether a defect exists or not. There may be a controversy as to that between the inspector and the captain—with out quarreling, but getting at the facts. The inspector can not even say that he discussed the matter with the mate. If the mate has given him any information—

Mr. HARDY. I do not think that was the intention of the measure. It was intended that when the obligation rested upon the ship's officer, he went to the inspector to report defects in the vessel, carrying out his duty in that regard under the law, in order to protect the safety of that vessel, and that that should not be carried then to the owner of the vessel and reported to him as the report from this officer, possibly to the detriment of that officer.

To be plain about it, that was the very question that arose in some particular cases brought to our attention. The owner was anxious to find out who had reported certain defects to the inspection officers. There was no question about the report of the defects being true, but he wanted to know who had reported them. The motive of the owner was, or at least that seemed probable, that he might cause the party making the report to be dismissed. So that we consulted the Bureau of Navigation on this matter as to what they thought of the advisability of the passage of this bill, and the bill has the approval of the department. In addition to that, we consulted shipowners, and they practically conceded that it was right and in the interest of safety.

Mr. MANN. I suppose the mate might send word to the inspector that an accident has happened in some place. The captain says it has not happened. You can not tell the captain that the mate has reported that the accident has happened. What then?

Mr. HARDY. I do not know exactly, except that the inspector would inspect the vessel to determine its condition.

Mr. MANN. It is a good deal like boys in school. Sneaks are never popular, although sometimes they are serviceable. But, as a rule, if one boy were accused of doing something by another one, the other one could not hide under cover and make those charges without coming out into the open.

Mr. HARDY. In this case it is different. These officers are required by law to make their report or forfeit their license.

Mr. MANN. I understand.

Mr. HARDY. If you had a boy in school who was required—

Mr. MANN. All boys in school are required by the teacher to report anything wrong that the other boys do.

Mr. HARDY. I was not so required, I will say to the gentleman.

Mr. MANN. I have no doubt the gentleman did not do it, and I have no doubt the teacher often told him he should.

Mr. HARDY. At any rate, the department thinks it is very desirable that these persons required by law to make certain reports should be relieved as far as possible from any evil consequences to themselves.

Mr. J. I. NOLAN. Is it not a fact that licensed officers often have been discriminated against for making reports according to regulations, and not only lost their positions with their employers but were discriminated against by other steamship companies?

Mr. HARDY. I think that is true, and I have no doubt the purpose is to relieve them from that situation, to make it as safe as possible to the officer who does his duty.

Mr. MANN. There is discrimination practiced throughout the world. I do not see how you can follow up the report of the accident or anything of that kind unless you can show who made the report or the statement, if it is controverted.

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

Mr. MANN. Certainly.

Mr. ALEXANDER. I think the answer to that statement is this: It is the duty of the inspector to inspect the vessel when she comes into port. The duty also is laid upon the officers of the vessel under section 4448, to—

assist the inspectors in their examination of any vessels to which such licensed officers belong, and shall point out all defects and imperfections known to them in the hull, equipments, boilers, or machinery of such vessel, and shall also make known to the inspectors at the earliest opportunity all accidents or occurrences producing serious injury to the vessel, her equipments, boilers, or machinery, and in default thereof the license of any such officer so neglecting or refusing shall be suspended or revoked.

Now, the testimony before the committee was to the effect that officers were reluctant to impart this information, for the reason that if they did it would lead to their dismissal; and, hence, in the interest of better inspection, of safety to the vessels and their equipment, this protection is thrown around the officer; that if he discloses to the inspector the fact that the life-boats are defective or that any other part of the equipment is defective, or that the vessel or her machinery has received some injury by collision, he shall be protected. The inspector can then go aboard and verify the statement. Now, when he does that, the whole question is open. There is no need for further protection to the officer.

Mr. MANN. There is no way of verifying the statement by going on board.

Mr. ALEXANDER. If there is any defect, it must be verified.

Mr. MANN. Oh, no; not at all. It says, "All accidents or occurrences producing serious injury to the vessel," and so forth. That may have occurred two or three months ago, and may have been completely cured.

Mr. ALEXANDER. In that event it would be unimportant entirely.

Mr. MANN. It might or might not be unimportant.

Mr. ALEXANDER. When the vessel comes into port and she has received some serious injury that affects her seaworthiness, the officer is now reluctant to inform the inspector of the fact. It is not some past defect but some present defect of which the inspector should have knowledge, and they should be protected in disclosing that information.

Mr. MANN. I shall not object to the consideration of the bill, although I do not think much of encouraging sneaks or practically anonymous communications reflecting on somebody else where you do not dare say who gave it to you.

Mr. J. I. NOLAN. I think that can be taken care of by providing that the superiors in the inspection service shall have a right to demand the information and by providing for the taking away of a man's license for making a report that could not be proved.

Mr. MANN. It is condemning a man without a hearing. It is refusing to bring the witness before the accused, a thing which has been popular in many governments of the world, but never in a government of the people. It is making an accusation against a man and not telling him who made it. It is contrary to every sentiment of enlightened humanity.

Mr. ALEXANDER. I do not think the gentleman is leveling a fair criticism here. If there is a defect in the machinery of the vessel, and the officer discloses it to the inspector, the inspector must go aboard and ascertain if the defect exists. It does not do any harm. If the officer says there are not enough lifeboats on board, the inspector must verify that statement. No prejudice can come to the shipowners. Suppose the vessel had received some serious injury in a collision. He can say that at a certain time, under certain circumstances, the vessel received a certain injury. The inspector must go aboard and verify that information. The captain can not be prejudiced. It simply makes the officer more diligent to disclose these matters, so that the inspector may go aboard and verify whether or not the statements made are true, in the interest of safety.

Mr. MANN. I shall not object; but the more the gentleman talks about it the more I am inclined to object.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARDY. Mr. Speaker, I believe I did not ask that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. It is a House Calendar bill, and it does not need to be. The Clerk will report the committee amendment.

The Clerk read as follows:

Amend, page 1, line 9, after the word "which," by inserting the word "such."

Mr. HARDY. That is simply to give it proper grammatical construction.

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

The amendment was agreed to.

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HARDY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next one.

#### PUBLIC BUILDING, ROSEBURG, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13180) to amend the act of March 4, 1913 (37 U. S. Stat. p. 872), so as to provide that in the construction of the public building at Roseburg, Oreg., provision shall be made for the accommodation therein of the United States post office, land office, forest service, weather bureau, and Indian agent.

The bill was read, as follows:

*Be it enacted, etc.* That in the construction of the public building at Roseburg, Oreg., authorized by the act approved March 4, 1913 (37 U. S. Stat. p. 872), accommodations shall be provided therein for the United States post office, land office, forest service, weather bureau, and Indian agent.

With the following committee amendment:

Page 2, lines 1 and 2, strike out "office, land office, forest service, weather bureau, and Indian agent," and insert in lieu thereof "and other governmental offices."

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

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. HAWLEY. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oregon asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk says there is an error in the amendment.

Mr. MANN. Mr. Speaker, I ask that in the committee amendment to strike out certain language from the bill the word "office," where it first occurs in line 1, page 2, be stricken from the amendment, so that it will remain in the bill.

The SPEAKER. The Clerk will report the amendment to the committee amendment.

The Clerk read as follows:

Page 2, line 1, strike the word "office" from the amendment, so that the word will remain in the bill.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

By unanimous consent the title of the bill was amended so as to read: "A bill to amend the act of March 4, 1913 (37 U. S. Stat. p. 872), so as to provide that in the construction of the public building at Roseburg, Oreg., provision shall be made for the accommodation therein of the United States post office and other governmental offices."

#### RENEWAL OF LICENSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16346) to amend section 4131 of the Revised Statutes of the United States of America as amended by the act of Congress approved May 28, 1896, relating to the renewal of licenses.

The bill was read, as follows:

*Be it enacted, etc.* That section 2 of section 4131 of the Revised Statutes of the United States as amended by the act of Congress approved May 28, 1896, relating to the renewal of licenses, be, and is hereby, amended so as to read as follows:

SEC. 2. That all licenses issued to such officers shall be for a term of five years, but the holder of a license may have the same renewed for another five years in the manner prescribed in the rules and regulations of the Board of Supervising Inspectors: *Provided, however*, That any officer holding a license, and who is engaged in a service which necessitates his continuous absence from the United States, may make application in writing for renewal and transmit the same to the board of local inspectors, with his certificate of citizenship, if naturalized, and a statement of the applicant, verified before a consul or other officer of the United States authorized to administer an oath, setting forth the reasons for not appearing in person; and upon receiving the same the board of local inspectors that originally issued such license shall renew the same and shall notify the applicant of such renewal: *Provided further*, That no license as master, mate, or pilot of any class of vessel shall be renewed without furnishing a satisfactory certificate of examination as to color blindness. And in all cases where the issue is the suspension or revocation of such licenses, whether before the local boards of inspectors (of steam vessels), as provided for in section 4450 of the Revised Statutes, or before the supervising inspector, as provided for in section 4452 of the Revised Statutes, the accused shall be allowed to appear by counsel and to testify in his own behalf. No master, mate, pilot, or engineer of steam vessels licensed under title 52 of the Revised Statutes, pages 4399-4500, shall be liable to draft in time of war, except for the performance of duties such as required by his license; and while performing such duties in the service of the United States every such master, mate, pilot, or engineer shall be entitled to the highest rate of wages paid in the merchant marine of the United States for similar services; and if killed or wounded while performing such duties under the United States, they, or their heirs, or their legal representatives, shall be entitled to all the privileges accorded to soldiers and sailors serving in the Army or Navy, under the pension laws of the United States."

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

There was no objection.

Mr. MANN. Mr. Speaker, I should like to ask the gentleman from Missouri [Mr. ALEXANDER], with reference to the language on page 2, lines 6 and 7, where it requires that an officer who has been licensed and who is absent from the United States and makes application for a renewal of his license, shall transmit with his application his certificate of naturalization if naturalized. Is that necessary? In transmitting a certificate of naturalization by mail it may be lost. Mail matter is sometimes lost. Is it not to be presumed that a man will have a certificate of naturalization if he has been already licensed once?

Mr. ALEXANDER. Capt. Wescott, who is president of the Masters, Mates, and Pilots Association of the Pacific, explained to the committee that that would be a reasonable requirement, in view of the fact that in the past so many men who were not citizens had obtained licenses fraudulently. I

think he was in the employ of the Government several years ago to investigate these cases where licenses had been issued, and discovered many cases where they had been obtained fraudulently. It was at his suggestion that that provision was put in the bill to prevent fraud.

Mr. MANN. Yes; but here is a man who has obtained a license. They can make him produce his certificate of naturalization when he obtains his license. Then he goes over on the other side of the world, and while there he makes application for a renewal. By this bill you require him to transmit by mail a certificate, which, if lost, can not be replaced, and which is very easily lost in that way. The presumption certainly is that he has his naturalization papers if he has run the gantlet once.

Mr. ALEXANDER. I do not know how it has happened, but there are many cases where licenses have been issued fraudulently.

Mr. MANN. There may be a few such cases.

Mr. ALEXANDER. He said there were a great many.

Mr. MANN. There can not be a great number, and they will soon run out, but here is something that would be a permanent nuisance. I take it that a large share of these officers are naturalized citizens.

Mr. ALEXANDER. They must be before they can legally receive licenses.

Mr. MANN. I mean that they are actually naturalized citizens. Now, you propose to require them to transmit papers which are valuable to them, which are liable to get lost when they get in the department here, by the way, when they have already gone through once. It is like making a man produce his naturalization papers every time he votes. They may do that once in a while, but it is certainly a nuisance, and is not countenanced in many places, although some people who were not citizens have voted.

Mr. ALEXANDER. Of course it is quite a concession to officers abroad to permit them to have their licenses renewed without coming back to the board by which the licenses were originally issued, and is intended to avoid inconvenience to them.

Mr. MANN. It looks like a reasonable concession; and if we are going to make a reasonable concession, why not make a sensible one. It looks to me as though it was a horrible requirement to make a man send in his naturalization certificate when he gets a renewal of his license. To require him to produce it the first time is all right.

Mr. ALEXANDER. If he should lose the original, he could get a certified copy of it.

Mr. MANN. I believe it is not an easy thing to get.

Mr. ALEXANDER. Inasmuch as the masters and pilots suggested the provision, and in view of the fact that so many fraudulent licenses have been issued, the committee did not feel like striking it out.

Mr. MANN. You are going to put a great burden on innocent men because some men have committed a fraud—to require a man when he goes abroad to carry his naturalization certificate with him, whereas what he ought to do with it is to put it in a safety-deposit vault.

Mr. BRYAN. Mr. Speaker, gentlemen will notice that an oath of citizenship is required to accompany the original naturalization papers. When this came before the committee I asked the man who appeared before the committee some questions, and he suggested that this was the original law which had been followed in the past and no particular complaints had been made about it. At that time it seemed to me that it was an unreasonable requirement to make a man send his naturalization papers along with his certificate. I think the idea or suggestion of the gentleman from Illinois that there is no necessity for it is correct, and that we ought to cut the requirement out and let him send in a sworn affidavit of when he was naturalized, and that ought to be sufficient. A man who says that he is a natural-born citizen does not have to send any proof along.

Mr. ALEXANDER. As I have said, this was the suggestion by the masters, mates, and pilots themselves; and in view of the fact that there are many licenses outstanding now that they have reason to believe are fraudulently issued, and as under the law no one is entitled to a license unless he is either a natural-born citizen of the United States, or a naturalized citizen, the committee did not feel like striking it out.

Mr. MANN. Why not require him to produce the certificate of his birth? The license officers can not tell whether he is a naturalized citizen or citizen by natural birth. There is just as much reason for producing a certificate of birth as there is for producing a naturalization certificate.

Mr. HARDY. There would be a difference in the two cases, would there not, for 90 per cent of the people do not have a certificate of birth?

Mr. MANN. Most everybody can get a certificate of birth.

Mr. HARDY. I could not.

Mr. MANN. I will certify that the gentleman has been born. Mr. Speaker, I move to strike out, in lines 6 and 7, the language "with his certificate of citizenship if naturalized."

The SPEAKER. The Chair will suggest that this bill is on the Union Calendar.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Missouri asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. MANN. Now, Mr. Speaker, I move to strike out, on page 2, in lines 6 and 7, the language "with his certificate of citizenship if naturalized."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, lines 6 and 7, strike out the words "with his certificate of citizenship if naturalized."

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. MANN) there were 18 ayes and 25 noes.

So the amendment was lost.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

FIRE-ALARM SYSTEM, GOVERNMENT HOSPITAL FOR THE INSANE.

The next business on the Calendar for Unanimous Consent was House joint resolution 205, to enable the Secretary of the Interior to legally fix and determine the ownership of and title to the fire-alarm system and appliances, apparatus, and connections heretofore placed and installed in the Government buildings of the Government Hospital for the Insane, and to determine such other questions, as are provided for in the resolution.

The Clerk read the joint resolution.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. The gentleman from Florida asks unanimous consent to pass this resolution over without prejudice. Is there objection?

There was no objection.

#### ENLARGED HOMESTEAD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1698) to amend an act entitled "An act to provide for an enlarged homestead."

The Clerk read the bill, as follows:

*Be it enacted, etc., That where any person qualified to make entry under the provisions of the act of June 17, 1910, shall make application to enter under the provisions of sections 1 to 5 of said act, any unappropriated public land in the State of Idaho, which has not been designated as subject to entry under said act (provided said application is accompanied and supported by properly corroborated affidavit of the applicant, showing prima facie that the land applied for is of the character contemplated by the act of June 17, 1910), such application, together with the regular fees and commissions, shall be received by the register and receiver of the land district in which said land is located, and suspended until examination of said land shall have been made by the United States Geological Survey; that during such suspension the land described in said application shall be segregated by the said register and receiver and not subject to entry until the case is disposed of; and if it shall be determined upon such examination that such land is of the character contemplated by the act of June 17, 1910, then such application shall be allowed; otherwise it shall be rejected, subject to appeal: Provided, That the provisions of this act shall apply to the application of a qualified entryman to make additional entry of unappropriated land adjoining his unperfected homestead entry, the area of which, together with his original entry, shall not exceed 320 acres: Provided further, That immediately after filing such application with the register and receiver the applicant, or his attorney or agent, shall notify the United States Geological Survey of the filing of such application and inclose therewith a true copy of the corroborated affidavit filed in support of such application, which notice and affidavit shall form the basis for examination of the land by the Geological Survey.*

The following committee amendment was read:

Strike out all after the enacting clause and insert the following:

*"That where any person qualified to make entry under the provisions of the act of February 19, 1909, and acts amendatory thereof and supplemental thereto, shall make application to enter under the provisions of said acts any unappropriated public land in any State affected thereby which has not been designated as subject to entry under the act (provided said application is accompanied and supported by properly corroborated affidavit of the applicant in duplicate, showing prima facie that the land applied for is of the character contemplated by said acts), such application, together with the regular fees and commissions, shall be received by the register and receiver of the land district in which said land is located, and suspended until it shall*

have been determined by the Secretary of the Interior whether said land is actually of that character; that during such suspension the land described in said application shall be segregated by the said register and receiver and not subject to entry until the case is disposed of; and if it shall be determined that such land is of the character contemplated by the said acts, then such application shall be allowed; otherwise it shall be rejected, subject to appeal: *Provided*, That the provisions of this act shall apply to the application of a qualified entryman to make additional entry of unappropriated land adjoining his unperfected homestead entry, the area of which, together with his original entry, shall not exceed 320 acres."

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Idaho what is intended to be accomplished by this bill?

Mr. SMITH of Idaho. Under the enlarged-homestead act it is necessary that the land be first examined to determine whether or not it comes within the provisions of the law. The prospective entryman goes out, looks over the land, and if he is of the opinion that it comes within the provisions of the law he makes application to the Secretary of the Interior to have the same opened to entry. In the meantime he has no protection whatever in the event that it should come within the provisions of the law and is opened to entry. In other words, he frequently expends a good deal of time and money in going out upon the lands and examining them. An examination must be made in the meantime, and by the time the land is determined to be available for entry some other person may discover that it is open for entry and precede him to the land office and file upon it. In that way he is deprived of an opportunity of getting the land which he had previously located.

Mr. MANN. How could anyone precede him in the land office if he made application to the land office first?

Mr. SMITH of Idaho. Under the existing law the entryman or prospective entryman does not make application to the local land office; he simply sends it to the Secretary of the Interior and if, after examination, it is found to meet the requirements of the law, public notice is given that the land is to be open for entry, and the first one at the local land office will have the right to enter. It is simply intended to carry out the provisions of existing law with reference to protecting entrymen, by having a record made in the land office of the application; it simply provides that the application shall go through the local land office to the Interior Department, as do other applications for entry upon the public domain, and note shall be made on the plat books and records that this application is pending.

Mr. MANN. This amendatory bill does not purport to change the law about making the application?

Mr. SMITH of Idaho. No; excepting—

Mr. MANN. The gentleman says it does change the law?

Mr. SMITH of Idaho. Excepting it sends the application through the land office instead of direct to the Secretary of the Interior. It simply brings it to the notice of the local officers that a prospective entryman desires this land.

Mr. LENROOT. Is not the purpose of this bill to temporarily withdraw the land from other entry?

Mr. SMITH of Idaho. Yes; the land described in the particular entry is to be withdrawn in order that the prospective entrymen may get protection in the event the land is declared open to entry by the Secretary of the Interior.

Mr. LENROOT. That is the purpose of the bill—to give the applicant the preferential right to file?

Mr. SMITH of Idaho. Yes.

Mr. MANN. What expense does he go to before he files his application?

Mr. SMITH of Idaho. Very frequently, perhaps, he has to pay out thirty or forty or fifty dollars to hire a team to drive out anywhere from 10 to 30 or 40 or 50 miles from where he resides.

Mr. MANN. If a second man does that, he will be out the same expense?

Mr. SMITH of Idaho. What second man?

Mr. MANN. Let us suppose there is one man who makes an application under this bill. He is protected. There is nothing on the land to show that anybody has made that application.

Mr. SMITH of Idaho. No.

Mr. MANN. Another man comes along looking for one of these maps. If they are maps, or liabilities, if they are liabilities, and he sends in his application, having gone to considerable expense. He can not tell that anybody else is ahead of him until he has gone to the land office, so that one of the two is bound to be out some money that he spends.

Mr. SMITH of Idaho. Of course when a man goes out to select a piece of land, he takes the trouble, as far as possible,

to ascertain by inquiry at the local land office whether the land is open to entry.

Mr. MANN. He can not ascertain that.

Mr. SMITH of Idaho. He can ascertain it by looking at the plat.

Mr. MANN. Yes; if the land is near the land office, which it never is, he can go then and examine it, but that is not the way they do.

Mr. SMITH of Idaho. He can write and find out.

Mr. MANN. Oh, I beg the gentleman's pardon. I have written to any number of these people, and you do not get any information from them.

Mr. SMITH of Idaho. It is their duty to give information.

Mr. MANN. Yes; but they can not give it. They can tell whether a particular piece of land has been entered on, but they can not tell you in advance and they can not know what land has been entered on and what has not. The man does not know which piece he is going to select until he goes out and spends his money, according to the gentleman's statement.

Mr. SMITH of Idaho. Of course he can not determine that unless he has information from the local land office, but a plat is filed in the local land office showing every entry that is made, and a man can go there and look at the plat or he can write a letter and find out whether a particular piece of land is taken.

Mr. MANN. Yes; but he can not do that before he goes out and looks for land.

Mr. SMITH of Idaho. Why not? They are not foolish enough to go out into a section of the country without making some inquiry as to whether or not the land is available.

Mr. MANN. Then none of these people are badly off. The gentleman said they go to great expense.

Mr. SMITH of Idaho. Some of them do.

Mr. MANN. Going out and searching for a piece of land?

Mr. SMITH of Idaho. They do.

Mr. MANN. And he finds a particular piece which he thinks he would like, and he makes his application for that. He could not ascertain from the land office in advance in reference to that piece of land, because he does not know where it is.

Mr. SMITH of Idaho. He can probably tell the township and possibly the section.

Mr. MANN. Is not the real purpose of this bill to give those people who now have homesteads the right to make prior applications for the purpose of enlarging their homesteads close to their homesteads?

Mr. SMITH of Idaho. Not at all. There are comparatively few of those, because in the localities where homesteads are already taken up there is not much of this land available. This is intended to apply to new entries away back in the hills, probably 30 to 50 miles from any habitation. It is simply intended to allow prospective entrymen to avail themselves of this law, which gives the right to go out there and get title to land that is absolutely worthless except for cultivation under the dry-farming methods.

Mr. MANN. As I understand this matter, it provides that when such a person—

shall make application to enter under the provisions of said acts, any unappropriated public land in any State affected thereby—

And so forth.

The gentleman says that is designed to permit him to make an application, to be filed with the land office. If that be the case, does it not also specifically authorize him to make application for any unappropriated public land, whether it be surveyed or unsurveyed?

Mr. SMITH of Idaho. No; it must be surveyed land under this law.

Mr. MANN. I know the present law applies only to surveyed land.

Mr. SMITH of Idaho. He can not enter unsurveyed land in the land office, for there is no way of describing it.

Mr. MANN. He can describe it by metes and bounds.

Mr. SMITH of Idaho. Oh, there is no law under which he can enter unsurveyed land in the land office.

Mr. MANN. Not unless this law would permit him to do it.

Mr. SMITH of Idaho. This is certainly not intended to do that; there is no such idea as that. No one can be injured by protecting the prospective entrymen when they incur these expenses with the hope of getting the piece of land that they desire.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

**THE SPEAKER.** The gentleman from Idaho asks unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the amendment was agreed to. The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

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

The title was amended so as to read "A bill to amend an act entitled 'An act to provide for an enlarged homestead and acts amendatory thereof and supplemental thereto.'"

#### PUBLIC BUILDING SITE AT HUNTINGDON, TENN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15000) authorizing the Secretary of the Treasury to disregard section 33 of the public buildings act of March 4, 1913, as to site at Huntingdon, Tenn.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to disregard that portion of section 33 of the public buildings act approved March 4, 1913, which requires that the Federal building site selected at Huntingdon, Tenn., shall be bounded on at least two sides by streets.

**THE SPEAKER.** Is there objection?

**MR. MANN.** Mr. Speaker, reserving the right to object, I would like to have an explanation of the bill.

**MR. SIMS.** Mr. Speaker, Huntingdon, as compared with some towns, is a small town; as with others, large; but it was extremely desirable that this public building be erected in Huntingdon on the public square—that is, so as to face the public square. Only \$2,500 was appropriated for the site, and it was found impossible to get the site for that small amount of money on the corner which would comply with the act of 1913—by having the building bounded upon two streets—and the site agent recommended that this site be selected, not on a corner, but facing on the public square, 120 feet wide, with a 20-foot alley. Everything is satisfactory, and this has the unanimous report of the committee.

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

**MR. SIMS.** Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

**THE SPEAKER.** Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

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

#### AMENDING SECTIONS 4888 AND 4889, REVISED STATUTES, RELATING TO PATENTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15220) to amend sections 4888 and 4889 of the Revised Statutes, relating to patents.

The Clerk read as follows:

*Be it enacted, etc.*, That section 4888 of the Revised Statutes of the United States be, and the same is hereby, amended by striking out from the last clause thereof the words "and attested by two witnesses," so that the section so amended will read as follows:

"SEC. 4888. Before any inventor or discoverer shall receive a patent for his invention or discovery, he shall make application therefor, in writing, to the Commissioner of Patents, and shall file in the Patent Office a written description of the same, and of the manner and process of making, constructing, compounding, and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which it appertains, or with which it is most nearly connected, to make, construct, compound, and use the same; and in case of a machine, he shall explain the principle thereof, and the best mode in which he has contemplated applying that principle, so as to distinguish it from other inventions; and he shall particularly point out and distinctly claim the part, improvement, or combination which he claims as his invention or discovery. The specification and claim shall be signed by the inventor."

SEC. 2. That section 4889 of the Revised Statutes of the United States be, and the same is hereby, amended by striking out the words "and attested by two witnesses," so that the section so amended will read as follows:

"SEC. 4889. When the nature of the case admits of drawings, the applicant shall furnish one copy signed by the inventor or his attorney in fact, which shall be filed in the Patent Office; and a copy of the drawing to be furnished by the Patent Office, shall be attached to the patent as a part of the specification."

**THE SPEAKER.** Is there objection?

**MR. JOHNSON** of Kentucky. Mr. Speaker, reserving the right to object, I would like to have an explanation of the bill. The bill has come up suddenly, and I desire some explanation of it.

**MR. ALEXANDER.** I think the gentleman's objection comes too late, but I will be glad to explain the bill to the gentleman.

**MR. JOHNSON** of Kentucky. I had reserved the right to object, and I would like to have an explanation of it.

**MR. ALEXANDER.** The only amendment to the law is that it strikes out the provision which requires the application to be attested by two witnesses. The Committee on Patents considered the bill and advised with the Commissioner of Patents, and he said that it was an unnecessary burden on the applicant for the patent. Mr. OLDFIELD is present, who is chairman of the Committee on Patents, and may wish to make a statement.

**MR. JOHNSON** of Kentucky. I do not make any objection.

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### EXCHANGE OF PRINTED COPIES OF PATENTS OF THE UNITED STATES AND CANADA.

The next business on the Calendar for Unanimous Consent was House joint resolution 257, authorizing the Commission of Patents to exchange printed copies of United States patents with the Dominion of Canada.

The Clerk read as follows:

*Resolved, etc.*, That the Commissioner of Patents of the United States be, and he is hereby, authorized to exchange with the Dominion of Canada under such terms of contract as may by him be deemed practicable, printed copies of patents now in the United States Patent Office and hereafter issued by the United States.

**THE SPEAKER.** Is there objection?

**MR. MANN.** Mr. Speaker, reserving the right to object, as far as I can gather from the report, the main reason given for this proposed exchange is that the danger of destruction to our Patent Office at this time by fire is "eminent." The reason I say "eminent" instead of "imminent" is because I am quoting from the report.

**MR. OLDFIELD.** That is a misprint.

**MR. MANN.** I have no doubt that is an error in proof reading in the Government Printing Office, which probably followed copy by mistake, or maybe that was the stenographer. However, the main reason given is that there is danger of destruction by fire of our records here.

**MR. OLDFIELD.** Yes.

**MR. MANN.** Does the gentleman think that is a very good reason for sending our Patent Office copies of the records abroad?

**MR. OLDFIELD.** Well, we think that a very good reason.

**MR. MANN.** That we have no safe place to store them?

**MR. OLDFIELD.** The Patent Office is not safe and has not been for a great many years.

**MR. MANN.** The Capitol Building is not safe; no place is safe—

**MR. OLDFIELD.** I see no reason why we should not have copies go to Canada, and then if there should be any destruction by fire we can get those copies; but I will state to the gentleman that this policy was pursued for a good many years until about 10 or 12 years ago, when for some reason or other it was discontinued.

**MR. MANN.** Well, do I understand that this will cost the Government about \$50,000 or not?

**MR. OLDFIELD.** It will not cost the Government anything out of the current appropriation. We have 50 copies of each patent in the Patent Office, and all it would cost would be to have boys pull these copies out and send them to Canada.

**MR. MANN.** I notice that the report says that while the request was made for copies covering 12 or 13 years—

While it involves no expense of money, it involves taking out our group of patents, about \$50,000 worth of patents.

**MR. OLDFIELD.** Yes, sir.

**MR. MANN.** The department says \$50,000 worth of patents; that means they are worth \$50,000.

**MR. OLDFIELD.** That means they cost that.

**MR. MANN.** What do we get out of this in return?

**MR. OLDFIELD.** We get the copies of the Canadian patents. That enables our Patent Office to make more complete searches than they can make now and at the same time preserve copies of our patents. It is very important for the Patent Office to be able to make the thorough searches, and we have copies of the Canadian patents.

**MR. MANN.** That is, of the Canadian patents?

**MR. OLDFIELD.** Yes.

**MR. MANN.** Now, how about the English, the German patents, the French patents, and the Japanese patents? Do we get copies of patents of all these other nations?

**MR. OLDFIELD.** We have not so far.

**MR. MANN.** Then it would not appreciably advance us in making searches simply because we had these few that are in Canada.

Mr. OLDFIELD. I think we have most of the copies of patents of other countries.

Mr. MANN. How do we get them?

Mr. OLDFIELD. I think there is an arrangement by which we get them.

Mr. MANN. If we have the authority to make such an arrangement, why do not we make it with Canada?

Mr. OLDFIELD. They were made in some sort of a patent conference; not exactly a treaty, but on that order.

Mr. MANN. It looks to me as if the main purpose of the commissioner was to advertise the fact that he wanted a new Patent Office, although I do not see that that has any close relationship with this proposition.

Mr. OLDFIELD. I am perfectly frank to say that I think they do need a new Patent Office. I agree with the commissioner in that.

Mr. MANN. I do not think much of the joint resolution.

The SPEAKER. Is there objection to the consideration of the joint resolution?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

LOCATORS OF OIL AND GAS ON PUBLIC DOMAIN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15469) to amend an act entitled "An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest," approved March 2, 1911.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice and that it retain its place on the calendar.

The SPEAKER pro tempore (Mr. UNDERWOOD). The gentleman from Oklahoma [Mr. FERRIS] asks that the bill be passed over without prejudice.

Mr. MANN. Reserving the right to object, Mr. Speaker, I do not see any objection in leaving this bill on the calendar. The gentleman has a Senate bill on the calendar covering the same purpose. It cumbers the calendar.

Mr. FERRIS. Precisely. But the gentleman knows the bill is identical, but I would like to have this bill retain its place so that we can substitute the Senate bill.

Mr. MANN. You can not do so.

Mr. FERRIS. Why not?

Mr. MANN. Because you have the Senate bill on the calendar and you can not substitute the Senate bill for this.

Mr. FERRIS. We can call up the Senate bill instead and ask that this be substituted, then?

Mr. MANN. The gentleman does not want to substitute this by the Senate bill. Now, the Senate bill will be reached. We leave everything on the calendar until the calendar is so long that it takes a lot of time whenever it is considered here.

Mr. FERRIS. The gentleman is right about this. The gentleman knows what is detaining this bill. There are some negotiations between the Secretary of the Interior and the Department of Justice, and I rather hope the gentleman will not disturb the present status at all until they get through negotiating.

Mr. MANN. I think it ought to come up under the Senate bill and not leave this bill on the calendar. The same matter is covered in the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma [Mr. FERRIS]?

Mr. FERRIS. I withdraw the objection if the gentleman from Illinois [Mr. MANN] is right about it.

Mr. MANN. It had better go off the calendar.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects, and the bill will go off the calendar.

ADDITIONAL JUDGE, SOUTHERN DISTRICT OF CALIFORNIA.

The next business on the Calendar for Unanimous Consent was the bill (S. 485) to amend section 1 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

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

Mr. MANN. Let the bill be read.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc.* That section 1 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and is hereby, amended to read as follows:

"**SECTION 1.** In each of the districts described in chapter 5 there shall be a court called a district court, for which there shall be appointed one judge, to be called a district judge, except that in the northern district of California, the southern district of California, the northern

district of Illinois, the district of Maryland, the district of Minnesota, the district of Nebraska, the district of New Jersey, the eastern district of New York, the northern and southern districts of Ohio, the district of Oregon, the eastern and western districts of Pennsylvania, and the western district of Washington, there shall be an additional district judge in each, and in the southern district of New York three additional district judges: *Provided*, That whenever a vacancy shall occur in the office of the district judge for the district of Maryland, senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district: *Provided further*, That there shall be one judge for the eastern and western districts of South Carolina, one judge for the eastern and middle districts of Tennessee, and one judge for the northern and southern districts of Mississippi: *Provided further*, That the district judge for the middle district of Alabama shall continue as heretofore to be a district judge for the northern district thereof. Every district judge shall reside in the district or one of the districts for which he is appointed, and for offending against this provision shall be deemed guilty of a high misdemeanor."

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

Mr. FOSTER. Reserving the right to object, this is a bill, as I understand, to create a new judge for the southern district of California?

Mr. MANN. I would like to ask some gentleman a question in regard to this bill, if I may. I see the bill, which is for the re-enactment of section 1 of the judiciary title, fixes the number of district judges in each of the districts, and provides, among other things, for an additional judge in the eastern and western districts of Pennsylvania. This is a Senate bill. It was referred to the Committee on the Judiciary of the House on June 17, 1913. That was before we had enacted a law providing for an additional district judge in the eastern district of Pennsylvania. Although the Committee on the Judiciary certainly knew enough about that bill for the Philadelphia judge, they did not remember it when they reported this bill out from the committee. And the enactment of this bill would cut out, if we had the power to cut him out, the new judge that we have just provided for in Philadelphia.

Mr. LOGUE. Will the gentleman yield?

Mr. MANN. Certainly, if I have the floor.

Mr. LOGUE. The necessity which called for the appointment of the additional judge in the eastern district has passed, inasmuch as the judge there died.

Mr. MANN. The judge has since died?

Mr. LOGUE. Yes, sir.

Mr. MANN. Then that would obviate this question.

Mr. FOSTER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from California to let this bill go over until the next meeting.

Mr. KETTNER. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice until the next meeting.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that the bill may be passed without prejudice. Is there objection?

There was no objection.

REMOVAL OF THE BOTANIC GARDEN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12796) to provide for the removal of the Botanic Garden to Rock Creek Park and for its transfer to the control of the Department of Agriculture.

The Clerk read the bill, as follows:

*Be it enacted, etc.* That for the purpose of establishing and maintaining a national arboretum and botanical garden in Rock Creek Park the Botanic Garden is hereby transferred from the direction and control of the Joint Committee on the Library to the direction and control of the Secretary of Agriculture, and he is authorized to remove to Rock Creek Park or otherwise dispose of the plants, structures, and all that pertains to the Botanic Garden in its present location as he may deem proper.

Sec. 2. That so much of Rock Creek Park, not in excess of 400 acres, as may be needed for the purposes of an arboretum and botanic garden, not including the National Zoological Park, is hereby transferred from the joint direction and control of the Commissioners of the District of Columbia and the Chief of Engineers of the United States Army to the direction and control of the Secretary of Agriculture.

Sec. 3. That the chairman of the Senate Committee on the Library and the chairman of the House Committee on the Library and the Engineer Commissioner of the District of Columbia shall select and cause to be surveyed that portion of Rock Creek Park, not in excess of 400 acres, herein set apart for a botanic garden and arboretum.

Sec. 4. That all unexpended appropriations in relation to the Botanic Garden which shall be available at the time this act takes effect shall be available for expenditure for the transfer of the Botanic Garden to the new site and for other purposes incident to its removal and maintenance.

Sec. 5. That all laws or parts of laws not consistent with or that are repugnant to this act are hereby repealed.

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

Mr. HOWARD. Mr. Speaker, I object.

Mr. GARNER. I ask that the gentleman withhold his objection for a moment.

Mr. HOWARD. I will withhold my objection.

Mr. MANN. Why does the gentleman object?

Mr. HOWARD. For the simple reason, Mr. Speaker, that this involves the expenditure of a large sum of money, and the person who is in charge of this bill is not present. I think he should be present before I can consent to vote upon this question as to the removal of this Botanic Garden, which is one of the old landmarks of Washington. I would want a good and sufficient reason why this garden should be removed out here to Rock Creek Park. When our constituents come here to see the city of Washington and view its beauties, unless they can hire an automobile and ride out here to this Lou ton Rock Creek Park they can never see the Botanic Garden and its beauties, and until a good and sufficient reason can be given to me for the removal of this park and a full explanation of the purpose for which they want to spend this money I shall object to it. However, I will withhold my objection for a moment, so that the gentleman can make a statement.

Mr. MANN. The gentleman from Texas [Mr. SLAYDEN] is chairman of the Committee on the Library, and the Joint Committee on the Library of the House and Senate has control of this subject. If there is objection to the consideration of the bill now, it may be passed over, but will the gentleman permit me to make a very brief statement?

Mr. HOWARD. Certainly.

Mr. MANN. It has been thought for a good many years that the Botanic Garden would have to be moved, but no one desired to move it while old Mr. Smith, the superintendent of the garden was alive. He died not very long ago. Since his death a new superintendent was appointed, and he has died recently. He also desired that the garden should not be moved.

The dedication of the Grant monument at this end of the Botanic Garden, at the foot of the Capitol, will practically and absolutely require the removal of the garden. At least it will destroy the garden as it is there now; there will not be anything left of the garden to speak of.

A lot of gentlemen interested in such matters—and I have been interested in it myself personally for several years—discussed the matter some time ago and formed the opinion that the wisest and most sensible thing to do would be to turn the Botanic Garden over to the Department of Agriculture, which could make use of the garden without extra expense, so that it would be some benefit to the people of the country by way of experimentation through the Department of Agriculture.

We have out at the north end of Rock Creek Park quite a piece of land which is not developed at all. More or less of it is open, and more or less of it is covered with timber. If it is opened it will be readily accessible to street car lines. The thought of the Department of Agriculture, including Dr. Gallo- way and those connected with him, was that if they could have the use of this ground out there for the Botanic Garden without interfering with the place that is there, they could use the vacant spaces in the way of planting and experimenting without any extra expense to the Government, and not only have a Botanic Garden worth many times the one that is down here for exhibition purposes, but also one that would be of great value to the Government in the way of planting trees which take many years to mature.

Now, the Botanic Garden here is practically gone, and this Grant Monument will be dedicated, I think, this fall or next summer. It seems to me it is this fall.

Mr. HOWARD. Next October.

Mr. MANN. Yes; this fall; and Mr. SLAYDEN has been very anxious, indeed, to get this bill through, in the hope that the Department of Agriculture might have an opportunity this fall to remove from the present Botanic Garden down here those trees and shrubs and plants which are of value to be kept, because otherwise they will be destroyed down here.

Mr. GARNER. Mr. Speaker, may I interrupt the gentleman sufficiently to say to my friend from Georgia [Mr. HOWARD] that it is the general concensus of opinion of those who have investigated it—I have not done so myself—that unless this bill is passed and some arrangement is made for the Botanic Garden, we will have none at all next year, comparatively speaking. I am myself very fond of the Botanic Garden and as much interested, I believe, as anybody. My good wife, who goes down there and selects plants to send down home once a year, thought it would not be well to go out to Rock Creek Park and select them. But it will be either to select them there or not at all.

Mr. MANN. I believe it is safe to say that I have been at the Botanic Garden more frequently than anybody else in Congress. Gardening is the one recreation and fad that I have. I think I know every plant in the Botanic Garden.

They speak "Good morning" to me when I go down there. They know me. But this Botanic Garden, as it stands, is almost a farce, compared with what it should be and compared with botanic gardens maintained by other nations. We can make a botanic garden out here in Rock Creek Park without any greater expense than it now costs under the Department of Agriculture, and have one that is not only magnificent in many respects, but one of great value from the experimental point of view.

We have abroad a number of men—Mr. Myers is one—who are constantly engaged in obtaining new plants and new shrubs and new trees—new trees at various times, including fruit trees—which they bring over here for use in this country, but we have now no place where we can properly, under governmental control, plant trees which we officially know about, which require years to mature.

Mr. HOWARD. Do they not use a certain portion of Potomac Park for that purpose now?

Mr. MANN. No; they have an agricultural experiment station at Arlington.

Mr. HOWARD. No; on this side of the river. I see there are nurseries there, of different trees, ornamental and shade trees.

Mr. MANN. That is under the charge of the officer in control of public buildings and grounds in the District of Columbia, and that is where the trees and shrubs come from that go into the parks here. That place is of no particular value otherwise. The trees are taken up from time to time.

Mr. HOWARD. I do not desire of my own motion to oppose the passage of a good measure, but I know there is a great difference of opinion among certain Members of the House with whom I have talked about the removal of the Botanic Garden. I agree with the gentleman from Illinois [Mr. MANN] that something ought to be done relative to the unveiling of the monument to Gen. Grant. In the first place—I am saying this on my own responsibility only—I think it was poor judgment to put the monument to this great general down here in this secluded place, to start with.

Mr. MANN. If the gentleman will pardon me, I did what I could to prevent it, and at one time got a majority vote in the House against it.

Mr. HOWARD. If there was a general in the Union Army who ought to have the most prominent place vacant in the city of Washington for the placing of his monument, it was Gen. Grant; but they have picked out the most secluded spot in Washington on which to erect this magnificent monument to his memory and achievements. But that is all cut out of the garden, as I understand it. Now, this thing has been shrouded in mystery, so far as I am concerned. I can not get any information, and I am like the gentleman from Illinois [Mr. MANN] in my liking for and interest in the Botanic Garden. I go down there at every opportunity I have, and some of those plants and flowers are getting to say "Good morning" to me. I like to go down there. Mr. Speaker, I do not want to object to the consideration of this bill, but I ask that it go over.

Mr. MANN. I hope the gentleman will let it pass.

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

Mr. HOWARD. Yes.

Mr. DONOVAN. Is it not true that all the parks and public grounds of this town are made more inaccessible to the ordinary citizen than in almost any other city of this country? That is to say, the common, ordinary citizen has to go to greater expense in order to visit them.

Mr. HOWARD. I do not know. Washington is abundantly provided with parks of a certain sort.

Mr. DONOVAN. What chance has the public to take advantage of Potomac Park without the use of automobiles?

Mr. HOWARD. Very little, unless a man owns an automobile.

Mr. DONOVAN. To put the Botanic Garden several miles away will mean a considerable expense to the ordinary citizen who wants to visit it.

Mr. HOWARD. That is the very reason, while I do not want to object to the bill and have it stricken from the calendar, I do want to have it go over.

Mr. MANN. If the gentleman will pardon me—

Mr. DONOVAN. I would like to ask the gentleman from Georgia one question more. Does the gentleman from Georgia think that he ought to vote to remove this garden from the ordinary citizen?

Mr. HOWARD. I do not, and that is exactly why I am inclined to interpose this objection.

Mr. MANN. Mr. Speaker, the gentleman from Georgia [Mr. HOWARD] and the gentleman from Connecticut [Mr. DONOVAN] both know, I am sure, that the Botanic Garden can not remain down here and perform its functions. It is already proposed,

and there is already authority given, to remove the fence around it. That would have been done before this, except that they are keeping the fence there until the monument is unveiled; because if it should be removed before that time there would not be anything left of the Botanic Garden after the unveiling. There will not be much left anyhow.

There have been three propositions made in reference to the Botanic Garden. One is to buy ground for a new garden. I do not think the Government wants at this time to buy several hundred acres for the Botanic Garden.

Another proposition has been to turn the Botanic Garden over to the superintendent of public buildings and grounds of Washington. That official is now Maj. Hart, a very competent official, and it has been proposed to select a place for the garden in Potomac Park. I think that has not met with favor by very many people.

The third proposition has been to turn the Botanic Garden over to the Department of Agriculture, which has all the facilities for carrying on the garden work, and to use land at present unused, which would be beautified and made use of without much expense.

Mr. HOWARD. What is it proposed to do with this space down here after this garden is removed?

Mr. MANN. It is a part of the Mall. It will be covered with grass, just like the rest of the Mall between the Capitol and the Washington Monument. I assume that is what will be done with it. It is certain that it will not be a Botanic Garden.

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

Mr. WINGO. Reserving the right to object—

Mr. FITZGERALD. Mr. Speaker, I have just come into the Hall. Is this the Botanic Garden bill?

The SPEAKER pro tempore. It is.

Mr. FITZGERALD. I object.

Mr. MANN. I ask the gentleman to withhold his objection while I ask unanimous consent that the bill be passed over without prejudice. The gentleman from Texas [Mr. SLAYDEN], chairman of the committee which has this bill in charge, is absent—

Mr. FITZGERALD. I have no objection to it being passed over.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the bill be passed over without prejudice. Is there objection?

Mr. FOWLER. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects to passing the bill over without prejudice. Is there objection to the present consideration of the bill?

Mr. FOWLER. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

Mr. DONOVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DONOVAN. That objection removes the bill from the calendar, does it not?

The SPEAKER pro tempore. It does.

#### AGRICULTURAL ENTRY OF OIL LANDS.

The next business on the Calendar for Unanimous Consent was the bill (S. 60) to provide for agricultural entry of oil lands.

The bill was read as follows:

*Be it enacted, etc.*, That from and after the passage of this act unreserved public lands of the United States in the State of Wyoming which have been withdrawn or classified as oil lands or are valuable for oil shall be subject to appropriate entry under the homestead laws by actual settlers only, the desert-land law, to selection by the State of Wyoming under grants made by Congress and under section 4 of the act approved August 18, 1894, known as the Carey Act, and to withdrawal under the act approved June 17, 1902, known as the reclamation act, and to disposition in the discretion of the Secretary of the Interior under the law providing for the sale of isolated or disconnected tracts of public lands whenever such entry, selection, or withdrawal shall be made with a view of obtaining or passing title, with a reservation to the United States of the oil and gas in such lands and of the right to prospect for, mine, and remove the same. But no desert entry made under the provisions of this act shall contain more than 160 acres: *Provided*, That those who have initiated non-mineral entries, selections, or locations in good faith prior to the passage of this act on lands withdrawn or classified as oil lands may perfect the same under the provisions of the laws under which said entries were made, but shall receive the limited patent provided for in this act.

SEC. 2. That any person desiring to make entry under the homestead laws or the desert-land law, and the State of Wyoming desiring to make selection under section 4 of the act of August 18, 1894, known as the Carey Act, or under grants made by Congress, and the Secretary of the Interior in withdrawing under the reclamation act lands classified as oil lands or valuable for oil, with a view of securing or passing title to the same in accordance with the provisions of said acts, shall state in the application for entry, selection, or notice of withdrawal that the same is made in accordance with and subject to the provisions and reservations of this act.

SEC. 3. That upon satisfactory proof of full compliance with the provisions of the laws under which entry, selection, or location is made and of this act the applicant shall be entitled to a patent or certification to the lands entered or selected, with a reservation to the United States of all the oil or gas in the lands so patented or certified, together with the right in the United States or persons authorized by it to prospect for, mine, and remove the same; but before any person shall be entitled to enter upon the lands patented or certified for the purpose of prospecting, mining, or removing oil or gas therefrom he shall furnish, subject to approval by the Secretary of the Interior, a bond or undertaking as security for the payment of all damages to the crops and improvements on said lands by reason of such prospecting for and removal of oil or gas. The reserved oil and gas deposits in lands patented or certified under this act shall not be subject to exploration or entry other than by the United States, except as hereafter authorized by Congress.

With the following committee amendment:

Strike out all the above and insert the following in lieu thereof: "That lands withdrawn or classified as phosphate, nitrate, potash, oil, gas, or asphaltic minerals, or which are valuable for those deposits, shall be subject to appropriation, location, selection, entry, or purchase, if otherwise available, under the nonmineral land laws of the United States, whenever such location, selection, entry, or purchase shall be made with a view of obtaining or passing title with a reservation to the United States of the deposits on account of which the lands were withdrawn or classified or reported as valuable, together with the right to prospect for, mine, and remove the same; but no desert entry made under the provisions of this act shall contain more than 160 acres: *Provided*, That all applications to locate, select, enter, or purchase under this section shall state that the same are made in accordance with and subject to the provisions and reservations of this act.

"SEC. 2. That upon satisfactory proof of full compliance with the provisions of the laws under which the location, selection, entry, or purchase is made, the locator, selector, entryman, or purchaser shall be entitled to a patent to the land located, selected, entered, or purchased, which patent shall contain a reservation to the United States of the deposits on account of which the lands so patented were withdrawn or classified or reported as valuable, together with the right to prospect for, mine, and remove the same, such deposits to be subject to disposal by the United States only as shall be hereafter expressly directed by law. Any person qualified to acquire the reserved deposits may enter upon said lands with a view of prospecting for the same upon the approval by the Secretary of the Interior of a bond or undertaking to be filed with him as security for the payment of all damages to the crops and improvements on such lands by reason of such prospecting, the measure of any such damage to be fixed by agreement of parties or by a court of competent jurisdiction. Any person who has acquired from the United States the title to or the right to mine and remove the reserved deposits, should the United States dispose of the mineral deposits in lands, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining and removal of the minerals therefrom, and mine and remove such minerals, upon payment of damages caused thereby to the owner of the land, or upon giving a good and sufficient bond or undertaking therefor in an action instituted in any competent court to ascertain and fix said damages: *Provided*, That nothing herein contained shall be held to deny or abridge the right to present and have prompt consideration of applications to locate, select, enter, or purchase, under the land laws of the United States, lands which have been withdrawn or classified as phosphate, nitrate, potash, oil, gas, or asphaltic mineral lands, with a view of disproving such classification and securing patent without reservation, nor shall persons who have located, selected, entered, or purchased lands subsequently withdrawn, or classified as valuable for said mineral deposits, be debarred from the privilege of showing, at any time before final entry, purchase, or approval of selection or location, that the lands entered, selected, or located are in fact non-mineral in character.

"SEC. 3. That any person who has, in good faith, located, selected, entered, or purchased, or any person who shall hereafter locate, select, enter, or purchase, under the nonmineral land laws of the United States, any lands which are subsequently withdrawn, classified, or reported as being valuable for phosphate, nitrate, potash, oil, gas, or asphaltic minerals, may, upon application therefor, and making satisfactory proof of compliance with the laws under which such lands are claimed, receive a patent therefor, which patent shall contain a reservation to the United States of all deposits on account of which the lands were withdrawn, classified, or reported as being valuable, together with the right to prospect for, mine, and remove the same."

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

There was no objection.

Mr. FRENCH. I ask unanimous consent that this bill be considered in the House as in Committee of the Whole. It is on the Union Calendar.

The SPEAKER. The gentleman from Idaho asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the adoption of the Committee amendment.

The amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

By unanimous consent the title was amended to read: "An act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas, or asphaltic minerals."

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

#### LEASING PRIVILEGES FOR HOTELS, YOSEMITE NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1694) 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 reservation."

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized and empowered to grant leases for periods of not exceeding 20 years, at annual rentals, and under terms and conditions to be determined by him, to any person, corporation, or company he may authorize to transact business in the Yosemite National Park, for separate tracts of land, not exceeding 20 acres each, at such places, not to exceed 10 in number, to any person, corporation, or company in said park, as the comfort and convenience of visitors may require, for the construction and maintenance of substantial hotel buildings and buildings for the protection of motor cars, stages, stock and equipment, etc. Such leases may, at the option of the Secretary of the Interior, contain appropriate provisions for the appraisalment, at the expiration of the lease, of the value of such hotel and other buildings (or portions thereof) as may be constructed by the lessees, respectively, and the payment of the same to the lessees in case a new lease be made to persons other than said lessees, such payments to be made by such new lessees, respectively.

That any person or corporation or company holding a lease or leases within said park for the purposes above described is hereby authorized, with the approval of the Secretary of the Interior, to execute mortgages upon his or its rights and properties, including his or its contract or contracts with the Secretary of the Interior; such mortgages shall be executed in duplicate and delivered to the Secretary of the Interior for his approval, and upon his approval thereof he shall retain one of said duplicates and file the same for record in his office.

Any mortgage, lien, or encumbrance created under the provisions hereof shall be subject to the rights of the Government to compel the enforcement of the terms of the lease or contract of the mortgagor, and any purchaser under a foreclosure of such encumbrance shall take subject to all the conditions assumed by the original lessee or contractor.

All provisions of existing law in relation to said park not in conflict herewith are hereby continued in full force and effect.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

**LEASE OR SALE OF LIMESTONE DEPOSITS—TUSCARORA NATION OF NEW YORK INDIANS.**

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14196) authorizing the Tuscarora Nation of New York Indians to lease or sell the limestone deposits upon their reservation.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Tuscarora Nation of New York Indians, by their chiefs in council assembled, are hereby authorized and empowered to lease or sell for the benefit of the nation all or a part of the limestone deposits upon their reservation in one or more suitable tracts: *Provided*, That before such lease or sale shall be made notice of intention to lease or sell, giving a general description of the lands upon which said limestone deposits are located, shall be published in two papers, one issued in the county of Niagara, State of New York, and one issued in the city of Buffalo, county of Erie, State of New York, once a week for three consecutive weeks; said notice shall state the time and place when sealed bids shall be received for the mentioned tracts, and such lease or sale shall be to the highest responsible bidder: *Provided further*, That before any lease or sale shall be made the terms of the proposed contract shall be fully explained to the entire nation and shall be approved by a majority of the votes of the whole people of voting age, but before any lease or sale shall become effective it shall be submitted to the Secretary of the Interior for his approval as to the sufficiency of the amount of the consideration and terms of payment, and if approved by him, the chiefs are hereby authorized and empowered to enter into such lease or sale. All moneys paid upon any lease or sale made as herein provided shall be paid to the Secretary of the Interior, who shall distribute the same among the adult persons, and thereafter to the minor persons as they attain their majority, entitled to participate in the distribution of the consideration, without any fee, expense, or charge against the nation or any of its people.

The SPEAKER. Is there objection?

Mr. FOWLER. Reserving the right to object, I will be glad to know the wish of the Indians owning the tract of land upon which this deposit is located.

Mr. STEPHENS of Texas. There are 300 Indians and about 250 acres of land. The limestone is about 6 feet thick and of excellent quality. It is near a railroad, and also within a few miles there is a demand for it in the various smelting industries. There was a delegation of these Indian chiefs came before our committee last winter and earnestly urged the passage of this bill. It was recommended by Mr. Adams during the last administration and by Mr. Jones during the present administration. We have used the exact language in the bill that was drawn by Mr. Adams, except that we have provided that the sale shall be published in two papers in the State of New York, one in the county of Niagara and one in the city of Buffalo; and we have further provided that before any sale shall be made the terms of the same shall be approved by a majority of the Indians, and further provided that the money shall be paid to the Secretary of the Interior, and that he shall see that it is distributed among the members of the tribe.

Those are the safeguards of the bill, and, with that exception, we followed all the language of the Secretary of the Interior in both administrations.

Mr. FOWLER. Has the committee considered the question of the demand for the limestone sufficient to know whether there will be any competition? Will there be any competitive bids for it?

Mr. STEPHENS of Texas. We have not. That is left to the discretion of the Secretary of the Interior and the Indian chiefs. These Indians are voters in that State. They are intelligent men. They are not men that could be misled into making a bad bargain.

Mr. FOWLER. Has authority heretofore been given them to dispose of their real estate?

Mr. STEPHENS of Texas. By this act, and as I have stated.

Mr. FOWLER. I mean other than by this act. Have they been permitted to dispose of their real estate as white men or other citizens?

Mr. STEPHENS of Texas. They have treaty rights that they have heretofore exercised. This is the last property owned in common, and was reserved because of its supposed great value.

Mr. FOWLER. I have no doubt it is very valuable, because limestone will always be valuable. It is one of the best fertilizers known to the farmer.

Mr. STEPHENS of Texas. Does not the gentleman think that the country is entitled to use the material, and are not the Indians entitled to whatever it will bring?

Mr. FOWLER. I am not ready to cross that bridge yet, because I have not reached it. Yet I am trying to get to it so that I may know whether it is the proper thing to do. I am aware of the fact that limestone is a valuable deposit, and if this is the only piece of land they own in common and they have been permitted to dispose of all the rest of their lands, like other citizens of the United States, there may be some good reason for permitting them to dispose of this limestone deposit. But I would like to know whether their rights are fully protected and if they have sufficient information concerning the value of it and that it will not be sold until adequate consideration is paid.

Mr. STEPHENS of Texas. Does not the gentleman think that this reservation will amply protect the Indians:

*Provided further*, That before any lease or sale shall be made the terms of the proposed contract shall be fully explained to the entire nation and shall be approved by a majority of the votes of the whole people of voting age, but before any lease or sale shall become effective it shall be submitted to the Secretary of the Interior for his approval as to the sufficiency of the amount of the consideration and terms of payment, and if approved by him, the chiefs are hereby authorized and empowered to enter into such lease or sale. All moneys paid upon any lease or sale made as herein provided shall be paid to the Secretary of the Interior, who shall distribute the same among the adult persons, and thereafter to the minor persons as they attain their majority, entitled to participate in the distribution of the consideration, without any fee, expense, or charge against the nation or any of its people.

Mr. FOWLER. As I understand the gentleman, these Indians exercise the rights of citizenship.

Mr. STEPHENS of Texas. Yes. The gentleman from South Dakota [Mr. BURKE] knows about this situation.

Mr. BURKE of South Dakota. As I understand it, the only purpose of the bill is to legalize what it seems can not be done by the Indians. Not that the Indians are not competent to act for themselves, and there is some question whether legislation is necessary at all, but I notice that the Secretary of the Interior cites a number of authorities, and is of the opinion that it is necessary to have an act of Congress authorizing it. These Indians are perfectly competent; they are men of intelligence, speak English and own property, transact their own business, and have not been wards of the Government for many years.

Mr. FOWLER. Does the gentleman recollect how long?

Mr. BURKE of South Dakota. No; but a great many years. I think there is some old cloud or claim on this land that, if the Indians abandon it for tribal purposes, may be asserted, and it is owing to that fact that the land has not been divided among the Indians in severality, as it might have been done and probably ought to have been done. It is one of the New York tribes that still maintains the land ownership in common.

Mr. FOWLER. Do they hold all their farm lands in common?

Mr. BURKE of South Dakota. I understand that they do, but I may be mistaken about that.

Mr. STEPHENS of Texas. I think they have an agreement among themselves that each one has a certain tract of land—

Mr. BURKE of South Dakota. I was not here when this bill was reported—

Mr. STEPHENS of Texas. And I will further state to the gentleman from Illinois that before this sale can be made the parties leasing the limestone quarry must be assured of

getting a title so that they can put in railroads. It takes quite a plant to handle limestone, as the gentleman is quite well aware, and they will not expend this money until they are assured they will get a good title.

Mr. FOWLER. From the statement of the gentleman from South Dakota there seems to be some question whether a title can be secured.

Mr. STEPHENS of Texas. Yes; because of some old treaty between the United States Government and the Indians years ago that if these Indians should have been removed to some other part of the United States they would forfeit their rights, but they had an absolute right given to them under the treaty, this old title.

Mr. FOWLER. I do not object, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I would like to get some information—

Mr. STEPHENS of Texas. Certainly.

Mr. MANN. Who pays for the advertising fees if this goes through?

Mr. STEPHENS of Texas. The Indians insist that they should not pay for it, and therefore the last lines in the bill, lines 18 and 19, say, "without fee, expense, or charge against the nation or any of its people."

I will say to the gentleman I think there is a lump-sum appropriation in all of these Indian appropriation bills that can be used for such purposes as would be set forth here—that is, the sale of land and lease of land and distribution of tribal funds, and this would be a tribal fund.

Mr. MANN. I doubt whether there is such an appropriation; but why should the Government of the United States pay for advertising the Indian lands for sale up here in New York?

Mr. STEPHENS of Texas. I presume they have already the machinery with which to do that.

Mr. MANN. They have not the machinery ready to pay advertising bills. Why should we pay for the advertising?

Mr. STEPHENS of Texas. That is a very pertinent question; but the department suggested it, and we wanted to get the matter settled.

Mr. MANN. I beg the gentleman's pardon; the department has not suggested anything of this sort that I have been able to find.

Mr. STEPHENS of Texas. It was the Indians, possibly.

Mr. MANN. That would not make any difference if they had.

Mr. STEPHENS of Texas. I do not remember whether it was at the suggestion of the Indian chiefs who were before the committee or when we had the heads of the department before us.

Mr. MANN. Under the terms of this bill the whole sum realized is to be divided, I suppose, per capita—although the bill does not say that—among these 360 Indians?

Mr. STEPHENS of Texas. That is correct.

Mr. MANN. How many are minors and how many are adults?

Mr. STEPHENS of Texas. This does not state—

Mr. MANN. I see it does not.

Mr. STEPHENS of Texas. But I presume about one-third would be minors, or possibly one-half.

Mr. MANN. Well, what becomes of the money that belongs to the minors?

Mr. STEPHENS of Texas. It would be withheld. It would be under the control of the department, the same as other Indian funds. It would be subject to the same rules and regulations that control the distribution of all Indian funds. This fund would certainly be under the same rules and regulations.

Mr. MANN. For instance, here is a baby, say a year old, which is entitled to his or her share of this fund. Under the terms of the bill the Government is to hold that money without interest for such length of time as to enable that infant to grow up and become an adult?

Mr. STEPHENS of Texas. It will be held in trust.

Mr. MANN. Without interest?

Mr. STEPHENS of Texas. I presume so.

Mr. MANN. That would be grossly unfair to the minor children.

Mr. STEPHENS of Texas. This does not provide for interest—

Mr. MANN. I do not see any reason why the Government should hold the money. I do not see any reason why the Government should pay interest on the money, and I do not see any reason why, if we do not pay interest, we should hold the money from 1 to 20 years.

Mr. STEPHENS of Texas. Does not the gentleman think that the courts of New York, these people being citizens, would at once appoint guardians for these children?

Mr. MANN. Very likely that would not do any good, because under the terms of this bill it is not to be paid the minors until they attain their majority. I am speaking now of the language of the bill.

Mr. FERRIS. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. FERRIS. I do not know that my suggestion would have any weight, but my thought is that in the procedure in our State with the Indian funds the Government usually pledges itself to pay 4 or 5 per cent interest and then redeposits the money, and in that case the Government does not lose anything and the Indians do get the interest.

Mr. MANN. It is perfectly patent that the Government ought not to take the money of minor children after the sale of property and keep it for 20 years and the child receive no interest on it. Such a bill ought to be considered by the proper committee and this bill is not in proper shape at all, and I shall have to object.

The SPEAKER. Is there objection?

Mr. MANN. I objected, Mr. Speaker, a moment ago.

The SPEAKER. The gentleman from Illinois objects.

#### SALE OF LANDS, KLAMATH RIVER INDIAN RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10848) to amend an act entitled "An act to provide for the disposition and sale of lands known as the Klamath River Indian Reservation," approved June 17, 1892 (27 Stat. L., pp. 52, 53).

The Clerk read as follows:

*Be it enacted, etc.*, That the last proviso of the act entitled "An act to provide for the disposition and sale of lands known as the Klamath River Indian Reservation," approved June 17, 1892, reading: "Provided further, That the proceeds arising from the sale of said lands shall constitute a fund to be used under the direction of the Secretary of the Interior for the maintenance and education of the Indians now residing on said lands and their children," be, and the same is hereby, amended to read:

"Provided further, That the proceeds arising from the sale of said lands shall constitute a fund to be used under the direction of the Secretary of the Interior for the maintenance and education of the Indians and their children now residing on said lands, and for the construction of roads, trails, and other improvements, and for other purposes, for their benefit."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I think I objected to this bill once before.

Mr. STEPHENS of Texas. This is the second time the bill has been placed on the calendar. Under the rule we are permitted to place a bill on the calendar a second time.

Mr. MANN. If the department wants to spend this money which it has in building roads and trails, why should not the department give some information to the Congress?

Mr. STEPHENS of Texas. The information we have is this, that this river is a short river and runs into the sea, possibly 25 or 30 miles from where this reservation is. Twenty-five miles of that river is in a canyon, and it is impossible for the Indians to get from the sea where the shipping point is to their homes on the river, unless they climb over very rough mountain trails, and this is designed so that they can get wagons in there and take produce out, and get the supplies in that are given them by the Government and that they purchase on the seacoast.

Mr. MANN. I discussed this matter with the gentleman once before, and stated then that the bill did not contemplate wagon roads, and it does not.

Mr. STEPHENS of Texas. Wagon roads or trails. I have a letter here.

Mr. MANN. If it is the letter that is printed, I have that myself. I do not see why the department, which has a very wide latitude of authority, anyway, should not occasionally take Congress into its confidence, instead of asking for a blanket authority to do certain things.

Mr. STEPHENS of Texas. This seems to be a very necessary thing for the use of these Indians, and the most essential thing in a mountainous country like this is means of ingress and egress, so that they can get in their supplies and take out what they have to sell.

Mr. MANN. In rough, mountainous country a department of this Government can waste or use \$25,000 more quickly than in any other way it can be disposed of, and with less results. I have no doubt they would like to do it.

Mr. STEPHENS of Texas. But the Indians are asking for this. They have to get to the sea now by boats through the canyon.

Mr. MANN. Oh, the Indians would prefer to have their money.

Mr. STEPHENS of Texas. By going down the river they can get out to the sea, but they have to climb over the mountains to get back. They can not get back because of the swift-

ness of the stream. They can get to the sea from the reservation.

Mr. MANN. Has the gentleman any more information than that contained in the report?

Mr. STEPHENS of Texas. I have not.

Mr. MANN. I object.

Mr. RAKER. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. MANN. I reserve the objection.

Mr. RAKER. Would the gentleman consent to passing it over without prejudice, and then if we do not get a sufficient report upon the matter he can then object?

Mr. MANN. I have no objection to passing it over without prejudice.

Mr. RAKER. Mr. Speaker, I make that request.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

SALE OF TIMBER ON UNALLOTTED LANDS ON INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10834) to amend an act entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes," approved June 25, 1910 (36 Stat. L., 855).

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this is a bill that we discussed at some length, I think, before.

Mr. STEPHENS of Texas. Mr. Speaker, this is the bill that my friend from Minnesota, Mr. STEENERSON, is interested in.

Mr. MANN. This is the bill that the gentleman from Minnesota desired to amend, and the committee declined to accept his amendment, for a minimum price.

Mr. STEPHENS of Texas. There has been no further action taken by the committee since the matter was before the House before. What amendment is it the gentleman proposes?

Mr. MANN. I do not propose any amendment. The amendment was proposed by the gentleman from Minnesota [Mr. STEENERSON], and the committee said it did not wish to accept that amendment.

Mr. STEPHENS of Texas. Possibly the gentleman would be willing to change his amendment to some extent.

Mr. STEENERSON. Mr. Speaker, I understand the committee has not had any meeting to consider the bill since that time.

Mr. STEPHENS of Texas. We have not.

Mr. STEENERSON. The amendment I suggested at that time was embodied in a bill which I introduced, but as far as I am concerned I am not suggesting any amendment whatever and am perfectly satisfied now.

Mr. STEPHENS of Texas. The gentleman is satisfied with the state that the bill is in now?

Mr. STEENERSON. Yes; so far as it concerns my State. I understand the department regulations governing the cutting of timber provide for advertising and appraisement, which are pretty nearly the same safeguards, though not quite so strict, as those contained in the bill which I introduced.

Mr. STEPHENS of Texas. Then the gentleman is satisfied with them.

Mr. MANN. Do the department regulations fix the minimum price at which the timber in the Red Lake district can be sold?

Mr. STEENERSON. No; but it is appraised under the regulation and can not be sold for less than the appraised value. I should be very glad to have my suggestions adopted, but I understand the committee has not acted upon them.

Mr. MANN. Mr. Speaker, I wish there was some way I could think of by which I could defeat this bill entirely; but as the same proposition is in one of the numerous amendments added to the Indian appropriation bill, and as I suppose the conferees in some way will disregard my wishes, if not the wishes of the House, and get it into the law, for the present I shall object.

Mr. STEENERSON. Mr. Speaker, if the gentleman will yield for a moment, I would like to explain.

Mr. MANN. I withhold the objection for a moment.

Mr. STEENERSON. The gentleman is in error about the amendment being a part of the Indian appropriation bill. I will say that the Committee on Indian Affairs of the Senate granted a hearing on the proposition, and after hearing the case decided to insert it in the Indian appropriation bill because of the waste that is going on up there, the timber being burned up and wasted; but after the matter got onto the Senate floor some

gentleman did not care to let it go through by unanimous consent, and the point of order was made, without anyone objecting to it, and so, by unanimous consent, practically, it was left out of the Indian appropriation bill. It is hoped that the department representing the Indians will be able to work out a plan that will meet the views of all Senators and Representatives taking an interest in this matter, so that it can receive consideration at the next session of Congress and be acted upon then. There is no desire on my part to press the matter now, for unless a measure satisfactory to the other House of Congress can be framed we would not be making progress by sending over the present bill; and it is not now a part of the Indian appropriation bill.

Mr. MANN. I thank the gentleman for the information. I was thinking for the moment that it was an amendment to the Indian appropriation bill.

Mr. STEPHENS of Texas. It was cut off.

Mr. MANN. I do not think this is a very good time to sell timber.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar. The Clerk will report the next bill.

ALLOTMENTS TO INDIANS ON MORONGO RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10505) authorizing the Secretary of the Interior to cause allotments to be made to Indians belonging and having tribal rights on the Morongo Indian Reservation.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects, and the bill will be stricken from the calendar.

BRANCH HYDROGRAPHIC OFFICE, LOS ANGELES, CAL.

The next business on the Calendar for Unanimous Consent was the bill (S. 494) to establish a branch hydrographic office at Los Angeles, Cal.

The bill was read, as follows:

*Be it enacted, etc.* That the Secretary of the Navy is hereby authorized to establish branch hydrographic office at Los Angeles, in the State of California, the same to be conducted under the provisions of the law applicable to the Hydrographic Office in the Navy Department.

SEC. 2. That the Secretary of the Navy is hereby authorized to secure sufficient accommodations in said city of Los Angeles for said hydrographic office, and to provide the same with the necessary furniture, apparatus, supplies, and services allowed existing branch hydrographic offices, at a cost not exceeding \$9,000, which sum, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for these purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I would be very glad to hear any reason why this is necessary.

Mr. STEPHENS of California. Mr. Speaker, this bill is to establish at Los Angeles, Cal., a branch hydrographic office. If there is a necessity for a branch hydrographic office anywhere, I think that necessity exists at Los Angeles to-day. Every large city on the Atlantic coast—Boston, New York, Philadelphia, Baltimore, Norfolk, and Savannah—has a branch hydrographic office. On the Pacific coast, Seattle, Portland, and San Francisco are the only cities that are favored. South of San Francisco there is no hydrographic office, although it is 600 miles to the Mexican line and 3,200 miles to Panama.

Now, the port of Los Angeles is a fast growing one in a maritime way. The increase in imports and exports and in general harbor business has been several hundredfold in the last few years. In the year 1913 alone there arrived at Los Angeles Harbor something over 2,800 vessels, and the indications are that 1914 will show a total of 3,300. All these vessels have masters who want information, and who have information to give, and if there was a branch hydrographic office there the masters could give information concerning the hindrances and obstructions to navigation which they have encountered or observed on their way to that harbor and obtain the charts and other information from the Government office that other mariners and the Government have secured from various sources.

Mr. Speaker, this is a bill altogether meritorious, because it provides Los Angeles, a city of over 500,000 people, with such aids to navigation as will assist in building up a great maritime business through its great harbor.

Mr. MANN. Is the gentleman able to say what the tonnage was last year which entered and departed from the Los Angeles port?

Mr. STEPHENS of California. Mr. Speaker, if I had a few moments I could, for I have it all tabulated and here at hand. Los Angeles Harbor is said to be the largest lumber-receiving harbor in the world. It is also a very large oil-shipping harbor, and, exclusive of both lumber and oil, the business of Los Angeles Harbor has increased 2,250 per cent in the last 10 years.

The increase has been so tremendous, the volume of commerce is now so large, and the future promises such a magnificent total as to warrant an intelligence office of this kind.

Mr. MANN. I will make a proposition to the gentleman. I represent a harbor that has entered and cleared each year more than 5,000,000 tons. It has no hydrographic office and gets along very well without one. If the gentleman could show me that his harbor enters and clears combined \$5,000,000 a year, I will not make objection to his bill.

Mr. STEPHENS of California. Mr. Speaker, Los Angeles does not pretend to approach Chicago in population or business, but it has hopes.

Mr. MANN. I am not speaking of the harbor at Chicago. I am speaking of the harbor of South Chicago.

Mr. STEPHENS of California. It is all one thing.

Mr. MANN. I beg the gentleman's pardon. It is not all one thing.

Mr. STEPHENS of California. It is a part of the city of Chicago. But whether we approach that city in size or not, I believe our harbor is of sufficient size now and holds out for the future enough of promise to make the establishing of such an information bureau as this bill proposes a very proper and necessary act.

Mr. STEPHENS of Texas. Is it not a fact that the business of the harbor will be largely increased because of the Panama Canal, and that more commerce will be carried to and from that port than ever before?

Mr. STEPHENS of California. Unquestionably, if the canal amounts to anything, and we all think it will.

Mr. STEPHENS of Texas. And is it not necessary to spend a great deal of money on it on that account?

Mr. STEPHENS of California. The Government has expended about \$6,000,000 on the harbor at Los Angeles, and the city of Los Angeles has expended about \$6,000,000 more. The people of Los Angeles spent their own money because they believed they could build a great commercial harbor there, and they are succeeding. The opening of the Panama Canal will bring a tremendous increase of vessels and trade. I do not know that the ratio of increase will be as great as it was in the last few years, but the total tonnage entered and cleared at Los Angeles Harbor in 1920 will surprise the most optimistic. Our city keeps growing, our commerce keeps growing, and this hydrographic office is one of the aids to navigation which a great harbor and a great city really demand, if such is required anywhere in the United States. It is recommended by the Secretary of the Navy and is asked for by the people of Los Angeles. My recollection is that it was brought to the attention of Senator WORKS, of California, who introduced this bill, by the maritime and mercantile interests of Los Angeles.

Mr. MANN. How far is the city of Los Angeles from the port?

Mr. STEPHENS of California. The city reaches the port. The harbor is within the city.

Mr. MANN. How far is Los Angeles from the port?

Mr. STEPHENS of California. The center of the city is about 22 miles from the harbor. But Los Angeles, believing in the development of the harbor, reached out an arm, and with the consent of two smaller towns on the harbor, took them and the harbor into the city. It had the money, and was ready to spend it on the harbor of refuge and of commerce. It promised to spend \$10,000,000 in improving the harbor. It has expended \$6,000,000; the balance will be ready when called for, and millions more when needed. Los Angeles has proven its courage, and the results are greater than it claimed.

Mr. MANN. I have every regard for the city of Los Angeles. I believe it is a great city, and that this will be a great port. I helped locate the harbor up there since coming here. I do not believe they need the hydrographic office, and while the babies out there may be crying for it, they do not know what it is. The gentleman speaks of what it is going to be. I have no doubt it is very large now, but the Congress sits long enough to provide for a thing after "it is" instead of for "what it is going to be."

Mr. STEPHENS of California. If the gentleman will permit, I think that 2,800 vessels coming into a port annually, if no larger number ever came, will warrant this office.

Mr. MANN. The Government furnishes hydrographic charts to anyone who wishes to buy them. They do not furnish any of them free. There is a Hydrographic Office here in Washington. If I want a chart, do I go up there and get it? Certainly not. I send the money and get it by mail. They have a list of these charts, and there is no difficulty in any vessel getting all the charts it wants without trouble. But, of course, these offices furnish a nice place for some naval officer on shore. And he does good service, too.

Mr. STEPHENS of California. It will not take many men to fill all the places there are in an office of this kind. I think one officer and two clerks, or possibly one clerk, is all that will be required.

A hydrographic office not only provides the charts which are printed here in Washington, but it also provides a weekly publication and a daily publication, and posts on the blackboard every day certain information that comes from Washington, and comes from mariners that drop into the office from hour to hour as they arrive in port. It does seem to me that this is of sufficient importance to be permitted to pass at this time by unanimous consent. I hope the gentleman from Illinois will not object.

Mr. MANN. The gentleman knows perfectly well that I shall object, because he knows that the bill really ought not to pass, although he has had a very good chance to make a strong plea for it. I object.

Mr. STEPHENS of California. Does the gentleman object to this bill going over without prejudice?

Mr. MANN. I object.

The SPEAKER. That is another question. The gentleman from Illinois [Mr. MANN] objects, and the bill is stricken from the calendar.

Mr. MANN. This bill can be put on again.

The SPEAKER. The gentleman objects to its being passed over without prejudice. The bill is stricken from the calendar, and the Clerk will report the next one.

#### FRAUDULENT ENLISTMENT IN THE MILITARY SERVICE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8479) to repeal section 3 of article 110 of section 1342 of the Revised Statutes of the United States, enacted July 27, 1892.

The Clerk read the bill, as follows:

*Be it enacted, etc.* That section 3 of article 110 of section 1342 of the Revised Statutes of the United States be, and the same hereby is, repealed.

Sec. 2. That this act shall take effect and be in force from and after its passage, and shall apply to all pending prosecutions and existing causes of prosecutions.

With a committee amendment, as follows:

Amend, page 1, line 3, by striking out the words "of article 110."

The SPEAKER. Is there objection?

There was no objection.

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

The committee amendment was agreed to.

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to repeal section 3 of section 1342 of the Revised Statutes of the United States, enacted July 27, 1892."

The SPEAKER. The Clerk will report the next one.

#### RELIEF OF HOMESTEADERS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16099) 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."

The Clerk read the bill, as follows:

*Be it enacted, etc.* That the act of June 23, 1910 (Public, 243, 36 Stats., p. 592), entitled "An act providing that entrymen for homesteads within 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," is hereby amended by adding the following proviso:

"Provided, That any assignments made between June 23, 1910, and December 1, 1912, of all or portions of homestead entries upon which the assignees have submitted satisfactory final proof and the assignees purchased with the belief that the assignments were valid, are hereby confirmed, notwithstanding the original entries were conformed to farm units and the portions assigned canceled or eliminated from the entries prior to the dates of assignment: Provided further, That all entries so assigned shall be subject to the limitations, terms, and conditions of the reclamation act and acts amendatory thereof or supplemental thereto, and all of said assignees whose entries are hereby confirmed shall, as a condition to receiving patent, make the proof heretofore required of assignees: And provided further, That this act shall not apply to any lands canceled and eliminated from any such entry and which have been embraced in any valid settlement or homestead entry of another."

The SPEAKER. Is there objection?

Mr. LENROOT. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from California [Mr. RAKER] a question or two.

Mr. RAKER. Yes, sir.

Mr. LENROOT. This bill is identical, with the exception of the change of a date, with the bill that was heretofore reported to the House and placed upon the Unanimous Consent Calendar twice and objected to on each occasion?

Mr. RAKER. It is not.

Mr. LENROOT. Will the gentleman state what the difference is?

Mr. RAKER. The particular difference is that we changed the date, and the language to which objection was made by the gentleman from Wyoming [Mr. MONDELL] was stricken out of the bill. Mr. MONDELL was seen, and a letter was written to him, and I think it is now satisfactory to him.

Mr. LENROOT. What other change is there?

Mr. RAKER. The other change is as to the sale before final proof. This is in the identical form of the act of June 23, 1910, allowing assignments. There were a few in the various reclamation projects where the department required conformation to the farm unit, where the parties did not understand the situation and went on to make and did make final proof and then sold their claims. The assignee is the one that is now being jeopardized by not having the right to obtain his patent. The gentleman from Wisconsin [Mr. LENROOT] will notice that we strike out of the bill that part of it relating to the assignment before final proof.

Mr. LENROOT. Will the gentleman point that out?

Mr. MANN. I can give the gentleman the exact information, which ought to have been conveyed in the report, but which was not. In line 11 of page 2, after the word "assignment," the other bill carried this language, "require confirmation of final proof."

Mr. RAKER. That was stricken out. We thought it would make no difference, and it would prevent any possibility of complication.

Mr. MANN. I do not think it cuts any figure at all. The bill is open to the same objection as the other bill.

Mr. RAKER. The original homesteader has his land remaining, but it is the assignee who has paid his money and gone on the place who is now in jeopardy, because the order was made for conforming, and no conforming was had. The innocent purchaser ought to be protected. The report shows that only a few of this kind are involved, and the report favorably recommends the enactment of this bill to protect the homestead assignee.

Mr. LENROOT. I would like to ask the gentleman what the purpose was in changing the date?

Mr. RAKER. To conform to the law on that subject.

Mr. LENROOT. One date was January 1, 1914, and the other is December 1, 1913.

Mr. RAKER. Well, we thought there might be a few involved in there, and we went back to the 1st of December.

Mr. LENROOT. That was just a difference of 30 days?

Mr. RAKER. Yes.

Mr. LENROOT. What difference would that make?

Mr. RAKER. There might be some in there that were not provided for.

Mr. LENROOT. The original bill was January 1, 1914, was it not? Why did the committee make it 30 days' difference instead of the whole year?

Mr. RAKER. It begins on the 1st of December so that there will be no question as to the time.

Mr. LENROOT. Does the gentleman think that explains it?

Mr. RAKER. It is the only explanation that seems to be necessary.

Mr. MADDEN. How many people would the difference of date let in?

Mr. RAKER. It might not let in any.

Mr. LENROOT. Was not the real purpose to get the bill as different as possible from the bill that had been objected to and yet accomplish the same thing?

Mr. RAKER. No. I will answer the gentleman clearly. The gentleman from Wyoming [Mr. MONDELL] went over the matter carefully, and the only objection he made, or the reason he gave for his objection, was that it permitted an assignment before final proof.

And to avoid any possibility of an assignment before final proof the bill was reintroduced, was submitted to the department for their report and an investigation as to the number of entries affected, letters received from these projects, and the committee then reported the bill favorably.

Mr. LENROOT. Now, one or two questions upon the merits. In the last report made by the gentleman this language is used:

The act is for the relief of purchasers and not of entrymen.

And immediately following is a letter to the gentleman from Wyoming [Mr. MONDELL], which is printed in the report, in

which the position is taken that the act is for the relief not of the purchasers but of the entrymen.

Mr. RAKER. A man would be an entryman under the assignment. He has to conform with the law, and that is undoubtedly the view they took of it.

Mr. LENROOT. No; let me read the language:

These are only a few of the cases here—

After naming some of the cases—

These are only a few of the cases here that I could mention, and in not one of the cases in the vicinity of Fairview is the land held by speculators, and the benefit would go to the man who filed on 160 acres—That is not the assignee.

Mr. RAKER. Yes.

Mr. LENROOT. It says:

And is entitled to the land that he filed on in good faith.

Mr. RAKER. That is true, and I will answer that in this way: He has filed on 160 acres. After having filed, I say you ought to protect both, namely, the man who made the filing, that he might legitimately sell 80 acres of the 160, and that then the assignee might obtain a good title by complying with the law of June 23, 1910, which gives them opportunity to transfer up to that time.

Mr. LENROOT. Then the gentleman did not mean what he said earlier in the report—that it was for the relief of purchasers and not for the relief of entrymen.

Mr. RAKER. Yes; I do. Primarily and principally the bill is for the benefit of the assignee, but one could readily see that if a man did have his 160 acres there would be no question that the relief would be given to his assignee. It would give him a better opportunity to have sold or to sell a part of his claim.

Mr. LENROOT. This relates only to the past and not to the future, so this could not give him a better opportunity to sell, could it?

Mr. RAKER. No; nothing in the future, because the time is specified.

Mr. LENROOT. Then what was the force of the gentleman's remark that this would give him a better opportunity?

Mr. RAKER. A better opportunity to do what?

Mr. LENROOT. To sell.

Mr. RAKER. No; not to permit him in the future—

Mr. LENROOT. But would this bill affect the sale at all? Mr. RAKER. Absolutely it does not affect the sale, because the sale must have been made between June 23, 1910, and December 1, 1913.

Mr. LENROOT. That is what I understood.

Mr. RAKER. That is clear from the bill.

Mr. RAKER. And the provisions ought to be complied with.

Mr. LENROOT. I understood the gentleman to say these conditions would give him a better opportunity to sell.

Mr. RAKER. No; I do not think so—not the original homesteaders. It would give the assignee a better chance to sell or dispose of his rights.

Mr. LENROOT. Yes; it certainly would.

Mr. MANN. May I ask the gentleman one question?

Mr. RAKER. I yield.

Mr. MANN. The gentleman from Wisconsin [Mr. LENROOT] referred to a letter addressed to the gentleman from Wyoming [Mr. MONDELL].

Mr. RAKER. Yes.

Mr. MANN. Did the gentleman from Wyoming [Mr. MONDELL] furnish a copy of this letter to be inserted in this report?

Mr. RAKER. He did not.

Mr. MANN. Where did the copy come from?

Mr. RAKER. It came from these people who are directly interested and the author of the letter.

Mr. MANN. I should think it was a courtesy to a Member of Congress to insert a copy of a letter written to him if he did not give the authority to insert it.

Mr. RAKER. This letter here, so far as I know and am concerned, came to the members of the committee and was before the committee in the regular and usual course, and directed to a gentleman of the committee, and, as a part of that record, was inserted in this report.

Mr. MANN. This letter that appears here is not directed to the committee at all. It is directed to "Hon. Mr. MONDELL, Washington, D. C." I have not talked with him about it.

The SPEAKER pro tempore (Mr. ALEXANDER). Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The bill will be stricken from the calendar, and the Clerk will report the next bill.

## UNITED STATES FISH HATCHERY, JEFFERSON COUNTY, KY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14950) to authorize the city of Louisville, Ky., to open a parkway to the United States fish station and hatchery in Jefferson County, Ky.

The Clerk read the title of the bill.

Mr. BRYAN. Mr. Speaker, as several Members know, this bill has already been enacted into law.

Mr. MANN. No; not yet. It has gone into the sundry civil bill.

Mr. BRYAN. It has been enacted, so far as the sundry civil bill has gone. I do not suppose anyone wants to take up time with it now.

Mr. MANN. All the gentleman needs to do is to object to it.

Mr. BRYAN. I object, because it has already been included in the sundry civil bill.

Mr. GARRETT of Tennessee took the chair as Speaker pro tempore.

Mr. ALEXANDER. I was about to call the attention of the House to the fact that it had been inserted in the sundry civil appropriation bill.

The SPEAKER pro tempore. The bill will be stricken from the calendar, and the Clerk will report the next bill.

## TRANSPORTATION OF CRUDE PETROLEUM.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16055) to amend section 4474 of the Revised Statutes of the United States.

The bill was read, as follows:

*Be it enacted, etc.* That section 4474 of the Revised Statutes of the United States be, and the same is hereby, amended by adding thereto the following:

*Provided further*, That when crude petroleum of a flash point not less than 150° F., is carried in the double-bottom fuel tanks of steamers using the same for fuel, the crude petroleum carried in such tanks in excess of the necessities of the voyage may be discharged at terminal ports when no passengers are on board the ship. Crude petroleum carried and discharged under these conditions will not be considered stores or cargo within the contemplation of section 4472, Revised Statutes of the United States."

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

Mr. MADDEN. Reserving the right to object, I should like to ask the author of the bill, or some one for him, to tell us what effect this will have on the revenues.

Mr. KAHN. I will explain to the gentleman. It will have no effect at all on the revenues. The purpose of the legislation is this: At the present time oil is being used very largely as fuel for seagoing vessels on the Pacific coast. Under section 4474 and also 4472 of the Revised Statutes oil can only be carried under certain circumstances. Vessels sailing out of the Pacific coast ports carry a large quantity of oil for ballast in excess of the amount actually required for fuel when they go to the Hawaiian Islands or when they go to Alaska, and they generally bring back a considerably heavier cargo than when they go out. That enables them to carry less ballast on the return trip. In order to get rid of some of the oil that is used for ballast they want the privilege of being allowed to store it at the terminal points. The Department of Commerce has had the matter under consideration and is thoroughly in favor of it. At the present time the shipowners do that very thing, but it is in violation of law. They have been fined for doing it, and the department has invariably remitted the fine. The revenue is not at all affected.

Mr. MADDEN. Do they carry this oil for fuel purposes?

Mr. KAHN. Oh, yes.

Mr. MADDEN. In addition to the amount required for fuel they carry some for ballast?

Mr. KAHN. Yes; but on a return voyage they never can tell what amount they may require. So that if they have an excess they want to be permitted to take it off the vessel at the terminal points.

Mr. MADDEN. If they have more than they need for fuel purposes and they are going to reload the ship on its return voyage with oil sufficient to propel the ship, what is the necessity for taking it off the ship?

Mr. KAHN. It is only when they have an excess of oil that they take it off. If they only have enough to carry the ship for the round trip, they do not want to take it off; it is only when they have an excess of fuel.

Mr. BRYAN. They may not have enough ballast. It is only when they have an excess of fuel. The real purpose of the oil they carry back and forth is freight.

Mr. KAHN. No; not as freight. It is required as fuel. It is not considered as freight. Section 4472 provides how oil shall be carried as freight, and this is carried as fuel.

Mr. MADDEN. These ships are equipped to carry oil without danger?

Mr. KAHN. Absolutely.

Mr. MADDEN. In order to dispose of the oil they have in excess of the needs of the ship, they want permission to store it in tanks at American terminals?

Mr. KAHN. Yes. As I say, they have been doing it, and in some cases they have been fined, but the fines have invariably been remitted.

Mr. MADDEN. And the gentleman can say that the carriage of this oil on the ships from which it is proposed to take it and store it on shore is not a menace to the life or limb of those who take passage on such steamers?

Mr. KAHN. The Supervising Inspector General of the Steamboat Inspection Service appeared before the committee and stated positively that there was no danger of any kind.

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

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KAHN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

## RECLAMATION HOMESTEAD ENTRIES—FLATHEAD PROJECT, MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12249) to extend the provisions of the act of June 25, 1910, authorizing assignment of reclamation homestead entries, and of the act of August 9, 1912, authorizing the issuance of patents on reclamation of homestead entries to lands in Flathead project, Montana.

The Clerk read the bill, as follows:

*Be it enacted, etc.* That the provisions of the act of June 23, 1910 (36 Stat. L. p. 592), authorizing the assignment under certain conditions of homesteads within reclamation projects, and of the act of August 9, 1912 (37 Stat. L. p. 265), authorizing, under certain conditions, the issuance of patents on reclamation entries, and for other purposes, be, and the same hereby are, extended and made applicable to lands within the Flathead irrigation project, in the former Flathead Indian Reservation, Mont., but such lands shall otherwise be subject to the provisions of the act of Congress approved April 23, 1904 (33 Stat. L. p. 302), as amended by the act of Congress approved May 29, 1908 (35 Stat. L. p. 448): *Provided*, That the lien reserved to the United States on the land patented, as provided for in section 2 of said act of August 9, 1912, shall include all sums due or to become due to the United States on account of the Indian price of such lands.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I will confess that I have read the bill and the report, and I do not get a very clear idea of what the bill proposes to do.

Mr. RAKER. Mr. Speaker, this same bill passed the Senate June 30 and is now on the Speaker's table. May we not have unanimous consent to substitute the Senate bill for this?

Mr. MANN. You have not run the first gauntlet yet. What does the bill do? I have read the bill and report, and it is a little involved.

Mr. EVANS. Mr. Speaker, Congress has provided for the assignment of homestead entries of all reclamation projects except that of the Flatheads in Montana. That was opened under a special act, and the law does not apply to that project. The department asks that the general law be extended to the Flathead project.

Mr. MANN. Well, I knew all that.

Mr. RAKER. The act of June 23, 1910, permits the assignment of entries when they are required to conform to the amount fixed by the Secretary of the Interior that will be sufficient to support a family. Second, the act of August 9, 1912, Twenty-seventh Statutes at Large, page 265, amended the act on other reclamation projects, permitting the party to make final proof upon certain conditions, reserving the right in the patent that the Government had the first lien, and they must pay all the expenses to the Government, and reserving it in that condition. That applies to all general reclamation projects, 32 in number. But the Flathead Reservation was a special bill for that particular district. Now, the only thing asked here is that the act of June 23, 1910, permitting assignments on all other reclamation projects be extended to that, and that the act of August 9, 1912, relative to the final proof, be extended to that project, so that they will be practically on the same footing.

Mr. MANN. Mr. Speaker, my friend from California [Mr. RAKER] is always very clear and lucid in his statements, and I do not question that he is now; but I still do not know what is to be accomplished by this bill, and I do not believe that anybody in the House who heard the statement does. What is the situation now on the Flathead Indian reclamation project, and what will it be if this bill becomes a law?

Mr. EVANS. The situation is this: A lot of men have made homestead entries out there. The land is being reclaimed under the reclamation project. At the end of five years they will not

be able to assign their homesteads, when they have perfected all of their titles, and will not be able to do so until they get full title from the Government, and they can not get full title from the Government until 10 or 20 years, as payments fall due, and as in all other projects they allow homesteaders to assign and in this project they do not, we ask that this be put upon the same footing as the other.

Mr. MANN. How did a provision of that sort happen to get into the law?

Mr. EVANS. It was passed by the gentleman himself and by others.

Mr. MANN. Is there such a provision in the law?

Mr. HAYDEN. That is the present law.

Mr. MANN. On the Flathead Indian reclamation project?

Mr. HAYDEN. No; on all other projects.

Mr. MANN. The gentleman has stated what was the case on the Flathead Indian Reservation, which is not true as to any other, and the gentleman from Arizona now says that that is true of all.

Mr. EVANS. The report from the Secretary of the Interior says that such conditions do exist.

Mr. MANN. Does the gentleman say that no title can be made on the Flathead reclamation for 10 years after a man enters the land?

Mr. EVANS. Exactly.

Mr. MANN. Was that provided for by law?

Mr. EVANS. That is provided under the reclamation law.

Mr. MANN. The reclamation law does not apply to the Flathead Indian project?

Mr. EVANS. It does; and the special act provided that the lands should be reclaimed as other reclamation lands; and we are reclaiming them, and have spent one million and a half dollars on it.

Mr. MANN. If the general irrigation law applies to the Flathead Indian reclamation project, what does the gentleman want to do by this bill?

Mr. EVANS. That the Secretary of the Interior holds the right to assign does not apply here, and he asks that it be made the same as other projects.

Mr. RAKER. The Flathead Indian Reservation was adopted by special act, and was opened up by a special act in relation to irrigation, cultivation, and so forth.

Mr. MANN. Was that an Indian Committee bill?

Mr. RAKER. Indian lands; and other individuals, white men, went there and filed upon it.

Mr. MANN. Was it by special act, or was it an item in an Indian appropriation act?

Mr. EVANS. It was by special act.

Mr. RAKER. I think it was special act. This bill intends to extend to this particular special tract of land the provisions of the act of June 23, 1910, relative to the assignment of homesteads. Second, it extends the provisions of the act of August 9, 1912, permitting them to make final proof within three years, to obtain a patent within three years, whereas under the law as it exists now on that particular project it is the same as generally existed before this act of 1912, which, in effect, does not permit men to obtain patents until all the payments have been completed on the lands.

Mr. MANN. Where did the money come from for this Flathead project—out of the Indian funds or out of the General Treasury, advanced for the Indians?

Mr. RAKER. Out of the General Treasury, advanced as in other cases, and it is being repaid out of the land.

Mr. MANN. After this bill passes and the reclamation project bill passes which is now pending, will that leave us, in this case, in a situation where we have advanced money for 20 years and get it back without any interest whatever?

Mr. RAKER. I want to answer that question and to answer another. First, if this bill passes, it leaves the Flathead Indian reclamation on the same footing as irrigation projects now are elsewhere in the United States. Then if the general reclamation bill passes it would apply to only the general reclamation project, unless it is made special to this project.

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

Mr. EVANS. Mr. Speaker, as I understand the matter, there is on the Speaker's table this identical bill from the Senate. I therefore move that the Senate bill be taken up and substituted for the House bill.

The SPEAKER. The gentleman from Montana asks unanimous consent that the Senate bill, identical in language with this, be substituted for the House bill.

Mr. MANN. Is the Senate bill there?

The SPEAKER. It is.

Mr. ADAMSON. I do not think the gentleman means to substitute it, but to ask, unanimous consent that it be considered in lieu of the House bill.

Mr. MANN. Yes. Let the Senate bill be read.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

An act (S. 4441) to extend the provisions of the act of June 23, 1910 (36 Stat. L., p. 592), authorizing assignment of reclamation homestead entries, and of the act of August 9, 1912 (37 Stat. L., p. 265), authorizing the issuance of patents on reclamation homestead entries, to lands in the Flathead irrigation project, Montana.

*Be it enacted, etc.*, That the provisions of the act of June 23, 1910 (36 Stat. L., p. 592), authorizing the assignment under certain conditions of homesteads within reclamation projects, and of the act of August 9, 1912 (37 Stat. L., p. 265), authorizing under certain conditions the issuance of patents on reclamation entries, and for other purposes, be, and the same are hereby, extended and made applicable to lands within the Flathead irrigation project, in the former Flathead Indian Reservation, Mont., but such lands shall otherwise be subject to the provisions of the act of Congress approved April 23, 1904 (33 Stat. L., p. 302), as amended by the act of Congress approved May 29, 1908 (35 Stat. L., p. 448): *Provided*, That the lien reserved to the United States on the land patented, as provided for in section 2 of said act of August 9, 1912, shall include all sums due or to become due to the United States on account of the Indian price of such land.

The SPEAKER. Is there objection to considering the Senate bill just read in lieu of the House bill of similar tenor? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER. Without objection, the House bill of similar tenor, the one just under consideration, will be laid on the table.

There was no objection, and it was so ordered.

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

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 4938. An act providing for the issuance of patents to transferees of town lots purchased from the United States at public sale in certain cases; and

H. R. 16192. An act to authorize the issuance of patent to Rachel E. Dangerfield Boast for the southeast quarter of section 21 and the northeast quarter of section 28, township 1 south, range 57 west of the sixth principal meridian.

#### RELIEF OF FIRE SUFFERERS IN SALEM, MASS.

Mr. PHELAN. Mr. Speaker, I move to suspend the rules, discharge the Committee on Appropriations from further consideration of House joint resolution 293, and pass the same.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

*Resolved*, etc., That for the relief of the sufferers from the recent conflagration in Salem, Mass., there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$200,000, or so much thereof as may be necessary: *Provided*, That all expenditures under this joint resolution shall be made under the direction of the Secretary of War.

The SPEAKER. Is a second demanded?

Mr. FITZGERALD. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from New York demands a second.

Mr. PHELAN. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. PAGE of North Carolina. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from North Carolina makes the point of order that there is no quorum present. The Chair will count. [After counting.] Evidently there is not a quorum present.

Mr. UNDERWOOD. Mr. Speaker, I think it is evident there is not a quorum in the city to-day, and therefore I move that the House do now adjourn.

Mr. GARDNER. Mr. Speaker, a parliamentary inquiry before the motion is put.

The SPEAKER. The gentleman will state it.

Mr. GARDNER. If the House adjourns now after a second has been ordered, is this the continuing business on suspension day?

Mr. GARRETT of Tennessee. Mr. Speaker, I demand the regular order.

Mr. ADAMSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. There is plenty of time to figure that out.

MR. ADAMSON. Mr. Speaker, a parliamentary inquiry.

THE SPEAKER. The gentleman will state it.

MR. ADAMSON. There are on the Unanimous Consent Calendar, which we are right up against now, three or four uncontested bills—

THE SPEAKER. But it has been ascertained there is no quorum.

MR. ADAMSON. Has that announcement been made authoritatively?

THE SPEAKER. The announcement was made authoritatively. The gentleman from Alabama moves that the House do now adjourn.

The question was taken, and the Speaker announced the noes seemed to have it.

MR. UNDERWOOD. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 32, noes 35.

MR. UNDERWOOD. Mr. Speaker, I ask for tellers.

THE SPEAKER. The gentleman from Alabama demands tellers. Those in favor of ordering tellers will rise and stand until they are counted. [After counting.] Thirty-seven gentlemen have risen, a sufficient number, and the yeas and nays are ordered. The Clerk will call the roll.

Sc the motion to adjourn was rejected.

MR. UNDERWOOD. Mr. Speaker, I move a call of the House.

THE SPEAKER. The gentleman from Alabama moves a call of the House.

The motion was agreed to.

THE SPEAKER. A call of the House is ordered, the Door-keeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ainey	Edmonds	Knowland, J. R.	Platt
Anderson	Edwards	Konop	Plimley
Anthony	Elder	Korbly	Porter
Ashbrook	Estopinal	Kreider	Pou
Austin	Fairchild	Lafferty	Powers
Avis	Farr	Langham	Prouty
Barchfeld	Fess	Lazaro	Rainey
Barnhart	Fields	Lee, Ga.	Reilly, Conn.
Bartholdt	Finley	Lee, Pa.	Riordan
Bartlett	Floyd, Ark.	L'Engle	Roberts, Mass.
Beall	Fordney	Lesher	Rupley
Booher	Francis	Lever	Sabath
Borchers	Frear	Levy	Saunders
Orland	French	Lewis, Md.	Scully
Brockson	Gallagher	Lewis, Pa.	Sells
Broussard	Gard	Lieb	Shackelford
Brown, W. Va.	Garner	Lindquist	Sharp
Browne, Wis.	George	Linthicum	Sherley
Browning	Gerry	Lobeck	Shreve
Bruckner	Gill	Loft	Slayden
Buchanan, Ill.	Gittins	McAndrews	Smith, J. M. C.
Bulkeley	Glass	McClellan	Smith, Md.
Burgess	Goldfogle	McCoy	Smith, N. Y.
Burke, Pa.	Goodwin, Ark.	McDermott	Smith, Tex.
Burnett	Gorman	McGillcuddy	Sparkman
Butler	Goulden	McGuire, Okla.	Stafford
Byrnes, S. C.	Graham, Ill.	McKenzie	Stanley
Calder	Graham, Pa.	McLaughlin	Stephens, Nebr.
Callaway	Griest	Mahan	Stevens, N. H.
Cantor	Griffin	Maher	Stout
Cantrill	Gudger	Manahan	Stringer
Carew	Guernsey	Martin, Va.	Summers
Carlins	Hamill	Merritt	Sutherland
Carr	Hamilton, N. Y.	Metz	Switzer
Cary	Hammond	Mondell	Talbott, Md.
Casey	Hardwick	Montague	Talcott, N. Y.
Chandler	Harris	Moore	Taylor, Colo.
Clancy	Harrison	Morgan, La.	Taylor, N. Y.
Claypool	Hart	Morin	Ten Eyck
Collier	Hay	Moss, Ind.	Thacher
Connolly, Iowa	Hayes	Moss, W. Va.	Thomas
Conry	Heflin	Mott	Thompson, Okla.
Cooper	Henry	Murdock	Treadaway
Copley	Hinds	Neeley, Kans.	Tribble
Covington	Hobson	Nelson	Underhill
Cramton	Hoxworth	Norton	Vaughan
Crisp	Hughes, W. Va.	O'Brien	Vollmer
Crosser	Hulings	Oglesby	Wallin
Dale	Hull	O'Hair	Walsh
Danforth	Humphreys, Miss.	Oldfield	Walters
Davenport	Johnson, S. C.	O'Leary	Weaver
Decker	Keister	O'Shaunessy	Whaley
Deitrick	Kelley, Mich.	Paige, Mass.	Whitacre
Dies	Kelly, Pa.	Palmer	White
Difenderfer	Kennedy, Conn.	Parker	Willis
Donohoe	Kennedy, R. I.	Patten, N. Y.	Wilson, Fla.
Dooling	Kettner	Patton, Pa.	Wilson, N. Y.
Driscoll	Key, Ohio.	Payne	Wingo
Dunn	Kiess, Pa.	Peters, Me.	Winslow
Dupré	Kinkead, N. J.	Peters, Mass.	Young, N. Dak.
Eagan	Kitchin	Peterson	Young, Tex.

THE SPEAKER. One hundred and eighty-nine Members have answered to their names, not a quorum.

MR. UNDERWOOD. Mr. Speaker, I understand it requires 215—

The SPEAKER. It requires 218.

MR. UNDERWOOD: Mr. Speaker, I think it evident there is not a quorum in town to-day. I do not desire to have the

House adjourn if we could get a quorum, but I think it is clear we can not get one, and I therefore move that the House do now adjourn.

THE SPEAKER. The gentleman from Alabama moves that the House do now adjourn.

The question was taken, and the Speaker announced that the ayes seemed to have it.

MR. MANN. Mr. Speaker, I ask for the yeas and nays.

THE SPEAKER. The gentleman from Illinois demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until they are counted. Forty-one gentlemen have risen, a sufficient number, and the yeas and nays are ordered. The Clerk will call the roll.

MR. DONOVAN. Mr. Speaker, how is it that 41 is a sufficient number, when the Chair has just ruled that 218 was a quorum. Forty-one is not one-fifth—

THE SPEAKER. The Speaker tried to explain that thing to the gentleman the other day.

MR. FITZGERALD. Try it again.

THE SPEAKER. It takes one-fifth of a quorum to order tellers. That is 44. But it does not take one-fifth of a quorum to order the yeas and nays. It takes one-fifth of those present. The roll was called a minute ago, and there are only 188 Members answering to their names. Forty-one is more than one-fifth of 188, and the Clerk will call the roll.

The roll was called; and there were—yeas 114, nays 71, answered “present” 1, not voting 247, as follows:

YEAS—114.

Abercrombie	Connolly, Iowa	Gregg	Ragsdale
Adair	Cox	Hamlin	Rayburn
Adamson	Cullop	Hammond	Reilly, Wis.
Alken	Dent	Hardy	Rouse
Alexander	Dershem	Heim	Rubey
Allen	Dickinson	Hensley	Rucker
	Dixon	Hill	Russell
	Aswell	Holland	Selma
	Bailey	Houston	Sherwood
	Baker	Doolittle	Sims
	Baltz	Doremus	Sisson
	Barkley	Doughton	Small
	Rathwick	Eagle	Stedman
	Beakes	Faison	Stephens, Miss.
	Bell, Ga.	Falconer	Stephens, Tex.
	Blackmon	Ferguson	Stone
	Ferris	Keating	Taverner
	Fitzgerald	Kindel	Taylor, Ark.
	FitzHenry	Kirkpatrick	Tuttle
	Flood, Va.	Lloyd	Underwood
	Foster	McKellar	Vaughan
	Fowler	Moon	Walker
	Gardner	Morrison	Watkins
	Caraway	Garrett, Tenn.	Murray, Okla.
	Carter	Garrett, Tex.	Padgett
	Clark, Fla.	Glass	Page, N. C.
	Claypool	Goeke	Park
	Cline	Gordon	Pou
	Coady	Gray	Quin

NAYS—71.

Barton	Greene, Vt.	Lenroot	Sinnott	
Bell, Cal.	Hamilton, Mich.	Lindbergh	Smith, Idaho	
Britten	Britten	Logue	Smith, Sam'l. W.	
Brown, N. Y.	Brown, N. Y.	Hawley	Steenerson	
Burke, S. Dak.	Burke, S. Dak.	Longergan	Stephens, Cal.	
Stout	Stringer	MacDonald	Stevens, Minn.	
Campbell	Summers	Helgesen	Madden	
Church	Sutherland	Heilvering	Mann	
Curry	Switzer	Dillon	Hinebaugh	
Dillon	Talbott, Md.	Drukker	Howell	
Drukker	Talcott, N. Y.	Esch	Humphrey, Wash.	
Foster	Taylor, Colo.	Gardner	Mitchell	
Gardner	Taylor, N. Y.	Ten Eyck	Johnson, Utah	
Gillett	Thacher	Thomas	Morgan, Okla.	
Gilmore	Thompson, Okla.	Good	Kahn	Murray, Mass.
Good	Thompson, Okla.	Thomas	Kelly, Pa.	Nolan, J. I.
Kinkaid, Nebr.	Thompson, Okla.	Good	Kennedy, Iowa.	Phelan
Kirkpatrick	Thompson, Okla.	Kirkpatrick	Raker	Vane
Levitt	Thompson, Okla.	La Follette	Kinkaid, Nebr.	Volstead
Longergan	Thompson, Okla.	Langley	Reed	Woodruff
Longergan	Thompson, Okla.	Longergan	Roberts, Nev.	Woods

ANSWERED “PRESENT”—1.

Sloan

NOT VOTING—247.

Ainey	Burgess	Crisp	Fields
Anderson	Burke, Pa.	Crosser	Finley
Burnett	Anthony	Dale	Floyd, Ark.
Butler	Ashbrook	Danforth	Fordney
Byrnes, S. C.	Austin	Deaver	Francis
Calder	Avis	Davis	Frear
Callaway	Barchfeld	Decker	Gallagher
Cantrill	Bartholdt	Cantor	Gard
Carew	Bartlett	Carlin	George
Carlin	Beall, Tex.	Dooling	Gerry
Carr	Boehrer	Carr	Gill
Cary	Borland	Cary	Gittins
Casey	Casey	Chandler, N. Y.	Godwin, N. C.
Chandler	Clancy	Eagan	Goldfogle
Clancy	Collier	Edmonds	Goodwin, Ark.
Claypool	Connelly, Kans.	Collier	Gorman
Collier	Cronyn	Elder	Goulden
Connolly, Iowa	Cronyn	Evans	Graham, Ill.
Conry	Cronyn	Fairchild	Graham, Pa.
Cooper	Cronyn	Farr	Griffith
Copley	Cronyn	Fess	Gudger

Guernsey	Lever	O'Hair	Smith, Minn.
Hamill	Levy	Oldfield	Smith, N. Y.
Hamilton, N. Y.	Lewis, Md.	O'Leary	Smith, Tex.
Hardwick	Lewis, Pa.	O'Shaunessy	Sparkman
Harris	Lieb	Palce, Mass.	Stafford
Harrison	Lindquist	Palmer	Stanley
Hart	Linthicum	Parker	Stephens, Nebr.
Hay	Lobeck	Patten, N. Y.	Stevens, N. H.
Hayes	Loft	Patton, Pa.	Stringer
Hedin	McAndrews	Payne	Summers
Henry	McClellan	Peters, Mass.	Sutherland
Hinds	McCoy	Peters, Me.	Switzer
Hobson	McClermott	Peterson	Talbott, Md.
Hoxworth	McGillicuddy	Platt	Talcott, N. Y.
Hughes, W. Va.	McGuire, Okla.	Plumley	Taylor, Ala.
Hulings	McKenzie	Porter	Taylor, N. Y.
Humphreys, Miss.	McLaughlin	Post	Ten Eyck
Johnson, S. C.	Maguire, Nebr.	Powers	Thacher
Keister	Mahan	Prouty	Thomas
Kelley, Mich.	Maher	Rainey	Thompson, Okla.
Kennedy, Conn.	Manahan	Ranch	Treadaway
Kennedy, R. I.	Martin	Reilly, Conn.	Tribble
Kent	Merritt	Riordan	Underhill
Kettner	Metz	Roberts, Mass.	Vollmer
Key, Ohio	Mondell	Rogers	Wallin
Kiess, Pa.	Montague	Rothermel	Walsh
Kinkead, N. J.	Moore	Rupley	Walters
Kitchin	Morgan, La.	Sabath	Weaver
Knowland, J. R.	Morin	Saunders	Webb
Konop	Moss, Ind.	Scully	Whaley
Korbly	Moss, W. Va.	Sells	Whitacre
Kreider	Mott	Shackelford	White
Lafferty	Murdock	Sharp	Willis
Langham	Neely, Kans.	Sherley	Wilson, Fla.
Lazaro	Neely, W. Va.	Shreve	Wilson, N. Y.
Lee, Ga.	Nelson	Slayden	Winslow
Lee, Pa.	Norton	Slemp	Young, N. Dak.
L'Engle	O'Brien	Smith, J. M. C.	Young, Tex.
Lesher	Oglesby	Smith, Md.	

So the motion was agreed to.

The Clerk announced the following pairs:

For the session :

Mr. BARTLETT with Mr. BUTLER.

Mr. METZ with Mr. WALLIN.

Mr. SCULLY with Mr. BROWNING.

Until August 4:

Mr. WEAVER with Mr. SLOAN.

Until further notice:

Mr. ROTHERMEL with Mr. AUSTIN.

Mr. DAVENPORT with Mr. J. M. C. SMITH.

Mr. McDERMOTT with Mr. GRIEST.

Mr. SHACKLEFORD with Mr. ROBERTS of Massachusetts.

Mr. NEELEY of Kansas with Mr. PAIGE of Massachusetts.

Mr. BARNHART with Mr. ANDERSON.

Mr. SABATH with Mr. SWITZER.

Mr. LAZARO with Mr. PARKER.

Mr. GORMAN with Mr. KIESS of Pennsylvania.

Mr. STEPHENS of Nebraska with Mr. LEWIS of Pennsylvania.

Mr. VAUGHAN with Mr. SHREVE.

Mr. PATTEN of New York with Mr. NORTON.

Mr. EDWARDS with Mr. KENNEDY of Rhode Island.

Mr. GOLFOGLE with Mr. LANGHAM.

Mr. SAUNDERS with Mr. PORTER.

Mr. ASHBOOK with Mr. BARTHOLDT.

Mr. CALLAWAY with Mr. EDMONDS.

Mr. CASEY with Mr. GRAHAM of Pennsylvania.

Mr. DEITRICK with Mr. HAYES.

Mr. ELDER with Mr. KREIDER.

Mr. GODWIN of North Carolina with Mr. MCKENZIE.

Mr. LEVER with Mr. MOTT.

Mr. LIEB with Mr. LAFFERTY.

Mr. MONTAGUE with Mr. PLUMLEY.

Mr. MOSS of Indiana with Mr. SELLS.

Mr. HARDWICK with Mr. J. R. KNOWLAND.

Mr. YOUNG of Texas with Mr. AINEY.

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. SLAYDEN with Mr. BURKE of Pennsylvania.

Mr. HENRY with Mr. HINDS.

Mr. STEDMAN with Mr. PETERS of Maine.

Mr. MCGILLICUDDY with Mr. GUERNSEY.

Mr. SMITH of Texas with Mr. YOUNG of North Dakota.

Mr. DALE with Mr. MARTIN.

Mr. HUMPHREYS of Mississippi with Mr. LINDQUIST.

Mr. TAYLOR of Alabama with Mr. HUGHES of West Virginia.

Mr. CANTRILL with Mr. COPLEY.

Mr. BOOHER with Mr. ANTHONY.

Mr. BRODECK with Mr. BARCHFIELD.

Mr. BRUCKNER with Mr. BROWNE of Wisconsin.

Mr. BUCHANAN of Illinois with Mr. COOPER.

Mr. BULKLEY with Mr. CALDER.

Mr. BURGESS with Mr. DANFORTH.

Mr. BURNETT with Mr. CARY.

Mr. BYRNES of South Carolina with Mr. CHANDLER of New York.

Mr. CARLIN with Mr. DAVIS.

Mr. CARR with Mr. DUNN.

Mr. COLLIER with Mr. FAIRCHILD.

Mr. KITCHIN with Mr. FORDNEY.

Mr. CONBY with Mr. FARR.

Mr. DIES with Mr. FESS.

Mr. DUPRE with Mr. FREAR.

Mr. ESTOPINAL with Mr. FRENCH.

Mr. FIELDS with Mr. HULINGS.

Mr. FINLEY with Mr. KEISTER.

Mr. GRAHAM of Illinois with Mr. KELLEY of Michigan.

Mr. HARRISON with Mr. MC LAUGHLIN.

Mr. HAY with Mr. MANAHAN.

Mr. HEFLIN with Mr. McGuire of Oklahoma.

Mr. JOHNSON of South Carolina with Mr. MONDELL.

Mr. KENNEDY of Connecticut with Mr. POWERS.

Mr. KONOP with Mr. PROUTY.

Mr. LEE of Georgia with Mr. ROGERS.

Mr. LEE of Pennsylvania with Mr. SLEMP.

Mr. MORGAN of Louisiana with Mr. SMITH of Minnesota.

Mr. OLDFIELD with Mr. SUTHERLAND.

Mr. PALMER with Mr. PAYNE.

Mr. RAINY with Mr. TREADWAY.

Mr. REILLY of Connecticut with Mr. WILLIS.

Mr. RIORDAN with Mr. WALTERS.

Mr. SPARKMAN with Mr. WINSLOW.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. THOMAS with Mr. PLATT.

Mr. WEBB with Mr. PATTON of Pennsylvania.

Mr. WHALEY with Mr. MOSS of West Virginia.

Mr. SHERLEY with Mr. MOORE.

Mr. WILSON of Florida with Mr. MORIN.

Mr. DIFENDERFER with Mr. NELSON.

The result of the vote was announced as above recorded.

#### ADJOURNMENT.

Accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned until Tuesday, July 7, 1914, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. DILLON, from the Committee on Claims, to which was referred the bill (H. R. 2312) for the relief of Rathbun, Beachy & Co., reported the same with amendment, accompanied by a report (No. 923), 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. CLANCY: A bill (H. R. 17633) authorizing the Secretary of the Treasury to obtain designs, plans, working drawings, and specifications for public buildings to be erected under the supervision of the Treasury Department; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Maryland: A bill (H. R. 17634) providing for the purchase of a site and the erection of a public building in the town of Laurel, Prince Georges County, State of Maryland; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 17635) providing for the purchase of a site and the erection of a public building in the town of Ellicott City, Howard County, State of Maryland; to the Committee on Public Buildings and Grounds.

By Mr. PARK: A bill (H. R. 17636) prohibiting the direction of verdicts; to what cases applicable; to the Committee on the Judiciary.

By Mr. JACOWAY: A bill (H. R. 17637) to grant the consent of Congress for the county of Pulaski, State of Arkansas, to construct a bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. GILL: A bill (H. R. 17638) to provide for the monthly payment of pensions, and for other purposes; to the Committee on Invalid Pensions.

By Mr. THOMSON of Illinois: A bill (H. R. 17639) to authorize the governor of the Panama Canal Zone to dispose of equipment no longer needed; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS of Nevada: Resolution (H. Res. 562) amending the rules of the House of Representatives of the Sixty-third Congress; to the Committee on Rules.

By Mr. BRUCKNER: Memorial of the House of Delegates of the State of Virginia, memorializing Congress to acquire Monticello, the home of Thomas Jefferson; to the Committee on the Library.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY: A bill (H. R. 17640) granting an increase of pension to Abraham Barnhart; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 17641) granting an increase of pension to Fred D. Morehouse; to the Committee on Invalid Pensions.

By Mr. CLANCY: A bill (H. R. 17642) providing for the refund to the Haberle-Crystal Spring Brewing Co. of a certain special excise tax paid in excess; to the Committee on Claims.

By Mr. DIFENDERFER: A bill (H. R. 17643) for the relief of John R. Johnston; to the Committee on Military Affairs.

By Mr. GILL: A bill (H. R. 17644) granting a pension to Paul Heineman; to the Committee on Pensions.

Also, a bill (H. R. 17645) granting a pension to Daniel J. Begley; to the Committee on Pensions.

Also, a bill (H. R. 17646) granting a pension to Thomas Payne; to the Committee on Pensions.

Also, a bill (H. R. 17647) granting a pension to Melissa A. Hawley; to the Committee on Pensions.

Also, a bill (H. R. 17648) granting a pension to Benjamin L. Tubman; to the Committee on Pensions.

Also, a bill (H. R. 17649) granting a pension to George C. Emmert; to the Committee on Pensions.

Also, a bill (H. R. 17650) granting a pension to Rudolph B. Scheitlin; to the Committee on Pensions.

Also, a bill (H. R. 17651) granting a pension to Joseph E. Mitchell; to the Committee on Pensions.

Also, a bill (H. R. 17652) granting a pension to Theodore A. Meltzer; to the Committee on Pensions.

Also, a bill (H. R. 17653) granting a pension to Jesse H. Wade; to the Committee on Pensions.

Also, a bill (H. R. 17654) granting a pension to Joseph Glass; to the Committee on Pensions.

Also, a bill (H. R. 17655) granting a pension to Dorothea Christmann; to the Committee on Pensions.

Also, a bill (H. R. 17656) granting a pension to Parnie H. Dean; to the Committee on Pensions.

Also, a bill (H. R. 17657) granting a pension to Horace Clive Gray; to the Committee on Pensions.

Also, a bill (H. R. 17658) granting a pension to Emilie S. Buder; to the Committee on Pensions.

Also, a bill (H. R. 17659) granting a pension to Joseph Donnelly; to the Committee on Pensions.

Also, a bill (H. R. 17660) granting a pension to Mary Barlow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17661) granting a pension to Lella F. Devine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17662) granting a pension to Tony Judd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17663) granting a pension to John Kalber, alias John Koerber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17664) granting a pension to Emma Potts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17665) granting a pension to Elijah Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17666) granting a pension to Frederick A. Churchill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17667) granting a pension to Charles F. Lang; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17668) granting a pension to Edward Dodsworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17669) granting a pension to John G. Hunt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17670) granting a pension to Joseph Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17671) granting a pension to Thomas F. Hassett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17672) granting a pension to Lincoln Mothersbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17673) granting a pension to Laura Hilgemann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17674) granting a pension to Helen Mathews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17675) granting a pension to Caroline Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17676) granting a pension to Clarinda Pike; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17677) granting a pension to William Tepe, Jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17678) granting a pension to Margaret Cassidy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17679) granting a pension to John J. Ledford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17680) granting a pension to Freda Burow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17681) granting a pension to Palmyra Sherman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17682) granting a pension to Josephine C. Nixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17683) granting a pension to Celsus G. Gross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17684) granting a pension to Mary A. Laurient; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17685) granting a pension to Cordelia Sullivan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17686) granting a pension to Mary Gontier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17687) granting a pension to Wilbur K. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17688) granting a pension to Anna Buhrman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17689) granting a pension to Oscar Grear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17690) granting a pension to Henry Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17691) granting an increase of pension to Florida Kennerly; to the Committee on Pensions.

Also, a bill (H. R. 17692) granting an increase of pension to John H. Edge; to the Committee on Pensions.

Also, a bill (H. R. 17693) granting an increase of pension to Charles H. Frank; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17694) granting an increase of pension to Ellen Stark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17695) granting an increase of pension to Henry Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17696) granting an increase of pension to Andrew Houlihan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17697) granting an increase of pension to Margaret M. Stone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17698) granting an increase of pension to John Fritz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17699) granting an increase of pension to John H. Helser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17700) granting an increase of pension to John F. Nixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17701) granting an increase of pension to James M. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17702) granting an increase of pension to Louisa Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17703) granting an increase of pension to Alice W. T. Groesbeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17704) granting an increase of pension to Oscar Messick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17705) granting an increase of pension to Julius Bonger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17706) granting an increase of pension to Adam Zimmerman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17707) granting an increase of pension to George W. Bransford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17708) granting an increase of pension to Peter R. Matthew; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17709) granting an increase of pension to Augusta A. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17710) granting an increase of pension to Thomas Carten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17711) granting an increase of pension to Gideon W. Carmichael; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17712) granting an increase of pension to Julia F. Wagner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17713) granting an increase of pension to John A. Wanless; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17714) granting an increase of pension to Robert S. Copeland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17715) granting an increase of pension to William Martin Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17716) granting an increase of pension to Thomas J. Connor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17717) granting an increase of pension to John A. Spann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17718) granting an increase of pension to Martin Schubert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17719) granting an increase of pension to Lawrence Ring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17720) granting an increase of pension to Charles Bieger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17721) granting an increase of pension to Mary Westerfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17722) granting an increase of pension to Edward P. Rice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17723) granting an increase of pension to Mary A. McDonough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17724) granting an increase of pension to James M. Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17725) granting an increase of pension to C. L. Stevenson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17726) granting an increase of pension to Oscar Messick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17727) granting an increase of pension to Harvey S. Page; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17728) granting an increase of pension to Eertha Herder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17729) granting an increase of pension to Pleasant F. Clutts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17730) granting an increase of pension to Wilhelmine L. Mahkorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17731) for the relief of James Clarkson; to the Committee on Claims.

Also, a bill (H. R. 17732) for the relief of C. M. Perkins; to the Committee on Claims.

Also, a bill (H. R. 17733) for the relief of John H. Rheinlander; to the Committee on Claims.

Also, a bill (H. R. 17734) for the relief of John A. Kress; to the Committee on War Claims.

Also, a bill (H. R. 17735) for the relief of John Dieter; to the Committee on War Claims.

Also, a bill (H. R. 17736) for the relief of John A. Wanless; to the Committee on Military Affairs.

Also, a bill (H. R. 17737) for the relief of Bartholomew Buckley; to the Committee on Military Affairs.

Also, a bill (H. R. 17738) for the relief of Camille Noel Dry; to the Committee on Military Affairs.

Also, a bill (H. R. 17739) for the relief of Thomas S. McKee; to the Committee on Military Affairs.

Also, a bill (H. R. 17740) for the relief of Isaac W. Harding; to the Committee on Military Affairs.

Also, a bill (H. R. 17741) for the relief of Robert O. Hilligoss; to the Committee on Military Affairs.

Also, a bill (H. R. 17742) for the relief of John H. Drosselmeier; to the Committee on Military Affairs.

Also, a bill (H. R. 17743) for the relief of Charles W. Howard; to the Committee on Military Affairs.

Also, a bill (H. R. 17744) for the relief of Joseph Sirenick; to the Committee on Military Affairs.

Also, a bill (H. R. 17745) for the relief of Aaron B. Van Pelt, alias Benjamin Van Pelt; to the Committee on Military Affairs.

Also, a bill (H. R. 17746) to correct the military record of Allen Barnes; to the Committee on Military Affairs.

Also, a bill (H. R. 17747) to correct the military record of Patrick J. Carmody; to the Committee on Military Affairs.

Also, a bill (H. R. 17748) correcting the hospital record of Edward J. Wehrle; to the Committee on Military Affairs.

Also, a bill (H. R. 17749) to appropriate \$15,000 out of the funds in the United States Treasury to the credit of the Cherokee Indians, to pay to Charles M. Rice, of St. Louis, and his associates for legal services; to the Committee on Indian Affairs.

Also, a bill (H. R. 17750) authorizing the Secretary of the Interior to enroll Isabell Richter, née Bell Cook, and her son, Charles H. Richter, as Cherokee Indians; to the Committee on Indian Affairs.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 17751) granting an increase of pension to Hugh McDonald; to the Committee on Pensions.

By Mr. HILL: A bill (H. R. 17752) for the relief of Caleb T. Holland; to the Committee on Military Affairs.

By Mr. O'LEARY: A bill (H. R. 17753) for the relief of the estate of Samuel C. Reid, jr.; to the Committee on Claims.

By Mr. O'SHAUNESSY: A bill (H. R. 17754) granting an increase of pension to Sarah Ann Smith; to the Committee on Invalid Pensions.

By Mr. PAIGE of Massachusetts: A bill (H. R. 17755) granting a pension to William P. La Croix; to the Committee on Pensions.

Also, a bill (H. R. 17756) granting a pension to George P. Clark; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 17757) granting an increase of pension to Catharine F. Bews; to the Committee on Invalid Pensions.

By Mr. STEVENS of New Hampshire: A bill (H. R. 17758) granting a pension to Alpheus C. Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17759) granting an increase of pension to George H. Porter; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 17760) granting a pension to Mary E. Bassett; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of certain citizens of St. Louis, Mo., protesting against the passage of the Hobson prohibition amendment; to the Committee on Rules.

Also (by request), petitions of the State Christian Endeavor Union of Oklahoma and the Christian churches at Miltonvale, Kans., urging the passage of the Hobson prohibition amendment; to the Committee on Rules.

Also (by request), resolution signed by the pastor of the German Methodist Episcopal Church of White, S. Dak., protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

Also (by request), resolution of the Southwestern Missouri Millers' Club, of Joplin, Mo., and the Electrical Contractors' Association of Kansas City, Mo., urging 1-cent postage for first-class mail; to the Committee on the Post Office and Post Roads.

Also, petition signed by Ed. R. Rufderheide and others, of Owensville, Mo., urging the passage of the Hobson prohibition amendment; to the Committee on Rules.

By Mr. ANSBERRY: Petition of the Woman's Christian Temperance Union of Putnam County, Ohio, favoring national prohibition; to the Committee on Rules.

By Mr. BRITTEN: Memorial of the Social and Mutual Advancement Association of the Blind, of Chicago, Ill., protesting against any change in the American flag; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petitions of F. Coit Johnson and G. A. Barnard, of New York City, against the enactment of sections 7 and 18 of the Clayton bill; to the Committee on Appropriations.

Also, petition of Peter McIvor, of New York City, in favor of a retirement bill for superannuated employees of the Government; to the Committee on Reform in the Civil Service.

By Mr. CALDER: Petition of various voters of the sixth congressional district of New York, sundry citizens of Brooklyn and New York City, the Men's Club of New York Avenue Methodist Episcopal Church, the congregation of Second Church of Christ, the Bethany Presbyterian Church, various members of the Bedford Presbyterian Church, and the Brooklyn Christian Endeavor Union, all of Brooklyn, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. CARR: Petition of 60 citizens of Uniontown, Pa., in favor of national prohibition; to the Committee on Rules.

Also, petition of the Christian Endeavor Society of the First Presbyterian Church of Masontown, Pa., in favor of national prohibition; to the Committee on Rules.

Also, petition of the Methodist Protestant Sunday School of Connellsville, Pa., in favor of national prohibition; to the Committee on Rules.

Also, petition of the Sunday School of the First Presbyterian Church of Masontown, Pa., in favor of national prohibition; to the Committee on Rules.

Also, petition of the Young People's Christian Endeavor Society of the Presbyterian Church of Khedive, Pa., in favor of national prohibition; to the Committee on Rules.

Also, petition of 200 members of the adult department of the Third Presbyterian Sunday School of Uniontown, Pa., in favor of national prohibition; to the Committee on Rules.

By Mr. CLANCY: Petitions of E. C. Robertson, May D. Janaris, Charles C. Trump, and others, of Syracuse, N. Y., favoring woman suffrage; to the Committee on the Judiciary.

Also, petition of the First Methodist Church of Syracuse, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petitions of 364 citizens of the thirty-fifth New York district, against national prohibition; to the Committee on Rules.

Also, petitions of the Bedding and Cushion Workers, the United Garment Workers, the Electrical Workers, the Syracuse Saengerbund, the Syracuse Turnverein, the Knights of Trinity, the St. Peter's Society, and the Brewery Workers' Union, all of Syracuse, N. Y., protesting against the passage of the Hobson prohibition amendment; to the Committee on Rules.

By Mr. COOPER: Petitions of sundry citizens of Allen Grove, Rev. W. J. C. Ralph and 150 members of the Congregational Church of Mackinago, the Methodist Episcopal Church of Waukesha, and the Park Avenue Methodist Episcopal Church, of Kenosha, all in the State of Wisconsin, favoring national prohibition; to the Committee on Rules.

Also, petitions of sundry citizens of Racine and Waukesha, Wis., and United Brewery Workers, Local 103, of Waukesha, Wis., protesting against national prohibition; to the Committee on Rules.

By Mr. COPLEY: Petition of Sarah Tobian, Anna M. Beard, and others, of Protorius, Ill., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. DALE: Petitions of F. C. Linde; the Hamilton Co., of New York City; and the Merchants and Manufacturers' Association, of Philadelphia, Pa., protesting against Clayton antitrust bill; to the Committee on the Judiciary.

Also, petition of the Central Labor Union of Brooklyn, N. Y., favoring passage of the seamen's bill (S. 136); to the Committee on the Merchant Marine and Fisheries.

By Mr. DILLON: Petition of sundry citizens of Artesian and Seneca, S. Dak., in favor of national prohibition; to the Committee on Rules.

Also, petition of the Methodist Brotherhood of the First Methodist Episcopal Church, of Sioux Falls, S. Dak., in favor of national prohibition; to the Committee on Rules.

By Mr. DONOHOE: Petition of the Puritan Presbyterian Church, of Philadelphia, Pa., favoring the adoption of the Hobson resolution for nation-wide prohibition; to the Committee on Rules.

Also, petition of the Methodist Episcopal Church of Bustleton, Philadelphia, Pa., favoring the Hobson resolution for nation-wide prohibition; to the Committee on Rules.

Also, petition of the Trinity Presbyterian Church, of Philadelphia, Pa., favoring the adoption of the Hobson resolution for nation-wide prohibition; to the Committee on Rules.

By Mr. DONOVAN: Petitions of John M. Larkin and sundry citizens of Easton, the Men's Assembly of Bridgeport, the Woman's Christian Temperance Union of Georgetown, 58 citizens of Rowayton, and various members of Washington Lodge, No. 151, International Order of Good Templars, of Norwalk, all in the State of Connecticut, favoring national prohibition; to the Committee on Rules.

Also, petition of Rudolf Brunner and others, of Bridgeport, Conn., protesting against national prohibition; to the Committee on Rules.

Also, petition of E. A. Mallory & Sons, of Danbury, Conn., favoring House bill 15613, the Federal trade commission act; to the Committee on the Judiciary.

Also, petition of sundry citizens of Bridgeport, Conn.; the First Congregational Sunday School of Norwalk, Conn.; and William S. Taylor, of Norwalk, Conn., favoring national prohibition; to the Committee on Rules.

By Mr. DUNN: Petition of sundry citizens of Rochester, N. Y., protesting against national prohibition; to the Committee on Rules.

Also, petitions of sundry citizens of Rochester, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of Monroe County, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. EAGAN: Petitions signed by 139 citizens of Hudson County, eleventh district of New Jersey, protesting against national prohibition; to the Committee on Rules.

Also, petition of the Chicago, St. Louis & Western Railroad, protesting against cut in railway-mail pay; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Petition of the Merchants and Manufacturers' Association of Philadelphia, Pa., protesting against antitrust bills at this session of Congress; to the Committee on the Judiciary.

By Mr. FAIRCHILD: Petition of sundry citizens of Bainbridge, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. FERGUSSON: Memorials of C. E. Apodaca and 7 other citizens, Adolfo Salas and 33 other citizens, and Local Union No. 330, International Union of United Brewery Work-

ers, John Motzenbacker, secretary, of Albuquerque; C. R. Hamilton, of Arabela; J. C. Garcia and 7 other citizens of Clayton; D. W. Colligan, of Clovis; Juan C. Candelaria and 9 other citizens of Rosa; Thomas Doran and 5 other citizens of Santa Fe; Julian Telles and 5 other citizens of Socorro; Joseph Price, Jesus Ma. Torres, and 34 other citizens of Socorro; and Albino Carillo and 10 other citizens of White Oaks, all in the State of New Mexico, protesting against national prohibition; to the Committee on Rules.

Also, petitions of E. C. Sims, Garlington Bros., W. E. Jefferies, George Magill, W. C. Simmons, Dr. J. O. Michael, M. L. Norris, E. B. Benker, S. L. Warner, and G. W. R. Smith, of East Vaughn; mass meeting of Sunday-school and church people of Springer, S. E. Turner, chairman, and Louis Garcia, secretary; Rev. D. Norman Skinner, William G. Haydon, J. H. Stearns, and Jefferson Reynolds, as officers of the First Presbyterian Church of East Las Vegas; Sunday-school and church people of Colmor, J. C. Graham, chairman, and A. L. Garl, secretary; the Ministerial Alliance of Roswell, Frank Talmage, secretary; St. John's Epworth League, of Santa Fe; J. A. Wood, Ella O. Wood, Laura W. Wood, and Owen L. Wood, of Santa Fe; the Woman's Christian Temperance Union of Albuquerque; Mr. and Mrs. G. W. Gee, Mrs. R. Cline and family, and R. M. Cline, of Raton; A. B. Calvin, George W. Lockwood, and 11 other citizens of Dedman, all in the State of New Mexico, favoring national prohibition; to the Committee on Rules.

Also, petition of 13 citizens of Colfax and Union Counties, N. Mex., in favor of national prohibition; to the Committee on Rules.

Also, petition of Gertie Patterson and 31 other citizens of Patterson, N. Mex., in favor of national prohibition; to the Committee on Rules.

Also, petition of 40 members of the Christian Endeavor Society of the United Brethren in Christ Church of Amistad, N. Mex., in favor of national prohibition; to the Committee on Rules.

Also, petition of Lizzie B. Arrison and Mrs. E. D. Sisk, of Albuquerque, N. Mex., in favor of national prohibition; to the Committee on Rules.

Also, petitions of citizens of Albuquerque, by Mrs. Abbie S. Brewer, presiding officer, and Mrs. L. B. B. Bloom, secretary, and citizens of Portales, by Mrs. W. E. Lindsey, presiding officer, and Mrs. G. W. Carr, secretary, praying for the enactment of Federal legislation insuring to women political equal rights with men; to the Committee on the Judiciary.

Also, petition of the Wholesale Grocers' Club of New Mexico, by M. W. Browne, secretary, favoring the repeal of the national bankruptcy law; to the Committee on Banking and Currency.

By Mr. FESS: Petition of the Sunday School of the Central Methodist Episcopal Church of Springfield, Ohio, and sundry citizens of Mount Sterling, Ohio, favoring national prohibition; to the Committee on Rules.

Also, petition of the Merchants and Manufacturers' Association of Philadelphia, Pa., favoring a suspension of legislation affecting business this session; to the Committee on the Judiciary.

By Mr. GALLIVAN: Petitions of 29 citizens of the twelfth district of Massachusetts, against national prohibition; to the Committee on Rules.

By Mr. GERRY: Petitions of the Apponaug Woman's Christian Temperance Union; 36 members of the Bradford Woman's Christian Temperance Union; the Westerly Woman's Christian Temperance Union; 9 residents of Cranston; the Anna Gordon Woman's Christian Temperance Union, of Providence; the Quarterly Conference Methodist Episcopal Church of Phenix; the Rhode Island Baptist Sunday School Convention, of Providence; the Christian Endeavor Society of Academy Avenue Congregational Church, of Providence; the Washington Park Methodist Episcopal Church, of Providence; the Tabernacle Methodist Episcopal Church, of Providence; the United Baptist Church, of Providence; the Trinity Union Methodist Episcopal Church, of Providence; and telegrams of James Babcock and L. G. Horton, of Westerley, all in the State of Rhode Island, urging the passage of legislation providing for national prohibition; to the Committee on Rules.

By Mr. GILMORE: Petitions of the Christian Endeavor Society of the North Baptist Church of Brockton, Mass., and yearly meeting of Friends for New England, at Vassalboro, Me., favoring national prohibition; to the Committee on Rules.

Also, memorial of the Taunton Chamber of Commerce, favoring passage of House bill 11332, for the registration of designs; to the Committee on Patents.

Also, petition of the Massachusetts Forestry Association, favoring the Newlands bill; to the Committee on Rivers and Harbors.

By Mr. GOOD: Petition of various business men of West Branch, Iowa, favoring passage of House bill 5308; to the Committee on Ways and Means.

By Mr. GOODWIN of Arkansas: Papers to accompany House bill 17617, granting an increase of pension to Thomas W. Oastler; to the Committee on Pensions.

By Mr. GRAHAM of Pennsylvania: Memorial of the board of directors of the Western Society of Engineers, protesting against the passage of House bill 13457; to the Committee on Expenditures in the Interior Department.

Also, petition of the Select and Common Council of Philadelphia, Pa., favoring passage of bill for retirement of aged civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. GUERNSEY: Petition of sundry citizens of Howland and 500 citizens of Kenduskeag, Me., favoring national prohibition; to the Committee on Rules.

Also, memorials of the Methodist Episcopal Churches of Edington and East Holden, Me., favoring national prohibition; to the Committee on Rules.

By Mr. HOXWORTH: Petitions of sundry citizens of the fifteenth congressional district of Illinois, protesting against national prohibition; to the Committee on Rules.

By Mr. JOHNSON of Washington: Petitions of sundry citizens of Tacoma, Spanaway, Centralia, and Wilkerson, all in the State of Washington, opposing national prohibition; to the Committee on Rules.

Also, petitions of various citizens of Vancouver, Wash., favoring the national prohibition amendment; to the Committee on Rules.

Also, petitions of various citizens of Eden, Wash., favoring the national prohibition amendment; to the Committee on Rules.

By Mr. KENNEDY of Iowa: Petition of Rev. L. V. Nash, representing the people of Middletown, Iowa, favoring national prohibition; to the Committee on Rules.

Also, petition of W. A. Hancock, chairman of a mass meeting of citizens of Montrose, Iowa, favoring joint resolution 168; to the Committee on Rules.

Also, resolutions adopted by the Iowa Christian Endeavor Union in convention at Ottumwa, Iowa, in favor of national prohibition; to the Committee on Rules.

Also, resolutions adopted by the conference of Seventh-Day Adventists of Iowa, in favor of national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of a mass meeting of citizens at the First Methodist Episcopal Church of Woonsocket, R. I., and the Yearly Meeting of Friends for New England at Vassalboro, Me., favoring national prohibition; to the Committee on Rules.

Also, memorial of the Christian Endeavor Society of the Globe Congregational Church, of Woonsocket, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. KONOP: Petition of the Moravian Sunday School of Door County, the First Presbyterian Church of Green Bay, and the Woman's Christian Temperance Union of Gillett, all in the State of Wisconsin, favoring national prohibition; to the Committee on Rules.

By Mr. LEWIS of Pennsylvania: Petition of Local Unions Nos. 22, 144, and 67, International Union of United Brewery Workmen of America, of Pittsburgh, Pa., protesting against national prohibition; to the Committee on Rules.

Also, memorial of the Christian Endeavor Society of the Grace Reformed Church, of Allentown, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. LLOYD: Petition of various residents of Shelby County, Mo., in favor of House joint resolution 168; to the Committee on Rules.

By Mr. LONERGAN: Petition of the Manchester Christian Endeavor Union, of Manchester, Conn., favoring the passage of the Hobson bill; to the Committee on Rules.

Also, petition of sundry citizens of Wethersfield, Conn., in favor of national prohibition; to the Committee on Rules.

Also, petitions of William H. Koch and Henry Koch, of Collinsville, Conn., protesting against national prohibition; to the Committee on Rules.

Also, petitions of the First Baptist Christian Endeavor Society of New Britain; the Young People's Society of Christian Endeavor of the First Presbyterian Church of Hartford; Charles Tarbox Sanford, of Hartford; the North Methodist

Episcopal Church, of Hartford; A. Stubenrauch, of Burnside; the South Glastonbury Congregational Church, of South Glastonbury; and Frank Dixon, of South Glastonbury, all in the State of Connecticut, favoring the passage of the Hobson bill; to the Committee on Rules.

Also, petition of Mr. Frank W. Johnson and 20 other citizens of Forestville, Conn., favoring national prohibition; to the Committee on Rules.

By Mr. McCLELLAN: Petition of George J. Felts and three other citizens of Columbia County, N. Y., against national prohibition; to the Committee on Rules.

Also, petitions of the Christian Endeavor Societies of Barnevile, Cairo, and Durham; the Methodist Episcopal Churches of Cairo, Cobleskill, Barryville, Philmont, Clinton Avenue, Kingston, and Eldred; the Reformed Churches of Port Ewen and Stuyvesant Falls; the Protestant churches of Cobleskill; the Bates and Broome Center Christian Churches; the Sunday School Conference of Sullivan County; the Presbyterian Church of Durham, all in the twenty-seventh district of New York, in favor of national prohibition; to the Committee on Rules.

Also, petition of Rev. Robert Knapp and 22 residents of Marlboro, Ulster County, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petition of Rev. A. K. Lindsley and 21 residents of Big Hollow, J. J. Miller and 15 residents of Shady, W. D. Pettinger, E. Satterlee, and Eva May Fuller, of Kingston, all in the twenty-seventh congressional district of New York, favoring national prohibition; to the Committee on Rules.

Also, petition of F. A. Klein and 5 others of Sullivan County, twenty-seventh congressional district of New York, against national prohibition; to the Committee on Rules.

Also, petition of John W. Clapp, Edward H. Carpenter, and James J. Fox, of Hudson, N. Y., against national prohibition; to the Committee on Rules.

By Mr. McGILLICUDDY: Memorial of the Court Street Baptist Church Christian Endeavor Society, of Auburn, Me., favoring national prohibition; to the Committee on Rules.

By Mr. MAPES: Petitions of 20 citizens of Conklin, D. E. Birtchard and 39 others of Coopersville, and L. E. Ives and 15 others of Coopersville, all in the State of Michigan, favoring national prohibition; to the Committee on Rules.

By Mr. MERRITT: Petition of the Methodist Episcopal Church of Fort Covington; the Second Presbyterian Church of Waddington; the Lake George Baptist Association; Rev. J. C. Long, of Saranac; Mrs. B. Smith and others, of Brooklyn, all in the State of New York, favoring national prohibition; to the Committee on Rules.

Also, petition of Ed. McGinnis and others, protesting against national prohibition; to the Committee on Rules.

By Mr. MITCHELL: Petition of 1,000 people of Waltham, Mass., in favor of national prohibition; to the Committee on Rules.

Also, resolution adopted by the First Presbyterian Church of Waltham, Mass., protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

Also, petition of various members of the Methodist Episcopal Church of Plainville, Mass., in favor of national prohibition; to the Committee on Rules.

By Mr. MURRAY of Oklahoma: Petition of the Christian Endeavor Society of Oklahoma City, Okla., in favor of national prohibition; to the Committee on Rules.

Also, petition of the representatives of four Young People's Societies of Vanoss and the Oklahoma Antisaloon League, all of Oklahoma, favoring national prohibition; to the Committee on Rules.

By Mr. NEELY of West Virginia: Petition of H. T. Lawson and 13 others, of Weston, W. Va., for passage of House joint resolution 168; to the Committee on Rules.

Also, petition of the North Street Methodist Episcopal Church, of Wheeling, W. Va., favoring national prohibition; to the Committee on Rules.

By Mr. NELSON: Petition of sundry citizens of Sun Prairie, Wis., favoring national prohibition; to the Committee on Rules.

Also, petition of 56 citizens of Albion, Wis., praying for national prohibition; to the Committee on Rules.

By Mr. J. I. NOLAN: Petitions of sundry citizens of the State of California, favoring the passage of the resolution to provide for a prohibition constitutional amendment; to the Committee on Rules.

Also, memorial of the Boise (Idaho) Commercial Club and the Seattle (Wash.) Commercial Club, favoring passage of pending legislation relative to water power; to the Committee on the Public Lands.

By Mr. O'LEARY: Petitions of Grace B. Murray, of Corona; mass meeting of citizens at the Knickerbocker Avenue Methodist Episcopal Church, of Brooklyn; the Young People's Society of the First Reformed Church of College Point; the Springfield Presbyterian Church, of Springfield Garden; and Andrew Morrison, of Flushing, all in the State of New York, favoring national prohibition; to the Committee on Rules.

Also, petition of the Woman's Christian Temperance Union of Whitestone, N. Y., favoring passage of the Smith-Hughes bill for national motion-picture commission; to the Committee on Education.

Also, petition of the Brunswick-Balke-Collender Co., of New York City, protesting against national prohibition; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petition of the official members of Trinity Union Methodist Episcopal Church, of Providence, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. PAIGE of Massachusetts: Petition of 34 citizens of Fitchburg, Mass., and the First Methodist Episcopal Church of Orange, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. PAYNE: Petition of sundry citizens of the thirty-sixth congressional district of New York, favoring national prohibition; to the Committee on Rules.

By Mr. PETERS of Maine: Petition of sundry citizens of Houghtaling, Me., and 200 citizens of Fairfield, Me., favoring national prohibition; to the Committee on Rules.

By Mr. PLUMLEY: Petition of the Methodist Episcopal Church of Craftsbury, Vt., favoring national prohibition; to the Committee on Rules.

By Mr. REED: Petitions and letters of Ernest L. Converse, of Meredith; R. H. Barker, M. D., of Derry; the New Durham Free Baptist Churches, representing 20 churches and 100 members; resolution passed by the Free Baptist Church of Rochester, with a membership of over 200, representing a constituency of 1,000; George D. Petrie, of Center County; Edward J. Caulfield, of East Rochester; Wilber B. Mudgett, of Laconia; Albert W. Bickford, of Rochester; Lucius H. Thayer, of Portsmouth; John Mauter, of Lakeport; Granville F. Grant, of Gonic; Irving H. Gray, of Rochester; George B. Thomas, of Manchester; Walter S. Meader, for the Yearly Meeting of Friends for New England, of Vassalboro, Me., representing over 4,000 members; Rev. M. F. Hardy, for the Nelson Congregational Church, of Nelson; Miss Pearl M. Bishop, for the Court Street Congregational Church, of Keene; Julia A. Webster, president, for the Christian Endeavor Society of the Free Baptist Church, of Manchester, all in the State of New Hampshire, praying for an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages; to the Committee on Rules.

By Mr. REILLY of Connecticut: Petitions of the Christian Endeavor Society of the Orange (Conn.) Congregational Church, the Christian Endeavor Society of the First Congregational Church of Meriden, sundry citizens of Westville, the Christian Endeavor Society of Branford Baptist Church, and the New Haven County Woman's Christian Temperance Union, 600 women, all in the State of Connecticut, favoring national prohibition; to the Committee on Rules.

By Mr. REILLY of Wisconsin: Petitions of sundry citizens of the sixth congressional district of Wisconsin, protesting against the passage of the Hobson prohibition resolution or any other like measures; to the Committee on Rules.

By Mr. ROBERTS of Nevada: Petitions of P. Culio and J. J. Rogers, of Speare; Alm Berhond, of Fairview; H. J. Gallagher, F. F. Henderson, C. J. Berry, and 26 others, of Virginia City; J. W. Raymond, of Round Mountain; Le Roy Pike, R. A. Gott, C. O. Davis, C. S. Wheeler, and others, of Reno; A. J. Marsteth, Col. H. G. Richardo, and 20 others, of Austin, all in the State of Nevada, protesting against national prohibition; to the Committee on Rules.

Also, petition of the Epworth League of the Methodist Episcopal Church of Fallon, Nev., favoring national prohibition; to the Committee on Rules.

By Mr. SELDOMRIDGE: Petition of sundry citizens of Manzanola, the Walk's Camp School of Lincoln County, various voters of Washington County, and the Weldon Sunday School, all in the State of Colorado, favoring national prohibition; to the Committee on Rules.

Also, petition of R. W. Henderson, of Local Union No. 3511, of Colorado, favoring passage of Kern-Foster bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SINNOTT: Petitions of 40 citizens of Athena, the Young People's Campaign Club of La Grande, 74 citizens of Weston, and 41 citizens of Cove, all in the State of Oregon, favoring national prohibition; to the Committee on Rules.

By Mr. SMITH of Idaho: Petition of 37 citizens of Boise, Idaho, protesting against national prohibition; to the Committee on Rules.

By Mr. J. M. C. SMITH: Petitions of Mrs. Laura Iles, Mrs. Corn Barber, and others, of Alien; the Woman's Christian Temperance Union of Hillsdale County; Nellie Sawyer Clark and others, of Kalamazoo; and Mrs. W. L. Brownell and others, of Kalamazoo, all in the State of Michigan, favoring woman suffrage; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Oshtemo, Mich., and 222 citizens of Battle Creek, Mich., favoring national prohibition; to the Committee on Rules.

Also, petition of the City Council of Grand Rapids, Mich., favoring passage of House bill 5139, the Hamill bill; to the Committee on Reform in the Civil Service.

By Mr. SPARKMAN: Petition of sundry citizens of Hillsboro County, Fla., protesting against national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of Pinellas County, Fla., favoring national prohibition; to the Committee on Rules.

By Mr. TREADWAY: Petition of various residents of Holyoke, Mass., favoring national prohibition; to the Committee on Rules.

Also, resolution of the Board of Aldermen of the city of Medford, Mass., favoring the enactment of House bill 5139, for the relief of certain civil-service employees; to the Committee on Reform in the Civil Service.

Also, petition of the Vart Val Lodge, International Order of Good Templars, of Holyoke, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. TUTTLE: Petition of Mrs. Katherine Middleton, of Trenton, N. J., in favor of national prohibition; to the Committee on Rules.

By Mr. UNDERHILL: Petitions of sundry citizens of Jasper, Wellsville, Veteran, Hornell, Murphey, Elmira, Cohocton, Erin, Millport, and Elmira Heights, all in the State of New York, favoring national prohibition; to the Committee on Rules.

By Mr. WALLIN: Petitions of various residents of the thirteenth New York district, favoring national prohibition; to the Committee on Rules.

By Mr. WILLIAMS: Petition of 75 members of the Young People's Society for Christian Endeavor of the Central Church of Christ, of Decatur; the Woman's Christian Temperance Union and 26 citizens of Detroit; and the United Brethren Sunday School, of Astoria, all in the State of Illinois, favoring national prohibition; to the Committee on Rules.

## SENATE.

TUESDAY, July 7, 1914.

The Senate met at 11 o'clock a. m.

Rev. J. L. Kibler, D. D., offered the following prayer:

Our heavenly Father, we thank Thee for Thy grace, for the multitude of Thy tender mercies, and for Thy wonderful works to the children of men. May we express our gratitude in faithful service. Grant us the spirit of loyalty to the right and of unselfish devotion to the interests of men. Give us wisdom and grace that we may act well our part, and may the commandments of the Lord enlighten our eyes. We ask it for Jesus' sake. Amen.

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

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 4441) to extend the provisions of the act of June 23, 1910 (36 Stats. L. p. 592), authorizing assignment of reclamation homestead entries, and of the act of August 9, 1912 (37 Stats. L. p. 265), authorizing the issuance of patents on reclamation homestead entries, to lands in the Flathead irrigation project, Montana.

The message also announced that the House had passed the bill (S. 60) to provide for agricultural entry of oil lands, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1694. An act 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";