meat supply of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DEITRICK: Petition of the Volunteer Officers of the Union Army in the Civil War, favoring Senate bill 392, the Volunteer officers' retired list; to the Committee on Invalid Pensions.

By Mr. DONOVAN: Petition of the Connecticut Deeper Waterways Association, favoring rivers and harbors bill; to the Committee on Rivers and Harbors.

By Mr. FESS: Petition of sundry citizens of Greenfield, Ohio, favoring House joint resolution 282, relative to North Pole controversy; to the Committee on Naval Affairs.

By Mr. GARD: Petition of the Volunteer Officers of Union Army of the Civil War, assembled in Detroit, Mich., favoring Townsend bill (S. 392), the Volunteer officers' retired list; to the Committee on Invalid Pensions.

By Mr. GORDON: Petition of W. D. Smith, of Isle St. George, Ohio, relative to tax on wine; to the Committee on Ways and Means.

By Mr. GRAHAM of Pennsylvania: Petition of the Philadelphia Maritime Exchange, against House bill 18666, for Government ownership of vessels in the foreign trade of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. KAHN: Petition of the Volunteer Officers of the Union Army in the Civil War, favoring Senate bill 392, the Volunteer officers' retired list; to the Committee on Military Affairs.

By Mr. KENNEDY of Connecticut: Petition of the International Typographical Union, of Indianapolis, Ind., favoring amendment to section 85 of House bill 15902; to the Committee on Printing.

By Mr. LONERGAN: Petition of the Arthur Chemical Co., of New Haven, Conn., protesting against taxing perfumes and toilet articles; to the Committee on Ways and Means.

By Mr. O'SHAUNESSY: Petition of John T. Maguire, of Providence, R. I., favoring amendment to section 85 of House bill 15902; to the Committee on Printing.

By Mr. STEPHENS of California: Petition of Golden West Tent, No. 58, Knights of the Maccabees, of San Francisco, Cal., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of the Coffin Redington Co., of San Francisco, Cal., relative to tax on proprietary medicines; to the Committee on Ways and Means.

Also, petition of the Retail Druggists' Association of Los Angeles, Cal., favoring taxation of publishers for war revenue; to the Committee on Ways and Means.

Also, petition of the Densmore Stabler Refining Co. and T. W. Okey, of Los Angeles, Cal., relative to proposed tax on gasoline; to the Committee on Ways and Means.

Also, petition of the Board of Trade of San Francisco, Cal., relative to use of mails by insurance companies; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *September 18, 1914.*

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

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, at the threshold of the great responsibilities of this day we wait this moment before Thee to lift our hearts and minds to the center and source of all truth, of all righteousness, of all greatness and power. May we draw from Thee the equipment for the day's work and when the evening hour shall come may we look back upon the day spent under the inspiration of the Divine presence and expressive of the Divine thought in us as individuals and as a Nation. Equip us not only with wisdom and power but with character, for we know that in the great last assize character is that which counts with God and eternity. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, September 18, 1914.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. J. T. ROBINSON, a Senator from the State of Arkansas, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. ROBINSON thereupon took the chair as Presiding Officer, and directed the Secretary to read the Journal of the proceedings of the last legislative day.

The Journal of the proceedings of the legislative day of Wednesday, September 16, 1914, was read.

Mr. KENYON. I desire to ask the Secretary to read the part of the Journal which refers to the Senator from Iowa yielding to the Senator from Louisiana.

The PRESIDING OFFICER. Without objection, the Secretary will read the part indicated.

The Secretary read as follows:

Mr. KENYON being on the floor, and having yielded to Mr. RANSDELL at his request, Mr. BRYAN made the point of order that a Senator having possession of the floor could not yield unless by unanimous consent; and—

Mr. KENYON. That is the part I wanted to have read. I wish to suggest that that is not in accordance with the RECORD, and I refer to page 15258, where I say:

I have been interrupted too frequently in the past to decline now. I am very glad to be interrupted, not for a speech, but for a question.

The Journal now reads as though I had surrendered the floor. I merely offer that suggestion.

Mr. CLAPP. I take it, of course, the Journal would not be a record of all that was said on the floor. The RECORD contains that. I do not think that there is any discrepancy between the Journal and the RECORD. One is a generalization of what occurred and the other details all that was said.

Mr. KENYON. Of course, I did not yield the floor to the Senator from Louisiana.

Mr. CLAPP. The RECORD shows that.

Mr. JONES. I wish to suggest——

The PRESIDING OFFICER. The Chair will state to the Senator from Iowa that the Journal does not disclose that he yielded the floor. It merely discloses that he yielded, which is according to the usual custom in such cases.

Mr. JONES. It seems to me that the Journal should show that the yielding was for a question, and for no other purpose.

The PRESIDING OFFICER. The RECORD shows that the Senator from Louisiana merely asked the Senator from Iowa to yield, and thereupon the Chair directed to the Senator from Iowa the question as to whether or not he would yield to the Senator from Louisiana, and the Senator from Iowa announced his purpose of yielding. As to the purpose of the Senator from Louisiana in asking the Senator from Iowa to yield, the RECORD shows that to have appeared later in the debate. It was not disclosed upon the first request. Without objection, the Journal will be approved. The Chair hears no objection.

LEAVE OF ABSENCE.

Mr. THOMAS. Mr. President, being obliged to go away, I respectfully ask the Senate to grant me a leave of absence not to exceed two weeks.

The PRESIDING OFFICER. The Senator from Colorado asks for a leave of absence not to exceed two weeks. Is there objection? The Chair hears no objection.

PETITIONS AND MEMORIALS.

Mr. JONES. I have received a telegram, in the nature of a petition, from the secretary of the Columbia and Snake River Waterways Association, urging the passage of the pending river and harbor bill. I ask that it be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SPOKANE, WASH., *September 17, 1914.*

Senator WESLEY L. JONES,
Washington, D. C.:

The Columbia and Snake River Waterways Association, composed of commercial bodies and citizens of the States of Oregon, Washington, Idaho, and Montana, in convention assembled at the city of Spokane, Wash., on this date unanimously request the Senators and Representatives of the States mentioned to urge the passage of the pending river and harbor bill without material reduction so far as Pacific coast projects are concerned, and generally, so far as practicable, inclusive of all projects recommended by the United States engineers. The convention also voices its protest against the obstructive tactics of United States Senators in opposition to the pending bill, believing that these tactics, if successful in the defeat of the pending bill, will cast discredit upon the entire system of internal waterways improvement in the United States.

THE COLUMBIA AND SNAKE RIVER WATERWAYS ASSN.,
WALLACE R. STRUBLE, *Secretary.*

Mr. SMITH of Georgia. I have received two short telegrams, which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

JACKSON, GA., *September 18, 1914.*

Hon. HOKE SMITH,
Washington, D. C.:

If our southern representatives will take the initiative and pass a law cutting 1915 cotton crop 50 per cent, the price of cotton will immediately advance to 12½ cents per pound.

S. O. HAM.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

COLUMBIA, S. C., *September 17, 1914.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

Everywhere in South leading men feel that action by Congress either prohibiting entirely planting cotton in 1915 or limiting planting to 5 acres to the mule is absolutely vital to any effort to care for situation. If prompt action on this line can be taken, condition will rapidly improve. We feel constrained to urge you to give this matter your most careful consideration.

E. J. WATSON, *President.*

Mr. THOMPSON presented a memorial of the Woman's Home Missionary Society of the Methodist Episcopal Church of Wilsey, Kans., remonstrating against the enactment of legislation to allow the bringing of railroad tracks directly opposite Sibley Hospital and Rust Hall, in Washington, D. C., which was referred to the Committee on the District of Columbia.

Mr. POINDEXTER presented a petition of the Local Socialist Party of Bangor, Wash., praying for the enactment of legislation to prohibit the shipment of foodstuffs from the United States; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Local Socialist Party of Pogue Prairie, Wash., praying for strict neutrality by the United States during the present war in Europe, and for the prohibition of the shipment of foodstuffs from the United States; which was referred to the Committee on Foreign Relations.

Mr. BRANDEGEE presented a memorial of the Local Socialist Party of Mystic, Conn., remonstrating against the removal of the Federal troops from the strike region of Colorado prior to a settlement of the strike, which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 888) for the relief of H. C. Hodges, H. A. Powell, John Smith, and Joseph Ridley, reported it without amendment and submitted a report (No. 794) thereon.

Mr. REED. Mr. President, I think it would be proper under this order to call up Senate bill 6505, and to ask unanimous consent for its consideration at this time.

Mr. SMOOT. I will say to the Senator that that is not a part of the morning business, and the morning business is not yet closed.

Mr. REED. This is a report from a committee.

Mr. SMOOT. The committee has made its report, and the bill is now on the calendar.

Mr. REED. I do not desire to press it at this moment if other reports are to come in.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?

Mr. SMOOT. Certainly, before morning business is concluded.

Mr. SWANSON, from the Committee on Naval Affairs, to which was referred the bill (S. 6072) for the relief of John Henry Gibbons, captain on the retired list of the United States Navy, reported it without amendment and submitted a report (No. 795) thereon.

Mr. JOHNSON, from the Committee on Naval Affairs, to which was referred the bill (S. 6138) for the relief of Frank Kinsey Hill, captain on the retired list of the United States Navy, reported it without amendment (S. Rept. 796).

MISSISSIPPI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 6440) to authorize the Chicago, Milwaukee & St. Paul Railway Co. and the Chicago, St. Paul, Minneapolis & Omaha Railway Co. to construct a bridge across the Mississippi River at St. Paul, Minn., and I submit a report (No. 793) thereon. I call the attention of the Senator from Minnesota [Mr. NELSON] to the bill.

Mr. NELSON. This is a bridge bill, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill.

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

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

BILLS INTRODUCED.

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

By Mr. DU PONT:

A bill (S. 6506) for the relief of the heirs of Benjamin S. Roberts; to the Committee on Claims.

By Mr. JONES:

A bill (S. 6507) granting an increase of pension to Mark E. Messenger; and

A bill (S. 6508) granting an increase of pension to Robert J. Martin; to the Committee on Pensions.

By Mr. KERN:

A bill (S. 6509) granting an increase of pension to John M. Herder (with accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 6510) to authorize the appointment of Duncan Grant Richart to the grade of second lieutenant in the Army (with accompanying paper); to the Committee on Military Affairs.

SALT LAKE AND OGDEN GATEWAYS.

The PRESIDING OFFICER. The Chair lays before the Senate Senate resolution 446, coming over from a previous day. The Secretary will read the title of the resolution.

The SECRETARY. Senate resolution 446, by Mr. THOMAS, directing the Interstate Commerce Commission to inquire into the alleged closing of the Salt Lake and Ogden gateways.

Mr. THOMAS. I am not prepared to discuss that resolution yet. I ask that it may lie on the table.

The PRESIDING OFFICER. Will the Senator from Colorado object to having it placed on the Table Calendar, subject to call?

Mr. SMOOT. That would be the proper course.

Mr. THOMAS. Very well.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

STANDARD BOX FOR APPLES.

Mr. JONES. I think this is probably the proper time to bring before the Senate Senate bill 4517, known as the standard apple box bill. A day or two ago the Senator from Minnesota [Mr. CLAPP] entered a motion to reconsider the vote by which the Senate passed the bill (S. 4517) to establish a standard box for apples, and for other purposes. If this is the proper time, I should like to have that matter disposed of.

Mr. SMOOT. The bill has been returned from the House?

Mr. JONES. The bill is back from the House. I understand that the Senator from Minnesota is perfectly willing to have what he desires to present passed upon upon the motion to reconsider, and I am perfectly willing that that action shall be taken.

Mr. CLAPP. If the bill is to come up at this time, I desire to present the matter to the Senate.

The PRESIDING OFFICER. Does the Senator from Washington ask unanimous consent for the present consideration of the motion to reconsider?

Mr. JONES. I do not want to interfere with any other matter. I thought probably the motion to reconsider might not require unanimous consent and that this would be a proper time to bring it up. I simply inquired whether this is the proper time.

The PRESIDING OFFICER. Will the Senator suspend for a moment? The morning business is closed.

CALLING OF THE ROLL.

Mr. REED. Mr. President——

Mr. DU PONT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Delaware 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	Hitchcock	Page	Sterling
Bankhead	Hollis	Perkins	Stone
Brady	Hughes	Pittman	Swanson
Brandegee	Johnson	Poindexter	Thomas
Bryan	Jones	Pomerene	Thompson
Burton	Kenyon	Reed	Thornton
Camden	Kern	Robinson	Townsend
Chamberlain	Lane	Shafroth	Vardaman
Chilton	McCumber	Sheppard	Walsh
Clapp	Martine, N. J.	Smith, Ga.	Weeks
Crawford	Myers	Smith, Mich.	West
du Pont	Nelson	Smith, S. C.	White
Fletcher	Overman	Smoot	Williams

Mr. CLAPP. I desire to state that the senior Senator from Kansas [Mr. BRISTOW] is unavoidably detained at his residence by an accident which renders it impossible for him to be present. I will let this statement stand for the day.

Mr. PAGE. I desire to announce that my colleague [Mr. DILLINGHAM] is necessarily detained from the Senate. He is paired with the senior Senator from Maryland [Mr. SMITH]. I will allow this announcement to stand for the day.

Mr. SWANSON. My colleague [Mr. MARTIN] is detained from the Senate on account of sickness in his family. I will let this announcement stand for the day.

Mr. THORNTON. I desire to announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN] and also that he is paired with the senior Senator from New Hampshire [Mr. GALLINGER]. I will ask that this announcement may stand for the day.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY], who is paired. This announcement may stand for the day.

Mr. STONE. I desire to state that the senior Senator from Wyoming [Mr. CLARK], with whom I have a general pair, is absent from the city on important business. I should like to have this announcement stand for the day.

Mr. SMOOT. I desire to announce the unavoidable absence of my colleague [Mr. SUTHERLAND]. He has a general pair with the senior Senator from Arkansas [Mr. CLARKE]. I will allow this announcement to stand for the day.

The PRESIDING OFFICER. Fifty-two Senators have answered. A quorum is present.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had, on September 18, 1914, approved and signed the following act:

S. 4976. An act permitting the Wisconsin Central Railway Co. and the Minneapolis, St. Paul & Sault Ste. Marie Railway Co., its lessee, to construct, maintain, and operate a bridge across the Chippewa River at Chippewa Falls, Wis.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. REED. Mr. President, in accordance with the notice which I gave yesterday, I ask unanimous consent for the present consideration of the bill (S. 6505) to amend sections 11 and 16 of an act to provide for the establishment of Federal reserve banks, and so forth, approved December 23, 1913, and commonly known as the Federal reserve act. In making the request I desire to say, so that the Senate may understand the matter, that this is a little bill that was reported by a unanimous vote of the Committee on Banking and Currency and at the unanimous request of the Federal Reserve Board. It only contains two short provisions. Both of them relate merely to the administrative functions of the board and to the administration of the financial system. It makes no radical changes. There was a bill here, reported by the committee, which made rather radical changes, but after consultation it was agreed not to ask consideration of that measure at this time. The present bill has been reported as a substitute. I think it ought to go through without any debate.

Mr. SMOOT. Mr. President, may I ask the Senator from Missouri whether it is the intention to indefinitely postpone Senate bill 6439?

Mr. REED. Yes. This bill is reported as a substitute for that measure.

Mr. SMOOT. And that bill will be indefinitely postponed if the bill for which the Senator from Missouri now asks consideration is passed?

Mr. REED. That is the intention. The propositions contained in that bill will be brought up in a new measure.

Mr. SMOOT. Then I have no objection to the present consideration of this bill.

Mr. REED. Mr. President, just a word on this bill. I think the bill is so plain and simple that we shall not be involved in any debate—if I have unanimous consent that it be now taken up?

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

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

Mr. REED. The first section of the bill provides as follows——

Mr. SMOOT. Mr. President, will the Senator yield to me for a suggestion?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I do.

Mr. SMOOT. Will not the Senator from Missouri allow the bill to be read in the regular way before he proceeds to discuss it?

Mr. REED. I was going to read the bill, but let it be read in the regular way.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 11 of the Federal reserve act is hereby amended by adding at the end thereof the following paragraph:

"The Federal Reserve Board shall have power to permit member banks to carry in the Federal reserve banks of their respective districts any portion of their reserves now required by section 19 of this act to be held in their own vaults."

That section 16 of the Federal reserve act is hereby amended by adding at the end thereof the following paragraph:

"The Secretary of the Treasury is hereby authorized to devise and put into operation a system of clearances of national-bank notes between the Treasury, the Federal reserve banks, and the member banks, and for that purpose to designate Federal reserve banks as agents of the United States."

Mr. REED. Mr. President, just one word. The Federal reserve act requires a certain percentage of the reserves to be kept in the reserve banks and a certain percentage to be kept in the vaults of the member banks. It is thought by the Federal Reserve Board that it is wholly unnecessary to require a bank to keep a particular amount of money in its own vaults, provided it has the correct amount as a reserve, and that it is as well that it should be held in the vaults of the reserve bank as in the vaults of the member bank. As a matter of fact, it is thought it would be a very great convenience to the bank and an additional element of safety.

Besides, it has the merit of to that much greater extent mobilizing reserves. The reserves will be the same, but it is just a question of where they are to be kept. This gives the banks the permission to keep them with the Federal reserve banks instead of in their own vaults.

The other proposition relates merely to the clearance of national-bank notes. At the present time bank notes are sent into the Federal Treasury for redemption, and it generally happens that any national bank getting hold of the notes of another will send them into the Treasury. On the very day that the Treasury is redeeming notes that are sent in by that bank the notes of that bank may be in the Treasury also for redemption, having been sent in by some other bank. The proposition involved here is simply to permit the Federal reserve banks to act as clearing houses, so that when the notes of bank A are sent there by bank B to be redeemed the Federal reserve bank may take the notes of bank B and offset them against the notes of bank A, and simply settle the difference. It is a mere matter of clearance, and it will probably save a great deal of work and inconvenience at the Treasury Department—for instance, the expense of expressage, and so forth.

In 1911 we redeemed—in fact every year we practically redeem all of the national-bank notes; yet they immediately go out into circulation again, and all that expense and trouble is gone through without any good cause. In 1911 we redeemed $551,500,000 of these notes; in 1912, $649,550,000; in 1913, $655,886,000; and in 1914—I refer to the fiscal years, of course, ending June 30, of each year—$706,750,000. During these years the amount redeemed almost equaled the amount of the currency which was outstanding.

I think that the bill in its present form ought to be without objection, and ought not to occasion very much debate.

Mr. WEST. Mr. President, before the Senator from Missouri takes his seat, I desire to ask him a question. As I understand from reading the bill, it is entirely optional with the member banks whether or not they shall keep their reserves in the Federal reserve banks?

Mr. REED. It is optional with them whether they keep in their own vaults the amount which the law now requires them to have in their own vaults or in a Federal reserve bank; but the amount they are now required to keep in a Federal reserve bank must still be kept there.

Mr. SMOOT. Mr. President, I was very glad to hear the Senator from Missouri make the statement that this bill is presented as a substitute for Senate bill 6439, a bill which I criticised a week or ten days ago.

I fully agree with all that the Senator from Missouri has said in relation to the amendment of section 16 of the Federal reserve act. I believe the amendment proposed by this bill to that section of the act is a very wise one, and I have often wondered in the past why such an amendment has not been made to the national banking act. I know that I have suggested such a change many times. I have been able to see no reason why such a burden should be placed upon the banks of the country and upon the Government itself in connection with the exchange of our currency. Therefore, Mr. President, I am heartily in accord with that amendment of section 16 of the Federal reserve act.

I intend, however, to offer an amendment to the proposed amendment to section 11 as provided in the pending bill. Before suggesting the amendment and asking the Senator from

Missouri if he will not, on behalf of the committee, accept it, I merely wish to say a word in relation to the reserves to be held in the member banks. Under the present law—

A bank not in a reserve or central reserve city as now or hereafter defined shall hold and maintain reserves equal to 12 per cent of the aggregate amount of its demand deposits and 5 per cent of its time deposits, as follows:

In its vaults, for a period of 36 months after said date, five-twelfths thereof, and permanently thereafter four-twelfths.

In the Federal reserve bank of its district, for a period of 12 months after said date, two-twelfths, and for each succeeding six months an additional one-twelfth, until five-twelfths have been so deposited, which shall be the amount permanently required.

Again:

For a period of 36 months after said date the balance of the reserves may be held in its own vaults or in the Federal reserve bank, or in national banks in reserve or central reserve cities as now defined by law.

After said 36 months' period said reserves, other than those hereinbefore required to be held in the vaults of the member bank and in the Federal reserve bank, shall be held in the vaults of the member bank or in the Federal reserve bank, or in both, at the option of the member bank.

Mr. President, I believe that provision of the present law is a very wise one, and I do not believe that the question of granting to member banks the right of decreasing the reserves required to be held in their vaults by the present law would ever have been asked if it were not for conditions existing to-day. I believe that the reserves required by the present law to be held in the vaults of the member banks are low enough, and I believe that those reserves ought to be kept in the cities in which the member banks are located; in fact, as a banker, I would never think of allowing the reserve of a bank to run lower than is required by the Federal reserve act to be held in the vaults of the bank, and if I were president of a bank or director of a bank, even if this bill should pass, I would never think of asking the option of transferring to the reserve bank the amount of reserve required under the present law to be held in the vaults of the member bank. That amount is small enough, Mr. President, in my opinion.

Mr. SHAFROTH. Mr. President——

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

Mr. SMOOT. Certainly.

Mr. SHAFROTH. Does not the Senator recognize, for instance, that in the city of Richmond, Va., where there is to be a Federal reserve bank, with all the safety of vaults that human ingenuity can devise, there may be a bank across the street which is required by the present law to keep the amount of reserve required in its own vaults? It is not as safe as it would be in the vaults of the reserve bank across the street. The local bank does not assume the responsibility when the money is in the Federal reserve bank, but whenever they have a demand for it all that they have got to do is to walk across the street and get their money.

I believe that the country banks, which are some distance from the Federal reserve banks, of course, are going to keep their full amount of reserves, but it ought to be left to them. They are the ones to determine how much of a demand is going to be made upon their reserves. They are more interested in the success of their bank than anyone else can be; and inasmuch as this is also guarded by the fact that the Federal Reserve Board can permit this or not, it seems to me that it is a perfectly safe provision.

Mr. SMOOT. Mr. President, the Senator is pointing to a situation which can not possibly exist except in 12 cities in the United States. It does not apply to any of the banks in the thousands of other cities where Federal reserve banks are not located.

Mr. SHAFROTH. Does not the Senator think that every bank between New York and Washington can safely afford to keep its reserve either at Philadelphia or at New York, and may prefer to do it?

Mr. SMOOT. It is not a question of safety; and, so far as the safekeeping of the money is concerned, if that was all there was involved, the safest place to keep money is right here in the Treasury of the United States.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. Certainly.

Mr. WILLIAMS. I want to call the attention of the Senator to the language of the proposed amendment. It is not that the member banks shall be permitted; it is that—

The Federal Reserve Board shall have power to permit member banks.

Mr. SMOOT. That is true.

Mr. WILLIAMS. So that we could trust to the Federal Reserve Board to make a distinction between a bank that was very distant from a reserve bank, and a bank that was very close to one.

Mr. SMOOT. Mr. President, I shall suggest an amendment to show the Senator from Mississippi that I have at least confidence in the board, and I think it will be accepted, but I am speaking upon this question here from purely a business point of view. The people of the United States of late at least have begun to study the published statements of banks. They notice whether or not the banks have the required reserve on hand, and they conclude from such published reports whether the bank is safe from the amount of reserves it carries, daily or monthly, as the case may be. I do not believe it is a good thing to pass a bill that gives the Federal board authority to say that all the banks outside of the Federal reserve cities shall carry nothing in their vaults but till money, the same as the usual practice in many of the European countries, but under this amendment the reserve that is required now under the present law to be held in the vault of the member bank can be transferred to the vaults of some reserve city bank.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. I do.

Mr. HITCHCOCK. The Senator from Utah rather assumes that all banks would avail themselves of this privilege of keeping their reserves in the reserve banks instead of in their own vaults. Now, there might be some danger of that, of course, if they were permitted to keep these reserves in banks which paid interest; but a deposit in a reserve bank earns no interest at all for the individual bank, and the experience of Europe has been that banks keep practically all of their reserves in the central reserve banks only when their proximity to the reserve bank makes it a matter of economy and convenience.

Mr. SMOOT. The Senator ought to go further than that, and say that even in the case of the banks of England, outside of London, many of the strong banks carry only till money, as they call it, in their vaults.

Mr. HITCHCOCK. That is true, and that is a matter of experience for the bank.

Mr. SMOOT. That is a matter of education with the people in England under their system of banking.

Mr. HITCHCOCK. While it is true that this privilege probably will be availed of only by banks in reserve cities, yet it is true that those banks are the banks which have the great deposits, and if those deposits are mobilized by placing them in the reserve bank it strengthens the reserve bank to that extent in making its advances and in making its discounts to banks which need money. In other words, it will tend to produce a greater mobilization of our reserves. It will also tend to greater economy, because the banks in these cities are not required to keep this large amount of money. It is a mere matter of bookkeeping day by day and not a matter of actually handling the cash unnecessarily.

Mr. SMOOT. I wish to say to the Senator that I have listened to days and days of discussion in the past claiming that under the national-bank act the money of the country was drawn to the city of New York. It was in New York that great schemes of high finance were carried through by reason of this concentration. What the critics wanted was a law to prevent this and compel the keeping of the money in local banks. Now, this amendment gives the Federal board absolute power to say that the reserve heretofore required to be carried in their vaults can be transferred to a reserve city bank.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. Yes.

Mr. HITCHCOCK. The Senator is mistaken in that statement. This only permits the bank to deposit as much of its vault reserve as it pleases in the reserve bank of its own district, of which there are 12.

Mr. SMOOT. Yes; that is what I said.

Mr. HITCHCOCK. So there is no danger of the concentration in New York which the Senator has in mind, which only occurred to get the interest which the New York banks paid.

Mr. SMOOT. I referred to the great money centers; and New York is one of them, and the greatest. Of course the member banks of the New York division will be larger by far than those of any other district in the United States.

Mr. BURTON. Mr. President——

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

Mr. SMOOT. Certainly.

Mr. BURTON. I should like to ask a question in this connection, from either the Senator from Nebraska or the Senator from Missouri having charge of this bill.

In the execution of this proposed amendment, what is contemplated—that the Federal Reserve Board shall grant permission to Federal reserve banks to carry with the reserve banks of their districts any portion of their reserves now required by section 19 by general order, so that all the banks can send to the reserve banks of their respective districts portions of their reserves, or is it contemplated that permission *shall be* given in the case of each individual bank and that there shall be a restriction in each individual case, to be judged upon its merits?

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. I yield to the Senator from Missouri to answer the question asked by the Senator from Ohio.

Mr. REED. I can only say what is contemplated by the discussion which took place, but I suppose that discussion is of no value except as it might throw light upon the purposes at present in mind. The bill, of course, ought to be considered upon its face.

The purport of the discussion was that there were many instances where banks would prefer, both as a matter of convenience and as a matter of safety, to keep their reserves in Federal reserve banks, and the law ought to be so arranged that when a bank made application for that privilege it could be granted the privilege by the board; and, of course, if the conditions were such that the money ought to be kept in the vaults of the bank, the board, in the exercise of its discretion, would refuse the permission.

Taking the bill upon its face, of course, the Federal Reserve Board is given the right to grant this permission in any way it may see fit; but we have to put in a board some powers, and we have invested this board with powers very much greater than this. This is purely an administrative matter; and when the Senator from Utah has concluded I shall undertake to show that the money is a good deal safer in the vaults of the Federal reserve banks than it is in the vaults of the individual banks. I shall undertake, further, to show that the money kept in the vaults of the member bank is money which, under the law, can not be used by that bank. Therefore any argument that the Senator may make, based upon the idea that he is keeping the money in local communities for the use of the local communities, is fallacious.

Mr. WHITE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. Just a moment, and then I will gladly yield to the Senator.

The Senator assumes that when this extra money is deposited in the reserve city banks it is going to lie in the vaults and not be used. Mr. President, the money will not lie idle in the vaults. The money will be loaned, and it is only another step toward building up a pyramid of credits. Here is a member bank holding a reserve that ought to be in its own vaults in a reserve city bank. That money can not be used by the member bank. It is a reserve; but as soon as it is allowed to be placed in a reserve city bank the reserve city bank can lend the money; it becomes a part of its deposits, the same as all other deposits. Of course the reserve city bank is required to hold a percentage of such deposits, the same as it does of all other deposits, but the greater part of it can be loaned. If a crash ever came, if the member banks should call for their money, the business of the country would be in just that much greater distress if these reserves are loaned instead of held as reserves in the vaults of the member banks.

Mr. WHITE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I yield to the Senator from Alabama.

Mr. WHITE. Mr. President, the Senator from Utah has made the point to which I wanted to call attention, and that is that the character of this money is completely changed when it leaves the member bank and goes into the reserve bank. It is no longer a reserve.

Mr. SMOOT. It is a deposit then.

Mr. WHITE. It is a deposit then; it becomes a deposit, and its character as a reserve is destroyed.

Mr. SMOOT. Absolutely.

Mr. NELSON. Mr. President——

Mr. WHITE. It results in taking the money from the community where the money was deposited, depriving the community to some extent of that money, and concentrating it in the central reserve bank, there to be used in such manner as that bank sees fit to use it.

I desire to ask the Senator from Utah this question: Is there any power—I do not mean legal power, but any other power—that these reserve banks can exercise on the member banks to induce them to send the money?

Mr. SMOOT. That would fall under the law. There is no inducement.

Mr. WHITE. I do not say under the law, but is there any other power that they can exercise by virtue of the scheme under which this system is to be operated?

Mr. SMOOT. Of course they can not offer any direct inducement by way of paying interest on their deposits, but they perhaps could offer an inducement in other ways, as promising that if the bank got into a strait of any kind they would assist them.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. I do.

Mr. REED. Is it not an unthinkable proposition that the Federal Reserve Board would adopt any such means as that? If they would do a thing of that kind, we had better abolish the board and abolish the system.

Mr. SMOOT. No; the Senator did not ask about the Federal board. He asked about the bank in which this money was deposited, and I answered him as to the bank itself.

Mr. REED. This does not give the bank any power. It gives the Federal Reserve Board power to grant the permission.

Mr. SMOOT. Why, Mr. President, this is the situation: The member bank has a right to ask the Federal board if it can deposit in the reserve city bank the reserves that are required to be held in its vaults. That is its right. Now, as soon as that right is granted it can make the deposit in the bank, and the reserve city bank can then make whatever promise it wishes to the bank making the deposit. Now, that is the situation, although I want to say to the Senator from Alabama that I do not think that would be a practice on the part of the banks.

Mr. SHAFROTH. Mr. President——

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

Mr. SMOOT. I yield.

Mr. SHAFROTH. The Senator evidently is laboring under a misapprehension as to where this money is to be loaned. It is not to banks in Federal reserve cities, but it is to the Federal reserve bank, and that alone. Consequently, it can not make any agreement with them, such as an agreement to pay interest, or anything of that kind.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. NELSON. I think this would be a good time to enforce the rule that was adopted yesterday. It seems to me the Senator from Utah is going to hold the floor here——

Mr. SMOOT. I object to that, Mr. President. I have not asked a Senator to interrupt me, nor have I yielded——

Mr. NELSON. I want to say to the Senator from Utah that the Committee on Banking and Currency were unanimous on this subject. Every Republican member concurred in recommending this measure.

Mr. SMOOT. That may be.

Mr. NELSON. And I think the members of the committee ought to be heard on this matter.

Mr. SMOOT. Why, certainly; and they will be. I have no question about that. I would have been through long before this if I had not been interrupted.

The PRESIDING OFFICER. The Senator from Utah will proceed.

Mr. SMOOT. Mr. President, I notice in Senate bill 6439—

That section 11 of the aforesaid reserve act is hereby amended by adding an additional paragraph (m), as follows.

Part of this amendment is the same as the amendment offered in the bill which we have under discussion; but I want to call the attention of the Senate to the words in the first line of this amendment:

Upon unanimous affirmative vote of all of its members, the Federal Reserve Board shall have power—

That has been omitted from this amendment. I do not see why that should not appear in the bill that we have under consideration just the same as it did appear in the bill which was reported to the Senate on August 25, 1914, Senate bill 6439.

I offer that amendment now to this bill, to come in between lines 5 and 6 on page 1 of the bill under consideration, so that it will read:

Upon unanimous affirmative vote of all of its members, the Federal Reserve Board shall have power to permit member banks to carry in

the Federal reserve banks of their respective districts any portion of their reserves now required by section 19 of this act to be held in their own vaults.

In other words, that was what was reported on August 25; and I do not see why it should not be a unanimous vote of the members of the board, in case this permission is granted to a member bank. Therefore I offer the amendment.

The PRESIDING OFFICER. The Senator from Utah offers an amendment which will be stated.

The SECRETARY. On page 1 of the bill, line 6, before the word "The," the first word in the paragraph, it is proposed to insert the words:

Upon unanimous affirmative vote of all of its members.

Mr. WEEKS. Mr. President, as the Senator from Minnesota has stated, this bill comes with a unanimous report from the Committee on Banking and Currency; not only that, it has the unanimous recommendation of the Federal Reserve Board, and the unanimous recommendation of about 40 of the leading bankers of the country, who have recently been in consultation with the Federal Reserve Board.

The Senator from Utah has suggested that the reason it comes up now is because of the emergency which exists. I want to say to him that I was in favor of this proposition when the bill was under consideration last year, and strenuously contended in the committee that this first provision should be included in the original bill. My experience and my conception of the powers of the Federal reserve banks led me to the conclusion that there was every reason why it should be done, and no reason why it should not be done.

The truth of the matter is that banks located in or near Federal reserve banks will naturally keep a larger percentage of their reserves with the Federal reserve banks than will banks in a remoter section of the country. The bankers themselves must be given credit for having some judgment about how they shall handle their business and how much reserve they shall keep in their vaults. If a bank is remote from other banks, its reserve agents, it very naturally will keep very much more reserve in its own vaults than it would if near its reserve agents where it could recoup itself promptly.

The truth of the matter is that reserves are transitory at best. Frequently country banks have to renew, in exchange processes, their reserves with reserve agents as often as two or three times a week. This question is being discussed as if the reserve would stay in the same place all the time. That is not true at all. A bank may use its reserve in the reserve centers under present conditions at least twice a week and sometimes even oftener than that. It is all the time forwarding money or forwarding something to make up its reserve with its reserve agent.

I contend that if a bank in New York or in the vicinity of New York wishes to take advantage of the superior facilities for depositing its reserves with the Federal reserve bank there is absolutely no reason why it should not be done. If a bank in Salt Lake City wishes to keep its reserve in its own vaults we must trust the banker to have sense enough to know what is required in any particular locality and settle the question for himself. This bill leaves it optional with the bankers. It simply gives the reserve board the power to allow the banker to do something which he can not do under the present law.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. WEEKS. I yield.

Mr. WEST. Do I understand that under this bill the board would have the power to permit the member banks to transfer all their reserves to the vaults of the reserve banks if they wished that reserve?

Mr. WEEKS. Yes; it would have the power to do it, and the bank would do it if it wished, but, of course, it would not do it if it needed its reserve in its own vaults for its own purposes.

Mr. WEST. As the Senator from Utah said, would the bank have the power to lend that reserve to 85 per cent?

Mr. WEEKS. Reserve in the Federal reserve bank is a basis for credit. If member banks have large deposits in Federal reserve bank it permits the latter to make larger loans if they are required, but the amount of loan made to any bank is limited both by law and the judgment of the reserve board.

I am frank to say, Mr. President, that I have never heard the Senator from Utah, who is usually most logical, make an argument on a proposition which seemed to me to have so little reason as his argument on this question. I do not believe there is a financial or business reason or that any banker of any experience would not say that this is a wise provision to put into the law.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Missouri?

Mr. WEEKS. I yield.

Mr. STONE. I desire to ask the Senator from Massachusetts a question. I understood him to say that when the reserve of the banks would be transferred to the reserve bank of the district, pyramiding the reserve in that way, it would not be the purpose or intention of the reserve bank to put that money out, but it would hold it in its vaults?

Mr. WEEKS. Undoubtedly; using it as a basis for credit.

Mr. STONE. Then the advantage of transferring the money held by a bank across the street or any distance away to the vaults of the reserve bank would be merely to increase the credit of the reserve bank?

Mr. WEEKS. It would be merely a convenience to the member bank, which would mean to require the reserve bank really to be a storehouse for its reserves.

Mr. STONE. What I am trying to get at is to ascertain from the Senator, whom I regard as being especially well equipped to give the information I am seeking, just what good is accomplished by this transfer. I do not refer now to the question of harm that may result from it theoretically or practically, but what good is accomplished to the banking world or the business world by taking the reserves the law requires to be held in member banks in a district and concentrating them in the vaults of a reserve bank if the reserve bank can not take the money out of its vaults for commercial uses?

Mr. WEEKS. I think the real benefit would practically amount to furnishing a storehouse for the reserves of the member banks and to preventing the necessity of shifting the funds back and forth to keep the reserves in accordance with the law when the bank would have more than its requirements in one place or another.

As the law now stands, it is obligatory on the bank to keep a certain amount of its reserve in two different places, and as a practical proposition there will occur this condition: That the reserve will be excessive in one place and insufficient in another, and there will be constant moving back and forth of funds in order to comply with the law.

Now, if the member bank has the right to keep all of its reserve, if it desires to do so, with the reserve bank, the transfer of funds back and forth in order to maintain the reserve in the same particular place will be minimized. I should think that would be the greater benefit to be obtained by this legislation.

Mr. SHAFROTH. Mr. President, the suggestion which has been made by the Senator from Utah [Mr. SMOOT] with regard to clustering moneys in the Federal reserve banks by what he thinks are pyramid credits forms, in my judgment, one of the very measures by which we can utilize moneys that are in the United States for commercial purposes. There is no question but that the time will come when new money will have to be issued under this system, and the more money you have in the Federal reserve bank the less money we are going to issue, and consequently it is a safeguard against the issuance of money unnecessarily. The Federal reserve banks are not going to have the United States issue a dollar of this currency until the amount of money deposited in the Federal reserve banks is nearly exhausted. Then they will have reached a point where they will regard it as necessary to apply for money and get United States notes issued and turned over to them. Of course, that is not going to occur until there is a want of money in the Federal reserve bank. As long as you can supply money to the Federal reserve banks by permitting these member banks to keep their reserves there, so much less necessity there will be for issuing new money by the United States.

No matter what we may think about the policy of issuing money, money is essential in times of emergency and for crop-moving purposes, and we can avoid the issuance of new money only by having a bountiful supply, as we would have by member banks shifting these reserves from their own vaults to the Federal reserve bank.

It seems to me, therefore, it is a wholesome measure, even from the very point which the Senator from Utah made.

Mr. STONE. May I interrupt the Senator?

Mr. SHAFROTH. Certainly.

Mr. STONE. Listening to what the Senator has just said, it seems to me that his interpretation of the previous statute differs from that which was just given by the Senator from Massachusetts.

Mr. SHAFROTH. I think so. I do not agree with that Senator.

Mr. STONE. In other words, the Senator from Colorado thinks that the reserve bank can use the reserve concentrated

in its vaults for any legitimate purpose it sees proper, loaning it out to whomsoever comes to borrow.

Mr. SHAFROTH. Yes, sir; to member banks.

Mr. STONE. The Senator from Massachusetts took a different view.

Mr. SHAFROTH. I think the view of the question I take with relation to the matter is in accordance with the Federal reserve act. During the discussion of that bill we were continually talking about the $400,000,000 of reserves concentrated in the Federal reserve banks and the great benefit of such a mobilization of reserves. It can not be possible that we can not touch a dollar of them. It seems to me that would be absurd. In other words, we would then simply lock up the circulating medium of the United States and not let it serve any purpose whatever. For that reason it seems to me that the Federal reserve bank has the power, when the reserves of banks are deposited, to lend them.

Mr. WEEKS. Mr. President——

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

Mr. SHAFROTH. Certainly.

Mr. WEEKS. Let me call to the attention of the Senator the fact that keeping reserves at all means to lock up money. The Senator knows perfectly well that it is not the practice of European banks to keep reserves, but the practice there is simply to carry sufficient money to carry the bank through its day's operations. Requiring an arbitrary amount of reserve is assuming that on account of the distance between business operations in the United States and the remote location of many banks they should be required to keep in their own vaults or somewhere a definite amount of reserve. My own judgment is that the amount of reserve which banks will need to keep under the Federal reserve law will be greatly reduced and that an additional amount of money should be available for commercial purposes.

That is one of the strong arguments in favor of this legislation, in my judgment. I look to see the day when the reserves, instead of being kept at what we provided in the law, will be substantially cut in two, and even the possibility, if we had a central bank with sufficient branches, of not requiring a bank to keep any own reserve at all. Of course every banker knows what the requirements of his particular business are. If he has any elements of business sanity in his make-up, he is going to keep in his own vaults all the money he needs to conduct his business, and fundamentally, technically, he ought not to be obliged to keep another cent; but fearing, on account of our numerous banks and the inexperience of many bankers, that they would not keep sufficient reserves and might precipitate trouble as a result, we have adopted the plan of requiring a definite reserve, and a large one. Keeping a reserve means to keep it, and means to keep it somewhere, either in its own vaults or in the reserve bank. It does not mean that it shall be used to loan, except in an emergency, but it does mean that it shall be used as an anchor to windward.

Mr. SHAFROTH. Mr. President, I agree with the last part of what the Senator has said, and that is that that reserve is used as a basis of credit. It is proper that it should be used as a basis of credit, and it should be paid out, and, as he has said, it is not for the purpose of locking it up.

The requirement of reserves by the national banking act of 1862 was something that was regarded as contrary to all the systems in the world. The Bank of England is not required to keep a reserve of any kind. It can permit it to be drawn down to $1. The Bank of Germany and the Bank of France can do exactly the same way. There is no requirement, except in the United States, for a bank to keep any percentage reserve. The theory has been to let the banker determine that for himself, knowing that he alone is vitally interested in the matter. When our national banking act was passed it was thought that, inasmuch as there would be so many banks dependent on themselves, and that many would not be such large institutions as the Bank of England and the Bank of France, a percentage of their deposits should be held as reserves.

Now, that has been found to be cumbersome; that enormous amounts of money are locked up so that the people can not get them in certain seasons of the year when most needed. One of the main reasons why this Federal reserve system was thought out and devised was for the purpose of relieving that situation.

Mr. President, when this money is taken by the national banks and deposited in the Federal reserve bank it is no longer a reserve fund, but a deposit. When the Federal reserve bank lends nearly all the moneys in its vaults, it can take the paper it has discounted, together with 40 per cent of its gold reserve, hypothecate them with the Government agent, and get new currency issued by the United States; consequently you can readily see that the reserves will surely be safe. The idea was that that system would mobilize the reserves and permit the use of them throughout the country and thereby relieve the stringency of crop-moving times.

The additional power which has been granted to issue currency was given so that in times of stringency or in large crop-moving periods, when great quantities of money were needed, they could issue a circulating medium upon the credit of the Federal reserve bank, together with the paper which has been hypothecated, with all the safeguards created in the Federal reserve act.

Mr. WEST. Mr. President——

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

Mr. SHAFROTH. I yield.

Mr. WEST. Suppose the Federal Reserve Board were to give permission to the member banks of a Federal reserve bank to carry their reserves to that bank, would that central reserve bank then have the right under this law to lend out 85 per cent of the reserve of each one of these banks?

Mr. SHAFROTH. It is supposed that the moneys of the Federal reserve bank will be very carefully guarded. In the first place, it is inconceivable that the Federal Reserve Board will issue an order permitting every bank to do that. I apprehend there will be some such order as this, that all member banks situated within five hours' run by means of the quickest mode of travel of a Federal reserve bank shall be permitted to keep there a certain quantity. They probably will not permit all of it to be kept there. They will probably permit down to a small percentage. In that way I think the order will be made, and it will be a convenience to them.

Now, I want to impress upon the Senate, if I can, the relief and the benefit that will arise from this measure. We are desiring to make a great system. We want to get as much reserve money or any other kind of money in the Federal reserve banks as possible. They perhaps will not have to issue for a long time any circulating medium whatever in the shape of new money, because if they have sufficient money to meet all the demands that are made they would not be so foolish as to go out and make the demand upon the Federal Government to stamp new money. Consequently this very provision is, as it seems to me, a safeguard against any excessive issuance of money. Money will be issued only when it is required and when a member bank is willing to pay the rate of interest fixed.

That being the case, the very fact that these moneys can be used by the Federal reserve bank as deposits and loaned out it seems to me is a direct advantage to make the system workable and profitable and to at least curb, to some extent, the issuance of money by the Government until needed.

Now, the Senator from Utah has objected to this measure on the ground that we have not the words "upon unanimous affirmative vote of all the members of the Federal Reserve Board" before the first amendment. I will tell you why those words were not placed in the bill.

The power contained in this amendment was considered to be sufficiently guarded by the interest of the banks themselves as to what is to their own advantage, they having the power to determine it. But this unanimous affirmative vote, as required in the other bill of September 3, 1914, contained many other permissions that were to be given. Let me read what they are and why they should have been curbed by unanimous vote in the other bill:

(m) Upon unanimous affirmative vote of all its members the Federal Reserve Board shall have power: First, to postpone or otherwise change the times of payment of the second and subsequent installments of subscriptions to the capital stock of the several Federal reserve banks for a period or periods not exceeding four months in all.

It ought to take a unanimous vote to determine that, so as not to cripple the organization of the Federal reserve bank.

Second, to postpone for a period or periods not exceeding four months in all as to any date when any reserve requirement prescribed for member banks in section 19 of this act shall become effective.

Such a large power should only be exercised by unanimous affirmative vote of the Federal Reserve Board.

Third, to permit member banks to carry in the Federal reserve banks of their respective districts any portion of their reserves now required by section 19 of this act to be held in their own vaults.

That is the only clause of the old bill that we are inserting in the new bill. Consequently, inasmuch as that policy should be controlled by the interests of the member banks, there is no necessity for requiring a unanimous affirmative vote of all the members of the Federal Reserve Board to grant that permission. Some members may be out of town, some may be sick, some may be doing important things elsewhere. It is only on

extraordinary occasions that unanimous action should be required.

To say that every single member of the Federal Reserve Board should give his consent to this permission which should be controlled very largely by the interest of the member bank itself seemed to us very absurd.

Under this unanimous vote of all the members of the board it was proposed in the prior bill to limit the following:

Fourth, to permit member banks to count as part of their lawful reserves Federal reserve notes to an amount not exceeding 5 per cent of their net demand deposits.

I understood that provision was going to be objected to most strenuously, even giving the power by unanimous consent of all the members of the board. It is a somewhat serious question. I have always believed in permitting Federal reserve notes to be made reserve money in any national bank in the system, but members of the Committee on Banking and Currency differed upon that, and we had considerable discussion upon it during the framing of the Federal reserve act. The bill further provides:

Provided, however, That on and after the expiration of 36 months from the date of the official announcement of the Secretary of the Treasury of the establishment of a Federal reserve bank, no member bank shall count as part of its lawful reserve any balance kept with any other bank except the Federal reserve bank of its district.

Mr. President, when you come to the question as to a unanimous vote of the board, which was provided in the bill introduced here on September 3, you can readily see that that unanimous consent was a curbing of four distinct practices, and the most insignificant of the things sought to be curbed and controlled is covered by this very provision which we have inserted here.

Considering the fact, Mr. President, that there were momentous questions of this nature, and that this is a power which is curbed sufficiently by the interest of the bank itself, it seems to me that it would be foolish to say that this action should be by affirmative unanimous vote of the board, considering that men have business in other places, that they get sick, and that they are sometimes absent from Washington for good and sufficient reasons.

Mr. President, I wish to say just a word about the fact that there is going to be no drift of these reserves to the Federal reserve bank, unless it is to the interest of the member bank that there should be, because no interest is paid thereon. That of itself is going to make the member bank hold to its money if it feels that it would be safer and better for it to have it in its own vaults. It seems to me, Mr. President, that the amendment proposed by the Senator from Utah ought to be voted down.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Utah [Mr. SMOOT].

The amendment was rejected.

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

Mr. REED. I move that the bill (S. 6439) to amend sections 9, 11, 13, and 16 of an act approved December 23, 1913, and known as the Federal reserve act, and for other purposes, be taken from the calendar and postponed indefinitely.

The motion was agreed to.

ALLEYS IN THE DISTRICT OF COLUMBIA.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 13219) to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of buildings situated in the alleys in the District of Columbia, which was read twice by its title.

Mr. POMERENE. Mr. President, on August 6 the Senate passed Senate bill 1624, known as the alley bill, and it went to the other House. A few days ago the House passed a bill identical with that as passed by the Senate, which has just been read twice by its title. The only difference in the two bills is in the title. I therefore ask unanimous consent for the present consideration of the House bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio?

Mr. SHAFROTH. I should like to inquire what is the bill? I did not catch its reading.

Mr. POMERENE. It is what is known as the alley bill.

The PRESIDING OFFICER. The Secretary will read the bill.

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

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

STANDARD BOX FOR APPLES.

Mr. JONES. Mr. President, I desire to call up the motion heretofore entered by the Senator from Minnesota [Mr. CLAPP] to reconsider the votes by which the bill (S. 4517) to establish a standard box for apples, and for other purposes, was ordered to be engrossed for a third reading, read the third time, and passed. The bill has been returned from the House, and I should like to have the motion to reconsider disposed of.

Mr. SIMMONS. Does the Senator from Minnesota think there will be any debate?

Mr. CLAPP. I do not think it will take very long. I asked the Senate to recall the bill from the House, and it is now in the Senate. I presume the proponents of the bill have a right to have the matter decided one way or the other.

Mr. CRAWFORD. What is the bill?

Mr. CLAPP. It is a bill to standardize apple boxes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Minnesota [Mr. CLAPP] to reconsider the votes by which the bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CLAPP. Mr. President, I should like the attention of the Senate for a moment. I shall be very brief in this matter.

In July last the Senate passed the bill which, as chairman of the Committee on Standards, Weights, and Measures, I had reported for establishing a standard box for apples, and for other purposes. The bill went to the other House. After the bill had gone to the House, certain constituents of mine wrote me, pointing out what they considered some very serious objections to the bill. Thereupon I asked the Senate to recall the bill from the other House. The Senate recalled the bill, and I entered a motion to reconsider the vote by which the bill was passed.

It is only proper to say that in the motion to reconsider the vote by which the bill was passed would be involved subsequently a request of mine to amend the bill, and then let it be returned to the House of Representatives.

The provisions of the bill, while they do not in terms make the use of the standard apple box mandatory, yet, in effect, the bill is mandatory, because it provides that any apple box that is not up to the standard provided for by the bill shall be labeled "Short box," and, of course, no one shipping apples would care to have a box labeled "Short box." So, practically, the bill is mandatory.

The objection which the apple growers of my section make to the bill is that it provides, after prescribing the size of the box—they do not seriously object to that—that the box shall be marked "Standard"—and there is no objection to that. But, then, it provides that the box "shall bear upon one or both ends in plain figures the number of apples contained in the box; also in plain letters the style of pack used."

If the motion to reconsider prevails—and I hope it will—I shall then ask to amend the bill by striking out the requirement as to the number of apples and the style of pack; and therefore I may as well at this time submit to the Senate the argument urged by those who oppose these features of the bill. Their objection, both to the requirement as to the number of apples and the style of the pack being marked upon the box, rests upon the fact that many of the apple growers of the Middle West are, comparatively speaking, small growers, and they claim—and I think properly so—that the requirement as to the style of pack will necessitate the employment of expert packers. The expense of such employment, of course, could easily be borne by the larger producers of apples in what we call the coast country, but the people who write me claim that the average apple grower in the Middle West, especially in the State which I have the honor in part to represent, can not, on account of the comparatively small proportions of their business, afford expert packers, and such a requirement will place them at a decided disadvantage in competition with the large growers of the West who can afford to employ expert packers.

They also insist that it would be detrimental to them as against the growers of the large apples of the coast to mark on the box the number of apples contained therein. They do not seriously object to standardizing the size of the apple box, as we have already standardized barrels, but they do object to the number of apples being indicated on the box and especially to the requirement that the style of pack shall be indicated.

So, if the motion to reconsider prevails, I shall ask the Senate, then, to amend the bill by striking out the requirement as to the number of apples being marked and also the style of

pack. That is the objection which those who have communicated with me make to the bill.

Mr. JONES. Mr. President, I will take just a moment to explain the reasons why I hope the motion will not be agreed to.

Mr. CLAPP. Mr. President, if the Senator will pardon me a moment, I desire to suggest that my own judgment is that the Senate is the place where the amendments I have suggested should be made to the bill, because, with our limited number, we could probably perfect the amendment, pass the bill, and get it over to the House with much less difficulty than the amendment could be put on over there. I should think the proponents of the bill would prefer that it be disposed of here, rather than to meet that question in the House, where it is much more difficult to dispose of a matter of this kind and insure the prompt passage of the bill after amendment.

Mr. JONES. Mr. President, I will say to the Senator from Minnesota that if the amendment which he proposes should be adopted it will destroy the efficiency of the bill. I would not want the bill to pass with any such amendment, so that his suggestion does not appeal to me at all.

The Senator gave an impression which I do not think he intended to give, and that was that if the box used does not comply with the provisions requiring the box to come up to the standard it is marked "Short box." Under the terms of this bill that is hardly correct. It is marked a short box only when its capacity is less than the capacity required for a standard box.

Mr. CLAPP. That is what I had in mind.

Mr. JONES. If its capacity is equal to the standard, although the pack does conform to the requirements, it can still be sent out. It can not be marked "Standard," but it does not have to be marked "Short box."

Mr. CLAPP. Mr. President, the truth about that is that if the box is marked "Standard," then the other requirement must be complied with.

Mr. JONES. Certainly.

Mr. CLAPP. So that it is a mandatory provision so far as the practical effect of it is concerned.

Mr. JONES. Not to the extent that it must be marked "Short box."

Mr. CLAPP. It must be marked "Short box" if it does not contain the cubic contents prescribed for the standard box.

Mr. JONES. That is all.

Mr. CLAPP. It can not be marked "Standard" even though it has the required cubic contents, unless the other qualifications are complied with.

Mr. JONES. It can not be marked "Standard" if it simply has the cubic contents, unless the other qualifications go with it. It must comply with the requirement as to style of pack; it must contain a certain number of apples, and all that, even though it is of the standard size, before it can be marked "Standard box."

Mr. SHAFROTH. Mr. President, I should like to ask the Senator a question.

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

Mr. JONES. Certainly.

Mr. SHAFROTH. I should like to ask the Senator to explain the exact difference between himself and the Senator from Minnesota. We have heard about standard boxes, short boxes, and matters of that kind, and I wish the Senator would explain exactly the difference between himself and the Senator from Minnesota.

Mr. JONES. It is this: Growers who have framed this bill and agreed upon it think that it is very important that there shall be marked in connection with the standard box on each end of the box the number of apples in the box. They are doing that now in my section of the country, and I judge in the section of the country from which the Senator from Colorado comes, where they are boxing apples. There is no special trouble about that, because the apples are laid in tiers, and it is known how many apples are in a tier and how many tiers are in a box, so that it is merely a matter of multiplication to determine the number of apples in the box; but they consider the matter of essential importance. It is important to the consumer when he sees a box marked "Standard" to know the number of apples in it. If you permit the number and the style of pack to be left off of a box marked "Standard," it is impossible to know how many apples are in the box. Even though it is marked "Standard," the consumer has no idea what he is getting when those markings are left off; so that it seems to me that it is very essential. That is one difference. The Senator from Minnesota and his constituents want the number left off, while we want the number put on, so that the consumer may know just how many apples he is getting.

Further, the Senator from Minnesota wants the style of the pack left off. As I understand, the style of the pack is an indication as to the number of tiers of apples. There may be 3 tiers or 4 tiers or 5 tiers, the number of tiers indicating plainly the size of the apple. I think that such a marking is very important for the benefit of the consumer, to assist in enabling him to understand just what he is getting. If you mark a box "Standard," without indicating the number of apples in it, without indicating the style of the pack, about all the consumer is assured of is that the apples contained in the box are of the quality mentioned or of the variety mentioned; but nothing is indicated as to their size or anything of that kind. Those are the two provisions the Senator from Minnesota wants stricken out of the bill.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Minnesota?

Mr. JONES. Certainly.

Mr. CLAPP. I think in the law standardizing barrels, both for cranberries and apples, there is certainly no requirement as to the number of apples being marked upon the barrel.

Mr. JONES. I think that is probably true.

Mr. CLAPP. They must have the prescribed cubic contents. The consumer gets a barrel of the standard size.

Mr. TOWNSEND. Are they required to count the cranberries in the barrels?

Mr. CLAPP. Oh, no; that is not required at all.

Mr. JONES. The packing of apples in boxes is entirely different from the packing of apples in barrels. As I understand, you can merely pour apples into barrels, but you can not pour apples into a box, and no one should be permitted to do so, especially if it is a standard box. The apple growers of Colorado, of Montana, and especially of the Western and Northwestern States, have been trying to develop a system of boxing their apples that will bring the apples to the consumer in the very best shape and will enable the consumer to know just what he is getting, not only as to the quality but also as to the quantity. The purpose of this bill is to establish a standard that every man can follow, and thus the consumer will know what he is getting when he purchases a box marked "Standard." The bill does not compel a man to pack his apples in a standard box; he can pack them in any kind of box he may desire to use, but he can not mark them "Standard" unless he complies with all the requirements.

Mr. President, this bill has been prepared very carefully after consultation with the apple growers of the Northwest, and I can not see how it will work any hardship upon anybody. It certainly protects the consumer and it tends to the development of a systematic, standardized packing of apples. I trust the Senate will not reconsider the vote by which this bill was passed, but I shall not take more of the time of the Senate.

Mr. CLAPP. Mr. President, I shall not review what I have said. I ask leave to have printed in the RECORD, in connection with my remarks on this motion, a letter from one of my constituents, Mr. Highby.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent to have printed in the RECORD a letter in connection with his remarks. The Chair hears no objection, and it is so ordered.

The letter referred to is as follows:

BOARD OF PARK COMMISSIONERS,
Albert Lea, Minn.

Hon. MOSES CLAPP,
United States Senate, Washington, D. C.

DEAR SIR: Your telegram received this evening; also letter. I very much appreciate your efforts in regard to this matter, and I should certainly have answered you before this except for the fact that I have had a vacation and cut myself off from mail service for some time.

I have not the bill in question before me, having sent same to Mr. H. F. Hansen, the leading orchardist of this section. We do not object to the establishing of a standard-sized box. The box we use at the present is larger than the one prescribed by this bill. We object to the requirement that it shall be stated on the box the number of apples it contains, and also the style of pack. I believe that any man acquainted with the business will inform you that such packing can only be done by a professional man, such as they have in the orchard regions of the West. You can not pack apples so that you can state the style of pack unless the fruit is assorted to great perfection; nor can you give the number of apples contained unless the same is the case.

Now, our natural market would be the States to the west of us, the Dakotas especially. The consumers would be the farmers, principally, and they would not be looking for high-priced apples, packed any certain style, but would be looking for fruit at a fair rate. We could not ship our fruit to the market, even though it was of a very desirable quality, unless we first imported professional packers from some other section of the country to pack the fruit for us, and would be greatly handicapped in competition with the sections of the country where they have experienced packers and a complete machine to handle their product. Nor is there any relief in sight, as chances are that there will be a number of orchardists scattered here and there over the State, but

in no one locality enough to enable us to build up such organizations as they have in other sections of the country. Hence each man will have to do his own packing, employing ordinary workingmen to do the packing.

Although not present at the last horticultural meeting in Minneapolis, I understand that this bill was discussed considerably by horticulturists and severely criticized. I regret that there is not time left to get the opinion of the apple growers of the State, as I am confident that the growers of this State would be unanimously against this bill. If it could be done, I should like to see it go over to the next Congress, in order that people of this section might be given a chance to enter their objections.

Again thanking you for your attention, I remain,

Respectfully, yours, L. P. H. HIGHBY.

Mr. THOMAS. Mr. President, I represent in part a constituency which is directly interested in this bill. Indeed, my attention was called to it from correspondence before it passed the Senate at the last consideration of the calendar. There was so much objection to its application to my State that I offered an amendment—and the Senate accepted it—which exempted the State of Colorado from the operation of the law; and it was only because of that exemption that I withdrew any objection to the measure.

I may say that, naturally, I want to act in harmony with the desires and interests of my very good friend the Senator from Washington as to all these matters of detail wherever I can consistently do so. This measure, however, seems, even in its present form, to be somewhat unsatisfactory to some of our people, and I have reason to believe that it will not pass the House with the exemption to which I refer incorporated in it. Of course, if that should be so, I should be compelled to object to any conference report or agreement which eliminated that amendment. Hence I was somewhat relieved when the bill was recalled and brought back to the Senate.

I have received some correspondence of similar import to that to which the Senator from Minnesota has called attention and making the same criticisms of the operations of the measure. Of course, those criticisms would not be important as affecting my State so long as the exemption proviso remains in the bill, and therefore it would be a matter of indifference to my colleague and myself as to the ultimate fate of the measure.

But, Mr. President, my attention has also been called to what may be the result of the enactment of this measure, as to its enforcement. The law does not enforce itself; and, as I recall, there is no penalty of any considerable consequence attached to the measure beyond subjecting those who disregard its provisions to a penalty of $1 for each box improperly marked and sold, the penalty being limited in any one shipment to a maximum of $100. It is easily to be perceived that such a small penalty upon a large shipment would not operate as much of a restriction if any great pecuniary inducement existed to disregard its provisions. That would naturally suggest the enforcement of the measure by provision for apple-box inspectors, or inspectors of apple boxes carrying on their business and vocation under some other name.

I do not wish to be a party, at least at this session of Congress, to the enactment of any measure which may result in needlessly increasing the number of Government employees, and consequently increasing the burdens at present upon the Treasury. I shrink at no appropriations which involve necessary expenditures, or those which are deemed expedient in the public welfare; but inevitably this measure, if it becomes a law, is going to result in the creation of a new swarm of Government employees spread throughout the country wherever there is an apple orchard and an apple grower, and charged with the duty of inspecting and marking boxes in which apples are shipped. Do we want anything of that kind?

Mr. SHAFROTH. Mr. President——

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

Mr. THOMAS. With pleasure.

Mr. SHAFROTH. I should like to ask the Senator whether or not the size of this box is measured by any of the standards of measurement that we have? Is it a bushel box?

Mr. THOMAS. That question should be directed to the Senator from Washington. I have paid no particular attention to that feature of the matter.

Mr. SHAFROTH. I should like to ask the Senator from Washington whether the box he has prescribed here takes in any uniform measure that is recognized in the United States, such as a bushel or a third of a barrel or something of that kind?

Mr. JONES. It takes in a box that is in general use throughout the Northwest.

Mr. SHAFROTH. How much is contained in that box, measured in bushels or pecks or otherwise?

Mr. JONES. It has been quite a while since I have looked up my arithmetic, and I have really forgotten how many cubic inches there are in a bushel. If it were not so many years ago, I could easily tell the Senator.

Mr. SHAFROTH. If we are establishing a standard box, does not the Senator think we ought to take a box of a bushel or half a bushel size, so that the people who bought a box would know how much they were getting?

Mr. JONES. A box of apples is very nearly a bushel; I do not know just how close, but it is very nearly a bushel in cubic contents.

Mr. SHAFROTH. But inasmuch as probably nine-tenths of the product of apples is sold by absolutely measuring it by the bushel, it seems to me the box ought to contain a bushel.

Mr. JONES. That is true with reference to the apples of a certain section of the country. It is not true with reference to our section. In our section of the country, and I think in the Senator's section, they are sold entirely by the box.

Mr. SHAFROTH. Oh, that is true; but where they just simply measure them and bring them into town, the farmer has no box measure. He goes and brings them into town and sells them by the bushel.

Mr. JONES. Certainly. Then he is not selling them by the standard box. Our apples are purchased in this market by the box, not by the bushel or by the peck. You do not go down into the market here and find our apples sold by the peck or the bushel.

Mr. SHAFROTH. No; they are sold by the box, and the purchaser naturally wants to know how much he is getting.

Mr. JONES. I know as much about what I am getting when I get a box of a certain size as I do when somebody says, "I am giving you a bushel."

Mr. SHAFROTH. Yes; but you generally make a comparison with some standard, and that is usually a bushel. Consequently, you would like to know how much is in the box, compared with that standard.

Mr. JONES. I have been away from bushels so long that I have not any conception of anybody telling me that he is selling me a bushel of a given product.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to his colleague?

Mr. JONES. I believe the Senator from Colorado has the floor.

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

Mr. THOMAS. I yield to the Senator from Washington.

Mr. POINDEXTER. I only desire to answer the question of the Senator from Colorado about the size of the standard box. It contains, according to this bill, 2,173½ cubic inches, which is a bushel.

Mr. THOMAS. Then the box is designed to represent the cubic contents of a bushel. It is doubtless satisfactory in that respect. But, Mr. President, if this bill becomes a law, and is followed by a provision for the appointment of inspectors, it is going to be a very short time when we will have a bill standardizing boxes for peaches, another for pears, another for strawberries, another for raspberries, another for cranberries, and in addition to that we will in all probability have standardized boxes for vegetables, with the result that the Federal Government will have extended its tentacles over another very large domain of local concern, each bringing with it a larger crop of inspectors than of boxes and inflicting a very large additional needless expense upon the Treasury of the United States.

Mr. OVERMAN. Mr. President, may I ask the Senator a question?

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

Mr. THOMAS. I yield.

Mr. OVERMAN. The Senator is familiar with this bill, and I am not.

Mr. THOMAS. I am not familiar with the bill, Mr. President.

Mr. OVERMAN. There is nothing in this bill, is there, to prevent a man from shipping apples in any way he pleases—in a barrel, in a box, or in any other way?

Mr. THOMAS. No; except that if he ships them in any box less in size or cubical contents than the official box, he must mark it a short box, which in all probability would diminish the value of its contents in the public estimation.

Mr. OVERMAN. In my State we ship a great many apples, but my recollection is that they are shipped practically altogether in barrels. I have never heard in that section of a box of apples.

Mr. SMOOT. This bill does not apply to that.

Mr. THOMAS. I do not think the law is mandatory except in so far as it refers to containers that are less in size than the established standard; but in order to emphasize that fact I in-

troduced and the Senate accepted an amendment exempting my State from the operation of the law, believing that under the circumstances and in view of the expressed views of some of my constituents that was what they desired with reference to the measure. So, as far as I am concerned, I shall vote for a reconsideration of the measure.

Mr. SHAFROTH. I will ask the Senator whether or not his amendment has been rejected by the House?

Mr. THOMAS. Not formally; but my information is that the House will not agree to the bill with that amendment incorporated in it. Of course that information may or may not be verified by events; but such is the view of the delegation from our State, so far as I have been informed upon the matter.

Mr. MYERS. Mr. President, I regret to differ from the Senator from Minnesota; but, knowing the desires and needs of the apple growers of the Northwest, I am compelled to be in accord with the Senator from Washington, and I hope the motion to reconsider will not prevail.

There are many small growers of apples in Montana, the same as in Minnesota, and I do not believe it will work any hardship on either. I do not believe it will require any more painstaking of the small growers in Minnesota than of the small growers in Montana; and I believe it is to the interest of the public that the small growers as well as the large growers in both States and all States shall be required to have a uniform box, and to state how many apples there are in the box; but if they do not want to mark their boxes, they do not have to.

Mr. SHAFROTH. Mr. President——

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

Mr. MYERS. I do.

Mr. SHAFROTH. I should like to ask the Senator if he knows how much in the measurements we usually recognize, such as bushels or pecks, is contained in one of these boxes?

Mr. MYERS. The bill says the box shall contain 2,173 cubic inches, I think, or something of that kind, but I do not think it is necessary. The buyer knows that as well as the seller. I do not think it makes any difference whether it is a bushel or not, because he knows he is getting a standard box of apples, and it seems to me that is enough for him to know.

Mr. THOMAS. Mr. President, the Senator from Washington [Mr. POINDEXTER] stated—perhaps my colleague did not hear him——

Mr. SHAFROTH. No; I did not.

Mr. THOMAS. That the cubical contents of this box was the equivalent of a bushel.

Mr. SHAFROTH. That is correct, is it?

Mr. POINDEXTER. That is correct. In fact, it is slightly over a bushel. I believe the Winchester bushel is the bushel which is commonly in use in the United States. At least it is so stated in the Century Dictionary, and that authority states that it contains 2,150.42 cubic inches. The standard box specified in this bill contains 2,173½ cubic inches. Of course, as the Senator knows, there is really a larger content of cubic inches in the space occupied by the apples when packed in one of these boxes, because they protrude from the box in order to be packed tightly, and the covering of the box is compressed and bent over the apples in order to hold them in place.

Mr. SHAFROTH. I am glad the measurement is identical with the known measurement recognized by nations.

Mr. TOWNSEND. Mr. President, I should like to ask the Senator from Washington who established the standard which is mentioned in the bill?

Mr. JONES. It is a standard which has grown up by usage and custom in the apple-growing section, particularly on the Pacific coast, in California and in the Northwest Pacific States.

Mr. TOWNSEND. That had been my understanding—that this standard box was established for the benefit of the fruit growers of the Northwest. It is an arbitrary standard. It may have some reference to a bushel, but it is not clear.

Now, I have no objection to standardizing the apple box or barrel. Indeed, I am quite in favor of doing so. I can see no more reason, however, for counting the apples and stamping the count on the box than I can for counting the potatoes in a box or the plums in a box or the peaches in a box.

I believe this is not entirely fair. I think this measure is intended as a sectional bill for the benefit of the growers of apples in a particular section of the United States.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Washington?

Mr. TOWNSEND. Gladly.

Mr. JONES. I want to suggest to the Senator that there is a certain section of this country that uses barrels. We passed a bill here regulating the size, and so forth, of the barrel. We knew that that did not apply to our section. There was no suggestion that it was sectional. As a matter of fact, the apple producers of the country got together quite a while ago—they had been having this controversy with reference to the receptacles which should carry these apples—and agreed with reference to certain legislation respecting the barrel section, and agreed with reference to this legislation respecting the box section. That is all there is to it. It is simply carrying out that proposition.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. TOWNSEND. I yield.

Mr. SMOOT. One of the reasons why the number should be placed upon the box is this——

Mr. TOWNSEND. The Senator ought to allow me to tell why it should not be placed there before he answers me. I have no objection, however.

Mr. SMOOT. I thought the Senator was passing from that question.

Mr. TOWNSEND. I have no objection to the Senator going ahead.

Mr. SMOOT. No; I will wait until the Senator gets through.

Mr. TOWNSEND. Mr. President, I do not object to a standard box. I am very much in favor of it. The Northwest does not have a monopoly of the fruit-box business. If it approximates a bushel or if the box mentioned is one that is usually on the market, if it is the usual way of handling apples, I have no objection to that at all. I have favored for some time a standard measure for fruits of all kinds that are sold, either in boxes or barrels; but to stamp on the number of apples, to compel a count of apples in every box, is to my mind unfair and unjust. Quantity, character, and name should be faithfully marked on the receiver.

The PRESIDING OFFICER. The morning hour having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13811) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. JONES. I ask the Senator from North Carolina if he will not consent to temporarily lay aside the unfinished business? I do not think it will take very long to dispose of this motion. We can take a vote on it, I think, very soon.

Mr. SIMMONS. Of course I would like very much to accommodate the Senator. If we could have a vote right away I would not object, but I imagine there is going to be further discussion.

Mr. TOWNSEND (in his seat). I do not want a vote on it to-day.

Mr. POINDEXTER. I think the discussion has practically exhausted itself, and we could probably have a vote in five minutes on this matter.

Mr. SIMMONS. If I thought the Senator from Washington was right about it, I would not hesitate, but I am afraid he is not right about it, because I heard the Senator from Michigan [Mr. TOWNSEND] indicate that he intends to discuss the measure further. Under the circumstances I must decline to allow the unfinished business to be laid aside.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13811) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDING OFFICER. The question is, Is the point of order well taken?—on which the Senator from Florida [Mr. BRYAN] has the floor.

Mr. BRYAN. Mr. President, when the Senate, in pursuance of a previous order, went into executive session yesterday I was discussing the point of order as to whether a Senator occupying the floor has any right that any other Senator does not have, except the sole right to be heard.

Mr. President, I raised the point of order upon the authority of the only case reported in Gilfry's Precedents upon the subject. My recollection, however, is that last year some time in a discussion of the tariff bill, when the Senator from Vermont [Mr. PAGE] was discussing the tariff, the Senator from New Jersey [Mr. MARTINE] wanted to interrupt him to ask a question, and the Senator from Wyoming [Mr. WARREN], who has a very long service in the Senate and is quite familiar with the rules, not leaving it to the Senator from Vermont to object himself, objected, and his objection was sustained by the Chair without question.

Some Senators say that I ought not to appeal to the decision upon a similar question when the force bill was under discussion, but I do not know what better opportunity there could have been than to have the decision of the Chair challenged by the able men of the Senate opposed to the passage of that bill; and certainly if there had been any objection it would have been raised. Yet it seemed to meet the judgment of all Senators, and the decision of the Vice President was allowed to stand, and it has stood since that time.

Furthermore, Mr. President, it has stood for a very good reason, as I shall proceed to show.

Mr. SMOOT. Will the Senator state at what date that was?

Mr. BRYAN. January 20, 1891. Senator Aldrich's resolution which he was trying to get the floor to have considered was to adopt a cloture rule.

It is said here, and of course it is entirely true, that neither the force bill came to a vote nor the proposed cloture rule came to a vote; but, sir, that does not lessen the value of the precedent; it rather strengthens it. Now, let us see if those great Senators opposed to the passage of that bill were derelict in their duty in not insisting that the Chair was wrong in his ruling.

Mr. President, there is no doubt of the justice of this proposition. There is no attempt here to force a gag rule on anybody. Some Senators denounced it yesterday on that ground and some of the newspapers have taken it up as if the rule invoked yesterday were a gag rule and was sought to be forced upon the Senate. Sir, is it a gag rule to protect a Senator who has the floor from interruption so that he may speak to his heart's content?

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Georgia?

Mr. BRYAN. I yield.

Mr. WEST. Here is my objection to it: I should like to know, in the case the Senator put, if it is the purpose when a Senator is on the floor and I may want some information or perhaps he is saying something that contradicts what I said and I want to put him right, that one Senator in this body can prevent it? If it is submitted to the Senate to determine whether I can put the question, then a majority could say I did not have the right, the Senator to whom I am addressing my remarks yielding. I would submit to it, but not that just one Senator can get up and say, "I object," when the Senator who occupies the floor is perfectly willing to yield. A Senator who has the floor has the right always to protect himself against anybody who might be addressing interrogatories to him.

Mr. BRYAN. It is the position of the Senator from Georgia that a Senator who has the floor has superior rights to any other Senator. I concede that he has the right in addition to that of any other Senator to speak and to speak ad libitum. That is the only right he has which is not possessed by every other Senator upon the floor.

The Senator says one Senator might stop his questioning of the Senator who had the floor, but is not that true if every Senator remains in his seat and the Senator who is speaking declines to be interrupted? I am coming to that question.

I desire to say that the Senator from New Hampshire [Mr. GALLINGER] yesterday in reading Rule XIX simply providing that a Senator who has the floor need not yield to interruptions, correctly stated that clause 1 of Rule XIX was taken from Jefferson's Manual. If I can establish to the satisfaction of the Senate that Jefferson's Manual, except where overruled by a rule of the Senate, is the law that governs this body, then even the Senator from New Hampshire will be bound to concede that the point of order is well taken.

Mr. LEWIS. Will the Senator from Florida let me call his attention to a matter that I observe was wholly overlooked? When this discussion originated on the floor touching the question as to whether a Senator could be interrupted without the unanimous consent of the Senate, there were precedents cited, and after the conclusion of their presentation the present occupant of the chair made a ruling; but I observe there was an omission, doubtless due to the fact that some Senators may not have been present or else had forgotten it. In a case two weeks ago it will be observed that Vice President Marshall, sitting in the chair, made this exact ruling, but said he would not announce the ruling as binding but merely announced it ex cathedra, as it were, and called the attention of the Senate to the fact that such was the law, and thus invited the attention of the Senate to the fact that if insisted upon by any Senator it would have to be enforced. That was only a couple of weeks ago, and I call the attention of the able Senator from Florida to the fact that there was a good precedent which was overlooked in citation.

Mr. BRYAN. I was wholly in ignorance of that. I thank the Senator from Illinois for his interruption. I think it would shed light on the whole question if he would send and get the RECORD, and let us read it into the RECORD while the question is being discussed.

When Thomas Jefferson became Vice President of the United States there were not many rules of the Senate, and where there were no rules of the Senate other law had to govern. Let us see what Mr. Jefferson says—and I promise Senators not to weary them with this discussion. I take the floor again only because of the unjust charge that has been made and because this attempt to enforce the rule of the Senate to give liberty of debate has been twisted and tortured into a claim that it was undertaken to limit the right of Senators to be heard. President Jefferson said:

> The Constitution of the United States, establishing a legislature for the Union under certain forms, authorizes each branch of it "to determine the rules of its own proceedings." The Senate has accordingly formed some rules for its own government; but these going only to few cases it has referred to the decision of its President, without debate and without appeal, all questions of order arising either under its own rules or where it has provided none. This places under the discretion of the President a very extensive field of decision, and one which, irregularly exercised, would have a powerful effect on the proceedings and determinations of the House. The President must feel, weightily and seriously, this confidence in his discretion, and the necessity of recurring, for its government, to some known system of rules, that he may neither leave himself free to indulge caprice or passion nor open to the imputation of them. But to what system of rules is he to recur, as supplementary to those of the Senate? To this there can be but one answer. To the system of regulations adopted for the government of some one of the parliamentary bodies within these States or of that which has served as a prototype to most of them. This last is the model which we have all studied, while we are little acquainted with the modifications of it in our several States. It is deposited, too, in publications possessed by many and open to all. Its rules are probably as wisely constructed for governing the debates of a deliberative body and obtaining its true sense as any which can become known to us, and the acquiescence of the Senate hitherto under the references to them has given them the saction of its approbation.
>
> Considering, therefore, the law of proceedings in the Senate as composed of the precepts of the Constitution, the regulations of the Senate, and, where these are silent, of the rules of Parliament, I have here endeavored to collect and digest so much of these as is called for in ordinary practice, collating the parliamentary with the senatorial rules, both where they agree and where they vary.

I will not read further from that preface, but now I come to the reference made in the rules of the Senate to sections 17 and 39 of Jefferson's Manual. In Rule XVII of Jefferson's Manual there is this language:

> No one is to disturb another in his speech—

I pause to say the sentence might as well have stopped there. It goes on—

> by hissing, coughing, spitting, speaking or whispering to another, nor stand up to interrupt him—

And so forth.

Rule XXXIX of Jefferson's Manual has this provision:

> The question is to be put first on the affirmative and then on the negative side.
>
> After the Speaker has put the affirmative part of the question, any Member who has not spoken before to the question may rise and speak before the negative be put, because it is no full question till the negative part be put.
>
> But in small matters, and which are, of course, such as receiving petitions, reports, withdrawing motions, reading papers, etc., the Speaker most commonly supposes the consent of the House where no objection is expressed, and does not give them the trouble of putting the question formally.

Mr. President, that furnishes an answer to the contention here that it has been the custom of the Senate for the Senator having the floor to yield to interruptions. There are two rights there—the right of the speaker and the right of the other Senators. When a Senator rises to interrupt, the presiding officer puts the question, "Does the Senator yield?" presupposing, according to the language I have just read from Jefferson's Manual, that the silence of the other Senators gives their consent; and inasmuch as clause 1 of Rule XIX goes yet further, and gives the right to the Senator occupying the floor to decline to yield, even if everybody else is willing that he shall be interrupted, the presiding officer puts the question to the Senator having the floor and inquires if he will yield, assuming, in the first place, that nobody else objects, and, in the second place, if everybody else were willing, that the Senator alone could stop it.

Now, Mr. President, following out Jefferson's statement, let us go to the parliamentary law as established and find out whether this is a revolutionary proceeding. I read from Law and Practice of Legislative Assemblies, by Mr. Cushing, section 1572:

> According to the strict rule of order, no individual Member of the House has a right to put a question to any other Member. He may move the House that such a question be put by the Speaker; and, if the

House gives its permission, the question may be put accordingly. But in practice it is found most convenient to dispense with this formality, and questions are ordinarily put by one Member directly to another, being supposed, however, to be put by the House through the Chair, at the suggestion or on the motion of such Member.

Now, let us see if that is substantiated and borne out by the rules governing parliamentary bodies.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Washington?

Mr. BRYAN. I do.

Mr. POINDEXTER. As I understand the rule just read by the Senator, it would not require unanimous consent; the question would be put to the House and carried by a majority.

Mr. BRYAN. I think that might be done.

Mr. POINDEXTER. That is a very different proposition from the one which the Senator is advocating.

Mr. BRYAN. I call the Senator's attention to this, however, that the question which might be put to a Senator might well be considered along with the discussion of putting questions to ministers. The law may have had reference in that particular instance to the question of inquiring of a Member of the House, and that of course is a wholly different proposition from interrupting in debate; and if you could do that you could obviate the rule by asking any question you saw fit to ask.

Mr. POINDEXTER. Of course we have substituted under our entirely different form of government for questions to a minister, who, in the capacity to which the Senator now refers, is nothing but a member of the House, a more formal system of resolutions which we file here in writing, calling upon the departments to furnish information in regard to certain things. As to the ordinary interruptions in debate, it being true, as it seems to me, obviously true, that a majority of the House could control the proceedings, the majority of this House has fixed a rule apparently for it.

Mr. BRYAN. Let me ask the Senator what rule of the Senate?

Mr. POINDEXTER. It is the rule which provides that the consent of the Senator having the floor must be obtained before he can be interrupted by a question and that the Chair must first be addressed. The necessary implication is that if those conditions are complied with the interruption may be made. In other words, it is a recognition of the right to interrupt and the fixing of a procedure by which it can be done.

Mr. BRYAN. The Senator from Washington is too close a reasoner to undertake to argue that by clause 1 of Rule XIX the power is granted to the speaker to be interrupted any more than it is granted to other speakers. The rule says:

No Senator shall interrupt another Senator in debate without his consent.

But it does not say that with his consent, against the will of the Senate, he can be interrupted.

Mr. POINDEXTER. Of course that is a matter of the conclusion of anyone construing the rule. I should say that when the Senate adopts a rule providing how a Senator may be interrupted it is equivalent to saying, by implication, that he may be interrupted in that way.

Mr. BRYAN. I am trying very hard to show that that is not so. I can not see that it is so. This same rule was enforced when the point was raised in 1891. I call the Senator's attention to the fact that Senator Hoar said in that debate that his right to object to interruptions had been passed upon favorably time and time again and nobody disputed it.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from Florida yield?

Mr. ROBINSON. Will the Senator from Florida yield to me for a moment?

Mr. BRYAN. I yield to the Senator.

Mr. ROBINSON. I call the attention of the Senator from Washington to the fact that he has—inadvertently, of course—misquoted the rule to which he has referred.

Clause 1 of Rule XIX provides that no Senator shall interrupt a Senator without his consent. That does not relate to an interruption for any specific purpose, but relates to interruptions for all purposes, certainly those not expressly forbidden by the rules of the Senate. It therefore follows that, under that rule, if a Senator can interrupt another to ask a question, he can also interrupt that other to make a statement; and if, under clause 1 of Rule XIX, a Senator having the floor has the unqualified right to yield to another Senator to interrupt him, he has that right to yield for any purpose, and it would follow that he would have the right to yield to that Senator to make a speech or a statement just as much as he would have the right to yield for a question.

I call the attention now of Senators to the fact that the rules and precedents of the Senate, when fairly considered, make no distinction whatever as to interruptions for the purpose of asking questions or to make statements, and that in reason, in logic, and in morals there can be no proper distinction made. The rule of the Senate quoted relates to interruptions for any purpose, and it is only by a misquotation or a misconception of clause 1 of Rule XIX that it can be construed as relating to interruptions for the purpose only of asking a question. That rule relates to interruptions for all purposes. It is that no Senator shall interrupt another without his consent, and he shall first address the Chair. Now, that interruption referred to in the rule is not in reference to a question or to any particular subject, but it is general and relates to an interruption for any purpose in debate. I repeat the statement that if, under that rule, a Senator having the floor has the unqualified right to yield to an interruption, he can yield just as much to an interruption for the purpose of making a statement as for the asking of a question. The rule makes no distinction.

Mr. POINDEXTER and Mr. WEST addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Florida yield?

Mr. BRYAN. I was almost through.

Mr. WEST. I was just going to ask a question of the Senator from Arkansas in reference to the distinction.

Mr. BRYAN. I yield to the Senator from Washington, who wishes to make a statement.

Mr. POINDEXTER. I am not going to make any extended statement. I wanted to reply in a word to what the Senator from Arkansas [Mr. ROBINSON] says in regard to the rule of the Senate. I did not undertake to quote the rule. I only stated the substance of it, and I think I substantially stated what it is. I will read the exact words of the rule:

No Senator shall interrupt another Senator without his consent, and to obtain such consent he shall first address the Presiding Officer.

It seems to me that the distinction which would avoid the point made by the Senator from Arkansas is in the word "interrupt." It does not allow one Senator to take the floor away from the Senator who has the floor by the consent of the Senator who has the floor. It only allows him to interrupt him, and there is quite a distinction between a mere interruption and taking over the floor to make a speech.

Mr. BRYAN. I think there can not be any validity in the distinction sought to be drawn by the Senator from Washington. An interruption must be either for the purpose of asking a question or making a statement. Senators who criticize the decision of the Senate on yesterday all agree that it would not be proper and is against the rule of the Senate to yield for a statement or a speech, and that any Senator on the floor could stop it.

If it be said that it does not apply to questions, how long must a question be? Surely you would not allow a question of an hour's length to be put and contend that was proper and in the sole control of the Senator having the floor. I do not know whether or not it happened, but I see my friend from Missouri [Mr. STONE] here, and in the fight on the ship subsidy bill today's Washington Times says that the Senator from Missouri interrupted the Senator from Tennessee, Mr. Carmack, "to ask a question," and then asked him:

"I desire to ask the Senator, apropos of what he has just said, his opinion of the following article on ship subsidy by an eminent authority on that subject."

Wherewith the eminent Missourian proceeded to read a chapter from the book.

And then he propounded his question.

Mr. President, there can not be any distinction drawn. The Senate has the right to control its affairs. No individual Senator has the right to obtain the floor and hold it day by day, determining in his own mind whether or not he will allow another Senator to interrupt for a question or for a speech or for a question which may be as long as a speech or for any question at all. The only right he has over the right of any other Senator is to speak.

The Senator from Washington interrupted me a few minutes ago when I had read from a paragraph in Cushing's Parliamentary Law. He cites actual occurrences that have taken place to show not only that he was justified in the statement made but that the actual occurrences went further, and not only applied to the questions propounded but applied to debates upon the floor, to the right of the Senate or of the House to stop interruptions whenever it saw fit. It can make little difference for the purposes of this case whether a majority of the Senate may grant the right of interruption or whether it requires unanimous consent. Senator Hoar was authority for the

proposition that it took unanimous consent. No Senator questioned it; they all acceded to that construction.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Washington?

Mr. BRYAN. Yes.

Mr. POINDEXTER. Will the Senator from Florida state upon what principle or theory he bases the proposition that it requires unanimous consent to interrupt; in other words, that any one Senator can control the proceedings of the Senate? Upon what principle is that proposition based? It is very different from the almost universal rule that a majority controls the proceedings.

Mr. BRYAN. Well, Mr. President, the Senator from Washington is taking the other side; he is undertaking to sustain a rule that gives to one Senator who happens to be on the floor the right to control the procedure of the Senate.

Mr. POINDEXTER. Oh, not at all, Mr. President.

Mr. BRYAN. Here is the theory upon which I sustain my proposition. I have stated it often: The Senator speaking has no right that every other Senator in the Chamber has not also, with the sole exception of his right to address the Senate. He has no more right to allow an interruption by another Senator than has any other Senator in the Chamber. If you do not take that position, then you give to one man the right to control the deliberations of this body. Let us see. I will read from the British parliamentary debate which occurred in 1817. Mr. Brougham was addressing the Parliament on the question of the filing of some petitions and, referring to something which had been said by the speaker who had preceded him, he said:

> The right honorable gentleman had thought proper to warn the members of that House, whose duty it might be to present the thousand petitions backed by half a million of their fellow subjects, that as often as they came forward with those petitions he would put a question to them which they must answer. Must! [Hear! Hear!] He, however, would beg leave to tell that right honorable gentleman that no individual member of that House had a right to put any question to another member.

The next speaker who followed conceded that principle.

> It was said that a question to a member was to be put by the order of the House from the chair. In strict formality this was certainly true. But was it absolutely necessary? Was it not one of those forms which might, without the slightest loss of dignity and with much convenience, be dispensed with? Was it any novelty to dispense with it? The novelty was that any gentleman presenting a petition should make it a part of his speech.

So Senators need not alarm themselves about the ordinary procedure of the Senate. The rule is in force to-day, and yet interruptions occur. They occur because nobody objects to them. Every day Senators introduce bills out of order, make reports out of order, have petitions read out of order. That is done by unanimous consent. Any Senator could stop it. But here it is sought to fasten a rule upon the Senate that one Senator may take the floor and hold it and do with it as he pleases.

Mr. WEST. Mr. President——

Mr. BRYAN. Just a moment. I can not agree with my friend from Washington that that is the rule of the majority. It is not the rule even of a minority. It is the rule of only 1 man out of 96.

I may say, without reading it, that even a third member of Parliament arose and agreed to the rule as I have announced it. I ask Senators where in the precedents of the Senate is there a single solitary precedent to the contrary of the rule for which I am contending?

Mr. President, it is absurd to say that any effort to force a gag rule upon the Senate is being attempted when the attempt is merely to give the widest freedom of debate, when the attempt is to force a Senator who has the floor to proceed with the only object that gives him a right to take it, and when he gets through with what he has to say to sit down. It has gone on now this whole week that one man assumes to control the procedure of the Senate and to farm out the right to interrupt him. For one I can not consent to it. I do not say that in any spirit of ill will to the Senator from Iowa. In my opinion, he makes a great mistake. I know——

Mr. WEST. I will not persist in the interruption, Mr. President; but I should like to ask the Senator a question if I may do so.

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Georgia?

Mr. BRYAN. I do.

Mr. WEST. Does the Senator from Florida make no distinction in his contention between farming out the time of the Senate and a Senator merely rising and addressing himself to the Senator speaking, and saying, "I desire to ask the Senator a question"?

Mr. BRYAN. Not at all, and for this reason——

Mr. WEST. I think there is a difference.

Mr. BRYAN. That would leave the control of the whole matter in the hands of the Senator who occupied the floor. If you simply limit it to the right to ask questions, it would be of no avail. Who is to determine the length of the question? I might rise, if I wanted to filibuster, and the Senator from Missouri had the floor, and say, "I desire to ask the opinion of the Senator from Missouri upon the following matter, which I will suggest to him," and read this whole book [indicating] and occupy days in doing so. That can not be done.

I had started to say that I know the great interest the Senator from Iowa has taken in this bill and the extreme energy he has displayed in its consideration.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Kansas?

Mr. BRYAN. I do.

Mr. THOMPSON. In that connection I should like to ask the Senator from Florida if it is not the practice, and has not it always been so, for the Senator speaking to simply say, "I yield for a question" or "I will yield for a statement"?

Mr. BRYAN. Yes; but that proceeds, and it can only proceed, by unanimous consent, because nobody objects to it.

Mr. President, I have concluded.

Mr. KENYON. Mr President, I think this is such an important matter that I want to go right to the point; and I want to say that when the authority which the Senator from Florida has quoted from the proceedings in January, 1891, is completely examined and understood absolutely refutes the position he has taken. I think it must be true that the Senator did not consult the proceedings of the next day, when this whole matter was again brought up in the Senate, and a clear understanding had with reference to it.

Mr. BRANDEGEE. Mr. President——

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

Mr. KENYON. I do.

Mr. BRANDEGEE. As the Senator yields to me, I will say that I agree with him that this matter is of the utmost importance, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the roll will be called.

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

Ashurst	James	Page	Smoot
Brady	Johnson	Perkins	Swanson
Brandegee	Jones	Poindexter	Thomas
Bryan	Kenyon	Pomerene	Thompson
Burton	Kern	Ransdell	Thornton
Camden	Lane	Robinson	Townsend
Chamberlain	Lea, Tenn.	Saulsbury	Vardaman
Chilton	Lee, Md.	Shafroth	Walsh
Clapp	Lewis	Sheppard	Weeks
Culberson	McCumber	Simmons	West
du Pont	Martine, N. J.	Smith, Ariz.	White
Fletcher	Nelson	Smith, Ga.	Williams
Hollis	Overman	Smith, S. C.	

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, a quorum is present.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. The Chair will inform the Senator from South Carolina that the Senator from Iowa has the floor, the call for a quorum having been made in his time.

Mr. SMITH of South Carolina. I merely want to make an announcement.

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

Mr. KENYON. I do.

Mr. SMITH of South Carolina. The Senator from Nebraska [Mr. NORRIS] has requested me to make the announcement that, on account of illness, he is unable to be present at the roll call.

Mr. KENYON. Mr. President, I wish that on this question the Senators who are present would give their attention. I will promise not to take over 15 minutes. I am going to pass absolutely the irony of our friends from the South insisting on a precedent which was established in order to thrust upon them the infamous force bill; but, even if it were a precedent, it would have little weight now, for, in view of all these years that have gone by, it would be absolutely obsolete. It never before has been suggested in the Senate.

Now, what is the question? The Senator from Florida has stated it clearly. A Senator rises in this Chamber when another Senator has the floor; he desires to ask a question. The presiding officer says: "Does the Senator from Florida," for example, "yield to the Senator from South Carolina?" The determination of that question, according to the Senator from Florida—and I agree with him as to that—in the first in-

stance rests with the Senator from Florida. He can protect himself by saying, "I decline to yield."

The Senator from Florida makes a second point, which is the disputed one, to wit, Can the Senate object to a question being asked; in other words, must there be unanimous consent? The Senator from Florida cites the proceedings at the time of the old force bill on January 20, 1891. Let us get the facts clear as to just what occurred in the Chamber when this question arose and when the objection was made. I will say to the Senator from Florida that he has made a slight error, because in the RECORD the Senator from Florida states that I asked a question of the Senator from Louisiana, which is not the fact, according to the statement of the Senator from Louisiana.

Mr. BRYAN. I think if the Senator will read my statement in the RECORD he will find that what I said was that I did not understand clearly, but that is what I understood, sitting where I am now.

Mr. KENYON. Possibly so. The Senator from Iowa said:

I think that question rests with me. I have been interrupted too frequently in the past to decline now. I am very glad to be interrupted, not for a speech but for a question.

So that the proposition before us is not the farming out of the floor, which we all concede can not be done; not the giving to one Senator the right to make a speech in another Senator's time; we concede that that can not be done; but the line of demarcation is the mere asking of a question or the occupying of such a length of time that in all reasonableness it could be said that, instead of asking a question, one Senator is virtually taking the time of another Senator who really has the floor.

The Senator from Florida takes this one precedent, and the Senator from Arkansas [Mr. ROBINSON], who made the ruling in the chair and has since defended it on the floor, from the proceedings of January 20, 1891, when the force bill was under consideration, and the Senator from Florida said:

The point of order was raised by Senator Hoar, and in a few minutes, after a running discission of four or five minutes, apparently, judging from the RECORD, after the ruling of the Vice President, there was not any question by any Senator, Democratic or Republican, against the rule. They acquiesced in it. They gave it at least their implied approval.

If the Senator from Florida and the Senator from Arkansas had further studied the RECORD, which I assume they did not do, they would have found that on the very next day this question came up, because Democratic Senators were inquiring as to just what this ruling meant. Let us, if we can, as lawyers, get down to the point raised on the 20th of January. Mr. Butler said:

I want the Chair to decide the point of order made by the Senator from Massachusetts, to wit, that one Senator occupying the floor has no right to yield it to another for any purpose—

Notice there the word "it" is used; "to yield it," meaning the floor. It was not a question of simply being permitted to make an interruption. Then there was a short discussion, and the Vice President said:

The VICE PRESIDENT. The Chair is of the opinion that the point of order made by the Senator from Ohio is well taken—

That was that the then Senator from South Carolina should sit down until the point of order was determined—

Mr. BUTLER. Very well, sir. I want that settled.

The VICE PRESIDENT. The Chair is of the opinion that a Senator entitled to the floor can not transfer that right indefinitely to any other Senator.

Mr. Butler was not content with that, but pinned him down to the exact point, and he said:

That is not the point of order.

The Vice President then said—and here is the ruling:

He might transfer it for a question or by courtesy of the Senate or by unanimous consent, but otherwise a Senator on the floor might parcel out the entire time of the session in that way to one Senator after another. The Senator from Mississippi is entitled to the floor.

That ruling was discussed by various Senators, who ascribed a meaning to it in the discussion which I think was erroneous, because the decision seems reasonably clear. I am sure that the distinguished Senator who occupied the chair at the time the decision was made yesterday could not have read the proceedings of January 21 in basing his decision upon this particular precedent. There may be other precedents, but we have not had them, and the decision yesterday was based on that precedent. Now, what occurred on the 21st of January? The debates at that time apparently were very acrimonious; there was a good deal of heat and a good deal of passion over the question of the force bill. I read from the proceedings of January 21, 1891:

Mr. SPOONER. Mr. President, I should like to make an inquiry of the Senator from Maryland.

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Wisconsin?

Mr. GORMAN. If the Senator can have unanimous consent, I will yield.

Mr. BUTLER. I object, Mr. President.

The VICE PRESIDENT. Objection is made.

Mr. SPOONER. The Senator from Maryland may consider that——

Mr. BUTLER. I rise to a point of order.

The VICE PRESIDENT. The Senator from South Carolina will state his point of order.

Mr. BUTLER. The Senator from Wisconsin has no right to interrupt the Senator from Maryland without his consent and without unanimous consent, and I object.

Mr. Gorman, assuming that that was the decision, said:

Mr. President, that was an unfortunate decision yesterday which destroys deliberation in this body.

He was the leader of the Democratic side, and said—

It ought never to have been made. It ought never to be enforced.

Does that sound in line with the statement of the Senator from Florida that this was acquiesced in generally. "It ought never to be enforced," said Senator Gorman, and it never has been until this particular river and harbor bill came before the Senate. Mr. Gorman continued:

I ask now, sir, with a view to fair dealing and intelligent legislation hereafter, that the Senator from Wisconsin may have unanimous consent to ask me his question.

Senator Gorman was conceding that the rule was as claimed now by the Senator from Florida and by the Senator who occupied the chair at the time of the decision on yesterday.

Mr. Sherman said:

Oh, no; I think the rule is a very good one, and ought to be observed.

Mr. BUTLER. I object to the Senator from Ohio addressing the Chair from his seat.

Mr. CULLOM. I object to the Senator from South Carolina. He should take his seat.

Mr. BUTLER. I rose to a point of order. I have a right to do that at any time, and I call the Senator from Ohio to order. I hope he will observe it hereafter.

Mr. SPOONER. I rose, as I had a right to do, and addressed the Chair for the purpose of ascertaining whether the Senator from Maryland would permit me to ask him a question. The Chair in his decision yesterday announced that that was not in violation of the rule and that it did not require unanimous consent.

There was not a better lawyer in this body, I assume, than Senator Spooner. That was his understanding of the rule. Senator Gorman had accepted the other construction.

Again, a little further down, Mr. Blair, of New Hampshire, said:

I rise to a suggestion of order. As I understood the decision of the Vice President yesterday, it was simply that the right of interrupting for the purpose of asking a question could not be so prolonged and abused as to take permanent possession of the floor, and the Vice President ruled that a question such as is ordinarily propounded in the Senate Chamber might be yielded to and a response made to it. I understood that to be the ruling of the Chair.

There was another Senator who had a different view from the one expressed by the Senator from Florida.

Mr. MITCHELL. The Vice President stated distinctly yesterday, in announcing his decision, that a temporary interruption might be permitted, but not to take a Senator off the floor.

Mr. BUTLER. It might be permitted by the Senator having the floor; that was the decision of the Vice President, and that no Senator had a right to yield the floor indefinitely, and he stated the reason why he made that decision.

Mr. Gorman then went on to deal with other matters that were to some extent involved, but I am not going to spend any time on them.

Mr. Morgan, of Alabama, that great Senator from the Southland, did not agree with the construction which the Senator from Florida places upon this matter, and did dissent from any such theory.

Mr. BRYAN. Mr. President——

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

Mr. KENYON. I do.

Mr. BRYAN. Of course I will frankly say to the Senator that I had not read the entire debate.

Mr. KENYON. I am sure the Senator had not, or he could not have taken the position he did.

Mr. BRYAN. But it does not seem to me to be material. What I said was that it went unquestioned.

Mr. KENYON. I am showing that it did not go unquestioned.

Mr. BRYAN. The only way to question it was to appeal from the decision of the Chair, and nobody did that.

Mr. KENYON. Oh, but let me say to my esteemed friend there was not an appeal, as I understand, but the Senators accepted the other view of it, contrary to the theory of the Senator from Florida, as I shall show.

Senator Morgan said:

On yesterday, when we were discussing this question, a matter arose as to whether a Senator might yield to a question without unanimous consent. The Senate virtually decided he could not.

That was Senator Morgan's conclusion. So it shows there was some confusion.

The point was made that he could not yield without unanimous consent, and the Vice President, in delivering his opinion upon that question, avoided the precise point that was raised by the objection that was stated, and went on to say, and to say properly, that a Senator could not yield the floor permanently in favor of another Senator, because, as I suppose the reasoning was, the rules provide that every Senator in this body shall have the right to rise and be recognized by the Chair, if he is the first to address the Chair upon the occasion.

Mr. Cockrell, of Missouri, said this—and I hope the Senator will listen to this statement of Mr. Cockrell if there is any real desire to get at the facts in this matter.

Mr. Cockrell said:

Mr. President, there is another question that was raised yesterday evening and raised this morning. I hope we shall have no misunderstanding about that. The idea of unanimous consent of the Senate for one Senator to interrupt another is a farce. There is no such rule in parliamentary law or in the rules of the Senate. In parliamentary law and by the rules of the Senate the method of procedure is perfectly plain. In the very nature of things, in common sense and common honesty and common decency, no one entitled to the floor and speaking can be interrupted except by his permission or consent. Now, the rule of the Senate and parliamentary law are based upon that principle of decency and honesty; and the rule of the Senate is:

"1 When a Senator desires to speak he shall rise and address the presiding officer, and shall not proceed until he is recognized, and the presiding officer shall recognize the Senator who shall first address him. No Senator shall interrupt another Senator in debate without his consent—

Not the consent of the Senate, but "his consent," the consent of the Senator who is speaking—

"and to obtain such consent he shall first address the presiding officer; and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate."

Then Senator Cockrell and Senator Edmunds had some little talk as to the phraseology in a pamphlet of the Senate, which I think the Senator from Florida or the Senator from New Hampshire possibly referred to yesterday.

Mr. BUTLER. Inasmuch as that question has been decided by the Chair, I shall object to the Senator from Vermont proceeding. I raise the question of order.

Mr. COCKRELL. Having the floor, I yield to the Senator from Vermont.

Mr. EDMUNDS. I am not asking leave to proceed; I was communicating information.

Mr. BUTLER. Then I call the Senator from Vermont to order. I rise to a question of order, and I call him to order.

Mr. EDMUNDS. Now I sit down, and the Senator will state his point of order.

Mr. Butler persisted in the very point that the Senator is now persisting in.

Mr. BUTLER. My point of order is that the Senator has no right to interrupt the Senator from Missouri except by unanimous consent, and I object to his interruption of the Senator from Missouri.

The VICE PRESIDENT. The Chair understood the Senator from Missouri to yield to the Senator from Vermont for a question or suggestion.

Mr. COCKRELL. I did.

Mr. BUTLER. Yes, sir; and I object, notwithstanding the consent of the Senator from Missouri. I should like to have the Chair rule on that point of order again.

Evidently it was not clear as to just what the Chair had ruled.

The Chair ruled on it yesterday evening. I make the point of order that the Senator from Vermont has no right to interrupt the Senator from Missouri except by unanimous consent.

Mr. EDMUNDS. The point of order must be decided without debate, and the Senator from South Carolina has the floor.

Mr. BUTLER. The Chair appealed to me for a remark, and I was making it to the Chair and not to the Senator from Vermont.

Mr. EDMUNDS. The Senator is out of order all the same.

Now, here is some basis for the position of the Senator, which will be swept aside in a moment or two on the explanation of the Vice President.

The VICE PRESIDENT. The Chair sustains the point of order made by the Senator yesterday, which is of the same character as the one made by the Senator from South Carolina to-day.

And in that the Chair was in error, because it was not the identical point. The Vice President then read Rule XIX.

The VICE PRESIDENT. The Chair was evidently in error in his ruling on the point of order made by the Senator from Massachusetts yesterday to this extent, that the rule clearly states that no Senator shall interrupt another in debate without his consent. He modifies his ruling to that extent.

Mr. BUTLER. I did not catch what the Chair said.

The VICE PRESIDENT. The Chair modifies the ruling which he made last evening on the point of order raised by the Senator from Massachusetts to this extent, that it is only necessary to obtain the consent of the Senator who has the floor.

I concede that is not as clear as it might be, but I think he makes it clearer a little later.

Mr. BUTLER. Then the Chair, as I understand, admits that the Chair committed an error in taking me off the floor on the objection of the Senator from Massachusetts.

Then there is some debate that seems to be a little acrimonious; and then Mr. Cockrell says:

There is no question about the decision; and I confess very frankly that in reading in the RECORD what was stated yesterday evening I do not understand that it was the intention, at least, of the Chair to go as far as it was construed.

The VICE PRESIDENT. It was not the intention of the Chair.

Mr. COCKRELL. That is the reason why I call up the question now, because it would be a great outrage on parliamentary discussion if one Senator should not be permitted to ask another Senator a question. That did not have any reference to farming out the floor of the Senate indefinitely. The two propositions are entirely different from each other.

That is the nub of this whole matter.

Mr. Butler was persistent about it. He was not in the chair to decide the question, but he was arguing on the floor.

Mr. HOAR. I was going to ask the Senator if he claimed that one Senator could assign the floor to another.

Mr. BUTLER. I call the Senator from Massachusetts to order, and I ask the Senator to take his seat while the point of order is being decided.

The Chair at that time evidently decided to have this matter settled beyond any question as to what he had held.

The VICE PRESIDENT. The Chair will have his ruling of yesterday read from the RECORD.

The Chief Clerk read as follows:

"The VICE PRESIDENT. He might transfer it for a question or by courtesy of the Senate, or by unanimous consent; but otherwise a Senator on the floor might parcel out the entire time of the session in that way to one Senator after another. The Senator from Mississippi is entitled to the floor."

Mr. HOAR. Does the Chair recede from that ruling?

The VICE PRESIDENT. The Chair does not.

Mr. GORMAN. How is that?

The VICE PRESIDENT. The Chair does not recede from the ruling as stated in the RECORD, which has just been read by the Chief Clerk.

Then the last word that I find here on the subject is this, uttered by Mr. Cockrell, which is a summing up of what the decision of the Chair means, and was apparently accepted by the Senate without question. It is as follows:

Mr. COCKRELL. Mr. President, one word in regard to the rule in regard to questions while a Senator is on the floor. The practice has frequently grown into an abuse by Senators interrogating each other back and forth without permission of the Chair. That has frequently been done. There has been a great deal of latitude allowed in that respect, but still it is not right; and that practice does not make it a rule of the Senate or a precedent which should be followed. The true course is for the Senator wishing to interrupt a Senator on the floor to address the presiding officer, and the presiding officer addresses the Senator having the floor, and, if the Senator on the floor yields, the question can be put.

Now, as to farming out the privileges of the floor indefinitely, it is just precisely like the enrolling of the names of the Senators as those who are to be entitled to the floor. I do not conceive that Senators can go to the Vice President's desk and enroll their names and by that means exclude all other Senators from getting the floor, and I do not hold that any one Senator can take the floor of the Senate and indefinitely hold the floor by yielding it out to other Senators. Extremes are not correct. It has been a universal custom here, and there is no rule against it, that a Senator could yield for a question, and he does yield.

It is the rule for a Senator to yield for a question, or if a Senator wants to make an explanation during the remarks of another Senator. That is always allowed, and it has never required the unanimous consent of the Senate. I know the Senator from Vermont has made explanations while I was speaking, and I have made them while he was speaking. All this is in the interest of the transaction of the public business. I was very glad to find that the presiding officer this morning had made out a statement, without any consultation with Senators, stating exactly the occurrences as they did take place yesterday evening. I am glad that we have the rule in regard to interruptions settled, for it is settled correctly and orderly, that a Senator has a right to rise and address the Chair and ask of the Chair to inquire of the Senator addressing the Senate whether he will yield to a question, and it is only for that Senator to determine whether he will yield or not.

Mr. President, I have hurriedly and briefly read from the RECORD on this matter. I have tried to go straight to the point. There is the decision of the Vice President that a Senator may transfer the floor for a question. There is then the confusion arising because certain Senators construed that in one way and certain Senators in another way. There are the protests against it by the Democratic Senators, that if it were to be construed in the way certain Republicans were contending it would work an extreme hardship. Then there is the Chair restating his proposition. Then there is the distinguished Senator from Missouri summing the matter all up just as I have been contending here; and that ended it, and I think it is safe to say there is no more debate.

When this matter was voted on yesterday, the Senate did not have that information. They only had the information as to the first day's proceedings.

Mr. STONE. Mr. President, I regard this, as I think all Members should, as a very important matter, because of its bearing on the parliamentary procedure of the Senate. I shall have to vote upon it, and therefore I ask the indulgence of the Senate for a short time that I may state the view I entertain with respect to it.

When the question was first raised on yesterday, on the objection made by the Senator from Florida [Mr. BRYAN] to the Senator from Louisiana [Mr. RANSDELL] asking a question of the Senator from Iowa who was then addressing the Senate, I felt, as a matter of first impression, that the Senator from Florida was attempting to carry the rule he was invoking too far. I thought then, as a matter of first impression, that ob-

jection would lie only when a Senator interrupting another Senator who held the floor attempted, on that interruption, to inject a speech in the time of the Senator entitled to the floor. I was sure that it had been ruled more than once that such a proceeding as injecting a speech in the manner indicated was not in order. After listening to the discussion, and particularly to the very clear presentation made by the Senator from Florida, I am now inclined to the belief that his position as announced on yesterday and which he has so ably supported by his speech is correct.

Mr. President, I desire to read three or four lines of Rule XIX, which are applicable to the present consideration, that they may precede what I intend to read afterwards and shall have to say with respect to this matter. I read from Rule XIX:

No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the presiding officer; and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate.

It is the first paragraph of what I have read that relates especially to the immediate question at issue.

I have looked through the very valuable collection of precedents made by Mr. Gilfry as to rulings made by presiding officers, and by the Senate itself, on questions similar to the one now before us, and I will read such of them as seem to be applicable at this juncture.

In the Sixty-second Congress, July 14, 1911, when the bill to promote reciprocal trade relations with the Dominion of Canada was under consideration, the following proceedings were had:

The Presiding Officer (Mr. OLIVER in the chair) ruled that, objection being made, the Senator having the floor can yield only for a question.

The same point was decided the same way by Mr. REED, presiding officer, in the chair July 19, 1911.

On January 20, 1891, I read the following as occurring on that date:

The Vice President (Mr. Morton) decided that a Senator having possession of the floor could not yield it to another unless by unanimous consent.

Here I pause to remark that from what the Senator from Iowa has just read from some pages of the CONGRESSIONAL RECORD of 1891 it appears that at the very last of what he has read from the RECORD the Vice President announced that he did not recede from his position or revoke his ruling. My predecessor, Senator Cockrell, summed up, as the Senator from Iowa said, what had been said in the debate, and stated what had been ruled by the Chair as he interpreted it. That was merely the construction of the then Senator from Missouri as to what had been said by the Vice President, by other Senators, and as to what conclusion had been reached. It was his interpretation and nothing more. But, Mr. President, because that summing up was not further questioned at the moment, it has the effect only, whatever that may be—it is all it is entitled to—of an expression of opinion of that Senator. The Vice President himself said that he had not changed his position or his ruling. The ruling was as I have read it.

Recurring to the Book of Precedents, I find the following entry as of June 3, 1909:

The Vice President (Mr. Sherman) ruled that under the unbroken precedents of the Senate a Senator can not yield the floor to another Senator, except he may yield for an inquiry, but he can not yield to another Senator for a speech, except by unanimous consent.

Mr. TILLMAN. In other words, you take a Senator off the floor if one man objects?

The VICE PRESIDENT. Certainly.

Mr. President, I think that ruling is correct and entirely consistent with the position of the Senator from Florida. In other words, I happen to hold the floor at this moment. No Senator here has a right to interrupt me under the rules except for one purpose. I am speaking now of my own rights as the occupant of the floor. I can not consent; I have no parliamentary right to yield the floor except for one purpose, and that is, if any Senator desires to interrupt me, I may yield to him for the sole purpose of propounding a question to me. I can do that, and that is the only purpose for which I can yield the floor. But, Mr. President, that is a right purely personal to me as the Senator on the floor at this time. I can not yield it to anybody for any other purpose. I can, if I wish, yield it for that purpose. That is the limitation set upon my right as the occupant of the floor by the very terms of this ruling of Vice President Sherman.

But, Mr. President, there are other Senators here; and, as the Senator from Oregon [Mr. CHAMBERLAIN] remarks to me, each Senator present has just as much right, just as high privilege, as any other Senator, whether he is on the floor or not; and while I may, if I wish, submit to an interruption for the sole purpose of asking a question, it does not follow that the Senator from Florida, who has all the rights that I have and is clothed with all the privileges that I am, can not object to the interruption. I think he has clearly shown, in the authorities he has read, not only that there is no rule to the contrary, but that when he makes the objection he is acting absolutely within his rights, just as much as I would be acting within my rights if I should decline to yield. It is a purely personal privilege conferred upon the Senator holding the floor. He may decline to be interrupted in order that a question may be asked him, or he may consent to it; but if he consents, that does not close the mouths of all the other Senators present.

True, a Senator holding the floor may consent that an interruption may be made and a question propounded, for the rule clothes him with the power to decline to yield or to consent to yield. But a Senator holds the floor under the rules and the parliamentary law governing the Senate, and while he can not be interrupted without his consent for any purpose, and can not be interrupted with his consent except for one purpose, he is not the only one having authority to speak. Every other Senator may in the interest of the public business and for the economy of time object to such interruptions, even though the occupant of the floor for the time being may say that he consents. There is no inconsistency——

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON). Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. STONE. In just a second. There is no conflict in the ruling made by Vice President Sherman which I have read with the position taken by the Senator from Florida.

Mr. BRANDEGEE. Right at that point I wanted to ask the Senator, as I was called off the floor for a moment and therefore did not hear his previous statement, for what purpose does the Senator admit that a Senator having the floor may permit an interruption?

Mr. STONE. For the sole purpose of having a question propounded to him

Mr. BRANDEGEE. And that was the purpose of the interruption upon which this discussion is based, as I understand it.

Mr. STONE. As to that I am not informed. That purpose has not been revealed, but for the purposes of this debate I will assume that that was the fact.

Mr. BRANDEGEE. I assumed it was, because a Senator read from the RECORD——

Mr. KENYON. The RECORD states——

Mr. STONE. I do not care to be diverted.

Mr. KENYON. I do not suppose I have any right to interrupt.

Mr. STONE. If the Senator desires to ask me a question, I will yield .

Mr. KENYON. It requires unanimous consent.

Mr. STONE. If it requires unanimous consent, and if any Senator here had objected when the Senator from Connecticut rose to ask me a question, while I could have yielded, as I did, an objection from another Senator would have been well taken. In the absence of objection, there was unanimous consent.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield further to the Senator from Connecticut?

Mr. STONE. I yield.

Mr. BRANDEGEE. I wanted to ask the Senator about that. It is a pure inference, in my opinion, of the Senator's when he says in the absence of objection there is unanimous consent. That is an assumption by the Senator or whoever thinks that it is true. If a Senator can not ask a question of a Senator having the floor except by unanimous consent, how can the Senator who desires to interrupt get unanimous consent? He has not the floor.

Mr. STONE. In the absence of objection, and under the uniform usage and practice of the Senate, it has been permitted always on the presumption of unanimous consent.

Mr. BRANDEGEE. Ah! I agree with the Senator that it has been the universal practice and custom; it was away back in 1891, and from time immemorial had been, as stated by Senators then, that a Senator could ask a question without getting unanimous consent. There is no evidence to show there was any assumption that they proceeded under the rule that the Senator having the floor could give consent.

Mr. STONE. Mr. President——

Mr. BRANDEGEE. I do not care to interrupt the Senator.

Mr. STONE. A Senator having the floor has it for the purpose of debating the question before the Senate. The rule does not say that he may yield solely for the purpose of having a question asked him. The rule says that he shall not be interrupted for any purpose except by his consent. The Chair, however, has more than once decided, and it has become the estab

lished practice of the Senate, or, in other words, the law of the Senate, that the occupant of the floor can not be interrupted except by his consent, and then only that an inquiry may be made of him or a question propounded to him. That is now the settled parliamentary law on that subject so far as the Senate is concerned.

Mr. President, I now read what occurred March 17, 1910, as shown in this same collection of Precedents:

The bill (S. 7242) to protect the seal fisheries of Alaska, and for other purposes, being under consideration.

Mr. DIXON. Mr. President, some years ago the Committee on Territories sent a subcommittee to Alaska, and they made a most exhaustive report on the fur seal. The Senator from Vermont [Mr. DILLINGHAM], the Senator from Minnesota [Mr. NELSON], the Senator from New Hampshire [Mr. Burnham], and one or two other Senators, whose names I do not now recall, composed that committee; and I now want the Senator from Minnesota to make a statement.

Mr. NELSON. Mr. President, in 1903 a subcommittee of the Committee on Territories, consisting of the Senator from Vermont [Mr. DILLINGHAM], the Senator from New Hampshire [Mr. Burnham], the then Senator from Colorado, Mr. Patterson, and myself, were sent to Alaska to investigate the conditions in that country. Among other matters which were investigated was that in relation to fur seals——

Mr. BACON. Mr. President, I rise to a point of order, which is that the Senator from Montana [Mr. DIXON] has no right under any rule or practice of the Senate to hold the floor and farm it out.

The VICE PRESIDENT (Mr. Sherman). The point of order is sustained.

On March 1, 1911, I find that the following occurred:

Mr. Beveridge addressed the Chair.

The VICE PRESIDENT (Mr. Sherman). Will the Senator from Oklahoma yield to the Senator from Indiana?

Mr. OWEN. I yield.

Mr. BEVERIDGE. At this most important——

Mr. HEYBURN. Mr. President, I object to the Senator from Oklahoma yielding.

The VICE PRESIDENT (Mr. Sherman). Objection is made. The Senator from Oklahoma will proceed.

Mr. BEVERIDGE. Mr. President, a point of order.

The VICE PRESIDENT (Mr. Sherman). The Senator will state it.

Mr. BEVERIDGE. I do not want to take up any time at all, but the Chair will find, and I think——

Mr. KEAN. Regular order!

The VICE PRESIDENT (Mr. Sherman). The Senator from Indiana will state his point of order.

Mr. BEVERIDGE. Does not the rule of the Senate provide that a Senator may be interrupted by his own consent?

The VICE PRESIDENT (Mr. Sherman). There is no rule which provides that a Senator can yield the floor to any other Senator in the face of an objection. The Senator from Oklahoma will proceed.

This ruling of Vice President Sherman is directly in point.

Mr. SMOOT. I remember the circumstances very well, indeed.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. STONE. I do.

Mr. SMOOT. I also know what was back of it. The Senator from Indiana intended to make a speech at that time. He did not intend to ask a question, and that was not what he had in his mind. Of course the beginning of what he said demonstrated that he had that purpose. It was not a ruling that the Senator from Indiana could not ask a question. That was not the ruling.

Mr. STONE. The close personal intimacy that existed between the Senator from Indiana and the Senator from Utah would no doubt have enabled the Senator from Utah to understand exactly what the Senator from Indiana had in mind to do.

Mr. SMOOT. The RECORD shows what he had in mind to do.

The PRESIDING OFFICER. Does the Senator from Missouri yield further to the Senator from Utah?

Mr. STONE. I have read the RECORD as set out here. The RECORD I have read does not disclose the purpose of Senator Beveridge. I have not looked at the CONGRESSIONAL RECORD itself to ascertain whether Senator Beveridge afterwards put into the RECORD anything disclosing what his purpose was; but anyhow, whether he did that afterwards or not is immaterial. The fact as shown here is that Senator OWEN was on the floor addressing the Senate on the question then pending, and Senator Beveridge rose and addressed the Chair. The Chair said:

The VICE PRESIDENT. Will the Senator from Oklahoma yield to the Senator from Indiana?

Mr. OWEN. I yield.

Mr. BEVERIDGE. At this most important—

Here he was interrupted by Senator Heyburn, who said:

Mr. President, I object to the Senator from Oklahoma yielding.

The VICE PRESIDENT. Objection is made. The Senator from Oklahoma will proceed.

Mr. BEVERIDGE. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. BEVERIDGE. I do not want to take up any time at all, but the Chair will find, and I think——

Mr. KEAN. Regular order!

The VICE PRESIDENT. The Senator from Indiana will state his point of order.

Mr. BEVERIDGE. Does not the rule of the Senate provide—

This is the question—

Does not the rule of the Senate provide that a Senator may be interrupted by his own consent?

The VICE PRESIDENT. There is no rule which provides that a Senator can yield the floor to any other Senator in the face of an objection. The Senator from Oklahoma will proceed.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. STONE. I do.

Mr. SMITH of Michigan. The Senator from Indiana did not state the rule. There is, of course, no such rule as the Senator stated. It is the very opposite of that. A Senator may not be interrupted when addressing the Senate except with his consent. The way Senator Beveridge put it was that a Senator may be interrupted.

Mr. STONE. That is splitting hairs.

Mr. SMITH of Michigan. There was not a rule of the kind, in fact.

Mr. STONE. Here is what the rule says:

No Senator shall interrupt another Senator in debate without his consent.

Mr. SMITH of Michigan. That is not what Senator Beveridge said.

Mr. STONE. What Senator Beveridge said is not in the exact words of the rule. The Senator stated the proposition conversely, but he stated the rule in substance and effect.

Mr. SMITH of Michigan. It is conversely.

Mr. STONE. He stated the proposition correctly. Senator Beveridge said:

Does not the rule of the Senate provide that a Senator may be interrupted by his own consent?

Mr. SMITH of Michigan. It does not.

Mr. STONE. Of course, the Senator may be able to differentiate between what the rule says and what Senator Beveridge said, but I confess myself absolutely too obtuse to catch his meaning.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield further to the Senator from Michigan?

Mr. STONE. I do.

Mr. SMITH of Michigan. Does not the Senator think that the proposition as put by the Senator from Indiana was an affirmative right? In the other case he might, with his consent, be interrupted, but no Senator has a right to interrupt him under the rule. That is the point I make.

Mr. STONE. Senator Beveridge did not say that. Senator Beveridge said, Does not the rule of the Senate provide that a Senator may interrupt with the consent of the Senator on the floor? And that is the rule. He may interrupt with the consent of the Senator on the floor, and not without it.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Washington?

Mr. STONE. I do.

Mr. JONES. I ask the Senator from Missouri if he attaches any consequence to the language of the Chair, in which, my recollection is, he stated there is no rule of the Senate which permits a Senator to yield the floor in the face of an objection. I understand it is not a yielding of the floor to consent to a mere interruption to ask a question, but it is a yielding of the floor to yield to another Senator to make a speech.

Mr. STONE. That is not what the Vice President said—that he could not yield for a speech.

Mr. JONES. That he could not yield the floor.

Mr. STONE. I read what the Vice President said formerly. It is the fact that Senator Beveridge had addressed the Chair with a view of interrupting the Senator from Oklahoma. The Chair asked the Senator from Oklahoma if he would yield, and he said he would. Under the rulings of the Chair, before this particular ruling was made the practice or rule had been established that a Senator could interrupt legitimately only to propound a question. I do not know what Senator Beveridge intended to do. This RECORD does not disclose what he intended to do. I can rise at any time when any Senator has the floor and say, "Mr. President." The President can say, "Does the Senator from Utah," for example, "yield to the Senator from Missouri?" The Senator from Utah can say, "I yield." Now, presumptively, since under the law governing the Senate I could interrupt him only to ask a question, the Senator and the Senate would have to assume that that was what I arose for. Is not that correct?

Mr. SMOOT. Certainly; it is correct.

Mr. STONE. Very well. Then it must be presumed that when Senator Beveridge arose and went through that verbal

procedure I have quoted the Senate understood he was going to propound a question to the Senator from Oklahoma.

Mr. SMOOT. That is just what I said. The very first words uttered by the Senator from Indiana disclosed to the Senate immediately that it was not a question.

Mr. STONE. Here is what the Senator from Oklahoma said: "I yield." This is the next entry in the RECORD:

Mr. BEVERIDGE. At this most important point—

How did the Senate know what was going to follow? When a Senator rises to propound a question he frames it in his own language.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Washington?

Mr. POINDEXTER. Will the Senator read again the ruling of Vice President Sherman at that time?

Mr. STONE. I will. Senator Kean, of New Jersey, demanded the regular order; Mr. Beveridge said that he rose to a point of order and Senator Kean said "Regular order!" Then the Vice President said:

The Senator from Indiana will state his point of order.

Mr. BEVERIDGE. Does not the rule of the Senate provide that a Senator may be interrupted by his own consent?

There can be no question as to what was before the Chair. Now, the Vice President said:

There is no rule which provides that a Senator can yield the floor to any other Senator in the face of an objection. The Senator from Oklahoma will proceed.

Mr. POINDEXTER. To give a literal interpretation to the language used by the Vice President on that occasion, a Senator could not yield the floor if there is objection. The Senator from Iowa [Mr. KENYON] had the floor—I do not know whether he has it yet or not—on the river and harbor bill. We will assume that he will resume the floor and have the floor. If he can not yield the floor in the presence of an objection there will always be some one here who will object to his yielding the floor. The Senator from Ohio [Mr. BURTON] very likely could keep the Senator from Iowa on the floor for months.

Mr. STONE. Mr. President, I do not want to be diverted by random considerations. I prefer to hold the Senate to the very point. The Senator from Utah said when he was on the floor a moment ago in colloquy with me, and his view was confirmed in a side remark by my friend the senior Senator from Michigan [Mr. SMITH], it was to be presumed that when Mr. Beveridge arose to interrupt the Senator from Oklahoma he was rising to ask him a question in conformity with the rule which forbade him doing anything more than that. At that point Senator Heyburn insisted that he had not any right to interrupt the Senator from Oklahoma, and after some little indifferent colloquy following the Senator from Indiana raised a point of order. The point was whether the Senator from Indiana could proceed to ask his question. I say it was the presumption, and necessarily so, that he was on his feet to ask a question, and when it was put right up to the Chair the Chair held that he could not proceed if objection was made by any Senator on the floor, and directed the Senator from Oklahoma to proceed. I do not see why any Senator would seek to squirm out of this perfectly plain ruling by the Chair, the occupant being a very experienced and able parliamentarian.

Mr. President, my friend from Utah ought to be just as anxious as anybody to have the rules and the law governing the Senate enforced and the precedents of the Senate as established by the rulings of the Chair and of the Senate itself sustained, and this whether they are written in exact words in rules of the Senate or whether the law is established by the ruling of the Chair. They constitute the law governing the body, whether they appear in the one form or the other. I have heard the Senator from Utah declaiming many times in defense of the policy of adhering strictly to the rules of the Senate and the law governing all procedure in the Senate.

Mr. SMOOT. I believe in it.

Mr. STONE. Then the Senator will either have to agree to this ruling or he will have to reverse it at least in his own mind and by his own vote.

Mr. President, I have now read all I care to read in addition to what the Senator from Florida read, and I wish to say that there will be no trouble in practice about this rule if we proceed in an orderly and proper way. Why, this very morning Senators have been interrupted time and again, questions asked, and frequently statements argumentative in character have been made in the time of a Senator on the floor. That has been done always, so far as I know. It will be done in the future, I have no doubt; but, Mr. President, all the time interruptions of that kind, whether for a question or for remarks, are permissible only by the consent of every Senator present. I say by unanimous consent, because under the rights with which every Senator is clothed he could put an end to it by a simple objection, and if no Senator objects interruptions are made and questions are asked and colloquies indulged in.

Mr. President, in the ordinary course of proceeding in the Senate that same practice will be continued. It is the usage by common consent indulged in by consent, but always subject to be terminated any moment by an objection.

Mr. President, there are times when this rule I have been elaborating should be invoked.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Minnesota?

Mr. STONE. I do.

Mr. CLAPP. Yesterday the Senator from Iowa was reading a report that included a reference to the harbor at Boston, in which the report went on to refer to the fact that much of the harbor front was owned by corporations, some by private parties, and a certain proportion by the State. The report indicated that that portion owned by the State had not been used.

It happened to be within my knowledge that during the last two or three years the State of Massachusetts had expended $10,000,000 or $11,000,000 in developing the Commonwealth's pier. It was for the purpose of first getting the date of the report to confirm my belief that the report was an early report, and then to put into the RECORD the fact that the State had developed this pier, that the interruption was made. I can not conceive of an interruption that would be more in harmony with the subject under consideration than that, or one more in harmony with what ought to be the object here of debate, namely, to develop information along the line of the subject. I say that in answer to the Senator's suggestion that sometimes this rule ought to be invoked. It was invoked against that inquiry, and it will absolutely destroy debate in this body if it is the rule of the Senate.

Mr. STONE. It may be that at that time and under the circumstances stated by the Senator from Minnesota the objection should not have been made. The Senator from Minnesota says that the interruption was for the purpose of asking a question to draw out facts entirely pertinent to the measure under consideration. It may be that no Senator ought to have interfered with the propounding of that question or the answering of it; but, Mr. President, that is a question that must address itself to the mind of every Senator here. Hence, I do not enter upon the merits or demerits of the objection made at the time referred to. It is outside the record and is not properly in this consideration.

If the law of the Senate is that any Senator here may object to any interruption attempted by another Senator addressed to the Senator holding the floor—if that can be done, why, then, whether it shall be done, whether the objection shall be made, is a question for each Senator to determine for himself. If the contrary rule is to be the rule of the Senate, then I can rise when the Senator from Iowa takes the floor and say, "I wish to ask a question of the Senator." He will say he yields for that purpose—that is the only purpose he could yield for—and then I start in and ask a question; but I preface the question with a great many suggestions and statements, like whereases preceding a resolution, and finally get down to the question. I may say, "I desire to ask a question, and in order that it may be perfectly clear to the mind of the Senator from Iowa I wish to say this or that as preliminary to and as a part of my interrogation," and I may go on at more or less length. Some Senator objects, and I say, as in the case of Senator Beveridge, that the Senator has a right to yield to me to ask a question; that it is his personal privilege to yield to me to ask a question; and, Mr. President, I may say that I am asking my question. But some Senator may say, "You are exceeding the limit of a mere question; you are embarking upon a speech." Well, I can deny that statement; I can join issue upon it. How are you going to settle it? Submit it to the Chair, and let the presiding officer say whether or not I am asking a question or making a speech? When has our presiding officer been clothed with that power? There is not a Senator here who would be willing to clothe the presiding officer with that sort of judicial authority.

But suppose the presiding officer should decide it; that he should take it upon himself to say to me, "The Senator from Missouri is transgressing the rules of the Senate; he can ask a question, but he can not make a speech, and the Senator is making a speech." On such a point of order, if it should be made, we could debate as long as the presiding officer cared to hear from Senators on the point of order, and after he decided it an appeal from his decision to the Senate could be made, and the field again opened to debate—to interminable debate.

Mr. SMOOT. Unless it is moved to lay the motion on the table, as was done in this case.

Mr. STONE. Then you could have a yea-and-nay vote, and if a majority vote "no" on the motion to table, the debate could go on on the appeal, and there would be no limit to it. Mr. President, the position taken on the other side of this question is wholly impracticable from the point of view I have outlined.

Mr. President, I say there are times when these drastic rules—and they are the rules or the law of the Senate—should be invoked. This is one of those occasions. Whenever it becomes perfectly manifest that several Senators have banded themselves together to use dilatory or filibustering tactics to defeat a bill, and carry on that filibuster for days and weeks, I think other Senators on the floor should stand for their rights; and wherever their rights are protected by the rules of the Senate, those rules should be invoked.

Mr. President, here is a bill, the river and harbor bill, carrying very considerable appropriations to improve the rivers and harbors of the country, for the purpose of carrying on projected improvements already in process of construction, and where, if this bill fails, enormous loss will result to the Treasury of the United States and unspeakable damage be done to works the Congress has authorized and projected. The hands of the Government will be tied, and the Government will stand by helplessly looking on at the waste that is going on. Not a dollar can be taken from the Treasury to carry forward improvements which have been authorized, nor even to protect for the time being the work already done.

Mr. President, it has been astonishing to me that three or four Senators should put themselves in this strange attitude of strenuous, persistent, and uncompromising opposition to this great measure of such wide national importance. There is not a State in the Union that is not deeply interested in it; the commerce of the world is deeply concerned about it; yet we find a little coterie of Senators here, whose names can almost be counted on the fingers of one hand, banded together to defeat this measure, to strangle it, to destroy it. I do not think that that is a legitimate procedure. I think Senators have a right to censure it, as I think the country will censure it, for, Mr. President, I believe it to be true, I am confident it is true, that two-thirds or three-fourths of the Members of this body are anxious to have this river and harbor bill enacted into law.

Mr. President, the Committee on Commerce has already agreed, and I think Senators generally have agreed, to reduce these appropriations, and they have been trimmed down some $18,000,000. There were no doubt good reasons for doing that. I think one of the reasons, though a minor one, was to try to induce the filibusterers to withdraw their filibustering and put an end to it, in order that the bill might go through.

Another reason was that the passage of this bill has been so long delayed that the amount of money originally carried can not now be advantageously expended during this fiscal year. Another reason is that since this bill was framed in the House of Representatives international crises have arisen that have laid an unusual stress upon the financial resources not only of this country but of every country in the world; and the honorable and enlightened membership of the Commerce Committee felt that it was well enough, that it was wise, to hold these appropriations down as far as it could be done without absolute detriment to the public service.

Now, what do we face, Mr. President? There is going around in the way of a rumor through the Senate Chamber that word is brought from the conquering heroes who are in the breach making war upon this appropriation bill that if the amount carried by it shall be reduced another $20,000,000 they will consent to its passage. Consent to its passage! Why, Mr. President, suppose we should run up the white flag and surrender, suppose that two-thirds or three-fourths of the membership of the body should lift their chapeaux and salute these conquering heroes and say, "We will take whatever you think the Government and the Nation ought to have, and we do it because a half dozen of you can block the business of the Senate and prevent action upon this important measure." Well, suppose we do run up the white flag and lay down our arms and our rights and surrender, then what? That inadequate appropriation of fifteen or eighteen million dollars would be made subject to the disposal of the Secretary of War and the Board of Army Engineers. They would parcel it out and distribute it. We would, at the dictation of this coterie surrender the legislative right we have long exercised to enact such laws as the majority of the Senate desire enacted, surrender the right to say what money shall be appropriated and how it shall be disbursed and for what purpose used, and turn all this over to an executive department. Mr. President, I can not bring myself to look with favor upon such a proposition.

Furthermore, the fifteen or eighteen million dollars which would be thus appropriated under that surrender would cover simply the work to be done from now until the 1st of next July, the end of the present fiscal year; and at the next session of Congress, which will assemble in December—now only two and a half months away—all the appropriation bills for the next fiscal year will then have to be passed within the three months of that session.

Mr. SMITH of Michigan. Within practically two months.

Mr. STONE. My friend from Michigan says in practically two months, for if we should adjourn for 10 or 12 days during the Christmas holidays, as has been the custom of the Senate, there would be not exceeding two and a half months of actual working time that could be devoted by the Senate to the passage of all the supply bills for the ensuing fiscal year beginning next July. How easy it would be for this same little coterie of patriots to get in the breach again and tell us just what we might or might not do—just how much we might or might not appropriate.

Mr. President, I have great personal respect for these distinguished Senators, but I can not approve of that attitude which they seem to assume of baring and exposing their white and stainless breasts against an onrushing horde of Treasury looters, composed of about three-fourths of their colleagues in the Senate, the Secretary of War, and the Army Corps of Engineers, who have recommended these appropriations. Mr. President, when Senators assume such an indefensible position as that they in effect advise——

Mr. SIMMONS. Mr. President, does the Senator lose sight of the fact that the Senators on the other side, of whom the Senator is speaking, who have been for the last 10 or 15 days assailing the Army engineers, are now proposing to rest all power and put all confidence in the Army engineers?

Mr. STONE. I think that a very pertinent interruption.

Mr. President, I was about to remark that when Senators assume this lofty position to which I have adverted, I can not escape the feeling that they are afflicted with a most exaggerated sense of egotism or else with some other mental abnormality or disease. I can not understand why they alone should assume to stand as the open-mouthed and long-fanged watchdogs at the door of the Treasury to bark at and frighten the remainder of us away. I can not believe that they alone of all Senators have a proper conception of public duty. Perhaps I had better not proceed on this line much further, Mr. President, for fear I might say more than I ought to say; but when we confront a situation of this kind fully developed, as this has been, and when we see Senators pile books on their desks as high as their necks and read volume after volume, taking up days and days of valuable time, I feel that they are engaged in a business that will disappoint them if they think it will appeal to the respect and approval of the American people. It will not so appeal to them, Mr. President, and it should not.

They have devoted themselves here for hours and days at a time picking out an item here and an item there to ridicule and to scorch with their burning sarcasm. Why, Mr. President, I have been a Member of the House of Representatives and of the Senate for nearly 18 years, and I have many times seen some man who suddenly discovered that he had been raised up by the eternal powers, as it were, to occupy a position at the bridge like Horatius, to beat back the oncoming hordes. I have seen that very often, and one or two bills of this kind have been defeated, but nobody ever received any great applause for it. Mr. President, this may be statesmanship, but it is a cheap kind of statesmanship, and it does not appeal to the judgment or the approval of the American people, and so I say that when we confront a well-developed situation like this, I believe that every Senator here should invoke every rule and law governing this body that will facilitate the legislation upon which we are engaged.

Mr. KENYON. Mr. President, it is very delightful to listen to a lecture on filibustering from the distinguished Senator from Missouri. In the year 1908 a well-organized filibuster was being conducted in this Chamber, and, according to the CONGRESSIONAL RECORD, the Senator from Missouri seemed to be one of those heroes who was standing at the bridge and carrying the flag.

The Senator objects to books being piled on the desks of Senators; he seems to object to the speeches we have been trying to make, although he has not been here to listen to them very much—and he has undoubtedly been wise in that respect—he preaches to us about filibustering, about reading documents, about saluting heroes, and about filibustering tactics. I want to refer to the CONGRESSIONAL RECORD of 1908, May 30.

At that time a filibuster was going on against the Vreeland-Aldrich bill, which was claimed to be a Republican child, but which is now hugged to the bosom of our Democratic friends to save the country. It is so easy to criticize men who are trying to do what they think is right and to assume a tremendous superiority in making assertions as to what ought to be done. I assume the Senator from Missouri was doing what he thought was right along in those days of 1908 when he was helping the Senator from Wisconsin [Mr. LA FOLLETTE] in a filibuster, and he has no more right to find fault with us than we have to find fault with him about that matter, unless it is another case of exaggerated egotism.

I am inclined to think—

He said—

that some Senators even have that impression—

That is, as to a filibuster.

They act as if they had, and speak as if they had. So far as I am concerned, I have no desire to engage in methods of that kind or to unduly delay the Senate in the transaction of its business. But I do think that this is a measure which ought to be very deliberately and exhaustively discussed. The attention of the country ought to be fixed upon it and it ought to be thoroughly understood by the people everywhere. It is a piece of vicious legislation, the worst we have had before the Congress for many years.

In this case we think just as the Senator from Missouri then said, and we have the right to think so, too.

Besides reading books, and thus delaying the proceedings of the Senate, the Senator read a long article from the Philadelphia North American, on page 7228, taking up some two columns with it. He read these articles in such a low tone of voice that there was objection in the Chamber, and he invited Senators to come nearer, if they could not hear him. Then he went on with this standing at the bridge against this legislation. He read articles from the Evening Post of New York of the 28th of May, the Philadelphia Record of May 29, delaying the passage of a great measure that a great majority of the Senate wanted; some observations from Alexander Hamilton; some observations from the testimony of Mr. Dawes before the House Committee on Banking and Currency; other observations by Mr. Hopkins, that took up part of a page of the RECORD.

Then, in order to enlighten the people on this matter, he read something concerning the Argentine Republic. How perfect an example of a filibuster such as he says we are conducting! What did the Argentine Republic, and the statistics thereof, have to do with that matter? The Senator placed in the RECORD the gold and the silver and the bronze and the notes of Australia and New Zealand. So he goes on, with tables, as appears in the RECORD; and away down on page 7239, or before that, he takes up China and enlightens the Senate for hours in reading documents about the financial situation in China. The Senator had better practice some of the preaching that he is dealing out here to gentlemen who are trying to do their duty as they see it just as much as he was doing his duty as he saw it.

Mr. BRYAN. Mr. President——

Mr. KENYON. I yield to the Senator from Florida.

Mr. BRYAN. Has the Senator read that speech yet—in connection with the river and harbor bill?

Mr. KENYON. No; I think I have not taken as much time, likely, as that speech would take. I am not certain as to that.

Mr. STONE. If the Senator will permit me, I will say—does the Senator object?

Mr. KENYON. I do not object.

Mr. STONE. Then I will proceed by unanimous consent.

Mr. KENYON. I hope so.

Mr. WILLIAMS. I object. [Laughter.]

Mr. KENYON. I suppose the Senator from Mississippi is trying to get the floor to make a speech; and therein, possibly, is illustrated the value of this new rule.

The Senator from Missouri, who has administered this cutting, cutting lecture to us this afternoon, that almost stops our blood, on filibustering—oh, the farce of it!—he brought in Japan. Now, if I wanted to filibuster here I would read what the Senator said about Japan. There is not a smarter man in the world than the Senator from Missouri, nor a more likable man; and when anybody talks about filibustering he has a right to stand up and say, "I am the original man who stood at the bridge. No white flag."

Next, he brought in Japan—two columns of that in fine print. Then, when there seemed to be a little irritability, he said:

I am endeavoring now to put some matter into the RECORD for the use of the Senate itself a little later on. Presently I will take up the particular features of the bill.

He had not reached the bill, but he had traveled from China and Japan and all around the world. Filibuster! Why, bless your dear old soul, you are the king filibuster of the United States! [Laughter.] Missouri ought to be proud of you. We are proud to live in a State adjoining the State of a man who could filibuster against a bill like this, which the Democratic Party now have had to say is our salvation.

Articles were read denouncing this bill as a Wall Street proposition. Then, after getting around to China and Japan on this filibuster, the distinguished Senator went to Persia, as appears on page 7241 of this RECORD, and here is a sample:

Introductory. For a long series of years the value of the circulating medium in Persia has been on a more or less continuous decline.

Think of this Senate, anxious to pass this bill, with but little knowledge about Persia—how much better a position they were in when they were enlightened by the Senator from Missouri about Persia!

There are some columns of that; and then, on the next page, there is something that has not any head to it. Ah! in this filibuster we come next from Persia to Peru—a little Peruna! [Laughter.] So we are enlightened as to the system of Peru. "Show us, show us"—the motto of the Senator's State!

From Peru we come, in this interesting filibuster against this money bill that now you are adopting, to Portugal; and there we hold the flag of Portugal, and set forth the system of Portugal. I can hardly stand it to see a little coterie of men who think they have all the virtue of the world standing in Portugal and blocking a great financial measure.

I am not going to pursue that further. What I have had to say has not been in any spirit of criticism. The distinguished Senator from Missouri stood with the distinguished Senator from Wisconsin, and he stood for what he thought was a righteous cause. If some one had arisen here and talked about "exaggerated egotism" in the Senator holding the floor and conducting a filibuster, I wonder if he would have thought it was a very kind reference?

In the House of Representatives some years ago a Congressman, I think from the State of Ohio, who was accused of filibustering, said: "Where fraud is law, filibustering is patriotism"; and I doubt not the Senator felt that way about this filibuster as to the money bill.

The Senator is wrong in some things, as he seldom is. We have not tried to destroy this bill. I do not know that I am one of the Senators to whom he refers. I hope not, because I really felt that the speech I was making was interesting. I had prepared matters that I wanted to put in the RECORD. I have not been guilty of taking much of the time of the Senate in the past, and am sorry that my distinguished friend has thus assailed the men who are trying to stop wasteful expenditures. They are not trying to beat this bill; and if he says some message has come of a compromise, possibly that may be so. We want every needed project carried out; but we have a right to protest here, without any egotism about it, against the use of public money in some of the streams and creeks and harbors that are provided for in this bill. I know enough about the efficient public service of the Senator from Missouri and his honesty to know that while he believes in the good projects of this bill, as we do, if he studied them, and if he would get out of his heart the rankling and ill-feeling that I am sorry to see there——

Mr. CLAPP. It is only there accidentally. It does not belong there.

Mr. KENYON. My confidence in him is such that if he studied this bill I do not believe he would denounce us for trying to stop some of the expenditures therein, especially at a time of great national emergency.

Mr. STONE. Mr. President, I have said all that I care to say on the matter immediately before the Senate; but, if I may, I should like to make a remark with reference to the speech the Senator from Iowa has referred to—made by me some years ago—and which he characterizes as a filibuster.

Suppose I should plead guilty to the charge of filibustering; and I am not guiltless in that behalf, I frankly confess. But, Mr. President, without at all attempting to draw any contrast here between that situation and this, without entering upon the merits of the bill then before the Senate and this bill, or what I did at that time and what these Senators are doing now, it is sufficient to say that, if I were filibustering at that time in order to defeat the measure then pending, it was within the province of the Senate or any Senator to put an end to that filibuster. Perhaps I am stating it too strongly when I say "put an end to the filibuster." The Senator from Iowa can hold the floor as long as he has strength to do it, as I could have done, and no one can deny that right to him. I could

hold the floor, if I were filibustering, then or now, as long as I pleased after I obtained it, so long as the rules of the Senate were observed; but that is wholly foreign to the question before the Senate now. The question here is whether a Senator having the floor can yield for an interruption by another Senator, with or without his consent, if any Senator objects.

As to the merits of filibustering, particularly in this case, I have said all I wish to say. If on the occasion referred to I had attempted to yield to any Senator who rose to interrupt me, it was within the right of any other Senator present to have objected, just as has been done here at this time.

Mr. WILLIAMS. Mr. President, although this bill is of the very utmost importance to the commercial and industrial interests of my constituents, I have not hitherto taken any of the time of the Senate to express any opinions of mine in connection with its consideration.

The press of a good part of the country is engaged in the business of denouncing river and harbor bills as "pork-barrel" bills. The river and harbor bill is one of the very few bills ever passed by the national Congress which is not a mere expenditure of the public money. In a majority of the cases the items carried upon rivers and harbors bills are an investment for the people, and not merely an expenditure—an investment which yields rich dividends for all future time.

Mr. President, this being true, and this bill being of especial importance to my section of the country, I am naturally a little impatient when I see that Senators have consumed about two weeks of September now, and threaten to consume later all of October and November. These three months are the part of the year when the weather is good and when work can go on upon the levees and in connection with the other work to improve the Mississippi River. This time has been and will be consumed in talk before the Senate. The Senator from Iowa tells us that his object is merely to amend this bill and make it better. If that statement of the Senator from Iowa could be taken at its face value, then he would have pursued a different course. He would have pursued the ordinary course. This bill would have been read, and then read for amendment, and as each obnoxious item was reached the Senator from Iowa and the Senator from Ohio would have moved to strike out or amend, and made their speeches in opposition to its enactment.

I tell the Senator now that if he or the Senator from Ohio, either one, points out an item upon this bill that ought not to become a law, I for one will vote against it and will vote to put it off of the bill. How many other Senators will do that I do not know, but I know that there is a natural assumption that every Senator who does his duty will do it.

Speaking for myself alone, I think there are items upon this bill, as upon every river and harbor bill I ever saw, which ought not to be upon it, and the right thing to do is to take the bill, item by item, and prune it and make it right. When you come to an item that ought not to be upon it, strike it off. But that does not justify Senators in striking at the items which ought to be left upon it, because they are not only for the immense benefit of the people but in many instances absolutely necessary to be done. The Senator can not stand before the country, after all this long talk in conjunction with about four other Senators, and say that his sole object has been to better this bill, to amend it, to make it right, and to prune it. He has not tried to prune the tree; he has tried to cut the tree down at the roots—a totally different proposition.

Mr. President, what is the present ridiculous attitude of the United States Senate?—because it is nothing short of ridiculous. Here is a Senate, with not only two-thirds, but probably three-fourths and maybe more than that proportion, of its Members in favor, in the main, of this bill—not in favor of every item upon it, but in favor of the bill generally and its main object—and they are being held up by a number of Senators that you can count upon the fingers of your right hand. They are being told, "We propose to fight against this bill, to read books and to speak until you agree to let us mold its provisions to suit ourselves." Senators do not come forward and make propositions to strike out this item, to amend that item, and leave the issue to the good sense of their colleagues; but they come forward virtually with this proposition: "Unless you accept this bill as we would frame it, you shall have no bill at all."

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. WILLIAMS. Yes.

Mr. POINDEXTER. I should like to ask the Senator if this bill had been made the unfinished business and a recess taken from day to day, as has been done during a considerable period of time, and the managers of the bill had kept it before the Senate to the exclusion of other business, would it not have been passed by this time?

Mr. WILLIAMS. I think so; but I will come to that, too, in a moment.

As I said a moment ago, the Senator from Ohio and the Senator from Iowa are not proposing to appeal to the reason and the common sense and the patriotism and the sense of justice and the sense of economy of their colleagues in the Senate to strike out bad propositions, to amend defective propositions, and to make the bill good and right. They are proposing, upon the contrary—and we might just as well be frank about it—to say, "Unless you let us fashion this bill, you shall not pass it." That is all.

As far as I am concerned, I say to those Senators, "The Senate of the United States has the whip handle, and that if the majority in the Senate have the common sense and the courage to use the whip you will not fashion this bill, but a majority of the Senate will fashion it."

Coming to the point made by the Senator from Washington [Mr. POINDEXTER], I want to say that the majority of the Senate is not going to fashion it if we continue to pursue the methods we have been pursuing.

The Senator from Ohio and the Senator from Iowa, with a little bit of outside help, can talk from now until the next Congress as long as you meet here in the morning at 11 o'clock and adjourn at 6 in the afternoon, or even if at 6 in the afternoon you should take a recess until 8 and come back and go on until 11 at night and then adjourn until the next morning. All they have got to do in the world is to have a little time between 11 o'clock at night and 11 o'clock the next morning to look into the encyclopedia or the dictionary or the CONGRESSIONAL RECORD and find new mental pabulum. They do not care anything about the character of the mental pabulum, just so it is something that will carry them on. The Senate has the whip handle, if the Senate will use it; and, as far as I am concerned, I say, either use it or quit. Go frankly to the two Senators and say: "Here; fashion and mold this bill to suit yourselves, and let us have what you will grant us"; or else, upon the other hand, let these Senators see that the Senate is greater than they.

The Senator from Ohio, in making his speech the other day, in accounting for the war in Europe, said that it was partially due to the fact that there were still some kings and emperors who thought they were the state. There are still some Senators who think they are the Senate; but the Senate can teach them better if the Senate will. The Senate can not teach them any better if the Senate will not, or if the Senate wills not aggressively to do it. The only way under the sun to do it is to pass a resolution in this body to stay in permanent and perpetual session until this bill is passed. Do not give the filibustering Senators from 11 o'clock at night until 11 o'clock the next morning to hunt up new pegs whereupon to hang verbiage, or to rest even. Do not let anybody interrupt them. Let them talk until they drop upon their seats. Let them talk until their mouths are so dry that they can not utter another word.

I said when the banking and currency bill was under consideration, I believe—or maybe it was the tariff bill—that the only way to bring the Senate to an issue was to "wear the talkers out." They can be worn out, and after a Senator once takes his seat that rule of the Senate can be invoked against him which prescribes that he can not speak twice the same day upon the same subject; and if we do not take any recess and do not adjourn we will have the same legislative day all the time, and they can not speak twice on that legislative day. So that when Senators get through with probably a 16-hour speech apiece, which makes only 32 hours, they are done so far as speeches upon that bill are concerned. They have a right to speak upon any amendment when it comes in. Carry the thing through in that way or quit it, one way or the other. The country is getting tired of it. We are becoming ridiculous.

I want the rivers and harbors bill passed. Back of the levees in the lower Mississippi Valley are lives and property and stock, and the beautiful months of September and October and November, which are dry with us, and the months when the work can be done upon the river, are being talked away in the Senate of the United States. That is the reason why hitherto I have not opened my mouth, though I should like to talk about several items in this bill. These months are being talked away. Life is nothing; property is nothing; the commerce that may next spring and summer be interrupted by the flood is nothing, in comparison with the magnificent opportunity which Senators have of showing scant general information upon matters contained in the dictionaries and the encyclopedias and the general current literature of the country, as well as the classical literature peculiar to this race and probably other races later on.

I want to serve notice that you Senators favorable to this bill must meet the issue, if you are going to meet it at all, right, and nothing will meet it except a continuous session of the Senate. Then let Senators who say they want to trim and prune the bill when they get to the obnoxious items of this bill make their attacks upon them. I for one will vote against any item in the bill when the Senator from Ohio, for whose opinion upon river and harbor matters I have much respect, or any other Senator, convinces me that that item ought not to be in the bill. I for one will vote to amend any item which goes too far or does not go far enough; but I am not willing to see the great development of the country in connection with great and much-desired projects defeated because the bill is not a perfect specimen of human infallibility. What bill ever was? There never was a river and harbor bill presented in my twenty-odd years of public service, every item of which I could indorse, and I do not suppose there ever will be one, although, perhaps, some of the items I did not indorse were wise, and I merely thought they were not. But the right thing is to leave each item on its merits to the judgment and sense of the Senate.

Now, Mr. President, upon the point of order, I very much doubt as to whether the existing precedents go so far as to require unanimous consent for a Senator merely to ask a question, but this is a self-governing body, and this body has a right to make a precedent to-day as well as it had a right to make it 10 years ago. In the interest of the dispatch of business I am ready to make the precedent if it does not already exist. The precedent already exists clearly to the effect that one Senator can not interrupt another for an "indefinite" statement without the consent of the Senate. A former President of this body used this language:

> A Senator can not transfer that right indefinitely to any other Senator.

That is, without fixing a definite term or for a definite purpose. That President seemed to think, however, that if a Senator rose to ask a question that that was therefore not an indefinite but a definite interruption; that the unanimous consent of the Senate was not necessary. The argument is now made that asking a question stands upon no different footing from making a statement. I rather think it does stand upon a different footing, but just as that precedent was made that day, I propose also, by the vote of this self-governing body, to make another to-day, and one to be observed in the future, and that is, that there shall be no interruption of a Senator, when it appears clear to a majority of the body that the object of the interruption, or yielding to interruption, rather, is delay, shall be permitted until that spirit and intent disappear.

What I want to impress upon Senators upon this side and Senators in sympathy with this bill is that you can not do a thing in the world to overcome the present attempted obstruction except by a continuous session—no adjournment, no recess—until this bill has been voted upon, either voted up or voted down makes no difference, after considering each item. That is the only way you can put this bill through.

Do that or surrender. Do one or do the other. Do not let us permit ourselves to be made ridiculous.

I remember upon a former similar occasion somebody resented the language which I used, that we were going "to wear Senators out." The only way to bring an issue in the Senate, unless there shall be a change of the rules, is to wear Senators out when they are talking simply to obstruct. There ought to be a rule here that whenever two-thirds of this body or three-fourths or some other fraction shall vote to fix an hour and a day for a vote that that hour and day shall be considered as fixed, provided the requisite number vote for it. I am not in favor of a cloture of debate by a mere majority. As long, however, as the rules are as they are now there is no way of bringing a termination to debate where men do not want to terminate it except the brutal method of "wearing them out." You might as well make up your mind and proceed to wear them out. If not, surrender on the best terms they will give you. Which course do you choose? For my part, I choose rather the former.

Mr. BRANDEGEE. Mr. President, I do not care to discuss the river and harbor bill, and I am only interested in observing what I consider to be the rules of the Senate, and in not allowing myself, by any interest that I may have in the passage of the bill, to create what I think would be a bad precedent, because I know that hard cases make poor laws and poor rules. I do think that it is of some importance that Senators should be consistent in their interpretation of the rules and not make them and break them under excitement or pressure of partisanship or of anxiety to get appropriations. The rules of this body are just as important to the country as the laws of the country, because it is by the observance of the rules that the laws are made; and if you can break the rules with impunity you can make laws that otherwise would not be made.

Mr. President, this question is not entirely without difficulty, in my opinion. I am not at all so absolutely certain of the opinion which I entertain as to attempt to administer any lecture to other Senators who are just as well qualified as I am to construe the rules, but I am inclined to think the construction placed upon this Rule XIX, as evidenced by the actual daily practice and procedure of the Senate, can not fail to be a great value in its determination.

Mr. President, I do not consider the alleged precedent which is referred to in the ruling of the Vice President in 1891, which has been read to the Senate, to be a precedent in this case. I do not think that the Vice President at that time was clear in his own mind upon it, and I think that not only the ruling as made upon the point of order as then raised but his vacillation in explaining it on the succeeding day, when it was again called in question, are clearly indicative of the fact that the Vice President himself was not clear in his opinion.

I infer from what the Senator from Mississippi [Mr. WILLIAMS] has said that he is one of those who, acting under the spur of some resentment at what he regards as the length of time consumed by Senators who are opposing this bill or some features of it, is prepared to create a precedent in this body not based upon his sober judgment and his actual belief. Indeed, he states perfectly flatly that he does not think it requires unanimous consent of the Senate to interrupt a Senator, and yet he says he shall vote the other way on the question.

I am perfectly well convinced that if the Senate, after the debate which it is having to-day and which it did not have yesterday when it laid an appeal from the ruling of the Chair upon the table—if it shall, after this debate to-day, decide to put it within the power of any one Senator to compel the Senator who has the floor to keep on talking continuously and to prevent the slightest interruption by other Senators, even with the consent of the Senator who has the floor, that that rule and that ruling will many times return to plague the Senators who may think now that it is advantageous to put that construction upon the rule.

Everybody knows that if that rule is enforced, and if it is not to be enforced it should not be adopted, the proceedings of this body will consist in the various Senators standing up here single and alone and making their speeches, many times upon false premises and upon mistaken understanding, going on for hours when the slightest correction or calling the attention of the Senator who is making the speech by one of the Senators that he was proceeding under an utterly false impression would save the Senate hours and hours of time. Yet, under the precedent which was established yesterday, if it was established definitely, and which some Senators propose to establish to-day, it puts it within the power of any Senator who is bent upon making trouble or who thinks that he can get an advantage by using that method to sit here and object every time any Senator in good faith stands up and desires to ask a simple and a harmless and, possibly, an informing question, as the Senator from Minnesota [Mr. CLAPP] asked yesterday simply for the purpose of identifying a document which had been quoted by the Senator who had the floor. I say the Senator from Mississippi admits that, even if the Senate establishes this precedent, it will not prevent any filibuster.

The Senator admits that any and all Senators can take the floor one after the other and hold it as long as their physical strength endures. Then how does it serve to stop a filibuster to deny a Senator the right or the privilege of asking a question when the Senator who is making the speech is perfectly willing to have him ask it, and he might get information from him? It would not stop any filibuster.

Of course I do not defend and I never have exercised or employed that method. I do not defend Senators taking the floor and allowing, call it by what name you may, some other Senator to get up and talk half an hour in his time. I do not think he has any right to do it, and I think there is great confusion of thought as to what the ruling of the Vice President was, not only in his own mind and as has been sought to be interpreted here now. In the first place, what does the rule of the Senate provide?

The PRESIDING OFFICER (Mr. LEWIS in the chair). Will the Senator from Connecticut permit the Chair to ask who was the Vice President at that time?

Mr. BRANDEGEE. The ruling was made in 1891, and I assume it was Vice President Morton, who was elected with President Harrison.

In the first place, I wish to call attention to the fact that in 1881 the rule was different from what it is now and what it was when the ruling was made in 1891.

The rule in 1881 was Rule XXXVIII, and provided:

The presiding officer shall name the Senator who is to speak, and in all cases the Senator who shall first rise and address the Chair shall speak first. No Senator shall speak to or interrupt another Senator in debate without his consent; and to obtain such consent he shall first address the Chair.

Before that rule or any rule which preceded it on that subject was adopted, one can easily picture what the practice was. The Senate was a very small body, and the procedure was much more informal. No doubt the Senator who had the floor and was talking was addressed personally many times by Senators who without addressing the Chair and without addressing the Senator who had the right to the floor and the sole right to speak rose and interjected remarks and talked to the Senator, and the rule was adopted to prevent a Senator even from speaking to a Senator, and he could not be interrupted without his consent.

Now, having passed a rule that a Senator should not be interrupted without his consent, and then having proceeded to provide how his consent shall be obtained, it can not be said that, having pursued the method provided and obtained the consent of the Senator, even then he could not interrupt him to ask him a question unless he got the consent of every other Senator. That construction would seem to me to be absurd. If the Senate intended or if the rule had intended that no Senator should interrupt another Senator without getting the unanimous consent of the Senate, it would have said so. The man who drafted the rule knew perfectly well what unanimous consent was, but instead of prescribing that unanimous consent was the process necessary to get the right to interrupt a Senator it is claimed that they provided that the Senator holding the floor must consent, and then left something else to the imagination or provided that even after the method laid down had been pursued successfully, then it could be rendered abortive by something not stated in the rule.

What was the ruling of Vice President Morton? Vice President Morton ruled, on page 1567 of the CONGRESSIONAL RECORD of January 20, 1891:

The Chair is of the opinion that a Senator entitled to the floor can not transfer that right indefinitely to another Senator.

What right? The right to interrupt anybody? Why, no. The right to have the floor. The other rules of the Senate provide how a Senator shall obtain the floor. Senator Butler said, "That is not the point of order," and the Vice President then said, "He might transfer it for a question or by courtesy of the Senate or by unanimous consent; but otherwise a Senator on the floor might parcel out the entire time of the session in that way to one Senator after another. The Senator from Mississippi is entitled to the floor."

He says he might transfer it. What? The floor? I do not think the Senator can transfer the floor to anybody, and I think the Vice President was clearly wrong in that. I do not think he can do it by the courtesy of the Senate. The Senator "having the floor," if that means anything, has the right himself to speak, and I do not think he can transfer the floor to anybody else and still hold it himself. If he has transferred it, he has lost it. If I have got the floor I can not transfer it to another Senator by courtesy of the Senate or in any other way. A Senator must obtain the floor himself by addressing the Chair and being recognized according to the rule; the floor can not be passed or "yielded" by one Senator to the Senator of his selection.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Missouri?

Mr. BRANDEGEE. Certainly.

Mr. REED. Does not a fair reading of the RECORD in the case the Senator is now discussing disclose the fact that Senator George had the floor, that Senator Morgan desired to get the floor to make a speech, that Senator Butler also desired to get the floor to make a speech, and that Senator George actually endeavored to turn the floor over to one or the other of these gentlemen, and the controversy at that time arose squarely over the right of the Senator having the floor to recognize another Senator, in effect, and permit that Senator to take the floor, instead of the Senator getting recognition from the Chair? Is not that what the RECORD discloses?

Mr. BRANDEGEE. I think that is substantially correct. It extends over quite a number of pages here. My recollection of it is, to be precise, that Senator Butler got the consent of the Senator who had the floor and had had the reading clerk read into the RECORD certain sections of the statute as to the apportionment and election of Representatives, and several sections had been read in, as appears on page 1566 of the RECORD, to which I have alluded; and then, after the clerk had read it, Mr. Butler wanted to read in another section, and the objection was made.

Now, of course, that is not the case which is before us at all. I do not think that when a Senator interrupts another Senator that he has got a right, if the Senator permits the interruption, to go on and make a speech, or to insert things in the RECORD, or to read documents, or any such thing as that. The Senator interrupting has no right at all, except so far as the Senator having the floor by courtesy may allow it to him. It is always within the power of the Senator who has the floor to cut short the interrupting Senator at any time. There is a great deal of confusion introduced into this subject by the use of the word "yielding." There is nothing in the rule about yielding—yielding anything, either the floor or anything else.

The language of Rule XIX is:

No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer.

There is nothing there about yielding anything. What is an interruption? An interruption may not involve the making of any speech at all. The dictionary says to interrupt is "to break in upon or disturb the action of; to stop or hinder in doing something."

When a Senator stands up and says "Mr. President," when another Senator is on the floor, he is interrupting.

The forms in Gilfry's Parliamentary Precedents show what then shall happen. On page 496 it gives the form prescribed when interruptions occur in debate. I will put it in the RECORD for the information of the curious:

A SENATOR. Mr. President, may I interrupt the Senator to ask a question?

Or—

Mr. President, I desire the consent of the Senator from ——— to make a statement, or to ask a question.

The PRESIDING OFFICER. Does the Senator from ——— yield for a question, or consent to be interrupted for a question?

There is no authority for the Presiding Officer to say "yield"; that it is simply a custom; it is his way of asking if the Senator will permit the interruption. So the only question here is, Will the Senate establish a precedent which shall prevent a Senator being interrupted by his own consent? I know perfectly well, if they do, that it will stop the debates in the Senate if they live up to it; but I know perfectly well, if they adopt it, they do not propose to live up to it. They merely propose to enforce it in this particular case, which is the simplest and most innocent case that could possibly arise—the inquiry of a Senator in good faith as to the date of a document.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Minnesota?

Mr. BRANDEGEE. I do.

Mr. CLAPP. If the rule—and that is what I desired to say when the Senator from Missouri was on his feet—contended for by the Senator from Missouri is the rule, that rule has been violated with unvarying regularity about every 15 minutes since this point of order was made yesterday afternoon.

Mr. BRANDEGEE. Of course it has. We are violating it now.

Mr. CLAPP. We could not have a debate with that rule in existence.

Mr. BRANDEGEE. The Senator from Minnesota who is now interrogating me, and to whom I have yielded, and I have both violated the rule according to this construction. Such a rule would absolutely bring to a standstill the business of the Senate, and if enforced it would reduce the whole procedure to a series of soliloquies delivered here by individual Senators. If nobody could take part in the debate there would never be any Senators here to listen to them; it would be a funereal proceeding, and would result in a farce; but it is utterly idle to think that the enforcement of that rule would stop any filibuster. All that it has done here to date is to produce what to-day is a very informing discussion upon a very important question involving the whole future procedure of the Senate, but if intended to stop any alleged filibuster or discussion of the river and harbor bill, it has simply added another day before it shall be voted upon. If the Senator who raised the point of order had allowed the Senator having the floor to say what the date of the document was, we would have avoided here a day and a half's discussion upon this question.

I do not think I exaggerate it or make a misstatement when I say that Senators do not intend to have the vote that they took yesterday as to the construction of this rule stand; they do not intend to enforce it. If they do not, it is an absurdity to make

the rule; it is undignified; it is wrong. It would bring the Senate into disrepute, I think—it would in my opinion at least, and I think it would in the opinion of the country—in a fit of aggravation to make now a construction of a rule in which Senators themselves do not believe in order to have their way in a particular case and spend the remainder of their lives explaining it and trying to get out of it, and when it is quoted as a precedent everybody will say, "Oh, well; that is one of those rulings which was made when we were all mad—in a filibuster—and we will pay no attention to it." It will be put in as a precedent just to be violated; and everybody now knows that it will be violated, and will not bind anybody.

It is inconceivable that the Senate, when it was in command of its feelings and intelligence, wrote into its rules a method by which a Senator having the floor could submit to an interruption unless they intended that he could submit to an interruption upon the terms provided in the rule. As to the suggestion of the Senator from Florida [Mr. BRYAN] that if the Senator having the floor can submit to an interruption, there is no way of terminating the length of the interruption; that it might result in what is called parceling out the floor for hours, I do not agree to that at all. It is not necessary to go to an extreme like that. I agree that after the interruption has been submitted to, if the Senator interrupting does not ask his question, the length of his interruption is in the control of the Senate. I agree that, under the pretext of a mere interruption, a brief interruption, during which the Senator who is interrupted still retains the floor, and is simply asked will he submit to an interruption, if he does so, and if any Senator thinks the interruption becomes more than an interruption—if it amounts to an attempt to parcel out the floor or to let some Senator assume the right of having the floor and of making speeches—a single objection by any Senator will stop it. All rules must be applied with reason. I do not think the Chair could stop it, because I do not think the Senate has vested the Chair with any such authority; but I think that a Senator could not make an extended speech with another Senator having the floor except by unanimous consent.

To say, however, that a Senator desiring to interrupt has got to get unanimous consent before he can say a word to the Senator who has the floor puts upon him an impossible task. How is he to get unanimous consent? I am standing now in possession of the floor. Some Senator wants to ask me a question. It is stated that he can not do it until he gets unanimous consent. How is he to get unanimous consent when I am talking unless he is allowed to interrupt me for the purpose? The rule says that he has got to get up and say, "Mr. President," and then it is my duty to stop talking, and the presiding officer asks me if I will permit the Senator to interrupt me. It is said, however, that he can not ask to interrupt me until he has obtained unanimous consent. I repeat, a Senator has to get the floor to get unanimous consent. I think such a construction of the rule would be an absurdity.

I do not suppose that anything I have said will have any weight with Senators who really have convinced themselves that they are performing a public duty or a patriotic service in putting what I consider to be a harsh and unfounded construction upon a rule which I admit has been much abused. I have fretted under it. I think the interrupting goes altogether too far. The sense of courtesy is such that a Senator having the floor frequently lets other Senators who do not have the floor occupy most of his time; but that is easy to remedy by Senators objecting. Here, however, it is to be held that when a Senator rises for the purpose of asking a question, or to interrupt at all, he is to be compelled to sit down without having a chance to say what he wants to say. The Senator having the floor shall not be allowed to be interrupted except by unanimous consent. It may be a matter of the utmost moment to interrupt him.

The old rule in the Manual of 1881, which I have read, was that one Senator could not speak to the Senator having the floor; but that has been stricken out. Of course, the literal enforcement of that rule would have prevented my friend the Senator from Michigan from coming to me now while I am speaking and whispering in my ear or calling my attention to anything; it would be out of order for him to speak to me while I had the floor. As I have said, that was stricken out.

I did not vote on this question yesterday, Mr. President. I was not on the floor at the moment the question was raised, and when I came in it was near the vote, and I did not understand the question sufficiently to vote upon it. At first blush I was inclined to think the Senator from Florida was right about it, because I have always thought that lengthy speeches by Senators who have interrupted the Senator who had the floor were only allowed by unanimous consent. I still think so; and at first I thought that the interruption must be by unanimous consent, but on thinking it over I have reached a different conclusion.

I withheld my vote; I would not vote either way on the question, because I knew it was a vitally important question, and there was no chance to discuss it or consider it at all. The motion to lay the appeal upon the table cut off all debate and we were driven to a vote upon this vitally important question.

Shortly afterwards, the question coming up again with a different occupant of the chair, who felt that it was improper for him to rule upon it, having taken a position previously, it was submitted to the Senate, and now it is here submitted to the Senate and can not be laid upon the table without consideration as long as any Senator wants to talk upon it. I am glad of that. It has given me a chance to examine the matter. I can not vote that it is necessary before I can ask whether or not a Senator will allow me to ask him a question to get unanimous consent of all the Senators, and I do not know how I could do it, not having the floor, even if I thought that the rule provided that it was necessary.

Mr. SHEPPARD. Mr. President, before the discussion closes I think it proper to say that I objected to the question propounded by the Senator from Minnesota [Mr. CLAPP] to the Senator from Iowa [Mr. KENYON], because the speech of the Senator from Iowa had evidently degenerated into an inexcusable filibuster and because, as a member of the Committee on Commerce, having at heart the success of this great measure, I felt justified in employing every weapon at my command to compel my good friend from Iowa to use every moment of his time.

Mr. BURTON. Mr. President——

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

Mr. SHEPPARD. Certainly.

Mr. BURTON. I submit it is hardly fair to make a statement like that in the absence of the Senator from Iowa. The Senator from Iowa was reading in regard to a very important subject, the utilization of the harbors of the United States and of the necessary wharfage facilities in order to render Government appropriations available and useful. It seems to me it was absolutely pertinent to the discussion; and, further than that, I do not think such accusations should be made in the absence of the Senator from Iowa.

Mr. SHEPPARD. I will ask the Senator from Ohio if he himself has not been deliberately consuming time?

Mr. BURTON. By no means. I challenge the Senator from Texas to pick out a portion of my remarks which is not pertinent to this discussion and which it would not be well for the constituents of the Senator from Texas to consider and for other Members of the Senate to consider. In connection with such a bill as this I think we should have a thorough discussion, and I insist on my right as a Senator to point out my objections to the bill.

Mr. SHEPPARD. Does the Senator consider his references to the war in Europe as pertinent to this bill?

Mr. BURTON. Mr. President, we always desire to avoid certain rudeness of transition, and after I had been silent on the subject for six weeks—I made no remarks on this bill between the 22d of July and two weeks ago to-day, the 4th of September—I called attention very briefly—it did not take me three minutes—to the change in the condition which had occurred between the date of my former remarks and the date of my remarks at that time I called attention also to the proposition to raise additional revenue.

Mr. SHEPPARD. Mr. President, I submit that to any reasonable man who will examine the speeches of the Senator from Ohio and the Senator from Iowa it is apparent that their purpose has been to talk this bill to death. I am perfectly willing to leave that to the judgment of anybody who will examine their speeches from any fair standpoint.

When I objected to the interruption by the Senator from Minnesota yesterday the Senate had only a few minutes before ruled that one Senator might not interrupt another except by unanimous consent, and the members of the Commerce Committee deemed it proper thereafter to apply that rule to the filibusterers in the Senate. I would not under ordinary circumstances have made an objection of that character. The Senator from Minnesota came to my seat shortly after I objected and said that if he had known that that ruling had been adopted he would not have made the interruption.

Mr. President, the course of the Senator from Iowa and the Senator from Ohio demonstrates beyond question the necessity of some form of cloture in the United States Senate. I believe in the utmost liberality of debate, but I do not believe that a minority should have the power to use the right of debate to such an extent as to defeat the will of the majority.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. SHEPPARD. Certainly.

Mr. CLAPP. The Senator, of course, means to be correct. I think I did know of the ruling made yesterday. I think I was here and voted against the ruling, but at the time I made the inquiry it had passed from my mind and I never thought of it. The Senator meant to be accurate, but I think he used the expression a little thoughtlessly when he said that had I known of the ruling I would not have made the interruption.

Mr. SHEPPARD. I am glad to have the Senator's explanation. I was under the impression that what he said to me was as I stated it.

Mr. President, I do not believe in gag rule; but when two Members of the Senate assume to gag 94 Members of the Senate, then it is time for the 94 Members to take some steps for their own protection.

A majority of the Senate is in favor of this bill; a majority of the Senate wants a vote on the bill, and wants it now. There has been ample debate; every possible objection that could be urged against the bill has been thoroughly aired; but the majority can not act; the majority can not translate its will into law on account of the conditions and the rules which now prevail in the United States Senate. It is not even an oligarchy which dominates the Senate; it is a "duarchy," a "duumvirate," with KENYON and BURTON as the "duarchs" or the "duumvirs," and I think the whole country ought to now hail them as such.

Mr. REED. Mr. President, I am in favor of passing a river and harbor bill. I am in favor of passing the present river and harbor bill in substantially its present form. I presume there may be items in the bill which can be justly eliminated. I do not believe there are more of such items in this bill than could have been found in any of the river and harbor bills passed during the last decade. I am as earnestly in favor of the passage of this bill, with the qualification I have indicated, as any man in the Senate can be. But, Mr. President, the Democratic Party is in hard straits when, in order to pass a bill, it must appeal to a decision rendered when the attempt was being made to impose the infamous force bill upon this country. When we must go to a time like that and to a precedent established under such conditions for the authority for our action we are engaged in a business so contemptible that I refuse to participate in it. Even if there were such a precedent it would in no respect appeal to my judgment as in any respect binding. But as I shall show later the precedent does not sustain the action now sought to be taken. Before discussing the ruling so often quoted in this debate I desire to say as to the binding effect of any precedent that I have seen enough in the Senate of the United States in the last three days, if I had never seen anything before, to understand that Senators in voting upon questions of this kind more frequently are governed by the exigencies of the moment and the desire of the hour than they are by their sound judgment as to the true construction of the rules.

I have not during this debate so much heard arguments in favor of the true construction of the rule as I have heard denunciations of two Senators for an alleged filibuster. The question we are settling here to-day is not whether two Senators are engaged in a filibuster, but whether a Senator has the right to ask a question of a Senator occupying the floor as a speaker with the speaker's consent. We are not settling the merits of this filibuster. If the Senator from Ohio and the Senator from Iowa see fit to engage in a filibuster, and if they are within the rules of the Senate in all they do while engaging in that filibuster, then we have no right to interfere with them except in one way, and that is to change the rules of the Senate; to change them, not by an arbitrary decree, or by a vote which is cast for that special occasion, but to change them in the due and proper manner laid down by the rules themselves.

I propose to vote upon this question as I believe the law to be, not as I might wish it to be for this particular and special occasion.

It has been said here that 2 men are holding 94 men. I deny that. No 2 men can for long hold the other 94 Members of this Senate. If there were 94 Members of this Senate who wanted to end this filibuster, as it has been termed—and I do not use the term offensively to my friends upon the other side, both of whom are most excellent gentlemen and patriotic Members of this body—it would be ended by this time to-morrow, for the simple reason that we would have enough Members to keep a quorum, and we would remain in session all night, and the two Senators referred to would fall from exhaustion. That is all there would be to it. The difficulty is that we have about two-thirds of our Democrats here, and the Republican brethren on the other side are not willing to sit up all night in order to end the filibuster, and the two-thirds of the Democrats who are here are not willing to sit up all night to end the filibuster. We have two or three times tried to keep a quorum after half past 6 o'clock in the evening, and when the roll was called we found that these patriots who are now so willing to ride rough-shod over the rules were not in their seats, and therefore an adjournment had to come because we lacked a quorum.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Washington?

Mr. REED. I do, at the risk of violating the new rule. [Laughter.]

Mr. POINDEXTER. Well, I suppose we have unanimous consent. Does not the Senator from Missouri believe, even though it were impossible to maintain a quorum here for night sessions, that, if during the day sessions, taking a recess from day to day, this bill was kept before the Senate to the exclusion of anything else, it could have been disposed of by this time?

Mr. REED. Oh, possibly.

Mr. POINDEXTER. I have observed that since the time it was first presented to the Senate it has been laid aside, I suppose, at least two dozen different times for the consideration of other measures. Some of those other measures have taken up a number of days' time; and, after an interval of two days or a week, to take up the river and harbor bill again is exactly like starting over again where we began in the first place. So long as that method of procedure is continued you can not expect to make any very substantial progress; and I think, without any violation of the rules, even though we are unable to hold night sessions, we could dispose of this bill under the practice of the Senate if its consideration was not interrupted by other measures.

Mr. REED. Mr. President, I come now to an analysis of the alleged precedent. I have no difficulty, first, in asserting that the precedent so often appealed to is not a precedent at all for the action proposed to be taken here. Even though it was a decision rendered in the heat of that acrimonious debate, when the force bill was before the Senate, it does not establish the principle which it is contended has been established. It has been discussed here; but I want to call sharp attention, if possible, to what I think was the controlling feature in the controversy.

Senator George was occupying the floor. Mr. Butler rose and said:

I merely want to get permission to present this view of the case before the Senator takes his seat; that is to say, to read the election law as it now is in order to show one reason why there is no need for the passage of the pending bill, if the Senator will permit me to interrupt him.

Mr. GEORGE. I have very little more to say, anyhow, and I will say it after a while. I am willing to be interrupted; I am a little tired now.

I pause there to call attention to the fact that it was manifest that Mr. George practically intended to turn the floor over to Mr. Butler and to finish his own speech at a later time.

I continue reading:

Mr. BUTLER. Mr. President, by the permission of the Senator from Mississippi, I ask to have read chapter 2 and chapter 3 of the Revised Statutes of the United States. The Clerk will please begin to read at chapter 2.

Then follows the reading by the Clerk of a part of the statute. Thereupon Senator Hoar interrupted as follows:

Mr. HOAR. I should like to inquire what the Secretary is engaged in reading. I do not understand.

Mr. BUTLER. I have tried to get hold of the chapter of the Revised Statutes which regulates the election of Members of Congress. I believe it is the next chapter or the next section.

Mr. HOAR. Does the Senator desire to have read a list of the 44 States with the number of Representatives allowed?

Mr. BUTLER. No, sir; I do not care about having that read. I think it is the section following that I want read.

The Secretary then proceeded to read further from the statute. Now, it is perfectly manifest that Mr. Butler had practically taken the floor, and Mr. Butler, not Mr. George, was permitting interruptions by Senator Hoar. Then Mr. Butler proceeded:

Mr. BUTLER. I will not ask the Secretary to read further. What I want now to get hold of is the section which relates to the appointment of supervisors, if the Secretary will hand me the book.

Manifestly he was holding the floor, and at the same time Senator George was claiming to be entitled to it. I continue to read:

Mr. MORGAN. If the Senator from South Carolina wishes to have that provision read, and if the Senator from Mississippi [Mr. George] is through with his argument I should like to take the floor upon this bill. As I propose to discuss that matter I can have that provision read.

Mr. ALDRICH. We on this side of the Chamber can not hear the Senator from Alabama at all.

Mr. MORGAN. I said I would take the floor upon the pending bill.

Mr. ALDRICH. I object to that.

The VICE PRESIDENT. The Chair has the name of the Senator from Rhode Island [Mr. Aldrich] next on the list.

Mr. MORGAN. How is that, Mr. President?

Mr. HOAR. The Senator from Mississippi has not yielded the floor.

Mr. ALDRICH. Do I understand that the Senator from Mississippi has yielded the floor?

Mr. GEORGE. Oh, no, sir; I have the floor yet. I have been so much in the habit of having the floor of late that I may not know how to yield it.

Mr. HOAR. Then let the Senator from Mississippi go on.

Mr. MORGAN. Mr. President, I do not wish to violate any usage of the Senate in clearing the floor.

Mr. ALDRICH. I do not understand how one Senator can take the floor before another Senator concludes.

Mr. MORGAN. But at the same time I understand that it is a violation of the rule of the Senate, when a Senator rises and is recognized by the Chair, or if the Chair first sees him he is bound to recognize him, to make an agreement beforehand to parcel out the floor to one Senator or another.

Mr. SHERMAN. I should like to say that a Senator can hardly arrange to parcel out the floor either.

Mr. EDMUNDS. I insist on the regular order.

Mr. GEORGE. I am entitled to the floor.

The VICE PRESIDENT. The Senator from Mississippi will proceed.

Mr. GEORGE. I will yield to the Senator from South Carolina [Mr. Butler].

Mr. President, it is perfectly plain what was going on. Mr. Aldrich wanted the floor. He had arranged to be recognized as soon as Mr. George had concluded his remarks; but Mr. Butler wanted to make a speech, and Mr. George undertook to give Mr. Butler the opportunity to make that speech. The controversy really was as to whether Mr. George could farm out the time of the Senate to Mr. Butler and thus defeat the desire of the Vice President to recognize the man he had agreed to recognize. In other words, the question was whether Mr. George could give the floor to Mr. Butler or the Vice President could give it to Mr. Aldrich. It was upon that very question that the Vice President ruled, and his ruling was absolutely correct. Here it is:

The VICE PRESIDENT. The Chair is of opinion that the point of order made by the Senator from Ohio is well taken; and that the Senator from South Carolina should resume his seat until the point of order is decided by the Chair.

Mr. BUTLER. Very well, sir; I want that settled.

The VICE PRESIDENT. The Chair is of the opinion that a Senator entitled to the floor can not transfer that right indefinitely to any other Senator.

Mr. BUTLER. That is not the point of order.

The VICE PRESIDENT. He might transfer it for a question or by courtesy of the Senate, or by unanimous consent; but otherwise a Senator on the floor might parcel out the entire time of the session in that way to one Senator after another.

It is perfectly plain what was going on. Senator George was trying to give the floor to Senator Butler and to keep the Vice President from giving it to Mr. Aldrich.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. In a moment.

I repeat, Mr. George had the floor. Mr. George wanted to yield the floor to Mr. Butler, so that Mr. Butler could make a speech. Mr. Butler really wanted the floor in his own right; but when it was found that the Vice President intended to recognize Mr. Aldrich, Mr. Butler insisted that he could make his speech in the right and time of Mr. George, thus cutting off the right to make a speech of Mr. Aldrich, who had an agreement to be recognized. It was upon that question that the Vice President ruled, and upon nothing else.

I now yield to the Senator from Connecticut.

Mr. BRANDEGEE. It was with relation to the language the Senator just used that I desired to interrupt him. I hardly think that upon consideration, when he comes to review his remarks, he will allow his statement to stand as he just made it, I think, inadvertently. The Senator does not claim, does he, that the Senator occupying the floor can transfer it?

Mr. REED. No; no; I did not say so.

Mr. BRANDEGEE. I think the Senator will see that he did when he comes to review his remarks.

Mr. REED. No; I said that was the attempt. At least, I meant to so say. If I said otherwise, I misspoke. I thank the Senator.

Mr. BRANDEGEE. But the Senator has approved of the ruling of the Vice President, and the Vice President's ruling was that the Senator could transfer the floor for a question.

Mr. REED. Well, I do not mean——

Mr. BRANDEGEE. He can submit to an interruption.

Mr. REED. I did not mean to say that, technically, the term "transfer the floor" was correctly employed. He could "transfer the floor." He held the floor and, in his own time, permitted another man to interject a question or a remark.

Mr. President, let us see what evil will result from the rule thus construed. Of course, the right to interrupt a Senator does not imply the right to take the floor indefinitely. A moment's consideration will show anyone that that would be a mere abuse of a rule, and not a use of it.

It is perfectly plain that if a man should undertake to farm out the floor, first to one and then to another, thus holding the floor himself while in fact yielding it, that such a performance could be easily stopped. It could be reached by a point of order insisting that, in fact, the Senator had yielded the floor by permitting another to take it. A Senator can hold the floor himself, but he can not yield it to another; and when he has permitted another Senator to stand up, not merely to interrupt but make a long speech, he has in fact yielded the floor. On the other hand, the person so gaining the floor can not hold it, because he did not get it by recognition from the Chair, but by the mere permission of a Senator.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED. I do.

Mr. WALSH. But how long would the speech have to be in order to make a yielding?

Mr. REED. That is always a practical question of fact. Whenever it becomes manifest that a Senator is not pursuing his own speech and merely submitting to an interruption, which is a part of his speech, but is in fact abusing his privilege by permitting another Senator to take the floor and occupy it for himself, the Chair will have no difficulty in ruling upon the fact.

Now, let me illustrate it. The other day the Senator from Iowa furnished a splendid example of the point I am just now discussing. A Senator would rise and request permission to ask a question. The question would thereupon be asked and answered. That was entirely proper. Another Senator would interrupt, by permission, to call attention to some fact pertinent to the discussion; the interruption was short and was a mere contribution to the speech of the Senator from Iowa. During these colloquies the Senator from Iowa remained standing at his desk. There had been a mere interruption of his speech. But there came a time when a Senator would rise and inquire, "Will the Senator submit to an interruption?" The Senator from Iowa would consent and take his seat, whereupon the interrupting Senator would proceed to make a speech. It was as manifest as anything in the world could be that the Senator from Iowa lost the floor when he took his seat. It is just as manifest as anything in the world that when the Senator permitted another to go on and make an extended argument he had yielded the floor himself and the other Senator was speaking in his own right, if, indeed, he had any right to thus gain the floor. That has always been the rule here. I maintain that a Senator can not thus turn over the possession of the floor. To use Vice President Morton's language, if that is ever done, "it is by courtesy of the Senate." It is often allowed to be done, but it can not be done as a matter of right.

Mr. President, I want to see this question settled right. There is a good deal of talk about cloture here in the Senate. I am going to wander from the immediate subject far enough to say that I am opposed to any rule of cloture in the United States Senate. This is the one tribunal left on this earth where a representative of the people can not be throttled in the right to express his opinion. It is one place where absolute freedom of speech yet remains. The privilege is abused time and again. All of us perhaps talk more than we should. I know that I talk a great deal more than I should. But there come times—they have come in the past and they will come in the future—when the right of a tribune of the people to stand upon the floor of the Senate and make himself heard "by his much speaking," by his long and persistent speaking, has been and will be of inestimable value to the country.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield further to the Senator from Montana?

Mr. REED. I do.

Mr. WALSH. I would like to inquire of the Senator how this ruling prevents a man from talking all he wants to talk?

Mr. REED. The point I am discussing, I said, was a little aside from the question. I am referring to it because I believe most of the Senators who are in favor of this new construction are in favor of it because they think it is an indirect way of accomplishing cloture.

One of the rules by which you determine the meaning of any statute is the construction put upon the statute for a long period of time. It has been the universal custom in the Senate since I have been a Member of the body, and certainly for

many years before that, that a Senator having the floor could do exactly what I did at the present moment with my friend from Montana. I yielded for a question. He asked me a very pertinent one. He had the right to ask it if I permitted him to, and that right of mine to permit myself to be asked a question can not be cut off under the rules and custom of the Senate by the objection of one Senator.

Now, it is proposed that we shall establish a rule that we all know will not be observed five minutes if it is established, that will never be used except for the purpose of allowing some man to gratify his personal malice for the moment or his anger for the moment, or else for the purpose of trying to interfere with a right which other Senators are ordinarily accorded. In the very discussion that has gone on in the Senate of this measure interruption after interruption has come, and it will continue to come. The most enlightening thing about the debates in the Senate probably results from the freedom of interruption during discussion.

What will be gained by wrenching and distorting our rules as now proposed? How much will you gain if you establish this rule? Will you gain five minutes of time? I assert that you will not gain a fraction of five minutes of time. Why? Because a Senator can stand here and talk and talk and talk until he is exhausted, and when he sits down another Senator can take the floor. I can take one ordinarily well-developed Senator and by exchanging time with him can occupy this floor for the next 90 days, and so also can plenty of the other Senators.

But you say a Senator can not speak twice on the same legislative day. That, however, is not all of the rule. The rule is that a Senator can not speak more than twice on the same day on the same question. All that is necessary is to offer an amendment to a bill and a new question is raised. The period is bound to arise when amendments are in order. When that time comes I can take the Senator from Montana, if he be ready to enter into that sort of a conspiracy, and we can offer an amendment every morning to the bill. I could then talk on the amendment half a day and he could talk on it the other half of the day. As there can be no limit to the right to offer amendments, there can be no limit to the right of speech unless cloture is adopted.

Now, what will we gain by the proposed forced construction of our rules? If we are going to have cloture in the Senate, let us front it like men by adopting a cloture rule. When you attempt to adopt cloture I shall oppose it; but until you do adopt cloture you can not get it by the method now proposed. If you are not going to adopt cloture by a rule to that effect, then let the Senate stay here in session until the two Senators who are most active in opposition to this bill shall have tired themselves out and tired their constituents out—until they cease talking of their own volition or from exhaustion.

The right of free and unlimited speech in the Senate is of inestimable value. It kept us from having the force bill fastened upon the country. It kept us from having the Territory of Arizona and the Territory of New Mexico admitted to statehood as one State instead of two States. It has been a valuable privilege that has been exercised but rarely, and I have never known it to be exercised successfully unless there was a great and meritorious proposition back of the filibuster.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I do. I was ready to yield the floor.

Mr. SMOOT. I just wanted to call the attention of the Senate to one fact. I do not believe that the charge which has been very freely made here of a filibuster is warranted when you look at the situation as it is.

The bill was reported to the Senate on June 18. The Senate has been in session about 440 hours since that time. The Senator from New Hampshire [Mr. GALLINGER] has taken about 5 hours with interruptions, the Senator from Ohio [Mr. BURTON] about 18 hours with interruptions, and the Senator from Iowa about 14 hours with interruptions, making 37 hours with interruptions that have been spent upon this bill since the reporting of it on June 18. Out of 440 hours consumed in the discussion in this body there has been consumed on this bill 37 hours, with all the interruptions, from beginning to end.

Mr. REED. Mr. President, I have just this word to say in conclusion. I want to see the river and harbor bill passed. I am ready to stay here night and day to see it passed. I do not say that there may not be some items that ought to be cut out of it, but I do say that as far as I have been able to examine the bill it is certainly as free from such items as the ordinary appropriation bill.

I am willing to stay here and "not pull down the flag." I am willing to stay here until exhaustion shall come to my very good friend on the other side, much as I dislike to see him exhausted. I am willing to go with my party to any extent under the rules. But for the sake of gaining temporary advantage which will amount to nothing I am not willing to vote for a construction of the rules which I believe is unjust, which I believe is unfair, which I believe is strained and forced, and which I believe will hereafter rise to plague us.

Mr. MARTINE of New Jersey. Mr. President, I am utterly in sympathy with the views presented by the Senator from Missouri [Mr. REED]. I am in favor of the passage of the river and harbor bill, and I shall vote for some sort of a bill. I believe, in the main, that this bill is honest. I believe, too, that the Senator from Iowa [Mr. KENYON] is honest. He has pledged himself many times to vote for a number of features in this bill. I am and I have always been opposed to a gag rule, and I will never vote for any sort of a cloture in the Senate or elsewhere. Long before it was my privilege to occupy any place in a legislative hall I had condemned it in unmeasured terms as being un-American and unfair. I feel that almost universally the best consideration of a bill is brought out by interruptions and questions. I shall never vote to abridge or block out this right, though I believe I voted "yea" yesterday, sustaining the Chair in the ruling which took the Senator from Iowa off the floor. I had been engaged in committee work outside and responded to the bell call, and coming in I asked what is my vote, and some one said "yea," and I voted "yea." I am to be censured and condemned for having not known exactly what was the question. I voted "yea," and after it was recorded I found my vote was against my judgment, and I disapprove it. I was wrong. I was recorded right, but was wrong in my own voice, and I take this opportunity to have it corrected, not in the tabulation that the clerks have made, but that I may be right before my countrymen and my people. I believe the promptings of the Senator from Iowa were as honest as I believe mine are, and, God knows, in my heart I am prompted by no other motive than to do that which, in my honest and humble judgment, may best advance the well-being and welfare of my country.

I am in favor of this bill because I believe in waterways. I believe these great channels, devised by the God of creation as a great means not only of draining but of transportation, are a great blessing to our country, which is fortunate enough to possess them. We have been blessed beyond parallel in many ways, but we can aid nature in a thousand ways through clearing and strengthening of many of these streams.

In the case of the Mississippi, where inundation and floods yearly occur, I feel it is our duty to correct that.

I believe in my own State; and if I may be pardoned for being a little vain, mayhap, I believe the New Jersey features referred to in the bill—Raritan Harbor, Staten Island Sound, the Hudson River improvement—are the most meritorious; but the Committee on Commerce saw fit to strike out $19,000,000. I do not think it would have been too much to have left it in, but it may be that there was something in the unfortunate time at which this levy shall occur, and it may be wise that this cut should be made. I find no fault. You cut $150,000 from the Raritan River improvement. You cut $100,000 from the Kill von Kull, and you cut some other thousands from somewhere else and left one or two places out.

I do not say this with a desire to be mean, but I find in North Carolina, clear up to old Cape Fear—which I know so well—clear up to old Wilmington, the figures stand the same. There was no cut there, but it may be in the wisdom and judgment, probably the patriotism, of that committee it was deemed wise that they should remain in this way.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from North Carolina?

Mr. MARTINE of New Jersey. Certainly.

Mr. SIMMONS. The Senator is incorrect. On the contrary, there is a cut in the North Carolina appropriations carried in the original bill of $1,200,000.

Mr. MARTINE of New Jersey. I do not know how it is. I find right along in this tabulated statement of the House bill and the substitute bill what I said verified. But I do not desire to enter into a controversy on that point. We are here for broader purposes than that.

Mr. SIMMONS. The Senator must not misrepresent me.

Mr. MARTINE of New Jersey. Oh, no; I would not misrepresent my friend from North Carolina for worlds, but I say, at the same time, I think we might well be fair about this matter.

Mr. SIMMONS. But the Senator has misstated the fact.

Mr. MARTINE of New Jersey. It does not look so here.

Mr. SIMMONS. The Senator has the columns of our substitute bill, but has not the columns of the bill as originally reported.

Mr. MARTINE of New Jersey. I do not know whether I have or not, but I am quoting from this print which was laid on my desk.

Mr. SIMMONS. The Senator overlooks the fact that cuts were made from the original bill as reported by the Senate committee.

Mr. MARTINE of New Jersey. All right. I accept that.

Mr. SIMMONS. Cape Lookout Harbor of Refuge, N. C., $1,826,000, cut down $1,126,000, leaving only $700,000 authorization in the bill; and then we cut another hundred thousand from the inland-waterway appropriation—a total cut of $1,226,000.

Mr. MARTINE of New Jersey. All right; it does not so appear here.

But I am here for broader and bigger things than that. I am not here to cavil with the Senator from North Carolina. Still I love him and every mother's son that comes from North Carolina. Some of the loveliest, brightest days of my life were spent in the old Tar State. I have no controversy with him on that, but I do say we are pursuing a course that, to my mind, is unjust and un-American in trying to cut off and gag this debate. Let the debate go on. Great heavens, if the Senator from Iowa can not see the evil of it, if he is wrong, the public will, and they will so decree.

As I said, I am going to vote for some sort of a bill. I would not pledge myself to vote for every feature of the bill as it stands, and while I believe that we should improve a waterway when recommended by the Corps of Engineers of the United States Army, and I believe they are very capable men, I think, perhaps, in deference to a great public sentiment, a great public feeling that has been aroused, and an unfortunate position in which we find ourselves the country over, the world over, it is better perhaps that this should be pruned down in some respects; but whatever we may prune down in that respect, in heaven's name do not shut off the opportunity of a gentleman who may be on the other side of this question, who is honestly and conscientiously and courageously advocating that which, in his own judgment and his own honest purpose, he believes to be right.

Mr. TOWNSEND. Mr. President, it seems to me that the Senate is in rather an anomolous position at the present time. I have heard much discussion of the bill—and I think the discussion has been mostly on the bill—but every Senator who has spoken has expressed himself as being in favor of a river and harbor bill; every Senator has said that there are many things in this bill which he would support. I think every Senator has maintained that it is absolutely necessary for the welfare of the country that many of the projects contained in the bill should be carried on. And yet the Senate can not get a consideration of even the unobjected portions. There has been much illuminating discussion—and I am not finding fault with the Senator from Ohio [Mr. BURTON] or the Senator from Iowa [Mr. KENYON] for they have shown wonderful diligence and great study in presenting this case to the country, and I am in hearty sympathy with their fight on whatever projects are in the bill that are improper and unworthy. I think their efforts have been worth while; and yet I must confess, Mr. President, that it seems to me that much of this argument has been misplaced.

I am as interested as any Senator can be in getting a good bill, but I am pledged to no item. There is nothing in Michigan that I would not vote against if it were shown to me that it is an unworthy proposition; there is nothing in any other State that I would not vote against, and would not be glad to vote against, if I found that it did not correspond with my notions of what is right; but I should like to have the item discussed when it is before the Senate, when the Members of the Senate were in their seats.

This discussion has been going on for weeks with a quorum at no time in the Senate; there has not been half of a quorum here during any half hour since this debate began; yet if we had this bill before us, if we could take it up item by item, we would have a quorum. When a disputed and a debated item was before the Senate, Senators would be here to pass judgment upon it. If it is the intention—and I am not finding any fault if it is—if it is the intention of Senators to defeat the bill on principle, believing that it is constructed upon a wrong plan and that it would be better to defeat the bill entirely, hoping that next time a better constructed bill will be presented, that is another proposition; but Senators have not claimed that. Their claim has been that a majority of the items in the pending bill should be passed. I submit that we ought to have an opportunity to vote on such items.

What we are discussing here to-day is born of the emergency of the hour. I do not believe there are a dozen Senators in the Senate who would support the proposition that either the rules or the best interests of legislative consideration forbid interruptions for the purpose of asking a question if it were not for the fact that we are confronted at the present time with an emergency which we think, somehow or other, we can meet in this way. We can not meet it in this way, and we had better vote on the point of order, as we know we ought to do and as we would vote were the river and harbor bill not before the Senate, for we shall make no progress by repealing one of the most useful rules or customs of the Senate.

I agree with Senators who have spoken that there is a way to pass this bill, or, rather, to get consideration of it. I do not say that I shall vote for the bill as it is; indeed, I know I shall not do so. I am convinced that it carries much which should be dropped; but I have forgotten much that Senators have said. I do not know its relevancy to the particular items of the bill. I should like to have had those items debated just before I was going to vote upon them, instead of having 25 or 30 items all jumbled together and arguments made against them in a shotgun manner. If we could have had those items discussed separately, we could have reached a proper conclusion.

As for myself, Mr. President, I think too much of the Senate of the United States, I hold too highly my colleagues in this body, I value my official commission to this body too greatly to speak disparagingly or contemptuously either of the Senate or Senators. Patriotic, intelligent men differ honestly, and no one Senator or few Senators possess all wisdom or all patriotism. Some of us have complained because we have been held up to ridicule by certain of the press of the United States. That has been largely due to the fact that we have been befouling our own nests. I myself do not like that. I believe that we can honestly consider these questions. We do not need any trick rules to do it, either. It is not becoming to us. If Senators are willing to devote themselves to the business of the Senate, if they are willing to come here nights, if need be, and work and go on with this business, we can accomplish something. For myself, sir, I do not like the idea of two or three men, however good, however high-minded they may be, controlling the legislation of the Senate. I want full and free discussion and I want to hear it. I do not impeach the action of Senators who indulged in much discussion on the pending measure, but I would like to have an opportunity to vote upon the items and not be confined to some scheduled items which a few Senators may have agreed upon.

Sir, after you have agreed upon a bill in secret, what is to prevent another set of Senators from getting up a sort of rebellion and determining that the new bill shall not be considered? I am simply asking that the bill be considered intelligently and orderly.

Mr. President, I believe the way to proceed with this bill is to take it up for consideration and to discuss the items as they come to us. Then if any Senators feel that under their conscience they can not allow the bill to pass, there will be time enough to talk it to death if that is their determination after we have had a chance to pass upon the items about which there is no possible dispute.

So I say, Mr. President, I have been hoping almost against hope that the time might come when we could take this bill up and consider it upon its merits and allow these Senators, patriotic as I am willing to concede they are, intelligent as we all know they are, to throw the light upon the spots which need illuminating. I have enough faith in the patriotism of the Senate to believe it will reject the unworthy items and adopt those that ought to be adopted.

The PRESIDING OFFICER. The question is, Is the point of order well taken?

Mr. SMOOT. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BRYAN. Will the Chair state the question in the form in which it is to be submitted to the Senate?

The PRESIDING OFFICER. The Senator from Iowa was occupying the floor in debate——

Mr. BRYAN. I did not mean that. I mean will the Chair state the question upon which we are to vote?

The PRESIDING OFFICER. The question is, Is the point of order well taken?

Mr. TOWNSEND. Mr. President, in order to get a quorum here——

The PRESIDING OFFICER. Those who believe the point of order is well taken will vote "yea."

Mr. CHILTON. What is the point of order, Mr. President?

The PRESIDING OFFICER. The Chair was just about to state it a moment ago.

The Senator from Iowa [Mr. KENYON] was occupying the floor in debate; the Senator from Minnesota [Mr. CLAPP] interrupted him for the purpose, as he stated, of asking him a question, whereupon the Senator from Texas [Mr. SHEPPARD] made the point of order that it was not in order to interrupt the Senator having the floor if objection were made. The then occupant of the chair, the Senator from Ohio [Mr. POMERENE], stated that he would submit the question to the Senate; and the question is, Is the point of order well taken?

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

The PRESIDING OFFICER. The Senator from Michigan 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	Kenyon	Poindexter	Stone
Bankhead	Kern	Pomerene	Swanson
Brandegee	Lane	Reed	Thompson
Bryan	Lea, Tenn.	Robinson	Thornton
Burton	Lee, Md.	Shafroth	Townsend
Camden	Lewis	Sheppard	Vardaman
Chamberlain	McCumber	Shields	Walsh
Chilton	Martine, N. J.	Simmons	Weeks
Clapp	Myers	Smith, Ariz.	West
Fletcher	Nelson	Smith, Ga.	White
Hughes	Overman	Smith, Mich.	Williams
Johnson	Page	Smoot	
Jones	Perkins	Sterling	

The PRESIDING OFFICER. Forty-nine Senators have answered. A quorum is present. The question is, Is the point of order well taken? The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a pair with the Senator from Wyoming [Mr. WARREN]. I transfer that to the Senator from Nevada [Mr. NEWLANDS] and vote "yea."

Mr. SWANSON (when the name of Mr. MARTIN of Virginia was called). My colleague [Mr. MARTIN of Virginia] is detained from the Chamber on account of sickness. He is paired. If my colleague were present, he would vote "nay."

Mr. MYERS (when his name was called). I have a pair with the junior Senator from Connecticut [Mr. MCLEAN]. In his absence I withhold my vote.

Mr. KERN (when Mr. SHIVELY's name was called). I desire again to announce the unavoidable absence of my colleague [Mr. SHIVELY].

Mr. STONE (when his name was called). I transfer the general pair I have with the Senator from Wyoming [Mr. CLARK] to the Senator from Indiana [Mr. SHIVELY] and will vote. I vote "yea."

Mr. WALSH (when his name was called). I transfer my pair with the senior Senator from Rhode Island [Mr. LIPPITT] to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I have been unable thus far to get a transfer, and therefore withhold my vote. If at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. LEA of Tennessee. I have a general pair with the senior Senator from South Dakota [Mr. CRAWFORD]. In his absence I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. SHEPPARD. I wish to announce that the Senator from Oklahoma [Mr. GORE] is unavoidably absent. He is paired with the Senator from Wisconsin [Mr. STEPHENSON].

Mr. JOHNSON. I wish to announce my pair with the junior Senator from North Dakota [Mr. GRONNA]. In his absence I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. WEEKS. I wish to announce that my colleague [Mr. LODGE] is absent. He has a general pair with the senior Senator from Georgia [Mr. SMITH].

Mr. SMITH of Maryland (after having voted in the negative). I desire to say that when I voted I did not make a transfer of my pair with the Senator from Vermont [Mr. DILLINGHAM] to the Senator from Virginia [Mr. MARTIN]. I wish to announce the transfer.

Mr. SMOOT. I have been requested to announce the following pairs:

The Senator from New Hampshire [Mr. GALLINGER] with the Senator from New York [Mr. O'GORMAN];

The Senator from Maine [Mr. BURLEIGH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from New York [Mr. ROOT] with the Senator from Colorado [Mr. THOMAS]; and

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE].

Mr. POMERENE. I desire to announce the unavoidable absence of the junior Senator from Delaware [Mr. SAULSBURY]. He is paired with the Senator from Rhode Island [Mr. COLT].

Mr. CHAMBERLAIN (after having voted in the negative). I have a general pair with the Senator from Pennsylvania [Mr. OLIVER]. I am informed that if he were present he would vote as I do, and I will therefore allow my vote to stand.

Mr. MYERS. I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the senior Senator from Arizona [Mr. ASHURST] and will vote. I vote "nay."

The result was announced—yeas 15, nays 35, as follows:

YEAS—15.

Bryan	Lee, Md.	Sheppard	Thompson
Fletcher	Pittman	Simmons	Thornton
Hughes	Ransdell	Smith, Ariz.	Walsh
James	Robinson	Stone	

NAYS—35.

Bankhead	Kern	Perkins	Smoot
Brady	Lane	Poindexter	Sterling
Brandegee	Lewis	Pomerene	Swanson
Burton	McCumber	Reed	Townsend
Camden	Martine, N. J.	Shafroth	Vardaman
Chamberlain	Myers	Shields	Weeks
Clapp	Nelson	Smith, Md.	West
Jones	Overman	Smith, Mich.	White
Kenyon	Page	Smith, S. C.	

NOT VOTING—46.

Ashurst	Dillingham	Lippitt	Sherman
Borah	du Pont	Lodge	Shively
Bristow	Fall	McLean	Smith, Ga.
Burleigh	Gallinger	Martin, Va.	Stephenson
Catron	Goff	Newlands	Sutherland
Chilton	Gore	Norris	Thomas
Clark, Wyo.	Gronna	O'Gorman	Tillman
Clarke, Ark.	Hitchcock	Oliver	Warren
Colt	Hollis	Owen	Williams
Crawford	Johnson	Penrose	Works
Culberson	La Follette	Root	
Cummins	Lea, Tenn.	Saulsbury	

So the Senate decided the point of order to be not well taken.

The PRESIDING OFFICER. The Senator from Iowa will proceed.

Mr. KENYON. Mr. President, while I have not concluded all I had to say, I yield the floor.

Mr. BURTON. Mr. President, very much has been said this afternoon in regard to the opposition to the river and harbor bill and to the methods pursued by its opponents. I shall avoid recrimination upon the attacks that have been made and endeavor to pursue the argument in which I was engaged in a dispassionate manner, with a view to showing the defects in our river and harbor system.

The PRESIDING OFFICER. Senators will kindly resume their seats and suspend conversation in the Chamber.

Mr. BURTON. On the 22d day of July, and on numerous days previous to that time, I addressed the Senate on this subject. There is a good deal of exaggeration as to the time in which I have claimed attention. Necessarily, in view of the transaction of other business, my remarks have been somewhat fragmentary; but I have endeavored to point out as best I might the objections to the methods of this bill—the objections to the general principles upon which it is framed. I have referred at times to specific projects, but rather as illustrations of the general features of the bill. It has been my desire to treat—Mr. President, I should like to have order.

The PRESIDING OFFICER. The Senator will suspend until order is restored in the Chamber. Senators will kindly take their seats and cease conversation. The Chair will be under the painful necessity of calling attention to individual Senators if they persist in disorder.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Just a moment, until order has been restored.

Mr. FLETCHER. I wish to suggest the absence of a quorum.

Mr. BURTON. Mr. President, I trust the Senator from Florida will not do that. I would prefer, in view of the numerous criticisms because of interruptions, to proceed with my remarks without interruption; and I am not dissatisfied——

The PRESIDING OFFICER. The Senator from Florida has suggested the absence of a quorum.

Mr. HUGHES. Mr. President, if there are any rules which govern this body, I submit that the Senator from Ohio ought to conform to them.

The PRESIDING OFFICER. The Senator from Florida suggests the absence of a quorum. The Secretary will call the roll.

Mr. BURTON. Mr. President, one moment.

Mr. LEA of Tennessee. I call for the regular order.

Mr. BURTON. Is it not in my power to refuse to yield to anyone?

Mr. LEA of Tennessee. Mr. President, I make the point of order that the question is not debatable.

The PRESIDING OFFICER. The question is not debatable, and, furthermore, any Senator can suggest the absence of a quroum under the rules of the Senate. The Secretary will call the roll.

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

Ashurst	Johnson	Pomerene	Smoot
Bankhead	Jones	Ransdell	Stone
Brady	Kern	Reed	Swanson
Bryan	Lane	Robinson	Thornton
Burton	Lea, Tenn.	Shafroth	Townsend
Camden	Lee, Md.	Sheppard	Vardaman
Chamberlain	Lewis	Shields	West
Chilton	Martine, N. J.	Simmons	White
Clapp	Myers	Smith, Ariz.	Williams
Fletcher	Page	Smith, Md.	
Hughes	Perkins	Smith, Mich.	
James	Pittman	Smith, S. C.	

The PRESIDING OFFICER. Forty-five Senators have answered to the roll call. A quorum is not present. The Secretary will call the names of absentees.

The Secretary called the names of the absent Senators, and Mr. POINDEXTER and Mr. THOMPSON answered to their names when called.

The PRESIDING OFFICER. Forty-seven 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.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. OVERMAN, Mr. SMITH of Georgia, Mr. KENYON, and Mr. WEEKS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present. The Senator from Ohio will proceed.

Mr. BURTON. Mr. President, it was my intention to treat this subject with the thoroughness which should characterize a treatise on rivers and harbors. I still desire to suggest to the Senate the facts and principles which should govern the making of river and harbor appropriations. I have given this subject months of study and years of attention.

I am thoroughly convinced that the methods of the last four years have been radically wrong. Of course I may be in error but I desire to set my arguments before the Senate first along general lines and then to take up some specific projects.

I find in this bill and in some prior bills the projects for improvement which were considered with the utmost care by the Rivers and Harbors Committee during the 13 years I was a Member of the House and rejected by it, in some instances with the almost unanimous approval of the House and later with the acquiescence of the Senate. But those projects abandoned 12, 10, and 8 years ago are now brought back in the list and that, too, under circumstances far less favorable for their utilization than when they were abandoned, and in some instances instead of the modest sums which were proposed in those years when we abandoned them, very large amounts are now requested.

In addition to this, Mr. President, I shall try to show—and I crave the kind indulgence of the Senate on this subject, for I am now about to reach a line of argument which to my mind is vital and goes to the very substance of this whole controversy—that conditions have radically changed in the last 10 or 15 years and that the reasons for the improvement of our inland waterways are far less potent than they have been before.

I will ask the pages to pass around to the different Senators who are here a copy of the RECORD for July 23, 1914, showing instances of the decadence of waterway traffic on certain rivers. I ask the kind attention of Senators to these tables, given on pages 12523, 12524, and 12525. I really do not think that any Member of the Senate is competent to approach this question dispassionately without examining those figures. They prove a tendency which can not be denied; and in the further discussion of this subject I shall ask Members who are advocating this bill in its entirety to explain those figures. I especially request Senators, whether they listen to me or not, to examine those tables and see for themselves the decadence in waterway traffic on most of our rivers in the last 10 or 12 years.

Mr. President, I say at first that the whole subject of improvement of inland waterways should be reviewed and a definite policy adopted under which those projects which can not be permanently approved should be eliminated. It is necessary to consider in the first place the revolution in methods of transportation. Very briefly I can go over the whole history of this subject.

Transportation was first accomplished by human beings carrying loads on their backs, then with beasts of burden—the ox, the horse, and in some instances the camel. In due time there was resort to the assistance of small vehicles drawn by human beings, and later to those drawn by animals. At an early date there appeared the rowboat, the barge, and the sailboat. Up to the beginning of the last century these were practically the only methods available for the transportation of commodities or persons from one place to another.

In the year 1807 the steamboat was first devised by Mr. Fulton. In 1814 Mr. Stephenson developed his invention of the locomotive and with it the railway. In 1830 began a rapid development in railways. Since then there has been a revolution in transportation conditions. Mr. Mulhall, the famous statistician, says that in the 50 years from 1846 to 1896 the development of transportation was three times greater than production proper—that is, the growth in the activities of the railway and steamboat and other methods of transportation was three times as great as the growth in agriculture and manufacturing production.

The fact is, Mr. President, that year by year the operations of trade are being extended over a wider area. The merchant who now desires a commodity is not satisfied with that which is near at hand. He sends to the remotest part of the earth, if he can obtain a better article. It goes without saying that the States are nearer together than the counties were at the beginning of the last century and that all the civilized nations are now in closer touch than were even our own States in the days of the colonies. This gives peculiar importance to the growth of transportation.

It looks as though we have absolutely failed to recognize changed conditions. There has been no better illustration of this fact than the bill now pending before the Senate. Many rivers and a still larger number of canals, even of considerable size, at one time extremely useful for the purposes of transportation and the development of industry and commerce, are now entirely out of date as methods for the carriage of freight. The shallow-draft canal, which at one time determined the routes of trade and the growth of cities, has now, save in exceptional instances, become almost obsolete. In my own State of Ohio the canal system was commenced in the year 1825. Canals were constructed connecting the Ohio River with Lake Erie and reaching the principal towns in the State. The great city of Cleveland, now having a population of more than 600,000, obtained its start from the construction of one of these canals in the last half of the decade ending in 1830. Its position had been doubtful in comparison with the other towns on Lake Erie; but it grew, with the opening of this canal, and assumed the position of the metropolis of the northern part of the State and later that of the largest city and the metropolis of the State. But it owes its beginning to the construction of that canal, which was so much used in the decades ending in 1830, 1840, 1850, and even as late as 1870. This canal was an excellent method of transportation at that time. All the products of the State—wheat, corn, wool, coal—were carried to market, at least a part of the way, on this and the other canals.

But now, while they are for much of the way in better condition and afford more ample and more generous facilities for transportation than in the highest period of their prosperity, the freight carried upon them is measured in pounds rather than in tons. The decadence began perhaps in the year 1850, and while there are still appropriations for the improvement and maintenance of these canals, the freight on them is not only diminishing but has practically disappeared.

I read briefly from the report of the Inland Waterways Commission, from page 204, on the subject of abandoned canals. This work was published in the year 1908 and contains the most complete list of waterway projects and expenditures of any publication then in existence. It is to be regretted that its tables can not be brought down to date.

ABANDONED CANALS.

The extent to which State and private canals have been abandoned is strikingly shown by the census reports of 1880 and 1890. The report of 1880 shows that out of 4,468.60 miles of canals, costing approximately $214,041,802, 1,953.56 miles, representing a cost esti-

mated at $44,013,166, had up to that time been abandoned. By 1889 the mileage so abandoned, as given in the census report, had increased to 2,215.25 miles, or about half the total mileage originally built, representing a cost estimated at $51,171,016.

Among the causes assigned for this wholesale abandonment of canals are the crisis of 1837, which put a stop to speculative canal building, the inability of some canals to compete with modern railroads and the mismanagement of other canals, together with a popular impression that such systems of public works had done more harm than good, and, finally, a belief that the chief means of internal communication was not to be water but rail.

Since 1889 other important canals and sections of canals, both private and State, have fallen into disuse, including the Delaware and Hudson, in Pennsylvania and New York, important portions of the Pennsylvania system of public works, operated for some years by their purchaser, the Pennsylvania Railroad; the Santa Fe in Florida, and the Socola Canal in Louisiana in 1906. Assuming that the census figures approximately reflect this tendency toward abandonment the total mileage abandoned brought down to date, as shown in the accompanying table, is 2,444.26 miles, representing a cost approximated at $81,171,374.

The location of these canals, together with other facts connected with their construction and operation, are generally indicated in the accompanying table, entitled "Important abandoned canals in the United States"

This table is divided into eight columns.

I do not think it is worth while for me to read that statement in full or to give the table referred to, but anyone who desires to examine the statistics on this subject will find them in this report at the place to which I have referred.

I will read now from pages 4 and 5 of a report which I filed in the Senate in June last on the general subject of the abandonment of canals. I wish that I could have a larger attendance here, Mr. President. Indeed, I see little use of going into a discussion of specific items if the attendance is to be no larger than that at this time, and furthermore I do not see that we are having any real discussion of this bill at all. I am perfectly frank to admit the lack of attractiveness in my presentation of the subject, but it seems to me this is a subject of importance enough to demand the attention of the Senate. I shall now read from pages 4 and 5 of my report:

While waterways of shallow draft have shown decadence, the carrying capacity of railroads has been constantly on the increase. In the case of some waterways existing facilities are adequate for present demands and the benefit to be derived from further expenditure upon them will not be at all commensurate with the cost. This emphasizes the necessity for a reexamination of all projects according to their respective merits, and the omission of those not worthy of improvement.

In the memorandum submitted by President Taft on June 25, 1910, he said:

"Congress should refer the old projects to the Board of Army Engineers for further consideration and recommendation. This would enable us to know what old works ought to be abandoned. Gen. Marshall's (Chief of Engineers) plain intimation is that a number of old projects call for action of this kind."

Except for short distances and that, too, in diminished quantity, there has been a marked decline in the carrying of grain, package freight, and general merchandise on all rivers. In some instances, as in the case of the Mississippi, the line of traffic has changed from that which formerly existed. While grain formerly moved on the Mississippi from north to south, now the more general movement is by railroad from west to east or to the Gulf. Many commodities which formerly constituted an important source of river traffic are now almost entirely handled in other ways. In Europe, as well as in the United States, the profitable utilization of inland waterways is now generally limited to routes upon which large quantities of coarse material can be carried, such as coal, iron ore, and building material. The Rhine is the most notable exception to this statement, though its traffic consists mostly of coal and ore. Even upon the Great Lakes, with all the possibilities for navigation, the carriage of package freight is a much smaller share of the traffic than formerly, and on many routes connecting large cities this species of traffic scarcely appears at all.

A careful analysis of statistics relating to rivers and canals will show a very marked decadence in inland waterway transportation, except, of course, in bodies of water like the Great Lakes, which are comparable rather with the sea than with rivers.

The decadence of inland waterway transportation is especially noticeable in the case of artificial canals and canalized rivers.

Beginning with the opening of the Erie Canal, in 1825, an impetus was given to the development of the country surpassing any previous influence in our commercial life. This waterway gave to the city of New York its assured supremacy among the commercial cities of this country. The construction of canals continued without abatement until about the year 1840, but many of these have been entirely abandoned and others are used for only a very limited traffic.

The Erie Canal reached its maximum of traffic in the year 1880 and the other canals in the State of New York at a somewhat earlier date.

Now, here are some figures that are very impressive:

In the year 1850 the canals of New York carried 81.1 per cent of the total traffic handled in the State; in 1873 this percentage had fallen to 34.9 per cent; in 1908 it had fallen to 3.9 per cent. The canal system of the State of Ohio, commenced in 1825, reached its maximum of importance in the forties. Since that time the traffic has practically disappeared, and the freight carried may now be counted in pounds rather than in tons.

I now wish to read from a document prepared with extreme care by a board of engineers. This is the survey of the so-called 14-foot waterway from Chicago to the Gulf. It points out not merely the decadence of traffic on the Mississippi River, but indicates the reason, as I think, why there has been a decline on both the Mississippi and its tributaries. This is House Document No. 50, Sixty-first Congress, first session, a report of a special board of engineers on the Mississippi River. I read first from page 21:

This commerce of the river—

That is, the Mississippi River—

This commerce of the river has been rapidly diminishing in recent years. The total river tonnage of St. Louis was, in 1886, 1,332,885 tons; in 1896, 1,244,175 tons—

There was no very great decline in those 10 years, although it was quite considerable—

in 1906, 416,855 tons; and in 1908, 365,920 tons, of which not over 49,530 tons was with towns on the Mississippi below Cairo. The entire commerce of the Mississippi River system, including all tributaries except the Ohio, was reported in 1889 as 12,492,535 tons, while in 1906 it was only 4,304,288 tons, showing a loss of two-thirds. The 1908 river commerce of the system, so far as reported, shows a slight decrease as compared with that of 1906, except as to a few of the minor tributaries.

If Senators have before them the copy of the RECORD for July 23, 1914, I will compare this tonnage at St. Louis, which in 1908 was 365,920 tons, with that of 1913, when it had fallen to 258,709 tons.

There is no dissenting note, there is no set of statistics which run counter to this practically universal tendency. There are certain rivers on which there has been some gain, or where there has been a maintenance of traffic. I think those fall within well-defined classifications, and at a later time I shall endeavor to take them up.

Turning again in this report to page 25, I wish to read some extracts which show conclusively that the decadence of the traffic on the Mississippi River has not been caused by any failure to properly improve the river:

The existing improved waterway of the Mississippi River below St. Louis fully equals, and over the greater part of its extent far excels, in depth and duration of unobstructed use, the existing river systems of Europe, where the nontidal sections are usually given depths of only 3 to 9 feet, 9 feet being exceptional and 10.5 feet a maximum.

The immense commerce of the Rhine could be carried more readily and cheaply on the Mississippi to-day than on the Rhine if such commerce were available for transportation by water and demanded such transportation.

The decline in the commerce of the river has not arisen from its lack of navigability but from the reduction in amount of material available for shipment. When a large proportion of the grain was raised east of the river, St. Louis was a natural outlet to grain and other farm products seeking Gulf ports, and a flourishing commerce existed between St. Louis and New Orleans by water, but at the present day 70 per cent of the wheat and 50 per cent of the corn of the country are raised west of the Mississippi. Kansas City, Omaha, and Minneapolis have become the great grain centers. Grain and other farm products seeking Gulf ports find a rail line from Kansas City to Galveston which is cheaper than a rail transportation to St. Louis increased by the cost of river transportation from St. Louis to New Orleans, and the only grain that can move down the river is that locally consumed along its banks.

The Mississippi River from St. Louis to New Orleans flows through a sparsely settled country. According to the census of 1900 there was between these points but one town on its banks of over 15,000 inhabitants (Memphis), and but six others with a population exceeding 5,000. The manufacturing industries, or demands for manufactured articles, in so thinly a settled region are slight. There are no mineral deposits along its banks, and its agricultural products are principally corn, cotton, sugar cane, and rice. The alluvial soil of the Mississippi Valley, with the heavy rainfall of this region, renders its common roads almost impassable, so that a long haul to or from the river bank becomes very expensive and confines the commerce of the river to those products raised or expended on its immediate banks.

Then it gives a reference a little further on on that page—

Ninety-seven and one-half per cent of the commerce which passed through the canals at Sault Ste. Marie in 1907 consisted of iron, coal, lumber, and grain. In a thickly settled community, such as is found along the Hudson River, a heavy water-borne commerce may develop in building material, such as stone, brick, lime, and cement, but with the small population in the Mississippi Valley below St. Louis the transportation of these items would be insignificant.

The first point that should be impressed upon the mind of everyone who wishes to make a study of this subject is the decadence of this water-borne traffic. The next is that where that decadence is most marked there are facilities better than those of Europe, ample for everything, and yet right in this section of this river we are asked in this bill, with an available balance of $300,000 on hand, to pour in a million dollars more.

Mr. President, so long as my strength lasts I shall protest against it. The people of this country are not long going to be misled in this regard. If this Congress passes a river and harbor bill so full of wasteful items, it is inconceivable that some one, possibly a political party, will not be called to account for it.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER (Mr. LEE of Maryland in the chair). Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. BURTON. For a question.

Mr. BRANDEGEE. I know how cautious the Senator is, but I wanted to ask the Senator if he thinks that we ought to abandon the development of our internal waterways?

Mr. BURTON. No; but we ought not to invest money in them by millions where a hundred thousand would answer.

Mr. BRANDEGEE. No; but I see that possibly I misunderstood the Senator. If with facilities in certain reaches of a river superior to those in Europe which bear a large commerce,

our water-borne commerce is in a state of decadence, if I understood the Senator correctly, and is decreasing——

Mr. BURTON. Yes.

Mr. BRANDEGEE. What inference does the Senator draw from that? Why is it wise to go on furnishing better facilities?

Mr. BURTON. There is a certain class of waterway improvement which I do not think should be undertaken at all, that which is bound to be an absolute waste.

Mr. President, I have listened to a great deal of criticism this afternoon—criticism of myself and of my colleague the Senator from Iowa—but if I can not prove to any man who will take up this subject with me and give it dispassionate attention that my conclusions are right, I shall be, to say the least, greatly disappointed. Why is it that I object to coming hastily to a vote here in the Senate? It is because the bill has not been maturely discussed.

Mr. President, I think I might as well say, in what may be called the privacy of this Chamber, that there are many Members of the Senate who have told me they hoped this bill would be defeated, but said they must vote for it. What is my duty under those circumstances? Is it not to oppose it to the end, to insist that it ought to be re-formed and the wasteful items eliminated? Am I doing my duty if I keep silent here in the midst of this waste? Am I doing my duty if I allow a bill to be hurried to a vote without discussion when I do not really believe if it had careful consideration and was voted upon according to the individual judgment of the respective Senators it would have a dozen votes in the Senate? That is the fact about it.

I am speaking freely, but in view of the attacks that have been made upon me this afternoon I think that I am justified in so speaking. I do not believe you are going to pass this bill in its present shape. I am going to prevent it if I can; I will tell you that.

Mr. BRANDEGEE. Mr. President, the Senator from Ohio knows that I have not intended to criticize him for speaking on this bill; he knows that we all admit his great knowledge, perhaps greater than that of any other man in the country, on the subject which he is discussing; but I for one am willing to have every proposition in the bill discussed and explained. I do not think the Senator is filibustering myself; the bill has not been discussed very much. I think so long as the Senator talks on the bill and furnishes information he can not be said to be filibustering; but I understand the Senator does not want to defeat the whole bill.

Mr. BURTON. By no means.

Mr. BRANDEGEE. The last phrase that the Senator used was that he did not want the bill to pass in its present form. The inference is that some modifications of it could be made, under which conditions he would be willing to have it passed; but what I want to know is, when the Senator says that our water-borne commerce is decreasing to such a great extent, although the facilities are so good, is it because that wherever the two facilities are furnished to the shippers, the railroad and the water, that they take the railroad in preference to the water?

Mr. BURTON. Generally speaking, yes.

Mr. BRANDEGEE. Even at the higher rates?

Mr. BURTON. Yes. I will come to that. I think I should say that my thought in this whole matter has been first to work out general principles, and I think I ought to have the right to address the Senate. Is there anything of this material that I am reading here that is not useful information?

Mr. BRANDEGEE. The Senator ought to have the right to address the Senate, but the only right he is accorded is the right to address the Chamber.

Mr. BURTON. Is this a filibuster? It is useful information about the Mississippi River that I am giving. Are not the Members of the Senate and the country entitled to this class of information?

Further on this subject, on pages 319 and 320 of House Document No. 50, Sixty-first Congress, first session:

The Mississippi River, including its tributaries, drains about half the United States, and it has a total of about 16,000 miles of river (Census Bureau reports) susceptible of navigation. As every one knows, it is not many years since this river was noted for its large steamboat commerce, very large in proportion to the commerce of the entire country; and it, in fact, was the great highway for not only freights but passengers passing into and through the Middle West. For many years, however, its water commerce has been steadily diminishing, while the inland water commerce of the entire country has been as rapidly increasing, so that to-day its water supremacy is gone; and such condition of affairs is well known not only to the Mississippi Valley but to the United States public in general, who are wondering why the river is not more utilized and how it can be made more useful. But it is also well known to the engineering public of the country that the present river conditions of the Mississippi Valley are many times better than in the days of the greatest commerce—

The present river conditions are many times better than they were in the days of its greatest commerce—

the river from St. Paul to deep water above New Orleans having now a navigable depth nearly twice as great everywhere as in former days—

I wonder if Senators understand, when we are asked to appropriate a million dollars for that stretch of the river from the mouth of the Missouri to the mouth of the Ohio, where they have had 8 feet for years, that the river now has a navigable depth nearly twice as great everywhere as in former days?—

and its obstruction by snags and wrecks being at present so slight as to be rarely mentioned. The marked diminution of commerce under such circumstances can not be due to questions of navigation and river engineering and must be due to other conditions, such as those of demand and supply, water and rail competition, and of business management in general.

This situation on the Mississippi River (and its tributaries) is not the only similar case in the United States. Even Chicago, Ill., in spite of its size, its increasing population and factories, its direct frontage on deep water of the Great Lakes, and its excellent inner harbor (Chicago River) of the olden type, has recently found itself in the same predicament and has been obliged to make special search for the reasons thereof.

Then there is a great deal of material on this subject which I wish every Member of the Senate could read, on pages 320 and 321 of this report, but I do not wish to encumber my remarks with all of this matter.

I quote next from page 336. It gives, here at the top of the page, the traffic on the Rhine. It says that at this time, 1907, it was over 16,000,000 tons, but in fact it is between 30,000,000 and 40,000,000 tons; it mentions the Volga, with a traffic of over 14,000,000 tons, of which three-fourths is upstream; and it goes on to refer to the decadence in the traffic on the Mississippi.

A comparison is then given which has often been made:

The Great Lakes have been often referred to as an illustration of the enormous development of freights by reason of the existence of deep draft and as an argument for deep drafts in rivers. The experience of the Great Lakes navigation development is, however, not properly applicable to that of waterways in the other parts of the United States, as the Great Lakes, for the greater part of their distance, have broad, deep channels, more like the ocean than like any rivers of North America except the lower St. Lawrence. The movement of deep-draft boats in broad, open channels can not be properly quoted as an illustration of what would happen to similar boats in narrow, winding river channels.

Large, deep-draft, heavily loaded boats are unwieldy, especially when trying to back against the current; and when coming downstream such boats can not be handled safely except in wide, deep channels, such as are far greater than ever can be expected in the Mississippi River above the mouth of Red River. While an ocean steamer might safely go slowly up the Mississippi against the current with a draft somewhat less than the channel depth over its bars, it is very doubtful whether it could ever get down the river with safety except during high freshets when all bars were deeply submerged.

In order to put the Mississippi River Valley waterways, as regards facilities of transportation, on a par with the railroad systems of the valley, which have branches or sidetracks to every city or town within easy reach, it would be necessary that the box cars of railroads should be represented on the river by barges of uniform draft for the entire river system, so that one or more barges could be loaded at factories and freighted along the river in large tows, to be later collected at depots at the mouth of each tributary, where new tows could be assembled for through towage to their final destination, each barge, at the end of its route, delivering an unbroken cargo to the consumer. Such condition is practically achieved in Europe by the great number of its light-draft barges and the great number of small harbors or havens scattered along its rivers and canals.

I may say in this connection that on the Rhine River there are single towns that probably have expended more in the way of terminals than all the towns on the Mississippi River together, if we except New Orleans with its ocean terminals.

On page 344 of this report there is a table showing the traffic, I believe, in the year 1907, giving the reaches in the river in which the traffic occurs and tending to show the extent to which the traffic is local. I think that may be more properly taken up at a later time in connection with that diagram, Mr. President.

On page 349 it is said—and this is a striking fact in this connection—

The tables of freight shipments for the entire Mississippi River system, showing a comparison from 1889 to 1908, while bringing out very plainly the great and almost uniform loss in boat commerce since 1889 (the only gain being that of the Yazoo River), shows that the least loss has been in the Ohio River system, where the low-water depths are the least and where only from one-fourth to one-half of the year is available for boats of 8 to 9 feet draft. At the same time it shows that while on the tributaries a large proportion of the freights are carried by packet boats, the lower Mississippi carries over two-thirds and the Ohio River carries as much as 92 per cent of its freights in barges and tows.

The table of Mississippi River commerce, as compared with that of the rest of the United States, shows how rapidly the Mississippi River system has been falling behind the United States as a whole, the Mississippi having lost while the whole United States has doubled.

The table of freights of important harbors on the lower river brings out plainly the large amount of local work in the river as compared with through freights. In order to reconcile this table with the previous table, it must be borne in mind that all freights are counted twice, once for shipment and again for delivery.

As bridges are built across the Mississippi the importance of ferry traffic diminishes. The river below St. Louis is at present crossed only by two bridges, one at Thebes and the other at Memphis.

Here is something about the grain traffic, on page 350, which is interesting:

The grain traffic of the Mississippi River has for several years decreased very heavily, having lost about 78 per cent since 1889, the decrease on the upper Mississippi being about 60 per cent and that on the lower Mississippi about 96 per cent. The latter decrease is due to the fact that the cost of the boat transportation from St. Louis to New Orleans, added to the extra cost of ocean transportation from New Orleans to Europe, is to-day (1907–8) greater than the rail charges from St. Louis to New York, plus ocean carriage New York to Europe.

Coal, sand, stone, etc., constituted in 1906 about 87 per cent of all barge freight, being about 86 per cent on the upper Mississippi, 92 per cent on the Ohio, and 47 per cent on the lower Mississippi. Next to coal, the chief commodity is sand in short hauls, often entirely within a single harbor.

Mr. President, while I regret that there are not a larger number present, I think it is perhaps desirable here to take up some very striking figures, and I ask my colleagues to consider these figures in regard to the Mississippi and other rivers. I feel that these are so important that at some time, if attention is not paid to them, I shall feel compelled to take them up again. It is my duty to discuss them, because the public and, I believe, the Senate do not understand their importance.

I turn to page 12523 of the CONGRESSIONAL RECORD for July 23, 1914. The traffic on the Mississippi is given in four sections—from 1901 to 1910, inclusive. Those four sections are, first, St. Louis to Cairo; second, Cairo to Memphis; third, Memphis to Vicksburg; fourth, Vicksburg to New Orleans. Now, let us see how striking this is.

The quantity of grain and its products carried in that reach, from St. Louis to Cairo, in the year 1901 was 137,954 tons. What was it in 1910? Sixteen thousand nine hundred and eighty-one tons. In other words, it had fallen from 137,954 tons to less than one-eighth of that amount—16,981 tons. The quantity of live stock—passing over cotton and cotton seed, which are practically insignificant and show in general a slight increase—in 1901 was 31,981 tons. What was it in 1910? Six thousand five hundred and eighty-one tons—a little more than a fifth of what it was in 1901. Coal and coke showed an increase of from 80,950 tons in 1901 to 113,673 tons in 1910. I have several times in the discussion of this subject shown the reason for that, namely, that there is one concern in St. Louis which uses a certain kind of gas coal, which has been found to be the best for its purpose. It is derived from Pittsburgh. The cost, irrespective of interest on about $16,000,000 that has been poured into this stretch of the river, is $4 for every ton carried, while that coal could be carried by rail from the mine in Pittsburgh to the gas furnace in St. Louis for two dollars and a half.

What were the facts? In the early part of the century, in anticipation of the St. Louis fair, we were appropriating $650,000 a year for this part of the river. We thought it was desirable to put in considerable amounts to help them out at the time of the fair; but the commerce dropped and dropped, and along about 1905 we concluded it was not worth while to seek to pour money into a rat hole.

We did not believe in absolutely abandoning the river, but we put down the amount to $250,000, and we restricted the work to dredging. What has been the result of that? The traffic was two-thirds more during that time than it is now. In 1910 Congress increased the appropriations, and began to appropriate, first, $750,000; then in 1911, 1912, and 1913, $1,000,000 per annum; and there is $1,000,000 in this bill.

Mr. President, just as long as I have a voice I intend to protest against that project. All the while there was a depth of 8 feet from St. Louis clear down to the Gulf, and the project as explained is to get 8 feet from St. Louis down. For 8 or 10 years they have had 8 feet right along, barring a few days, and only a few days in exceptional seasons. Does the Senate understand that? Are they going to vote that item under such circumstances as that?

Mr. President, I almost ask pardon of the Senate for having digressed so long on a single project, but this one is typical. In 1881 it was estimated that it would cost about $16,000,000. Let me get the exact figures. It was estimated that it would cost $16,397,500 to obtain a channel 8 feet in depth. To June 30, 1913, the amount expended in seeking to obtain this 8-foot channel was $15,974,425. Nearly all of this was expended under the estimate of 1881. Sixteen million dollars was estimated in 1881 and $15,000,000 expended to date. The estimated cost of obtaining this 8-foot channel from St. Louis to Cairo, June 13, 1913, what was it?—$18,570,574, $2,000,000 more than it was estimated it would cost in 1881 for securing an 8-foot channel, when an 8-foot channel has been in existence and readily available save for a few days each year for 10 years past. That is an illustration. That is a typical case of what is in this bill.

I now turn to the other traffic on that section of the river between St. Louis and Cairo. In logs there has been a slight increase between 1901 and 1910, from 37,600 to 44,555 tons. Let us take up iron and steel. Let us see for what our beneficent Government has been expending money. In 1901 the number of tons of iron, steel, and metals carried on the stretch from St. Louis to Cairo was 29,122 tons and in 1910, 188 tons. It had almost disappeared. It is true that the 29,122 tons in 1901, I should say in fairness, was rather above the average for those years.

Groceries and provisions, in 1901, 83,656 tons; in 1910, 10,694 tons, a decrease to about one-eighth, and it took only 10 years to do it. The year 1913 will show a still further decline.

Here is one thing to be noticed. In some parts of the country they make a specialty of statistics, and include sand and gravel that is dug out of the bed of the river and carried 1 or 2 miles to some town near by. There was no sand or gravel in the statistics for 1901, but in 1910 there were 45,314 tons, and that helped to buoy up the aggregate. If it were not for that, the showing would have been a great deal worse.

The fall in miscellaneous freight is not so great. The decrease is from 67,573 tons in 1901 to 43,998 tons in 1910.

Now, what are you going to do, Senators? Are you going to ignore these facts? Are you willing, whatever the information may be to-day, superficial no doubt, to have the country know these facts in the future. The most just judge of all our actions is not the robed judiciary on the bench; it is the judgment of the future. Do you believe that these facts and figures are going to be ignored? Do you believe that the future will not consider this in the light of waste? It may be they will call it worse than waste. Then, will there not be a change of opinion? It is not merely a change of opinion in the future; it has already begun. If ever there was a time in all the 25 years I have been in public life where the press of the country were unanimous on any subject, it has been in condemnation of the river and harbor bill which is here before us. They may not have spoken in the thunder tones of the orator; they may not have spoken with the pleading of the man who wants to carry home something that he can tell his constituents about; but they have expressed an opinion about this bill which is like a great movement begun in confidence of its righteousness, and this criticism will still further increase.

Well, let us pass on to some more comparisons. Let us pass to the section between Cairo and Memphis. That is not quite so bad. In 1901 the traffic in grain and its products was 103,599 tons; in 1910, 15,669 tons. It has fallen to less than a sixth.

Cotton held its own, 13,647 tons in 1901 and 13,815 tons in 1910. But this is not through cotton. It does not go down to New Orleans or to the Gulf by this route. It is picked up at these respective landings and carried to Memphis or some other market. They did that in far greater quantities before the days of the Civil War than they are doing it now. It does not need an expensive or extensive improvement.

In order that I may not be misunderstood, do not let me be interpreted as being against this appropriation for the lower Mississippi River. No; I think it is one main reason why this bill ought to pass. It is true that the amount recommended by the engineers—$6,000,000—is not for navigation, although the original project contemplates improvement in the interest of navigation. It is because those people have been suffering from the floods of 1912 and because of the desirability of repairing levees and revetting the banks of the river.

I very much regret that those who are most interested in these improvements or that improvement on the Mississippi seem to be most insistent on the passage of this bill. What an irony of fate it would be if the whole bill should fail simply because other projects are advocated by those who are so interested in the improvement of the lower Mississippi River.

I now come to cotton seed and its products. Cotton seed is a commodity that has developed very much in the last 10 years. I presume there was a time in the memory of those around me when it was not considered as of any special value. In 1901 the traffic in this commodity between Cairo and Memphis was 21,750 tons; in 1910, 8,276 tons.

Live stock varies from year to year; in 1910 there was more than in 1901, but in the former year it was only 3,780 tons.

The traffic in coal and coke in 1901 was 1,359,462 tons; in 1910, 508,696 tons, a decrease of very much more than half.

In lumber—though I do not regard that as much of a test—there was a decrease from 228,493 tons in 1901 to 72,880 tons in 1910. Floating logs held their own. They hold their own sometimes on a decadent stream. There were 309,395 tons in 1901 and 335,662 tons in 1910.

Now, as to iron, steel, and metals, the traffic was 55,572 tons in 1901 and 20,828 tons in 1910, a decrease of considerably more than half. Groceries and provisions in 1901, 83,656 tons;

in 1910 it was 10,694 tons. But there has been an increase in sand, gravel, and stone, none in 1901, and 21,481 tons in 1910. At least the navigation is vindicated, because the quanitiy of sand and gravel is increased. Yet everyone knows just how short a distance it is hauled and the circumstances under which it is handled are well known. It is drawn on barges. It does not need any improved navigable channel at all.

Let us turn to miscellaneous and unclassified freight. Look at this: A decrease from 175,141 tons in 1901 to 20,897 tons in 1910.

Now let us give a few illustrations of the decadence of traffic on the lower stretch of the river from Memphis to Vicksburg. In 1901 the traffic in grain and its products was 143,791 tons; in 1910 it had decreased to 20,295 tons; just about a seventh. Cotton, 49,553 tons in 1901 and 20,770 in 1910. Right in the midst of that splendid cotton country the shipments between 1901 and 1910 have fallen off from about 50,000 to about 20,000 tons. Then cotton seed, 39,855 tons in 1901 to 26,743 in 1910.

Live stock shows an increase, but the total quantity is small. Look at coal and coke. It shows a decline of from 1,281,391 tons in 1901 to 392,561 tons in 1910, a decrease of less than a third. Lumber slightly increased; logs slightly increased, but they were largely floated without boats.

Then, again, the traffic in iron, steel, and metals was 32,851 tons in 1901; in 1910, 15,421 tons—less than half. Groceries and provisions in 1901, 74,221 tons; 34,560 in 1910. Yet in sand and gravel the traffic has grown from nothing in 1901 to 186,516 tons in 1910. In the published statistics it will be very frequently said, no doubt, that the tonnage is increasing or holding its own because of sand and gravel.

From 1901 to 1910 miscellaneous and unclassified fell from 44,442 to 22,179.

The traffic on the section from Vicksburg to New Orleans has held up rather better than that on the section just considered, but even there the decline has been very marked. For example, the traffic in grain and its products was 112,314 tons in 1901; 28,470 tons in 1910. Cotton—just think of it, right in the heart of the cotton country, between Vicksburg and New Orleans, with this magnificent river 30 feet deep part of the way—cotton fell from 71,925 tons in 1901 to 6,578 tons in 1910. In a stream that is big enough for ocean steamships much of the way less than a tenth was carried in 1910 than in 1901. Yet Congress with solemnity, with no manifestation of humor, is considering the canalization of the Brazos and the Trinity to carry cotton down to the Gulf when right on the Mississippi River, the Father of Waters, a magnificent waterway, the quantity of cotton that is being carried in one of the finest cotton-growing sections of the world has fallen off in 1910 to one-tenth of what it was in 1901.

Mr. President, one of the most amazing things in the world, to my mind, is the absence of a sense of humor in some persons. Yet you must not attack this bill; you must not criticize it; if you do, you are filibustering. It takes more than an hour to set forth the defects of this bill. What we need to know is the great tendencies that prevail in regard to river transportation. If we know and understand those tendencies we are not going to pass any such bill as this here before us.

Let us examine the traffic in cotton seed and its products. In 1901 it was 60,936 tons; in 1910, 10,339 tons. Live stock shows a slight decrease, but that is not very important. Coal and coke in 1901 was 1,225,970 tons; in 1910, 364,559 tons. On this great waterway, connecting the Ohio with the coal fields of the Kanawha and the Monongahela, where they can ship down fleets of boats, lashing them together, carrying 50,000 tons at one time, the quantity of coal that is carried down to New Orleans has fallen from 1,225,970 tons to 364,559 tons between 1901 and 1910.

Mr. TOWNSEND. May I ask the Senator a question? Has the Senator anywhere explained his theory why that has taken place?

Mr. BURTON. It is the greater resort to railway transportation, for the most part.

Mr. TOWNSEND. Why was that additional railway transportation provided? What induced it?

Mr. BURTON. Because of the greater demand for carriage of products by rail, no doubt; and another thing I shall try to go into—I do not want to go into it at any very great length now, because I am not sure that I shall have any very ardent listeners, although I see there are some who are paying very close attention—is the transporting by the railroads of a heavier quality of freight in recent years. That is one of the explanations of this tendency, and I will try to show how that comes about. Of course in this case, in regard to coal, there is a very considerable development in the coal fields in Alabama. I sincerely hope that the locks and dams system on the Black Warrior River may aid very materially in the shipment of coal to New Orleans by barges. Of that, however, I am somewhat doubtful.

The decrease in lumber on the Mississippi between Vicksburg and New Orleans was from 37,359 tons in 1901 to 14,903 tons in 1910. The figures for logs are not given for 1901. In 1910 there were 71,538 tons shipped.

Now, look at iron, steel, and metals. There were 31,272 tons in 1901 and 9,707 tons in 1910; groceries and provisions, 154,877 tons in 1901 and 58,941 tons in 1910.

One thing has shown very great increase—gravel, sand, and stone, of which there were no statistics in 1901, while in 1910 there were 657,656 tons. That, of course, makes a favorable impression in any showing of aggregate statistics, but it really means nothing.

In oil, also, there has been some development below Baton Rouge, where there is a great oil refinery, and I am glad to know that there has been a traffic there reaching 223,984 tons in 1910. Miscellaneous and unclassified tonnage in 1901 was 137,557 tons; in 1910 it had fallen to 81,709 tons.

Now, let us look at the totals:

St. Louis to Cairo, 563,848 tons in 1901; 289,759 tons in 1910. Cairo to Memphis, 2,306,302 tons in 1901; 1,039,195 tons in 1910. Memphis to Vicksburg, 1,856,339 tons in 1901; 980,386 tons in 1910. The decrease has not been so large between Vicksburg and New Orleans—from 1,835,174 tons in 1901 to 1,530,230 tons in 1910.

It should be borne in mind, however, that in those figures for the section between Vicksburg and New Orleans for the year 1910 there is included a quantity of gravel, sand, and so forth, of 657,656 tons. If those were taken out, it would leave less than 900,000 tons for the total, or a decrease of more than one-half.

Mr. President, I wish the Members of the Senate would look over these tables. They were printed on the 23d of July, 1914, in the hope that some attention would be given to them. These figures that I have given are taken verbatim from the Statistical Abstract of 1911 or 1912—I have forgotten which year it is—and are entirely accurate. They were originally taken from the report of the Chief of Engineers—the best source available.

Now, let us look at another section of the Mississippi River—from the mouth of the Missouri to St. Paul. That is about 638 miles in length. The tonnage on that section of the stream in 1885 was 5,607,196 tons; in 1912 it was 1,830,294 tons—a decrease of two-thirds.

Another interesting fact that I want to give in this connection in a few minutes is the ton-mileage on that stretch of the stream. These statistics are the most convincing of all. They are compiled by the St. Louis Merchants' Exchange. That commercial body collects its statistics as carefully as any organization in the country and they have them extending back for many years. The Cincinnati Chamber of Commerce also does very good work, but for the Central West and the Mississippi Valley I think the St. Louis Merchants' Exchange furnishes reports unsurpassed by any. Just look at a few of these figures relating to the upper Mississippi River. In 1890, 22,547 tons were shipped from St. Louis to the upper Mississippi. In 1913 the quantity was 8,830 tons.

Here are some figures which will interest Senators: In 1890 the shipments from St. Louis to the lower Mississippi River were 543,805 tons. In 1913 they were 20,000 tons, or about one twenty-seventh as much in that year as they were in 1890. That is not a very long time—23 years, from 1890 to 1913—but it is long enough to show that while the channel in 1890 was not much more than half as deep as it now is and as it has been for 10 years; and after 10 years of 8-foot navigation down to Cairo, and 9 feet below Cairo, the amount shipped out of St. Louis to the Mississippi River below Cairo has dropped in 1913 to less than one twenty-seventh of what it was in 1890.

The quantity of freight shipped from St. Louis to the Missouri River has fallen from 10,035 tons in 1890 to 7,284 tons in 1913. The total shipments from St. Louis by river in 1890 were 601,862 tons. They had fallen in 1913 to 47,584 tons—about one-thirteenth. The total shipments——

Mr. REED. Mr. President——

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

Mr. BURTON. Certainly.

Mr. REED. During what period was that?

Mr. BURTON. That was from 1890 to 1913.

Mr. REED. Will the Senator not state to the Senate, as a matter of fairness, that the traffic on that river has begun to

increase in the last three or four years? It is greater this year than it has been for several years.

Mr. BURTON. The figures do not seem to show that. I have here the figures furnished by the Merchants' Exchange.

Mr. REED. Of St. Louis?

Mr. BURTON. Yes.

Mr. REED. Oh, St. Louis does not know there is a Missouri River; they are on the Mississippi River.

Mr. BURTON. Well, these are the figures for the Missouri. The shipments out of the Missouri were more in 1913 than they were in prior years, because another boat line has been put on.

Mr. REED. I think the Senator ought to say now, in all fairness, that not only is there another boat line on, but they are building and acquiring more boats. They have also a very large unexpended fund that lies there to be used for more boats as soon as they have determined the best type of boat. I think also he ought to add that they have been acquiring docks and terminal facilities of the most modern character, at least at Kansas City; and then I think he ought further to add that the difficulty lies in the fact that there are bars in that river which make it difficult to navigate and at the very purpose of the present appropriation is to remove those bars and to restore navigation.

Mr. BURTON. Mr. President, I have never opposed a reasonable appropriation for the maintenance of the Missouri River, but the present project contemplates an expenditure of about $20,000,000. The total amount of freight coming to St. Louis from that river was only 7,284 tons in 1913. Just think of it; about half of an ocean boatload or two-thirds of a boatload on the Lakes. Those were the shipments in 1913—7,284 tons—and the receipts for the same year were 5,380 tons.

Another thing: You never can develop a traffic on that river, because it flows counter to the lines of transportation. You have a bend at right angles at Kansas City. Again and again boat lines have been put on for a year or so. For a while they have had patronage, and then they have been abandoned; but here we are proposing to spend 20 times as much as all your terminals and your boats are worth.

Mr. REED. Mr. President——

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

Mr. BURTON. Yes.

Mr. REED. Mr. President, there are two fallacies in the Senator's statement, and while there are only a few Members of the Senate here, I do not want the record which the Senator is making now upon the Missouri River further to go unchallenged. If he will pardon the interruption, I should like right at this time to point out those two fallacies.

Mr. BURTON. Mr. President, I understand it is a rule that interruptions are in order.

Mr. REED. Mr. President, the first one is that because there is not at the present time traffic upon a river therefore the river can never be made fit for traffic. That logic amounts to no more than to say that if a bar forms across a river which absolutely prohibits traffic you can prove that that bar should never be removed by providing that there is no traffic, when there can be no traffic because of the existence of the bar. Of course, when a river has been allowed to have bars form in it, it is easy enough to prove that there is no traffic, because the traffic can not be there. The argument is on an exact parallel with that of the old lady who told her boy that he must learn to swim before he went into the water. Of course, you can not run boats upon a stream, however much water there is in the stream, if there is a single bar across that river which prohibits traffic at that point; but if you remove the bar you may have the traffic. That is the whole trouble with traffic upon the Missouri River.

There is enough water in the Missouri River to float the navies of the world, but it is a rapid stream; it cuts into the banks; erosion takes place; deposits are made in the beds of the stream, and accordingly a boat proceeding up it will meet with disaster upon these bars. The very purpose is to make it so that you can put traffic upon it, and you can not disprove that by proving that the traffic has run down. With all of the difficulties that now exist and have for years existed, nevertheless traffic is being restored in the face and teeth of these difficulties.

It has been necessary to experiment to determine what is the best kind of boat for that stream under these adverse conditions, and, as the result of that, several boats have been placed upon the river, and others are being built, and there is a large fund, sufficient to build several more good boats, simply awaiting the use that it can be put to as soon as the best type of boat has been fully settled upon.

The last year has witnessed a large increase in traffic upon the river. Boats now run with considerable regularity, although all of the obstructions in the stream exist that have been accumulating for years, except at a few points where the Government has improved the river.

There is a stretch of that river that was properly improved some years ago. My recollection is not exactly accurate at this moment, but I think 15 years ago there was one stretch of that river that was improved systematically. It was improved to give a 6-foot channel, but instead of giving a 6-foot channel it gave a 9-foot channel. It was the worst stretch of the river. That 9-foot channel has been there ever since. If all the river had been improved in the same way, there would be an immense traffic to-day upon the bosom of that river, and I protest that it is not fair for any man to argue that an appropriation should not be made for a stream and to prove that by the fact that traffic is not there now, when the very purpose of the appropriation is to permit traffic. I thank the Senator.

Mr. BURTON. Mr. President, first of all, let us examine into this proposition. We have spent large sums of money in improvement and now have an excellent channel from the mouth of the Missouri down by St. Louis clear to the Gulf. The traffic there has almost entirely disappeared. Does anybody suppose that if you improve this stream, at right angles to the Mississippi River, a longer distance, a less favorable field for the promotion of traffic, that you are going to have a larger traffic on the Missouri than you have on the Mississippi between the mouth of the Missouri and the mouth of the Ohio?

Then let us take the other portion. You may compare the Mississippi above the mouth of the Missouri with the Missouri. The traffic on the Mississippi above the mouth of the Missouri has shown the same rapid, steady decadence as that below.

The argument is made that notwithstanding the rapid decline of traffic on the Mississippi below the mouth of the Missouri, notwithstanding it is falling off on the Mississippi above the Missouri, you can improve a tributary, for that is what the Missouri is—the Mississippi constitutes a straight, direct route—and that by such an improvement you can develop a larger commerce on that than you can on either of the two sections of the Mississippi.

As to the first fallacy, the Missouri is easily capable of being navigated by boats of 4 feet draft, or would be with very slight improvement. Back in 1857 there were boats running on that river, and for years thereafter, before the Government had spent any material sums upon it. There is a proposition in one of the reports to improve it, and secure 6 feet at a cost of three or four millions. I would not object even to that; but what is this plan that you have here? Why, it is to spend $20,000,000, and $500,000 per annum for maintenance, for a permanent 6-foot channel from Kansas City to the mouth.

Let us look at the absurdity of that. Above the proposed improvement on up toward Sioux City, there is practically no channel at all, while below it, that is, below the mouth of the Missouri, the existing project is for 6 feet. And here is this lower portion of the Missouri River, in between, where according to the present project you are seeking to spend twenty millions on a 6-foot project.

That shows how our whole system of public works needs overhauling. We ought to get rid of this patch-work policy which is much like the plan for a dam in the Tennessee River, where they were going to have a channel from Knoxville to Chattanooga 3 or 4 feet deep, and build a great dam in between, giving for 22 miles of the total length of 188 miles 6 feet in depth. What good does that 6 feet of depth do right in there, with 80 miles on both sides having but 3 feet at extreme low water and 4 feet at ordinary low water? How perfectly absurd that all is. But our system is getting to be so full of shreds, patches, and irregularities that we are seeking to improve the ungovernable Missouri to the extent of providing a permanent 6-foot channel, at an enormous expense.

I now come to the receipts at St. Louis. Those from the upper Mississippi in 1890 were 128,960 tons; in 1913, 27,735 tons. From the lower Mississippi the receipts were 222,075 tons in 1890 and 11,275 tons in 1913—a decrease of nearly nineteen-twentieths. The receipts from the Missouri River were 21,350 tons in 1890 and 5,380 tons in 1913, the latter figure showing a considerable increase over the previous four years.

Mr. SIMMONS. Mr. President——

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

Mr. BURTON. I do.

Mr. SIMMONS. May I inquire of the Senator what he is reading from?

Mr. BURTON. The reports published in the CONGRESSIONAL RECORD—I myself had them inserted at pages 12523 and 12524—showing shipments and receipts of freight at St. Louis, furnished by the St. Louis Merchants' Exchange.

Mr. SIMMONS. In other words, the Senator is repeating his speech heretofore made?

Mr. BURTON. No, sir; I beg the pardon of the Senator from North Carolina.

Mr. SIMMONS. The Senator is reading something that he has already put in the CONGRESSIONAL RECORD as a part of his speech.

Mr. BURTON. No; I put these in as a table, hoping that the Senator from North Carolina or others would give some attention to them.

Mr. SIMMONS. The Senator does not know but that they have done so.

Mr. BURTON. If they have, I am very glad of it, and I shall be glad to call the attention of the Senate to them; but I do not quite think the Senator from North Carolina—who will excuse my answering with some heat—is justified in saying that I am reading from a speech that I had delivered before.

Mr. SIMMONS. The Senator is reading from the CONGRESSIONAL RECORD an extract from a speech that he made before.

Mr. BURTON. No; this is the history of that: I delivered some remarks on the 22d of July, and then was silent for a considerable time. I think I did not resume the floor again until the 4th of September. It was not my own fault; it was due to the course of business. On the morning of the 23d of July I requested that these tables, which I had prepared with a great deal of care—they have required my own labor and that of secretaries with me in the work of classification and checking up for days—should be printed in the RECORD of that day's proceedings.

Mr. KENYON. Mr. President——

Mr. BURTON. They were not read at all.

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

Mr. BURTON. I do.

Mr. KENYON. That is the question I was going to ask. These tables have not been read in the Senator's speech in any way?

Mr. BURTON. No; but I want to say to the Senator from North Carolina, in view of the comparatively light attendance to-night and the supreme importance of the facts and tendencies that are shown by that table, that I should feel perfectly justified in repeating them at a later time when there are more Senators present, though not in just the form that I am doing to-night, for a bill can not be framed intelligently without an understanding of the facts and tendencies which are set forth by that table.

Mr. SIMMONS. The Senator would not consider himself justified in doing that because there is a smaller attendance of the Senate to-night, when he is repeating it, than there was when he originally inserted it in the RECORD?

Mr. BURTON. As far as the attendance in the Senate when it was originally inserted is concerned, I suppose the full Senate was here. It was during the morning hour, but it was not read at all.

Mr. SIMMONS. Was it not inserted as part of the Senator's speech?

Mr. BURTON. No. After I had finished my remarks, and on a day when I made no remarks, I asked leave to have this printed in the RECORD.

This is the phraseology of it:

On the 23d day of July, after the presentation of petitions and memorials and a number of things of that kind, the passage of several bridge bills, and the insertion by the Senator from California [Mr. WORKS] of an analysis or synopsis of the provisions of the three trust bills, I made this request:

> I ask unanimous consent to have printed in the RECORD certain facts and figures pertinent to the pending river and harbor bill.
>
> The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.
>
> The matter referred to follows.

It was not read or anything of that kind.

The receipts and shipments at St. Louis from the Ohio, Mississippi, and Missouri are all given, the total for 1880 being 1,831,385 tons, while in 1913 they had decreased to 258,709 tons, and that, too, when the latter figure includes the tonnage from the Illinois, Cumberland, and Tennessee Rivers also. If anyone will take up this table here at page 12524, in the middle of the second column, he will find what the tendencies are. In the meantime the railway traffic from 1880 to 1913 had increased from 8,852,204 tons to 54,350,851 tons. That is, while the waterborne traffic had gone down to a seventh of what it was, the rail traffic had been multiplied by six; and the proportion of traffic carried by water in 1880 was 44 times as great as it was in 1913.

I will touch briefly here on a comparison of the decrease in traffic on some other rivers.

The Penobscot River: The average yearly traffic in 1890–1895 was 840,000 tons. In 1912 it was 549,476 tons.

The Kennebec River: The average yearly traffic in 1890–1895 was 1,140,000 tons. In 1912 it was 281,700 tons—about one-fourth of what it was in 1890–1895.

The Connecticut River to Hartford: 1,041,000 tons in 1890–1895; in 1912, 617,981 tons.

The Hudson River fell off from 5,000,000 to 3,045,136 tons and the James River from 699,000 to 507,023 tons in the same period.

The Oconee from 109,000 to 7,451, though to those figures should be added rafted lumber. I am giving the figures showing a comparison of the average yearly traffic in 1890–1895 with that in 1912.

The Ocmulgee showed a similar decrease, from a yearly average of 115,000 tons in 1890–1895 to a yearly average of 74,000 tons in 1906–1908 and 9,528 in 1912. I think, however, these figures would be less glaring if a certain amount of rafted lumber carried on this river was included in the list.

There is a further list here: The Pawcatuck, in Rhode Island and Connecticut; the Rappahannock, in Virginia; Occoquan Creek, in Virginia; the Neuse River, in North Carolina; the Trent River, in North Carolina; the Savannah River below Augusta; the Withlacoochee River, in Florida; the Leaf River, in Mississippi; the Big Kanawha, in West Virginia. The last is rather striking and deserves some attention; and, if I can get the attention of the Senate, I want to point out a very important tendency in those rivers that have a large traffic in coarse material.

The Monongahela River carries an immense quantity of coal. Indeed, its traffic is perhaps the largest in that of any river in the country which is strictly a river, aggregating more than 10,000,000 tons a year. The traffic is diminishing slightly, but if you make the comparison year by year the proportion of coarse freight increases, and that of the finer grades of freight diminishes. That is the almost universal tendency on all our rivers, and it should be borne in mind to show that a river that does not have a promise of coarse traffic is not promising for improvement. This is true of the Kanawha and of the Monongahela, both of which show similar tendencies.

The next point I want to make in this connection, showing the decrease in river traffic, is the comparatively insignificant average haul on streams at the present time. The Mississippi River, between the mouth of the Missouri and St. Paul, is 658 miles long. We have divers reports of the total amount of tonnage on that stream, and it is supposed by the careless reader that it is carried a good share of the length of the river. But on that river, 658 miles, the average haul is 31.6 miles. On the Arkansas, which is 416 miles in length, the average haul is 34 miles. On the Red, below Fulton, a length of haul 475.4 miles, the average haul is 61.3 miles. On the upper section of the Tennessee, a distance of 188 miles, the average haul is 19 miles. On the middle section of the Tennessee, 238 miles in length, the average haul is 33 miles. Tennessee, lower section, 226 miles, the average haul is 147 miles. Big Kanawha, 90 miles in length, average haul is 53.8 miles. Fox, 163 miles in length, average haul is 27 miles. Snake, 216 miles in length, average haul is 80 miles. The White—that is, down in Arkansas, the Arkansas White—301 miles in length, average haul is 42 miles. The Missouri, mouth to Kansas City, 392 miles in length, average haul is 13.9 miles. Then, one is given that I do not think is perhaps quite fair—the Missouri, Kansas City to Fort Benton, 1,894 miles in length, average haul is 16.4 miles. Yet it is fair, too. These figures show that in all these great streams that are of such considerable length there is a very short average haul. The Mississippi above the mouth of the Missouri, 658 miles in length, perhaps is one of the best illustrations of all, for it has only 31.6 miles average haul.

Mr. President, this short average haul on some of our longest rivers is also very emphatically shown by the contrast with the commerce passing through the canal at Sault St. Marie. The traffic through the Sault St. Marie Canal in 1887 had an average haul of 811 miles, and in 1912 of 831 miles, showing that there where the distances are short they have an average haul of over 800 miles.

In this connection I wish to give the average size of vessels on the Mississippi River and its tributaries. In 1888 the average gross tonnage of ships on the Mississippi River and tributaries was 190 tons. In 1898 it had fallen to 157 tons, in 1907 to 102 tons, in 1910 to 83 tons, in 1912 to 79 tons, and in 1913 to 76 tons. To anyone who is a student of this subject these figures are as expressive as any which are afforded.

Mr. President, I desire to go on with a further part of my remarks, but I am inclined just at this time to introduce a motion which I desire to have passed upon by the Senate.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Senator from Ohio proposes the following motion.

Mr. SIMMONS. Mr. President——

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

Mr. BURTON. It is a motion I wish to introduce.

Mr. SIMMONS. How can the Senator introduce a motion in the midst of his speech.

Mr. BURTON. I take it so.

Mr. SIMMONS. I think not. It is not proper for a Senator who has the floor to make a motion.

Mr. BURTON. I think my remarks have led up to something of this kind.

Mr. SIMMONS. I make the point of order that the pending question before the Senate is the adoption of the first amendment of the committee, and that no motion can be made until that is disposed of.

Mr. SMOOT. Mr. President——

Mr. BURTON. If the Senator from Utah will excuse me, the motion to agree to the amendment of the committee is merely a matter of procedure.

Mr. SIMMONS. It is the matter before the Senate.

Mr. BURTON. This is the consideration of the bill.

Mr. SIMMONS. The question is upon the amendment reported by the Committee on Commerce; and a motion and that question can not be pending at the same time.

Mr. STONE. May I interrupt the Senator?

Mr. BURTON. I yield merely for a discussion of that which I present.

Mr. STONE. Mr. President, I make a point of order supplemental to the point made by the Senator from North Carolina, that pending this discussion, and while this bill is pending and the Senator from Ohio is in process of debating it, he can not rise here and offer a resolution about anything. It is different business from that which the Senate is considering.

Mr. BURTON. But it is a resolution about this bill.

Mr. SMOOT. The Senator from Missouri can not take that position in relation to a matter that has reference particularly to this bill. The Senator is absolutely right as to introducing a resolution upon any other subject or asking unanimous consent for the consideration of any other matter, but, as I understood the Senator from Ohio, this is a motion to be offered relating to the bill.

Mr. BURTON. It is a motion to recommit with instructions.

Mr. SMOOT. It is a motion to recommit.

Mr. STONE. It is a resolution that he offers.

Mr. BURTON. It is a motion. I am inclined to think that the word "*Resolved*" is given at the beginning. If so, it should be removed. I ask that it be changed into a motion.

Mr. SIMMONS. I insist upon the point of order made by myself, and also by the Senator from Missouri.

Mr. BURTON. Mr. President, this is a most unprecedented situation. Here we are considering a certain bill and I make a motion with reference to the disposition to be made of that bill, and without even having it read these points of order are made. It is in line with what was done earlier in the evening. Let me say to my friends on the other side I am not at all misled by the object of this session. Does the Senator from North Carolina mean to say, does the Senator from Missouri mean to say, that while we have a bill under consideration I can not make a motion to recommit it to the committee with instructions?

Mr. SIMMONS. I mean to say that we can not supersede the question before the Senate by another question.

Mr. SMOOT. Mr. President——

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

Mr. BURTON. I yield for the moment. I desire to retain the floor.

Mr. SMOOT. I have no desire whatever to delay the consideration of this bill. I have no desire in my heart except that the Senate shall comply with the rules of this body. I do not believe that a Senator here can point to any precedent or any occasion that ever arose, where, when a bill was under consideration, it was held that a Senator has not a right to move that it be recommitted to the committee for further consideration.

Mr. SIMMONS. Is it a motion to recommit the whole bill?

Mr. SMOOT. That is what I understood the Senator from Ohio to say.

Mr. BURTON. I think it would throw light on this situation if we had it read.

Mr. SMOOT. I think so.

Mr. SIMMONS. I ask that the motion be read.

The PRESIDING OFFICER. The Secretary will read the motion.

Mr. FLETCHER. Mr. President——

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

Mr. BURTON. I yield.

Mr. FLETCHER. I suggest that it would be a most unheard-of proceeding if in the midst of the Senator's speech—at the close of it would be the time if it would be in order at all—to offer a motion, and that he can not expect to offer a motion or resolution and have action taken upon it without losing the floor.

Mr. BURTON. I expect when the motion comes up, if it comes up, to be heard. It is one on which we can argue, but I do not propose to yield the floor until the question is decided whether the motion is in order.

Mr. SMOOT. Let the motion be read.

The PRESIDING OFFICER. It will be read.

The Secretary read as follows:

That the pending river and harbor bill, H. R. 13811, be recommitted to the Committee on Commerce, with instructions to report the same to the Senate for consideration not more than 10 days from date, with the following modifications:

1. The omission of new projects unless upon consideration it should appear that the benefit derived therefrom at this time and under present conditions will be commensurate with the cost.

2. With provision for the readjustment of the balances appropriated for river and harbor improvements, amounting to $45,338,653 on June 30, 1914, and $6,988,500 in the sundry civil bill of July, 1914.

In such readjustment provision shall be made for probable expenditures and for reasonable contract obligations upon projects to the credit of which there are balances not necessary for improvement on or before June 30, 1915. The balances remaining shall be applied upon other projects included in the said river and harbor bill for the prosecution of necessary work authorized therein.

Mr. SIMMONS. I would concede that it is in order to make a general motion to recommit, but I do not think that necessarily implies that it is in order under these circumstances to move to commit with express instructions as to what sort of a bill the committee shall bring here.

Mr. SMOOT. Mr. President——

Mr. SIMMONS. I submit that to the Senate and I withdraw the point of order I made.

Mr. SMOOT. If the Senator from Ohio will yield——

Mr. BURTON. I yield.

Mr. SMOOT. I do not think there ought to be any position taken here that can not absolutely be sustained by every Senator.

Mr. SIMMONS. Nobody is taking any such position.

Mr. SMOOT. A Senator making a motion to recommit a bill can also at the same time in that motion move to recommit it with instructions. The Senate can vote the motion down; the Senate can amend the motion by striking out the instructions, but there can be no doubt as to its being in order. It is in the power of the Senate to do as it pleases with the motion, but it is well within the right of the Senator from Ohio to offer the motion either with or without instructions. It is in the power of the Senate not only to amend the motion by striking out the provision for instructions, but it is in the power of the Senate to vote the whole motion down. I think the position taken by the Senator from North Carolina——

Mr. SIMMONS. I did not yield for the purpose of an argument.

Mr. SMOOT. I did not ask the Senator to yield. I asked the Senator from Ohio to yield.

Mr. SIMMONS. The Senator from Ohio is not on the floor. I have the floor. I ask the Chair if I am not entitled to the floor?

The PRESIDING OFFICER. The Senator from Ohio yielded to the Senator from North Carolina.

Mr. BURTON. Yes; I would be glad to yield.

Mr. SMOOT. Then the Senator from Ohio yielded to me.

Mr. SIMMONS. The Senator took his seat. I move to lay the motion on the table.

The PRESIDING OFFICER. The Senator from North Carolina moves to lay the motion of the Senator from Ohio on the table.

Mr. BURTON. Mr. President, one minute.

Mr. SIMMONS. That motion is not debatable.

The PRESIDING OFFICER. That is true.

Mr. BURTON. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The roll will be called.

Mr. BRYAN. I rise to a point of order.

The PRESIDING OFFICER. The Senator from Florida will state the point of order.

Mr. BRYAN. The Chair announced there were eight who seconded the demand for the yeas and nays. My proposition is that it takes one-fifth under the Constitution to demand the yeas and nays and that the presiding officer must assume that a quorum of the Senate is present, and a fifth of a quorum is obliged to be as many as 10. Under the last count of the Chair there were not 10 Senators who demanded the yeas and nays.

Mr. SMOOT. I hope the Senator will not try to invoke that rule now. It is one-fifth of the Senators present. It is always so held in this body on a call for the yeas and nays.

Mr. BRYAN. I raise a point of order that not a sufficient number have seconded the demand for the yeas and nays.

The PRESIDING OFFICER. With due deference to the distinguished Senator from Florida, the Chair decides that a sufficient number ordered the yeas and nays, and the Secretary will call the roll.

The Secretary proceded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN], which I transfer to the Senator from Nevada [Mr. NEWLANDS] and vote "yea."

Mr. HOLLIS (when his name was called). I have a general pair with the junior Senator from Maine [Mr. BURLEIGH] and will withhold my vote unless it is necessary to make a quorum.

Mr. JOHNSON (when his name was called). I transfer my general pair with the junior Senator from North Dakota [Mr. GRONNA] to the junior Senator from New Jersey [Mr. HUGHES] and vote "yea."

Mr. LEA of Tennessee (when his name was called). I have a general pair with the senior Senator from South Dakota [Mr. CRAWFORD]. In his absence I withhold my vote unless it be necessary to make a quorum.

Mr. SIMMONS (when his name was called). I have a pair with the junior Senator from Minnesota [Mr. CLAPP]. I will withhold my vote unless it is necessary to make a quorum.

Mr. SMITH of Maryland (when his name was called). I have a pair with the Senator from Vermont [Mr. DILLINGHAM], which I transfer to the senior Senator from Virginia [Mr. MARTIN] and vote "yea."

Mr. STONE (when his name was called.) I transfer my general pair with the Senator from Wyoming [Mr. CLARK] to the Senator from Indiana [Mr. SHIVELY] and vote "yea."

Mr. WALSH (when his name was called). Transferring my pair as announced upon a vote heretofore, I vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Kentucky [Mr. CAMDEN] and vote "yea."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Alabama [Mr. WHITE] and vote "yea."

Mr. GORE. I transfer my pair with the junior Senator from Wisconsin [Mr. STEPHENSON] to the junior Senator from Ohio [Mr. POMERENE] and vote "nay."

Mr. SAULSBURY. I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the junior Senator from Georgia [Mr. WEST] and vote "yea."

Mr. LEA of Tennessee. I transfer my pair with the senior Senator from South Dakota [Mr. CRAWFORD] to the junior Senator from Colorado [Mr. SHAFROTH] and vote "yea."

Mr. SIMMONS. I transfer my pair with the junior Senator from Minnesota [Mr. CLAPP] to the junior Senator from Kansas [Mr. THOMPSON] and vote "yea."

Mr. JAMES. I transfer the general pair which I have with the junior Senator from Massachusetts [Mr. WEEKS] to the junior Senator from Illinois [Mr. LEWIS] and vote. I vote "yea."

Mr. CHILTON (after having voted in the affirmative). I have a general pair with the senior Senator from New Mexico [Mr. FALL], who is necessarily absent, but under the terms of my pair I have a right to vote, and I will let my vote stand.

Mr. SIMMONS (after having voted in the affirmative). I will let my vote stand, notwithstanding the fact that the Senator from Kansas [Mr. THOMPSON], to whom I transferred my pair with the Senator from Minnesota [Mr. CLAPP], has come into the Chamber and voted, provided that my vote is necessary to make a quorum, and I understand that it is.

Mr. HOLLIS. Mr. President, may I inquire how many Senators have voted?

The PRESIDING OFFICER. Not a sufficient number to constitute a quorum.

Mr. HOLLIS. Then, notwithstanding my pair, I will vote. I vote "yea."

The result was announced—yeas 34, nays 4, as follows:

YEAS—34.

Ashurst	Lane	Reed	Swanson
Bankhead	Lea, Tenn.	Robinson	Thompson
Bryan	Lee, Md.	Saulsbury	Thornton
Chilton	Martine, N. J.	Sheppard	Townsend
Fletcher	Myers	Shields	Vardaman
Hollis	Overman	Simmons	Walsh
James	Perkins	Smith, Ariz.	Williams
Johnson	Pittman	Smith, Md.	
Kern	Ransdell	Stone	

NAYS—4.

Burton	Gore	Page	Smoot

NOT VOTING—58.

Borah	Dillingham	McLean	Smith, Ga.
Brady	du Pont	Martin, Va.	Smith, Mich.
Brandegee	Fall	Nelson	Smith, S. C.
Bristow	Gallinger	Newlands	Stephenson
Burleigh	Goff	Norris	Sterling
Camden	Gronna	O'Gorman	Sutherland
Catron	Hitchcock	Oliver	Thomas
Chamberlain	Hughes	Owen	Tillman
Clapp	Jones	Penrose	Warren
Clark, Wyo.	Kenyon	Poindexter	Weeks
Clarke, Ark.	La Follette	Pomerene	West
Colt	Lewis	Root	White
Crawford	Lippitt	Shafroth	Works
Culberson	Lodge	Sherman	
Cummins	McCumber	Shively	

The PRESIDING OFFICER. Not a sufficient number of Senators have voted to constitute a quorum. The Secretary will call the roll.

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

Ashurst	Kern	Ransdell	Stone
Bankhead	Lane	Reed	Swanson
Bryan	Lea, Tenn.	Robinson	Thompson
Burton	Lee, Md.	Saulsbury	Thornton
Chilton	Martine, N. J.	Sheppard	Townsend
Fletcher	Myers	Shields	Vardaman
Gore	Overman	Simmons	Walsh
Hollis	Page	Smith, Ariz.	Williams
James	Perkins	Smith, Md.	
Johnson	Pittman	Smoot	

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

The Secretary called the names of the absent Senators, and Mr. SMITH of Georgia, Mr. SMITH of South Carolina, and Mr. WEST answered to their names when called.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present.

Mr. SIMMONS. I inquire if there is a standing order with reference to requesting the attendance of Senators by the Sergeant at Arms?

The PRESIDING OFFICER. The Senate decided recently that it would be necessary to make an order in each case.

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

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will immediately carry out the order of the Senate.

Mr. WHITE, Mr. JONES, Mr. CAMDEN, Mr. SHAFROTH, and Mr. KENYON entered the Chamber and answered to their names.

Mr. SIMMONS. Mr. President, I am satisfied there is a sufficient number of Senators in the city to make a quorum, and I move that the Sergeant at Arms be directed to compel the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. BRANDEGEE and Mr. CHAMBERLAIN entered the Chamber and answered to their names.

After a little further delay Mr. CLAPP entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The question re-

curs on the motion of the Senator from North Carolina [Mr. SIMMONS] to lay on the table the motion of the Senator from Ohio [Mr. BURTON], on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I withhold my vote.

Mr. FLETCHER (when his name was called). Making the same announcement as to my pair and its transfer as before, I vote "yea."

Mr. HOLLIS (when his name was called). I announce my pair with the Senator from Maine [Mr. BURLEIGH].

Mr. JAMES (when his name was called). I transfer my general pair with the junior Senator from Massachusetts [Mr. WEEKS] to the senior Senator from Illinois [Mr. LEWIS], and I vote "yea."

Mr. JOHNSON (when his name was called). I transfer my pair with the junior Senator from North Dakota [Mr. GRONNA] to the junior Senator from New Jersey [Mr. HUGHES] and vote. I vote "yea."

Mr. LEA of Tennessee (when his name was called). I have a general pair with the senior Senator from South Dakota [Mr. CRAWFORD]; but previous roll calls show it is necessary for me to vote in order to make a quorum, and I have an understanding with him whereby I can vote to constitute a quorum. Therefore I vote. I vote "yea."

Mr. SAULSBURY (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. COLT] and therefore at this time withhold my vote. If necessary to make a quorum, I shall vote.

Mr. SMITH of Maryland (when his name was called). I transfer my pair with the Senator from Vermont [Mr. DILLINGHAM] to the Senator from Virginia [Mr. MARTIN] and vote "yea."

Mr. STONE (when his name was called). Announcing the same transfer of pairs as on the last vote, I vote "yea."

Mr. SHAFROTH (when the name of Mr. THOMAS was called). I desire to announce the absence of my colleague [Mr. THOMAS] under leave of the Senate and to state he is paired with the senior Senator from New York [Mr. ROOT].

Mr. WALSH (when his name was called). I transfer my pair as heretofore and vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]; but believing, from what I have heard, that if he were present the Senator from Pennsylvania would vote as I am about to vote, I take the liberty of voting. I vote "yea."

The roll call was concluded.

Mr. CHILTON. I have a general pair with the senior Senator from New Mexico [Mr. FALL], but under its terms I have the right to vote in order to make a quorum. I vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER], as I have heretofore announced; but I understand if he were present the Senator from Pennsylvania would vote as I am about to vote. Therefore I vote. I vote "yea."

Mr. SAULSBURY. The understanding I have with the junior Senator from Rhode Island [Mr. COLT], with whom I am paired, permits me to vote to make a quorum. I therefore vote. I vote "yea."

Mr. HOLLIS. Under the terms of my pair I am allowed to vote in order to make a quorum. I therefore vote. I vote "yea."

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Ohio [Mr. POMERENE] and vote "yea."

Mr. SMOOT. I desire to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator form Oklahoma [Mr. OWEN];

The Senator from Delaware [Mr. DU PONT] with the Senator from Texas [Mr. CULBERSON];

The Senator from New Hampshire [Mr. GALLINGER] with the Senator from New York [Mr. O'GORMAN];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Georgia [Mr. SMITH];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED];

The Senator from Wisconsin [Mr. STEPHENSON] with the Senator from Oklahoma [Mr. GORE]; and

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 43, nays 5, as follows:

YEAS—43.

Ashurst	Jones	Reed	Stone
Bankhead	Kern	Robinson	Swanson
Brandegee	Lane	Saulsbury	Thompson
Bryan	Lea, Tenn.	Shafroth	Thornton
Camden	Lee, Md.	Sheppard	Townsend
Chamberlain	Martine, N. J.	Shields	Vardaman
Chilton	Myers	Simmons	Walsh
Fletcher	Overman	Smith, Ariz.	West
Hollis	Perkins	Smith, Ga.	White
James	Pitmann	Smith, Md.	Williams
Johnson	Ransdell	Smith, S. C.	

NAYS—5.

Burton	Gore	Page	Smoot
Clapp			

NOT VOTING—48.

Borah	du Pont	McCumber	Root
Brady	Fall	McLean	Sherman
Bristow	Gallinger	Martin, Va.	Shively
Burleigh	Goff	Nelson	Smith, Mich.
Catron	Gronna	Newlands	Stephenson
Clark, Wyo.	Hitchcock	Norris	Sterling
Clarke, Ark.	Hughes	O'Gorman	Sutherland
Colt	Kenyon	Oliver	Thomas
Crawford	La Follette	Owen	Tillman
Culberson	Lewis	Penrose	Warren
Cummins	Lippitt	Poindexter	Weeks
Dillingham	Lodge	Pomerene	Works

The PRESIDING OFFICER (Mr. ROBINSON). A quorum has not voted. The Secretary will call the roll.

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

Ashurst	Hollis	Perkins	Smoot
Bankhead	James	Pittman	Stone
Brady	Johnson	Ransdell	Swanson
Brandegee	Jones	Reed	Thompson
Bryan	Kern	Robinson	Thornton
Burton	Lane	Saulsbury	Townsend
Camden	Lea, Tenn.	Shafroth	Vardaman
Chamberlain	Lee, Md.	Sheppard	Walsh
Chilton	Martine, N. J.	Shields	West
Clapp	Myers	Simmons	White
Fletcher	Overman	Smith, Ariz.	Williams
Gore	Page	Smith, Md.	

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

The Secretary called the names of the absent Senators.

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

The PRESIDING OFFICER. Forty-eight Senators have answered to their names. A quorum is not present. The Sergeant at Arms, under the order heretofore issued, is directed to compel the attendance of absent Senators.

Mr. SIMMONS. Mr. President, I hope the Chair will instruct the Sergeant at Arms that this order means that the Sergeant at Arms is to send taxicabs and to send officers with the taxicabs in order to compel the attendance of Senators, and not simply ask them to come here.

The PRESIDING OFFICER. The Sergeant at Arms is instructed to compel the attendance of absent Senators. The Sergeant at Arms will perform that duty promptly.

After a little further delay, Mr. SMITH of Michigan entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The Secretary will call the roll on the motion of the Senator from North Carolina [Mr. SIMMONS] to lay on the table the motion of the Senator from Ohio [Mr. BURTON].

The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER], but I am permitted to vote to make a quorum. I vote "yea."

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], but under the terms of it I have a right to vote. I vote "yea."

Mr. FLETCHER (when his name was called). I make the same announcement of my general pair and its transfer as before and vote "yea."

Mr GORE (when his name was called). As my vote will b necessary to make a quorum, I shall vote. I vote "nay."

Mr. JAMES (when his name was called). I transfer my pair with the junior Senator from Massachusetts [Mr. WEEKS] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. JOHNSON (when his name was called). I transfer my pair to the junior Senator from New Jersey [Mr. HUGHES] and vote "yea."

Mr. MYERS (when his name was called). I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN]

to the junior Senator from Ohio [Mr. POMERENE] and vote "yea."

Mr. SAULSBURY (when his name was called). I desire to state that under the terms of my pair I am permitted to vote, and will vote upon this and all other roll calls this evening. I vote "yea."

Mr. SMITH of Maryland (when his name was called). I make the same transfer of my pair as before and vote "yea."

Mr. STONE (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. CLARK], which in his absence I transfer to the Senator from Indiana [Mr. SHIVELY], he being unavoidably absent also. I wish this transfer to stand for the evening in the event other votes are taken. I vote "yea."

Mr. WALSH (when his name was called). Transferring my pair as heretofore, I vote "yea."

Mr. WILLIAMS (when his name was called). Repeating the explanation made upon the last vote, I vote "yea."

The roll call was concluded.

Mr. CLAPP. I desire to state that the junior Senator from North Dakota [Mr. GRONNA] is unavoidably detained from the Chamber. He has a general pair with the senior Senator from Maine [Mr. JOHNSON]. I will let this announcement stand for the evening.

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

The roll call resulted—yeas 41, nays 7, as follows:

YEAS—41.

Ashurst	Kern	Robinson	Thompson
Bankhead	Lane	Saulsbury	Thornton
Bryan	Lea, Tenn.	Shafroth	Townsend
Camden	Lee, Md.	Sheppard	Vardaman
Chamberlain	Martine, N. J.	Shields	Walsh
Chilton	Myers	Simmons	West
Fletcher	Overman	Smith, Ariz.	White
Hollis	Perkins	Smith, Md.	Williams
James	Pittman	Smith, Mich.	
Johnson	Ransdell	Stone	
Jones	Reed	Swanson	

NAYS—7.

Brady	Clapp	Gore	Smoot
Burton	Crawford	Page	

NOT VOTING—48.

Borah	Fall	McLean	Sherman
Brandegee	Gallinger	Martin, Va.	Shively
Bristow	Goff	Nelson	Smith, Ga.
Burleigh	Gronna	Newlands	Smith, S. C.
Catron	Hitchcock	Norris	Stephenson
Clark, Wyo.	Hughes	O'Gorman	Sterling
Clarke, Ark.	Kenyon	Oliver	Sutherland
Colt	La Follette	Owen	Thomas
Culberson	Lewis	Penrose	Tillman
Cummins	Lippitt	Poindexter	Warren
Dillingham	Lodge	Pomerene	Weeks
du Pont	McCumber	Root	Works

The PRESIDING OFFICER. On this vote the yeas are 41 and the nays are 7. The Senator from Minnesota [Mr. NELSON] announcing his presence, a quorum is present. The ayes have it, and the motion of the Senator from Ohio [Mr. BURTON] is laid on the table.

Mr. BURTON. Mr. President, at the time when the vote was taken upon the motion I made I was speaking of the decadence of water-borne traffic on rivers and canals. I wish to call attention briefly to the fact that this same decrease, strange as it may seem, appears not only in higher grade freight but in freight of a general nature, upon waterways like the Great Lakes.

On the east shore of Lake Michigan, in the westerly part of the State of Michigan, there are 12 cities each of which has improved harbors. On each a considerable amount of money has been expended. I give with them Michigan City, in Indiana, because that is on the same lake, and conditions are much the same, making in all 13 harbors on the east shore of this lake. They are, respectively, Michigan City, St. Joseph, South Haven, Saugatuck, Holland, Grand Haven, Muskegon, Pentwater, Ludington, Manistee, Arcadia, Frankfort, and Charlevoix. The Senators of Michigan are present. These are to them very familiar names. They are growing towns. In every one of them the census reports of 1910 would show a very material increase in population over 1900. Every one of these has a harbor, and I may say a harbor well improved, when you take into account the size of the towns. They are near Chicago, their great market. Grand Haven, perhaps, has more dealings with Milwaukee than with Chicago. There are car ferries from Milwaukee across the lake to Grand Haven; also to Ludington and Frankfort, and the production of these localities is of great interest. It has come to be a great fruit region and manufacturing is increasing. In fact, I think the Senator from Michigan would say that every one of these towns was exceedingly prosperous, perhaps in a somewhat unequal degree, but nevertheless they are growing in population, in wealth, in industry, and the country surrounding them is growing in productiveness.

Yet with all this prosperity what is the fact with respect to the water-borne commerce of these harbors? In 8 out of the 13 there was a very material decrease in 1912 from the yearly average in 1902 to 1904. This is a most singular phenomenon. If our theories that have been so long entertained are correct—the alleged greater cheapness of waterway transportation, with the best of facilities, with the splendid emporium to which to send their products and from which to receive their supplies—the water-borne commerce certainly should have increased. But what is the fact? In 8 out of the 13 there has been a decrease. The decreases have been more marked than have the increases. In the remaining 5 there is a ready explanation of the reasons for the increase. The first which shows an increase is Holland Harbor. Here the increase in 1912 over the yearly average for 1902–1904 was 15,452 tons. I dwelt on this town very briefly the other day. It is a settlement which obtains its name from the country of Holland, and has an exceedingly energetic and progressive population. They have a steamboat line to Chicago. Here during this period there has been an increase in the traffic, due to the exceptional growth of the town and the maintenance of an excellent boat line, conditions that are readily explained.

Grand Haven shows a very considerable increase; but the reason for that is a car ferry from Milwaukee across the lake. On that car ferry loaded cars are transferred from the tracks at Milwaukee, then carried across the lake to Grand Haven, where they again join the railroad, and much the greater share of this traffic, nine-tenths of it, perhaps, though that may be slightly exaggerated, is through traffic, which does not stop at Grand Haven at all.

Ludington shows a slight increase. It is now the leading port on the east shore of Lake Michigan. The commerce was 1,341,712 tons in 1902, which increased to 1,657,492 tons in 1912. Here also there is a car ferry.

Arcadia shows an increase in 1912 of about 2,000 tons over that in 1901. There are no statistics for the year 1902. The traffic in 1901 was 24,121 tons, in 1912 it was 26,650, making in all an increase of 2,529 tons, or a trifle over 10 per cent.

The town of Charlevoix, for reasons which I am hardly able to understand, shows an increase from 245,977 tons in the year 1902 to 251,798 in 1912, an increase of about 2 per cent over 1902 and a somewhat larger increase over yearly average for the period of 1902, 1903, and 1904.

I ask, Mr. President, unanimous consent to have this table printed with my remarks. It includes not only this general statement giving the change of the traffic in the respective harbors, but a detailed statement of the variety of traffic in the harbors named.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio? The Chair hears none, and it is agreed to.

The table referred to is as follows:

Total receipts and shipments, in tons.

	1902	1903	1904	Average 1902–1904.	1912	Decrease 1902–1904 in 1912.
St. Joseph Harbor	188,545	127,872	97,036	137,817	84,735	53,082
South Haven	103,620	76,646	198,804	126,356	24,452	101,905
Saugatuck	11,843	12,591	10,558	11,664	6,250	5,414
Holland	.....	16,430	21,450	18,940	34,392	+ 15,452
Grand Haven	224,633	215,184	471,349	303,722	802,356	+498,634
Muskegon	227,013	174,353	157,109	186,158	91,659	94,499
Pentwater	.....	22,230	15,423	18,826	1,619	17,207
Ludington	1,341,712	1,362,858	1,631,741	1,445,433	1,657,492	+212,059
Manistee	812,259	570,361	793,823	725,481	355,740	369,741
Arcadia	[1] 24,121	.....	[2] 18,455	.....	26,650	+ 2,529
Frankfort	948,647	948,887	891,857	930,463	656,927	273,536
Charlevoix	245,977	117,586	113,376	158,979	251,798	+ 92,819
Michigan City	139,115	117,329	67,888	108,110	33,170	74,940

[1] For the year 1901. [2] For the year 1911.

The following table gives receipts and shipments of freight, by classes, on commodities for the years named, and for the harbors of St. Joseph, South Haven, Holland, Grand Haven, and Muskegon.

ST. JOSEPH HARBOR.

	1902		1903		1904		1912	
	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Lumber	45,000	48	5,652	1,172	4,915	3,587	2,476	
Laths	120		81		90		258	
Shingles	1,592		1,475		2,093		41	
Salt	2,477		1,588		572		3,037	
Stone	41,542		17,681		7,200		19,025	
Wood, etc	897						86	
Flour	1,300		355		160	135	980	
Vinegar	60	100	25	75		55		265
Coal	160	75	110		2,690			
Paper	2,200	242		50		375		
Iron	20	12						
Miscellaneous merchandise	30,000	29,000	20,028	39,864	24,545	17,799	15,182	8,503
Fruit		33,000		28,651		28,080		30,482
Pickles		25						3,647
Sugar		125	585					
Canned goods		30						
Hides		20						
Ties		500					282	
Bottles, empty			15					
Bran			150		25		120	
Cedar posts			10,230		4,517		306	
Lamp chimneys				50				
Peanuts				15				
Soap				20				
Barrels, empty					11		8	
Horses					10			
Asphalt						175		
Baskets, empty						2		
Flour and feed							20	
Vegetables								17
Total	125,368	63,177	57,975	69,897	46,828	50,208	41,821	42,911

Total receipts and shipments, in tons:

1902	188,545
1903	127,872
1904	
	97,036
Average, 1902-1904	137,817
1912	84,735
Decrease from 1902-1904 to 1912	53,082

SOUTH HAVEN HARBOR.

	1902		1903		1904		1912	
	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Flour	13,142							
Lumber	66,825		6,728		123,211		160	
Fruit		45,140		36,282		37,838	2,194	7,298
Miscellaneous	18,400	20,113	19,237	14,309	19,840	17,754	2,953	2,294
Bark				90				
Posts					161		53	
Wood							40	
Stone							8,480	
Veal, dressed							3	
Fish							43	
Poultry							4	
Piano finishing material							200	
Vegetables							10	
Pianos								720
Total	99,792	65,253	25,965	50,681	143,212	55,592	14,140	10,312

Total receipts and shipments, in tons:

1902	103,620
1903	76,646
1904	198,804
Average 1902-1904	126,356
1912	24,452
Decrease from 1902-1904 to 1912	101,904

HOLLAND HARBOR.

(Note: Not given for 1902.)

	1903		1904		1912	
	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Felt roofing	49					
Flour	55		167			
Hides	98	44				
Leather	17	601		430		597
Live stock	32	9	91	17		
Lumber	130		2,090			
Miscellaneous merchandise	6,156	4,068	9,181	3,940	13,202	11,159
Soap	33		57			
Sugar	53	590		1,902		

HOLLAND HARBOR—continued.

	1903		1904		1912	
	Receipts.	Shipments.	Receipts.	Shipments	Receipts.	Shipments.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Fruit		2,227		740	1,799	1,000
Furniture		706		637	41	525
Potatoes		142		140		
Vinegar		1,420		1,949		
Automobiles			43	66		
Basket-factory supplies					8	
Built-up veneer					100	
Cedar ties					43	
Crushed stone					3,806	
Dressed veal and poultry					10	
Fresh fish					3	
Tanning supplies					38	
Hardware, etc					139	
Vegetables					10	
Cement blocks						70
Coal, soft						137
Food products						883
Manufactured wood products						107
Pianos						715
Total	6,625	8,807	11,629	9,821	19,199	15,193

Total receipts and shipments, in tons:

1903	16,430
1904	21,450
Average, 1903–4	18,940
1912	34,392
Increase from 1903–4 to 1912	15,452

GRAND HAVEN HARBOR.

	1902		1903		1904		1912	
	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Flour	45,941	326	50,751	108	46,042		[1] 27,609	[1] 1,712
Feed	31,246		21,765		174,345			
Salt	1,300	498	98	727		1,098		
Sugar		682				2,049		2,411
Vinegar	50							
Soda ash		371						
Wool	258	65	350	30				
Rags	225	24	418					
Leaf tobacco	163		191				528	379
Clover seed	53							
Paper	55	569					10,735	5,155
Wheat	300		280					
Barley	2,713							
Iron ore	43,123	30	34,497		38,861		4,458	
Lumber	6,350		855		[2] 111,205		155,198	
Leather	13	363		10		1,590	4,949	4,520
Fish	444	188		640				
Wood and pulp	78	287	384			4,564	34	23,949
Lime and cement	548	555	554	2,255		3,793	347	532
Miscellaneous merchandise	33,599	45,746	16,298	26,517	35,016	29,333	141,501	76,719
Beans		85						
Plaster		1,104						3,658
Hay		223					85	90
Ties		3,500						
Burlaps		692						
Lard		50						
Stone and gravel		2,248	26,507				1,641	3,360
Cider		168						
Fruit		340		301			451	257
Asphaltum			2					
Brick			1,450				141	3,661
Buckwheat			666					
Cedar posts			104	21				
Grass seed			29					
Hides			60					
Iron and steel			45	63			2,456	6,882
Lath			56					
Shingles			3					
Wagons			8				143	
Refrigerators				122				
Agricultural implements							616	764
Beer and liquors							12,941	892
Dressed beef							8,819	54
Furniture							971	1,128
Grain							48,459	62
Live stock							10	10
Machinery and castings							7,838	4,953
Veneer							100	
Asbestos fiber								8,172
Automobiles								1,023
Market baskets								30
Pig iron								71,394
Other mineral products								637
Total	166,519	58,114	182,966	32,218	419,395	51,954	430,939	372,323

[1] Classed flour and feed.

[2] Classed building material.

MUSKEGON HARBOR.

	1902		1903		1904		1912	
	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Grain	2,500		1,325	28				
Flour	56	300		4	60			
Lumber, shingles	27,755	40,300	30,695	40,331	23,201	20,540	12,867	
Miscellaneous merchandise	81,072	75,000	43,006	44,139	41,374	51,906	7,832	7,899
Apples		30		[1] 104		[1] 253		
Coal			7,853	5,145	5,796	3,154		
Salt			42					
Stone			1,680		7,125			
Beans				1				
Iron					10	413		
Laths					607		864	
Malt					81			
Piles					234			
Sawdust						78		
Slabs						1,625	348	
Bark							238	
Billiard table							4,800	4,000
Bolts of wood							3,615	
Castings and machinery							138	
Doors, etc							30	
Gravel							2,853	
Groceries							225	80
Hardware, etc							107	15
Wood							11,200	
Pickets							1,307	
Steel plates, etc							75	
Varnish							8	
Wines, etc							17	
Leather								24
Refrigerators								372
Shade rollers								1,007
Vegetables								175
Total	111,383	115,630	84,601	89,752	78,630	78,479	78,055	13,604

[1] Classed fruit.

Mr. BURTON. Mr. President, I think this one of the most valuable studies in inland waterways that can be found. It has been worked out in very considerable detail. As against the five cities which show an increase there are eight showing a decrease. St. Joseph Harbor, having frequent connection by boat with Chicago, shows a decrease from 188,545 tons in 1902 to 84,735 tons in 1912, and a decrease over the yearly average for the three years of 1902, 1903, and 1904 to 1912 of 53,082 tons.

In the case of South Haven the traffic of 103,620 tons in 1902 fell to 24,452 tons in 1912, or a decrease of nearly three-fourths.

Saugatuck is rather a small town with a traffic of 11,843 tons in 1902 and 6,250 tons in 1912, a decrease of very nearly half.

Muskegon, with a traffic of 227,013 tons in 1902, showed 91,659 tons in 1912, a decrease of more than one-half.

Pentwater shows the largest decrease of all. The traffic in 1903 was 22,230 tons, and in 1912 it was only 1,619 tons. That for 1902 is not given.

Manistee had a traffic of 812,259 tons in 1902 and fell to 355,740 tons in 1912, considerably more than half.

Frankfort, with a traffic of 948,647 tons in 1902—I will ask the Senator from Michigan, has Frankfort a car ferry?

Mr. TOWNSEND. Yes.

Mr. BURTON. Even with a car ferry Frankfort fell from 948,647 tons in 1902 to 656,927 tons in 1912, a decrease of nearly one-third.

The traffic at Michigan City, a thriving town in Indiana, fell from 139,115 tons in 1902 to 33,170 tons in 1912.

I am obliged to Senators for the attention they have given me in regard to these statistics, which I know are not interesting but they are impressive, and for an understanding of this subject it is requisite that we take up these object lessons.

What do they show? Broadly, with plenty of depth in the harbor, plenty of boats, with boat lines running from most of them, the people have found better means of communication, and notwithstanding the growth of the town the water-borne traffic has been diminishing year by year, until in some instances it was less than half in 1912 what it was in 1902.

Mr. TOWNSEND. Mr. President——

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

Mr. BURTON. Yes.

Mr. TOWNSEND. I realize that it is absolutely useless to enter into a discussion of this item when the item is not before the Senate, and could not be considered with an idea of either adopting or rejecting it. I agree with the Senator from Ohio that his statement on this subject is undoubtedly interesting. It would also be very interesting if we could have the figures for a list of years as we go along instead of comparing the figures for a certain year—sometimes with 1900 and sometimes with 1901 and sometimes with 1902 and sometimes with 1903. It would also be interesting to note undoubtedly, as a matter of information, the extra facilities which have been furnished to those cities. Because of the waterways the railroads have been stimulated; because of the improvement of these harbors at these points they have put on better facilities, better trains, and have furnished better accommodations, all of which is brought to pass, or largely so, because of the improvement of the waterways.

It is also interesting to note, Mr. President—at least if I have not been incorrectly informed, and I think I have not been—that as yet I have never found a case where the Interstate Commerce Commission has been called upon to reduce a rate or require better facilities on the railroads where there has existed water competition; where there has been a possibility to get a market over the water. So that I have regarded water improvements not so much by the amount of tonnage floated over the waterways as I have by the influence they have brought upon railroad transportation, furnishing an inducement for the railroads to bid for the freight. They bid for it in better rates; they bid for it in better facilities, in quicker transportation. It is the transportation which we are after, and, whether it is over the rails or over the water, the money invested in it, it seems to me, is well invested if it brings to pass the thing which we are working for. As I have said, I would like very much to discuss this question briefly when the matter is before the Senate for consideration, in order that the Senate may pass upon these items and see whether the appropriations are proper or otherwise.

Mr. BURTON. Mr. President, answering the Senator from Michigan, I will say, in the first place, that it is not, I think, contemplated that any of the appropriations for those respective harbors should be diminished. I read them merely as an object lesson.

Answering his second point, in regard to the suggestion that he should like to have the figures for several years instead of for two years, if the Senator from Michigan had listened to me, he would have found that the figures in the table to which I referred compared the yearly average of the three years 1902, 1903, and 1904 with that in 1912. They are compiled after careful examination as illustrative of the tendency which is for the most part downward. It is not a mere picking out of figures for one year and comparing them with those of another year, but the figures are derived from the whole table.

Mr. TOWNSEND. I have not given the matter any attention at all, although I know in a general way that there have been

peculiar conditions existing locally in the Michigan ports which have created an abnormal condition one way or the other in some particular year in certain localities.

Mr. BURTON. Nineteen hundred and twelve is not one of those years, for it was an exceedingly prosperous year. So much on the first point.

Now, as to the next point, we have very often heard the argument here that it is best to improve waterways in order to control railroad rates. When you run that down, it seems to me, it is utterly without foundation; it is almost an absurdity. It virtually means that you can waste the resources of the country, you can tax the people to an unlimited amount for doing an utterly useless thing, namely, the reduction of rates, which, if they are unjust or too large, can be reduced by the Interstate Commerce Commission, if the rates affect interstate shipments, or by the local State railroad commissions which now are to be found in almost every State. So much for that.

What does that mean? Everyone will recognize that the cost of transportation facilities by whomsoever provided is a drain on the resources of the country. If railroads are built, capital is required. Suppose, for instance, that the Government were to acquire the railroads—a proposition which has some advocates here—the Government would have to pay the cost of those railroads if it treated the owners of them justly. The argument that waterways control railways leads to just this conclusion, that it is a good policy to spend, say, a billion dollars to build railroads to carry the freight, which they can carry most economically and conveniently, and when you have spent the billion dollars the Government would then proceed to spend, say, $500,000,000 to make those railroads reduce their rates. It is a sheer waste of the $500,000,000. The armory of the law is abundant in its weapons to solve this problem without resorting to this indirect, roundabout, wasteful method of requiring that you waste the resources of the country; that you tax the people to make useless or unnecessary improvements.

That does not apply altogether in the Michigan cases, because there is a certain amount of traffic that will be carried by water, but the legitimate outcome is that you must waste this money to accomplish what by the courts and commissions can readily be accomplished in another way.

Let us take up another phase of this question. Suppose there was a certain amount of money invested in the railroads of this country—fifteen or sixteen billion dollars. The capital so invested must have an income commensurate with that received on other investments of the same general character. If not, the railroads will be allowed to deteriorate, their equipment will suffer, and no new railroads will be constructed. If you take off the income in one place where there is water competition you must increase income in another place where there is not waterway competition, and, in the long run, the localities where there are railways competing with the waterways obtain by this policy the benefit which the other localities lose.

If, Mr. President, the question of whether you shall compel by waterway competition railroads to lower their rates and put the burden on others were placed before the people and were not confused by arguments based upon misinformation or superficiality or prejudice, the people of the United States would not look upon it with favor for a minute.

I called attention a few days ago to an illustration in the case of Germany, which, in view of the fact that there are some Senators present who were not here then, I will repeat. The Senator from New Jersey [Mr. MARTINE] was here and some other Senators. The German Government proposed to improve the river Rhine. A very large share of the heavy manufacturing of Germany is in the Rhine Valley—at least 75 per cent, and possibly 90 per cent. It is a great avenue of traffic, but the people of other districts said: "Why, you have the advantage over us already in your fertile valley and your great facility for handling coal, iron ore, and raw materials for manufacturing." "Again," they said, "you are bringing up the river here to Mannheim some millions of bushels of wheat, and every ton of coal and every bushel of wheat you bring in here competes with our products, and it is not fair that you should tax us to help you, when you are diminishing the value of our wheat and our coal and seeking to drive us out of business"—not always seeking to drive them out of business, but very much to their disadvantage.

That is just the problem in this country. We must come to the sensible view of it. Improve a waterway if it is a useful avenue of transportation, but do not resort to this absurdity of improving it because it has some tendency to make a railroad lower its rates.

I think the time is coming when these discriminations in favor of railroad routes that compete with waterways will cease. I do not believe the people will stand that permanently. They will say: "Why, every railroad rate must be fixed according to its merits, according to the length of the haul, the difficulty, and such other facts and circumstances as enter into the problem of rate making." Then the discriminations which are now allowed will not be suffered to continue, because it will be said that every agency of transportation must take its chances, to use a familiar term. If a railroad can not compete with a waterway, it must go out of business. If a waterway can not compete with a railway, it must go out of business. The method which is best adapted to serve the purpose in view must be followed. The choice between waterway and railway must be made and the better of the two adopted.

Mr. MARTINE of New Jersey. Mr. President——

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

Mr. BURTON. I do.

Mr. MARTINE of New Jersey. I should like to ask the Senator if there is not, in his judgment, a place for them both?

Mr. BURTON. Oh, I think so.

Mr. MARTINE of New Jersey. For certain classes of traffic, the slower method, the waterway, will answer all purposes.

Mr. BURTON. Certainly.

Mr. MARTINE of New Jersey. While hundreds of other products need the more rapid railroad transportation. I think there is a place for both of them.

Further, the Senator remarked with reference to Germany. I recall very well his statement a day or two ago on that subject. But it seems to me that is entirely too narrow a view for a statesmanlike proposition. I understand that on the Rhine, if you choose, or some great arm of the sea putting in from the ocean in our land, there may be great benefits accruing very directly and positively to the land on either side of this great arm of the sea, but that is but a distributing point for ramifications like fingers or spokes running out to other parts of the country; so that all derive at least a benefit—perhaps not all equally, but all in a general sense will receive a benefit—from the general progress and prosperity of the country.

I could not take the narrow view that simply because along the Mississippi they may derive benefit from a diking process nothing would accrue to them a hundred miles back I do not believe any great step of progress in a community can be made selfishly. I believe it touches all in its blessings and its ramifications from State to State, though perhaps not to the same great degree. We are all touched and blessed, however, by the munificence of good government, the blessings of liberal, cheap transportation.

I want to see transportation so cheap that mankind may readily communicate with each other freely along passenger routes. I believe that had transportation been cheaper and more free, almost to the degree of entire freedom, in this country before the Confederate War we would have understood each other better and the strife would have been spared. I insist that the greatest civilizer, the greatest thing to advance the general well-being of man and to aid us in understanding each other, is free and ready intercourse. I am better by coming to Ohio, and you, in turn, are better by coming to Pennsylvania and New Jersey occasionally; and so, I say, with the products of our people. Let us sell freely, and let us have the opportunity to spread our products the land over cheaply and freely. I believe it will be the grandest, most blessed thing that ever happened to our land. A new era, a brighter dawn, and a happier prosperity will be that of the Nation.

I am a believer in improved waterways. As I said to-day, I believe they were designed by the Divine Providence not only as methods of draining our lands, but also as means of transportation; and by all legitimate, honorable, and fair means I want to see them improved and generally advanced.

Mr. BURTON. Mr. President, the views of the Senator from New Jersey are no doubt generally correct, in that he dwells on the benefit not being confined to any particular location, but extending to all, and also in his civilizing and humanitarian view that means of communication aid a nation and in fact the race. The question is, however, What is the best agency for transportation? We must consider the problem as one of economics and of fact.

I will say, in regard to the first statement of the Senator from New Jersey, that he is undoubtedly right; that means of transportation which parallel each other, a river or canal and a railway, may both be used—the river or canal for the coarser, slower freight and the railroad for the higher grade freight, which requires greater promptness in delivery. Neither of those conclusions, however, is altogether to be accepted. Sometimes a waterway carries freight more quickly than a railway, as, for instance, from the lower portion of New York City

to the towns on Long Island, up the Connecticut River to Hartford, and from New York City as a distributing center to Rhode Island and some portions of Massachusetts. On the other hand, in a great number of instances railways carry the coarse freight more cheaply than the waterways.

You must look at it from two standpoints. You must take into account, as part of the profit or loss of a waterway, not merely the expense of running boats, but a reasonable rate of interest on the capital invested. That is, when a waterway has cost $10,000,000, and the use of it is given free, it is hardly fair to say that the cost of carrying freight on it is exactly what is paid to the boatmen, because some provision should be made from the standpoint of national interest for a return on the great amount of capital invested. Thus, sometimes you may find a railway paying interest on its bonds, and expected to pay interest on its stock, where the total cost of carrying freight if there were no interest on bonds and no dividends on stock, would be very much less than the waterway's charge; and thus it would be better for the Government to build a railway than it would be to improve a waterway. There are numerous instances in the United States where that is the case—and some in which it would have been much cheaper to have built a railroad, and maintain the trains and the whole service, than to improve and maintain the waterways.

I shall give at somewhat greater length and in detail—but as the Senator from Michigan is now here, I should like his attention to these figures showing the classes of freight in the different harbors on Lake Michigan.

Take St. Joseph Harbor. In 1902—and I will not give 1903 and 1904, because that would take an unnecessary amount of time—there was shipped and received at this harbor 45,048 tons of lumber. In 1912 this had decreased to 2,476 tons. Now, this does not mean that lumber is not consumed in that town; indeed, 2,476 tons is but a very small share of the quantity of lumber used in St. Joseph in a year. It is carried in another way.

The quantity of salt received has increased. The quantity of stone has diminished. In 1902 coal, paper, and iron—the latter in a very small quantity—were received at St. Joseph, and a small quantity was shipped. But in 1912 not a ton of coal or paper or iron was either received or shipped at St. Joseph, showing that with these commodities some other method of transportation had taken the place of the waterways. In 1902 sugar and canned goods were shipped from St. Joseph, but in 1912 neither.

Mr. MARTINE of New Jersey. Mr. President——

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

Mr. BURTON. I do.

Mr. MARTINE of New Jersey. Might it not be that the railroads, as has been done in other instances, became the controllers of the majority interest in the water transportation and stifled it? They have done that in the State of New Jersey. They have allowed to go into decay the Delaware & Raritan Canal, owned by the Lehigh Valley Railroad, purchased primarily for the purpose of allowing the canal to go into decay and to multiply their freights and revenues on the railroads.

Mr. BURTON. I presume the Senator from New Jersey comes from the very worst State for illustrations of this kind. I question, however, when he inquires into the facts and studies the cheapness or costliness of carrying freight in New Jersey, whether he will find that any canal that ever was there, or perhaps any canal that ever will be there, would carry the freight cheaper than the railroads carry it.

Suppose, for instance—and here is a problem that often arises—there is a railway between two towns and somebody comes along and builds a canal. The canal will divide the freight with the other means of transportation. Or suppose the other way; there is a canal between two towns and along comes a railroad. There is not enough freight for both of them. What is the result? Sharp as your competition may be, both of them must do business at a loss, because neither of them has the full amount of traffic that it would have if there were but one.

There is a project in this bill where that is illustrated in a very marked degree, it being proposed to canalize a river. It is hardly expected that any considerable quantity of freight will be carried on that river, but it is thought that it will reduce the rates on a railroad. There are two conditions that might arise. The first is that the waterway might carry some freight. That would diminish the quantity of freight carried on the railway and compel them to charge a higher price in order to pay an adequate return. Let us suppose the railway must have, in order to pay interest and expenses, or at least to pay expenses, an income of $20,000, and a total of 40,000 tons of traffic are presented. It could then carry that traffic for 50 cents a ton. Suppose, by reason of some competition, 20,000 tons of that traffic are taken away and it has only 20,000 tons to carry. The result is that it must charge a dollar a ton or else go into bankruptcy.

So it is not always a good thing when you have a natural monopoly of this kind, which you can regulate and should regulate, to seek to influence its rates by the building of a competing canal or improving a waterway.

Resuming my discussion of the traffic at St. Joseph Harbor, it will be noticed that of miscellaneous merchandise, which is really, perhaps, the best test, there was received in 1902 30,000 tons, and shipped 29,000 tons. In 1912 there was received 15,182 tons, and shipped 8,503 tons. That means a total of receipts and shipments of miscellaneous merchandise in 1902 of 59,000 tons. In 1912, however, there were only between twenty-three and twenty-four thousand tons, considerably less than half.

Mr. President, I should be gratified if the conversation in the other portion of the Chamber would cease.

The PRESIDING OFFICER. The Senator from Ohio will suspend a moment. The Chair again respectfully requests Senators on the floor to refrain from conversation. The Senator from Ohio will proceed.

Mr. BURTON. Fruit keeps more nearly uniform. There were 33,000 tons shipped in 1902 and 30,482 tons in 1912.

I do not wish to go into all of these harbors in detail, but I will glance over a few of them.

Take the port of South Haven—13,142 tons of flour were received in 1902, and not a ton was received in 1912. That shows that the traffic was shifted elsewhere. Miscellaneous merchandise—18,400 tons were received in 1902 and 20,113 tons shipped; 38,513 tons in all. Now, in 1912, the receipts and shipments fell to a little over 5,000 tons.

At Holland Harbor one considerable increase in 1912 is in crushed stone. That, however, does not explain that general increase, because there is a wholesome advance in miscellaneous merchandise, which really better than any other article, I think, indicates the usefulness or decadence of one of these minor ports or minor waterways.

Grand Haven Harbor shows a large increase in 1912 over 1902 in miscellaneous merchandise. Flour has something of a decrease, lumber an increase, grain an increase, but, as I have said, there is a car ferry from Milwaukee to Grand Haven, which is a part of a through system of transportation, and the shipments over this car ferry are included in the totals.

Muskegon Harbor shows the greatest decrease of any. Total receipts of miscellaneous merchandise in 1902, 81,072 tons; shipments, 75,000 tons; total, 156,072 tons, while in 1912 the amount had fallen to 15,731 tons, or barely one-tenth.

This is not a development very difficult to understand. In treating of this subject the National Waterways Commission, in their report of 1912, set forth their views at length, and I want to read some views expressed in my minority report, which was virtually a concise statement of what is contained in that report.

> It is impossible to frame judicious and comprehensive plans for the improvement of rivers and inland waterways in the United States without a careful review of the whole subject of transportation as governed by present conditions, and with a fuller consideration of changes which have occurred in recent years. Both railways and waterways should be considered as agencies for the carrying of traffic. In a considerable number of instances the economical carriage of freight from the point of origin to its destination involves the use of both railways and waterways, and without cooperation between them the most salutary results can not be secured. This is particularly true of the carriage of iron ore from the mines of Minnesota, Michigan, and Wisconsin to the furnaces of Indiana, Ohio, and Pennsylvania. Transfers between rivers of the interior and railways exist only in a very slight degree.
>
> Reference will be made to the provision compelling common terminals and prorating of charges in the Panama Canal act of 1912. The reasons why such transfers are so restricted are partly the unfavorable attitude of railways to waterways, though in some cases they have sought to utilize water routes for a portion of the haul where it was profitable.

Mr. President, no doubt it is true in many instances that there is manipulation—the occasional purchase of boats by railways, and sending them to the junk heap, or off on another route where they do not compete; the lowering of rates until boats are driven off, and then the raising of rates. Fortunately in a bill recommended by the National Waterways Commission, which I had the honor to introduce myself, this method of reducing rates and then raising them again was abolished, because it was enacted that if a railroad lowered its rates in competition with a waterway, it could not thereafter raise them unless it was shown that the reason of the successive lowering and proposed raising of the rates was for a purpose other than the elimination of competition. The fact is, though, Mr. President, there are more substantial reasons than all these artificial arrangements. Why? The railways are more and more

gaining control of the great bulk of the freight of the country. I quote again from my minority report:

There are, however, more substantial reasons why the transfer from one to the other has diminished. The cost of hauling freight on a railroad and by boat, as compared with the handling or delivery at terminal points, has experienced a great change in the last 40 years. The cost of hauling has very materially decreased, while that of handling and the expenses connected with terminal facilities, though diminished in many ways, have not decreased accordingly. The transfer usually involves a degree of delay and inconvenience which renders it more desirable to continue the carriage of freight on the vehicle or vessel upon which it is first loaded. The variation in the level of rivers increases the difficulty of providing an adequate equipment for loading and unloading on many streams; in fact, on most of them. The variation in the Ohio River at Cincinnati is over 60 feet; that of the Mississippi at Grafton, Ill., is 29.6; at St. Louis, 43.92; below Cairo and the mouth of the Ohio, 45.6; between Memphis and Helena, Ark., 54.75; at Vicksburg, 58.98; and at New Orleans, 21.02 feet. As compared with these very large variations the rise and fall of the water level on the Great Lakes is practically nothing, and on the Rhine River, the greatest navigable stream in the world, it is not more than 9 feet.

Inland waterways must always be confronted with these disadvantages. As pointed out in the preliminary report of the National Waterways Commission, filed with the Senate in January, 1910, there are certain advantages belonging to railways which are permanent and inevitable. They have a wider area of distribution. They can be constructed in any direction; they are more readily adaptable to the newly arising and ever shifting demands of producing areas and of markets. In the handling of freight they have greater advantages, because in providing for the receipt and delivery of freight at factories or warehouses branch lines or switches can be constructed. Railroads can reach all cities and towns alike, whether located on the water or not. A number of inland cities have grown up where there is no dependence upon waterways, such as Columbus, Ohio, Indianapolis, Ind., and Denver, Colo.

And Atlanta, Ga., and Birmingham, Ala., might be added.

This was formerly not the case, as the growth of cities without exception was manifestly dependent upon waterways. Obviously boats or barges can not be used except for the receipt and delivery of freight or passengers from or to localities upon waterways.

Railroads have a further advantage in the increasing importance of terminals and facilities necessary for the prompt and economic loading and unloading of freight. Usually bills of lading are given upon which drafts can be issued, so that the shipper may immediately obtain payment for his commodities when delivered to the railroad. The same is not true of boats upon inland waterways. The carrying capacity of railroads has enormously increased by reason of more perfect roadbeds and the greater hauling capacity of locomotives and cars. Freight carried by railways is more perfectly protected from storm and the elements, and the railroads insure the goods carried in its cars or handled at its terminals against loss. The transfer by rail is usually more prompt, though that is not always the case.

The Panama Canal act of 1912 sought to remedy the lack of cooperation between railways and waterways by compelling prorating of charges for the carriage of freight when conveyed partly by river and partly by rail, and the physical connection between railway lines and docks of water carriers, when such connection is reasonably practicable and can be made with safety to the public and where the amount of business to be handled is sufficient to justify the outlay. It is doubtful, however, whether this will accomplish any very salutary result, because the expense of transfer from boat to rail or from rail to boat is now so considerable and the change causes such inconvenience that it is more profitable to carry freight in bulk without transfer to its destination.

Now, Mr. President, I hazard without fear of contradiction that these factors have been so powerfully at work, especially during the last 10 or 12 years, that waterways which would have been profitably improved in 1900 or soon thereafter now afford no promise for the future. No blame attaches itself to those who advocated this class of improvements in past years, but they have been working not with the general tendency of things, but against it.

What are some of the reasons for the advantages of railways in carrying traffic and shipping grain in the last 10 or 12 years? First of all, there was a great industrial revival in the administration of President McKinley. Some things that have happened as the result of it I do not think have been altogether salutary—the enormous combinations, trust formations, the high fees of promoters of watered stock—but unquestionably there was a greatly increased demand upon the natural resources of the country, the mines of coal and of iron ore, and a corresponding increase in the demand for many other products. The immediate result of that was a greater demand upon the railroads. Beginning about the year 1900, or a little earlier, very great improvements were made in the way of double tracking, the elimination of gradients and curves, and the strengthening of bridges. The block-signal system has been a very great improvement. In the year 1904 the Government had as its guests the members of the Interparliamentary Union. They were provided with transportation to St. Louis and beyond in two great trains with 9 or 10 sleepers each. These two trains were running on the New York Central Railroad from Buffalo through to the East in two divisions When the first pulled in at one platform at Syracuse, stopping for a change of locomotives, the second within less than a minute afterwards came in on the other side of the platform, both having run at a high rate of speed, and the foreign visitors, especially those from the Continent of Europe, were very much impressed with the fact that these trains came in so near each other without accident. That was due to a block-signal system of a high standard of efficiency.

Of course, along with these improvements there is an increase in the size, capacity, and number of the cars which can be carried. Instead of the comparatively small freight cars of Europe, having a carrying capacity of some 5 tons even in the carriage of coarse material, our cars carry, in many instances, over 50 tons of coal and iron ore, and there are trains of some 100 cars that have carried 5,000 tons in one load. There has been no such improvement on our shallow waterways.

Now, it is possible that some time some new type of boat may be devised, but the reason for the present decadence is that the other method of carriage is more convenient, more safe, more prompt, and is getting to be more economical.

Here is a factor in railroad transportation that is seldom fully realized. The revolution in the carriage of coarse material I have repeatedly pointed out. No waterway can succeed unless there is a large amount of coarse material to be carried upon it. Now, what happened beginning about 1900? The railways were being raised to a higher stage of equipment with double tracks. They were carrying the better class of freight, such as grain, package freight, merchandise, and stock, which requires prompt transmission. Of course, that has to be carried on a comparatively level roadway. They found they had certain fixed expenses, the cost of their right of way, the cost of grading their lines, building tracks and bridges, all of which entailed the payment of interest on their bonds. Suppose a railroad cost $10,000,000 and must pay $600,000 for its operating expenses besides interest on its bonds; suppose it must earn a net income of $3,000,000 and has a gross income of $8,000,000; it could carry 10,000,000 tons of freight at 80 cents a ton, but it must pay the station men, signal or track men, telegraph officers, interest on bonds, the expense of roundhouses, whether it carried 10,000,000 tons at 80 cents or a much larger quantity. Of course, if it carried a larger quantity of freight, it must have more cars, more locomotives, and exercise a greater degree of care in running its trains. Having that great fixed expense, it was found that coal, iron ore, and articles of that kind could be carried at a very much cheaper rate than would have been the case had they not had the nucleus, I may call it, of this general traffic of grain, merchandise, and package freights. Hence the railroads began to carry these coarser freights in larger quantity and for longer distances, and the result has been more and more that they have impinged upon the field formerly occupied by waterways.

Sometimes it is thought when a person points out these plain facts that he is acting in the interest of the railroads. Mr. President, there could not be anything more absurd than that. We have got to study this transportation problem just as it is to-day. We have got to recognize that, just as the wagon gave place to the canal boat and later to the freight car, so waterway transportation must progress if it is not to be outdistanced in the race.

I am inclined to think both of them will suffer considerably in the future from methods which are now just in their infancy—the use of vehicles propelled by gasoline or by steam, the autotruck—which is likely in a very few years to take a considerable quantity of the freight now carried by railways and by canals. Of course the electric railway has taken a good deal of freight which formerly went to the steam railway and to the canal, because it is operated with less grading, and ordinarily it costs much less for a right of way than that for a steam road, although the construction of a well-equipped electric railway is sometimes almost as much as that of a steam road.

But all of these things are coming into the field of transportation, and they must be taken into account. In saying this I do not mean that there has not been an increase in ocean-borne or deep-water navigation. Improvements there, cheapening processes, have kept pace with the improvements on railways, but shallow-water transportation has not done so.

There has probably been no place in the country where the improvement, the cheapening processes, the economies, have been more marked than on the Great Lakes. They have there a depth of 20 feet or more; 20 feet, however, being well up to the maximum draft of any boats that are used.

I can not emphasize too strongly this disadvantage which comes from the transfer of freight from rail to water or from water to rail, and the fact, as stated in this report of the Board of Engineers which reported upon the proposed 14-foot waterway from St. Louis to the mouth of the Mississippi, that the route of water-borne traffic is confined to the border of the river or waterway. It is true freight may be unloaded and loaded from or upon trains, but by the time you have paid the

expense of that transfer you have nullified the advantage that has come by the cheaper waterway transportation for a part of the way.

In making our calculations in this regard we do not take into account the capitalization account of the constructing of waterways and canals. If we were to count interest upon this as it is counted on railways the cost would not actually be cheaper. We do not take into account that they have a much more limited field in which to operate; we do not take into account the greater danger of destruction by the elements. When all this is said there is a very large field for waterway improvement in this country, and there may in the future be even a greater field.

Nobody believes in abandoning the improvement of the Mississippi River or the Ohio River. The trouble is that before such a system as the Ohio has been improved to a high standard there is an effort made to canalize every stream that runs into it, some of them having a longer navigable period than has the Ohio, and all of us recognize that so expensive an improvement as that of the Ohio has in it a certain element of experiment.

Mr. President, I have gone over this in a somewhat fragmentary way, but I have the greatest confidence in the conclusions that I have reached. There is always a certain amount of doubt in any conclusion on a matter of this kind. Some invention is likely to be made that will change conditions very materially. Centers of production are likely to shift. The probability is that in the future there will be a great shifting of centers of manufacturing into localities where water power is readily available; the northwestern part of the country and California are going to gain by reason of that; but with all that we can see at present these tendencies that are at work which raise an interrogation point, a mark of caution, warning us against expenditures for improvements of inland waterways.

With a great deal of labor, Mr. President, I have drawn up a statement which seems to me to lay down the facts and tendencies relating to rivers. I am not yet altogether pleased with the phraseology of this statement, but I ask the kind attention of the Senate to it. It is only about a page and a quarter in length. I have sought to jot down here with considerable care some statements of facts that are applicable at the present time.

FACTS AND TENDENCIES RELATING TO RIVERS.

As regards the rivers of the country, save in exceptional cases, which can be readily recognized and will be pointed out, the following facts and tendencies appear:

1. There is a considerable number of small streams which are not expensive to improve and on which money can still be profitably expended. This is also true of large rivers when they are near to large cities or afford a channel from the sea to a town of importance.

2. There are several uses for rivers, such as relief from congestion in time of unusual traffic, the prevention of excessive charges for moving freight, and the furnishing of facilities to localities not otherwise provided with means for transportation, which are worthy of careful consideration. None of these uses in itself or combined with the others justifies improvements on any expensive scale.

3. There has been a diminishing traffic in recent years—that is, on rivers—and there is every indication that this tendency will continue.

4. Even on rivers of very considerable size and length short hauls have become the rule rather than the exception. Through traffic does not exist in any considerable quantity save in the case of a few commodities, such as coal and floated logs. Even this traffic is decreasing.

These are hard facts. I do not like to welcome them. Some of the most strenuous efforts of my life have been put forth in the cause of the improvement of rivers and harbors. I have been over the rivers of this country and of the old country clear to the Volga and to the Danube. One thing, you will find the conditions in Europe altogether different from those in our own country, because they have a railway system inferior to ours. That is one of the main reasons, though there are a multitude of others. All my efforts in this direction are bound up with successive policies along these lines, but I am not going to indulge in any rainbow chasing. I have found that it is useless to spend immense sums in the canalization of rivers or canals like the Illinois and Mississippi River Canal, like the Kentucky River, the Big Sandy, and a number of other streams that have been wasting the Government's money. I am opposed to the continuance of that policy.

I do not believe that any Senator here can stand up and justify many of the improvements contained in this bill. For every one that you will produce there is a possibility of showing a precedent in the shape of one more favorably located which has proved a failure.

In this bill there are plans of that kind, involving the expenditure ultimately of a very indefinite sum, from perhaps $20,000,000 to $40,000,000. I have, for instance, in my possession a map of the upper Tennessee River, where it is proposed to construct 11 locks and dams. Shall I repeat what I have said, that there are already two essays—I use the term in the way of the efforts that we have made on that river—one at Colbert and Bee Tree Shoals and the other at Muscle Shoals, one at an expense of something over $2,000,000 and the other four million dollars and a half, and that we could better afford to buy every ton of freight that is offered there than to pay the interest on the expense of those canals and the expense of upkeep? Possibly I am exaggerating just a little on the Muscle Shoals Canal, but if it escapes my statement it is by a very narrow margin.

Of course I do not mean to refer here to such commerce as logs and other articles that float down. They go more readily where there is no lock and dam than where there is one, and yet I want to say to you that the two locks and dams that are here proposed, to which this bill commits the Government of the United States, have less promising locations than those where there has been such a frightful result. Are you going to do it, Senators?

At a later time in my argument I will show how those two proposed locks and dams were started. They slipped in. Nothing was said about locks and dams at all, but there was a reference to an Executive document. I want to call attention to another thing, and I might as well take it up now, perhaps, as at any time.

Mr. KENYON. Mr. President——

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

Mr. BURTON. I do.

Mr. KENYON. I should like to ask the Senator if there has been in this Chamber since he discussed the question of the Muscle Shoals Canal any defense of that project from anybody?

Mr. BURTON. Not one word.

Mr. KENYON. No one has risen to defend that proposition?

Mr. BURTON. Here is another thing I want somebody to defend, too, in that locality. Gen. Bixby is a splendid man, though I think he has gone astray on some kinds of river improvement. We had a few days ago here a pronunciamiento from him on the wall over there, which was to the effect that transportation did not have anything to do with the improvement of rivers and harbors; if we could get money appropriated for them and could regulate freight rates, it was not necessary that any boats should run at all. Why, it was a guide and exemplar, a pattern for this bill; it was a philosophy in transportation; it was a literary gem; a beautiful thought along the line of waterway improvement. I regret that it has been taken down. It was here a week or two, and I was going to copy it in my commonplace book to have it there for permanent use, but before I could get it somebody took it away. Why has that been done? It was there to guide to the end of their journey those who are favoring this bill.

Mr. KENYON. Mr. President——

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

Mr. BURTON. I do.

Mr. KENYON. I rose to ask the Senator if he knows where that pronunciamiento is?

Mr. BURTON. I do not.

Mr. KENYON. Why has it gone? Does the Senator know?

Mr. BURTON. I do not know.

Mr. KENYON. It was a most remarkable statement, and it hung on the wall for some weeks. I have been trying to find out where it was. I wanted also to have a copy of it.

Mr. BURTON. There were all sorts of reports about the Tennessee River. They were very confusing, and I had to give my leisure time for a week to reading about the matter. I am perfectly frank to say that I did not know, and I do not believe half a dozen Members of the Senate knew, that there was a committal in our legislation to those locks and dams, to cost $1,600,000 at Caney Creek Shoals and $1,000,000 in the middle section of the Tennessee. There has been no defense of that here on this floor; there has been no explanation of the running down of the traffic there at Colbert and Bee Tree; there is nothing to give us any hope that these new projects will even be as successful as that for which we incurred the frightful expense at the Muscle Shoals and Bee Tree. But here is one thing Gen. Bixby did do when he recommended the building of this dam:

The lock and dam below Caney Creek Shoals will create a pool which will cover some of the worst shoals above Chattanooga—

And so forth.

Its direct value to all the property within reach of the pool will be so great that it is suggested that the property holders affected be required to secure and furnish to the United States free of cost all the flowage rights necessary for this pool prior to any work in actual dam construction by the United States.

Now, two estimates have been given here, one of them to the effect that the cost would be $306,000. Then, on further examination, it was stated that it would cost $450,000. It is 22 miles long, and it is very likely to cost a million dollars. Why do those who always observe the recommendations of the engineers, who, whenever we criticize any items, say that the engineers recommend it, leave that provision out? Why must the Government of the United States be subjected to an expense here very likely of a million dollars? If those farmers down there find what an extravagant scheme this is, they will think that Uncle Sam is an almoner, flowing with millions, and that they can well afford to put up the price in the condemnation proceedings. There is a case where you did not adopt the recommendation of the engineers. Why not? The bill is here before us in which an appropriation has been made for it.

At a later time in my argument I will show not only these features in regard to that improvement, but that a petition has come in here signed by every farmer, it is claimed, along that river near the proposed Caney Creek Dam, and signed, as it was distinctly stated, by every vessel owner on the river down so far as Decatur anyway, protesting against the form of improvement that is suggested here, saying they do not want that dam. I will either have this petition read into the RECORD or I will read it myself. I think some explaining is well to be done here; and yet you are trying to jam this bill through at 12 o'clock at night. Would it not be a good plan to stop and explain the Tennessee River? You are asking the Senate to be detained here perhaps all night to pass this bill. The country will let you hear from them if you try anything of the kind without explaining some of these items.

Mr. KENYON. Mr. President——

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

Mr. BURTON. I do.

Mr. KENYON. I desire to ask the Senator what the reasons are that are given by the people who have signed this petition?

Mr. BURTON. That it floods out their lands. I did not wish to take up the Tennessee River at this time, but I perhaps will do so later.

Mr. KENYON. At a later hour?

Mr. BURTON. At a later hour.

Mr. KENYON. At an earlier hour in the morning?

Mr. BURTON. Yes. I have the material all here.

It happens that this is a digression. I engaged in this digression, Mr. President, and sometimes our digressions serve us well when our well-laid plan for consecutive remarks would come tardy off. I will repeat what I have written down on this leaf and a quarter:

5. There is no promise of traffic in such a volume as to justify large expenditures, except on rivers the channels of which can be made available for the convenient handling of boats and the freight thereon, and which connect distributing and consuming centers between which there is a large interchange of coarse materials, such as coal, iron ore, or building supplies. The quantity of such materials carried upon rivers and canals is decreasing and the length of the haul is diminishing.

6. The predominant function of many rivers and canals has been to provide transportation for sparsely settled or undeveloped areas. With increased population and more complete development the requirements of transportation are more and more provided in other ways and the use of rivers for general traffic diminishes or disappears. A principal use of streams during this period has been, and will continue to be, the bringing of timber to the market.

Mr. President, you yourself may know of a river in your State, the Wabash, in which there is an expensive lock and dam constructed at Grand Rapids. It is possibly within your memory that a very considerable amount of freight was carried down that river; but it has all disappeared now, or it has decreased to less than a thousand tons, so that the cost of maintenance of the lock there is very considerable in proportion to the value of the freight that is carried through. Until roads are built, until railroads are built, the rivers afford the best means of transportation, perhaps permanently the best way of floating logs; but in time, unless they are good-sized rivers with good channels, they are superseded by other means of transportation.

7. The statements above made do not apply to short canals connecting large bodies of water, such as the canal in St. Marys River between Lake Superior and Huron, nor to waterways, such as the Great Lakes, which are exceptional in their nature.

8. Transportation facilities other than by water, present and prospective, are not limited to steam railways. Other means are, or will be, available, such as the use of electric railways, the cost of which is very much less than that of steam railways.

I do not know but that I ought to correct that statement a little. It is less when made in the form in which they are ordinarily equipped; but I drew that some months ago, and my study of electric railways does not altogether confirm that, except that I assume it is understood what I mean—that the general equipment of a steam railway, when it is raised to a high condition of perfection, with the terminals, and so forth, around it, costs a great deal more than an ordinary electric road.

Autotrucks also provide a method of transporting traffic which will be more and more utilized as highways are improved. It is certain that one of the most important developments of the near future will be the improvement of highways. There can be no expenditure for transportation which will have a more salutary effect.

It will appear that electric roads and highways will furnish more economical means for transportation than that afforded by many rivers for which large appropriations have been made, or are now being made, by the Federal Government.

Oh, I suppose some will say, "Regulating freight rates! regulating freight rates!" and so will they ask us to go on with this expense, with this extravagance and waste, which appears in this bill. We ought to have some song in favor of the wasting of the funds of our genial Uncle Sam that has as a chorus and refrain, "Regulating freight rates! regulating freight rates!" [Laughter.]

Mr. President, that form of conduct has continued just about long enough. The trouble is, you never can argue with a man who maintains that note. While he will admit that it is all waste, that it does not do any good, that there are no boats, the full extent of what was said in the placard, the handwriting on the wall, whatever you call it—that has so unfortunately been removed—is a text for those who believe in this kind of extravagant improvement.

Mr. President, what are some of the rivers which might profitably be improved? I think it is very important to trace this down, because a great deal of confusion exists in the popular thought in regard to what are rivers, those that are so termed in the books. Sometimes the term "river" is applied to bodies of water that are not in fact rivers at all; and when the term "river" is applied to them, and when an effort is made to bolster up arguments for river improvement by including them, altogether erroneous conclusions are reached, because they should be omitted. We should omit, in the first place, those which are essentially harbors.

The best illustration of this is the Hudson River between New York City and New Jersey. Then there is another stream that goes in the catalogue as a river—the East River. Essentially it is not a river at all. True, it is a connecting link between New York Bay and the Hudson River at one end and Long Island Sound at the other, but everyone knows that for the greater share of the distance between New York and Brooklyn it is lined with docks. Steamboats pass there; and so its tonnage, estimated at 45,000,000 tons annually, does not belong to the rivers of the country, although many boats pass through from the Hudson, around the Battery, out through East River into Long Island Sound.

Then there is the Harlem River, in or near New York City, that is 8 miles long, but that is essentially a harbor rather than a river.

Then there is the Providence River, to Providence, R. I., extending from Providence Bay, which is 7 miles in length.

Then there is Newtown Creek, between Brooklyn and Queenstown. That has a large traffic—4,921,843 tons in 1912. I have heard persons say, "That shows it is a good thing to improve our rivers and harbors. Newtown Creek has a big traffic." But it is not a creek at all. It is an estuary, a stream in the city of Brooklyn, between two counties, which is a part of New York Harbor.

Then there is the Mystic River, below Island End River, in Boston. This river above Chelsea Bridge, including Mystic Upper and Malden Rivers, had a traffic of 3,671,242 tons in 1912. That goes into the list as a river. It is only a mile and a half long, and is essentially a part of Boston Harbor.

Again, there is the Rouge River. I see my friend from Detroit here. I come around to Michigan an unusual number of times, because I am so very well acquainted with the State, and have such an admiration for it and for its citizens.

Mr. TOWNSEND. It is purely accidental.

Mr. BURTON. The Rouge River runs into the Detroit River at the southerly limits of the city of Detroit. That is called a river, but it is virtually a harbor. It is a point on which there are factories and rolling mills, and so forth, but it only extends in from the main Detroit River 4 or 5 miles.

Further, I want to call attention to a stream in the State of my friend from Washington that I happen to have here in the list, the Snohomish River, in Washington. That is called a river, but it is actually an estuary. That by no means disables it from getting an appropriation, however, and it very likely deserves one.

Mr. JONES. I am sure it does.

Mr. BURTON. But it is not a river in the ordinary sense in which we use that term as relating to a navigable stream.

Mr. JONES. The Senator means the part which is improved?

Mr. BURTON. Yes. Some persons in giving superficial attention to this subject pass over those figures in regard to the Mississippi River and other streams where it appears the traffic has decreased one-half, three-fourths, or nine-tenths in some commodities, and say that traffic on the rivers of the country is increasing. I would it were so, because I have been identified with the cause of improving rivers so long, and I have recommended appropriations for them that are now enough to make me blush; but if you carefully analyze those rivers where there is an increase in traffic it will be found that in practically every case they belong to certain well-defined classes.

The first class consists of rivers connecting cities of considerable size with the sea. These are all tidal streams, and enable ships of a draft of 15 feet or more to come from the sea to the cities located on them. On that portion of these rivers extending to the ports practically all the traffic is from or to the ocean.

You hear of the Delaware River. It is said we ought to improve rivers because the Delaware is such a splendid stream. Why, Mr. President, it is merely a tidal passage from the Delaware Bay and the ocean up to the city of Philadelphia, 101 miles in length. It had a traffic of over 26,000,000 tons in 1912. I do not know how the appropriation that it receives in this bill, with its 26,000,000 tons, compares with some rather minor rivers which any Senator in this Chamber, unless he lived in the neighborhood, would be put to the stumps to tell where they were, though I presume some make a pretty favorable showing in comparison with the appropriation for the Delaware. There is a portion of that river, extending from Philadelphia up to Trenton, which is more nearly adapted to classification as a river, although even there the stream is tidal. There the traffic is very much less and mostly of raw material.

The next illustration of this class of rivers, connecting cities of considerable size with the sea, is the Patapsco to Baltimore. There the total traffic in 1912 was 8,618,856 tons on a navigable length of 20 miles. That is not a river in the ordinary sense of the word. Both of these two last mentioned are as much estuaries as they are rivers.

Then there is the Mississippi to New Orleans. That is somewhat more of a river, because it maintains its width more nearly below the city of New Orleans, and the tidal flow is not so large as in the case of the Delaware at Philadelphia; indeed, not larger than it is in the case of the Patapsco at Baltimore; but the river above New Orleans, where there is not this communication with the sea, shows a decadent traffic, while the portion of the river below New Orleans, connected with the ocean, making a great port accessible to the Gulf of Mexico, has an increasing traffic all the while. Again, I say that is no river in the ordinary sense of the word.

Further, there is the Savannah River to Savannah. I regret that the Senator from Georgia is not here, because his river and his city, in this little memorandum I have prepared, have very honorable mention. There was here a traffic of over 3,000,000 tons in 1912. The total amount appropriated to date for this improvement somewhat exceeds $10,000,000. Savannah is 17 miles from the sea. That also is no river in the ordinary sense of the term.

Again, there is the Passaic River to Newark and Passaic. This stream, on this distance of 16 miles, had in 1912 a traffic of 2,266,291 tons. A part of that 16 miles is through Newark Bay. That also is not a river in the ordinary sense of the word. The Senator from New Jersey [Mr. MARTINE] was here a few minutes ago. He no doubt would be very familiar with this river. I do not see him just at present.

Then there is the St. Johns River to Jacksonville, 27.5 miles in length. That looks very much like a river as you travel on it, but what is the use to which it is placed? It furnishes communication from the ocean to the city of Jacksonville. The other traffic is nil.

Further, there is the Cape Fear River to Wilmington, N. C. I do not even see the Senator from North Carolina [Mr. SIMMONS] in the Chamber just at present. That is one of the apples of his eye. Then there is an inland waterway in North Carolina that accommodates about 100,000 people or less and is estimated to cost $5,400,000. It is somewhat more expensive than the proposed project for the Cape Lookout harbor of refuge that is in this bill—six or eight hundred thousand dollars cash and a continuing contract authorization for $1,800,000; yet Gen. Kingman, now Chief of Engineers, said in a report a few years ago that it was neither fit for a harbor of refuge nor for a harbor of commerce.

Mr. BRYAN. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON). Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. Yes.

Mr. BRYAN. Does the Senator from Ohio say that the St. Johns River is not a river?

Mr. BURTON. Not in the ordinary sense. I have been using that phraseology so many times that I did not want to repeat it again.

Mr. BRYAN. What does the Senator say of the St. Johns River and the Savannah River and the Mississippi River?

Mr. BURTON. They are not rivers in the ordinary sense.

Mr. BRYAN. They are not rivers?

Mr. BURTON. With the uses made of them they are tidal streams connecting ports with the sea.

This Cape Fear River to Wilmington has not cost any small amount—to date $5,881,168 has been appropriated. I will just notice the expense on that. In 1912 it had a traffic of 1,072,205 tons. I should be very glad if my own harbor of Cleveland, in proportion to its tonnage and the population of the city, had received a like appropriation.

For the express benefit of the Senator from New Jersey [Mr. MARTINE], who has just returned, I will state that I referred a few minutes ago to the Passaic River up to Newark and Passaic, and that in the ordinary sense of the term I would not call it a river. The use that is made of it and of the traffic on it, especially up to Newark, is for boats that go out into the sea. The local traffic by boats between the different ports on the river proper is comparatively insignificant.

The Potomac River to Alexandria and Washington is a little less typical of the kind that I am now considering, because it is 113 miles up to Washington, and in some portions has much the appearance of a river. But that is broad. It is like an estuary. It is tidal. Going down the Potomac River from Washington 15 or 20 miles you come to a place where it would seem as if you were out of sight of land. It is not a river in the ordinary sense of the term.

Then, there is the Pawtucket River to Pawtucket, R. I., a distance of 4.5 miles. In 1912 it had a traffic of 622,166 tons. That is really a line of communication to the city of Pawtucket. In a less degree the James River to Richmond comes under that same classification.

Now, then, the enthusiastic advocates of river and canal improvement err when they include rivers of this type in their general classification. They are not inland waterways. One terminus is at the sea and the other but a short distance inland.

Here is one exceptional class. First, I took up the harbors, then the rivers which connect those which are essentially harbors—like the East River, the Harlem, the Mystic, the Rouge, the Snohomish—and those rivers which connect towns and the sea. I will recapitulate them: The Delaware to Philadelphia, the Patapsco to Baltimore, the Mississippi to New Orleans, the Savannah to Savannah, the Passaic to Newark and Passaic, the St. Johns to Jacksonville, the Cape Fear to Wilmington, the Potomac to Alexandria and Washington, the Pawtucket to Pawtucket, and the James to Richmond.

There is a third class of rivers similar to the preceding, but affording passage for boats of smaller size and of less draft than 15 feet. These streams are all tidal. The local or inland traffic between towns located upon them is not large.

The best illustrations are the following:

The Raritan to New Brunswick, N. J.

I am again in the State of New Jersey. It would require a mariner sailing by the compass and keeping careful track of his distance to make a journey of about 12 miles from the bay up to New Brunswick. But it is not an inland waterway in the ordinary sense of the word.

Mr. MARTINE of New Jersey. Mr. President——

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

Mr. BURTON. Yes.

Mr. MARTINE of New Jersey. The Senator realizes that we have the Delaware and Raritan Canal, which reaches up to the front of New Brunswick and carries an immense tonnage there which would relieve the necessity very largely, I confess, of the river improvement of the Raritan, but it would be a crime to annihilate the canal. It is true the railroads have done all that they could to abolish the use of the Delaware and Raritan Canal.

Mr. BURTON. Then there is the Hackensack to Milford in the same neighborhood, a distance of 20.2 miles; the Connecticut to Hartford, a distance of 50 miles; the Thames to Norwich, a distance of 15 miles; and the Penobscot to Bangor, a distance of 27 miles. There was a time when this last-named river had more than a million tons of traffic annually. According to the latest report it has fallen to 549,476 tons.

The Napa River, in California, is 16 miles long. As the Senator from California [Mr. PERKINS] knows, that is just over the bay from San Francisco, and it is used as a means of transportation to carry the products of Napa and that locality to the markets at San Francisco and Oakland. That is not an inland waterway. The traffic goes across the San Pablo Bay.

Then there is the Maurice River in New Jersey. Just at this moment, possibly on account of the lateness of the hour, I have forgotten where that is.

Mr. MARTINE of New Jersey. The Maurice, I will say, runs into the Raritan, and it is in Middlesex County. It is in the bailiwick of Congressman SCULLY.

Mr. BURTON. Oh, yes. He is a member of the Committee on Rivers and Harbors?

Mr. MARTINE of New Jersey. I can not answer as to that.

Mr. BURTON. I had an impression that he was.

Mr. MARTINE of New Jersey. The Senator will recall that we talk about Maurice Cove oysters, I think.

Mr. BURTON. Oh, yes; that gives it a distinguishing feature.

Mr. MARTINE of New Jersey. That gives it a very distinguished flavor.

Mr. BURTON. Then there is the Wicomico River, in Maryland, and Cooper River, N. J. Some people put this last-named stream down in their list of rivers as having a large traffic, and as showing a reason why we ought to go into regulating freight rates on rivers in a general way. It is a short stream opposite Philadelphia at Camden. There is no traffic between internal points. On the Bronx, in New York City, there is considerable traffic. It is 3 miles long and is used to bring freight from points around New York into this growing suburb.

Mr. MARTINE of New Jersey. There is a very distinguishing flavor to the Bronx.

Mr. BURTON. Yes; it is used in a number of senses. The Bronx, I want to say, is growing rapidly. In 1903 I went up the Bronx and told them I was in the most rapidly growing residence community in the world, and in 1906 I went over to the east part of Brooklyn and told them the same thing, and I told the truth both times. The growth of the Bronx—the amount of building material that is being used—is something almost phenomenal.

Mr. MARTINE of New Jersey. The Senator realizes that those are both Democratic communities, in Brooklyn and in the Bronx?

Mr. BURTON. I am not so sure about that.

Mr. MARTINE of New Jersey. I am quite sure of it.

Mr. BURTON. They are liable to go Republican this fall.

Mr. JAMES. Was not the Senator speaking of the Bronx cocktail?

Mr. BURTON. That gives an association that was entirely unknown until the Senator mentioned it. I thought when the Senator from New Jersey spoke of it that it had some mysterious meaning, and I now understand what the meaning is.

Mr. MARTINE of New Jersey. The Senator's education has been seriously neglected.

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

Mr. BURTON. I am glad to yield.

Next there is the Kennebec River to Augusta. There was a time when this had quite a large traffic, but it has now dropped to 281,700 tons. It seems to me the distance given here—45 miles from the mouth to Augusta—is a little large, but that is the figure I have.

Then there is the Brazos River to Velasco. There is not, however, very much in this Brazos to Velasco. In 1912 it had a traffic of only 123,750 tons, and the amount appropriated to date has been about $721,000. But that is only a beginning. The Brazos is to be canalized above there somewhere. There is a stretch of about 245 miles, and above that a portion of about 171 miles where locks and dams are being constructed. How they will fill the gap between this magnificent emporium of Velasco, a beautiful Spanish name and a name to be remembered always for everything except its commerce, and this upper portion I do not know. I once was informed that there was a falls up there called Hidalgo Falls, and if we got over that we would go from northern Texas clear down to the Gulf, but I learn now I was misinformed.

Then there is the Merrimac to Haverhill; the Housatonic to Derby, the latter being in Connecticut and having a traffic in 1912 of about 86,000 tons.

It will be noticed that none of these last mentioned has a length greater than 50 miles from the sea, and that the commerce of each depends upon the freight brought from or sent out to deep water; and clearly none of these has the quality of an inland waterway. It is also to be noticed that the traffic upon all these three classes of so-called rivers last named is dependent upon their nearness to deep water and ready means of communication to cities of large size.

Passing from the above lists, we come to rivers which are used for traffic between inland points located upon them or for carrying freight for reshipment to harbors located upon or near to the sea. The largest appropriations which have been made by Congress has been for this class of rivers.

Now, Mr. President, there are other rivers having traffic between inland localities or cities which deserve the name of inland waterways. It may be interesting to Members of the Senate to have a classification of these according to their importance—according to the amount of traffic on them.

The Monongahela River, it will be a surprise to some, has the largest traffic of any inland waterway in the country. I do not include in this classification the Great Lakes or their connecting waters. Of course, St. Marys has a much larger traffic. The Monongahela in the last year for which statistics are available had a traffic of 11,575,329 tons in a navigable length of 87.5 miles. Much the larger share of this is coal. To date we have appropriated over $10,000,000 for this improvement, although if we had it to do over again I do not believe we would have even paid the old Monongahela Navigation Co. for their franchise.

I pause a minute to state two tendencies of this river, which will appear from careful study. The one is a decrease in the aggregate amount of traffic. This decrease is apparent as they mine coal near the river. They carry it by boats for a time, but when they get past a certain point then it goes by rail. That will be the case in the Kanawha, too, although they will probably hold the traffic on the Kanawha for a longer time. Those rivers are alike; the aggregate traffic is not increasing, but the general classes of freight—the package freight, the merchandise, aside from coal and coarse freight—are diminishing year by year.

The next river in this classification is the Ohio River. That is second to the Monongahela in the aggregate amount of traffic. It had a tonnage of 8,618,369 tons in 1912 on a length of approximately a thousand miles.

The next is the Hudson River from Waterford to New York Harbor. That is the stretch which the barge canal will use in reaching New York City. In 1912 it had a traffic of 3,045,136 tons. The Hudson has sometimes been referred to as the greatest navigable stream in the country, and with respect to the variety of its traffic and in the amount of passengers carried that is true, but the aggregate amount of freight carried is by no means equal to others, and in fact it is diminishing, due partly to the uncertainty as to the time the barge canal will open and partly to the decline of shipments of ice on this river. With the opening of the barge canal it undoubtedly will revive.

I want to say in this connection what I have said several times before, for I see some who have not been present when I have said it. There are two inland waterways in this country that ought to be tried out. One is the barge canal and the other is the Ohio River. It goes without saying those waterways are the most favorably located for traffic. The barge canal connects the Great Lake region with the Hudson River and then down the Hudson to New York City. The Erie Canal, in a very important sense, made New York City. It was opened in 1825. But how different it is now!

From 81 per cent of the traffic which it had along about 1850 or 1860, perhaps about 5 per cent of the total traffic remains. It is almost out of use. I hope the barge canal may have a considerable traffic; but it will not fulfill the expectation of its enthusiastic advocates. It will be found that persons will say the spending of $103,000,000 on this canal is a waste of money; but in view of the agitation for canals, let us try it. Do not go all over the country, however, from Maine to Texas and up into California and Oregon and continue improving

on an extensive scale every river and building locks and dams on them, when everybody knows it is experimental, with every probability against their success.

I repeat, that does not mean we are not going to improve our rivers; it does not mean that we shall not spend money as we did on the Kennebec and the Penobscot—open rivers—where you can improve them more readily, but it does mean—I regret to mention the State of my good friend from Kentucky—such streams as the Big Sandy, the Kentucky, and the Green Rivers. We can not longer afford to improve that class of rivers; if we do it will be a waste. Before I get through I shall read an editorial from the Louisville Courier Journal, which I understand is a paper of very high standing in the State of Kentucky, in which in mentioning these remarks of mine, which have been called a filibuster, it is said that I have been right in reference to the Kentucky River. A leading paper in the State, as I understand, instead of condemning what I have said about this class of improvements says that it is correct.

Then there is the Allegheny. Well, they handle a lot of old stuff there and some coal; but it does not amount to so very much.

Again, there is the Delaware from Philadelphia to Trenton, of which I have already made mention. That, strangely, is about the fifth river in the country in point of traffic, though that little stretch from Philadelphia to Trenton is only about 30 miles long. Then there is the Kanawha, and then the Mississippi between New Orleans and Vicksburg, the Mississippi between Vicksburg and Memphis, the Mississippi between Vicksburg and Cairo, and the Mississippi between the Missouri River and St. Paul.

The Missouri River does not come into this list, and, according to present rate of progress, it is safe to predict that it will be a thousand years before it will ever come into a list like this from which I have read, a list of rivers that carry a million tons of commerce or more annually. It may furnish a great deal of gravel and sand, which abound along its course, but in traffic, in valuable articles, it is safe to predict that at no time will it ever come into the same class with the Delaware in the 30 miles above Trenton. It will do well if it holds its own with Raccoon Creek and possibly the Scuppernong River.

Mr. MARTINE of New Jersey. The Scuppernong is a North Carolina stream.

The PRESIDING OFFICER. The Senator from New Jersey will address the Chair.

Mr. MARTINE of New Jersey. Mr. President, with the permission of the Senator from Ohio——

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

Mr. BURTON. I do.

Mr. MARTINE of New Jersey. I want to take issue with the Senator from Ohio and to say that the Scuppernong is entirely and eminently a North Carolina affair. We have in New Jersey Cheesequake Creek, and Raccoon Creek, and Copper River, and God knows what, but we have not the Scuppernong. I would that we might have the Scuppernong.

I want to say to the Senator as to his classification a moment ago of two rivers in Kentucky, that it would be cruel to very many men whom I know, who are genial and loving friends, to find Green River classified with—what was it, the Big Sandy and the Kentucky? Green River is not only green and glorious and sweet of itself, but for the elixir that comes from the locality. It may be that the Senator from Ohio has never been initiated and inducted into the merits or the delights that come from Green River, and I hold it out to him as an inducement to change his trend of thought and God will bless him in the future.

Mr. BURTON. While I have referred to it, and I see some attention was given to it, I will read an editorial from the Louisville Courier Journal. There are two, one of September 4 and the other of September 5, 1914. This is from the issue of September 4:

In opposing appropriations for improving certain small streams, Senator BURTON yesterday cited the Kentucky River as one where money had been spent to no purpose.

The following is from the Courier Journal of September 5:

MONEY WASTE ON RIVERS.

Senator BURTON refers to the Kentucky River as an example of the manner in which Federal money is thrown away on waterway improvements.

The Kentucky River has a system of locks and dams—

Which cost nearly $5,000,000, by the way—

It is navigable for a long distance, but the freight business is negligible, and the passenger business is mostly restricted to excursions. Repeated efforts to operate a regular line of steamers have been unsuccessful. There seems to be little prospect of a revival of traffic. The money that was spent in improvements was poorly invested, so far as any present use of the river is concerned.

There is no doubt that much money has been wasted on internal waterway improvements. The aggregate that has been expended on small streams and on waterways where no appreciable benefit resulted would have made the Ohio and Mississippi Rivers navigable all the year around from Pittsburgh to the Gulf. In addition, it probably would have been sufficient to have inaugurated some comprehensive system of flood control.

Senator BURTON's assertions with regard to money wasted can not be denied. At the same time the real rivers of the country ought to be improved.

This, Mr. President, is not an isolated case. It is in line with editorial references from the ablest journals all over the country. I do not know but that if I am going on to-night I might as well read a considerable number of them. To use a slang expression, if we are going to make a night of it—and I certainly am ready for it if the others are, though I might perhaps prefer a little sleep—Mr. President, I should like to know what is the intention? Is it to remain here all night?

Mr. SMOOT. Mr. President——

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

Mr. BURTON. Yes; if I know what the purpose is.

Mr. SMOOT. Mr. President, it is now half past 12 o'clock, and I suggest the absence of a quorum.

Mr. JAMES. There has been no business transacted since the last call.

Mr. SMOOT. Oh, yes; we voted to lay the motion of the Senator from Ohio upon the table.

Mr. SIMMONS. Yes; there has been business.

The PRESIDING OFFICER. The Senator from Utah 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	Johnson	Pittman	Smith, S. C.
Brady	Jones	Poindexter	Smoot
Bryan	Kenyon	Ransdell	Stone
Burton	Kern	Reed	Swanson
Camden	Lane	Robinson	Thornton
Chamberlain	Lea, Tenn.	Saulsbury	Townsend
Chilton	Lee, Md.	Shafroth	Vardaman
Clapp	Martine, N. J.	Sheppard	Walsh
Fletcher	Myers	Shields	White
Gore	Overman	Simmons	Williams
Hollis	Page	Smith, Ariz.	
James	Perkins	Smith, Md.	

Mr. BRYAN. I have been requested to state that the senior Senator from Georgia [Mr. SMITH] has been compelled to leave because of sickness in his family.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum is not present.

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

The PRESIDING OFFICER. The question is on the motion of the Senator from North Carolina.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. CHAMBERLAIN. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from Oregon will state his parliamentary inquiry.

Mr. CHAMBERLAIN. I understood from the ruling of the Presiding Officer the other day that as a basis for issuing compulsory process against Senators it is necessary for the record of the Senate to show that a request had first been made for the absent Senators to attend the sessions of the Senate.

The PRESIDING OFFICER. That is the order which has been made.

Mr. CHAMBERLAIN. So that as soon as that request has been made, then it will be in order to move to bring in the Senators by compulsory process.

The PRESIDING OFFICER. It will, if the Senate sees fit to make that order.

Mr. CHAMBERLAIN. That is what I desired to know.

Mr. KERN. Mr. President, I move the adoption of the order which I send to the desk.

The PRESIDING OFFICER. The Senator from Indiana moves the adoption of an order, which the Secretary will state.

Mr. SMOOT. Mr. President, that is plainly out of order. Until a quorum is developed no business can be done.

The PRESIDING OFFICER. The Secretary will state the order.

The Secretary read as follows:

Ordered, That the Sergeant at Arms be directed to compel the attendance of all absent Senators now in the city of Washington, except those detained on account of sickness, and is instructed to procure without delay such conveyances and employ all necessary means to compel such attendance.

The PRESIDING OFFICER. The Chair thinks the order is in order. The question is upon the adoption of the order proposed by the Senator from Indiana.

The order was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is instructed to enforce the order.

Mr. BRYAN. Mr. President, I ask unanimous consent that the Senator from Georgia [Mr. SMITH] be excused from attendance, upon the ground of illness in his family. He was in the Senate until about a quarter after 11, and was called home on account of illness.

Mr. SMOOT. Mr. President, the order excuses the Senator.

Mr. BRYAN. I was under the impression——

The PRESIDING OFFICER. The Chair will state that the order excuses the Senator.

Mr. BRYAN. I did not want to have any doubt about it.

Mr. CLAPP. I think the order should excuse the senior Senator from Wisconsin [Mr. LA FOLLETTE] and the senior Senator from Kansas [Mr. BRISTOW], who is confined to his house by an accident.

Mr. BRYAN. Mr. President, I am under the impression that the order as drawn does that.

Mr. CLAPP. That is all right, if it does.

Mr. BRYAN. But some Senators said it did not, and they suggested to me that I make the request.

The PRESIDING OFFICER. The Chair will suggest that all Senators who have been granted leave of absence or have been excused should be excepted from the order.

Mr. CLAPP. There are some who have not been formally granted leave of absence; for instance, the Senator from Kansas. There has been no leave of absence granted to him.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent that the Senator from Kansas [Mr. BRISTOW] be excused on account of illness. Is there objection? The Chair hears none, and the Senator from Kansas is excused.

Mr. SHEPPARD. I ask unanimous consent that the Senator from California [Mr. PERKINS] and the Senator from Texas [Mr. CULBERSON] be excused on account of illness.

Mr. SMOOT. Mr. President, the order excuses any Senator who is sick. Under the rules this discussion is out of order until a quorum is developed, and I object.

The PRESIDING OFFICER. The Chair is informed that the order which has been adopted by the Senate excuses all Senators who are ill. The Chair will further suggest that no requests of this kind can be acted on now, as there is no quorum present.

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

Mr. CHAMBERLAIN. I think the resolution itself excuses those who are sick themselves or who have illness in their families; but I understand, without mentioning any names, that there were some Senators who were in their offices when the last attempt to secure a quorum was made, and that they declined to come to the Chamber for the purpose of transacting the business of the Senate.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. KERN. Copies are being made of the order, which has to be signed and certified by the Secretary of the Senate and signed by the Presiding Officer.

Mr. KENYON. Mr. President, I should like to ask that the Senator from Nebraska [Mr. NORRIS], who is confined to his home by sickness, be excused under the order. Does the order cover that?

The PRESIDING OFFICER. The Chair is informed that the order covers all Senators who are ill.

Mr. KENYON. But there has been no formal notice given of the illness of the Senator from Nebraska.

The PRESIDING OFFICER. The Chair will state that no business is in order now. There is no quorum present. The Chair, however, will state, with the permission of the Senate, that the order excuses all Senators who are detained on account of sickness.

At 1 o'clock and 55 minutes a. m. Mr. LEWIS entered the Chamber and answered to his name.

At 2 o'clock a. m. Mr. STERLING entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The Senator from Ohio will proceed.

Mr. BURTON. Mr. President, just before the untoward interruption which occurred some time ago, I was speaking of the different varieties of rivers. I first thought to segregate the rivers so called, such as the Delaware and Patapsco, which afford access to ports from the sea; next those of smaller size in which there is access to some city of considerable size from a bay, a sound, or the sea, such as the Connecticut, the Penobscot, and the Kennebec. The traffic on these rivers is considerable, for illustration, from New York to Hartford, from Boston by way of the ocean and the Kennebec to Augusta, and also from Boston by way of the Penobscot to Bangor.

In those cases, as in the case of other rivers, there has been a very material decrease of traffic. Save in the exceptional instance in which there is a very large quantity of coarse freight to be carried between points upon rivers, there are no considerable streams in the United States which justify any considerable appropriation under present conditions.

I do not say that was the case 30 years ago; I do not say that was the case 15 years ago; but, with the great increase in efficiency in railway transportation, it is the case now, and we have been going on for the last four or five years, at least, ignoring the vital change in conditions relating to transportation. What is needed is a careful, businesslike survey of the whole situation, and this bill is as far as possible from anything of that kind.

In some remarks made as long ago as July I pointed out that in most instances the improvement of our harbors had been profitable and that in some instances the improvement of our rivers had been profitable. But, with the present outlook, such improvements, if made on an elaborate scale and at large expense, are pure, unmitigated waste.

Look at that Tennessee River [indicating on the map upon the wall] and the Mississippi River, not far away. Think of it a minute. The traffic on the Mississippi River is dropping out of sight, although there is a depth of 8 feet from St. Louis down to Cairo, 9 feet down to Memphis and below, and some of the distance on to New Orleans, I think, 30 feet. Do you believe that we can improve that smaller stream, the Tennessee, which is full of rapids and bars and flows over a rocky bed, and have a larger traffic than on the Mississippi? To state the proposition is to refute it. Yet there is a report that advises or at least submits an estimate for an improvement of the Tennessee River from Knoxville to the mouth at a cost of over $30,000,000, and there is an absurd report that advises the immediate expenditure of over $10,000,000.

I can not keep silent, Mr. President, when confronted with so absurd a proposition. The whole map is covered with indications of waste on rivers which have no traffic. Yet the proposition is to take other rivers far less profitable, far more expensive to improve, and expend unlimited amounts upon them, amounts so great that even the expense of maintenance would be such that it would be cheaper to take auto trucks and carry the freight than to carry it on these rivers. This is the kind of a bill that it is proposed to pass by night sessions. When it is shown that there is no chance for any development of traffic upon them, immediately the advocates of the improvements fall back to the argument that it is for regulating freight rates. Why do you not regulate freight rates in a judicial and fair, sensible way, by presenting cases to commissions and have them fix the rates instead of resorting to this absurdity of spending millions of dollars—perhaps hundreds of millions of dollars—with the idea that in that way you are going to force railroads to charge lower rates, when the commissions on a three days' hearing would accomplish just the same result? I am not exaggerating one iota, Mr. President, the absurdity of this proposition.

At this late hour of the night, and under disadvantages, I am going to stand here and denounce the conditions; and then if the Senate wants to pass the bill, let them pass it, but it will be a monument to the carelessness and the injudicious action of this great legislative body, the reproach of which we can ill afford to bear.

Mr. President, this bill has been discussed and these incongruities, absurdities, and wastes have been pointed out, and I am frank to say that we have a better attendance right now at 2 o'clock in the morning than there has been at almost any time since the discussion commenced. I am glad, and maybe it was a good idea to have a night session; but if my strength does not fail this discussion is going to continue in the daytime, and it is going to continue on specific projects.

Let me just briefly read a few figures on this subject. I know how lacking figures are in attraction, but the only way to arrive at correct conclusions in such a matter as this is to study the facts.

I am compelled to say with some reluctance that until about the 1st of June last, when for the first time since 1907 I gave elaborate attention to these figures, I had not discovered the injudicious improvements we are prosecuting. It was not so discouraging along in 1900 to 1905. Then there was some prospect, some possible future, for this river traffic, but since then it has dropped almost out of sight.

I say this with the reservation again that there are rivers it is worth while to improve. Take that river there [indicating], the Tennessee, which has seemed to me a fascinating study. I think it illustrates better than any other stream the follies, the erroneous opinions of those who are advocating river improvement. I should favor a generous provision, according to the estimate, for improving that stretch of the river [indicating] from Riverton, Ala., to its mouth, about 206 miles. In the first place, it is a watercourse that follows a comparatively straight line, and it carries products from here [indicating] through Alabama, Tennessee, and Kentucky. Then it is not far to markets at Cairo, St. Louis, Louisville, and Cincinnati. Again, it is not full of shoals. It is not necessary to construct locks and dams.

Mr. CLAPP. Mr. President——

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

Mr. BURTON. I am glad to yield.

Mr. CLAPP. I am very much interested in the remarks of the Senator just now. But when the Panama Canal is completed will not the products of the country drained by that river naturally seek a southern outlet?

Mr. BURTON. There will be a certain impetus in that direction in that whole region.

Mr. CLAPP. Then the river runs north. And can it be possible that you can carry the products up the river and then down the Mississippi?

Mr. BURTON. Not profitably.

Mr. CLAPP. As cheaply as you can carry them across or more directly south?

Mr. BURTON. Certainly not; there are railroads all through here [indicating railways southwest of the river].

Mr. CLAPP. It strikes me that the completion of that canal is going to make a very material difference with what previously have been regarded as very favorable projects.

Mr. BURTON. I do not believe the opening of the Panama Canal is going to change the direction of traffic to the degree that many believe. For instance, take this region in here [indicating]. The demand for their products would still be largely to the north and the west.

Mr. CLAPP. I call the attention of the Senator to the fact that in the RECORD the expression "in here" would be very lacking as illuminating the reader. The section indicated means the southern part of Tennessee.

Mr. BURTON. It is this southwestern or the central western part.

Mr. CLAPP. It is a mistake that counsel in trial cases often make when using a diagram, saying "here" and "there" without anything to designate where "here" and "there" mean.

Mr. BURTON. Indeed, I would favor for that portion of the river—the lower portion—the increased figure designated in the Senate bill. But when you take that part [indicating the central portion] and the 180 miles from Chattanooga to Knoxville, the bill provides over $200,000 for both sections, far and away more than used to be appropriated year by year in the halcyon days of real traffic on that river. It is a waste against which I vigorously protest to appropriate for those portions of the river the large amounts proposed in this bill.

Mr. CLAPP. I feel that this discussion should be as fair and frank as possible, and my suggestion, I confess, is somewhat weakened by a suggestion made by the Senator from Mississippi, that the section drained by that river is a cotton section, and the cotton will still continue to seek a northwestern market for the mills.

Mr. BURTON. Very little cotton goes up that river.

Mr. CLAPP. Then, the Senator from Mississippi is mistaken.

Mr. BURTON. I have forgotten the exact figures. The most of the traffic upon that river is made up of logs and ties and a certain amount of grain in all three of its sections, though that is diminishing. The traffic on the Tennessee, as well as on many other rivers, reached its maximum about the year 1900 and a few years later. It was due to conditions to which I have already referred in my argument—the industrial impetus given to manufacturing and to other branches of enterprise just prior to and somewhat later than 1900. But when the new boats were built with larger draft and the railroads began to handle freight more rapidly and economically the water-borne traffic fell off.

While I am on this subject I want to refer briefly to the Big Sandy River, between West Virginia and Kentucky.

When I was first connected with the Rivers and Harbors Committee of the House delegations came here from that country and told of the enormous fields of coal in the Big Sandy River and its two forks or branches. It was claimed that there was the finest coal in the United States in that locality, including varieties of cannel coal. They declared the shipments down this river and its two forks to the Ohio River, and thence to the cities of Cincinnati and Louisville, would be enormous. They said no one could build a railroad there because of the contour of the country. We spent close to $2,000,000 on locks and dams in that locality. How many tons of coal were carried out there by those waterways in the year 1913? We had been told of the magnificent coal fields there. Yet how many tons do you think were carried out? Twelve tons, and that by the Government. How much coal was carried out of there that same year by the Chesapeake & Ohio Railroad, after it had been said that no railroad could be built through that section? Twelve tons by the river, and that for Government uses, and by this railroad 2,250,000 tons.

Mr. KENYON. In what length of time?

Mr. BURTON. The last year.

Mr. KENYON. Within a year?

Mr. BURTON. Within a year.

Mr. KENYON. Twelve tons a year.

Mr. BURTON. Twelve tons by river, with the forks canalized at an expense of nearly $2,000,000, and 2,250,000 tons by one railroad. I believe there are two railroads traversing that region.

Mr. KENYON. I should like to ask the Senator how much this bill carries for the Big Sandy?

Mr. BURTON. A sum of $25,000. I will come to that later. At last, after some of the most glowing reports that have ever been filed on river projects, the Government engineers have reported against it. I mention that because it is typical of them all.

Mr. President, there is another class of rivers that I think may be profitably improved—those that are comparatively small, flowing through a level country where the soil is not of such an alluvial character as to create bars and numerous drift obstructions, and where also the cost of improvement is reasonably modest. There are some such rivers in North Carolina, Florida, and Louisiana. For instance, the Tar and Pamlico, in North Carolina; the Neuse and Trent, in the same State; portions of the St. Johns, in Florida; the Bayou Teche and a number of other smaller streams in Louisiana. It is not a great undertaking to improve those rivers. They have a fairly regular bed; they do not fill with silt; and they can be taken care of by a comparatively small amount of dredging. Those rivers are a survival of the olden days; we look upon them as a pleasant reminiscence of an earlier age; they can still be used, but usually for comparatively short distances.

Through traffic on the rivers has almost disappeared, unless it be made up of logs or coal. Let me refer to that table on the wall. It is a table prepared with great elaboration by the Corps of Engineers, following the year 1907, or at least by a board of that corps of which Gen. Bixby was a member. When you hear a statement of those statistics of the traffic of the Mississippi River, you will think, of course, it is through traffic by boats from Cincinnati to New Orleans and St. Louis to New Orleans. Study the chart for a moment. It states:

Received at St. Louis, down the stream passengers, 21,251; received between St. Louis and Cairo, 2,981; discharged between St. Louis and Cairo, 12,387; discharged at Cairo, 3,363; received at Cairo, 4,324; received between Cairo and Memphis, 8,756; discharged between Cairo and Memphis, 3,576; discharged at Memphis, 17,686.

Yet that is the most favorable showing that can be made by any of that traffic, excepting coal and logs.

Now, note again. Grain and its products received at St. Louis, 2,782 tons; received between St. Louis and Cairo, 10,392 tons; discharged between St. Louis and Cairo, 1,576 tons; discharged at Cairo, 11,598 tons.

Do you notice that by the time you have reached Cairo you have unloaded every ton of grain that you picked up anywhere along the river? None of it goes any farther.

Received between Cairo and Memphis, 1,000 tons; discharged between Cairo and Memphis, 1,000 tons; that is received and discharged.

Received at Memphis, 13,094 tons; received between Memphis and Vicksburg, 3,594 tons; discharged between Memphis and Vicksburg, 16,688 tons.

Senators will notice that that 16,688 tons is the exact total of those amounts received between Memphis and Vicksburg,

and there is no freight apparently above that between St. Louis and Memphis but what seems to have been discharged before.

Now, received between Vicksburg and New Orleans, 19,254 tons; discharged between Vicksburg and New Orleans, 770 tons; discharged in New Orleans, 18,894 tons.

The sum total of those two [indicating] is equal to the sum total of those two amounts [indicating]. So it is all local. People have an idea that grain is carried through from St. Louis to New Orleans to be shipped abroad, and it is true that grain was carried from St. Louis to New Orleans by water up to the year 1904, but not a bushel of it is now carried through from St. Louis to New Orleans, although they have one of the best waterways in the world. It does not go that way.

Now, here is something that does go through—the coal that is received from the Ohio, amounting. to 1,670,154 tons. And there is a small quantity received between Cairo and Memphis. I do not quite understand where it comes from, but it is probably for local distribution. It goes down and is unloaded at different points along the river, and 747,500 tons are finally discharged at New Orleans. I fancy the reason why there is some received between Cairo and New Orleans, which is certainly not a coal-producing region, is that the coal is brought down from the Ohio in very large fleets of barges—the barges being bound together—and when they get below Cairo a few of those barges are taken out for delivery at points along the Mississippi. But compare that item of 747,500 tons with the 30,000,000 or 40,000,000 tons traffic up the Rhine, or even with the 11,000,000 tons on the Monongahela in our own country. The quantity of coal shipped is diminishing year by year. It goes in some other way; it is derived from some other source.

Look at this item: Groceries and provisions received at St. Louis, 3,485 tons; discharged between St. Louis and Cairo, 2,730 tons; at Cairo discharged 755 tons; 3,485 tons is the sum of those two. It stops at Cairo, which is as far as it goes.

Here is another item of through traffic. Look at the figures as to oil. Received at St. Louis, 83 tons; discharged between St. Louis and Cairo, the insignificant quantity of 78 tons, the other 5 tons being discharged at Cairo.

I commend this table to the careful study of Members of the Senate. It shows the commerce on a river where naturally there would be the largest and most prosperous traffic; and just see what an insignificant amount it is.

If there is any river in the world that has been improved for navigation, it is the Mississippi from St. Louis south. No expense has been spared; fleets of dredges have been employed; and the utmost care has been given it year by year. See what is the result. And yet we are told that you can take these inferior streams, streams that are full of rapids and shoals, and spend money on them and thus develop a great amount of traffic. That is the philosophy, that is the method, under which we are working, and that is the method that we ought to renounce.

I wish to call attention next to some features of the minor rivers of the country, although some of them are not minor when you consider the amounts which have been expended on them.

The existing condition of inland water-borne traffic is such that there is often a greater quantity of freight carried upon short rivers and creeks than upon long rivers which traverse several States. Nothing can more emphatically show the decrease in water-borne traffic on inland waterways than the statistics of tonnage on the following rivers, many of which were at one time important arteries of commerce:

	Tons.
Pearl, below Rockport, Miss	191,173
Kentucky	186,300

And yet we have improved the Kentucky River at a cost of $4,196,000. I am not at all surprised that the Louisville Courier-Journal, which would certainly stand up for any judicious improvement in Kentucky, speaks of the opposition to that appropriation as well founded and dwells upon the impossibility of reaching results on that river.

On the Missouri from Kansas City to the mouth the traffic amounts to 185,110 tons. Why, there are creeks in New Jersey and around New York with more traffic than that; and of this 185,000 tons about 155,000 tons is of sand and gravel, which is hauled 1 mile, and yet they say the traffic is increasing. Well, it will have to multiply many times before it would be profitable to improve that river at an expense of even a million dollars. But we are asked to spend $20,000,000 on that stream, with $500,000 every year for maintenance. What is the use of continuing legislation on any such basis as this?

Then there is the Illinois River below Copperas Creek, which has 167,698 tons of traffic, and the Fox River in Wisconsin, on which we have spent $4,000,000 and on which there is 145,000 tons of traffic.

I might go through the whole list and take up the Santee, the Wateree, the Congaree, the Roanoke, the Arkansas, the Red River below Fulton, the Snake, and numerous others. They are all of the same type.

There is a very interesting comparison that I wish to make of the unequal cost of different rivers. Here is the Arkansas, with a traffic last year of 71,516 tons, valued at $1,170,990. Appropriations have been made for it to date of $3,108,008.44. Of the 71,516 tons, 56,208 were saw logs floated loose or in rafts in the river, leaving about 15,000 tons of other traffic, and yet this bill as at first reported to the Senate carried an appropriation of $164,700 for that stream, or, leaving out the floating logs, between $10 and $11 for every ton carried on the river, and if you add to that 4 per cent on the cost, making about $8 per ton more, bringing the cost of carrying every ton on the river to nearly $20.

Now, let us compare that with the little Petaluma Creek in California, on which there was carried last year a tonnage of 231,725, valued at $12,719,747, three times as much tonnage and eleven times as much value as on the Arkansas River. Against the $3,108,000 appropriated to date on the Arkansas River $144,000 has been appropriated on the Petaluma. Petaluma is one of the streams emptying into the bay north of San Francisco, on which freight is carried to the city of San Franciso. Counting all classes of tonnage, including logs, the cost of commerce per ton on the Arkansas is $4.04; on the Petaluma Creek, 6 cents. That is a very interesting illustration of how we have been spending money and of how it is proposed to spend money in this bill. I think it is stated in the report that the improvement has had no effect on freight rates. Indeed, they have a very well-established railway commission in Arkansas, and if the railroad rates were exorbitant they would immediately be ordered changed. It is said of the Arkansas:

It does not appear that the improvements in late years have had any marked effect on intrastate rates either by water or by rail.

Now, compare with that the Cohansey River, in New Jersey. I ask the attention of the Senator from New Jersey. There are so many Senators interested in this paragraph that I almost regret that there is not a larger attendance. I shall not be able to say anything about New Hampshire, except a great decline on the Lamprey and the Cocheco, which formerly had a considerable amount of traffic.

Take the Cohansey, where there was a commerce of 186,960 tons, of a value of $3,759,924. The appropriations to date are $101,300.

For the Red River this bill, as it was reported to the Senate, carried an appropriation of $100,000, with a traffic of 44,967 tons; and bear in mind that of that 44,967 tons 42,640 tons consisted of saw logs, with only about 2,000 tons of freight that required boats and barges. "Regulating freight rates" again—"regulating freight rates," and looting the Public Treasury! I have not used so strong a word before, but I think I am justified in employing it. When you are paying $50, $60, $70, $80 for every ton of freight carried, claiming that it is for the good of the people in some way, what is that short of looting the Public Treasury?

I have another illustration—the Missouri River, from Kansas City to the mouth, where the cost, if you count in all the sand and the gravel, is $13.31 a ton, and the Bayou Teche, in Louisiana, where the cost is 24 cents a ton. You see in this way the gross inequality, the injustice, of our present system of making appropriations. The Red, the Missouri, the Arkansas might well be left out, and our appropriations devoted to other streams which yield more readily to treatment, and can be dredged and put in condition for navigation without enormous expense.

But the worst fraud in the whole system is that of the canalization of rivers by locks and dams. I do not believe there is one, outside of the Ohio and the Monongahela, that will begin to succeed or that will be anything but a monstrous extravagance and loss of money.

I have several times before called to the attention of the Senate some of these projects, but I think it is well to bring them up again. The Kanawha, and perhaps the Black Warrior, will be successful instances of canalization; but the indications of decadence on the Kanawha and even the Monongahela are already manifest, due to the fact that as the mining of coal is conducted farther away from the stream, as the mines that are near to the channel are exhausted, the coal is carried in another way. There is just as much coal mined in those valleys, and there will be for some years, but it will not be carried out in so large a degree by the river or on boats. It will go by railroads. It is simply inevitable, because if you get 2 miles or 3 miles away from the channel it can be so much more easily handled

in cars. Then, in most instances, there are railways running along on one or both sides of those rivers, which are securing an increasing share of the traffic.

I do not mean in all this to advocate by any means the abandonment of those streams. They have been useful arteries of commerce. They will continue to be so for some decades to come; but they will have their day and cease to be agencies of transportation just as surely as the wheels of progress revolve. In the statistics already gathered you can see how it will come about. They are reaching their maximum and already declining, and traffic upon them in other than coarse freight is diminishing in quantity.

I have referred several times to the Mississippi and Illinois Canal, but I think a little iteration will be useful. I do not know that it is the worst illustration of locks and dams, but it is the one that occupies the most prominent place in the history of this class of improvements.

This Illinois and Mississippi Canal is a historic waterway. Probably there never was a proposed Government improvement which had a larger support than this in the immediate locality in question. Men were elected to Congress because they shouted more loudly for the Hennepin Canal, for that was its familiar name. If a candidate wanted to get a big vote or to be nominated or elected, he told the people, "Oh, I will get for you the Hennepin Canal." Men were elected to Congress from eastern Iowa and from western Illinois and through a part of north-central Illinois because they were for the Hennepin Canal. After we had spent some six millions and more on it we found that it would cost another million to finish it, and we doubted whether it was worth it; but after hesitation we completed it.

I have already mentioned this in the Senate, but I think I will refer to it again. What have we gotten for those seven millions?

Bear in mind that this canal runs through one of the richest farming countries in the world. How they did tell us of the amount of grain that would be carried through this canal, of the merchandise from the jobbing houses of Chicago that would go to the farmers of Illinois and Iowa, of the manner in which the Middle West would be enriched by this waterway. The total cost of the construction to June 30, 1913, was $7,576,000; the operation and care to June 30, 1913, was $1,166,000; or a total of $8,742,000.

What is there to show for the expenditure of that $8,700,000?

Mr. President, I would like a little order. What I am most anxious for is the attention of the Senators; there are some facts I want to tell them.

Eight million seven hundred thousand dollars! The commercial freight on this canal for the year 1913 was 11,962 tons and the number of ton-miles 473,448. Now, if you allow interest on the cost of that canal, and it cost for operation and maintenance in 1913 $204,000 for 11,000 tons of freight, the cost of carrying every ton was $46.33! The cost per ton-mile was $1.16.

Do you realize how an autotruck could beat that; how even an old oxcart could beat it? An oxcart could haul a ton a mile for $1.16 and make a good profit out of it. Indeed, it could do it for a fourth or an eighth of that. "Regulating freight rates"—and it did not regulate freight rates at all, for the fact is that long before it was finished freights on lines competing with this canal were put down to figures of which nobody is complaining.

I remember noticing some years ago an editorial note in the New York Evening Post attacking this contention, and showing that the reduction in rates had been accomplished before this canal was put in operation. The canal has 37 locks, operated under the most favorable circumstances at an annual expense of five or six thousand dollars apiece, for 11,962 tons of freight.

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

Mr. BURTON. Certainly.

Mr. RANSDELL. I simply wish to ask the Senator if he will tell us when that canal was begun and when it was completed, if he has the figures, and whether or not we are making any appropriation for it in the pending bill?

Mr. BURTON. No; we are not. It was commenced in the year 1890 and finished in the year 1908. However—and I want to call the attention of the Senate to this, for it may be new to some of you—under what are called continuing appropriations there is paid out of the Treasury, without specific appropriation or any action by Congress, an amount sufficient for the care and maintenance of all these locks and dams. Congress has nothing to say about it. The total amount expended here—over $200,000—is paid out of the Treasury on warrants, without any check of our own.

Mr. RANSDELL. Mr. President, does the Senator mean to say that the maintenance of the Illinois and Mississippi Canal is over $200,000 a year?

Mr. BURTON. For the last year—1913—the cost of operation and maintenance was $204,499.13. There are two sections of it, you should notice. There is what they call the Milan section, as well as the other. It costs about five or six thousand dollars for the locks, including repairs. The fact is, you could build a lock new, if it were washed out or torn down or burned or otherwise destroyed, and charge it to this indefinite appropriation from the Treasury, without any action at all by Congress. I have sometimes thought that method of making appropriations ought to be revised.

I have dwelt at very considerable length on the Muscle Shoals Canal. That is not, perhaps, the worst, though it is bad enough. This canal is divided into two sections—the one on the left bank of the Tennessee, 3.5 miles long, and the other on the right bank, 14.5 miles long, and having 9 locks.

A survey was made for the canal and locks under a project adopted in 1868. The canal was finished before the year 1890 at a cost of $3,191,726.50. The cost of operation and care from 1890 to June 30, 1913, was $1,363,929.03, a total of $4,555,000.

Considering this as an investment and capitalizing it at 4 per cent would mean an interest charge of $182,226.22. The cost of operating and care for the year ending June 30, 1913, was $48,292.09. The total amount of freight carried through this canal in the year 1912 was 5,520 tons. This would make the cost of the freight carried through the canal $41.76 a ton, for which figure you could carry it to the remotest part of the globe.

A noticeable feature of this canal is the steady decadence in its traffic. In 1906 the commerce was 26,878 tons; in 1909, 17,353 tons; in 1911, 8,962 tons; in 1912, 5,520 tons.

I come now to the Big Sandy. On this stream, located on the boundary line between Kentucky and West Virginia, there have been constructed three locks, with one lock on each of its two forks, the Tug and the Levisa. The project calls for seven additional locks on the Tug and nine on the Levisa. I have already mentioned this. Beginning about the year 1899 the most sanguine expectations were entertained for the development and the shipment of coal upon this river and its two forks. A favorable report was made, in which the quantity and quality of coal were both alike asserted. It was maintained by numerous committees appearing before Congress that there was no opportunity in the United States for the shipment of coal by water equal to that which would be afforded by the construction of these locks. For the construction of the five locks and dams mentioned there had been appropriated the sum of $1,700,000. The cost for maintenance has been approximately $260,000.

In view of the fact that the recent shipments of coal have been much less than before the time when any of these locks and dams were finished, and that the traffic has very materially declined during the same period, this project attracted attention four years ago. I called attention to it myself, Mr. President, notwithstanding the opposition which it aroused. On April 19, 1910, here in the Senate, I said:

> I think it will appear upon investigation that there is no great variety of ownership there. Why should the United States improve that stream? Why should a tax be imposed upon the people of the whole country to make those coal fields available? There is a great abundance of coal in the Kanawha and the Monongahela already available to go down the Ohio and the Mississippi. There is no scarcity of coal in the Ohio Valley.

I then gave the statistics, a little worse in 1909 or 1910 than this year. This coal field, the most magnificent in the world, where there was the finest opportunity to transport by water, shipped 6 tons in the year 1909, and 12 tons in the year 1913. They had pretty fair traffic before, but, however, to parody an old expression, "I was doing well. I had a fair traffic. I desired to have a better traffic. I took the lock and dam treatment, and here I am." [Laughter.]

Six tons of coal in 1909, and 12 tons in 1913; $2,000,000 expended on it. I can remember being in this Capitol later than it is to-night fighting against this item forced upon us in a conference committee against the Senate conferees, and the first time I had an opportunity in the Senate in April, 1910, I raised my voice against it.

Mr. RANSDELL. May I ask the Senator from Ohio a question?

Mr. BURTON. Certainly.

Mr. RANSDELL. I should like to ask if this was not effected while the Senator was chairman of the Rivers and Harbors Committee?

Mr. BURTON. No; the lock at Louisa was before I was chairman of the Rivers and Harbors Committee. Our committee consented, I believe, to the construction of one lock and dam.

Mr. RANSDELL. The report here says the act of March 3, 1899. That was for a project for locks and dams below Louisa.

Mr. BURTON. You will find that at least the second is by reason of a Senate amendment.

Mr. RANSDELL. It may be, but the Senator was chairman in 1899, I believe.

Mr. BURTON. Yes; I was never oversanguine concerning many of those improvements.

Mr. RANSDELL. Will the Senator state what is the appropriation in this bill for the Big Sandy?

Mr. BURTON. Twenty-five thousand dollars, I believe, though I do not know that that is for any new lock and dam. In 1910 I opposed any further extension and pointed out the defects in the plan, and here just within a few days a report has come in from the engineers advising the abandonment of the whole scheme.

Mr. RANSDELL. I may say that this $25,000 is for completing the guide wall below Lock No. 1.

Mr. BURTON. Yes; it is not for a lock and dam.

Let me run over the report to see. The first report is in House Document 75, Forty-third Congress, second session, by Maj. Merrill, February 24, 1875. He states that the only way to secure sufficient depth is to canalize the river. Two methods have been suggested: (1) Movable dams and (2) permanent dams. The second is recommended, and the river "at least at present is decidedly a river of small navigation." It is also recommended that snags, bowlders, and so forth, be removed; submits estimates for 22 locks and dams, estimated to cost $1,922,536, and $15,000 for removing obstructions.

Next is the report of Mr. Bell, assistant engineer:

> The Big Sandy River is the only outlet for a very productive country, rich in both agricultural and mineral wealth.

The exports from the Big Sandy Valley for the year ending July 1, 1870, $1,219,000.

The next report is found in Executive Document 91, Forty-fourth Congress, first session: Maj. Merrill reports in favor of spending $3,000 for the work on the worst place on the Levisa Fork and for an additional amount of $5,750 in that locality.

Mr. Venable, assistant engineer, reports against the improvement, owing to the rapidity of the stream. That was in 1887.

I wish that Mr. Venable's advice had been followed.

House Document 25, Fifty-second Congress, first session, report on dam near Louisa, Ky., Chief of Engineers, on November 20, 1891, concurred with the special board and recommended that the dam of the fixed type at this point be removed and a movable type be substituted. That is, they started in on the fixed type and then wanted to change to the movable type. The estimated cost of the movable type was $93,000, and as $17,000 was on hand $76,000 was asked for.

The board, November 10, 1891, in a rather extended report, recommended the above substitution.

House Document 29, Fifty-first Congress, second session: They report on Russels Fork against any improvement. It is a mountain torrent. That is the branch of the Levisa Fork.

House Document 66, Fifty-second Congress, second session: Maj. Lockwood reports against the advisability of attempting to remove the bar from the mouth, for the bar must be removed by the action of the Ohio.

Next comes the report by Maj. Bixby, since Chief of Engineers, a most excellent man personally and skilled in branches of engineering, though I am not so sure about his judgment as to locks and dams. Maj. Bixby said, May 5, 1898:

> Permanent and satisfactory improvement can only be effected by the construction of locks and movable dams.
>
> * * * * * * *
>
> In my opinion, as well as that of my predecessors, Majs. Lockwood and Gregory, the natural wealth of this river basin, with its enormous coal deposits as yet undeveloped through lack of proper transportation facilities, will thoroughly justify the thorough improvement of this river.

This report is concurred in by Mr. Thomas, assistant engineer, and by the Chief of Engineers. This is his recommendation for that torrential stream, of which an engineer later says:

> The extreme variations in depth of water, as shown by the report mentioned above and the one forwarded herewith, and the further fact that the pools in the river have already practically filled with sand, and that it is feared in this office that the river will soon fill with sand to a greater elevation than the present miter sills. It is stated by Assistant Engineer Campbell that already the pools have been filled to such an extent that there is a depth only of 3 feet when the dams are up and the pools full.
>
> Furthermore, the greatest percentage of shipments has been timber, including logs and crossties. This product is being exhausted rapidly, and after a short time but little lumber will come out by this route.

This engineer says somewhere, as I recall it, that the dip in the mines was such that they could not use the waterway, anyway. Nevertheless there was recommended in 1898 for this the sum of $4,725,000.

At a later date, in the Fifty-sixth Congress, second session, a final report on the detailed survey called for by Congress was submitted by Capt. Hodges, a most excellent engineer, who did fine work down at Panama, was recently promoted, I think, to colonel, and was one of the most painstaking men in the service. He was not quite as sanguine as Gen. Bixby about it, but he recommended $150,000, and $2,080,000 additional, as I recollect, and said that that would carry the system far enough to open extensive coal fields and finish about half the projected work. Now, here is Maj. Warren, who appears occasionally in these reports as having a larger degree of conservatism:

> The improvement is not recommended.

He says, June 15, 1907:

> The headwaters of the Big Sandy River are all small, torrential mountain streams, flowing through a sparsely populated country whose chief resources are timber and probably coal. It is a poor agricultural country and there are practically no manufactories.

Mr. WEEKS. Mr. President, I suppose it is my duty to say that in obedience to the summons of the Sergeant at Arms I report my presence in the Senate. I am under a doctor's care, and think I would have a reasonable excuse for not obeying the summons; but I do not wish to be in the position of disobeying the order of the Senate.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON). Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. I yield.

Mr. SMOOT. I move that the Senate do now adjourn.

The PRESIDING OFFICER. The Senator from Utah moves that the Senate do now adjourn. The question is on the motion of the Senator from Utah. [Putting the question.] The noes seem to have it.

Mr. SMOOT. Upon that I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. SMOOT. More than one-fifth of the Senators present seconded the demand.

The PRESIDING OFFICER. The Chair assumes that a quorum is present, the last roll call having developed a quorum, and the Chair holds that the call is not sustained.

Mr. SMOOT. From that decision I shall appeal.

The PRESIDING OFFICER. From the decision of the Chair that the call for the yeas and nays is not sustained the Senator from Utah appeals. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. SMOOT. Upon that I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. SMOOT. Of course the Chair can put a steam roller——

Mr. LEA of Tennessee. Mr. President, I rise to a point of order, that debate is not in order.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. WILLIAMS. I make the point of order that neither a motion to adjourn nor an appeal from the decision of the Chair is debatable.

The PRESIDING OFFICER. The point of order is sustained.

Mr. SMOOT. Eight Senators seconded the call for the yeas and nays, and the Constitution says one-fifth of the Senators present.

Mr. LEA of Tennessee. I rise to a point of order.

The PRESIDING OFFICER. The question is, Will the Senate sustain the point of order that the demand for the yeas and nays was not seconded? [Putting the question.] The ayes seem to have it. The ayes have it, and the decision of the Chair is sustained. The Senator from Ohio will proceed.

Mr. BURTON. Mr. President, who was right in this matter—the opposition that I made or this elaborate list of reports? Here within a week a report has come from the Secretary of War and the Chief of Engineers, a special board having been appointed. Let me read from it the following:

> The special board reaches the conclusion that the physical conditions on the river are so unfavorable as to prevent the development of any large commerce after the completion of the proposed improvement, and that the cost of such improvement would be excessive when compared with the resulting benefits. It therefore recommends that the slack-water improvement of the Tug and Levisa Forks of the Big Sandy River be discontinued.

The Chief of Engineers says:

> After due consideration of the above-mentioned reports, I concur with the views of the special board and the Board of Engineers for Rivers and Harbors, and therefore report that the further improvement by the United States of Tug and Levisa Forks of the Big Sandy River, Ky. and W. Va., is not deemed advisable at the present time, and it is recommended that the slack-water improvement of these streams be discontinued.

Mr. President, I wish that conclusion had been reached before the $2,000,000 had been expended. It is evident it was a wild scheme from the start, that Congress was misled by these favorable reports into the expenditure of a couple of millions of dollars, with the magnificent result that the coal which it was said would give warmth and life and impetus to the whole Ohio Valley amounted to 6 tons in 1909 and 12 tons in 1913.

Mr. RANSDELL. I understood from the Senator's statement that the commerce of that river was 12 tons of coal one year and 6 tons in the other. Am I correct?

Mr. BURTON. Those are the figures that are given in the final report. That is not all the tonnage, but that is the total of coal.

Mr. RANSDELL. But the Senator did not state there was other tonnage.

Mr. BURTON. I can state what the other tonnage is very readily.

Mr. RANSDELL. Is it a fact that in the calendar year of 1912 there were 188,743 tons, valued at $1,799,000?

Mr. BURTON. Let us see what the amount was. It was less than before we put in the locks and dams. My statement is perfectly clear, if the Senator from Louisiana had paid attention to the argument advanced by the advocates of these locks and dams, that they would give a splendid opportunity for the shipment of coal.

Mr. RANSDELL. I understood the argument.

Mr. BURTON. The total tonnage from this canalized waterway of the Big Sandy and branches in the year 1912, excluding railroad ties, timber, telegraph and telephone poles, and staves, was about 500 tons, including cement, 3 tons; live stock (small), 1 ton; of miscellaneous merchandise, 250 tons; produce, 1 ton; coal, 12 tons.

Mr. RANSDELL. Will the Senator yield?

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

Mr. BURTON. Certainly.

Mr. RANSDELL. I read from the report of the Chief of Engineers for 1913 on the operating and care of locks and dams on the Big Sandy, and so forth, and this shows that for the calendar year 1912 the total commerce was 188,745 short tons, valued at $1,799,634, principally logs and ties and similar forest products. That gives the commerce——

Mr. BURTON. But the Senator from Louisiana knows perfectly well that, as repeatedly stated by the engineers, in the shipment of logs and timber locks and dams are an obstacle rather than a help.

Then, on page 2649, it is stated that the freight traffic was as follows:

Cement, 3 tons; coal, 12 tons; eggs, 6 tons; flour, 22 tons; grain, 6 tons; hay and straw, 20 tons; live stock, large, 27 tons; small, 1 ton; lumber, 31 tons; merchandise, miscellaneous, 250 tons; oil, 5 tons; poultry, 2 tons; telephone poles, 328 tons; produce, 1 ton; salt, 10 tons; staves, 48 tons; sand and stone, 90 tons—

Now you reach the items that make it up—

railroad ties, which do not need any elaborate system of locks and dams, 38,301 tons; timber, 149,580 tons.

I recall very distinctly that in a statement, back in 1890 or thereabouts, when there was a little lock up there at Louisa, the traffic was greater than in the year 1912 or 1913.

A lumber wagon, occupied the year around, could have carried the larger share of the class of traffic that was affected by this improvement of locks and dams. The traffic in all of these articles, probably coal, but certainly timber, was less last year than it was in the days before there were any locks and dams. There may have been an exceptional year now and then, but that is the general showing.

What do we have in this bill? Locks and dams in the Trinity, locks and dams in the Brazos, locks and dams in the Ouachita, locks and dams in the Tennessee, locks and dams in the upper Cumberland, every one of which will be a waste of public moneys. Not one of them can be made to pay.

There is the direction in which I have felt most like criticizing the Engineer Corps. I think the Senator from Iowa [Mr. KENYON] expressed it fairly well a few days ago when he stated that they were sometimes attracted by excellent designs in the way of masonry, or, as one of them, a most excellent man, once said to me in regard to a proposed improvement in the Connecticut River, "After all is said, I do not know but I was mistaken about that improvement. I recommended it, though when I first began to examine it I did not think it was feasible as an engineering proposition, but I found on examination it was, and I was so charmed with the plans that I do not know but my judgment was affected, and I reported in favor of it when I ought not to have done so."

You can go over the whole list of locks and dams. Take the Osage, take the Galena River, the Wabash River, and all those minor streams, and where is there one that is now profitable? There is considerable traffic in some places, but when you come to measure it, it does not pay for the improvement which has been made.

Yet I have not given altogether the worst. Take that little lock and dam in the Wabash River, which makes a worse showing than the majority of those that I have set forth. Then there is a lock in the Galena River, and one in the Kentucky River. This, Mr. President, is the most extravagant feature of this bill. This bill contains another project that I hesitate to dwell upon because of the absence of the Senator from California [Mr. PERKINS], who for a man of his years certainly remained here very courageously this evening, and that is the project for the Sacramento and Feather Rivers, $200,000. I wish Senators would examine that. They will find it stated in the distinctest terms that it is not necessary in the interest of navigation; they will find in the distinctest terms other projects recommended that cost a mere bagatelle in comparison with this $5,800,000; they will find, also, that that is but one of those projects adopted in response to a resolution of the Committee on Rivers and Harbors.

I think the Committee on Rivers and Harbors have acted under pressure, though in the utmost good faith, in passing such resolutions, but it has come to be the established order that if they adopt a resolution for anything, the board of review and the engineers will think special attention must be given to it. Two or three of the worst projects now on the list are improvements against which the engineers reported, but which, after such a resolution as this, they turned around and indorsed. The Senator from Iowa here a couple of days ago called attention to an item, that of the Crystal River. It is rank. A local engineer reported against it; the board of review reported against it; it went back under a resolution to the local engineer, who said that he would not favor either a new project or continuing the old project. There is no traffic on the river. Just look at what it is—a stream 9 miles long, that has no harbor at the mouth, running to a village of, say, 800 inhabitants. I presume that village has a board of trade, and a "booster club," and all that sort of thing, to get appropriations from Congress for rivers and harbors.

Mr. President, that does not afford a transportation problem. They can not ship anything outside the mouth of the river or, at least, they can not load anything at the mouth of the river. Moreover, a railroad running through there carries their freight. It was alleged here a few days ago—and the Senator from Iowa overlooked the fact—that a certain factory for the manufacture of lead pencils had been erected there. What does the report show about it? First, that that factory has not been opened; next, that at a former time when it was in operation they shipped all their product by rail to some place in New Jersey; and yet that factory, the wheels of which are still and which when it was in operation shipped all its freight by rail to a distant State, is named as a reason why we should improve that stream. The Chief Engineer looked over the reports of his subordinates and he worked out a recommendation that a certain amount of money be spent upon the stream.

That is not a large item, Mr. President, but we do condemn, as stewards of the public purse, the method by which we allow even $10,000 to slip in here in that way. I shall be very much surprised if the Senate votes to retain it.

Mr. CLAPP. Mr. President, I note there are only about 17 Senators in the Chamber. I suggest the absence of a quorum.

Mr. RANSDELL. I make the point of order that there has been no business transacted since we had the last quorum called.

Mr. CLAPP. I understand that there has been a motion to adjourn, and that the motion was acted on. I understand that from those who were present.

The PRESIDING OFFICER. If the Chair remembers correctly, since the last roll call there has been a motion to adjourn, and, if the Chair recalls the precedents correctly, that constitutes intervening business in the meaning of the rule. The Senator from Minnesota suggests the absence of a quorum, and the Secretary will call the roll.

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

Ashurst	Chilton	Hughes	Lea, Tenn.
Brady	Clapp	James	Lee, Md.
Bryan	Crawford	Johnson	Lewis
Burton	Fletcher	Kenyon	Martine, N. J.
Camden	Gore	Kern	Overman
Chamberlain	Hollis	Lane	Page

Pittman	Sheppard	Smoot	Walsh
Poindexter	Shields	Sterling	Weeks
Ransdell	Simmons	Stone	White
Reed	Smith, Ariz.	Swanson	Williams
Robinson	Smith, Md.	Thornton	
Saulsbury	Smith, S. C.	Vardaman	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of the absentees.

The Secretary called the names of the absent Senators, and Mr. MYERS and Mr. SHAFROTH responded to their names when called.

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

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present.

Mr. BURTON. Mr. President——

The PRESIDING OFFICER. The Senator from Ohio.

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

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. SIMMONS. The Senator from Utah interrupted the Senator from Ohio, and, with his consent, made a motion to adjourn. I desire to inquire if that was not a yielding of the floor by the Senator from Ohio, as that was business, and as that motion could not be made without his consent?

Mr. BURTON. What is the claim on that?

The PRESIDING OFFICER. The Senator from North Carolina makes the point of order that the Senator from Ohio yielded to the Senator from Utah to make a motion to adjourn, and that in doing so he lost the floor——

Mr. SIMMONS. That is the character of my inquiry.

The PRESIDING OFFICER. And that the Senator from Ohio, the Chair assumes, is not entitled to the floor now.

Mr. BURTON. I am entitled to the floor twice on the same day, am I not, at any rate?

The PRESIDING OFFICER. The Senator has already spoken twice, if he has yielded the floor this time.

Mr. SMOOT. What is the decision of the Chair?

The PRESIDING OFFICER. The Chair has not decided.

Mr. SMOOT. That is what I thought. I should like to have the decision of the Chair.

Mr. BURTON. I think, Mr. President, that there was no claim that there was any second speech——

Mr. STONE. Mr. President——

Mr. SMOOT. This question is not debatable.

Mr. SIMMONS. Surely the Senator yielded the floor, once when he made a motion——

Mr. SMOOT. Mr. President, this is not a debatable question.

Mr. STONE. It is debatable, Mr. President, with the consent of the Chair.

Mr. SMOOT. A point of order?

Mr. HUGHES. There is no point of order pending. There is a parliamentary inquiry, which has been propounded by the Senator from North Carolina.

Mr. SMOOT. That was on a point of order.

Mr. HUGHES. No point of order has been made.

Mr. SMOOT. I will ask the Chair if there has not been a point of order made?

Mr. SIMMONS. My inquiry was made on a point of order, and the Chair so stated regarding it.

Mr. SMOOT. That is exactly what I said.

Mr. STONE. Why, Mr. President, it has been the uniform practice of the Senate, the established practice of the Senate, when a point of order has been made, that the Chair can hear debate.

Mr. SMOOT. Yes, Mr. President; but that is not the situation now. The Chair has not submitted the matter to the Senate.

The PRESIDING OFFICER. The Chair will hear debate for the present.

Mr. STONE. It is not necessary for the Chair to submit it to the Senate. The Chair himself can hear debate and can close it whenever he says the Chair is ready to decide.

The PRESIDING OFFICER. The Chair will state that he will hear debate upon this point of order.

Mr. HUGHES. What is the point of order? The Senator from Ohio is not claiming the floor. What is the point of order?

The PRESIDING OFFICER. The point of order made by the Senator from North Carolina is that the Senator from Ohio is not entitled to the floor.

Mr. HUGHES. How can that possibly come up until the Senator from Ohio claims the floor?

The PRESIDING OFFICER. The Senator from Ohio has the floor. The Senator from Ohio addressed the Chair.

Mr. HUGHES. He had not addressed the Chair at all.

Mr. BURTON. I will state that I did address the Chair.

The PRESIDING OFFICER. The Chair asks Senators to speak one at a time. What was the statement of the Senator from Ohio?

Mr. BURTON. That I addressed the Chair after the call was completed and it was reported that there was a quorum present.

The PRESIDING OFFICER. That was the understanding of the Chair—that the Senator from Ohio addressed the Chair for the purpose of resuming the floor, and thereupon the Senator from North Carolina made the point of order that it is not in order for the Senator from Ohio to proceed with debate, because he has already spoken twice during the present day. Upon that point of order the Chair has indicated that he will hear the Senator from Missouri.

Mr. STONE. Mr. President, preliminary to the particular matter to which I wish to call attention, I desire to call the attention of Senators to the fact that the Senator from Ohio could not have yielded the floor for any purpose—to make the motion to adjourn, for example—if an objection had been made to his yielding the floor. I base that statement upon the ruling of the Senator from New Hampshire [Mr. GALLINGER] while temporarily occupying the chair.

The matter then before the Senate for consideration was the river and harbor bill for 1913. Pending the debate, the Senator from Arkansas [Mr. CLARKE] submitted a parliamentary inquiry. Mr. NEWLANDS, who had the floor in his own right at that time, made this observation:

> Mr. President, I do not yield to the Senator from Arkansas.
>
> Mr. CLARKE of Arkansas. He is trespassing upon the courtesy of those interested in the passage of the bill, and I think the time has arrived——
>
> Mr. NEWLANDS. Mr. President, I decline to yield.
>
> Mr. CLARKE of Arkansas. It is not a question of the Senator yielding to me. I am on my feet in my own right to make a perfectly proper point and to call attention to the fact that the Senator from Nevada is not addressing the Senate otherwise than by courtesy. There is no proposition pending which can be made at this time. His amendment never was referred to the Committee on Commerce.
>
> Mr. NEWLANDS. I deny the right of the Senator to take me off the floor.
>
> Mr. CLARKE of Arkansas. Except for parliamentary purposes and within the rules of the Senate.
>
> Mr. NEWLANDS. I am discussing the bill in its general aspects.

Now I come to the particular part:

> The PRESIDENT pro tempore (Mr. GALLINGER). The Senator from Nevada will suspend for a moment. The Senator from Arkansas has made the point of order that the amendment is obnoxious to the rule. The Chair, without expressing an opinion on that point at present, will suggest that the Senator from Nevada can not be taken from the floor in the midst of a speech on a point of order.

Mr. SMOOT. On a point of order.

Mr. STONE. Yes.

Mr. SMOOT. That is not the rule.

Mr. STONE. But the Senator took him from his feet on the proposition that there was no quorum here.

Mr. SMOOT. That is a different question. The rule provides for one and it does not provide for the other.

Mr. STONE. That is a point of order—that there is none. Now, Mr. President——

Mr. SIMMONS. Mr. President, the Senator from Missouri is mistaken in saying that the Senator from Utah took him from the floor to make a suggestion that there was no quorum present. It was for the purpose of making a motion to adjourn; and he did make the motion to adjourn, and we voted upon that motion.

Mr. SMOOT. Yes. I agree with the Senator from North Carolina on that.

Mr. SWANSON. If the Senator will permit me, the contention is that the Senator from Ohio himself made a motion to recommit, and concluded his speech and lost possession of the floor. That is his first speech. Then he was recognized a second time——

Mr. SMOOT. That is true.

Mr. SWANSON. To make his speech, which is a second speech on this legislative day. Then he yielded to the Senator from Utah, and yielded the floor, and a motion was made to adjourn. The Senator from Ohio took his seat and concluded his second speech. Now, the point of order made by the Senator from North Carolina is that the Senator from Ohio is out of order, because he is contravening the rule which says that no man can speak twice on the same subject on the same day, which is to-day.

Now, it seems to me that is clear. The Senator from Ohio can not have the floor and then yield it himself with a yea-and-nay vote on a motion to recommit. Then he was recognized the second time for a second speech. Then he yielded the floor to the Senator from Utah; and the point of order made by the Senator from North Carolina is that this is a third speech, and he calls him to order.

Mr. SMOOT. In answer to the Senator——

Mr. STONE. Mr. President, I had the floor.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. STONE. But the Senator has stated what I had in mind and was about to say I think better than I could do it myself, and I do not care to proceed. The Senator from Ohio yielded the floor to the Senator from Utah, and took his seat; and the Senator from Utah made a motion. Business of some kind was transacted here.

The PRESIDING OFFICER. The Chair has already held, just a moment ago, with the approval of the different Senators present, as he understood it, that the motion to adjourn constituted intervening business; and the Chair is of the impression that it exhausted the right of the Senator from Ohio to speak on this day when he yielded to the Senator from Utah.

Mr. SMOOT. Now, Mr. President, just a word.

I agree with everything the Senator from Virginia has stated, with the exception of his conclusion. He stated the case exactly, but his contention is not the question before the Senate, and for this reason: If the point of order had been made immediately after the question of adjourning had been voted upon, there would have been no doubt but that the Chair would have been right in holding——

Mr. SWANSON. If the Senator will permit me——

Mr. SMOOT. Not now; just wait until I get through.

Mr. SWANSON. The Senator has that right.

Mr. SMOOT. Now, Mr. President, after the motion to adjourn had been acted upon, the Chair recognized the Senator from Ohio and no Senator objected. The suggesting of the absence of a quorum is not business. That is the decision of the Chair.

Mr. SIMMONS. That was not the business. It was a motion to adjourn.

Mr. SMOOT. If the Senator will wait a moment, I will state the exact situation as it is. After the Chair decided that the Senate was not adjourned, and the yeas and nays were refused, that was business transacted by the Senate. Then was the time the Senator should have objected to the Senator from Ohio proceeding; but no one objected and the Senator from Ohio was recognized by the Chair. The Senator spoke for 35 or 40 minutes—or, I can not say as to just the number of minutes, but he spoke for some time—and then the Senator from Minnesota suggested the absence of a quorum.

Now, the suggestion of the absence of a quorum does not take the Senator from Ohio off his feet. He still has the floor; and, Mr. President, the proper thing under the rules, when a quorum was developed, was to recognize the Senator from Ohio. The Senator from Ohio did not yield to the Senator from North Carolina. The Senator from Ohio was not asked to yield to him, and rightfully he held the floor.

Mr. SWANSON. Will the Senator permit me there?

Mr. SMOOT. Mr. President, there is not a question in my mind if a point of order had been made at the time the Senator from Ohio was recognized immediately after the motion to adjourn had been decided, the Chair would have been perfectly right in ruling that the Senator from Ohio had exhausted his two speeches within the day.

Mr. SWANSON. Now, if the Senator will permit me——

Mr. SMOOT. But, Mr. President, that did not happen. The Senator from Ohio is entitled to the floor, and he has not yielded to the Senator from North Carolina. That is the situation exactly as it is.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Virginia?

Mr. SWANSON. I thought the Senator had finished.

Mr. SMOOT. Yes; I am through.

Mr. SWANSON. The Senator seems to give up this case entirely. The question at issue is whether or not the Senator from Ohio was proceeding in order. He certainly was proceeding, from the concession made by the Senator from Utah, not in order if the point of order was made. Now, the point of order can be made at any time when a Senator is proceeding out of order, as he was. He was proceeding out of order, as the Senator from Utah concedes; and if he was proceeding out of order any Senator at any time could make the point of order, which was done in this case. Consequently, it seems to me, he was clearly proceeding out of order, as the Senator from Utah says; and if he was proceeding out of order, the point of order could be made at any time.

Mr. SMOOT. Mr. President, that was not the point of order that was raised by the Senator from North Carolina. The Senator from North Carolina claimed the floor in his own right. He had not that right, under the rules. The Senator from Ohio had the floor, was recognized, and had been speaking for some time.

Mr. JAMES. The Senator's position is that because he proceeded out of order he is in order now.

The PRESIDING OFFICER. The Chair understood the Senator from North Carolina to make the point of order that the Senator from Ohio was not entitled to the floor because he had already spoken twice upon this day upon this subject. The Chair thinks it was competent for the Senator from North Carolina to make the point of order.

For illustration, suppose the Senator from Ohio had been proceeding out of order; suppose it is conceded, as the Senator from Utah seems to concede, that he was proceeding out of order; suppose the Senator from North Carolina had asked the Senator from Ohio to yield to him for the purpose of making the point of order, and suppose the Senator from Ohio had refused, still the Senator from North Carolina would be entitled to make the point of order that the Senator from Ohio was proceeding out of order.

The Chair thinks the point of order should be sustained.

Mr. KENYON. Mr. President, may I offer just one suggestion?

The PRESIDING OFFICER. The Chair will hear the Senator from Iowa.

Mr. KENYON. I think it is conceded by everyone that the question should have been raised at once, when the motion to adjourn was made, that the Senator from Ohio had lost the floor. He had yielded, but proceeded with a third speech—if it be a third speech—with the consent of the Senate, and, as he proceeded with the consent of the Senate, he could not have been out of order. He proceeded for 15 or 20 minutes without objection from anyone, and that was a part of his speech.

Mr. SIMMONS. Mr. President——

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

Mr. SIMMONS. The Senator from Iowa has the facts confused.

Mr. KENYON. I think not.

Mr. SIMMONS. The Senator from Ohio had not proceeded after the vote on the motion for an adjournment was taken.

Mr. KENYON. Oh, yes; I beg the Senator's pardon. I take it the Senator desires to be correct.

Mr. WILLIAMS. A Senator had as much right to make the point of order after the Senator from Ohio had talked two hours.

The PRESIDING OFFICER. The Chair is ready to rule, but the Chair will hear the Senator from Iowa further if he desires.

Mr. KENYON. I want the Senator from North Carolina and myself to agree about the fact.

Mr. WILLIAMS. I make the point of order that the Chair has ruled, and having ruled the point of order is no longer debatable.

Mr. KENYON. The Chair said he would hear me.

The PRESIDING OFFICER. The Chair announced to the Senator from Iowa that he would hear him.

Mr. WILLIAMS. The only debate in order is for the purpose of satisfying the mind of the Chair.

Mr. KENYON. I did not yield, but I suppose that makes no difference.

Mr. WILLIAMS. It is never in order to seek to satisfy the mind of the Senate.

The PRESIDING OFFICER. The Chair is ready to rule.

Mr. KENYON. May I finish my suggestion? If the Chair objects, I will sit down.

The PRESIDING OFFICER. The Chair will hear the Senator.

Mr. KENYON. I should like to say for the RECORD that the Senator from Ohio had proceeded for 15 or 20 minutes, and the only point I make about it is that after having proceeded with the consent of the Senate, and having entered into a speech, it is too late to raise the question.

The PRESIDING OFFICER. The Chair thinks the point of order is well taken. Therefore the point of order is sustained.

Mr. BURTON. Mr. President, I desire to introduce a motion.

The PRESIDING OFFICER. The Senator from Ohio will present his motion.

Mr. BRYAN. Mr. President, before the Senator from Ohio does that I should like the Senator to yield to me a moment.

I believe, Mr. President, the Senator from Ohio would have a right to proceed in the absence of an objection. No objection was made. A point of order was made as to whether he could proceed. Of course, he can proceed without objection, and the

RECORD, so far as I understand, has not shown an objection. So that the RECORD may be straight, therefore, I make a formal objection to his proceeding.

Mr. SMOOT. Of course, that is out of order now, because the Chair has already decided it.

Mr. JAMES. A point of order made against his right to proceed is an objection, of course.

The PRESIDING OFFICER. The Chair thinks that the point of order made against the Senator from Ohio proceeding is equivalent to an objection. The Secretary will report the motion of the Senator from Ohio.

The Secretary read as follows:

Moved that the pending bill, H. R. 13811, be recommitted to the Committee on Commerce with instructions to again report the same with provision in such aggregate amount as may be necessary for the maintenance of existing river and harbor works and for their prosecution so far as in the judgment of the Chief of Engineers and the Secretary of War may be essentially necessary, and the said committee shall report the amount of such provision which, in their judgment, may be required: *Provided*, That in ascertaining such amount unexpended balances on hand to the credit of river and harbor improvements shall be taken into account.

Mr. BURTON. Mr. President, I ask for the adoption of that motion, and I want to be heard upon it.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BRYAN. Mr. President, I rise to a point of order upon that.

The PRESIDING OFFICER. The Senator from Florida will state his point of order.

Mr. BRYAN. Mr. President, Rule XIX, which has been quoted so often, provides in the third subdivision of section 1:

And no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate.

It will be noticed the language is "upon any one question." In Jefferson's Manual, which is referred to in a footnote to section 1, reference is made to sections 17 and 39. At the bottom of page 92 it is stated:

No man may speak more than once on the same bill on the same day.

Rule XIX therefore changes the rule in Jefferson's Manual in two respects. It allows two speeches upon one question, whereas in Jefferson's Manual only two speeches were allowed upon one bill.

Mr. President, my point of order is that while the Senator has the right to speak upon any one question twice, in the sense the word "question" is used in Rule XIX, a motion to commit is not a question. Section 35 of Jefferson's Manual referred to by Rule XIX of the rules of the Senate has this provision:

On an amendment being moved, a Member who has spoken to the main question may speak again to the amendment.

In Hinds' Precedents, the rules of the House, it is held the rule provides that a man may speak once upon a question, using the same language as Rule XIX of the Senate rules. Upon the authority of Jefferson's Manual, from which I just quoted on page 120, it has been ruled in the House that the provision allowing one speech upon a question includes an amendment. My point of order is that the Senator from Ohio has not offered an amendment and therefore is not entitled to speak upon a mere motion to recommit the bill.

Mr. BURTON. Mr. President——

The PRESIDING OFFICER. The Chair is ready to rule. The Chair, fully sustaining the precedent cited by the Senator from Florida, thinks that the question now before the Senate and to which the Senator from Ohio proposes to speak is not the same question upon which he has spoken. While it is not an amendment it is a different question, and the Chair is of the opinion that he is entitled to the floor upon the motion to recommit. The Senator from Ohio will proceed.

Mr. BURTON. Mr. President, it is very evident—and I think it is the opinion of the Members of the Senate—that the bill should be radically changed. I have offered the motion in good faith with that end in view. My colleagues who have served with me on the Commerce Committee will understand a special reason for my offering it. It seems to me that they must concur in this motion. It proposes that the bill shall go back to the committee and that the committee shall ascertain the amount necessary for the maintenance and prosecution of public works within the limits of what is absolutely required and that an aggregate or lump sum be reported by them.

I can not too strongly voice my objection to the bill in the form in which it now stands.

In this connection, Mr. President, I should like a copy of the resolution introduced here a short time ago. I trust the Senate will not act hastily upon this question. Let me call attention to the resolution which the Senate tabled three or four hours ago, and now, with the atmosphere here more calm, I should like to inquire what objection can be raised to this:

That the pending river and harbor bill (H. R. 13811) be recommitted to the Committee on Commerce, with instructions to report the same to the Senate for consideration not more than 10 days from date, with the following modifications:

1. The omission of new projects, unless, upon consideration, it should appear that the benefit derived therefrom at this time and under present conditions will be commensurate with the cost.

Does the Senate wish to make appropriations for new projects where it appears that the benefit to be derived at this time and under present conditions will not be commensurate with the cost?

2. With provision for the readjustment of the balance appropriated for river and harbor improvements, amounting to $45,338,653 on June 30, 1914, and $6,988,500 in the sundry civil bill of July, 1914.

In such readjustment provision shall be made for probable expenditures and for reasonable contract obligations upon projects to the credit of which there are balances not necessary for improvement on or before June 30, 1915. The balances remaining shall be applied upon other projects included in the said river and harbor bill for the prosecution of necessary work authorized therein.

Mr. WILLIAMS. Mr. President——

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

Mr. BURTON. In a minute. Does the Senate wish to announce to the country that they will not utilize those balances on hand at the beginning of the present fiscal year, which exceed by nearly $14,000,000 the amount expended in the fiscal year ending in 1913?

Does the Senate wish to proclaim that they will ignore those very large balances on hand, or will it go ahead and appropriate the amounts contained in this bill? But, Mr. President, this motion was peremptorily laid upon the table, and hence I introduce the other motion which I have sent to the desk. The first was to take out new projects in which there was no prospect of benefit commensurate with the cost. The Senate has seen fit to vote that down. Since the Senate is not satisfied to reconsider these projects and omit those which are unprofitable, I have introduced this motion looking to the appropriation of an aggregate sum. I shall now be pleased to yield to the Senator from Mississippi.

Mr. WILLIAMS. I wanted to ask the Senator whether he had offered the motion or merely sent it up to be read and give notice that he would offer it.

Mr. BURTON. I have offered that motion.

Mr. WILLIAMS. Very well; proceed

Mr. BURTON. Now, Mr. President, I again resume my criticism of this bill as it now stands. The two motions which I have presented raised the question of whether we should adopt the present bill. I maintain that we should not.

Mr. SWANSON. Mr. President——

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

Mr. SWANSON. I desire to submit a privileged motion. It seems to me that it has precedence over the right of a Senator to speak, and that is to lay——

Mr. BURTON. I do not yield for a privileged motion unless I am compelled to do so.

Mr. SWANSON. I desire to submit a privileged motion. My motion is——

Mr. BURTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Virginia may state the motion. The Chair can not determine whether it is a question of privilege until it has been stated.

Mr. BURTON. I raise my objection to the——

The PRESIDING OFFICER. The Senator from Virginia will state the motion.

Mr. SWANSON. My motion is to lay the motion of the Senator from Ohio on the table.

The PRESIDING OFFICER. The Chair thinks that the Senator from Virginia can not take the Senator from Ohio from the floor without his consent.

Mr. SWANSON. I have not examined the precedents, but the usual course is not to make such a motion until after the speech is made. I understand the general precedent of the Senate is that when a motion is made to lay on the table it is privileged, and the usual course to pursue is to make a speech and then submit the motion to lay on the table.

Mr. BURTON. A very simple answer to that is I have not yet made my speech.

The PRESIDING OFFICER. The Chair is clear upon the proposition that it is not in order for one Senator when another has the floor to make a motion of the character indicated by the Senator from Virginia. The Senator from Ohio will proceed.

Mr. BURTON. Mr. President, I have dwelt upon some general objection to this bill. I have selected certain projects, typical in their nature, which I have discussed. I have pointed

out the waste that has resulted from appropriations for certain rivers, some of them improved for open-channel navigation and some having locks and dams.

I have mentioned already the project for the Tennessee River. The amount in the bill is very large. The balance of over $200,000 on hand for both the upper and middle sections is larger than the amounts until recently appropriated for the upper section and for open-channel work outside of that for the Colbert and Beetree Shoals. There is an aggregate appropriation here of something like $900,000. As part of that plan it is suggested that the expense of the flowage rights and the right of way in the upper portion shall be paid by the abutting owners, to which I have already called attention. There is an elaborate plan for the improvement of that river, to which I may have to refer in extenso.

I wish to show the Senate what the people in the locality think of this. I ask the Secretary to read a communication which was received by me last Sunday from persons living in that locality.

The PRESIDING OFFICER. The Senator from Ohio asks to have a communication read by the Secretary. Is there objection?

Mr. LEA of Tennessee. I object, Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee objects. The question is, Shall the paper be read by the Secretary? [Putting the question.] The noes seem to have it. The noes have it.

Mr. BURTON. I can read it myself, Mr. President. I thought it would be heard a little more distinctly if read by the Secretary, and I want the attention of Senators to it.

The Senator from Tennessee seems to object to hearing it:

CHAMBERLAIN, TENN.,
September 9, 1914.

Senator BURTON,
United States Senate, Washington, D. C.

MY DEAR SIR: I am inclosing to you two petitions, one from the farmers and licensed steamboat men who would be affected by the proposed lock and dam at Caney Creek Shoals, on the Tennessee River, which is some 8 or 10 miles below the mouth of the Clinch River, one from all the steamboat owners on the Tennessee River and all tributaries above Decatur, Ala.

The above petitions were published in the Chattanooga Times, as you will see; we also sent copies to our Congressman, Mr. AUSTIN, but for some unknown reason he failed to give the people who are affected by this 30-foot dam any consideration. The landowners and steamboat owners, all of whom would be affected by this 30-foot power dam, are all opposed to it, and do not want it for reasons expressed in these petitions. If the Government wishes to improve the Tennessee River, the people are in favor of open or deep channel work.

Mr. KENYON. Mr. President——

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

Mr. BURTON. Yes.

Mr. KENYON. I think there should be a larger attendance to hear this paper read, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Iowa 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:

Asburst	James	Pittman	Smith, S. C.
Brady	Johnson	Poindexter	Smoot
Bryan	Jones	Ransdell	Sterling
Burton	Kenyon	Reed	Stone
Camden	Kern	Robinson	Swanson
Chamberlain	Lane	Saulsbury	Thornton
Chilton	Lea, Tenn.	Shafroth	Vardaman
Clapp	Lee, Md	Sheppard	Walsh
Fletcher	Lewis	Shields	White
Gore	Martine, N. J.	Simmons	Williams
Hollis	Myers	Smith, Ariz.	
Hughes	Page	Smith, Md.	

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

The Secretary called the names of the absent Senators.

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

Mr. CHAMBERLAIN. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. CHAMBERLAIN. It is now 4.30 o'clock in the morning, and I should like to know what is the question before the Senate.

The PRESIDING OFFICER. The roll is being called on the suggestion of the Senator from Iowa of the absence of a quorum. Forty-seven Senators have answered to their names. A quorum is not present. The Sergeant at Arms, under the order heretofore entered, will compel the attendance of absent Senators.

At 5 o'clock and 40 minutes a. m. Mr. WEST entered the Chamber and answered to his name.

At 5 o'clock and 41 minutes a. m. Mr. THOMPSON entered the Chamber and answered to his name.

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). Forty-nine Senators have answered to their names. A quorum of the Senate is present.

Mr. SMOOT. Mr. President, I ask that the names of the Senators present be read.

The PRESIDING OFFICER. The Chair has already made the announcement that a quorum is present. Forty-nine Senators have answered to their names.

Mr. SMOOT. I do not dispute that. I simply ask that the Secretary read the names of those that are present.

The PRESIDING OFFICER. The Chair does not think that is in order after the announcement has been made.

Mr. BURTON. Mr. President, it is announced that a quorum is present. I am unable to see it here, but it has been announced by the Chair, and I will proceed upon that theory.

I call attention to the two motions to recommit which I have already filed, one providing for the exclusion of projects where the benefit is not commensurate with the cost, and the other, that now pending, for an appropriation of a lump amount. The first was peremptorily laid upon the table. That evidently shows there are some projects in here upon which this body does not desire to face the question of whether they are proper objects for appropriation.

I pick out as one of them the Tennessee River. There is appropriated in this bill——

Improving Tennessee River, Tenn., Ala., and Ky.: Continuing improvement and for maintenance as follows: Above Chattanooga, Tenn.—

The House made it $150,000. The Senate doubles that to $300,000—

between Chattanooga, Tenn., and Browns Island, Ala., $250,000; between Florence and Riverton, Ala., $130,000; below Riverton, Ala., $250,000; in all, $930,000.

In addition to that $150,000 is appropriated for an alleged survey between Browns Island and the railroad bridge below the city of Florence, Ala.—alleged to be for the purposes of navigation, but said to be confined to the development of water power by the United States alone or in cooperation with private interests; in all, $1,080,000.

Mr. President, the object of that very large appropriation above Chattanooga, Tenn., is to commit the Government to building a lock and dam. Already the sum of $34,000 has been appropriated on this lock and dam and expended by the Engineer Corps. How much does Congress know in regard to that lock and dam?

Here are the two provisions: They are contained in the bills from 1910 to 1913, inclusive. In this connection I may say that the usual appropriation for that stretch of the river between 1890 and 1910 was very much smaller. In 1890 it was $30,000; in 1892, $25,000; in 1894, $50,000; in 1896, $15,000; in 1899, $30,000; in 1902, $50,000; in 1905, $50,000; in 1907, $105,000; in 1910, after a lapse of three years, $120,000; in 1911, $65,000; in 1912, $105,000; in 1913, $510,000.

There is a survey for a lock and dam in that upper portion to cost $1,600,000. I want to read to the Senate the manner in which that was included. Not a word is said about a lock and dam; not the slightest hint of any locality; but it is said:

For maintenance and continuing improvement in accordance with the report submitted in House Document No. 360, Sixty-second Congress, second session, above Chattanooga, $105,000.

And in the next, the provision for $510,000, there is the same reference to a document.

That document contains some 198 pages. There are four different projects in it. The one redeeming feature in the whole report is that it recommends that if this lock and dam is constructed those in the locality who will receive very considerable benefits from it shall pay the flowage rights, which, as I have already explained, will cost at least $400,000. There is not a word of reference to those flowage rights in any of the legislation; nowhere is anything said on the subject.

Why was that omitted? Why was there not frank mention made that out of a project costing up into the millions money should be expended for this lock and dam? And now let us see what the people in that locality say in regard to it:

CHAMBERLAIN, TENN., *September 9, 1914.*

Senator BURTON,
United States Senate, Washington, D. C.

MY DEAR SIR: I am inclosing to you two petitions, one from the farmers and licensed steamboatmen who would be affected by the proposed lock and dam at Caney Creek Shoals, on the Tennessee River, which is some 8 or 10 miles below the mouth of the Clinch River; one from all the steamboat owners on the Tennessee River and all tributaries above Decatur, Ala.

The above petitions were published in the Chattanooga Times, as you will see. We also sent copies to our Congressman, Mr. AUSTIN, but for some unknown reason he failed to give the people who are affected by this 30-foot dam any consideration. The landowners and steamboat

owners, all of whom would be affected by this 30-foot power dam, are all opposed to it, and do not want it for reasons expressed in these petitions. If the Government wishes to improve the Tennessee River, the people are in favor of open or deep channel work. The writer has spent his life on the upper Tennessee River and tributaries; is a steamboat owner and licensed officer; was in the Government employ for five years improving the Tennessee River.

I was the man in charge of the steamer who carried Senator BURTON, with his River and Harbor Committee, from Knoxville by water to Chattanooga, Tenn., some years ago. I write this to you that you may know the true sentiment of the people along the Tennessee River, and we do hope you will be kind enough to use your influence to help the common good of our people and country from political jobbery.

Editorial, Chattanooga Sunday Times, January 30, 1914.

Evidently this is not regarded as an irresponsible communication.

We published yesterday morning a protest, signed by the steamboat owners and operators on the upper Tennessee River, against the building of a 30-foot dam near the head of the Caney Creek shoals, about which we have heard so much, a bill authorizing which is now pending in Congress. The signers of this protest declare that every farmer, landowner, and tenant of the region affected is opposed to the proposition; that it will destroy boating on the river between Knoxville and Chattanooga and that it will benefit only a few people and those interested now only in a small way at best in the navigation of the river.

The Chattanooga Times is an impartial observer of this dispute, but it submits that these protestants have made out so strong a case that an investigation by the Washington authorities, as a matter of justice and fair dealing, is demanded. If, as these gentlemen declare, the free navigation of the upper Tennessee River and its affluents will be seriously impaired, thereby destroying or even injuring a most promising industry, it would not only be a gross injustice, but a positive and indefensible wrong, to permit the erection of this dam.

But whether it does, the protestants have made so impressive a showing that to deny them the right of a hearing would be tantamount to a scandal in all the circumstances. The Chattanooga Times stands for progress, and if this dam can be shown to be needed in opening up and developing the resources and industry of this rich region, it would interpose not the slightest objection to its erection, but in all the circumstances, as brought to public attention by the responsible and enterprising men whose names are affixed to the protest mentioned, we can see no reason why the grant of power rights at this point should be given without first having heard all the objections and the reasons therefor.

Whatever the merits on either side of this contention, the grant should not be permitted to be railroaded through without a thorough investigation of all the questions involved.

Here is the petition; and I should like to know if these parties were ever heard before the Rivers and Harbors Committee of the House?

Mr. RANSDELL. Mr. President——

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

Mr. BURTON. I do.

Mr. RANSDELL. On behalf of the Senate Commerce Committee, I will say that I do not know of any hearing that was held by the Commerce Committee. There may have been one by the House.

Mr. BURTON (reading):

We, as farmers and citizens of Roane and adjoining counties of Tennessee, and steamboat owners and licensed steamboat men on the Tennessee River, wish to make a request or petition in reference to improvements on the Tennessee River.

We desire to say, from our lifelong experience and knowledge of the Tennessee River and familiarity with the different shoal obstructions, we are fully convinced that the proposed lock and dam at Caney Creek Shoal is not to the best interest of river navigation or a judicious expenditure on the part of the Government.

We are reliably informed that the United States engineers have stated that a dam located at the foot of Half Moon Island, at much less height than the one suggested at Caney Creek, would completely flood the shoals between that point and the Long Pool above Caney Creek. This pool is some 10 miles or more long and has a depth of 20 to 80 feet, and the largest and heaviest boats on the Tennessee River, with a displacement of 5 feet, are run daily the year around over these waters, so there could be no good reason for making the water 30 feet deeper and flooding a great deal of valuable land. With the open-channel work below Half Moon Island to Chattanooga there would be satisfactory navigation from Chattanooga to above Kingston for many years to come. The open or deep water channel would be much better, and would satisfy all concerned.

The proposed dam at Caney Creek would leave seven of the worst shoals on the Tennessee River between the proposed site at Caney Creek and the lower end of Half Moon Island, namely: Caney Creek shoal, approximately 6 miles long; Shields Dam, 1 mile; Kings Bar, half mile; Bracketts Bar, 1 mile; head of Half Moon Island, 1 mile.

Mr. President, I will omit part of this detail if, by unanimous consent, it may all be published in the RECORD. Is there objection?

Mr. LEA of Tennessee. Mr. President, what was the request of the Senator from Ohio?

Mr. BURTON. I say, I do not care to read all of this detail about the shoals, and so forth. I want to read only a portion of it.

The PRESIDING OFFICER (Mr. ROBINSON). The Senator from Ohio asks that certain matters referred to by him may be printed in the RECORD. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Caney Creek, half mile, and lower end of Half Moon Island, 1 mile, unprovided for and navigation on the Tennessee River from Chattanooga to Kingston would be no better than now. Besides, the high dam would interfere seriously, if not permanently, with the farmers and timber people floating out their logs, lumber, ties, etc., of which there are many millions of feet floated to Chattanooga annually by the Tennessee River. A low dam or deep-water channel above Half Moon Island would not only make river navigation over Caney Creek Shoal, but to the proposed open channel work below Half Moon Island, and would allow the timber and logs to be floated over in ordinary tides.

For navigation from Kingston to Harriman a dam in the Clinch River would be advisable, where the Government engineers have found good bottom, and it is estimated that both dams, the one below Half Moon Island on the Tennessee River, and the Clinch River Dam at Kingston could be built for less money than the one high dam at Caney Creek. Maj. Kingman in his report of March 18, 1897, shows that the Clinch River Dam 12 feet high can be built complete for $260,000. This no doubt would be less than one-third of the cost of land and other property flooded and drowned out by the one high dam.

Mr. BURTON. There is their estimate, Mr. President. One-third of the cost of the property flooded out by this one high dam that the engineers said ought to be paid for by the locality, that one engineer has said would cost $306,000, that they said would probably cost $450,000, and that these people living in the vicinity say would cost more than three times $260,000—that is the recommendation about which this bill has nothing to say. I think before we are through some explanation should be made of that fact. Why was this burden imposed upon the Government against the advice of the engineer, and when the expense is so uncertain, the estimates ranging from $306,000 to more than $780,000? Is that a bagatelle down there in a river where the appropriation used to be twenty-five or fifty or seventy-five thousand dollars a year, and that, too, at a time when the navigation was more than it is now?

We understand there is some doubt as to a good bottom at Caney Creek. With the proposed location, it fixes very little of the Caney Creek Shoal, besides flooding a very large area of valuable land, which at the present time the people need badly for bread purposes, and to take these Tennessee bottom lands and islands from the people would be an irreparable damage for all time to come.

* * * * * * *

While we earnestly favor locks and dams, deep water channel being preferable, or any other improvements necessary to river navigation, we can not live on water alone.

We firmly believe that it would be a great mistake on the part of the Government to proceed with the work they are now doing at Caney Creek Shoals. Understand we are for the improvement of the river and do not wish to try to interfere in any way with the appropriation, but could not you amend your bill and give us two low dams or deep channel work instead of this high dam, and at the same time make it a business proposition and for the good of navigation on the Tennessee River?

We do sincerely hope you will fairly consider this matter, and on further investigation you will find what is best for the people locally is also best for the Government and the navigation of the Tennessee River, the Clinch and Emory Rivers to Harriman, Tenn.

This is signed by several hundred people, including farmers, boat owners, the vice president of a national bank, firemen, merchants, shippers, hotel men, people from all walks of life. In fact, I think there must be some 500 persons from Kingston, from Loudon, from Lenoir, and from a number of places in Tennessee.

In addition to that there is a petition signed by W. C. Wilkey, general manager Tennessee River & Navigation Co.; Bruce Davis, general manager Knoxville Sand & Transportation Co.; C. D. Wilkey, owner and manager; E. C. Allison, owner and manager; J. A. Covington, owner and manager; J. L. Dyke, owner and manager; and T. L. Brown, owner and manager. This communication is somewhat lengthy and I do not wish to take the time of the Senate to read it all. In referring to the prior petition, which I have read, it is stated that—

It was sent by the landowners, farmers, steamboat owners, licensed steamboat men, and wholesale people who are constantly shipping over the portion of the Tennessee River that would be affected by this 30-foot dam.

This petition was not merely a list of names, but names of farmers who each own from 50 to 2,000 acres of Tennessee River land that would be damaged by this high dam located near the head of Caney Creek Shoals; also the names of all the steamboat owners and licensed steamboat men on the upper Tennessee who own, control, and run boats over this part of the river affected by this high dam and are the only people who operate boats over this portion of the river, and the shippers who signed this paper, and many others would have signed if they had had an opportunity and many others from both Knoxville and Chattanooga who ship merchandise of all kinds and machinery of all kinds to the farmers and merchants on this section of the Tennessee River.

It is not necessary for me to read the whole of this. It is sufficient to say that it is a scorching arraignment of this proposed dam that appeared here so queerly without any mention and which, if it did have any status, should have a condition affixed thereto that the flowage rights should be paid for by the locality.

I should like to know what the explanation of that is. I should like an explanation of why these expensive improvements were adopted in the face of diminishing traffic on the river—these two expensive locks and dams; this mere bagatelle of $2,600,000—when anyone who examines the traffic can see that it can not have as favorable an effect upon the prop-

erty in that locality as two series of locks and dams already completed, where, as I have said, the interest on the money and the cost of maintenance is substantially equal to the value of all the freight carried, and where you have the pitiable showing of less than 6,000 tons going through a great system of locks and dams upon two sides of the river upon which the Government has expended four and a half million dollars.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON). Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. I yield. What is the purpose?

Mr. KENYON. The Senator from Ohio has occupied the floor for 12 hours——

Mr. LEA of Tennessee. Mr. President, I rise to a parliamentary inquiry. Does the Senator from Ohio yield the floor?

Mr. KENYON. I move——

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. KENYON. I rose to make a motion. I move that the Senate do now adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa. [Putting the question.] The noes seem to have it.

Mr. KENYON. I ask for the yeas and nays.

The yeas and nays were not ordered.

So the Senate refused to adjourn.

Mr. LEA of Tennessee. I move to lay on the table the motion of the Senator from Ohio to recommit the bill with certain instructions.

The PRESIDING OFFICER. The Senator from Tennessee moves to lay on the table the motion of the Senator from Ohio to recommit the bill.

Mr. CLAPP. I call for the yeas and nays.

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

Mr. WILLIAMS. I make the point that this is not a debatable question.

The PRESIDING OFFICER. The Senator from Iowa suggests the absence of a quorum.

Mr. STONE. I ask what business has intervened.

Mr. BRYAN. No business has intervened since the preceding roll call.

Mr. SMOOT. A motion was made by the Senator from Tennessee to lay the motion of the Senator from Ohio on the table.

Mr. BURTON. A motion to adjourn was made also.

Mr. SMOOT. And a motion to adjourn was made and voted on. That is business.

The PRESIDING OFFICER. The Chair suggests that a motion to adjourn is intervening business, and therefore the suggestion of a want of a quorum is in order. The Secretary will call the roll.

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

Ashurst	Johnson	Robinson	Swanson
Brady	Jones	Saulsbury	Thompson
Bryan	Kenyon	Sheppard	Thornton
Camden	Lea, Tenn.	Shields	Vardaman
Chamberlain	Lee, Md.	Simmons	Walsh
Chilton	Lewis	Smith, Ariz.	West
Clapp	Martine, N. J.	Smith, Md.	White
Fletcher	Page	Smith, S. C.	Williams
Hollis	Pittman	Smoot	
Hughes	Ransdell	Sterling	
James	Reed	Stone	

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absentees.

The Secretary called the names of absent Senators, and Mr. LANE and Mr. OVERMAN answered to their names when called.

Mr. STONE. I should like to inquire whether the Sergeant at Arms' special deputy has reported what action he has taken on the order of the Senate.

The PRESIDING OFFICER. The Chair will state that he has not. The Sergeant at Arms is directed to report his action under the order of the Senate heretofore issued to compel the attendance of absent Senators.

Mr. STONE. I should like to have the Sergeant at Arms report what action he has so far taken.

The PRESIDING OFFICER. The Chair has directed the Sergeant at Arms to report, and he is preparing to report.

Mr. BURTON and Mr. SHAFROTH entered the Chamber and answered to their names.

Mr. CHAMBERLAIN. Mr. President, I am wondering why we do not get a report from the Sergeant at Arms.

The PRESIDING OFFICER. The Sergeant at Arms has been directed to report, and the Chair is informed that he is preparing his report.

Mr. CHAMBERLAIN. There seems to be some delicacy about the feelings of Senators who are absent and who ought to be brought before the bar of the Senate, but there does not seem to be so much consideration about Senators who have been here all night and show a disposition to be here all the time.

The PRESIDING OFFICER. Debate is not in order. The Chair has directed the Sergeant at Arms to report, and he is informed that he is preparing to report proceedings under the order of the Senate.

After a little delay Mr. KERN entered the Chamber and answered to his name.

The SPECIAL DEPUTY SERGEANT AT ARMS (John J. McGrain). I have the honor to make the following report.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
September 19, 1914—6.30 a. m.

SIR: In obedience to the following order, received by me at 12.45 a. m.—

"*Ordered*, That the Sergeant at Arms be directed to compel the attendance of all absent Senators now in the city of Washington except those detained on account of sickness, and is instructed to procure without delay such conveyances and employ all necessary means to compel such attendance"—

I have the honor to report that I executed the same by serving, by deputies, the above order upon Senators LEWIS, STERLING, HUGHES, THOMPSON, WEST, and WEEKS, who responded to the same by appearing in the Senate Chamber. Senators NELSON, MCCUMBER, and POMERENE reported sick. Could not gain entrance at residences of Senators BRANDEGEE and DU PONT.

At residence of Senator WILLIAM ALDEN SMITH deputy read the order to the Senator, who refused to come, as he ascertained that a quorum was present. Senator BANKHEAD could not be located.

Since appearing in the Senate Chamber in response to this order Senator WEEKS has left.

The order is still being executed by Deputy Sergeant at Arms.

Very respectfully,

JOHN J. MCGRAIN,
Special Deputy Sergeant at Arms.

Mr. THOMPSON. Mr. President, this proceeding seems to me very unusual——

Mr. SMOOT. Mr. President, I rise to a point of order.

Mr. THOMPSON. I desire, Mr. President——

The PRESIDING OFFICER. The Senator from Utah will state his point of order.

Mr. SMOOT. My point of order is that debate is not in order.

Mr. THOMPSON. I desire to speak on a question of privilege.

The PRESIDING OFFICER. The Senator from Utah makes the point of order that debate is not in order, and the Chair sustains the point of order.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry. I understand the Sergeant at Arms is still executing the order of the Senate?

The PRESIDING OFFICER. That is the report of the Sergeant at Arms.

Mr. WILLIAMS. And that in addition to this return he is again to serve the Senators who have already been served, but have failed to come—that he will continue to do so?

The PRESIDING OFFICER. The Chair did not understand the last statement of the Senator from Mississippi.

Mr. WILLIAMS. Where a Senator has been served with notice to come and has failed to attend, a question arises as to whether or not that order has ceased to exist. If the Sergeant at Arms is going to resume the service again, it is all right, but if not, it may be necessary to issue another order. That is my parliamentary inquiry.

The PRESIDING OFFICER. The Chair thinks it is not necessary to issue another order——

Mr. WILLIAMS. Very well.

The PRESIDING OFFICER. But that the order is specific to compel the attendance of absent Senators and remains in force until their attendance is procured. The Sergeant at Arms is directed to compel the attendance of absent Senators.

Mr. CHAMBERLAIN. But where a Senator appears at the door and refuses to come, why does not the Sergeant at Arms bring him here forcibly?

The PRESIDING OFFICER. The Chair is not able to answer that question.

Mr. WILLIAMS. That was the parliamentary inquiry I was about to make. In one or two of these cases it appears that Senators have refused to come.

Mr. KENYON. And a Senator who is very much in favor of this bill seems to be the one who has refused to come, and he should be compelled to come.

The PRESIDING OFFICER. The Sergeant at Arms requests the instruction of the Senate.

Mr. SMOOT. I think the Sergeant at Arms has already received instructions of the Senate. I do not think there is any need of further instructions.

The PRESIDING OFFICER. The Sergeant at Arms inquires of the Chair and of the Senate for instructions in the particular case of the Senator from Michigan [Mr. SMITH].

Mr. WILLIAMS. I merely made the parliamentary inquiry—I do not care to follow it any further—because I wanted to emphasize the fact that where a Senator has been served and refuses to come he has committed a contempt of the Senate and has rendered himself liable when he does present himself at the bar of the Senate to such penalty as the Senate shall choose to visit upon him.

Mr. SMOOT. The report of the Sergeant at Arms shows that the Senator from Michigan was asked to come, and refused on the ground that he had ascertained that there had been a quorum of the Senate obtained.

Mr. SIMMONS. How did he ascertain that?

Mr. SMOOT. The Sergeant at Arms stated that that was the fact.

The PRESIDING OFFICER. The Chair does not know that it is important to pass upon the question at this time; but the fact that the Senator from Michigan may have ascertained, or some other Senator may have ascertained, that a quorum is present is irrelevant. There is an inherent right in this body to compel the attendance of absent Senators in order to have a quorum present. The Chair therefore instructs the Sergeant at Arms to compel the attendance of absent Senators.

Mr. THOMPSON. I should like to make a parliamentary inquiry. It is whether this is a proceeding against all absent Senators. I know there are many Senators——

The PRESIDING OFFICER. The Chair will state to the Senator from Kansas that the order adopted by the Senate is limited to Senators within the city, and who are not excused on account of sickness or who are not ill. With the permission of the Senate, the Chair will read the order. It is as follows:

Ordered, That the Sergeant at Arms be directed to compel the attendance of all absent Senators now in the city of Washington, except those detained on account of sickness, and is instructed to procure without delay such conveyances and employ all necessary means to compel such attendance.

Upon that order the Sergeant at Arms is proceeding to compel the attendance of absent Senators.

Mr. THOMPSON. That order was issued after the request was made for attendance of Senators.

The PRESIDING OFFICER. That is true.

Mr. THOMPSON. In justice to myself, I wish to say that I remained in the Chamber until nearly 12 o'clock, and no request was made of me to return to the Chamber until I received the notice of the Sergeant at Arms.

Mr. RANSDELL. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. RANSDELL. I wish to know why we are making a distinction between Senators who think enough of their public duties to come here to Washington and attend the sessions of the Senate and those who do not.

The PRESIDING OFFICER. The Chair will state that is not a parliamentary inquiry. The order of the Senate governs the proceedings of the Sergeant at Arms. In this case the order is limited to such Senators as are in the city of Washington.

Mr. RANSDELL. Then, if it is in order, I move that we extend the order to the Senators who are out of the city and bring them here to transact the public business. Of course, I do not include Senators who are sick; but those who are in the United States, subject to the jurisdiction of the Senate, and who will not come here, I think ought to be brought. That is my motion.

The PRESIDING OFFICER. The Chair would state to the Senator from Louisiana that as to those Senators there perhaps should be made a request for their attendance, as the Chair understands the order was limited to Senators now in the city of Washington.

Mr. RANSDELL. I accept the suggestion of the Chair, and ask that the Sergeant at Arms telegraph each one of the Senators to come at once, and if they do not come, then we can take further action.

Mr. KENYON. May I suggest to the Senator from Louisiana that I think that is right, except in one respect. It seems to me that where Senators are engaged in campaigns they ought to be excused. There are plenty of other Senators who are not engaged in campaigns who ought to be here attending to the business of the Senate; but certainly where a Senator has a campaign on his hands there is a great element of justice in permitting him to pursue that campaign. That is the customary course, and I wish the Senator would except those on both sides who are engaged in campaigns.

Mr. RANSDELL. I do not want to be hard on any Senator, but it seems to me that the public business is really more important to us right now than the conduct of campaigns.

Mr. KENYON. The Senator knows there are plenty of Senators who have no campaigns on their hands who could come here.

Mr. SMOOT. Mr. President, if this question is debatable, of course I should like to say something myself upon it, but I do not believe it is debatable.

The PRESIDING OFFICER. The Chair clearly thinks it is not debatable. If the Senator from Louisiana makes the motion——

Mr. RANSDELL. I make the motion that the absent Senators be notified to return.

The PRESIDING OFFICER. The Senator from Louisiana moves that Senators absent from the Senate and not in the city of Washington be requested to return to attend the sessions of the Senate.

Mr. CLAPP. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. CLAPP. Would an amendment to the motion of the Senator from Louisiana be in order?

The PRESIDING OFFICER. The Chair thinks so.

Mr. CLAPP. Since the direct election of Senators has come about, a Senator is placed at a great disadvantage if he can not mingle with his constituents when his own campaign is on, and I move to amend the motion of the Senator from Louisiana by excepting those Senators who have campaigns on at this time.

The PRESIDING OFFICER. The Chair requests the Senator from Louisiana to put his motion in writing, and the Senator from Minnesota to put his amendment to the motion in writing.

Mr. CLAPP. I would not make the suggestion were it not that there is a sufficient number of Senators to constitute a quorum without those who are thus engaged.

Mr. KENYON. Mr. President, I should like to ask the Senator from Louisiana if he will not accept the amendment?

Mr. LEA of Tennessee. Mr. President, I make the point of order that this question is not debatable.

Mr. KENYON. I am not debating it, Mr. President.

The PRESIDING OFFICER. The point of order is well taken. The Chair will have to hold that the question is not debatable.

Mr. LANE. Mr. President, I should like to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. LANE. In order to ascertain in what method this is to be conducted, how else are we to do it except by asking questions? They are trying, as I understand, to map out a plan to get these Senators here. Why would not that be perfectly competent for them to do, without——

The PRESIDING OFFICER. It is competent if there is no objection.

Mr. LANE. Without argument, I mean. It seems to me that is reasonable.

The PRESIDING OFFICER. Of course, the Chair thinks the Senator from Oregon understands that the Chair is without power to extend the rules of the Senate. This subject is not debatable.

Mr. LANE. Well, the point of order which I wish to make is this: There seems to have been an exception made in this order by which it is only to pertain to Senators in this city, and any man who goes over into Maryland, 2 miles away, is out from under the jurisdiction of the Senate. It strikes me it should apply to all alike. Why not make the order so, and let them fix it up so that it will apply to all?

Mr. SHAFROTH. Mr. President, I suggest to the Senator that there are enough Senators in the city of Washington to constitute a quorum. I do not believe in bringing back Senators who have gone home to enter into the campaigns. Every one is vitally interested in his election.

Mr. KENYON. The Senator from Colorado [Mr. THOMAS] has just been excused for two weeks.

Mr. SHAFROTH. Yes, sir; my own colleague has been excused for two weeks, and I do not believe in sending for him.

The PRESIDING OFFICER. The Chair will state that Senators who have been excused from attendance upon the Senate by the order of the Senate would not, and could not, be embraced within this order.

Mr. SHAFROTH. That may be; but the other Senators who are attending to the same thing ought to have the same privilege if they want it.

Mr. KENYON. Mr. President, I just want to cite the instance of my colleague. He has been here, as every Senator in this body knows——

Mr. SIMMONS. The Senator can ask that he be excused.

Mr. KENYON. Well, I do not think there should be an exception made in one case; but many Democratic Senators have said to me, in reference to his case, that he had been here all summer and had performed a full Senator's work. That is conceded. Now, he has a campaign and is out there engaged in the campaign. He has made his appointments. I do not think it is fair to bring Senators back who have campaigns on their hands. As the Senator from Colorado says, there are plenty of Senators in this city to make a quorum; and, if not, there are plenty of other Senators basking around the country who are not candidates at the coming election.

Mr. SWANSON. Mr. President, if the Senator will permit me, he can very easily eliminate the necessity of sending for his colleague if he will stop this filibuster. He occasions the necessity for sending for him. I think his colleague, of all the Senators, ought to be sent for. The Senator seems to think this is more important than that he be not brought back.

Mr. KENYON. I did not hear the reflection of the Senator.

Mr. SWANSON. I said the Senator can very easily eliminate any necessity for sending for his colleague by stopping this filibuster. The responsibility of sending for the Senator is with the Senator from Iowa himself.

Mr. KENYON. I am glad I do not have to be judged by the distinguished Senator from Virginia.

Mr. SWANSON. I wish the Senator would measure up to the suggestions I am making in connection with this filibuster. I think the time has come when a majority of this Senate, representing the majority of the country, ought to rule.

Mr. KENYON. The Senator can do whatever he pleases about my colleague. I am not asking any favors for him.

Mr. CLAPP. Mr. President, I understand the Senator from Louisiana to have sent up his amendment.

The PRESIDING OFFICER. The Secretary will state the amendment of the Senator from Louisiana.

The Secretary read as follows:

Ordered, That the Sergeant at Arms be instructed to request the attendance of all Senators now absent from the city of Washington except those who are sick or excused.

The PRESIDING OFFICER. The Senator from Minnesota offers an amendment, which the Secretary will state.

The Secretary read as follows:

And excepting Senators who are engaged in their own campaigns.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota. [Putting the question.] By the sound, the noes seem to have it. The noes have it, and the amendment is rejected.

Mr. SMOOT. Mr. President, I ask for a division. I will not ask for the yeas and nays.

Mr. RANSDELL. Mr. President, I suggest that the amendment be again stated, as several Senators are not familiar with it.

The PRESIDING OFFICER. Without objection, the Secretary will again state the amendment.

The Secretary again stated the proposed order and amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Minnesota, on which the Senator from Utah asks for a division.

There were on a division—ayes 10, noes 15.

The PRESIDING OFFICER. The amendment is rejected.

Mr. KENYON. Mr. President, a parliamentary inquiry. Can this matter be voted on in the absence of a quorum?

The PRESIDING OFFICER. The Chair thinks so; otherwise it would be impossible for a minority of the Senate to compel the attendance of a quorum.

The question is on the motion of the Senator from Louisiana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is directed to request the attendance of all absent Senators.

Mr. SMOOT. Mr. President, in that connection I desire to ask unanimous consent that Senators DILLINGHAM, GALLINGER, GRONNA, PENROSE, SHERMAN, and CUMMINS be excused.

The PRESIDING OFFICER. The Senator from Utah asks unanimous consent that the Senators named by him be excused. Is there objection?

Mr. THOMPSON. I object.

The PRESIDING OFFICER. Objection is made.

Mr. STONE. Mr. President, does the order just agreed to excuse Senators who are sick?

The PRESIDING OFFICER. The Chair is informed that the order excused all Senators who are sick or who have been excused by order of the Senate.

Mr. STONE. I desire to state to the Senate and to the Sergeant at Arms that the senior Senator from Indiana [Mr. SHIVELY] is absent, and he is in a condition of health for which he ought to be excused.

The PRESIDING OFFICER. Does the Senator ask that the Senator from Indiana be excused?

Mr. STONE. I do.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the senior Senator from Indiana is excused.

Mr. KENYON. Mr. President, I should simply like to inquire if that is on the ground that he is engaged in his campaign?

The PRESIDING OFFICER. It is on the ground of sickness.

At 6 o'clock and 50 minutes a. m. Mr. CRAWFORD entered the Chamber and answered to his name.

Mr. CRAWFORD. I desire to say to the Senate that I did not have very much rest, but I enjoyed what little I did have. [Laughter.]

Mr. CLAPP. Mr. President, I desire the attention of the Senate for a moment.

Yesterday I advised the senior Senator from North Carolina [Mr. SIMMONS], having the bill in charge, that I felt that I should be absent to-day. I have remained to make a quorum during the night, and one Senator will not make a quorum under these circumstances, and I am going to ask to be excused for the day.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent to be excused for to-day. Is there objection? The Chair hears none, and the Senator from Minnesota is excused from attendance upon the Senate to-day.

Mr. SIMMONS. I move that the Presiding Officer appoint not more than four Assistant Sergeants at Arms for the purpose of securing the attendance of absent Senators upon the sessions of the Senate.

The motion was agreed to.

The PRESIDING OFFICER. Under the order recently adopted by the Senate, the Chair appoints as Special Assistant Deputy Sergeants at Arms C. C. Wilson, Edwin Halsey, Joseph E. O'Toole, and D. C. Thornton, to procure the attendance of absent Senators.

Mr. STONE. And to execute the order of the Senate.

The PRESIDING OFFICER. And to execute the order of the Senate heretofore adopted to compel the attendance of absent Senators.

At 7 o'clock and 10 minutes a. m. Mr. SMITH of Georgia entered the Chamber and answered to his name.

At 7 o'clock and 30 minutes a. m. Mr. NELSON entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The Senator from Iowa.

Mr. LEA of Tennessee. I have moved to lay the motion of the Senator from Ohio [Mr. BURTON] on the table, and the question is on that motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Tennessee to lay on the table the motion of the Senator from Ohio. [Putting the question.] The ayes seem to have it.

Mr. KENYON. I ask for a division, Mr. President.

The question being put, there were on a division—ayes 14, noes 4.

Mr. KENYON. I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The motion of the Senator from Tennessee to lay on the table the motion of the Senator from Ohio is agreed to.

Mr. STONE. Let us proceed with the bill.

Mr. KENYON. Mr. President, I am going to take——

Mr. SIMMONS. Mr. President——

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

Mr. KENYON. I yield to the Senator for a question.

Mr. SIMMONS. I desire to inquire whether or not the Senator from Iowa has spoken more than once?

Mr. KENYON. The truth is I have not spoken at all to-day.

Mr. SIMMONS. This is the same day. We have been in session quite a while.

The PRESIDING OFFICER. The Chair will say to the Senator from North Carolina that the recollection of the Chair

is that the Senator from Iowa [Mr. KENYON] has not yet spoken during this day. This day began on the 18th.

Mr. SIMMONS. I think upon reflection I am wrong, and that the Senator from Iowa has not spoken.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. KENYON. Mr. President, I think the Record is incorrect, in that it shows that I have once spoken on this day. I do not care anything about that, because I am not going to speak more than this once. I think the Chair will remember, however, that yesterday morning at some time the Chair said, "The Senator from Iowa," when I had not asked for the floor. I do not, however, care anything about that. I am going to say what I have to say in one speech.

There is not any reason that I can see, Mr. President, why this bill should not be reached and taken up item by item within the space of two or three hours. The Senator from Ohio [Mr. BURTON] has had the floor, as everyone knows, for 12 hours in a remarkable speech, and he is, of course, weary.

I am frank to say that I propose to give him an opportunity to rest and at the same time serve the purpose of placing in the RECORD some matters which I had not an opportunity to complete at the time I made some remarks a few days ago. So, I feel that I am not delaying the Senate; and the Senator from Ohio in that way will have an opportunity to rest and to be here when items of the bill are taken up.

Now, Mr. President, of course, after this delightful night we are all refreshed, and I trust can approach these questions without any irritation and with a single purpose to try to get out of this bill as good a measure as possible. I have believed it was a bad bill. Nothing has happened to change my mind; much has happened to strengthen my conviction.

I also believe that this is a Government in which it is the right of Members of Congress to vote on every question. There may be occasions, when great constitutional questions are involved, where a prolonged filibuster would be commendable. We have been accused of filibustering, and I am willing to assume, for the purpose of the argument, that that may be considered true to a limited extent. It seems to be thought that if speeches of any length are made on any bill that they are for the purpose of delaying action. Our purpose, so far as I am concerned, has been to have such debate that the people of the country could thoroughly understand just what this bill was. We have accomplished that purpose.

I realize the superior force of great numbers; I realize it more this morning, perhaps, than I did heretofore. I also realize that my enthusiasm for a cloture rule is a little dimmed, and I am not altogether certain that such a rule is necessary, because if a majority of this body is determined to pass any measure nobody can stop it. If they can hold a quorum they can wear out any man who is not a man of iron, or any two men, to which our ranks seem now to be reduced, and our reserves are perhaps too far away to reach here before the final guns are opened up on our fort. But I am satisfied.

I do not believe many Senators upon the other side have been very desirous of making this a party measure; but the logic of events has driven the Democratic Party in the Senate to stand almost as one man for this measure. That is a question that they can settle with the people of this country. I make no appeals to the Senate; I know it is useless. This bill is, apparently, to pass. I think there have been many things during the night that are subject to just criticism in the treatment that has been accorded to those who are fighting this measure; but let that pass. Your party can go out to the country and we will go out to the country, and the country can judge of the hypocrisy of your pledges of economy.

While we are compelled now, or possibly will be in a short time, to submit this case to the jury of the Senate, we will appeal this case to the people of this country everywhere, and if the editorials that are pouring in from papers all over this country—Democratic, Republican, and Progressive—are any indication, I believe I know what their verdict will be.

In trying a lawsuit where a lawyer knows that the case is being tried to a hostile jury, if he is a lawyer of even a little sagacity he makes his record for the higher court. With that idea in my mind, and the appeal of this case, with what seems to me the unfair tactics that have been pursued, I am going to put a few more observations in the RECORD for that court of higher resort some time possibly to consider.

The people of this country are a pretty long-suffering kind of people, but they know what is going on. They are watching proceedings at Washington. They know that there is a tax bill coming into the Senate in a few days. They realize that night sessions must be held to get rid of this bill before the tax bill comes. They will observe that attempts at what we believe to be gag rule have been made, successful once; but upon calmer consideration, aided by the independence of certain fair-minded men on the other side of this Chamber as to the great privilege and right and sanctity of free debate and free discussion, the Senate reversed that action. They may observe that in the summer months, when the great trade commission bill was before this body, and when the Clayton anti-trust bill was before this body, no night sessions were necessary, though it was rather difficult to get a quorum; but that when a bill was under consideration carrying a great appropriation and contracts for future authorizations spread over plans that will run on for years and years, stretching into the millions of dollars and spread all over this country, it was not so difficult to keep a quorum, and that Senators who had been taking life rather easy through those months were present to help in administering the dose of the wearing out process.

I am not blaming the gentlemen for this wearing-out process. That is all right. If the majority of the Senate believe the measure should pass, a few men ought not to prevent its passing. Wear us out! I do not believe in standing up here until I drop in order to defeat this appropriation bill. I can conceive that there might be great questions that went to the fundamentals of our Government where it would be a man's duty, and he might consider it a great privilege to stand at his desk and argue the matter as long as he had a spark of life left in him; if this were a question of that character, I would be willing to do it. I think you have succeeded in tiring, mildly, the Senator from Ohio. I know you have succeeded in tiring me. I am very frank to say so. But the wonderful constitution of a man who can stand here from 6 o'clock in the evening until 6 o'clock in the morning and make the address that the Senator from Ohio has made, however you feel toward him, must challenge your admiration; and you must be satisfied, however much you criticize him, that there is an honesty of purpose, that there is the zeal of a crusader, in a man who will do a thing of that kind and almost wreck his health.

It may be that there is some gratification for you in wearing him out. I am not certain that he is entirely worn out as yet. I think possibly he is good for several more volleys. But you are going to answer to the people of this country. When you have appropriated a billion and eighty-nine millions of dollars at this session of Congress for the year ending June 30, 1915, and you add to that whatever sum you propose to put in this bill—I do not know what it will be—you then will have appropriated $100,000,000 more than the Republican Congress which you so severely condemned. Possibly you think the people will pay no attention to that.

I know you have a great leader, a great President, strong in the affections of the people of this country. I pay my tribute to him. I am glad he is President of the United States in these troublous times, and that with such steady hand he is guiding this old ship of State through the rocks and the shoals that are besetting it. I glory in his manhood. You have a right to feel that that is a leadership to be proud of. You know that Woodrow Wilson is stronger than your party by far. So you have a right perhaps to feel that such matters as the breaking of platform pledges on economy are not going to control elections. You have a right to feel that you can blot it all out and in the next campaign simply say, "The President is the issue."

Maybe you can. I wish the President in his message had said something about this old fetich—a good fetich, if a fetich can be good—of economy in Democratic platforms. But he did not do it. He said we should not borrow, but that the thing to do was to levy taxes; and so before this Congress ends you are going to levy a war tax.

I contended some days ago that there would be no need of a war tax if this bill were defeated or reduced to a considerable extent and other economies were practiced. It seems to me that the public-building work in this country might be delayed for a period of a year; that this bill, in view of the $45,000,000 that was available in the Treasury on the 30th day of June last, might carry on the necessary works, many of which we have always conceded were necessary and proper, and then, by cutting here and there, we could escape putting this burden of taxation on the people.

That is not any party question. It ought not to be. I read in the paper last night that the Republicans were going to filibuster against that tax measure. I do not believe it. If you had followed your original program as announced of a tax on transportation, we certainly should have fought that. But calmer and wiser judgments have prevailed, and that, to your credit, is to be eliminated.

But, Mr. President, we all in our lives have had to economize. In view of the splendid character and magnificent success of the Senator who sits in the chair, while I do not know his past history, I do believe that he, like many of the rest of us,

has had to struggle in his early boyhood days with questions of poverty. I know I have—and in later years too, for that matter—but I know that it did not hurt me any. I know, with a large family, that the pinch of poverty came at times to us; that we had to cut down and economize. Oh, as you look back at that now, it does not seem to be a hardship; and it is the poor boy in this country that comes up to success.

My predecessor used to say that this is a poor man's Government and a poor boy's country. It is the boys who come up out of these homes where they feel the pinch of poverty once in a while who make the best men. The greatest handicap that can come to any boy in this land is to be born of rich parents. As we have had to do that in our lives, and I imagine my dear friend who stands by my side [Mr. THORNTON] has had some experience as a boy in that line, too, so we have got to do that in families.

Mr. THORNTON. I will surely agree with the Senator's proposition so far as poverty is concerned.

Mr. KENYON. I thank the Senator. So, also, in city government, and so, also, in Federal Government. It does not hurt a nation to economize along wise lines. It is not a good thing to economize so as to cripple the Government. It is not a good thing to cripple great works of improvement that are for the benefit of all the people; but the little extravagances that might be called habits of governmental extravagance we could cut down.

We can set an example to the country of economy in these times when our national revenues are depleted. We could commence on ourselves. The Senator from Texas [Mr. SHEPPARD], whom I tried to say some nice things about the other day, and who, I understood—I have not read it—said some mean things about me in return, has a bill to cut the mileage in two. I know it is almost treason to mention that. Why could we not do that and economize a little on ourselves? Why could we not get along with less clerks in these times of emergency?

So I know that these sensible Democrats and Republicans could sit down and trim things in this Government so that the Government could be conducted, possibly not as Senator Aldrich said, on $300,000,000 less, though I believe that, but on at least $100,000,000 to $150,000,000 less, and so avoid this taxation.

I have felt, and felt from the bottom of my heart, that one of the best places to begin with that economy was on this river and harbor bill; and when the public-buildings bill comes here next winter, if there is one, that is another place to commence and do some cutting and some economizing.

Mr. President, we seem to have the notion that there is a great fund somewhere from some invisible source and, like Providence, never ending—some golden stream that is flowing into the Treasury of this country and that comes from somewhere to the people—and I do not know that we are ever going to get that notion out of the people's minds until a system of taxation may be devised that will cause them to walk up to the captain's office and pay the tax.

I intended in the discussion of this river and harbor bill not only to discuss the question of economy but, in view of the fact that statements have been made here that the press of the country had been in some way improperly influenced, to refer to some of the influences that have been at work as to river and harbor bills. I want to refer to that just a little while, and then return to the question of subsidy and finish that, and possibly by that time the Senator from Ohio [Mr. BURTON] may be here.

There are so many of these waterway associations that it is hard to tell their relationship and just what their business is. The National Rivers and Harbors Congress seems to be a very energetic institution, a congress which has an office in Washington. It has sent out literature all over the country to arouse an interest in this river and harbor bill.

I think before I take up some of the newspapers bearing on this subject I will refer to some proceedings which it seems to me are interesting in connection with the influences that are at work for river and harbor bills and river and harbor appropriations. I want to read the report of the board of directors of the Atlantic and Gulf Coast Dredge Owners' Association, March 3, 1901, which is as follows:

To the Atlantic and Gulf Coast Dredge Owners' Association.

GENTLEMEN: In accordance with the constitution, rules, and by-laws of this association, your board of directors, through your president, present for your consideration herewith their report for the year ending Febuary 13, 1901, adding thereto such recommendations and suggestions as your board have considered during the past year.

The year just closing, the eighteenth year of the association, and the years since its organization have been marked by constant and faithful effort to promote, through the means of general work and enterprise, everything that will make for the good of every operator enrolled in its membership. Measures have been constantly brought to our attention and every effort made to uplift our business and protect it in all proper and legitimate channels.

These efforts have been more or less successful, but always along the line of an earnest endeavor to conserve the real interests of our business.

During the past year your board have especially taken up for consideration the question of its department for fixing prices on work and the allotment of work through the commissioners of that department, and have carefully studied the problems which present themselves in connection with that line of work.

I read this to show the interest of the dredgers and the dredgers' association to promote the river and harbor legislation in order that their business may be especially prosperous.

The department in question was not originally contemplated by the founders of this association, nor was it intended as any part of the work for which the association was formed.

The organization had its origin in the recognized desire of many operators in the dredging business for effective cooperation in many important fields of work, where the general interests of their business had long been neglected. It was felt by the progressive men who had invested large amounts of capital in this business that an organization of operators could be effected by the Atlantic coast, whose duty and object would be the closer affiliation of operators, and the combination of the talent and energy in the business for the promotion by all lawful means for the advancement of their business, and to present a united front, supported by united resources, to meet and overcome any and all obstacles then existing or thereafter appearing.

IN UNION THERE IS STRENGTH.

It was the old and tried principle, to wit, "In union there is strength" and "A house divided against itself falls," and the keynote of all successful organizations must be that very same principle. Following this rule, the effort of this association should have been confined entirely to meeting and overcoming obstacles which come from without—fighting the common enemy, so to speak. This would mean the promotion of all measures for urging public bodies to undertake public improvements in submarine work, compelling the enactment of reasonable laws governing our work, and the repeal of obnoxious and vexatious laws; experiments in all branches of machinery and devices used in our business, and a general department for furnishing to each member information desired by him regarding any particular work, or concerning which other members may have knowledge, giving in every way to each member the fullest possible data regarding dredging operations on the coast and the history of each piece of work.

So many measures of general interest and value are included in the work that could be successfully performed by an association to the advantage of its members, and so much can be done in the way of promoting good fellowship amongst them by means of this organization, and also by entertaining prominent and influential men at its banquets—

The dredgers' association knows the power of the social lobby. Mind you, this is the address that they themselves issued—

and through special committees that enumeration here of all these different and important measures is unnecessary.

* * * * * * *

QUARRELING OVER SPOILS.

Some years after the organization was effected an element entered into its work which has almost crowded out all features of general work and has practically turned the association, which was originally formed for general benefits only, into a special organization for the distribution of work and apportionment of contracts. Starting, as it did, in the desire to combine against outsiders, it has ended in combining against itself; and instead of its members standing together to promote the business of dredging in all its general and important details, as above mentioned, we behold a spectacle of members quarreling one with another over the division of work, and each one complaining that the association is a failure because it does not give to each one all the work that he feels is his due, each member forgetting that the association simply undertook this duty because it was forced upon it, and because other agencies to do that work had failed, and because the operators on the Atlantic coast refused to enter into proper arrangements for dividing work amongst them and preferred to load this work upon the association, a work for which the latter was unfitted, for which it was never intended or formed, and the only excuse for foisting this measure upon it was apparently the dredging operators failed to appreciate that this kind of work was done in other lines of business by special pools organized for no other purpose and specially organized for that purpose alone.

It is time that all thoughtful men in this association pause and consider whether the association is to blame for failing to perform a task entirely beyond its powers or resources, and also whether it would be well for the association to reject this burden and relegate it to proper agencies and take up the duties for which it was organized.

We think it is time that this be done and this bone of contention removed from the midst of our association and the members once more united and working along the lines of common interest. Little of the real value of this association has been demonstrated or developed of recent years and much disagreement and bitterness has come between the members in that time, and all because the association has neglected its real duties and buried itself with false ones. The former would bind its members more firmly together, whereas the latter simply disintegrates our ranks.

It is certainly time that this "Jonah" be thrown overboard and left to the tender mercies of some sufficient "whale" or "pool" and the association be permitted to again bend to its task and resume its long interrupted voyage—

Which contemplated the entertainment of prominent and influential men at its banquets.

In presenting these views to the members, your board feel that they are simply pointing out the pitfall into which this association has become entangled, and which has retarded its growth and usefulness for some years and has brought upon it an immense amount of work foreign to its proper duties. Much of the dissatisfaction has been due to this very cause, and members have been alienated whose assistance was of the greatest value to us. We have seen the camel crowd into our tent and force out everything else, and it is time that this fruitless and

thankless task, which was put upon the association, be now put off, and the department created for the allotment and apportionment of dredging work and contracts be abandoned and all rules pertaining thereto be repealed.

* * * * * * *

The lack of association methods and the failure to use the means in our hands for the general good was forcibly illustrated recently in the river and harbor bill, where absolutely no effort was made by the association to procure any amendment to the bill or any provision inserted therein for its benefit.

So here is the brazen confession of the board of directors of the Atlantic and Gulf Coast Dredge Owners' Association, that they had failed to use the means in their hands for the general good of the dredgers' association, and that was forcibly illustrated in the river and harbor bill.

Your board feels regret that the river and harbor bill has failed of passage, and considers it all the more important that the association should be organized for the purpose of adding its influence to urging work by municipal organizations and bodies, and doing all in their power to create offerings of work in the various ports of entry and harbors. It is only by persistent effort that the loss entailed upon us by the failure of the harbor bill can in any way be compensated for. Your board further wishes to emphasize their regret that the annual banquet of the association has been allowed to go by default for two or three years These entertainments do not entail any serious expense upon the association, but they do create the greatest possible prestige for our business in the estimation of those whose favor it is to our advantage to gain. Influential public men and men of business affairs having to do with transportation companies and steamship lines are entertained by us on these occasions with the greatest possible benefit to our business. Municipal officers, heads of departments, Members of Congress and of legislatures, and their favor and interest is legitimately gained and has been found to be of the greatest value when circumstances required it. The expense of our entertainment is wisely expended, and brings an adequate return for every dollar so spent.

So that these banquets this brazen association speaks of to influential public men bring an adequate return for every dollar so spent. That is one of the influences continually working unconsciously to bring about a booming of river and harbor works because it is of great benefit to them.

Now, there is another thing that I have been trying to satisfy my mind about. The Senator from Louisiana [Mr. RANSDELL] had a good deal to say about railroad influence. I have been trying to figure out just what caused the railroads to contribute to the Mississippi Levee Association if the navigation which was the purpose of the association, I assume in part at least, was to be so injurious to the railroads. Mr. Fox, who was secretary and manager of the Mississippi Levee Association, has not denied the authenticity, and I think it has been practically conceded in this body, of an insertion in the New Orleans Item of October 21, 1913, setting forth the amount of those subscriptions.

In what purported to be a statement made by him and which, I assume, is true, it is stated:

It has been estimated that a minimum fund of $30,000 per annum is necessary for this organization to do its work in a complete and thorough manner, and already a considerable portion of this sum has been pledged annually for five years (of $150,000 in all). The subscriptions are as follows:

Southern Railway Co	$1,000
Mobile & Ohio R. R	1,000
Frisco R. R	1,000
Missouri Pacific R. R	1,000
Chicago, Rock Island & Pacific R. R	1,000
St. Louis & Southwestern Ry	1,000
Illinois Central	1,000
Yazoo & Mississippi Valley	1,000
Chicago Mill & Lumber Co	1,000
Caldwell & Smith, Memphis	1,000
International Harvester Co	1,000

Assurance has been given of other substantial amounts.

Mr. SHEPPARD. From what document is the Senator from Iowa reading?

Mr. KENYON. I am reading from a photographic copy of a statement made by Mr. Fox, secretary and manager of the Mississippi Levee Association.

I am going to talk slowly, Mr. President, out of consideration for our faithful reporters. I think we do not sufficiently appreciate the tremendous amount of work they do, they now having worked entirely through the night.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). Does the Senator from Iowa yield to the Senator from Kansas?

Mr. KENYON. I do.

Mr. THOMPSON. Mr. President, I arose this morning upon a question of personal privilege relative to the matter of securing my attendance in the Senate, but was denied the right to speak because of the absence of a quorum. I simply wish to say that I remained in the Senate until nearly 12 o'clock last night, and I had no notice that the Senate was going to continue in session all night. My idea was that the Senate would adjourn soon, and perhaps before I could reach home. So I went home and went to bed at about 1.30 o'clock a. m., where I remained until I answered the alarm at my door at about 5 o'clock a. m. I had missed only one roll call during the night when a quorum was secured without me.

A short time ago there was a petition circulated asking various Senators if they would agree to remain to keep a quorum until 11 o'clock in the evening. I signed that petition and lived up to that agreement, and I presumed we were proceeding under it. I did not know the session was to continue throughout the night, and was not informed that my attendance was needed until the deputy sergeant at arms knocked at my door at about 5 o'clock this morning. I think the RECORD will show that I have been about as constant in my attendance upon the Senate as has any other Senator. If I had had notice that my attendance was necessary, I would have been here without the assistant sergeant at arms coming after me, although I had only a few hours' rest. Under the circumstances, therefore, I feel that this extraordinary procedure was entirely unnecessary and unjustifiable.

In this connection, Mr. President, I wish to say that I have ascertained that there will be no trouble about maintaining a quorum during the day, and I have made arrangements to go to Berryville, Va., leaving here at 9 o'clock, to attend an important farmers' meeting and to address them on the subject of "dry farming." I should like to have unanimous consent from the Senate to be absent for the balance of the day.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent to be excused from attendance upon the Senate to-day. Is there objection?

Mr. SIMMONS. What was the request, Mr. President?

The PRESIDING OFFICER. The Senator from Kansas asks permission to be excused from attendance upon the Senate to-day. Is there objection? The Chair hears none. The request is granted, and the Senator from Kansas is excused from attendance upon the Senate to-day.

Mr. KENYON. Mr. President, I have been trying to satisfy my mind concerning the Mississippi River proposition as to what was the wise thing to do. It is pretty hard for those of us in the Northern States who firmly believe that work should be done on the Mississippi River to protect the people to know how to vote when these different projects and different bills are arraigned by some and supported by others most interested. I hold in my hand an article from the New Orleans Item, of October 31, 1913. There seems to be a contest as to the Mississippi River whether what is known as the Newlands-Broussard bill is for the best interest of the people in that section of the country as a means of protection against the unfortunate floods that may come or whether what is known as the Humphreys-Ransdell bill is best.

The New Orleans Item, a paper in which I have the greatest confidence because of a long acquaintance and close personal friendship with the editor, seems to feel that what is known as the Humphreys-Ransdell bill is not the wisest bill. When the Senator from Louisiana [Mr. RANSDELL] some months ago was on the floor with relation to this bill, I was not familiar with it and am not now, but I said to him that I wanted to vote for the best measure for the protection of those people and their lands involving some plan of cooperation between the land owners, the State, and the Government. I wish the good people of Louisiana and Mississippi would get together on the proposition, because they know what is best for that section. If they are divided, how are we going to know what is the proper thing for us to do? I do hope the Mississippi River proposition is going to be divorced from these other river propositions.

Outside of the military question as to the Panama Canal, we had better have spent that money on the Mississippi River. We would not have had to spend so much, of course; but that is a great national problem. The waters that flow in my home State into the Des Moines and from the Des Moines into the Mississippi on down work havoc and destruction to as good a people as ever lived on the face of this earth. The Ohio River has not that same claim. That is a commercial proposition. I do not understand that it is so destructive. But if the Ohio is destructive and the Missouri is destructive, that simply trebles the destructiveness that comes in that section of our country below the union of those rivers.

The influence of dredgers' associations, to which I have referred, and reclamation associations and river and harbor congresses is potent. We can not pass them by; we know they exist; and, if the newspapers which have assailed this river and harbor bill so vigorously are to be criticized, it seems to me that these influences are vastly more entitled to criticism.

The Legislature of Louisiana passed an act some time ago which I desire to read into the RECORD. It is as follows:

[Louisiana State Legislature—House bill No. 514. By Mr. Leopold.]

An act authorizing the boards of levee commissioners to appropriate funds for the purpose of developing public sentiment favorable to increased appropriations by the National Government for our levee system.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That it is hereby declared to be within the powers and duties of the various boards of commissioners for the several levee districts of our State to develop and encourage the growth of public sentiment favoring increased national appropriations for the construction and maintenance of the system of Mississippi River levees, and to this end that they be, and are hereby, authorized, in the discretion of each individual levee board, to send delegates to conferences held for the above purposes, or to subscribe funds to national and interstate organizations created for the purpose of developing such public sentiment: *Provided*, The annual appropriation of any individual levee board for these purposes shall not exceed the sum of $1,000.

That is rather a remarkable statute. I do not mean to criticize it; I merely wonder that a State legislature should appropriate money for the purpose of developing public sentiment to help secure funds from the National Government. There is not very much State rights about that proposition.

The National Rivers and Harbors Congress has been a pretty busy institution in creating the same kind of sentiment; and it does seem to me that associations that are trying to create sentiment to influence Members of Congress are coming very near the lobby proposition. Some time ago, on July 27, 1914, they sent out a letter from Washington which I shall ask to insert in the RECORD and only read portions of it at this time.

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). Without objection, permission is granted.

Mr. KENYON. I thank the Chair. The letter is as follows:

NATIONAL RIVERS AND HARBORS CONGRESS,
Washington Office, July 27, 1914.

CENTRAL LUMBER CO., *Hudson, Wis.*

GENTLEMEN: One of the most violent attacks, if not the most violent, that has ever been made upon the policy of improving our national waterways has for some time been in progress in the Senate of the United States, supported by a portion of the daily press and certain periodicals of wide circulation.

Since 1910, when the policy of annual, instead of triennial, river and harbor bills was adopted, the estimates submitted by the Army engineers call only for the amount which can probably be expended during the succeeding fiscal year. To provide for continuous work on projects already under way, the pending bill should have been passed before July 1; and already, because of exhaustion of funds, work has been suspended on a number of improvements, and with every day of delay in the passage of the bill the number of suspensions will increase.

But that is not the worst of the situation. For many reasons Senators are anxious to get away from Washington; other legislation of great importance, and concerning which there is a wide difference of opinion, is yet to be considered. The river and harbor bill has had no right of way; it has received only brief and occasional consideration, and has now been definitely displaced by the trust-regulation bills, and can receive no further consideration until these have been finally disposed of. The rules of the Senate allow any Senator to speak on any subject to the limit of his endurance. In 1901 Senator Carter, unaided, talked a river and harbor bill to death. Several Senators are cooperating in the present attack. Some of them have stated directly that they consider the bill so bad that it ought to be defeated, and the tactics which have been pursued thus far look very much like a filibuster.

Out of about 350 waterway projects, only 15 are under the continuing-contract system. On all the rest, if the pending bill fails of passage, work must be stopped for at least a year; costly machinery will rust in idleness; efficient working forces built up during the past four years will be disorganized and scattered; uncompleted work will be damaged or destroyed; investments in terminals will be rendered unproductive; the movement, well under way in many parts of the country, for the restoration of navigation on our inland waterways will receive a serious check; the deepening of our ocean harbors will be delayed, while our foreign competitors take the cream of the benefits of the Panama Canal, and the railways will retain their monopoly of transportation for at least another year, meantime redoubling their efforts to retain it for all time by preventing the completion of a national system of connected waterways and harbors.

Along with the charge that this bill is "the most vicious and vulnerable" that has ever been framed must be considered the statement of Gen. Kingman, the Chief of Engineers, "My judgment is that there is less than one-half of 1 per cent of 'pork' in the river and harbor bill now pending in the Senate," and the assertions of Senators SIMMONS, SMITH of Michigan, and RANSDELL—all members of the Commerce Committee and of the subcommittee which devoted weeks of conscientious study to the framing of the bill—who have stated on the floor of the Senate that it does not include a single item which is not fully justified and that there is not one cent's worth of "pork" in it.

One of the enemies of the bill has intimated that it is highly improper for the people of a community to seek to promote the improvement of the waterways or harbors in which they are particularly interested or for a national organization with an office in Washington to request that any letters or telegrams shall be sent to Senators or Representatives regarding pending legislation.

Nevertheless I consider it my duty to inform you that unless the friends of waterways bestir themselves the bill is likely to fail, because after a month or more of debate on the trust-regulation bills through the heat of a Washington summer Senators will be so worn out that it will be very hard to keep a quorum present to consider other legislation, no matter how important it may be.

In the opinion of the writer the failure of the river and harbor bill would be nothing short of a national disaster. Whether you will take any steps to avert this threatened disaster is a matter which must be left for you to decide.

Very truly, yours, S. A. THOMPSON, *Secretary.*

This is sent to a lumber company in Wisconsin.

From my own State I am in receipt of a newspaper setting forth some of the correspondence received by the mayor of this city on the river from Mr. Thompson, secretary of the National Rivers and Harbors Congress. In that letter—

The mayor is urged to use his influence in keeping the Iowa Congressmen and Senators at Washington in order that a quorum may be had up to the final hour of adjournment. If a quorum of the Members of Congress can be maintained, it is contended that the bill can readily be enacted into law. With Muscatine on the Mississippi River, the following appeal addressed to Mayor Kern should be of interest locally.

This very interesting document refers to the question of Senator PENROSE to the Democratic leader, Senator KERN, as to the passage of a river and harbor bill; and the answer of the Senator from Indiana apparently did not satisfy this distinguished secretary of the National Rivers and Harbors Congress, because he says in this letter:

You will note that the agreement was not that the bill should be passed, but that it should be disposed of, which is a very different matter. It is very evident that the group of Senators who have been conducting the filibuster against the bill intend to continue their opposition. And in private conversation Senator KERN strongly emphasized the statement that has already been repeatedly made from this office, viz:

The passage of the river and harbor bill depends absolutely upon the maintenance of a quorum both in the Senate and the House.

I do not assume that this gentleman had any authority to speak for the Senator from Indiana. He says:

Do not make the mistake of supposing that the House has nothing more to do with the matter. Many amendments have been made to the bill as passed by the House, which makes it necessary that the bill, when passed by the Senate, shall be sent to conference, and the report of the conference committee must receive an affirmative vote, both in the House and the Senate, before the bill will be finally passed.

Weariness from the almost continuous sessions during the past two years—

No reference is made here to the weariness of night sessions—

the near approach of the fall campaign—

That was in July—

and many other reasons make it entirely natural that Senators and Members should be anxious to leave Washington as soon as the trust bills and emergency legislation made necessary by the war in Europe shall be disposed of. Nothing but the pressure of public opinion will insure the maintenance of a quorum until the river and harbor bill is passed.

We are going to bring a pressure now, not of public opinion but against public opinion, to bring the Senators here under the order by means of special sergeants at arms, under reasonable compensation, I assume.

That pressure must be exerted and the quorum maintained, for the failure of the bill would be nothing short of a national disaster.

* * * * * * *

Thus far those who have conducted the filibuster have made only general charges instead of specific criticisms. They and certain newspapers and periodicals which have approved their course seem to want not to eliminate objectionable items, but to defeat the bill as a whole. It should be remembered that it is ten times as easy to defeat a bill at the short session of Congress as at the long session. If the bill of 1914 is defeated, there is little hope for one next year.

Petitions, memorials, and resolutions adopted by commercial organizations are all effective means of influencing Senators and Representatives, but the most effective method is a flood of genuinely personal letters and telegrams from their constituents. Duplicated letters and telegrams in identical language will not answer—in fact, do harm rather than good—but no Member of either the House or the Senate will fail to heed hundreds or thousands of letters and telegrams which are evidently written by those whose names are signed thereto.

This is one of the wisest diplomats that this association has in its service that it ever has been my pleasure to observe.

Now, that is not all; and I want to make my case against this method of affecting public sentiment, in view of this criticism here.

Out in Astoria their paper, the Daily Budget, of September 1, 1914—which has been blue-penciled and sent, I suppose, to most Members of Congress—contains "the pleasing language with which Capt. Wilson I. Davenny, field secretary of the National Rivers and Harbors Congress, described his impressions at the rooms of the Port of Columbia Commercial Club. The meeting was under the auspices of the Columbia and Snake River Waterways Association, which was joined by every commercial organization in the city."

This distinguished representative, who was engaged in the business of creating public sentiment, said to these people, among other things, this—and I will read only a very short portion of it:

You people have a laudable ambition. Everywhere I have been today I hear your demand for nothing less than 40 feet in the channel across the shoal at the mouth of the river. Such an object is a commendable one, and when accomplished will place you on the great international highway of commerce. It is an ambition that looks big for a little community like this, when one considers that New York, with all her wealth and influence, has been working for years on a similar project, and to-day there is only that amount of water in the Ambrose Channel. But you can attain your goal if you but persist and the Rivers and Harbors Congress will help you, as it is through that body you have a means of reaching the legislative branch of the Government, with the backing of the representative interests of the entire Nation.

The improvement of river channels—

Says this field agent—

and of harbors does not come by accident, but in accordance with a well-defined and studied plan. The Rivers and Harbors Congress is the center around which that plan is worked out. It is an organization of the live ones of the country, who realize the importance of improving our means of transportation and lowering its cost.

And in the letters which they send out they have as a motto, "Second only in importance to the Congress of the United States."

The result thus far has been the passing of four annual appropriation bills, not including the one which is now pending. It is strange how few people understand the problem of transportation and the portion of its cost which each must pay, as well as the bearing which our waterways have upon it. Transportation cost is a concealed tax, and every commodity must stand its portion. Search the world over and you find the cities which are the centers of activities are those located adjacent to bodies of navigable waters. With due deference to the Interstate Commerce Commission, it may be fairly said that improved waterways are the best regulators of transportation rates.

Then the distinguished gentleman proceeds to consider that to some extent, and says:

The passage of the rivers and harbors measure is one which concerns the commercial welfare of the entire country. It is not one based on selfish motives, but for fostering the industrial development of the land. Any Congressman, any Senator, or any newspaper which opposes it is an enemy to your advancement.

Here was the great argument that this gentleman presented, but that kind of argument does not always carry weight with some Oregonians:

The bill gives to Oregon in cash and commitments one-eighth of the full sum to be appropriated. Why, then, should anyone here oppose it?

True; why should they? Why should anyone in any State, receiving any part of the money for use in that State, oppose great appropriation measures? That is the vice of the whole thing. That is the kind of public sentiment that this particular institution seems to be unconsciously building up.

Now, where does the money come from to carry on this great propaganda throughout this country? Why should it be necessary for large sums of money to be collected and spent in giving dredgers' association banquets to influential citizens, as I have read here from their statements? I do not want to neglect to read the condemnation of that from the New York Waterway Association, which seems to have a different conception of affairs. I want to use and get into the record in this case, which I am trying to preserve for appeal to what I consider a higher court—the court of the people of this country, who are going to pass on this question eventually—a letter which I am authorized to use, to Congressman FREAR, of Wisconsin, who fought this river and harbor bill in the House almost unassisted and alone, actuated by a public spirit that seldom has been witnessed in the Halls of the American Congress. This letter is from Mr. Richard M. McCann, the publisher of Waterways and Commerce, a monthly magazine devoted to restoration of the American merchant marine and the establishment of world peace. In it he says:

I inclose herewith original subscription lists obtained from a canvasser named Mr. John M. Williams, of the National Rivers and Harbors Congress, who received 50 per cent for obtaining the amounts set opposite each name As you will see, the subscriptions cover 1908, 1909, 1910, 1911, and 1912.

Here is a canvasser—if this authority is correct, and I assume it is—who is collecting money to be used in creating public sentiment, and receiving 50 per cent of what he collects; and these letters are going out, criticizing Members of Congress for the stand they may take as to this river and harbor bill, and paying the expenses of field representatives who go out and make their speeches and urge the passage of the measure.

We find that in 1910 the subscribers were the following:

List of 1910 subscribers from State of New Jersey to National Rivers and Harbors Congress.

A. B. Ayers, Newark, N. J., 358 Ogden Street, paid Sept. 6	$25
Builders' Material Supply Co., Henry W. Sayre, president, Newark, N. J. paid Sept. 6	25
Balback Smelting & Refining Co., Edward Randolph, secretary, Newark, N. J., paid Aug. 17	50
Dr. M. R. Brinkman, Hackensack, N. J., paid Feb. 15	5
P. Ballantine & Sons, Newark, N. J., paid Feb. 12	10
James Crowell, 364 Ogden Street, Newark, N. J., paid Aug. 29	50
John J. Cone, 532 Bergen Avenue, Jersey City, N. J., paid June 22	5
Columbia Insurance Co, Jersey City, N. J., paid Feb. 12	10
Eastwood Wire Manufacturing Co., John H. Eastwood, treasurer, Bellville, N. J., paid Sept. 10	25
James S. Higbie, care of James R. Sayre, jr., & Co., Newark, N. J., paid Mar. 9 (for 1910 and 1911)	5
William A. Jones & Son, Newark, N. J., paid Sept. 10	25
Lister's Agricultural Chemical Works, Newark, N. J., paid Aug. 18	50
Marshall & Co., Newark, N. J., paid Sept. 10	50
Board of Trade, Newark, N. J., paid Oct. 3	100
Newark Express & Transportation Co., J. H. Wood, president, Newark, N. J., paid Sept. 24	25
The Nairn Linoleum Co., Kearney, N. J., paid Feb. 7	10
Philadelphia-Trenton-New York Deeper Waterways Association, C. Arthur Metzger, secretary, Trenton, N. J., paid June 14	100
Passaic River Protective Association, William A. Jones, jr., secretary, Newark, N. J., paid Dec. 16	25
Mitchell B. Perkins, Beverly N. J., paid Jan. 24	$5
George F. Reeve, 88 Front Street, Newark, N. J., paid May 23	5
Standard Oil Co., C. E. Young, manager, Newark, N. J., paid Sept. 12	25
J. C. Smith & Wallace Co., Newark, N. J., paid Sept. 6	25
James R. Sayre, jr., & Co., Newark, N. J., paid Sept. 6	20
Peter Shields, Cape May, N. J., paid Jan. 27	5
Trenton Chamber of Commerce, Trenton, N. J., paid Nov. 16	25
Tomkins Bros., Newark, N. J., paid Aug. 3	30
Van Kuren & Sons, Newark, N. J., paid Aug. 29	10
Walsh & Sons Co., Newark, N. J., paid Sept. 10	10
George W. Tomkins, Newark, N. J., paid Aug. 3	20

I have also a list for other years, which possibly it will not be necessary to insert in the RECORD.

Then I want to call attention to a letter along this same line of influence, and it is one of threats with relation to this river and harbor bill. This is a letter to Senator BURTON from the G. H. Williams Co., E. P. Lord, secretary, of Cleveland, Ohio, and I am going to read it because I want it in the RECORD:

CLEVELAND, OHIO, *September 10, 1914.*

Hon. THEODORE E. BURTON,
United States Senate, Washington, D. C.

DEAR SIR: As manufacturers of special machinery used very largely by river and harbor contractors and United States engineers doing that class of work, we desire to express the wish that the opposition to the passage of the rivers and harbors bill now before the Senate be so modified or withdrawn that the full passage of the bill may be assured at the earliest moment.

It seems to us that the manufacturers of the country at large are suffering sufficiently through the general depression and lack of business of all kinds and that there should be nothing done by the Government that would add to the troubles we already have.

A very large volume of our business comes from the contractors who are working on dam contracts along the rivers, and also by United States engineers on river and harbor work in all sections of the country. We have quite recently been following up our previous orders from these various sources to obtain some expression as to when we might anticipate further business, and in every case thus far we have received one and the same reply, and that is that all construction work in their district has been suspended on account of the failure of Congress to pass the rivers and harbors bill and that they would not be in the market for clam-shell buckets or other material in our line until this bill passed; and from the extreme South, where we do considerable business, they go so far as to say that all field operations have practically ceased in that section for lack of funds; thousands of men are lying idle, and the contractors express their determination that they will never buy anything made in Ohio owing to the fact that our Senators are strenuously opposing the rivers and harbors bill.

So here comes this insidious influence working around through boycott channels to try to stop Senators who may be honest from opposing this measure:

From this particular class of business we have been receiving a very large bulk and volume of our trade and which now is absolutely flat. We do not have one order on our books, and the necessity of closing down our plant stares us in the face; and if this harbors and rivers bill is not passed and all the vast amount of work of this kind is cut off, and the large contractors, who are our best customers, are obliged to suspend operations, there will be no further business for us until a change takes place. We therefore ask your aid in seeing that this bill is passed, and that at as early a date as possible.

Respectfully submitted.

THE G. H. WILLIAMS CO.,
E. P. LORD, *Secretary.*

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). Does the Senator from Iowa yield to the Senator from Ohio?

Mr. KENYON. I do.

Mr. POMERENE. The Senator from Iowa has just read a letter which was written to the Senator from Ohio [Mr. BURTON] by the G. H. Williams Co., of which E. P. Lord is secretary. I received, perhaps about the same day, identically the same letter. Here is an Ohio firm, I am ashamed to confess it, that writes to the Senators of that State asking them to stop all opposition to this bill, which involves the expenditure of about $53,000,000, for what reason? Because the bill is right? No. Because the items therein provided for are proper items of expenditure by the Government? No. But the single reason urged is that this firm of manufacturers, out of the $53,000,000 of expenditure from the Public Treasury, may be able to get orders for a few clam-shell buckets, and they are inspired to write this letter because, they say, there are some contractors in the South who are interested in this measure.

I am not holding the South responsible for this. I am not going to question the high purposes that lie back of the authorship of most of the items in this bill. Most of these items, so far as I am familiar with them, have my most hearty concurrence. But when we have certain manufacturers and contractors attempting to influence public servants in the performance of their duty, and, in substance, asking them to disregard their sworn oaths, language fails me in my effort to either describe the letter or the writer of it, even if he is from my State, or the southern contractors whose correspondence seems to have inspired it. Judging their moral and civic character by this letter, they must, to say the least, be lacking in a proper conception of public duty.

Mr. KENYON. The letter the Senator has is identical, I assume, with the one I read.

Mr. POMERENE. I understood from my colleague that he had such a letter, and while the Senator from Iowa was reading it I compared the one I have in my hand with it. It is identically the same.

I am not going to be deterred in the position I shall hereafter take with reference to this bill by the contents of this letter. It is so contemptible in its spirit that it deserves to be treated with silence. There have been other matters that have come to my attention. I have been waited upon and told that this bill was right in all respects, and that I should vote for it as it is. I am not in the habit of accepting dictation from men who come to me in that spirit. I recognize that it is a very great honor to represent the great State of Ohio on the floor of this Chamber, but I am more honored by the opposition of men who can write a letter of this kind than I can be honored by a seat in this Chamber.

Mr. MYERS. Mr. President, I rise to a question of personal privilege. I have an engagement at 9.30 o'clock. I ask leave to be excused until I can return, in about an hour or an hour and a half from now.

The PRESIDING OFFICER. The Senator from Montana asks unanimous consent to be excused from attendance in the Senate for an hour or an hour and a half. Is there objection?

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa object?

Mr. KENYON. I was going to ask if this was a breakfast engagement.

Mr. MYERS. No; I have had my breakfast.

Mr. KENYON. I tender my congratulations to the Senator.

Mr. SMOOT. Mr. President, I ask the Chair whether, if unanimous consent is given, it will be considered as business of the Senate, because I do not want to give consent if it is going to jeopardize in any way the right of the Senator from Iowa.

The PRESIDING OFFICER. The present occupant of the Chair would rule on that question when it is presented. The Chair understands that it is not presented at this time.

Mr. KENYON. I can not think that anyone would raise a question where a Senator rises to a question of personal privilege.

Mr. SMOOT. I do not believe they would. I only rose so that the Senate may know that the question did arise, and I wanted the Senate to know that if it were to be considered business I would object. But I am not going to object, Mr. President, with that statement.

The PRESIDING OFFICER. There being no objection, the Senator from Montana is excused.

Mr. POMERENE. Mr. President, the great State of Ohio is washed on its southern boundary by the Ohio River. The people who live in that great valley are very much interested in this appropriation bill. It carries large amounts for the building of locks, which constitute a part of a great scheme of improvement which is meant to make that river navigable a greater part, if not the whole, of the year. It goes through the heart of one of the richest sections of this great country in natural resources. Perhaps the State of Pennsylvania and the State of West Virginia and the eastern part of Kentucky send more coal down this river and thence to the Mississippi River than goes to the South from any other section of the country. Kentucky, Indiana, Illinois are all interested among the Northern States. Some of these States——

Mr. LEA of Tennessee. Mr. President, I rise to a point of order.

The PRESIDING OFFICER (Mr. ROBINSON). The Senator will state his point of order.

Mr. LEA of Tennessee. The Senator from Iowa yielded to the Senator from Ohio. It is evident that the Senator from Ohio is not desiring merely to ask a question. If the Senator from Iowa intends to retain the floor, then I must object to his yielding.

Mr. POMERENE. Nothing was further from my thought when I entered the Chamber this morning than to have anything to say during this day's session. The Senator from Iowa——

The PRESIDING OFFICER. The Senator from Ohio will realize that the Senator from Tennessee, having made the point of order that the Senator from Iowa can not yield to the Senator from Ohio to make a speech, the Chair is compelled to sustain the point of order.

Mr. POMERENE. I was only going——

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. POMERENE. Very well.

The PRESIDING OFFICER. The Senator from Iowa will proceed.

Mr. KENYON. I am sure there will be no charge of any conspiracy between the Senator from Ohio and myself.

The PRESIDING OFFICER. The Chair is unable to hear what the Senator from Iowa is saying if he is addressing his remark to the Chair.

Mr. KENYON. No; I am addressing it to the Senate.

The New York Board of Trade and Transportation gave out a very interesting document in response to the invitation to consider the attitude they should adopt toward this National Rivers and Harbors Congress. Some parts of it I am desirous of placing in the RECORD, but some parts which perhaps might be offensive to Members of Congress I do not want to place there. They say:

The National Rivers and Harbors Congress is an alliance of individuals, firms and corporations, waterway associations, and other organizations. It has a president, an executive committee, and a secretary-treasurer. The members of the association pay annual dues. Its object, as stated in its circulars, is "to arouse public interest to such an extent that a united demand, coming fom all sections of the country for regular and adequate rivers and harbors appropriations, will induce Congress to provide an annual river and harbor bill of $50,000,000."

The New York Board of Trade and Transportation is invited and urged to become a member of the National Rivers and Harbors Congress.

The chairman of your committee personally conferred with a representative of the organization and has been fully informed of its purposes and methods. Its whole work, as stated in the objects quoted, is to be directed toward making an effective demand upon Congress for appropriations. Its policy is that no specific projects of public improvement shall be individually indorsed by the organization. A general indorsement is given to all projects heretofore approved by the United States engineers, and the completion of which would require from $320,000,000 to $350,000,000; but no effort is made to ascertain or verify the necessity of such projects and plans.

The next paragraph I shall exclude.

It is manifest—

Speaking of the plan—

It is manifest that such a plan should appeal strongly to many localities whose natural conditions are forbidding and unattractive to commerce and whose commerce is consequently small. It is quite within reasonable expectation that the people of such localities would be encouraged to hope or believe that by uniting to swell the demand for larger appropriations enough might be drawn from the Treasury to satisfy the demands of more necessitous projects and leave them a little by way of reward for their help and to encourage them to continue their "interest and cooperation." Every congressional district thus enlisted would deliver one additional vote in Congress for the blanket proposition.

* * * * * * *

The policy of the National Rivers and Harbors Congress would make the task no easier for the chairman of the Rivers and Harbors Committee. There would be more money to go around, but if the Rivers and Harbors Congress should succeed in their plan "to arouse public interest—they should have said 'cupidity'—to such an extent that a united demand, coming from all sections of the country," would develop new schemes of improvement before unheard of, the demands upon him for unworthy projects would be increased far out of proportion to the worthy ones, and so the difficulties would be aggravated.

In conclusion they say:

In conclusion, we desire to make our position clear. As an organization we have done much for the improvement of the water transportation. We may stand upon our record as to that and will not swerve from our faith in the future; but we are opposed to the plans of the National Rivers and Harbors Congress, and urge the business interests of the country to consider carefully the evils of the system which would result from its success.

It is the duty and should be the care of the exponent organizations throughout the country to guard at all times the public interests of the city, State, and Nation with unswerving integrity of purpose, and to encourage by every means at their command the highest possible standard of action in all the affairs of our public life. They can not, without doing an injury to the body politic, shift from their own shoulders to others any responsibility which they themselves should assume. They can not, without giving conscientious and painstaking study and consideration, indorse important projects and measures or general and vaguely defined policies, and to leave to others the working of them out to a conclusion without danger of harm. The conditions inherent in our public life are such that the gravest dangers attend and menace the interests of the people at each step from the initiation and promotion to the consummation of all public measures and works under every branch of our Government. These conditions make easier the evasion of individual responsibility and discourage the expression of opposition to measures which appeal to the individual conscience as wrong. They foster cupidity and encourage duplicity and fraud, and where the objects in view depend for success upon access to the Public Treasury the moral resistance is relaxed.

We therefore view with apprehension this systematic propaganda by influential men and organizations, which our experience and judgment tells us, unless checked by the more conservative elements of the people, will ultimately lead to the wildest extravagance and waste of the public moneys which has ever marked our history.

Your committee therefore recommends that the New York Board of Transportation and Trade decline the request to become a member of the National Rivers and Harbors Congress.

While expressing our disapproval of the methods of the National Rivers and Harbors Congress we have great pleasure in commending the action of President Roosevelt in appointing on the 14th of the present month the Inland Waterways Commission, whose duty will be to report a comprehensive plan for the improvement and control of the river systems of the United States. The President in his letter of appointment to the members of the commission, who have been manifestly selected for their eminent qualifications and fitness for the duty imposed, outlines at length his views, which are patriotic, broad, and comprehensive. The appointment of the Inland Waterways Commission is, to our

minds, a first important step in the right direction, which gives promise of the development of a national plan, taking knowledge of all river improvements which should properly be nationalized, and eliminating the elements of danger to which we have hereinbefore referred.

Upon such a plan, which will indicate in advance what the improvements are contemplated, what they will accomplish for the welfare of the country, and what they will cost, all the organizations of the country should unite.

Respectfully submitted.

S. V. V. HUNTINGTON, *Chairman*,
W. S. ARMSTRONG,
CHAS. H. PATRICK,
EUGENE H. CONKLIN,
THOS. F. MAIN,
Special Committee.

The foregoing report was unanimously adopted by the New York Board of Trade and Transportation March 27, 1907.

A true copy.

Attest:

FRANK S. GARDNER, *Secretary.*

Mr. President, on this general Mississippi proposition I want to insert in the RECORD, if I may, without taking time to read it, an article from the New Orleans Item. It is not in any way critical of any person or any thing, but is a highly eulogistic article on the possibilities of the country lying along the lower Mississippi River when some plan is adopted to stop the loss and waste by overflow, a plan which I hope will be evolved before long, and a plan which will receive my enthusiastic support.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent to insert in the RECORD the article indicated. Is there objection? The Chair hears none, and permission to do so is granted.

The article referred to is as follows:

[From the New Orleans Item, May 23, 1913.]

WHEN THE VALLEY IS REDEEMED.

Let us draw breath a moment in the strife, stop to tighten belts and lean upon our weapons, scan with placid and contented eye the moiling fragments of the scattered, frothing enemy, and then glance beyond the batle lines to the certain victory.

The space of peace is pardonable. We stand entrenched in truth. The cause is just—God knows none other touches nearer our hearts and homes. The foe is really ignorance, and for the fighters under that banner we can feel pity while we smite them hip and thigh.

Picture the valley, 10 years hence, with the flood menace long since lifted, with the resource, the purse and mind and conscience of the great Republic, busy completing the task of redeeming and conserving against the waste of future ages the uncounted boundless wealth that fate and nature have given to us here between the Rockies and the Alleghenies:

In the Appalachians the new forests on the watersheds will have begun to grow anew. On the mountain slopes of upland America the agents of a beneficent Government will have shown the natives how to terrace their hillside farms. In the gorges and valleys of the Allegheny and Monongahela, the Kentucky, the Cumberland, the reservoirs will be finished On the watersheds of the Ohio to the northward science will have worked out plans to prevent the recurrence of the disaster to come from such floods as 1913. Along the Ohio the locks and dams whose construction has dragged for years will be finished. From out the harbors of Pittsburgh, Louisville, Indianapolis, and Cincinnati will be moving vast fleets of barges and modern river craft, bearing to the markets of the South the product of the greatest freight-producing region on this earth—bearing it at the cheapest freight rate the world knows, by the easiest, surest route, to the greatest market in the history of mankind.

Far up the upper Mississippi the canals through to the Great Lakes will be built. Boats will be loading in Minneapolis, in Chicago, in Duluth, Cleveland, Milwaukee, Rock Island, with all the myriad articles their factories and their fields and mines produce that folk to the southward need. Reservoirs above Minneapolis will have lifted danger of flood from a vast area there. From great water-power plants established on the dams hydroelectric power will keep the busy factories humming through the nights and days, the charge therefor maintaining the works for flood prevention and stream control.

Away in the far Northwest, on millions of acres of land now lying barren to the suns of summer and the winter winds, the quiet farms will guard their fertile acres, where the water is kept on the "land that wants it" and off the land that doesn't. From out the prairies the tide of corn and wheat will move toward the river towns on the Missouri, there by barge to seek the route that nature marked thousands of years ago, down to the southern sea. The Missouri, no longer the sullen, vengeful, reckless stream of disorder and disaster, will carry again the argosies of commerce. On the distant mountain sides the new sapling forests will begin anew to catch and hold the humus and the moisture. Cared for, handled, guarded, controlled, the "blessed rain," no longer an agent of destruction everywhere, will be man's best instrument of plenty and prosperity.

So to the southward may we picture the change—Memphis no longer a promontory in a springtime inland sea, with busied Army officers sending out relief expeditions into the flooded area, but instead a great "port of call" on the river route to the markets beyond the Gulf and beyond the canal; with warehouses, wharves, elevators, lining its river front; the new-style river steamers replacing the ancient boats of the "Lee Line" and the old *Kate Adams;* the harbor busy as that of Hamburg or any city on the Rhine or Elbe; and the whole mind of the people turned away from the dread of disaster to busy thinking of how best to turn to use the tremendous instrument which nature gave and man retained for a Nation's use.

Imagine the significance of that altered frame of mind on down the valley! Vision the dwellers on the rich lands of the Mississippi Delta, of the Arkansas lowlands, no longer dreading floods! Think of their initiative, freed from the numbing weight of the "flood menace"! Picture the stream flow regulated, levees strong enough to stand the height beyond which the people know the waters can not go and banks assured against all caving! Picture Helena, Arkansas City, Greenville, absolutely safe for themselves and for the region around about them!

Vision that security in upper Louisiana, in the country facing Vicksburg and Natchez; imagine it in the lowlands along the Red, the Ouachita, the Black. Picture the change in the waste land about the junction of the Red, the Mississippi, and the Atchafayala—with the swamps reclaimed, with a great controlled sluiceway across Old River, with adequate levees on both sides the Atchafalaya to the Gulf, with locks that will continue navigation while the gated dam controls the stream flow to Red and Mississippi alike.

In Pointe Coupee and West Baton Rouge, in Iberville and Ascension, the current would have ceased to gnaw, the herald of alarm would no longer call the countryside to battle against the water as against a living, vengeful enemy. The banks would be fixed, the levees would be strong and broad and built for the ages.

At Bayou Plaquemine, at Manchac, at Lafourche, perhaps at other places, there would be regulated, guarded, absolutely controlled spillways, themselves leveed and guarded out to the lakes, to take off the surplus water, insurance against any greater height than the levees would be built to sustain.

In all the region men would go about their business absolutely sure. No longer would the winds of March bring fear and the April rains disaster.

And in all the valley the new measure of activity, of commerce, of business, would converge toward the valley's outlet to the southward.

To the empty acres of Louisiana and Mississippi the flocking land-hungry emigrants from the Middle West would have rushed the moment the "flood menace" had been made sure of extinction. Already the millions of acres of reclaimed and reclaimable land about the mouth of the Mississippi would have been taken up. The swamps would have been cleared and drained; the great estates cut up into busy farms. Good roads, good schools, quickened life and trade, already would have remade the life of all. In the towns and villages a new era would have come, a new point of view been opened, a new hope and a new confidence creating a new activity.

And sitting at the valley's gate, New Orleans, redeemed, and safe and whole, would sit the beneficiary of all the change from far-off watersheds in the mountains of the East and West down to the very Gulf. To her merchants would come the trade of the new dwellers on the safe lands of the South; to her banks would center the surplus capital of the region relieved from danger; to her docks and wharves would come the river craft from the Ohio, the Missouri, the Great Lakes, the upper Mississippi, the Red, the Cumberland, the Kentucky, the Tennessee; and to her harbor would assemble the ships of all the seven seas to barter cargoes with the craft from the inland waters.

A "dream"?

"Too good to be true?" in the poetic language of the facile "Pic."

So men sneered at the suggestion that the Great American Desert would ever be smiling farm land. So elder statesmen as wise and weird as RANSDELL laughed to scorn the suggestion that Oregon and Washington were worth fighting for. So the reclamation act was laughed at and the Appalachian bill said to be a "joke." So men scoffed at Edison when he explained his incandescent lamp. So railroad-owned newspapers and their blind followers prodded old John B. Morgan, when through the harassed years he took the part of modern Cato, and ever thundered that "The canal must be dug." So learned engineers told Goethals and Roosevelt that the Panama Canal never could be completed in the exact way, shape, and form in which it is being completed.

So our own fossils of many years ago told Eads the jetties wouldn't work. So our own Supreme Court wisely asserted that no human power could ever filter enough Mississippi River water for New Orleans to drink and bathe in. Yet the jetties are built and working, and the filtered water is at hand for anyone who will turn the faucet.

A dream?

No. A plain picture in the large of the exact changes that have been wrought on smaller scale by these exact means in other regions; a picture of what we can get for the Mississippi Valley.

It is this which the Newlands bill has in view. Mr. RANSDELL has said that the Newlands bill furnishes "ample means to build levees on the Mississippi and protect us from floods." His bill proposes no more than that. Isn't the bare possibility that this "dream" might be made true in its other particulars enough to make it worth working for?

Mr. KENYON. Mr. President, I am going to take a little more time, but not a great deal, to complete the line of thought and the illustrations which were occupying my attention at the time of the unfortunate attempt to apply what the Senator from Missouri [Mr. REED] termed a gag rule. I had been trying to make the point, which seemed a good one to me, if it did not to anyone else, that where harbors were entirely controlled as to the lands necessary for docks by the railroads, simply to vote a large sum of money for improving that harbor was in the nature of voting a subsidy to the railroads, and that there ought to be some plan in this bill, and I shall offer amendments to this bill, providing that where the railroads have absolutely acquired all the facilities in these harbors, as I have shown they have in some harbors and shall show they have done in others; that the railroad or railroads constituting a local interest ought to be compelled to pay some part of the expense; it ought to be proportioned in some way, and the Government ought not to be compelled to pay it all. There may be some flaw in that somewhere; I have not as yet been able to see just where it is, and I do not see why we should go on year after year in harbor after harbor in this country where no one has any rights except they acquire them from the railroad companies who have gobbled up all the available land around and spent a great lot of money there. Of course it helps commerce. There is the broader question that vessels sailing in there are bringing people and bringing goods and developing prosperity, but they would do it just as much if the railroads were compelled to contribute some part; and I shall place in the RECORD some illustrations.

The Boston water front does not seem to be subject to that complaint. The State there has quite a large undeveloped tract with large possibilities for terminal use. The report of the Commissioner of Corporations on transportation by water in the

United States, part 3, sets out the facts with relation to these different harbors.

I shall not read these extracts simply to take up time, but in order to have in my remarks for future reference by myself at least, because they will not be read by anyone else probably, facts in relation to the different harbors and a compilation of the information as to the ownership of the terminal facilities throughout the harbors in our country by the railroad companies. The commissioner says as to Philadelphia:

This is a river harbor, readily accessible by ocean-going vessels. Both the commercial and the industrial uses are important, the former predominating. The harbor is not well organized. A considerable proportion of the most active water front is controlled and occupied by railroads, to the extent that such commercial use for through traffic unduly hampers the proper local and industrial use.

* * * * * * *

Ownership: The striking fact about Philadelphia is the ownership of the frontage. The city owns less than 8 per cent of the developed Delaware River frontage, and its holdings are mainly narrow and practically unavailable street ends. The city has 10 general piers on the Delaware, which is the important frontage. Out of over 3,500 feet owned by the city on that river, only 1,400 are not leased. It also owns five ferry piers on the Delaware. On the Schuylkill it owns about 6,300 feet out of about 78,000.

The railroad holdings are very large. Of nearly 7 miles of the most highly developed part of the Delaware River frontage, railroads own over 45 per cent and occupy still more. On the Schuylkill they own about 9,500 feet.

* * * * * * *

The attitude of the railroads—

Says the commissioner who made this investigation—

as to their frontage holdings has been highly exclusive and adverse to general water traffic. Railroads as a rule refuse any use of their piers for freight not going over their particular lines, and oppose independent lighterage. Thus lighters can not come to a railroad pier to get freight for independent water or rail lines. The results are important, in view of the extensive railroad control of water terminals. Most of the intraharbor transfers, therefore, are by railway switching or by drayage, thus reducing the coordination by water. Another result is that there is almost no pier room for independent or tramp vessels.

The Philadelphia situation has long been one of almost complete absence of public control of the water terminals, and of dominance of water terminals by railroads, affecting unfavorably general water traffic as distinguished from exclusive water lines affiliated with railroads.

Now, that is an illustration as to the manner in which the Government is appropriating large sums of money for the Delaware River. I suppose the people may get some good out of it in increased commerce and some good, possibly, in the regulation of railroad rates; but the direct benefit is to the railroads, and they ought to be compelled to pay some part of the expense. I do not see why they should not do so; perhaps some one else does. If so, I should like to hear an explanation of it. I now quote from page 11:

The total water front of the harbor is about 18 miles. The most active frontage is about 6 miles. There is a considerable number of piers, some of them excellent but others in rather poor condition. There is a large amount of warehouse space and a number of grain elevators and coal-handling machinery, mostly railroad owned. The railroad water terminals are large and, as a rule, very well equipped.

Ownership: Of the entire harbor frontage, the city now owns 9 per cent—

That is a better showing than most of these harbors; in fact, that is a very good showing. That harbor is not subject to the criticism I am making, I think—

the railroads 17 per cent, and other private interests 74 per cent. In the last division there is a considerable frontage occupied by industrial concerns, notably chemical, ice, and fertilizer companies. There are two or three large dock companies with considerable holdings and with a number of wharves, some of them with rail connections.

After the great fire of 1904 the city entered upon an active municipal-wharf policy under the direction of the harbor commission, aided by the burnt-district commission.

* * * * * * *

NORFOLK, PORTSMOUTH, AND NEWPORT NEWS.

The harbor of Norfolk and Portsmouth and the adjacent harbor of Newport News are of considerable importance, with large railroad coal terminals. The harbor organization is only partial. Certain of the large through terminals, indeed, are distributed in outlying parts, but there is still much of the central frontage devoted to through terminals, thus absorbing for commercial use space that is more properly local and industrial. There results in Norfolk a frequent congestion of local traffic. The shape of the harbors would allow of much better organization.

Ownership: Much of the Norfolk city-owned frontage is under practically perpetual leases at low rates to railroads, water lines, and industrials. Railroads and steamship lines control a very large proportion of the Norfolk frontage; the Seaboard Air Line owns the greater part of the wharf frontage at Portsmouth. There is a marked insufficiency of independent wharf front. There is no open public pier at Norfolk.

OTHER ATLANTIC PORTS.

At the other Atlantic ports traffic conditions are less complex, and the question of harbor organization is of less immediate importance. But their harbor organization may be of serious concern in the future.

* * * * * * *

Ownership: As a rule, there is very little municipal ownership of water front in these ports. At Portland, Me., the water front is all private, about one-half of it owned by railroads. At Bangor the frontage is nine-tenths private, and much of it railroad holdings. At Providence the developed frontage is practically all private, with a very large railroad frontage, and many of the wharves occupied by industrial concerns. There are no "open" piers. A large proportion of the best harbor frontage of the ports of Long Island Sound is owned or controlled by the New York, New Haven & Hartford Railroad Co., largely through its subsidiary rail and water lines.

At New London, Conn., there is practically no city frontage, most of it being under railroad control. Most of the important New Haven frontage is railroad owned, and this is even more true of Bridgeport, Conn. On the Hudson River the Albany frontage is chiefly private, much of it railroad. At Troy, N. Y., the city owns only narrow street ends. The rest is mainly industrial. The Hudson River frontage in general, at the chief cities, is mainly private, being largely held by steamship lines, railroads, and industrials. The frontage of Burlington, on Lake Champlain, is nearly all railroad. At Wilmington, Del., as above noted, the city owns and has improved an important part of the frontage. At Trenton, N. J., the city owns none of the frontage on tidewater.

Mr. MARTINE of New Jersey. Mr. President, I will say, if I may be permitted——

Mr. KENYON. I shall be very glad to yield to the Senator.

Mr. MARTINE of New Jersey. That statement about the city of Trenton is too largely true. Along our whole——

Mr. SMITH of Georgia. Mr. President, I make the point of order that nothing but a question can be asked under the rule, and that a Senator can not interrupt a Senator to make a statement.

The PRESIDING OFFICER (Mr. JOHNSON in the chair). The point of order is sustained.

Mr. MARTINE of New Jersey. I do not know that I can add to the enlightenment of the Senate particularly—and I readily acquiesce in the point of order—but I think it rather a monstrous proposition.

Mr. KENYON. I continue reading from this document:

Richmond, Va., is exceptional in that none of its frontage is owned by railroads. The city owns about 11 per cent of the frontage. At Wilmington, N. C., there is considerable frontage occupied by railroads. At Charleston, S. C., practically all the best frontage is controlled by the Charleston Terminal Co., which concern is controlled jointly by the Atlantic Coast Line and the Southern Railway. At Savannah, Ga., the frontage is mostly private, the best of it being owned by railroads. At Augusta, Ga., the city owns all of the Georgia frontage. Jacksonville, Fla., is an important port, and at present is considerably congested. The city owns only street ends, and there are important railroad terminals and holdings here.

It thus appears that a very large proportion of the active terminal frontage along the Atlantic coast is held by railroads. In many cases this control is used to hinder the development of the rival water system. The legal status of such control has not been developed as far as might be expected.

Mr. SMOOT. Mr. President——

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

Mr. KENYON. I do.

Mr. SMOOT. Mr. President, there are very, very few Senators in the Chamber, and I——

Mr. SMITH of Georgia. Mr. President, I object to the Senator yielding, except for a question.

Mr. SMOOT. Oh, well, Mr. President, I suggest the absence of a quorum.

Mr. SMITH of Georgia. I object to the Senator yielding. The Senator has not a right to yield for any purpose except for a question, under the rules of the Senate.

Mr. SMOOT. The rules plainly say that a Senator has the right to suggest the absence of a quorum at any time.

Mr. SMITH of Georgia. The Senator from Utah has not the floor.

Mr. KENYON. Neither has the Senator from Georgia the floor.

Mr. SMITH of Georgia. I rose to a point of order.

Mr. SMOOT. Any Senator can rise to a point of order.

Mr. KENYON. I yielded to the Senator from Utah.

Mr. SMITH of Georgia. My point of order is that under the rules the Senator from Iowa can not yield to the Senator from Utah except for a question.

Mr. KENYON. We are having so many new rules now——

Mr. SMOOT. Mr. President, I rise to a point of order. The point of order is this: A Senator can suggest the absence of a quorum at any time, provided business has intervened since a quorum was last called. That has been the ruling of the Chair right along. I suggest the absence of a quorum.

Mr. FLETCHER. Mr. President, may I ask whether new business has intervened? I am not clear about that myself.

Mr. SMOOT. Yes; the business that has intervened was the laying on the table of the motion of the Senator from Ohio.

Mr. FLETCHER. There has been no roll call since then?

Mr. SMOOT. There has been no roll call since then.

Mr. FLETCHER. I am not sure about that.

Mr. KENYON. That is true.

Mr. SMOOT. I will ask the Senator from Iowa—he has been on the floor all the time—if that statement is not true?

Mr. KENYON. Yes; that is true. There has been no roll call. There was a motion to lay on the table, and it was acted on.

The PRESIDING OFFICER. The Chair will state that the record shows that the motion to lay on the table was made since the last roll call.

Mr. SMITH of Georgia. Mr. President, I desire to state my point of order a little more fully.

I concede that under the rules the Senator who is entitled to the floor can make a point of no quorum, but a Senator who is not entitled to the floor can not make the point; and that under the rules, as we have construed them, the Senator from Iowa can not yield the floor except to have a question asked. The Senator from Iowa could make the point of no quorum himself. I concede that.

Mr. SMOOT. I am so positive of the rule, Mr. President, that I will say nothing more about it. I know that if the position taken by the Senator from Georgia were correct he could not now make the statement he has made or bring the point of order before the Senate.

The PRESIDING OFFICER. The present occupant of the chair rules that the roll call is in order. The Secretary will call the roll.

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

Ashurst	Hollis	Martine, N. J.	Smith, Md.
Brady	Hughes	Overman	Smith, Mich.
Brandegee	James	Page	Smoot
Bryan	Johnson	Perkins	Stone
Burton	Jones	Pomerene	Swanson
Chamberlain	Lane	Shafroth	Thornton
Chilton	Lea, Tenn.	Sheppard	White
Crawford	Lee, Md.	Simmons	Williams
Fletcher	Lewis	Smith, Ga.	

Mr. PAGE. If I may be permitted, I should like to say that my colleague [Mr. DILLINGHAM] is unavoidably detained. He is paired with the senior Senator from Maryland [Mr. SMITH]. I wish to have this announcement stand for the day.

The PRESIDING OFFICER. Thirty-five Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absentees.

The Secretary called the names of absent Senators, and Mr. NELSON, Mr. SHIELDS, Mr. SMITH of South Carolina, Mr. STERLING, Mr. TOWNSEND, and Mr. WEST answered to their names when called.

Mr. FLETCHER. The junior Senator from Louisiana [Mr. RANSDELL] had an appointment for 10 o'clock this morning at the Department of Commerce. He has gone there to fill that engagement. He is absent, therefore, attending to public duties, and will return probably within the next 15 minutes.

Mr. CAMDEN, Mr. ROBINSON, Mr. WALSH, and Mr. CULBERSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. There is not a quorum present.

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

Mr. SIMMONS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators. Is that a standing order?

The PRESIDING OFFICER. The Chair is informed that there is a standing order to that effect.

Mr. SIMMONS. I think it was decided the other day that that order had to be made every time in order to compel their attendance.

The PRESIDING OFFICER. The Senator from North Carolina moves that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. MCCUMBER, Mr. SAULSBURY, Mr. VARDAMAN, and Mr. REED entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to their names. There is a quorum present.

Mr. BURTON. Mr. President, I desire to offer a substitute for section 1. I ask that it be read.

Mr. SIMMONS. What is it?

Mr. BURTON. A substitute for section 1 of the bill.

Mr. SIMMONS. There is a substitute already pending.

Mr. BURTON. The fact is, however, that that is merely lying on the table. It has not been formally offered and this has been formally offered.

Mr. SIMMONS. I move to lay it on the table.

Mr. BURTON. That can not be done until it has been read. It is for the Senate to know what it is.

Mr. SIMMONS. That is true. It has not been read.

Mr. BURTON. I ask that it be read in full.

The PRESIDING OFFICER. It will be read.

The Secretary proceeded to read Mr. BURTON's amendment, which was, in lieu of section 1 as it appears in the print to insert a substitute, and after having read for some time,

Mr. WALSH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WALSH. Under what rule are we obliged to listen to the reading of this document at this time?

The PRESIDING OFFICER. All amendments must be read by the Secretary for the information of the Senate.

Mr. WALSH. I assume that it would be read for consideration. I understand that the state of the record is this: Some days since the Senator from North Carolina [Mr. SIMMONS] offered a substitute.

The PRESIDING OFFICER. The Chair is informed that it was not offered.

Mr. BURTON. It was presented.

The PRESIDING OFFICER. Not offered.

Mr. BURTON. Whatever name you may use is immaterial, it was presented to lie on the table.

Mr. WALSH. Let me understand what is being done now.

Mr. BURTON. This is formally offered. It does not lie on the table. It is formally offered to the bill.

The PRESIDING OFFICER. The substitute offered by the Senator from North Carolina was reported and ordered to be printed and lie on the table, and it has not been formally offered.

Mr. WALSH. I understood when the Senator from Ohio offered it he said he would ask that it lie on the table.

Mr. BURTON. By no means. I offered it to the bill and asked that it be made a substitute for section 1.

Mr. WALSH. I thought I was quite accurate in my recollection that the Senator from Ohio said he offered it and asked that it lie on the table.

Mr. BURTON. Oh, no.

Mr. WALSH. Then a further parliamentary inquiry. There are certain amendments pending, I understand, to section 1 offered by the committee. This substitute will not be in order for consideration by the Senate until those amendments have been considered.

Mr. BURTON. I take it that that depends upon the agreement of the Senate. The usual form of agreement is that the committee amendments shall be taken up and read first. No such agreement has yet been made. So my amendment is in order.

Mr. WALSH. I have been consulting the precedents, and they quite clearly declare that in the absence of any other order the committee amendments are in order without any necessity for a former order of the Senate that the committee amendments be taken up, and that has been the uniform practice.

So I take it, Mr. President, that there is something before the Senate at this time or has been all night. I can not conceive what question has been before the Senate except it be the first amendment to section 1 offered by the committee.

Mr. BURTON. The ordinary question is, Shall the bill pass? It has been before the Senate and our discussion has been directed to the bill as a whole.

Mr. WALSH. I think the Senator will agree with me that that is not the question before the Senate. When amendments have been offered by the committee, those amendments having been offered I submit there is no such question before the Senate as, Shall the bill pass? That question would not be in order at all until after the amendments are disposed of and the bill is perfected.

So, Mr. President, I take it that we have been discussing, or it is presumed that we have been discussing, the first amendment to the bill. If that is correct, and I can not conceive how it can be otherwise, the amendment now offered by the Senator, while entirely proper to be received, is not before the Senate for consideration, and therefore there is no reason why it should be read. I know of no rule which will permit it to be read at this time except by the unanimous consent of the Senate.

Mr. BURTON. This amendment was offered as a substitute for section 1. Even if other amendments have been offered, and I do not think they have been, this amendment would be in order for offering and for reading at this time.

Mr. WALSH. Then I raise the point of order that the committee amendments are first to be considered; and that, particularly the first committee amendment, is the question before the Senate; and that a motion to substitute something in lieu of section 1 will not be in order until the committee amendments are disposed of, and the motion to substitute for section 1 being out of order at this time, there is no right to have the same read except by the unanimous consent of the Senate.

Mr. BURTON. This is the only amendment that has been offered and called up for consideration, and it is in order now.

The PRESIDING OFFICER. The present occupant of the chair has heard it stated from the chair several times that the usage of the Senate is that the Senate shall first act upon the committee amendments. The committee reported the bill with

certain amendments, but before the Senator in charge of the bill laid any of his amendments before the Senate for action the Senator from Ohio addressed the Chair and was recognized. The Chair does not understand that there is any rule of the Senate which requires under that usage the consideration of the committee amendments first.

Mr. SIMMONS. The bill has been before the Senate all the time with the committee amendments, and it is the constant practice, the daily and hourly practice, of the Chair to announce that the question before the Senate is the amendment of the committee.

The PRESIDING OFFICER. But before any of the amendments were laid before the Senate, or the attention of the Senate called to them, the Senator from Ohio addressed the Chair and was recognized and offered an amendment in the nature of a substitute, and no——

Mr. SIMMONS. I think this——

The PRESIDING OFFICER. Excuse me a moment. And no objection was made by any Member of the Senate at that time, and the Secretary was directed to read the amendment offered in the nature of a substitute by the Senator from Ohio.

Mr. SIMMONS. I raise the——

The PRESIDING OFFICER. If an objection is made it comes too late now.

Mr. SIMMONS. I do not catch the point of the Chair. The Senate has had under consideration for quite a long while the House bill with the amendments thereto made by the Senate Committee on Commerce. During all that time the question before the Senate has been the first amendment offered by the committee, and that is still the question before the Senate.

Mr. SMITH of Georgia. Mr. President, I think the confusion has perhaps grown out of the fact that the Secretary has called the attention of the Chair to a substitute prepared by the committee for the entire bill and the amendments submitted which had not been formally offered. The Senate has before it the House bill with the report of the committee with a number of amendments suggested by the committee to the House bill. They were formally presented to the Senate and are formally before the Senate now, and a substitute for the whole measure was prepared but not formally presented by the committee or by the acting chairman of the committee. Before that was formally presented the Senator from Ohio offered formally a substitute which is now being read.

Granted that this substitute can be read and is properly now laid before the Senate, still the question then would be to perfect the original bill with the amendments presented by the committee. That would be the first question before the Senate, and under Rule VIII it is expressly declared that the first consideration would come upon the amendments to the original proposition, the House bill.

Mr. BURTON. Mr. President, I think we are taking time unnecessarily. There is no denying that the committee ordinarily brings up its amendment and obtains unanimous consent for the offering of such amendment or amendments as it proposes. The bill was originally filed here with numerous amendments proposed by the committee. So far as any action has been taken by the committee those were impliedly withdrawn by the filing of the substitute for the whole first section, which was presented and laid on the table.

Now, this comes up as an amendment to section 1. It is offered and it is asked that it be read, and before anyone raises the point or insists on any right of the committee, 12 pages of that substitute were read, and I submit that even if there were, and I do not think there is any, irregularity, it is now too late to object.

Mr. SMITH of Georgia. I had not finished what I wanted to say.

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. SMITH of Georgia. If the presentation of the substitute amounted to a withdrawal of the original amendments, it was because they were actually withdrawn and the substitute of the committee was actually presented. If it was actually presented, then the substitute presented by the Senator from Ohio would be out of order, except simply that it might be read for information.

Mr. SIMMONS. Mr. President——

Mr. SMITH of Georgia. One moment. I suggest, Mr. President, that we turn to the RECORD and see exactly what the RECORD shows on that subject. If those amendments have been withdrawn and the substitute has been formally offered by the committee, then the substitute offered by the Senator from Ohio is out of order. It could only be read for information. If those amendments have not been withdrawn, then they are still pending as the amendments of the committee, and under Rule XVIII those amendments by the committee will be first for consideration.

Mr. SIMMONS. Mr. President, I have the RECORD here, and the RECORD shows:

Mr. SHEPPARD obtained the floor.
Mr. SIMMONS. Mr. President——
Mr. SHEPPARD. I yield to the Senator from North Carolina.
Mr. SIMMONS. On behalf of the Committee on Commerce I offer a substitute for section 1 of House bill 13811.

That was offered on the 14th day of September, when the bill was under consideration; the substitute on behalf of the committee has heretofore been offered; therefore the substitute which the Senator from Ohio offers is not in order at this time.

The PRESIDING OFFICER. The Chair will state to the Senator from North Carolina that the Chair was guided simply by the entry upon the bill itself and not by the RECORD. The entry on the bill says that it was "reported by Mr. SIMMONS, from the Committee on Commerce, to the bill making appropriations," and so forth. "Ordered to lie on the table and to be printed."

That is the memorandum on the bill itself.

Mr. SIMMONS. That is the memorandum on the bill; but when I presented the substitute to the Senate I offered it as a substitute for section 1, and not as a proposed amendment or a proposed substitute. I offered it as a substitute, and the RECORD so shows.

Mr. SMITH of Georgia. Then, Mr. President, the record of the Senate would control and not the mere entry of the Secretary on the bill, the entry evidently being incorrect.

Mr. TOWNSEND. Do I understand the Senator from North Carolina to say that he did not ask at any time to have the proposed substitute placed on the table?

Mr. SIMMONS. I will read the whole record, if the Senator thinks there is anything in that.

Mr. TOWNSEND. My understanding was very clearly that when the substitute was presented, or at some time at least, the Senator from North Carolina asked that it be tabled.

Mr. SIMMONS. I will read the entire record. It is as follows:

Mr. SIMMONS. On behalf of the Committee on Commerce I offer a substitute for section 1 of House bill 13811.
The PRESIDING OFFICER. The Senator from North Carolina offers a substitute for section 1 of the bill named by him.
Mr. BURTON. It is not an amendment, as I understand, but it is in the form as if it had been reported originally by the committee?
Mr. SIMMONS. Yes.
Mr. BURTON. It is not an amendment, but it is to take the place of the section heretofore reported.
Mr. SIMMONS. It is to take the place of section 1 of the House bill.
Mr. BURTON. As if it had been originally filed?
Mr. SIMMONS. As if it had been originally filed by the committee. I do not ask for the reading of the substitute now, but I ask that it may be printed and lie on the table.

Mr. TOWNSEND. That is what I had reference to.

Mr. SIMMONS. It is offered as a substitute; it is printed and lies on the table until it is called up.

The PRESIDING OFFICER (Mr. ROBINSON). The Chair is ready to rule. This record discloses that the Senator from North Carolina offered a substitute for section 1 of the bill. That substitute is pending. It is not in order to offer another substitute, and the Chair sustains the point of order.

Mr. McCUMBER. May I ask the Chair a question, for information, as to whether an amendment can be pending and at the same time be lying on the table?

Mr. KENYON. It can if it be a river and harbor bill.

The PRESIDING OFFICER. The Chair does not think that question pertinent. The record discloses that the Senator from North Carolina offered a substitute for section 1 of the bill.

Mr. BURTON. And that was laid on the table, and remained there. With the utmost respect, I appeal from the decision of the Chair.

Mr. SMITH of Georgia. Was there any formal action by the Senate approving the placing of the amendment on the table?

The PRESIDING OFFICER. There does not appear to have been. The record of the proceedings of the Senate governs, as the Chair understands.

Mr. McCUMBER. May I ask a question, if the proceedings just read by the Senator from North Carolina did not show that the proposed substitute presented by the Senator from North Carolina was laid on the table?

Mr. SIMMONS and Mr. SMITH of Georgia. Oh, no.

Mr. TOWNSEND. I hope the Chair will look it over a little further.

Mr. McCUMBER. I will say that if the Chair will follow it he will find that it was.

The PRESIDING OFFICER. The Chair will read:

Mr. SIMMONS. On behalf of the Committee on Commerce I offer a substitute for section 1 of House bill 13811.

The PRESIDING OFFICER. The Senator from North Carolina offers a substitute for section 1 of the bill named by him.

Mr. BURTON. It is not an amendment, as I understand, but it is in the form as if it had been reported originally by the committee?

Mr. SIMMONS. Yes.

Mr. BURTON. It is not an amendment, but it is to take the place of the section heretofore reported.

Mr. SIMMONS. It is to take the place of section 1 of the House bill.

Mr. BURTON. As if it had been originally filed?

Mr. SIMMONS. As if it had been originally filed by the committee. I do not ask for the reading of the substitute now, but I ask that it may be printed and lie on the table.

The PRESIDING OFFICER. Without objection, the substitute for section 1 reported by the Senator from North Carolina will be printed.

The Chair sustains the point of order and holds that the question is upon the substitute for section 1 offered by the Senator from North Carolina [Mr. SIMMONS].

Mr. BURTON. Mr. President, from that decision I most respectfully appeal.

The PRESIDING OFFICER. The Senator from Ohio appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. SIMMONS. I move to lay the appeal on the table.

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

Mr. SIMMONS. I move to lay the appeal on the table.

Mr. McCUMBER. Until a roll call has been had on a request for a quorum no other motion can be made.

Mr. SIMMONS. I made my motion before a quorum was called.

The PRESIDING OFFICER. The Senator from Ohio appeals from the decision of the Chair. The Senator from North Carolina moves to lay that appeal on the table. The Senator from North Dakota 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	Johnson	Perkins	Smith, S. C.
Brady	Jones	Pittman	Sterling
Brandegee	Kenyon	Pomerene	Swanson
Bryan	Kern	Ransdell	Thornton
Burton	Lane	Robinson	Townsend
Camden	Lea, Tenn.	Saulsbury	Walsh
Chamberlain	Lewis	Shafroth	West
Chilton	McCumber	Sheppard	White
Culberson	Martine, N. J.	Shields	Williams
Fletcher	Nelson	Simmons	
Hollis	Overman	Smith, Ga.	
James	Page	Smith, Mich.	

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. He is paired. I ask that this announcement may stand for the day.

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

The Secretary called the names of absent Senators, and Mr. LEE of Maryland, Mr. SMITH of Arizona, and Mr. SMITH of Maryland responded to their names when called.

Mr. STONE and Mr. POINDEXTER entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to their names. A quorum is present.

Mr. BURTON. Mr. President, I ask unanimous consent that the substitute offered by the minority may be read.

The PRESIDING OFFICER. The Senator from Ohio asks unanimous consent that the——

Mr. BURTON. Mr. President, I think we are entitled to have the proposed substitute read. It has been prepared with a good deal of care, and while it does not include all the items as to which we might make motions, I think we are entitled to have it read.

The PRESIDING OFFICER. The Secretary will read the substitute offered by the minority, if there be no objection.

Mr. SIMMONS. Mr. President, I did not catch the request.

The PRESIDING OFFICER. The Senator from Ohio asks unanimous consent that the substitute offered by the minority be read. Is there objection? The Chair hears none. The Secretary states that he has read the substitute down to——

Mr. BURTON. Page 12; and I should like to have him continue from that point.

The PRESIDING OFFICER. The Secretary will read.

The SECRETARY. Continuing the reading of the proposed substitute at page 12, line 8:

Improving Raccoon Creek, N. J., for maintenance, $8,000——

Mr. FLETCHER. Mr. President, I ask the Secretary to begin with the item for Shoal Harbor and Compton Creek, N. J. It was at that point, I think, where he left off.

Mr. SIMMONS. Mr. President, what became of the appeal from the decision of the Chair?

The PRESIDING OFFICER. Pending that, the Senator from Ohio asked unanimous consent for the reading of the substitute offered by the minority, and unanimous consent was granted.

Mr. BURTON. That is virtually a withdrawal of the appeal.

The PRESIDING OFFICER. The Chair so understood; that it operated as a withdrawal of the appeal.

The Secretary had commenced to read the proposed substitute, when the Senator from Florida [Mr. FLETCHER] submitted a request that the Chair was unable to hear. Will the Senator from Florida repeat his request?

Mr. FLETCHER. As the Secretary was reading I could not quite understand him, but the point at which he stopped, I think, was at the item for improving Shoal Harbor and Compton Creek, N. J., and I ask that he begin there with the further reading.

The PRESIDING OFFICER. The Secretary will read.

The Secretary resumed the reading of the substitute.

Mr. JONES. Mr. President, I should like to know whether the Secretary is reading the text of section 1 of H. R. 13811 as changed by the Senator from Ohio?

The PRESIDING OFFICER. The Secretary informs the Chair that he is.

Mr. JONES. That is the substitute.

The PRESIDING OFFICER. The Secretary will proceed.

Mr. FLETCHER. I want the Secretary to begin at "Improving Shoal Harbor," and read on from that point.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent that the Secretary may again read, commencing on page 11, at line 21. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary resumed the reading of the substitute.

Mr. CHILTON. Mr. President, I have been in attendance on the Senate continuously for about 24 hours, without any sleep. I do not plead that, but I ask permission of the Senate to be absent from the session for about 2 hours upon official engagements that I can not well put off. I ask unanimous consent that I may be excused for about that length of time.

The PRESIDING OFFICER. The Senator from West Virginia asks unanimous consent to be excused from attendance upon the session of the Senate for two hours. Is there objection? The Chair hears none, and the Senator is excused from attendance upon the session of the Senate for two hours—that is, until 1 o'clock and 5 minutes p. m.

The reading of Mr. BURTON's amendment was continued.

Mr. BURTON. In following the reading, I beg pardon for asking a question. Of course it was drawn with some degree of haste. I should like to inquire if the lines in italics, from line 18 to line 22 on page 50, are stricken out of the amendment as filed.

The PRESIDING OFFICER. The Chair is informed that they are not.

Mr. BURTON. I ask unanimous consent that they be stricken out.

The PRESIDING OFFICER. The Senator from Ohio asks unanimous consent that lines 18 to 22 be stricken out. Is there objection? The Chair hears none, and it is so ordered.

Mr. FLETCHER. What item does that cover. Does it follow just where the Clerk was reading?

The PRESIDING OFFICER. The Chair will state to the Senator from Florida that the following is stricken out on request of the Senator from Ohio: On page 50, lines 18 to 22, inclusive. The words will be read by the Secretary.

The Secretary read as follows:

For making a cut-off across Princess Point, in accordance with the report submitted in House Document No. 835, Sixty-third Congress, second session, $138,000; in all, $213,000.

The PRESIDING OFFICER. The reading of the amendment will be continued.

The Secretary resumed the reading of the amendment.

Mr. SMITH of Michigan. Mr. President, what has been read indicates very clearly that this bill is framed along appropriate and proper lines, at least so far as the Michigan items are concerned. I notice that even the scrutinizing eye of the Senator from Ohio has failed to detect a single item appropriated for in the bill for Michigan improvements that is not appropriate and proper. That indicates very clearly that a Senator may support this bill for purely patriotic reasons, without a single expectation of favor at the hands of his colleagues. I am asking nothing from my colleague. All the items relating to Michigan have been approved, and yet I see great merit in this bill.

I think the point I have made illustrates the haphazard and reckless manner in which the items of this bill have been generally criticized. When you take them up one at a time you will find that all of them have merit, and the wastefulness and reck-

lessness and utter disregard which have been charged in framing this bill lack substantial facts.

I simply wish to emphasize this.

Mr. BURTON. In order that the statement of the Senator from Michigan may be altogether correct, I think he overlooked one item—that for Princess Point—which, by my own request, was stricken out. It is a new project; it is late in the season, and I do not believe the work could be done upon it this autumn.

In order to be entirely fair, I also propose to reduce the item for my own harbor, Cleveland Harbor, from $200,000 to $150,000. While the full amount is needed, I think we can worry along with $150,000. Such is my anxiety to have a bill that is thoroughly fair to all portions of the country, it seemed to me that it was well to begin with a cut of my own harbor.

Mr. SMITH of Michigan. Mr. President, just one word. The Senator from Ohio says that the item of Princess Point has been reduced. Princess Point relates to a harbor of refuge where life upon the lakes is very seriously jeopardized, where our safety has become a matter of the greatest solicitude by all captains who navigate those waters. It seems to me that economy has been carried to almost a ridiculous point when such an item, regularly estimated for and favorably reported by all the boards which have given it consideration, should meet even this fate.

Now, whoever desires to take the responsibility for delaying the cut-off at Princess Point may do so. They have that right, but it does not appertain to my State any more than it does to Minnesota, the State of Senator NELSON, and the shipping of Ohio is vitally concerned in the safety of this particular point on Lake Superior.

But the point I desire to emphasize—and I challenge contradiction—is that there has been no trade. Neither the Senators from Delaware or Tennessee or North Carolina or Texas or any other State has sought the support of the Senator from Michigan in favor of any item in this bill in order that the Senator from Michigan might have appropriations for his rivers and harbors. The harbor work and the river work in Michigan is so important, some of it international in its character, that it stands absolutely upon its merits.

I desire to especially emphasize the consideration of my honored friend from Ohio and his just judgment of a situation on the east shore of Michigan when I call attention to a little item of $25 000 for the harbor at Arcadia. Now that the poetic effulgence of the Senator from New Hampshire [Mr. GALLINGER] has lost its charm in this Chamber, the common sense of the Senator from Ohio reconfirms the item for Arcadia, the one item in the bill which defied the Board of Engineers and the recommendations of the War Department—$25,000 to complete an improvement which will cost altogether but $50,000, when the Engineer Corps said it would cost $140,000. Therefore by our economy we have saved $90,000 to the Government, and we give to those people all they ask.

Now, Senators, to say that this is a pork-barrel bill is a slander.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Illinois?

Mr. SMITH of Michigan. Certainly.

Mr. LEWIS. Will the Senator from Michigan while he is on his feet give some demonstration, at least some amplification, in the way in which the commerce on the lake at my home and the home of the able Senator from Ohio is really benefited, both at Chicago and Cleveland, by the improvement of these very Michigan streams? If it be true that it would aid commerce and aid navigation to such an extent as to contribute to both localities along the lake just as much as to the State of Michigan?

Mr. SMITH of Michigan. Oh, yes; you take this very case of Princess Point.

Mr. LEA of Tennessee. Mr. President, I simply rise to give notice of my intention, as this debate is out of order, after the Senator from Michigan concludes—I have no desire to take him off the floor—to make the point of order and object to anything otherwise than the reading of the substitute.

Mr. SMITH of Michigan. Well, Mr. President, I am through.

Mr. LEA of Tennessee. I have no desire to take the Senator from Michigan off his feet. I merely desire that the reading of the substitute shall proceed.

Mr. SMITH of Michigan. I am through; but it is very pertinent to say that if we can get to the specific items in the bill Senators will see how unjust and unfair most of these criticisms are.

Mr. LEWIS. Mr. President, I wish to draw to the attention of the able Senator from Michigan my real purpose. A very able newspaper published in the city where I live, which commands respect for any position it takes, which paper is circulated in the jurisdiction of the Senator from Michigan, has been for some time laboring under what I feel has been a wholly wrong impression as to the facts of this bill. The Tribune condemns those who may support the bill, all under the apprehension that it was a mere bill of exchange courtesies and reciprocities, and that therefore these improvements along such ports and streams like those referred to in Michigan in no wise contribute to the general commerce. I ask the able Senator from Michigan if he will amplify as to the matter, so that it would clearly demonstrate the importance of those rivers to serve the general commerce upon the Lakes, if such be true, particularly for small craft entering Chicago?

Mr. SMITH of Michigan. I do not think that the paper referred to means to be unfair. The Chicago papers are recognized as great journals and marvelous vehicles of public thought, and I have no criticism to make upon their policy; they are strictly within their rights; but Chicago and all Lake Michigan ports are interested in the safety of navigation on Lake Superior. Of course the Senator from Illinois understands that the Government has performed a marvelous engineering feat at St. Marys River, making it a useful avenue of commerce. I do not know that the shipping from Chicago into Lake Superior would necessarily go through Princess Point cut-off, but all vesselmen recognize the importance of this improvement, and the Chief of Engineers strongly urges it upon the attention of Senators, while the importance of the improvement to navigation can best be stated in the language of the Copper Country Commercial Club, from which I quote:

COPPER COUNTRY COMMERCIAL CLUB,
Houghton, Mich., November 26, 1913.

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.

DEAR SIR: Inasmuch as you have always displayed a sincere interest in the welfare of Michigan and her institutions, I am taking the liberty of writing you upon a subject of supreme importance to the copper country and to vessel owners throughout the Great Lakes.

As you will note by a chart which I am mailing you under separate cover, Princess Point forms a sharp projection into Portage Lake or River, narrowing the channel and causing a sharp bend, which is a source of danger to the larger boats navigating the local canals. This condition may be remedied by a cut-off across the point, which will reduce the distance, straighten and broaden the channel, and result in a general improvement. This cut-off has been sought for years by the marine interests of the Great Lakes. It has been indorsed by the local engineer in charge, and the rivers and harbors act of 1913 contained a provision for a preliminary examination, with a view to making this cut-off. The examination was made by the district officer and the improvement approved. It was recommended that a curved channel three-fourths mile long, 200 feet wide, and 20 feet deep be cut across the point, at an estimated cost of $138,000. When these recommendations were presented to the Board of Engineers for Rivers and Harbors an unfavorable report was made by the latter, on the grounds that the improvement would be an added convenience but not a necessity. This opinion seems to be based upon the conclusion that only the smaller vessels make use of the Keweenaw waterways.

As a matter of fact, the largest boats plying the Great Lakes are engaged in delivering coal to local docks and carrying away copper for lower ports. These boats, 600 feet over all, and with a tonnage of 11,000 to 14,000, are the principal sufferers from the present conditions. It is almost impossible for them to make this tortuous passage without accident. Delay and serious inconvenience is suffered on every trip, and our local commerce is sadly handicapped as a result.

In addition to the boats engaged in local commerce, other large vessels plying between the head of the lakes and lower ports regularly make use of the Keweenaw waterways in rough weather, when it is extremely dangerous to round Keweenaw Point, as a long list of disastrous wrecks, accompanied by great loss of life and property, will attest. Since Keweenaw Point is the danger center, boats bound up or down the lake may continue their voyage uninterrupted by taking the safe passage through the Portage Lake Canals, thus effecting a great saving in time and minimizing the danger associated with the navigation of Lake Superior.

* * * * * * *

Yours, very truly,

G. L. PRICE, *Corresponding Secretary.*

The Government engineer says that the preliminary examination report shows that a million tons of freight pass through this point. It is for this traffic, carried on by fairly large lake vessels, that the improvement is sought; but it would not, as a rule, divert the large class of vessels from the course in the lake for the distance between Duluth and Sault Ste. Marie around the outside of Keweenaw Point, although it would be somewhat shorter through this waterway and much safer than it now is. I am not quoting the engineer literally.

The local traffic through this point to which I refer amounts to $1,400,000 of freight and is very extensive, and covers shipments from Illinois and through Lake Michigan ports. Safety, however, and expedition are the most important results to be obtained. The Commercial Club of Duluth says, regarding the Princess Point cut-off, that the public affairs committee at a meeting unanimously approved the recommendation of the subcommittee. The project has been pending for several years and ought to be completed.

"The distance between Duluth and the Soo through the waterway is slightly greater than around the outside of Keweenaw Point, and it is not probable that many of the larger vessels would be diverted from

the outside route." It is true the larger boats would prefer to run outside of Keweenaw Point during fair weather, but during the rough weather, provided there would be a good inside passage, they would save time by using it, as the difference is only 5 miles. When you consider that the sharp turn at Princess Point will interfere with the navigating of vessels 350 feet in length, you must consider that a large part of lake traffic is compelled to take the outside route.

* * * * * * *

The estimated cost of this work, $138,000, is small when taking into consideration the great benefits which would result to vessels passing to and from the west end of Lake Superior, together with water traffic to Houghton, Hancock, and vicinity.

* * * * * * *

The improvement of the Canadian canals will bring increased Lake traffic in moderate-sized vessels and barges, making a greater necessity for a harbor of refuge on the south shore of Lake Superior.

The Princess Point cut-off is intended to make shipping safer, and you can not economize in this item without taking the chances of wrecks in that vicinity. The whole item is but $138,000, and the Senator from Ohio has asked that $60,000 be stricken off that item.

It is not a Michigan item solely, as I said a few moments ago; it is as much to the interest of all the Lake States as it is to the interest of Michigan.

Mr. BURTON. Will the Senator from Michigan yield to me?

Mr. SMITH of Michigan. Certainly.

Mr. BURTON. Is it not true, whatever the Senator's State pride may be, that he must admit that the harbors of Michigan are but stopping places, way stations, for the traffic between Minnesota and Illinois, on the one hand, and Ohio and New York on the other? Is it not true that that is one of the distinctions of the State of Michigan; that it affords places where boats that are bound for Cleveland and Ashtabula and Buffalo can stop and raise their pennants, showing where they are going and that the people of another State are coming into their harbors and becoming acquainted with Michigan?

Mr. SMITH of Michigan. I am quite willing that the Senator from Ohio should make that statement, but I would hardly want to say that these Michigan harbors are mere way stations. The truth is that they are very important, and while we frequently receive visits from the ships of other waters, we still regard ourselves as very important from the commercial and the shipping point of view.

But once again—and then I am through—I wish to say that I have no appropriations in this bill, the Senator from Minnesota has no appropriations in this bill, that amount to anything scarcely. If you take out the items of Princess Point cut-off, we would have scarcely anything in this bill. It is not fair or just to say that there has been any trafficking for appropriations by the Senators of other States or by Representatives in the other House of Congress, for there was not a single item put in that bill for Michigan in the House of Representatives that was not properly estimated for by the engineers and affirmatively recommended.

Mr. BURTON. Mr. President——

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

Mr. SMITH of Michigan. I yield to the Senator.

Mr. BURTON. I do not want to indulge in any badinage, but I do want to bring out the facts. Is it not true that you could put all the traffic in the harbors on the west shore of Lake Michigan, including Alpena and Port Huron and the others, inside of Cleveland and have about half the traffic of Cleveland and Ashtabula left after it was all put in there?

Mr. SIMMONS. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from North Carolina rises to a point of order. The Senator will state his point of order.

Mr. SIMMONS. I intended to make the point of order that debate was out of order, but I will not interfere with the Senator from Michigan.

Mr. SMITH of Michigan. I am not going to take any further time. The Senator from Ohio just propounded a question to me with reference to the importance of Cleveland Harbor, which I am perfectly will that he shall make unchallenged. I have a pride in Cleveland Harbor and am very glad to see the commerce of that section develop and grow. I recognize it is important, but we have these waterways; they are natural to Michigan; the Government is exercising jurisdiction over them; the State has no power over them; the Government has taken them as wards and the Government proceeds to improve them in its way. Now, we have not had any trafficking of any kind or character to secure an item in this bill, and I rejoice that in the entire list of Michigan items there is not a criticism from the Senator from Ohio and there is not a criticism from the Senator from Iowa. It shows that they appreciate real commercial advantages when they see them for the Government and for the States that are to be materially benefited.

The PRESIDING OFFICER. The Secretary will read.

The Secretary resumed the reading of the proposed substitute presented by Mr. BURTON.

Mr. CHAMBERLAIN. Mr. President, I note in going over the proposed Oregon appropriations that the continuing contract was left out at the mouth of the Columbia River. I will ask the Senator whether that was intentionally done, or whether it is an oversight?

Mr. BURTON. I will say frankly that it is not, altogether. My idea was to put in the same amount that the Committee on Commerce recommended a week ago Friday. In drawing so large a bill it is manifest that some omissions would be made. The engineers reported that that would enable them to make a very favorable contract. I have forgotten what the amount was.

Mr. SMITH of Michigan. One million five hundred thousand dollars.

Mr. CHAMBERLAIN. Yes; $1,500,000. That is what the amended proposition of the committee is—to place it on the continuing-contract system for the prosecution of the work and provide $1,500,000; but I notice the Senator left out the continuing contract.

Mr. BURTON. I am inclined to think that was an error in copying.

Mr. CHAMBERLAIN. I am glad to know that.

Mr. JONES. Mr. President, I should like to ask the Senator a question with reference to Willapa Harbor.

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

Mr. BURTON. I do.

Mr. JONES. It was put in in the House and stricken out in the committee, I think; and I notice the Senator has stricken it from his substitute. I want to ask the Senator if he left it out unintentionally or not?

Mr. BURTON. Oh, I think not. In framing this substitute the idea was that the recommendation of the Senate Committee on Commerce, made at the meeting a week ago Friday night, should be the high-water mark. Personally I believe in that improvement at Willapa Harbor.

Mr. JONES. Yes; I think it is one of the most meritorious items in the bill.

Mr. BURTON. I was personally inclined to agree to it. I would prefer to see the whole thing taken care of by continuing contract or else left out entirely. That is the way to do business.

Mr. CHAMBERLAIN. Mr. President——

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

Mr. BURTON. I do.

Mr. CHAMBERLAIN. May I suggest to the Senator, as it is in line with his present views, that that continuing contract may be added to the substitute of the Senator?

Mr. BURTON. One million five hundred thousand dollars?

Mr. CHAMBERLAIN. Yes.

Mr. BURTON. I should not object.

Mr. CHAMBERLAIN. I will ask that that be done.

Mr. BURTON. But it adds to the authorizations in the bill. It is useless, when we are committed to an improvement, to pare down amounts. That is my objection to the substitute offered by the Senator from North Carolina—that the reductions made in particular bills do not in any large amount diminish the ultimate cost.

Mr. JONES. I wish to say to the Senator, with reference to the Willapa Harbor item, that in talking with several members of the committee they admitted that it was a sort of oversight to have stricken that item out, and that they would be willing to have it inserted in the substitute that has been proposed. I take it that the Senator would not seriously object to having it inserted.

Mr. BURTON. I should not like to object, but this is true: In the substitute proposed by the Senate Committee on Commerce we left out certain new projects, and my fear would be that there would be just grounds of complaint on the part of others where there were omissions. Of course the Senator from Washington knows that that item is in the House bill, and that in conference the matter can be adjusted.

Mr. JONES. Yes, I know that; but there is absolutely no reason in the world for striking it out of the bill. If any item is justified, that item is justified.

Mr. BURTON. I want to say further in regard to the whole bill—and I might as well say it now, and I should like the attention of Senators—that this substitute contains many items that do not appeal to my judgment at all, or to that of others who have been opposing this bill; but it was drawn in a spirit of concession and compromise. It was drawn in contemplation

of the fact that beginning in 1910 we have wandered far, as I think, from salutary methods of making appropriations. We have readopted the old plan of making small appropriations in separate bills. I recognize, however, that the judgment of the opponents of this bill can not be accepted in its entirety. If the bill should come up for discussion, it is possible that I shall myself move to strike out some of the smaller items in this substitute.

I do not think the $250,000 for the Missouri River ought to be in there at all, because there is a considerable balance on hand; but what did we want to do? Obtain the passage of the bill if we could; get it through. There are very substantial cuts in that substitute. It takes out the Delaware & Chesapeake Canal; it takes out the Oklawaha River; it takes out the Sacramento and Feather Rivers; it takes out a number of minor projects, and means an ultimate saving, I think I am safe in saying, of twenty or thirty million dollars, anyway; perhaps more.

Mr. SIMMONS. Mr. President——

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

Mr. BURTON. I do.

Mr. SIMMONS. With the permission of the Senator from Ohio, I should like to get the matter before the Senate, and then of course the Senator can proceed with his argument; but if it does not inconvenience him, I would rather if he would let me——

Mr. BURTON. The substitute should be read through. It is not quite finished.

Mr. SIMMONS. The substitute has been read.

Mr. BURTON. It has not been finished yet.

Mr. SIMMONS. Oh, I thought it had been finished.

Mr. BURTON. Not entirely.

The PRESIDING OFFICER. The Secretary will conclude the reading of the substitute.

Mr. JONES. Mr. President, I should like to ask the Senator from Ohio a question. He is familiar with the situation in reference to the Willapa Harbor item. I think it is an unusually meritorious one. The engineers make a statement with reference to it that I think I have not seen made with reference to any other project. They state that the people of the locality have taken full advantage of what the Government has heretofore done. I should like to ask the Senator if he would have any objection to adopting that as a part of his amendment?

Mr. BURTON. I would hardly wish to express myself upon that matter at this time; it is so bound up with the general plan to get through a bill. I recognize that there is merit in it, and if it were not that it is a new project I would answer immediately yes; but there are altogether too many new projects in this bill already.

Mr. SIMMONS. Mr. President, I rise to a point of order. The reading of the substitute is going on.

The PRESIDING OFFICER. The Secretary will resume the reading of the substitute.

The reading of Mr. BURTON's amendment was concluded. It is as follows:

Be it enacted, etc., That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named:

Improving harbor at Portland, Me.: Continuing improvement, $105,000.

Improving Wills Strait, Casco Bay, Me.: Completing improvement in accordance with the report submitted in House Document No. 1416, Sixty-second Congress, third session, $16,500.

Improving St. Croix River, Me.: Completing improvement, $84,000.

Improving harbor at Burlington, Vt.: For maintenance and repair of breakwater, $2,000.

Improving Narrows of Lake Champlain, N. Y. and Vt., in accordance with the report submitted in House Document No. 1387, Sixty-second Congress, third session, and subject to the conditions set forth in said document, $200,000.

Improving harbor at Beverly, Mass., in accordance with the report submitted in House Document No. 220, Sixty-third Congress, first session, and subject to the conditions set forth in said document, as modified in the report in Rivers and Harbors Committee Document No. 8, Sixty-third Congress, second session, $123,000.

Improving harbor at Salem, Mass.: For maintenance, $7,500.

Improving harbor at Boston, Mass.: For maintenance, $200,000.

Improving Malden River, Mass.: The amount appropriated for this improvement by the river and harbor act approved July 25, 1912, is hereby made available for expenditure on the modified project recommended in the report submitted in House Document No. 878, Sixty-third Congress second session, subject to the conditions set forth in said document.

Improving Weymouth Fore River, Mass.: Of the balance remaining available from the appropriation made for this improvement by the river and harbor act approved February 27, 1911, so much as shall be necessary is hereby authorized to be expended in increasing the width of the existing 18-foot channel to approximately 400 feet, as recommended in the report submitted in House Document No. 803, Sixty-third Congress, second session.

Improving Pollock Rip Channel, Mass.: Continuing improvement, $125,000.

Improving harbor at New Bedford and Fairhaven, Mass.: Completing improvement and for maintenance, $67,000. The paragraph providing for the improvement of harbor at New Bedford and Fairhaven, Mass., in the river and harbor act approved July 25, 1912, is hereby amended in accordance with recommendation in the report in Rivers and Harbors Committee Document No. 13, Sixty-third Congress, second session, to read as follows: "Improving harbor at New Bedford and Fairhaven, Mass., in accordance with the report submitted in House Document No. 442, Sixty-second Congress, second session, $56,610: *Provided*, That no work shall be undertaken on the project herein adopted until the local authorities shall provide a draw opening in the bridge at Coggeshall Street affording at least 80 feet horizontal clearance and the city shall construct a substantial wharf upon its property at Belleville."

Improving harbor at Fall River, Mass.: For maintenance, $12,000.

Improving Providence River and Harbor, R. I.: That the second proviso in the paragraph of the river and harbor act approved March 4, 1913, providing for the improvement of Providence River and Harbor, R. I., be modified in accordance with recommendation in the report in Rivers and Harbors Committee Document No. 9, Sixty-third Congress, second session, to read as follows: "*Provided further*, That no work in the harbor proper north of Fields Point shall be done until the Secretary of War is satisfied that the State and the city have completed their proposed expenditures in the combined Providence and Pawtucket Harbors up to at least $2,000,000 for public terminals or other permanent harbor improvements, or shall have given to the Secretary of War assurance satisfactory to him that the expenditure of the $2,000,000 aforesaid will be completed within a time satisfactory to him and not later than three years from the passage of this amendment."

Improving harbor at Stonington, Conn.: For maintenance, $6,000.

Improving harbor at New London, Conn., in accordance with the report submitted in House Document No. 613, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $70,000.

Improving harbor at New Haven, Conn.: Continuing improvement and for maintenance, $30,000.

Improving harbor at Milford, Conn.: Completing improvement in accordance with the report submitted in House Document No. 232, Sixty-third Congress, first session, $6,700.

Improving harbor at Greenwich, Conn.: Completing improvement in accordance with the report submitted in House Document No. 289, Sixty-third Congress, first session, $35,000.

Improving Thames River, Conn.: For maintenance, $10,000.

Improving Connecticut River, Conn.: For maintenance of improvement below Hartford, $15,000.

Improving harbor at Bridgeport, Conn.: Completing improvement in accordance with the report submitted in House Document No. 898, Sixty-third Congress, second session, $50,000. The unexpended balance of appropriations heretofore made for improvement of the harbor at Bridgeport, Conn., is hereby made available for continuing improvement of said harbor in accordance with the report submitted in said House Document No. 898, Sixty-third Congress, second session.

Improving harbor at Port Chester, N. Y.: Continuing improvement, $15,000.

Improving harbor at Mattituck, N. Y.: Completing improvement and for maintenance, $14,350.

Improving harbor at Huntington, N. Y.: For maintenance, $5,000.

Improving Hempstead Harbor, N. Y.: For maintenance, $5,000.

Improving harbor at Saugerties, N. Y.: Continuing improvement and for maintenance, $2,500.

Improving harbor at Rondout, N. Y.: For maintenance, $5,000.

Improving harbor at Tarrytown, N. Y.: Completing improvement and for maintenance, $8,000.

Improving Sheepshead Bay, N. Y.: For maintenance, $3,000.

Improving New York Harbor, N. Y.: Improving channel in upper bay in accordance with the report submitted in House Document No. 518, Sixty-third Congress, second session, $150,000.

Improving channel in Gowanus Bay, N. Y.: Continuing improvement of Bay Ridge and Red Hook Channels, $200,000.

Improving Hudson River Channel of New York Harbor, N. Y.: Continuing improvement, $125,000.

Improving harbor at Buffalo, N. Y.: Completing improvement, $167,375.

Improving Black Rock Harbor, N. Y.: The unexpended balances of appropriations heretofore made and authorized for the improvement of Black Rock Harbor and Channel, N. Y., and Tonawanda Harbor and Niagara River, N. Y., are hereby consolidated and made available for completing improvement of Black Rock Harbor and Channel and Tonawanda Harbor in accordance with the report submitted in House Document No. 658, Sixty-third Congress, second session, and subject to the conditions set forth in said document.

Improving harbor at Charlotte, N. Y.: For maintenance, $24,000.

Improving harbor at Oswego, N. Y.: Continuing improvement in accordance with plan A and for maintenance, $100,000.

Improving harbor at Plattsburg, N. Y.: Completing improvement and for maintenance, $2,868.

Improving Bronx River, N. Y.: Continuing improvement, $100,000.

Improving East Chester Creek, N. Y.: Continuing improvement, $20,000.

Improving Westchester Creek, N. Y.: Completing improvement, $36,500.

Improving East River and Hell Gate, N. Y., in accordance with the report submitted in House Document No. 188, Sixty-third Congress, first session, $400,000: *Provided*, That so much as may be necessary of this and any other appropriations made for specific portions of New York Harbor and its immediate tributaries may be allotted by the Secretary of War for the maintenance of these waterways by the collection and removal of drift.

Improving Harlem River, N. Y.: Continuing improvement, $100,000; and the Secretary of War is authorized and directed to cede to the State of New York all the lands heretofore acquired by the United States in the bed of that part of the Harlem River lying outside of the channel lines proposed for the Harlem River improvement in project No. 3, printed in House Document No. 557, Sixty-second Congress, second session, to a new bulkhead line to be established by the Secretary of War along the lines of said channel according to the project: *Provided*, That the cession hereby authorized and made shall take effect only upon the cession to the United States by the State of New York of the land and land under water, with any improvements thereon, lying between the channel lines proposed in said project: *Provided further*, That possession of the land hereby authorized to be ceded

by the United States to the State of New York shall not be surrendered to said State until and only when the Chief of Engineers of the United States Army shall have certified that the new channel is open for navigation and that the land ceded is no longer necessary for the right of way of the Harlem River Ship Canal.

Improving Newtown Creek, N. Y.: For maintenance, $30,000.

Improving Hudson River, N. Y.: Continuing improvement and for maintenance, $750,000.

Improving Staten Island Sound, N. Y. and N. J.: Continuing improvement, $400,000.

Improving Raritan Bay, N. J.: For maintenance, $20,000.

Improving Newark Bay and Passaic River, N. J.: Continuing improvement, $150,000.

Improving Woodbridge Creek, N. J.: For maintenance, $6,000.

Improving Keyport Harbor, Matawan Creek, Raritan, South, and Elizabeth Rivers, Shoal Harbor and Compton Creek, and Cheesequake Creek, N. J.: For maintenance, $8,000.

Improving Shoal Harbor and Compton Creek, N. J.: Completing improvement in accordance with the report submitted in House Document No. 40, Sixty-third Congress, first session, $56,800.

Improving Shrewsbury River, N. J.: For maintenance, $10,000.

Improving Cooper River, N. J.: For maintenance, $5,000.

Improving Raccoon Creek, N. J.: For maintenance, $8,000.

Improving Salem River, N. J.: For maintenance, $10,000.

Improving Alloway Creek, N. J.: For maintenance, $3,000.

Improving Maurice River, N. J.: Continuing improvement and for maintenance, $30,000.

Improving Toms River, N. J.: For maintenance, $1,000.

Improving harbor at Pittsburgh, Pa.: For maintenance, $5,000.

Improving Monongahela River, Pa., by the reconstruction of Lock and Dam No. 6: Completing improvement, $178,200.

Improving Chester River, Pa.: Completing improvement in accordance with the report submitted in House Document No. 677, Sixty-second Congress, second session, $3,600.

Improving Delaware River, Pa., N. J., and Del.: Continuing improvement and for maintenance from Allegheny Avenue, Philadelphia, to the sea, $1,000,000.

Improving harbor at Wilmington, Del.: For maintenance, $40,000, of which amount $5,000, or so much thereof as shall be necessary, may be expended in the completion of the dredging plant and appurtenances heretofore authorized.

Improving Appoquinimink, Murderkill, and Mispillion Rivers, Del.: Continuing improvement and for maintenance, $22,000.

Improving Appoquinimink River, Del.: Completing improvement in accordance with the report submitted in House Document No. 149, Sixty-third Congress, first session, $11,000.

Improving Murderkill River, Del., in accordance with the report submitted in House Document No. 1058, Sixty-second Congress, third session, $12,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Improving Mispillion River, Del., in accordance with the report submitted in House Document No. 678, Sixty-second Congress, second session, $35,200: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Improving St. Jones River, Del.: The provisos attached to the items making appropriation for the improvement of St. Jones River, Del., in the river and harbor acts of June 25, 1910, and February 27, 1911, are hereby modified to read as follows: "*Provided*, That no part of said amount shall be expended for the excavation of any cut-off until a satisfactory title to the land required for that cut-off shall have been transferred to the United States, free of cost, and the United States shall have been released from all claims for damages arising from the proposed diversion of the stream."

Improving Little River, Del.: For maintenance, $1,000.

Improving Leipsic River, Del.: For maintenance, $5,000.

Improving inland waterway between Rehoboth Bay and Delaware Bay, Del.: Continuing improvement, $100,000: *Provided*, That the Secretary of War is hereby authorized to condemn a right of way through the tracks of the Delaware, Maryland & Virginia Railroad Co. where the line of said waterway intersects said railroad tracks, the basis of condemnation to be the building, maintenance, and operation of a proper drawbridge by the United States, or the payment by the United States to the railroad company of such sum of money as may be awarded in the condemnation proceedings, as full compensation for such right of way, including actual cost of constructing such bridge and the capitalized cost of its maintenance and operation, whichever method may, in the judgment of the Secretary of War, be deemed most advantageous and economical to the United States; and any funds appropriated for improving said waterway are hereby made available for paying the award that may be made in said proceedings: *Provided further*, That of the appropriation herein made the sum of $12,300, or so much thereof as shall be necessary, may be applied to the restoration of the channel between Assawaman Bay and Indian River Bay and for the repair and alteration of existing bridges built by the United States across said channel.

Improving Curtis Bay Channel, Baltimore Harbor, Md.: Completing improvement in accordance with the report submitted in House Document No. 7, Sixty-third Congress, first session, $123,700.

Improving harbors at Rockhall, Queenstown, Claiborne, and Cambridge, and Chester, Choptank, Warwick, Wicomico, Pocomoke, La Trappe, and Manokin Rivers, and Tyaskin Creek, Md.: For maintenance, $30,500.

Improving Breton Bay, Md.: Completing improvement in accordance with the report submitted in House Document No. 127, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $3,000.

Improving Elk and Little Elk Rivers, Md.: For maintenance, $2,500.

Improving Corsica River, Md.: Completing improvement, $4,800.

Improving Tuckahoe River, Md.: For maintenance, $1,500.

Improving Chester River, Md.: Completing improvement in accordance with the report submitted in House Document No. 797, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $12,000.

Improving Tred Avon River, Md.: Completing improvement of the North Fork of Tred Avon River in accordance with the report submitted in House Document No. 27, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $19,600.

Improving Potomac River: For maintenance of improvement at Washington, D. C., $20,000.

Improving Anacostia River, D. C.: Continuing improvement, $75,000.

Improving harbor at Norfolk, Va., and vicinity, in accordance with the report submitted in House Document No. 605, Sixty-third Congress, second session, $170,000. The unexpended balance of appropriations heretofore made for improvement of channel to Norfolk, Va., is hereby made available for continuing improvement of said channel in accordance with the report submitted in said House Document No. 605, Sixty-third Congress, second session.

Improving Mattaponi and Pamunkey Rivers, Va.: For maintenance, $7,000.

Improving Rappahannock River, Va.: For maintenance, $10,000.

Improving Nansemond River, Va.: For maintenance, $3,000; completing improvement in accordance with the report submitted in House Document No. 1246, Sixty-second Congress, third session, $4,500; in all, $7,500.

Improving James River, Va.: Continuing improvement and for maintenance, $100,000.

Improving Appomattox River, Va.: For maintenance, $5,000.

Improving Blackwater River, Va.: For maintenance, $2,000.

Improving waterway on the coast of Virginia: For maintenance, $1,000.

Improving Hampton Creek, Va.: Completing improvement in accordance with the report submitted in House Document No. 29, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $27,000.

Improving Locklies Creek, Va.: Completing improvement in accordance with the report submitted in House Document No. 612, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $4,100.

Improving Occoquan Creek, Va.: Completing improvement in accordance with the report submitted in House Document No. 661, Sixty-third Congress, second session, $43,000.

Improving waterway from Norfolk, Va., to sounds of North Carolina: For maintenance, $3,000.

Improving harbor of refuge at Cape Lookout, N. C.: Continuing improvement, $300,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $700,000, exclusive of the amounts herein and heretofore appropriated or authorized.

Improving harbor at Beaufort, N. C.: For maintenance, $5,000.

Improving Beaufort Inlet, N. C.: For maintenance, $10,000.

Improving harbor at Morehead City, N. C.: For maintenance, $2,000.

Improving Meherrin River, N. C.: For maintenance, $1,000.

Improving Roanoke River, N. C.: For maintenance, $2,000.

Improving Pembroke Creek, N. C.: Completing improvement in accordance with the report submitted in House Document No. 630, Sixty-third Congress, second session, $10,000.

Improving Scuppernong River, N. C.: For maintenance, $2,000; completing improvement in accordance with the report submitted in House Document No. 1196, Sixty-second Congress, third session, $31,800; in all, $33,800.

Improving Fishing Creek, N. C.: For maintenance, $1,000.

Improving Pamlico and Tar Rivers, N. C.: Completing improvement up to Greenville and for maintenance of improvement above Greenville, $18,500.

Improving Bay River, N. C.: For maintenance, $1,000.

Improving Contentnia Creek, N. C.: For maintenance, $2,000.

Improving Smiths Creek, N. C.: For maintenance, $2,000.

Improving Neuse and Trent Rivers, N. C.: Completing improvement and for maintenance, $64,500.

Improving Swift Creek, N. C.: For maintenance, $500.

Improving waterway from Pamlico Sound to Beaufort Inlet, N. C.: For maintenance, $4,000.

Improving New River and waterways to Beaufort, N. C.: Continuing improvement and for maintenance of New River and of inland waterways between Beaufort Harbor and New River and between New River and Swansboro, $28,500.

Improving Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance of improvement of Northeast and Black Rivers and of Cape Fear River above Wilmington, N. C., $13,000; completing improvement of Northeast River, in accordance with the report submitted in House Document No. 1356, Sixty-second Congress, third session, and subject to the conditions set forth in said document, $25,375; in all, $38,375.

Improving Cape Fear River above Wilmington, N. C.: Continuing improvement, with a view to securing a navigable depth of 8 feet up to Fayetteville, $91,000.

Improving Cape Fear River at and below Wilmington, N. C.: Completing improvement and for maintenance, $115,000: *Provided*, That not exceeding $5,000 thereof may be used for clearing to a depth of 10 feet and a width of 150 feet the channel or cut between the main channel of the river and the Carolina Beach Pier.

Improving Shallotte River, N. C.: For maintenance, $1,000.

Improving Bennett River, N. C.: Completing improvement in accordance with the report submitted in House Document No. 1362, Sixty-second Congress, third session, $6,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Improving harbor at Charleston, S. C.: For maintenance of Ashley River channel, $15,000.

Improving waterway between Charleston and Winyah Bay, S. C.: Completing improvement of Jeremy Creek, S. C., in accordance with the report submitted in House Document No. 660, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $5,000. The unexpended balance of appropriations heretofore made for improvement of waterway between Charleston Harbor and McClellanville, S. C., or so much thereof as may be necessary, is hereby made available for completing improvement of waterway between McClellanville and Winyah Bay, in accordance with the report submitted in House Document No. 178, Sixty-third Congress, first session.

Improving Great Peedee River, S. C.: For maintenance, $10,000.

Improving Santee, Wateree, and Congaree Rivers, S. C.: For maintenance of improvement of Wateree and Congaree Rivers, $30,000; completing improvement of Santee River in accordance with the report submitted in House Document No. 603, Sixty-third Congress, second session, $10,000; in all, $40,000.

Improving waterway from Charleston, S. C., to Savannah, Ga., in accordance with the report submitted in House Document No. 627, Sixty-third Congress, second session, $50,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Improving Savannah Harbor, Ga.: For maintenance, $250,000; completing improvement in accordance with the report submitted in House Document No. 290, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $154,000; in all, $404,000.

Improving harbor at Brunswick, Ga.: For maintenance, $33,250.

Improving Savannah River, Ga.: For maintenance below Augusta, $25,000.

Improving Altamaha, Oconee, and Ocmulgee Rivers, Ga.: Continuing improvement, $40,000.

Improving waterway between Savannah, Ga., and Fernandina, Fla: Completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000; completing improvement of Back River, Ga., in accordance with the report submitted in House Document No. 1391, Sixty-second Congress, third session, $5,000; in all, $6,000.

Improving Flint River, Ga.: Continuing improvement and for maintenance, $25,000.

Improving Chattahoochee River, Ga. and Ala.: Continuing improvement below Columbus, Ga., and for maintenance, $90,000.

Improving Coosa River, Ga. and Ala.: Continuing improvement and for maintenance between Rome, Ga., and Dam No. 4, Ala., $30,000.

Improving harbor at Fernandina, Fla.: For maintenance, including the entrance channel through Cumberland Sound, Ga. and Fla., $25,000.

Improving Tampa Bay, Fla.: For maintenance, $6,000.

Improving harbor at St. Petersburg, Fla.: For maintenance, $1,500.

Improving Apalachicola Bay, Fla.: Continuing improvement and for maintenance, including Link Channel and West Pass, $25,000.

Improving St. Andrews Bay, Fla.: Continuing improvement and for maintenance, $60,000.

Improving the Narrows in Santa Rosa Sound, Fla.: For maintenance, $5,000.

Improving St. Johns River, Fla.: Continuing improvement from Jacksonville to the ocean, $175,000.

Improving Lake Crescent and Duns Creek, Fla.: For maintenance, $1,000.

Improving Deep Creek, Fla., in accordance with the report submitted in House Document No. 699, Sixty-third Congress, second session, $9,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Improving Caloosahatchee River, Fla.: For maintenance, $2,000.

Improving Anclote River, Fla., in accordance with the report submitted in House Document No. 18, Sixty-third Congress, first session, $22,000.

Improving Withlacoochee River, Fla.: For maintenance, $1,000.

Improving Apalachicola River, Fla.: Continuing improvement and for maintenance, including the cut-off, Lee Slough, lower Chipola River, and upper Chipola River from Marianna to its mouth, $15,000.

Improving Holmes River, Fla.: For maintenance of improvement from Vernon to the mouth, $3,000.

Improving Blackwater River, Fla.: For maintenance, $5,000.

Improving channel from Clearwater Harbor, through Boca Ceiga Bay to Tampa Bay, Fla.: Completing improvement and for maintenance, $12,000; channel from Tampa Bay to Boca Ceiga Bay, in accordance with the report submitted in House Document No. 135, Sixty-third Congress, first session, $10,700; in all, $22,700.

The Secretary of War is authorized to appoint a board of three officers of the Engineer Corps of the United States Army to examine and appraise the value of the work and franchises of the East Coast Canal, from the St. Johns River to Key West, Fla., with reference to the desirability of purchasing said canal by the United States and the construction over the route of said canal of a free and open waterway having a depth and capacity sufficient for inland navigation. Said board, to the extent that the same can be done from surveys heretofore made under the direction of the War Department, and within the limits of the appropriation herein made, shall also examine and investigate the feasibility, for the purpose of such a waterway, of any parallel route between said points. The said board shall make a report of its work, together with its conclusions upon the probable cost and commercial advantages and military and naval uses of said route or routes, to the Secretary of War, who shall transmit the same to Congress as soon as practicable. The sum of $10,000, or so much thereof as may be necessary, is hereby appropriated to pay the expenses of said board, including such clerical and other assistance as may be deemed necessary by said board.

Improving Choctawhatchee River, Fla. and Ala.: Continuing improvement and for maintenance, including Cypress Top outlet, $25,000.

Improving Escambia and Conecuh Rivers, Fla. and Ala.: For maintenance, $15,000.

Removing the water hyacinth, Florida, Alabama, Mississippi, Louisiaaa, and Texas: For the removal of the water hyacinth from the navigable waters in the States of Florida, Alabama, Mississippi, Louisiana, and Texas, so far as it is or may become an obstruction to navigation, $25,000.

Improving harbor at Mobile, Ala.: For maintenance, $125,000, of which amount $5,000 may be used in the removal of sunken logs, deadheads, and other obstructions.

Improving Mobile Bar, Ala.: For maintenance, $20,000.

Improving Alabama River, Ala.: Continuing improvement and for maintenance, including the Alabama and Coosa Rivers between Montgomery and Wetumpka, $75,000.

Improving Black Warrior, Warrior, and Tombigbee Rivers, Ala.: Completing improvement from Mobile to Sanders Shoals on the Mulberry Fork and to Nichol Shoals on the Locust Fork of Black Warrior River by the construction of locks and dams, including the 63-foot dam at Lock No. 17 authorized by act of Congress approved August 22, 1911, $750,000.

Improving Tombigbee River, Ala. and Miss.: For maintenance of improvement from the mouth to Demopolis, Ala., $12,500, and from Demopolis, Ala., to Walkers Bridge, Miss., $18,000; in all, $30,500.

Improving channel connecting Mobile Bay and Mississippi Sound: For maintenance, $10,000.

Improving harbor at Pascagoula, Miss.: The paragraph in the river and harbor act approved March 4, 1913, providing for the improvement of harbor at Pascagoula, Miss., is hereby amended to read as follows: "Improving harbor at Pascagoula, Miss.: For maintenance of improvement of channel at the mouths of Pascagoula and Dog Rivers, and improving channel through Horn Island Pass, Mississippi Sound, Pascagoula River, and Dog River, in accordance with the recommendation of the Chief of Engineers and the Board of Engineers for Rivers and Harbors in report dated February 10, 1914, and printed in Rivers and Harbors Committee Document No. 12, Sixty-third Congress, second session, $110,000: *Provided*, That local interests shall furnish space for public wharves both at Moss Point and at Pascagoula, 800 feet in length and of such width as may be satisfactory to the Secretary of War."

Improving harbor at Gulfport, Miss.: Continuing improvement and for maintenance of anchorage basin at Gulfport and channel therefrom to the anchorage or roadstead at Ship Island, and for the improvement and maintenance of channel at Ship Island Pass, $50,000.

Improving Pascagoula and Leaf Rivers, Miss.: For maintenance, $14,000.

Improving Pearl River, Miss.: Continuing improvement and for maintenance below Rockport, $16,000.

Improving Yazoo River, Miss.: For maintenance of improvement of mouth of Yazoo River, $10,000. The sums herein and hereafter appropriated for such maintenance, together with any unexpended balance of appropriations heretofore made, shall be expended under the direction of the Secretary of War.

Improving Yazoo River and tributaries, Miss.: For maintenance of improvement, including Yazoo, Tallahatchie, Big Sunflower, and Coldwater Rivers, Tallahatchie River above the mouth of Coldwater River, Tchula Lake, Steele and Washington Bayous, Lake Washington, and Bear Creek, $40,000.

Improving Big Sunflower River, Miss.: Continuing improvement, $90,000.

Improving Southwest Pass, Mississippi River: Continuing improvement and for maintenance, $300,000.

Improving Bayou Teche, La.: Continuing improvement and for maintenance, $30,000; for improvement in accordance with the report submitted in House Document No. 1329, Sixty-second Congress, third session, $50,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $80,000.

Improving waterway from Bayou Teche to Mermentau River, La.: The unexpended balance of amounts heretofore appropriated for the waterway from Franklin to Mermentau, La., is hereby made available for expenditure in accordance with the plan for improving the waterway from Bayou Teche to Mermentau River submitted in House Document No. 610, Sixty-third Congress, second session, which plan of improvement is hereby adopted: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Improving Bayou Vermilion and Mermentau River, La.: For maintenance of improvement of channel, bay, and passes of Bayou Vermilion and Mermentau River and tributaries, and continuing improvement and maintenance of Bayou Plaquemine Brule, $12,000.

Improving Vermilion River, La., and channel to connect Vermilion River with the inland waterway at Schooner Bayou, in accordance with the report submitted in House Document No. 1336, Sixty-second Congress, third session, $37,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Improving Bayou Terrebonne, La.: Completing improvement, $25,000.

Improving Atchafalaya River, La.: For maintenance, $10,000.

Improving Lake Pontchartrain, La.: Completing improvement in accordance with the report submitted in House Document No. 176, Sixty-third Congress, first session, $32,000.

Improving Bayou Grossetete, La.: Completing improvement and for maintenance, $9,000.

Improving Johnsons Bayou, La.: For maintenance, $5,000.

Improving Bayous Bartholomew, Macon, D'Arbonne, and Corney, and Boeuf and Tensas Rivers, La.: For maintenance, $16,000.

Improving Galveston Channel, Tex.: Continuing improvement by construction of sea wall extension in accordance with the report submitted in House Document No. 1390, Sixty-second Congress, third session, which is hereby adopted under the conditions therein named $100,000: *Provided*, That no part of the amount herein appropriated shall be expended, except for surveys and other preliminary work, and no contract shall be entered into under this appropriation until the county or city of Galveston and other local interests shall have donated the necessary lands to the United States, and shall have quieted all claims to the present San Jacinto Reservation, nor until the said county or city of Galveston shall have obtained a right of way and made provision in a manner satisfactory to the Secretary of War for paying the cost of constructing at least 3,300 feet of sea wall extension in addition to that herein appropriated for: *Provided further*, That the entire work of construction shall be done under the direction of the Secretary of War, and the funds appropriated by Congress and those furnished by the county or city of Galveston shall be expended by him: *And provided also*, That the pavement of the roadway and sidewalk along the new sea wall shall conform in with to that heretofore constructed by the county of Galveston.

Improving Galveston Channel, Tex.: Continuing improvement and for maintenance under the existing project, which contemplates the excavation of a channel 30 feet deep and 1,200 feet wide from the inner bar to Fifty-first Street, and 700 feet wide from Fifty-first to Fifty-sixth Streets, $100,000: *Provided*, That at such time as in the discretion of the Secretary of War the same may be required in the interests of navigation and commerce the western terminus of said channel may be extended to Fifty-seventh Street with a width of 1,000 feet between Fifty-first and Fifty-seventh Streets, as recommended in the report submitted in House Document No. 328, Sixty-first Congress, second session.

Improving channel to Port Bolivar, Tex.: For maintenance, $25,000.

Improving Port Aransas, Tex.: Continuing improvement, $800,000.

Improving Sabine Pass, Tex.: Continuing improvement and for maintenance of Sabine Pass and Port Arthur Canal, $550,000.

Improving the Sabine-Neches Canal, Tex., from the Port Arthur Ship Canal to the mouth of Sabine River, the Neches River up to the town of Beaumont, and the Sabine River up to the town of Orange, as provided for in the river and harbor act of February 27, 1911.

That the channels which the Beaumont navigation district, or other local interests, and the Orange navigation district, or other local interests, are required, by the aforesaid act to maintain for a term of three years, free of cost to the United States, are hereby defined as, respectively, the channel from the mouth of the Neches River up to Beaumont, Tex., and the channel from the mouth of the Neches River up to Orange, Tex.: *Provided*, That nothing herein shall be construed as relieving said Beaumont navigation district of its obligation to provide for the operation and maintenance of the guard lock without cost to the United States as required by said river and harbor act of February 27, 1911.

Improving Houston Ship Channel, Tex.: For maintenance, $200,000.

Improving Anahuac Channel, Trinity River, Oyster Creek, and Cedar, Chocolate, Turtle, Bastrop, Dickinson, Double, and East Bay Bayous: For maintenance, $25,000.

Improving inland waterway on coast of Texas: For maintenance of the West Galveston Bay-Brazos River section, $15,000; for mainte-

nance of the Brazos River-Matagorda Bay section, $25,000; for maintenance of the Aransas Pass-Pass Cavallo section, $30,000; for completing improvement and for maintenance of Guadalupe River up to Victoria, $15,000; in all, $85,000.

Improving mouth of Brazos River, Tex.: For maintenance, $25,000.

Improving Brazos River, Tex.: Continuing improvement from Old Washington to Waco by the construction of locks and dams heretofore authorized, $200,000; continuing improvement and for maintenance by open-channel work from Velasco to Old Washington, $25,000; in all, $225,000.

Improving channel from Pass Cavallo to Port Lavaca, Tex.: For maintenance, $5,000.

Improving channel from Aransas Pass to Corpus Christi, Tex.: For maintenance, $15,000.

Improving Trinity River, Tex.: Continuing improvement with a view to obtaining a depth of 6 feet between the mouth and Dallas by the construction of locks and dams heretofore authorized, $140,000; for maintenance of improvement by open-channel work, $15,000; in all, $155,000.

Improving Cypress Bayou, Tex. and La.: For maintenance, $5,000.

Improving Colorado River, Tex.: Completing improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 3, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $5,000.

Improving Saline River, Ark.: For maintenance, $3,000.

Improving Arkansas River, Ark. and Okla.: Continuing improvement and for maintenance, including works at Pine Bluff and the completion and operation of dredging plant, $64,700.

Improving White River, Ark.: For maintenance, $31,800.

Improving Cache River, Ark.: For maintenance, $3,000.

Improving Black and Current Rivers, Ark. and Mo.: For maintenance, $33,150.

Improving St. Francis River, Ark.: For maintenance of improvement of St. Francis and L'Anguille Rivers and Blackfish Bayou, $6,000.

Improving French Broad River, Tenn.: Completing improvement and for maintenance of French Broad and Little Pigeon Rivers, $23,515.

Improving Tennessee River, Tenn., Ala., and Ky.: Continuing improvement and for maintenance, as follows: Below Riverton, Ala., $120,000: *Provided*, That no further amount shall be expended on locks or dams in this river until further and express action of Congress.

Improving Cumberland River below Nashville, Tenn.: Continuing improvement by the construction of Locks and Dams B, C, and D, $250,000.

Improving Big Sandy River, W. Va. and Ky.: For completing guide wall below Lock No. 1, $25,000.

Improving harbor at Toledo, Ohio: Completing improvement and for maintenance, $135,000.

Improving harbor at Port Clinton, Ohio: For maintenance, $500.

Improving harbor at Huron, Ohio: For maintenance, $2,500; completing improvement in accordance with the report submitted in House Document No. 5, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $34,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $37,000.

Improving harbor at Vermilion, Ohio: For maintenance, $7,000.

Improving harbor at Cleveland, Ohio: For maintenance by dredging and repair of breakwaters, $150,000.

Cuyahoga River, Ohio: The sum of $5,000 is hereby appropriated to enable the Secretary of War to prepare, in cooperation with local interests, a complete and definite plan of improvement, as recommended in House Document No. 707, Sixty-third Congress, second session: *Provided*, That the Government shall not be deemed to have entered upon such project until funds for the commencement of work under the plan to be submitted to Congress in accordance with this authority shall have been actually appropriated by law.

Improving harbor at Fairport, Ohio, in accordance with the report submitted in House Document No. 206, Sixty-third Congress, first session, $158,000.

Improving harbor at Conneaut, Ohio: Continuing improvement, $243,530.

Improving Ohio River: Continuing improvement and for maintenance by open-channel work, $350,900.

Improving Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, $2,000,000.

Improving harbor at Ontonagon, Mich.: For maintenance, $10,000.

Improving harbor at Marquette, Mich.: For maintenance, $2,000.

Improving Menominee Harbor and River, Mich. and Wis.: For maintenance, $7,500; completing improvement in accordance with the report submitted in House Document No. 228, Sixty-third Congress, first session, $3,400; in all, $10,900.

Improving harbor at South Haven, Mich.: For maintenance, $17,000.

Improving harbor at Muskegon, Mich.: For maintenance, $5,000.

Improving harbor at Ludington, Mich.: For maintenance, $21,000.

Improving harbor at Frankfort, Mich.: For maintenance, $3,000.

Improving harbor at Charlevoix and entrance to Pine Lake, Mich.: For maintenance, $4,000.

Improving harbor at Alpena, Mich.: For maintenance, $5,000.

Improving harbor of refuge at Harbor Beach, Mich.: For repairs to piers and maintenance of improvement, $362,380.

Waterway across Keweenaw Point, Mich.: Continuing improvement by the construction of harbor of refuge at the eastern entrance, $75,000.

Improving harbor at Arcadia, Mich.: Completing repairs to the north and south piers from the shore line of Lake Michigan to the shore line of the inner harbor, $25,000.

Improving St. Marys River at the falls, Mich.: Continuing improvement by the construction of a fourth lock, $250,000: *Provided*, That so much as may be necessary of the unexpended balance of appropriations heretofore made for the construction of the new third lock may, in the discretion of the Secretary of War, be applied to the deepening and enlargement of the tailrace of the United States power plant, in order to increase the capacity of said plant.

Improving Black River at Port Huron, Mich.; Continuing improvement and for maintenance, $30,000.

Improving Clinton River, Mich.: For maintenance, $2,000.

Improving harbor at Ashland, Wis.: Continuing improvement and for maintenance, $10,000.

Improving Sturgeon Bay and Lake Michigan Ship Canal, Wis.: Completing improvement in accordance with the report submitted in House Document No. 1382, Sixty-second Congress, third session, $33,000.

Improving harbor at Two Rivers, Wis.: For maintenance, $25,000.

Improving harbor at Port Washington, Wis.: For maintenance, $2,500.

Improving harbor at Racine, Wis.: For maintenance and continuing improvement in accordance with the reports submitted in House Document No. 62, Fifty-ninth Congress, first session, and in the Annual Report of the Chief of Engineers, United States Army, for the fiscal year ending June 30, 1909, $182,400.

Improving harbor at Kenosha, Wis.: For maintenance, $7,500.

Improving Fox River, Wis.: Continuing improvement from Depere up to Portage, including maintenance of improvement of Wolf River and of the harbors heretofore improved on Lake Winnebago, $25,000. And the Secretary of War is hereby authorized to convey, by quitclaim deed, to the State of Wisconsin, or to the city of Portage, free of cost, all the right, title, and interest of the United States in and to the "Portage Levee," including the right of way on which it is built, whenever the proper authorities of said State, or of said city, shall satisfy the Secretary of War that they are empowered by law to accept the same.

Improving Warroad Harbor, Minn.: For maintenance, $2,000.

Improving Zippel Bay, Lake of the Woods, Minn.: For maintenance, $1,000.

Improving harbor at Agate Bay, Minn.: For maintenance, $5,000.

Improving Baudette Harbor and River, Minn.: Completing improvement in accordance with the report submitted in House Document No. 109, Sixty-third Congress, first session, $2,750.

Improving Red River of the North, Minn. and N. Dak.: Continuing improvement and for maintenance, $7,500.

Improving Indiana Harbor, Ind.: For maintenance, $25,000.

Improving harbor at Michigan City, Ind.: Completing improvement and for maintenance in accordance with the report submitted in House Document No. 659, Sixty third Congress, second session, $48,600.

Grand Calumet River, Ind.: That a change in the location of the channel of the Grand Calumet River through the lands of the Gary Land Co. and the Indiana Steel Co., corporations organized under the laws of the State of Indiana, in sections 34, 35, and 36, township 37 north, range 8 west, and in sections 2 and 3, township 36 north, range 8 west, Lake County, Ind., from the original location of such channel to a new location within the strip of land hereinafter described and the construction of a new channel within said strip of land, as the same has been done by said companies, is hereby authorized and approved: *Provided*, That the said Gary Land Co. and the said Indiana Steel Co. shall convey to the United States, free of cost, the right and easement to use said new channel and said strip of land as and for a free public waterway of the United States, and upon the acceptance of such conveyance by the Secretary of War the old channel of the river through the said lands shall be abandoned as a navigable waterway, and in its stead the aforesaid new channel, and any enlargement thereof which Congress may hereafter authorize, shall become and forever remain a free public waterway of the United States and shall be subject to the laws heretofore and hereafter enacted by Congress for the improvement, preservation, and protection of navigable waters: *Provided further*, That the said companies or corporations shall have the right to occupy and use so much of the said strip of land as lies outside the high-water limits of the said new channel until such time as Congress shall authorize and make provision for the enlargement, widening, or other improvement of said channel, it being understood that such occupation and use shall be for temporary purposes only and that the said companies or corporations shall place no structures or works of any kind on said strip or do anything that will tend to obstruct said channel or interfere with its free navigation by the public: *And provided further*, That nothing herein contained shall be construed as conferring any right, power, or privilege in conflict with any law or statute of the State of Indiana, in which said river is located.

The said strip of land above referred to is described as follows: Beginning at a point on the west line of section 3, township 36 north, range 8 west, Lake County, Ind., which is 323.3 feet south of the northwest corner of said section; thence running easterly 3,430 feet, more or less, along a straight line which, if continued, would intersect the east line of said section 3 at a point which is 319. feet south of the northeast corner of said section 3; thence along a curve convex to the south 1,017.45 feet, said curve having a radius of 5,829.6 feet; thence northeasterly 1,580 feet, more or less, along a straight line, said straight line making an angle of 10° with the first-described straight line; thence along a curve convex to the north 900 feet, more or less, said curve having a radius of 5,629.6 feet, to a point which is 100 feet, more or less, north of the south line of section 35 and also 1,170 feet, more or less, west of the middle line of said section 35; thence along a curve convex to the north 1,171.5 feet, more or less, said curve having a radius of 11,563.2 feet, to a point on the middle line of section 35, which is 154 feet north of the south line of said section 35; thence easterly 1,612.5 feet, more or less, along a straight line which, if continued, would intersect the east line of said section 35 at a point which is 176 feet north of the southeast corner of said section 35; thence along a curve convex to the southeast 413.06 feet, said curve having a radius of 623.7 feet; thence northeasterly along a straight line 1,150 feet, more or less, to the south shore of the old river bed of the Grand Calumet River, said straight line making an angle of 38° with the last-described straight line; thence westerly 450 feet, more or less, along the south shore of the said old river bed of the Grand Calumet River; thence southwesterly 700 feet, more or less, along a straight line which is parallel to the aforementioned 1,150-foot line and 150 feet distant from same (measured at right angles); thence along a curve convex to the southeast 313.88 feet, said curve having a radius of 473.7 feet and being parallel to the aforementioned 413.06-foot curve and 150 feet distant from same (measured at right angles); thence westerly 2,700 feet, more or less, along a straight line which is paralel to the aforementioned 1,612.5-foot line and 150 feet distant from same (measured at right angles); thence along a curve convex to the north 1,017.45 feet, said curve having a radius of 5,829.6 feet and being parallel to the aforementioned 900-foot curve and 200 feet distant from same (measured at right angles); thence southwesterly along a straight line 1,580 feet, more or less, said line being parallel to the aforementioned 1,580-foot line and 200 feet distant from same (measured at right angles); thence along a curve convex to the south 982.54 feet, said curve having a radius of 5,629.6 feet and being parallel to the aforementioned 1,017.45-foot curve and 200 feet distant from same (measured at right angles); thence westerly 3,430 feet, more or less, along a straight line which is parallel to the aforementioned 3,430-foot line and 200 feet distant from same (measured at right angles) to a point on the west line of section 3; thence southerly along said line of said section 3 200 feet, more or less, to the point of beginning, containing approximately 46.209 acres.

Improving harbor at Waukegan, Ill.: For maintenance, $10,000.

Improving harbor at Calumet, Ill.: Completing improvement in accordance with the report submitted in House Document No. 237, Sixty-third Congress, first session, $38,170.

Improving Chicago River, Ill.: For maintenance, $10,000.

Improving Calumet River, Ill. and Ind.: For maintenance, $10,000.

Improving Mississippi River from Head of Passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement with a view to securing a permanent channel depth of 9 feet, $6,000,000, which sum shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees, and which may be done, in the discretion of the Secretary of War, by hired labor, or otherwise, between Head of Passes and Cape Girardeau, Mo., and for surveys, including the survey from Head of Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river: *Provided*, That of the money hereby appropriated so much as may be necessary shall be expended in the construction of suitable and necessary dredge boats and other devices and appliances and in the maintenance and operation of the same: *Provided further*, That the watercourses connected with said river and the harbors upon it, now under the control of the Mississippi River Commission and under improvement, may, in the discretion of said commission, upon approval by the Chief of Engineers, receive allotments for improvements now under way or hereafter to be undertaken, to be paid for from the amount herein appropriated: *Provided further*, That a survey with report shall be made by the Mississippi River Commission of the Atchafalaya River in accordance with the general plan of said commission for the improvement of the Mississippi River, and in making such survey and report, if in their opinion the improvement of the Atchafalaya is desirable, consideration shall be given and recommendation made as to any plans for cooperation on the part of local interests: *Provided further*, That the salary of the civilian members of the Mississippi River Commission shall hereafter be $5,000 per annum.

Any funds which are herein, or may hereafter be, appropriated by Congress for improving the Mississippi River between Head of Passes and the mouth of the Ohio River, and which may be allotted to levees, may be expended, under the direction of the Secretary of War, in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for levees upon any part of said river between Head of Passes and Rock Island, Ill., in such manner as in their opinion shall best improve navigation and promote the interest of commerce at all stages of the river.

Improving Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: Continuing improvement and for maintenance, $250,000.

Improving Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $800,000.

Improving Mississippi River from St. Paul to Minneapolis, Minn.: Continuing improvement, $70,000.

Improving Mississippi River in Minnesota, between Brainerd and Grand Rapids: Continuing improvement, $8,000.

Improving the Mississippi River between Winnibigoshish and Pokegama Reservoirs, and the Leech River from its mouth to Leech Lake Dam, Minn.: Continuing improvement, $30,000.

Improving Osage River, Mo.: Continuing improvement and for maintenance, $15,000.

Improving Gasconade River, Mo.: Continuing improvement and for maintenance, $15,000; completing improvement in accordance with the report submitted in House Document No. 190, Sixty-third Congress, first session, $6,500; in all, $21,500.

Improving Kansas River, Kans.: In accordance with the report submitted in House Document No. 584, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $6,000; and the sum of $4,000 appropriated by the river and harbor act approved July 25, 1912, for improvement of Kansas River, Kans., up to Argentine, in accordance with the report submitted in House Document No. 94, Sixty-second Congress, first session, is hereby made available for completing the project herein adopted.

Improving Missouri River: For improvement and maintenance from Kansas City to Sioux City, $50,000; continuing improvement and for maintenance from Sioux City to Fort Benton, $50,000; in all, $100,000.

Improving Los Angeles Harbor, Cal.: For maintenance of improvement by dredging in the inner harbor, east and west basins, and entrance channel, $75,000.

Improving Los Angeles Harbor, Cal., in accordance with the report submitted in House Document No. 896, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $200,000.

Improving harbor at San Francisco, Cal.: For maintenance, $9,000.

Improving harbor at Oakland, Cal.: Continuing improvement and for maintenance, $98,000: *Provided*, That if in the judgment of the Secretary of War the prices received in response to advertisement for bids for dredging are not reasonable, so much of the amount herein appropriated as shall be necessary may be expended for the purchase or construction of a suitable dredging plant.

Improving harbor at Richmond, Cal., in accordance with the report submitted in House Document No. 515, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $50,000.

Improving San Pablo Bay, Cal.: For maintenance of channel through Pinole Shoal, $40,000.

Improving Humboldt Harbor and Bay, Cal.: For completion and repair of the jetties at the entrance, $525,000.

Improving San Rafael Creek, Cal.: Completing improvement in accordance with the report submitted in House Document No. 801, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $27,300.

Improving Napa River, Cal., in accordance with the report submitted in House Document No. 795, Sixty-third Congress, second session, $20,000: *Provided*, That no expense shall be incurred by the United States for acquiring any land required for the purpose of this improvement.

Improving Petaluma Creek, Cal., in accordance with the report submitted in House Document No. 118, Sixty-third Congress, first session, $7,500.

Improving Sacramento and Feather Rivers, Cal.: Continuing improvement and for maintenance, $25,000.

Improving harbor at Coos Bay, Oreg.: For maintenance of the completed channels in Coos Bay and operating the bar dredge, $50,000.

Improving Nehalem Bay, Oreg.: Completing improvement, $116,175.

Improving Coquille River, Oreg.: Continuing improvement and for maintenance and connecting north jetty with the shore, $90,000.

Improving Coos River, Oreg.: For maintenance, $3,000.

Improving Siuslaw River, Oreg.: For maintenance, $5,000.

Improving Siuslaw River, Oreg.: Continuing improvement, $112,500: *Provided*, That an equal amount be provided for the purpose by the port of Siuslaw or other agency, to be expended by the Secretary of War upon the same terms and conditions as those prescribed in connection with the work authorized by the river and harbor act, approved February 27, 1911.

Improving Snake River, Oreg., Wash., and Idaho: Continuing improvement and for maintenance up to Pittsburg Landing, Oreg., $10,000.

Improving Columbia River and tributaries above Celilo Falls to the mouth of Snake River, Oreg. and Wash.: Continuing improvement, $20,000.

Improving Columbia River between the foot of The Dalles Rapids and the head of Celilo Falls, Oreg. and Wash.: Completing improvement, $525,000.

Improving Columbia River at Cascades, Oreg.: Continuing improvement, $10,000.

Improving Willamette and Yamhill Rivers, Oreg., in accordance with the report submitted in House Document No. 13, Sixty-second Congress, first session, $40,000.

Improving Willamette River, Oreg.: For the purchase of the existing canal and locks around the Willamette Falls at Oregon City, Oreg., and completing improvement in accordance with the report submitted in House Document No. 1060, Sixty-second Congress, third session, $80,000.

Improving Columbia and Lower Willamette Rivers below Portland, Oreg.: Continuing improvement and for maintenance, $300,000: *Provided*, That of the funds herein appropriated, $6,000, or so much thereof as may be necessary, may be expended in completing improvement at Cathlamet, Wash., in accordance with the report submitted in House Document No. 120, Sixty-third Congress, first session.

Improving mouth of Columbia River, Oreg. and Wash.: Continuing improvement and for maintenance, including repairs and operation of dredge, $1,000,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $1,500,000, exclusive of the amount herein and heretofore appropriated.

Improving Clatskanie River, Oreg.: For maintenance, $1,000.

Improving Grays Harbor and Chehalis River, Wash.: For maintenance of improvement of inner portion of Grays Harbor and of Chehalis River up to Montesano, $30,000.

Improving Grays Harbor and bar entrance, Wash.: For maintenance, $110,000.

Improving Cowlitz and Lewis Rivers, Wash.: Continuing improvement and for maintenance, including North and East Forks of Lewis River, $16,000.

Improving Grays River, Wash.: For maintenance, $500.

Improving Skamokawa Creek, Wash.: Completing improvement in accordance with the report submitted in House Document No. 111, Sixty-third Congress, first session, $1,800.

Improving Puget Sound, Wash.: For maintenance of improvement of Puget Sound and its tributary waters, $25,000.

Improving Swinomish Slough, Wash.: That for the purpose of aiding in the improvement and maintenance of the channel across Padilla Bay, and securing the cooperation of local interests therein, the Secretary of War may authorize said local interests to construct a system of dikes and dredge along the said channel, and in connection therewith to close the adjacent streams known as Indian Slough and Telegraph Slough, all in accordance with such plans as may be approved by him on the recommendation of the Chief of Engineers: *Provided*, That no expense shall be incurred by the United States on account of said improvement.

Improving Skagit River, Wash.: For maintenance, $10,000.

Improving Skagit River, Wash.: Completing improvement at Skagit City Bar, in accordance with the recommendation of the Chief of Engineers, contained in House Document No. 935, Sixty-third Congress, second session, $30,000.

Improving Columbia River between Bridgeport and Kettle Falls, Wash.: Completing improvement, $25,000.

Improving Apoon mouth of Yukon River, Alaska: Completing improvement in accordance with the report submitted in House Document No. 991, Sixty-third Congress, second session, $45,000.

Improving Harbor at Honolulu, Hawaii: Continuing improvement and for maintenance, $125,000: *Provided*, That if in the judgment of the Secretary of War the prices received in response to advertisement for bids for dredging are not reasonable, so much of the amounts herein and heretofore appropriated as shall be necessary may be expended for the purchase or construction of a suitable dredging plant.

Improving harbor at Hilo, Hawaii: Continuing improvement, $100,000.

Improving harbor at San Juan, P. R., in cooperation with the local government, in accordance with the report submitted in House Document No. 865, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $200,000.

Appropriations made for the respective works herein named, or so much thereof as shall be necessary, may, in the discretion of the Secretary of War, be used for maintenance and for the repair and restoration of said works whenever from any cause they have become seriously impaired, as well as for the further improvement of said works.

Surveys and examinations provided for in this section shall, unless otherwise expressed, be paid for from the appropriations made for the respective improvements or projects to which they pertain or in connection with which they are mentioned.

Mr. SIMMONS. Mr. President, I ask that the Senate now proceed to the consideration of the bill for amendment, and I ask unanimous consent that the committee amendments be first considered.

The PRESIDING OFFICER. The Senator from North Carolina asks that the Senate proceed to the consideration of the bill for amendment, and asks unanimous consent that the committee amendments be first considered. Is there objection?

Mr. BURTON. I want to ask several questions before that is agreed to.

Mr. SHEPPARD rose.

Mr. BURTON. I understand the Senator from Texas desires to make a request of the Senator from North Carolina?

Mr. SHEPPARD. Yes; I wish to request that 200 copies of the substitute prepared by the Senator from Ohio be printed.

The PRESIDING OFFICER. The Senator from Texas asks unanimous consent that 200 copies of the substitute offered to section 1 by the Senator from Ohio be printed. Is there objection?

Mr. LEA of Tennessee. I ask the Senator from Texas to withhold that request for the time being. I may not object, but I will object if the request is insisted on now.

Mr. SHEPPARD. Very well, I will withhold it for the present. I shall renew it shortly, and I hope that I can have it adopted.

The PRESIDING OFFICER. The Senator from North Carolina asks unanimous consent that the committee amendments be first considered. Is there objection?

Mr. BURTON. I wish to ask several questions about that. In the first place, as I understand it, the Senator from North Carolina proposes to introduce one omnibus amendment to section 1.

Mr. SIMMONS. Yes; a substitute for section 1.

Mr. BURTON. The other amendments that have been proposed by the committee are wiped out?

Mr. SIMMONS. Yes; to that section.

Mr. BURTON. As far as section 1 is concerned.

Mr. SIMMONS. I wish——

Mr. BURTON. I wish to ask the Senator from North Carolina, and it is in part a parliamentary inquiry, Does there exist the free right to propose amendments to any paragraph or portion of this section 1?

Mr. SIMMONS. I so understand.

Mr. SMOOT. I will ask the Senator if under the rule it is not permissible to offer any amendment to the substitute or to the original House bill before the vote is taken?

Mr. SIMMONS. I suppose that would be true.

Mr. SMOOT. I understand that to be the case.

Mr. NORRIS. Mr. President——

Mr. BURTON. If the Senator from Nebraska will kindly yield to me for a parliamentary inquiry, I do not wish to have any uncertainty about this question. Is it the opinion of the Chair that if this substitute for section 1 be offered the right exists to offer an amendment to any paragraph or portion of it after it is introduced? I say that in no disparagement to——

The PRESIDING OFFICER. The Chair does not understand that it would be proper for him to undertake at this time to bind the Senate upon any ruling upon a parliamentary inquiry of that character. The Chair has no hesitancy in stating, however, that it is the opinion of the present occupant of the chair that the substitute for section 1 offered by the Senator from North Carolina is subject to amendment.

Mr. BURTON. Any paragraph, any portion of it. The only confusion I would suggest that might arise is from the fact that originally this bill was filed in a somewhat different form with amendments here and there in section 1. Now, those are withdrawn and there is one general amendment presented as a substitute for section 1.

Now, I wish to ask another question.

Mr. SIMMONS. Will the Senator pardon me a moment? I wish to assure the Senator that we have no disposition to foreclose the right of amendment, and, so far as we can, the committee would be perfectly willing to agree that it should be open to amendment.

The PRESIDING OFFICER. The Chair will ask the Senator from North Carolina to speak so that he can be heard by the Chair.

Mr. SIMMONS. I said that we have no desire on this side to foreclose amendments to the first section of the bill, and so far as we could control it we would agree that it should be open to amendment. If that does not suit the Senators present, I hope they will state their objections.

Mr. BURTON. The practice is sometimes adopted, when amendments are proposed, to move to lay them on the table. I will put the direct question to the Senator from North Carolina, Is there any intention, if we move amendments to that section, of interjecting motions to lay them on the table?

Mr. SIMMONS. I will say frankly to the Senator that we not only desire that there should be freedom of discussion, but there is no disposition to invoke the rule he has referred to unless we should think there was a disposition to filibuster or unreasonably to take up time.

Mr. BURTON. May I ask the Senator from North Carolina what he would regard as an unreasonable filibuster?

Mr. SIMMONS. That is a term which has always been regarded by lawyers as exceedingly difficult to define. We can only tell by the environment and the conditions which may surround the discussion.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Connecticut?

Mr. SIMMONS. I want to be frank, and I will say that it is not our purpose to move to lay amendments on the table unless it is clear that the object of the filibuster or discussion is to kill time.

Mr. BURTON. Of course, the judgment of the Senator from North Carolina might differ from my own as to what would be killing time. There is a good deal of important discussion which would yet occur on this section 1.

Mr. SIMMONS. The Senator understands——

Mr. BURTON. The opponents of the bill desire an orderly discussion of the subject, but nevertheless they request time. Some of these provisions will require a good deal of time to discuss. There is not any disposition to protract the discussion unduly.

Mr. SIMMONS. The Senator would not expect me to agree that under any and all circumstances I would not move to lay an amendment on the table. That has been rather unusual in this body. It has not been very often resorted to, and I shall not desire in any way to prevent a fair discussion. I will ask the Senator would he be willing to agree to a time for the discussion?

Mr. BURTON. I do not think the time is ripe for that. In the first place, a proposition for a settlement by a conference of this whole matter has been pending. I attended a meeting yesterday which I thought virtually had reached a conclusion, and I was somewhat surprised that I was compelled to make a night of it last night after that meeting. In view of the fact that a postponed meeting was called for to-day at 10 o'clock at which it was hoped we would reach an agreement I have no desire to unduly postpone the consideration of this bill. I will be perfectly outspoken. If it appears when some of these items are being discussed that Senators have an open mind upon the subject and they are not going to cling together and vote for what we call objectionable items, if they will vote according to their individual judgment, we can make good progress on the bill. But if there is any indication of a combination, that the cohesive influence of common interests in the provisions of the bill are exercising an influence, it will take more time to discuss it.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. BURTON. I yield.

Mr. SIMMONS. I suppose——

Mr. CHAMBERLAIN. I think I have the floor.

The PRESIDING OFFICER. The Senator from Ohio has yielded to the Senator from Oregon.

Mr. CHAMBERLAIN. I desire to suggest to the Senator from Ohio that he have his proposed substitute printed along with the substitute of the committee in parallel columns, so that we may see the changes. I tried to keep up with the amendment of the Senator from Ohio as it was being read, but I may have overlooked some items.

Mr. BURTON. I should like to have that done, but I understand the Senator from Tennessee [Mr. LEA] objects.

Mr. LEA of Tennessee. No; I did not object. I said I did not want the request made at that time because I wanted to find out the attitude of the Senator from Ohio toward the bill. If from this time on the Senator is not going to permit any unanimous-consent agreements proposed by the advocates of the bill, I think this request should not be granted by the advocates of the bill to the opponents of the bill.

Mr. BURTON. Those subjects are entirely disconnected. Here is a bill read in the Senate at the desk. The Members followed it, but it was impossible to follow all the provisions. That is one factor in the situation, and it is a concrete proposition, and when it is asked that we shall agree to that, the other has not any connection with it.

Mr. LEA of Tennessee. I am not asking you to agree to a definite time, but the Senator from North Carolina made what I think is a very fair and reasonable request, and I want to see the attitude of the opponents of the bill.

Mr. JONES. Will the Senator from Ohio let me suggest to the Senator from Tennessee that the request of the Senator from Oregon [Mr. CHAMBERLAIN] is one made in the interest of the convenience of Senators, to enable them to pass upon these various propositions, and it seems to me it ought to be granted in order that Senators may have every facility to acquaint themselves with the different propositions that are before us. I tried to follow the reading of the substitute and to note the changes, but I could not do it entirely. I marked a good many of them, but I could not keep up with all the reading. I should

like very much, indeed, to have these various propositions printed, so that I may acquaint myself with them.

Mr. BRANDEGEE. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Connecticut rises to a point of order. The Senator will state his point of order.

Mr. BRANDEGEE. I simply make it because I want to stick to one thing at a time. The Senator from North Carolina has submitted a request for unanimous consent, and I do not see how another request for unanimous consent can be submitted.

Mr. SIMMONS. I simply interrogated the Senator from Ohio and asked him if he would not be willing to agree upon the discussion upon this measure.

Mr. BURTON. I do not think it is time to agree on it. I do not anticipate that we are going to have trouble. I will say frankly that, after having remained in session here all night, I do not like to remain in session another night and into Sunday. I feel prepared to do that if it is the order of the day, but I do not think it is a good way to transact the business of the Senate. I think it would be well to have these two bills printed side by side, to give some consideration to the subject to-day, and at a reasonable hour, perhaps rather early this Saturday afternoon, adjourn. I do not think any plan to keep us here over the night will hasten action upon the bill. It is very trying to stay here all night and talk most of the night, but it is not beyond the possibilities of physical endurance.

Mr. SMITH of Michigan. Mr. President, I do not understand that there is any special difference of opinion between the Senator from Ohio and the Senator from North Carolina. The members of the committee have indicated their intention to allow the widest possible latitude in moving amendments. I do not understand that there is any disposition to change that position.

Mr. SIMMONS. No; I have stated frankly that there was no disposition to curtail that right unless we thought the freedom of debate was being abused. I think a committee always reserves that right.

Mr. SMITH of Michigan. That is all that is asked for, the widest latitude and no attempt to curtail it. It would not be good faith to abuse it. Of course, the Senator can correct an abuse of it.

Mr. BRANDEGEE. I rise to a question of order. What is the question before the Senate?

The PRESIDING OFFICER. The Chair will state that the Chair understood the Senator from North Carolina to ask unanimous consent that the Senate proceed to the consideration of the bill for amendment, and that the Senate committee amendments be first considered. The Chair stated the request, and upon that the discussion has been going on. The Chair understood that to be the question before the Senate. If the Senator from North Carolina states that he did not desire to submit a request, there is nothing before the Senate.

Mr. SIMMONS. I simply got into a colloquy with the Senator from Ohio in response to a question. I did not withdraw the request.

The PRESIDING OFFICER. The Senator from North Carolina asks unanimous consent that the Senate proceed to the consideration of the bill, and that the Senate committee amendments be first considered. Is there objection?

Mr. BRANDEGEE. We had arrived at that point before. Then the colloquy commenced. It is upon that that I wish to ask the Senator from North Carolina a question. If we give unanimous consent that the substitute of the Senator from North Carolina be taken up, I would like to have coupled with that unanimous consent the right of any Senator to offer an amendment to any part of the proposed substitute of the committee.

Mr. SIMMONS. There is no question about it.

Mr. BRANDEGEE. The Senator said, so far as he can control it, it would be allowed. I do not know why it can not be reasonably made a part of the unanimous consent. That would settle it.

Mr. SMOOT. That is all right.

Mr. SIMMONS. I am perfectly willing that it should be a part of the unanimous consent.

The PRESIDING OFFICER. Then the Senator from North Carolina asks unanimous consent that the Senate proceed to the consideration of the bill, and that the substitute committee amendment be first considered, and that the same be subject to amendment. Is there objection? The Chair hears none. It is so ordered.

The Secretary will read the amendment.

Mr. CHAMBERLAIN. Before the reading is commenced I should like to renew my request to have these bills printed in parallel columns.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent that the amendment offered by the Senator from Ohio and the substitute for section 1 reported by the committee be printed in parallel columns. Is there objection?

Mr. LEA of Tennessee. Before I agree to that I should like to ask the Senator from Oregon if he has any idea when that can be done. When can we get it?

Mr. CHAMBERLAIN. I want it granted so that we can have a new print at the earliest possible day. I presume it can be done by to-morrow morning, while the discussion is going on just the same. This amendment will not be disposed of, and the Senate will not be delayed in reaching a conclusion upon it.

Mr. SIMMONS. With the understanding that the order to print shall not interfere with the proceeding with the consideration of the bill I would have no objection.

Mr. LEA of Tennessee. As to its being used as an argument for delay, I am very frank to say I hope the Senate will stay in continuous session until the bill is acted upon. After the statement made, I will not object.

Mr. BURTON. I did not understand the remark as to the desire to remain in continuous session. I think we would like to know as far as we can what is intended in that regard.

Mr. LEA of Tennessee. I merely voice the hope of an individual Senator. I was not speaking by any authority at all for the committee, because I am not a member of it.

The PRESIDING OFFICER. The Chair will suggest that this proceeding and debate is out of order. The Senator from Oregon has submitted a request for unanimous consent. The request is that the amendment offered by the Senator from Ohio and the substitute for section 1 reported by the committee be printed in parallel columns. Is there objection?

Mr. SIMMONS. I shall not object to that provided it is understood that it will not delay the consideration of the bill.

Mr. SMOOT. I understand the unanimous consent has already been agreed to that we will proceed with the bill.

Mr. SIMMONS. But the request now is for unanimous consent to print the substitute, and I say I shall not object to granting that unanimous consent provided it is not to delay the action of the Senate upon the bill. I do not see that it will cause delay, because I am told that it can be printed in two hours.

Mr. CHAMBERLAIN. The Senator ought to have known that I have no desire to delay the consideration of the bill. I sat here all night to help to hasten it. The discussion will go on just the same. It will not delay the consideration of the bill.

Mr. BRANDEGEE. I demand the regular order.

Mr. JONES. I ask the Senator from Connecticut if he does not——

The PRESIDING OFFICER. The Senator from Connecticut demands the regular order.

Mr. JONES. This is the regular order. I want to ask about the proposed unanimous consent before it is put to the Senate.

The PRESIDING OFFICER. The Chair would be glad to have the Senator from Washington ask his question, but a demand for the regular order is equivalent to an objection. The debate is proceeding by unanimous consent.

Mr. JONES. Excuse me.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Oregon?

Mr. JONES. That is the regular order; and that is the very matter I want to make a suggestion about. Does not the Senator think that we should print also the text of the House bill along with the two substitutes?

Mr. CHAMBERLAIN. I have no objection.

Mr. JONES. I make that amendment to the request—that the text of the House bill and the two substitutes be printed in parallel columns.

The PRESIDING OFFICER. Does the Senator from Oregon agree to the request of the Senator from Washington?

Mr. CHAMBERLAIN. I am satisfied to have the order in that form.

The PRESIDING OFFICER. The Senator from Oregon modifies his request as follows: That the text of the House bill and the amendment offered by the Senator from Ohio and the substitute for section 1 as reported by the committee be printed in parallel columns. Is there objection? The Chair hears none, and it is so ordered. (S. Doc. No. 582.)

The Secretary will read the committee amendment.

Mr. FLETCHER. The substitute has been on the desks of Senators ever since the 5th of the month. I ask unanimous consent to dispense with its reading.

Mr. BURTON. Mr. President, I dislike to interpose on some accounts, because of the possible intimation that it is for delay, but I think the substitute ought to be read, I am frank to say.

Mr. FLETCHER. It is practically a rereading of what we have just finished reading once, with a few omissions. It seems to me that it is an unnecessary consumption of time. It has been printed.

The PRESIDING OFFICER. The Senator from Florida submits a request for unanimous consent that the reading of the substitute for section 1, reported by the committee, be dispensed with, to which request the Senator from Ohio objects.

Mr. BURTON. I feel compelled to object.

The PRESIDING OFFICER. The Secretary will proceed with the reading.

The Secretary proceeded to read the amendment in the nature of a substitute reported by Mr. SIMMONS from the Committee on Commerce on the calendar day of September 14, 1914.

Mr. SMOOT. May I inquire from what bill the Secretary is reading?

The PRESIDING OFFICER. The Secretary informs the Chair that he is reading from the print of the bill of the calendar day of September 14, 1914, the amendment in the nature of a substitute reported by Mr. SIMMONS, from the Committee on Commerce, to the river and harbor bill. The Secretary will continue the reading.

The Secretary resumed the reading of the amendment, and read to the end of the clause from line 18 to line 22, on page 5.

Mr. BRANDEGEE. I should like the attention of the chairman of the committee, who has offered this substitute.

Mr. SIMMONS. I will ask the Senator from Connecticut if he will not address the Senator from Louisiana [Mr. RANSDELL] with reference to the matter, as I have asked him to relieve me.

Mr. BRANDEGEE. Very well, Mr. President, I will call the attention of the Senator in charge of the proposed amendment which we are now considering to the item on page 5, which has just been read by the Secretary. It is as follows:

Improving harbor at New London, Conn., in accordance with the report submitted in House Document No. 613, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $70,000.

I notice, Mr. President, in the bill as it came to the Senate committee from the other House this item was carried at $170,000. I want to ask the Senator in charge of the bill to explain what the view of the committee is in reducing this item from $170,000 down to $70,000? Of course, all I know about what the committee did is the fact that this appears here suggested by the committee as an amendment. I have before me the document referred to in the appropriation recommending the improvement, and I take it that $170,000 had been estimated for by the Engineer Corps as necessary for the work. I think the Senator will comprehend what I should like to have him explain.

Mr. RANSDELL. Mr. President, I will state that the committee was guided in that reduction by the advice of the Engineer officers. We felt that a very large portion of the working year had already elapsed; that there would be another river and harbor bill at the short session of Congress, which would be passed; we hoped that money would be available before the 4th of March next; and in our attempt to reduce the bill somewhat, so much of the year having elapsed and there being a necessity owing to the war situation for raising additional revenue, we asked the Chief of Engineers whether or not this work and many others could be carried on satisfactorily. He assured us that it could; that if we gave the sum of $70,000 the work would not be injured and that his corps could carry it on satisfactorily with that amount. It was under his advice that the reduction was made—the advice of Col. Taylor, of the Engineer Corps.

Mr. BRANDEGEE. I will say to the Senator that my particular interest in this appropriation arises from the fact that New London is my home city, and I am familiar with the situation there. It is a magnificent harbor, and there is need of the appropriation for this improvement going through. I will state to Senators that this is one of the instances where we believe that when we ask help from others we should show as a guaranty of good faith a disposition to first help ourselves. The then energetic mayor of the city of New London, Mr. Mahan, who is a Member of the other House at present, went to our legislature in the capitol of the State, at Hartford, as a State senator, and through the able presentation that he made to the general assembly of the State of the advantages of that harbor for a great ocean seaport the legislature of the State of Connecticut appropriated $1,000,000 for the erection of wharves and warehouses for ocean steamship traffic and appointed a commission to preside over the development and to prepare the plans. That improvement is now in actual course of construction, and there is no doubt whatever that the commerce of the place will be tremendously developed by the overflow crowded out from the very greatly congested city of New York and other cities which are overwhelmed with ocean steamship traffic that can not be accommodated. So that the Senator will appreciate, I am sure, the interest I take in this matter, and I want to be assured that if this appropriation, as suggested by him, should, in the judgment of the Senate, be sufficient to start this work, it will continue it until such time as the project can be further provided for to insure its fulfillment.

Mr. RANSDELL. Mr. President, I will say to the Senator that just as far as the members of the present Committee on Commerce can commit the Senate to future action he need have no fear. We are all very much in favor of that project. We realize that New London is now carrying on a big work on its terminals, to cost, as the Senator has stated, $1,000,000. We wish a great many cities of this country would follow the example of New London, which, we think, is certainly very much to be praised.

We would not have reduced that appropriation one dollar had not Col. Taylor, the engineer in charge and our adviser, said that it could be reduced to $70,000 without any serious detriment to the work. We treated New London as we treated nearly every other project in the bill; we cut nearly every one in the bill; and I again assure the Senator that he need have no fear on that score when the next bill is framed if the present members of the committee can carry out their views.

Mr. BRANDEGEE. Mr. President, I thank the Senator for his statement, because I know he is a man of his word; and if he occupies the same position in the next Congress as he now occupies, I know that he will recommend the further appropriation. I see the report of the engineer is signed by Maj. G. B. Pillsbury, of the Corps of Engineers. I assume he is the local engineer. Col. Taylor, to whom the Senator refers, was formerly the United States engineer in charge of the district in which New London is located, and is perfectly familiar with the situation. If Col. Taylor makes the statement attributed to him by the Senator, I have faith in it and I will say that, while I regret that the committee could not see its way clear to concur with the House in the appropriation of the full amount, I shall not at this time make a motion to increase that amount, unless other Senators are going to attempt to raise the amounts appropriated by the substitute for projects in which they are interested.

I am willing to submit to a scale down in good faith in the interests of economy and to attempt by a fair compromise to secure the passage of some bill that will not stop the very important waterway improvements in this country. It is only my great interest that something shall be gotten through here; that the matter shall not wind up in a fizzle after all the labor that has been expended upon the items of this bill by the very industrious committees of the two branches of Congress that induces me to consent to this reduction.

Mr. RANSDELL. Mr. President, I assure the Senator that we have tried to be fair in every case; and knowing that the Chief of Engineers understood the proposition very much better than ourselves, we had him prepare a list of the reductions which could be made in the bill without serious detriment to the various projects. I hold that list in my hand. The reductions amount to $18,426,734. I believe we followed him in every instance, except perhaps in regard to one very small item of less than $15,000. We took his advice; we did not try to let any one of the Senators influence us in that matter; and I hope there will be no attempt to raise the amounts which have been allotted to the various projects.

Mr. BRANDEGEE. Mr. President, I understand the Senator perfectly. I did not intend to intimate that he was going to make any attempt to "play favorites" or to make any discrimination between projects, or that his committee would do so, either; but I meant that if a certain Senator more eloquent and of greater influence than I might make a successful appeal here to his colleagues and obtain an increase in an appropriation against the wish of the committee, I should feel that I would be entitled to the same privilege, and I would brush up my eloquence and my influence to the highest point in that endeavor.

Mr. RANSDELL. Of course the Senator can do that, but we will have to resist all attempts to increase the items. I will say that.

Mr. BRANDEGEE. If I am treated in that way, I will join with the Senator and his committee to stave off the others who may be more eager.

Mr. SMITH of Michigan. I hope the Senator from Connecticut will not discount his own eloquence.

Mr. BRANDEGEE. I shall not make any unreasonable demands. I believe in fair play.

Mr. SMITH of Michigan. I know the Senator would not.

Mr. WEEKS obtained the floor.

Mr. BRANDEGEE. I should like to say, if I may be allowed——

The PRESIDING OFFICER. The Senator from Massachusetts has been recognized. Does the Senator from Massachusetts yield to the Senator from Connecticut?

Mr. WEEKS. I yield.

Mr. BRANDEGEE. The very next line of the bill concerns a similar appropriation, and I infer, from what the Senator from Louisiana has just said, that in the case of the item in the bill in relation to New Haven the reduction from $70,000 to $30,000 is made for the same reason.

Mr. RANSDELL. It is done for the same reason. The engineer says that—

It is an old project, the work on which is ordinary dredging, and the reduced amount will permit contracts to be advantageously let.

That is the memorandum furnished to us by Col. Taylor.

Mr. BRANDEGEE. As to the item on page 6, providing for improving the harbor at Bridgeport, Conn., I presume the reduction from $111,000 to $50,000 is in accordance with the same plan and scheme?

Mr. RANSDELL. Yes, sir; I understand that it is in accordance with the same plan.

Mr. BRANDEGEE. Very well, Mr. President, I understand it.

Mr. BRANDEGEE subsequently said:

Mr. President, I ask unanimous consent that the report of the Government engineer in relation to New London Harbor, which is very brief, may be printed in the RECORD in connection with my remarks.

The PRESIDING OFFICER (Mr. SAULSBURY in the chair). Without objection, that may be done.

The matter referred to is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 16, 1914.

From: The Chief of Engineers, United States Army.
To: The Secretary of War.
Subject: Preliminary examination and survey of New London Harbor, Conn.

1. There are submitted herewith, for transmission to Congress, reports dated November 22, 1912, and December 10, 1913, with maps, by Maj. G. B. Pillsbury, Corps of Engineers, on preliminary examination and survey, respectively, authorized by the following item contained in the river and harbor act approved July 25, 1912:

"New London Harbor, Conn., with a view to securing increased depth of channel and for report upon the question of cooperation on the part of the State of Connecticut in the improvement of said harbor and its approaches."

2. The existing project for the improvement of New London Harbor provides for a ship channel 400 feet or more in width, 23 feet deep, and about 6,000 feet long in the main harbor, skirting the water front of the city, and for a depth of 15 feet in Shaws Cove. The district officer reports that the least depth in the main channel is 26 feet at mean low water. The commerce of this locality is large and important, but, being mainly coastwise, has not in the past required great depth. In anticipation of the development of a substantial foreign commerce, it appears that the State of Connecticut has purchased lands, prepared designs, and is about to enter into the first contract for the construction of a pier and terminal in the harbor, at a cost of about $1,000,000. The pier is to be 1,000 feet long and of most modern construction, and the slips alongside will be excavated to a depth of 35 feet at mean low water. The district officer is of opinion that these facilities will be taken advantage of by commerce, and to afford the necessary means of approach he believes that it is advisable for the United States to provide a straight channel 600 feet wide and 33 feet deep at mean low water, located as shown on the accompanying maps, at an estimated cost of $330,000. He recommends, however, that the entering into contracts by the proper agencies of the State of Connecticut, covering the essential portions of the proposed terminal construction, be made a condition precedent to the expenditure of funds by the General Government for the channel improvement. The division engineer concurs with the views of the district officer.

3. These reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to its accompanying report, dated December 30, 1913, concurring with the views of the district officer and the division engineer.

4. After due consideration of the above-mentioned reports, I concur with the views of the district officer, the division engineer, and the Board of Engineers for Rivers and Harbors, and therefore report that the further improvement by the United States of New London Harbor, Conn., is deemed advisable so far as to provide a channel 33 feet deep at mean low water and 600 feet wide, at an estimated first cost of $330,000, and $2,000 annually for maintenance, the work to be begun only after assurance satisfactory to the Secretary of War has been given that the State will carry out its project of terminal development practically as now proposed and described in the report of the district officer. The first appropriation should be $170,000 and the second $160,000, so as to complete the work in two years.

EDW. BURR,
Colonel, Corps of Engineers, Acting Chief of Engineers.

Mr. WEEKS. Mr. President, I should like the attention of either the chairman of the committee or the Senator from Louisiana to the item which has been reached, relating to the development of a 40-foot channel in Boston Harbor. I ask unanimous consent to return to that item, so that I may discuss it briefly at this time with the possibility of taking it up later.

Mr. RANSDELL. Does the Senator ask for an explanation?

Mr. WEEKS. I should like an explanation; then I wish to discuss it somewhat.

Mr. RANSDELL. Mr. President, the memorandum furnished in that matter by Col. Taylor reads as follows:

Boston Harbor, Mass.—This is a new project. It provides for a channel 40 feet in depth to the outer or Broad Sound section of the channel. The channel now provided from the sea to Charlestown Navy Yard is 35 feet in depth. The outer portion is subject to the action of heavy seas, and in order to make this section available in all weathers and all stages of the tide and for ships of as great draft as can use the inner channel it is necessary that greater depth be provided than is provided in the still waters of the inner harbor. However, as there is an average tide of about 9 feet, should a deep-draft vessel arrive at the entrance at a stage of the tide when, on account of the condition of the sea, it would be unsafe for her to enter, she could wait until the tide has risen sufficiently to permit her to pass with safety through the channel. The project is, therefore, one which, while it adds greatly to the convenience of the harbor, is not absolutely necessary at the present time. The amount carried in the bill, $400,000, is as small as can be advantageously used, and, as the work must be done by contract, and it is only by letting a large contract that reasonable prices can be obtained, the bill should therefore carry the full $400,000 or nothing, and, as stated above, as the project is not absolutely essential at this time, the omission of the full amount of $400,000 at this time is suggested, with the idea that the project can be adopted at some later time.

Mr. President, just a word more. You will note from this that Col. Taylor suggested that this amount be left out of the bill; and we followed his advice in this particular, as in every other, in making what seemed to us to be the necessary reductions in the bill.

Mr. WEEKS. Mr. President, I assume that I will not be foreclosed from offering an amendment to the bill to restore that item if I do not do it at this time. I am not going to do so until after the bill has progressed sufficiently to determine the character of the items that are going in it; but I do desire to call the attention of the committee, in a brief statement, to this improvement.

Personally, if I were conducting this Government, I should follow the same course that I would in a business or personal enterprise when conditions arose which made it desirable to restrict expenditures. I think at this time the Government should restrict all expenditures to the lowest possible point. I am in favor, as far as possible, of curtailing all appropriations which are made; and if it is the purpose of the committee or of Congress to strike out of this bill all items relating to new developments, simply appropriating to continue the work which has been authorized and is now under way, I do not intend to insist, or attempt to insist, that the appropriation of $400,000 for the new development in Boston shall be undertaken. If, however, the creeks and rivers in various parts of the country, where there is substantially no business now and only an indefinite prospect of business in the future, are to be provided for in this bill in the form of new appropriations, then I insist that the appropriation for the further development of Boston Harbor shall be included in the bill; and at the proper time, unless all new enterprises are cut out of the bill, I shall offer an amendment to restore the item which I am now discussing.

I wish to call the attention of the committee to this fact: Boston is the second largest harbor, in the amount of business conducted, in the United States. For more than 50 years the average revenues collected in Boston have been something like $20,000,000 a year. In other words, a billion dollars has been collected there. Under the present law there is a differential in favor of ports south of New York which makes it desirable that the ports of Boston and New York shall be equipped to do the great general commercial business which accompanies the passenger trans-Atlantic transportation. Therefore, New York Harbor having been developed to a 40-foot channel, it seems to me only fair and right that a 40-foot channel should be provided for Boston as well.

I do not undertake to say that under the immediate, present conditions a 40-foot channel is absolutely essential to Boston; but with the development of larger ships, which is going on from year to year, it is essential if Boston is to get its share of that business.

The State of Massachusetts has not been entirely selfish in the development of its rivers and harbors. For many years it has had a commission which has been dealing with this subject, and the State has made liberal appropriations for the development of channels and harbors along its coast. In the case of Boston Harbor alone there has been appropriated since 1870 by the State $10,787,662.12, of which $5,406,000 was spent under the jurisdiction of the State commission to which I have referred, and the balance, or $5,381,000, by the directors of the port of Boston.

This expenditure by the directors of the port of Boston has been for the development of docks and other facilities which would enable the harbor of Boston to take care of the business

which I have very briefly described. That is a separate and distinct item in its purposes from the one to which I referred as having been spent by our harbor commission. That is money which in most places would have been appropriated for and expended by the National Government. That applies not only to Boston Harbor, but a very large amount of money has been appropriated by the State of Massachusetts in the improvement of its harbors which in other instances, in other States, have been appropriated for by the National Government. Therefore I think Boston and Massachusetts are particularly entitled to the consideration of Congress in this instance.

That is all I wish to say at this time, except to notify the committee that unless all new enterprises are cut out of this bill and appropriations are made simply for the purpose of continuing the improvements which are now under way, I propose to introduce an amendment to reinstate in the bill this item of $400,000 for Boston, and to discuss it at length.

The Secretary resumed the reading of the amendment of the committee, beginning on page 5, line 18, and read to line 22, on page 6.

Mr. BRANDEGEE I want to ask the same privilege I asked a while ago in relation to Bridgeport, as to the engineer's report being printed in the RECORD.

Mr. RANSDELL. The committee has no objection to that.

The PRESIDING OFFICER. Without objection, that will be done.

The matter referred to is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 13, 1914.

From: The Chief of Engineers, United States Army.
To: The Secretary of War.
Subject: Preliminary examination and survey of Bridgeport Harbor, Conn.

1. There are submitted herewith, for transmission to Congress, reports dated November 25, 1912, and March 19, 1914, with maps, by Maj. G. B. Pillsbury, Corps of Engineers, on preliminary examination and survey, respectively, of Bridgeport Harbor, Conn., authorized by the river and harbor act approved July 25, 1912. These reports also fully cover the improvement of Johnsons Creek, Bridgeport, Conn., of which a preliminary examination was called for by the act of March 4, 1913, and therefore no separate report on that subject will be submitted.

2. Bridgeport Harbor comprises two physically distinct waterways with separate entrances into Long Island Sound. These are designated as the main harbor and as Black Rock Harbor. The main harbor has three improved branches, the Poquonock River, Yellow Mill Pond, and Johnsons Creek. Black Rock Harbor has two improved branches, Cedar Creek and Burr Creek. Briefly stated, the existing project provides for a main channel 22 feet deep and 300 feet wide from Long Island Sound to the 22-foot anchorage basin, thence 18 feet deep and 200 feet wide to the Stratford Avenue Bridge across Poquonock River; five anchorage basins, one 22 feet deep, one 18 feet deep, and three 12 feet deep; Poquonock River Channel 18 feet deep and 100 to 230 feet wide from the Stratford Avenue Bridge to Black's coal dock, thence 12 feet deep and 100 feet wide for 750 feet farther to the head of navigation; Yellow Mill Channel 12 feet deep and 100 feet wide from the main channel to the head of Yellow Mill Pond; Johnsons River Channel 9 feet deep and 100 feet wide from the main channel to the head of navigation; Black Rock and Cedar Creek Channel 12 feet deep and 100 feet wide from Black Rock Harbor to the head of navigation in both branches of Cedar Creek; Burr Creek Channel 9 feet deep and 100 feet wide from Cedar Creek Channel to the head of navigation in Burr Creek; and for extension of the east breakwater, construction of the west breakwater, repair and maintenance of existing breakwaters, and construction and maintenance of shore protection on Faverweather Island.

3. The investigations of the district officer lead him to the conclusion that with the exception of the lower part of Johnsons River Channel, the channel depths authorized by the existing project are sufficient to meet the present and reasonably prospective requirements of commerce. The main harbor, besides serving the needs of the water-borne traffic of the adjacent portion of the city, is extensively used as a refuge and in certain seasons is frequented by a large number of oyster boats, and at times it is difficult or impossible to keep the channel clear for the use of passing vessels. In Yellow Mill Channel and Black Rock and Cedar Creek Channels there has been a progressive commercial development and, in the opinion of the district officer, it is advisable to provide increased facilities in these channels. The improvements proposed by him are as follows:

Main Channel:	
Widening turn at inner breakwater	$58,100
Rectification of upper channel	28,400
Extension of 12-foot anchorage area	11,600
Yellow Mill Channel: Shifting lower portion of channel 50 feet to the westward	3,100
Johnsons River Channel: To provide depths of 12 feet and width of 125 to 175 feet to the first turn at the entrance to the river, thence 9 feet deep and 100 feet wide, increased to 150 and 175 feet at the turns, to a point 350 feet below the dam at the head of navigation	19,800
Black Rock Harbor and Cedar Creek Channel: Widening and straightening channel, so as to afford a width of 200 feet in Black Rock Harbor proper, 150 feet through the gorge at the entrance to Cedar Creek, 200 feet in the lower reach of Cedar Creek, 150 feet in the upper reach	54,300
Total	175,300

To this extent the district officer believes the locality worthy of further improvement by the United States, and he recommends the modification of the existing project to provide for this work, and also to authorize a reduction of depth to 7 feet, on account of ledge rock in Burr Creek Channel, with a width of 75 to 100 feet from Cedar Creek Channel to the head of navigation in this creek, and the omission of the upper ends of the Yellow Mill and Johnsons River Channels, where ledge rock was encountered in the course of dredging, above the limits now recommended. If these curtailments of the existing project are authorized, the sum of $64,000, now on hand, will be available for the new work proposed, leaving a balance of $111,300 to be appropriated. The division engineer concurs in the views and recommendations of the district officer.

4. These reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to its report herewith dated April 8, 1914, concurring with the views of the district officer and the division engineer.

5. After due consideration of the above-mentioned reports, I concur with the views of the district officer, the division engineer, and the Board of Engineers for Rivers and Harbors, and therefore report that it is advisable to modify the existing project for improvement of Bridgeport Harbor to the extent and in the manner proposed by the district officer, as described in the reports herewith and indicated on the accompanying maps, at an estimated cost of $175,300 for first construction and $10,000 per annum for maintenance. It is recommended that the sum of $64,000, now on hand, be made available for the new work contemplated, and that the balance of the estimate, $111,300, be provided in one appropriation.

DAN C. KINGMAN,
Chief of Engineers, United States Army.

The Secretary resumed the reading of the amendment of the committee, and read to line 9, on page 25.

Mr. WEST. I should like to ask the Senator who has the bill in charge a question right there. Was it contemplated by the committee when they made the amendment to the bill reported out from the Senate committee that $40,000 was sufficient until the next appropriation, at the next session of Congress, was made?

Mr. RANSDELL. That is my understanding.

Mr. WEST. I refer to the Altamaha, Oconee, and Ocmulgee Rivers, Ga.

Mr. RANSDELL. I have a memorandum which Col. Taylor furnished us. It reads thus:

Work on this project is carried on entirely with Government plant, and the reduced amount will fully provide for the operation of the plant until March 1, 1915.

I will state to the Senator that these cuts were made on the supposition that there would be another river and harbor bill at the coming short session of Congress.

Mr. WEST. I do not want to introduce any amendment if this amount will be abundantly sufficient to carry on the work until the next appropriation bill is passed.

Mr. RANSDELL. It is my understanding that it will be sufficient.

The PRESIDING OFFICER (Mr. ROBINSON). The Secretary will continue the reading.

The Secretary resumed the reading of the amendment of the committee and read to line 3 on page 26.

Mr. KENYON. I should like to ask the Senator from Louisiana [Mr. RANSDELL] for information as to the appropriation for Coosa River. How much of a deduction is that?

Mr. RANSDELL. Coosa River was originally $65,000 for deep open-channel work between Rome, Ga., and Dam 4, Ala. We reduced that to $30,000. Then there was another item for the Coosa River, Lock 4 and Dam 5 for which the House allowed $16,000, and it was stricken from the bill.

Mr. KENYON. Has the Senator from Louisiana Col. Taylor's remarks as to that?

Mr. RANSDELL. I was just going to add that.

Mr. KENYON. I wish the Senator would.

Mr. RANSDELL. The total amount which was carried in the House bill was $65,000 for the open-channel work, and the Senate committee added $16,000, making a total of $81,000. Here is what Col. Taylor suggests:

Coosa River, Ga. and Ala., between Rome and Dam 4: Work on the section of the river carried on by Government plan and the reduced amount will provide for the continuation of this work until March 1, 1915.

Mr. KENYON. But the additional lock and dam are eliminated.

Mr. RANSDELL. Yes; they are eliminated.

The PRESIDING OFFICER. The Secretary will continue the reading.

The Secretary continued the reading to line 7, on page 27, the last item read being for improving Oklawaha River, Fla.

Mr. KENYON. I should like to ask the Senator from Louisiana if that proposition originally as it came from the House was not stricken out by the committee?

Mr. RANSDELL. It was.

Mr. KENYON. And it is now reinserted?

Mr. RANSDELL. Yes. In the House it was $175,000 to complete the project, and it was reinstated with an appropriation of $100,000 to prosecute the project.

Mr. KENYON. What does the project involve eventually?

Mr. RANSDELL. I will ask the Senator from Florida, who is more familiar with the item than I am, to explain it.

Mr. FLETCHER. I should like at some time to go into this matter quite extensively if the amendment is offered to the sub-

stitute. Before we take it up I will be willing to go into this much of it: The Senate subcommittee subsequently reported to the full committee, and the full committee reported the bill with that provision stricken out, which had been inserted in the House. Upon a further consideration of the matter the full committee reconsidered its action and made a supplemental report, restoring the item.

Mr. KENYON. It was reconsidered after the first report to the Senate.

Mr. FLETCHER. After the report to the Senator. When it reached the Senate the committee agreed to restore it as the House had it. Then, when the substitute was prepared, some time after the former action, the substitute carried it as the committee had agreed before that it should be inserted.

Mr. KENYON I should like to ask if the sum is reduced?

Mr. FLETCHER. We reduced the amount.

Mr. KENYON. The same applies to the items following that?

Mr. FLETCHER. Yes.

Mr. KENYON. That was stricken out by the committee and then restored.

Mr. FLETCHER. The other one also. If the Oklawaha project is brought into question at all, I desire to deal with it at some length, because it has been a much misrepresented and maligned project.

Mr. KENYON. It will be objected to, of course, and I hope the Senator will at a later time explain it. He has a better knowledge of it than anyone else.

Mr. FLETCHER. I will be glad to do so.

Mr. RANSDELL. I ask the Secretary to continue the reading.

The PRESIDING OFFICER. The Secretary will continue reading the amendment.

The Secretary resumed the reading of the amendment of the committee, and it was continued to line 5, page 45.

Mr. KENYON. Mr. President, may I ask the Senator from Louisiana as to the Ohio River item, for which there is an appropriation of $2,000,000 in the substitute now being read. What change is that from the original bill?

Mr. RANSDELL. That item is found on page 45 of the substitute, lines 3, 4, and 5, and is the same as in the original bill, except that the amount is reduced from $5,000,000 to $2,000,000.

Mr. KENYON. It is a reduction of $3,000,000?

Mr. RANSDELL. Yes.

Mr. KENYON. And does the open-channel work remain the same?

Mr. RANSDELL. The open-channel work remains the same.

Mr. KENYON. So that altogether that makes a reduction of $3,000,000 on the Ohio River?

Mr. RANSDELL. That is correct.

The Secretary resumed and concluded the reading of the proposed substitute, which, entire, is as follows:

Strike out all after the enacting clause in section 1 of the bill and insert the following:

"That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named:

"Improving Tenants Harbor, Me.: Completing improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 12, Sixty-second Congress, third session, $12,500.

"Improving harbor at Portland, Me.: Continuing improvement, $105,000.

"Improving Wills Strait, Casco Bay, Me.: Completing improvement in accordance with the report submitted in House Document No. 1416, Sixty-second Congress, third session, $16,500.

"Improving St. Croix River, Me.: Completing improvement, $84,000.

"Improving harbor at Burlington, Vt.: For maintenance and repair of breakwater, $2,000.

"Improving Narrows of Lake Champlain, N. Y. and Vt., in accordance with the report submitted in House Document No. 1387, Sixty-second Congress, third session, and subject to the conditions set forth in said document, $200,000.

"Improving harbor at Beverly, Mass., in accordance with the report submitted in House Document No. 220, Sixty-third Congress, first session, and subject to the conditions set forth in said document, as modified in the report in Rivers and Harbors Committee Document No. 8, Sixty-third Congress, second session, $123,000.

"Improving harbor at Salem, Mass.: For maintenance, $7,500.

"Improving harbor at Boston, Mass.: For maintenance, $200,000.

"Improving Malden River, Mass.: The amount appropriated for this improvement by the river and harbor act approved July 25, 1912, is hereby made available for expenditure on the modified project recommended in the report submitted in House Document No. 878, Sixty-third Congress, second session, subject to the conditions set forth in said document.

"Improving Weymouth Fore River, Mass.: Of the balance remaining available from the appropriation made for this improvement by the river and harbor act approved February 27, 1911, so much as shall be necessary is hereby authorized to be expended in increasing the width of the existing 18-foot channel to approximately 400 feet, as recommended in the report submitted in House Document No. 803, Sixty-third Congress, second session.

"Improving Pollock Rip Channel, Mass.: Continuing improvement, $125,000.

"Improving harbor at New Bedford and Fairhaven, Mass.: Completing improvement and for maintenance, $67,000. The paragraph providing for the improvement of harbor at New Bedford and Fairhaven, Mass., in the river and harbor act approved July 25, 1912, is hereby amended in accordance with recommendation in the report in Rivers and Harbors Committee Document No. 13, Sixty-third Congress, second session, to read as follows: 'Improving harbor at New Bedford and Fairhaven, Mass., in accordance with the report submitted in House Document No. 442, Sixty-second Congress, second session, $56,610: *Provided*, That no work shall be undertaken on the project herein adopted until the local authorities shall provide a draw opening in the bridge at Coggeshall Street affording at least 80 feet horizontal clearance and the city shall construct a substantial wharf upon its property at Belleville.'

"Improving harbor at Fall River, Mass.: For maintenance, $12,000.

"Improving Providence River and Harbor, R. I.: That the second proviso in the paragraph of the river and harbor act approved March 4, 1913, providing for the improvement of Providence River and Harbor, R. I., be modified in accordance with recommendation in the report in Rivers and Harbors Committee Document No. 9, Sixty-third Congress, second session, to read as follows: '*Provided further*, That no work in the harbor proper north of Fields Point shall be done until the Secretary of War is satisfied that the State and the city have completed their proposed expenditures in the combined Providence and Pawtucket Harbors up to at least $2,000,000 for public terminals or other permanent public harbor improvements, or shall have given to the Secretary of War assurance satisfactory to him that the expenditure of the $2,000,000 aforesaid will be completed within a time satisfactory to him and not later than three years from the passage of this amendment.'

"Improving harbor at Stonington, Conn.: For maintenance, $6,000.

"Improving harbor at New London, Conn., in accordance with the report submitted in House Document No. 613, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $70,000.

"Improving harbor at New Haven, Conn.: Continuing improvement and for maintenance, $30,000.

"Improving harbor at Milford, Conn.: Completing improvement in accordance with the report submitted in House Document No. 232, Sixty-third Congress, first session, $6,700.

"Improving harbor at Greenwich, Conn.: Completing improvement in accordance with the report submitted in House Document No. 289, Sixty-third Congress, first session, $35,000.

"Improving Thames River, Conn.: For maintenance, $10,000.

"Improving Connecticut River, Conn.: For maintenance of improvement below Hartford, $15,000.

"Improving harbor at Bridgeport, Conn.: Completing improvement in accordance with the report submitted in House Document No. 898, Sixty-third Congress, second session, $50,000. The unexpended balance of appropriations heretofore made for improvement of the harbor at Bridgeport, Conn., is hereby made available for continuing improvement of said harbor in accordance with the report submitted in said House Document No. 898, Sixty-third Congress, second session.

"Improving harbor at Port Chester, N. Y.: Continuing improvement, $15,000.

"Improving harbor at Mattituck, N. Y.: Continuing improvement and for maintenance, $10,000.

"Improving harbor at Huntington, N. Y.: For maintenance, $5,000.

"Improving Hempstead Harbor, N. Y.: For maintenance, $5,000.

"Improving harbor at Saugerties, N. Y.: Continuing improvement and for maintenance, $2,500.

"Improving harbor at Rondout, N. Y.: For maintenance, $5,000.

"Improving harbor at Tarrytown, N. Y.: Completing improvement and for maintenance, $8,000.

"Improving Sheepshead Bay, N. Y.: For maintenance, $3,000.

"Improving New York Harbor, N. Y.: Improving channel in upper bay in accordance with the report submitted in House Document No. 518, Sixty-third Congress, second session, $150,000.

"Improving channel in Gowanus Bay, N. Y.: Continuing improvement of Bay Ridge and Red Hook Channels, $200,000.

"Improving Hudson River Channel of New York Harbor, N. Y.: Continuing improvement, $125,000: *Provided*, That of the amount heretofore appropriated or authorized the unused balance of the estimate for removing the shoal off Hamburg Avenue, Hoboken, to a depth of 40 feet may be applied to such further dredging to that depth as may be required for the safe maneuvering of the deep-draft vessels using that part of the harbor.

"Improving harbor at Buffalo, N. Y.: Completing improvement, $167,375.

"Improving Black Rock Harbor, N. Y.: The unexpended balances of appropriations heretofore made and authorized for the improvement of Black Rock Harbor and Channel, N. Y., and Tonawanda Harbor and Niagara River, N. Y., are hereby consolidated and made available for completing improvement of Black Rock Harbor and Channel and Tonawanda Harbor in accordance with the report submitted in House Document No. 658, Sixty-third Congress, second session, and subject to the conditions set forth in said document.

"Improving harbor at Charlotte, N. Y.: For maintenance, $24,000.

"Improving harbor at Oswego, N. Y.: Continuing improvement in accordance with plan A and for maintenance, $100,000.

"Improving harbor at Plattsburg, N. Y.: For maintenance, $2,000.

"Improving Bronx River, N. Y.: Continuing improvement, $100,000.

"Improving East Chester Creek, N. Y.: Continuing improvement, $20,000.

"Improving Westchester Creek, N. Y.: Completing improvement, $36,500.

"Improving East River and Hell Gate, N. Y., in accordance with the report submitted in House Document No. 188, Sixty-third Congress, first session, $400,000: *Provided*, That so much as may be necessary of this and any other appropriations made for specific portions of New York Harbor and its immediate tributaries may be allotted by the Secretary of War for the maintenance of these waterways by the collection and removal of drift.

"Improving Harlem River, N. Y.: Continuing improvement, $100,000; and the Secretary of War is authorized and directed to cede to the State of New York all the lands heretofore acquired by the United States in the bed of that part of the Harlem River lying outside of the channel lines proposed for the Harlem River improvement in project No. 3, printed in House Document No. 557, Sixty-second Congress, second session, to a new bulkhead line to be established by the Secretary of War along the lines of said channel according to the project: *Provided*, That the cession hereby authorized and made shall take effect only upon the cession to the United States by the State of New York

of the land and land under water with any improvements thereon lying between the channel lines proposed in said project: *Provided further*, That possession of the land hereby authorized to be ceded by the United States to the State of New York shall not be surrendered to said State until and only when the Chief of Engineers of the United States Army shall have certified that the new channel is open for navigation and that the land ceded is no longer necessary for the right of way of the Harlem River Ship Canal.

"Improving Newtown Creek, New York: For maintenance, $30,000.

"Improving Hudson River, N. Y.: Continuing improvement and for maintenance, $750,000.

"Improving Hudson River at Ossining, N. Y., in accordance with the report submitted in House Document No. 350, Sixty-third Congress, second session, $35,000.

"Improving Staten Island Sound, N. Y. and N. J.: Continuing improvement, $400,000.

"Improving Raritan Bay, N. J.: For maintenance, $20,000.

"Improving Newark Bay and Passaic River, N. J.: Continuing improvement, $150,000.

"Improving Woodbridge Creek, N. J.: For maintenance, $6,000.

"Improving Keyport Harbor, Matawan Creek, Raritan, South, and Elizabeth Rivers, Shoal Harbor and Compton Creek, and Chesequake Creek, N. J.: For maintenance, $8,000.

"Improving Raritan River, N. J., in accordance with the report submitted in House Document No. 1341, Sixty-second Congress, third session, $150,000.

"Improving Shoal Harbor and Compton Creek, N. J.: Completing improvement in accordance with the report submitted in House Document No. 40, Sixty-third Congress, first session, $56,800.

"Improving Shrewsbury River, N. J.: For maintenance, $10,000.

"Improving Cooper River, N. J.: For maintenance, $5,000.

"Improving Raccoon Creek, N. J.: For maintenance, $8,000.

"Improving Salem River, N. J.: For maintenance, $10,000.

"Improving Alloway Creek, N. J.: For maintenance, $3,000.

"Improving Maurice River, N. J.: Continuing improvement and for maintenance, $30,000.

"Improving Toms River, N. J.: For maintenance, $1,000.

"Improving Absecon Inlet, N. J.: The appropriation conditionally made by the river and harbor act of March 4, 1913, for the purpose of dredging to keep an open channel until the completion of the dredge previously authorized is hereby made available for the maintenance and operation of said dredge after completion.

"Improving harbor at Pittsburgh, Pa.: For maintenance, $5,000.

"Improving Monongahela River, Pa., by the reconstruction of Lock and Dam No 6: Completing improvement, $178,200.

"Improving Chester River, Pa.: Completing improvement in accordance with the report submitted in House Document No. 677, Sixty-second Congress, second session, $3,600.

"Improving Delaware River, Pa., N. J., and Del.: Continuing improvement and for maintenance from Allegheny Avenue, Philadelphia, to the sea, $1,000,000.

"Improving harbor at Wilmington, Del.: For maintenance, $40,000, of which amount $5,000, or so much thereof as shall be necessary, may be expended in the completion of the dredging plant and appurtenances heretofore authorized.

"Improving Appoquinimink, Murderkill, and Mispillion Rivers, Del.; Continuing improvement and for maintenance, $22,000.

"Improving Appoquinimink River, Del.: Completing improvement in accordance with the report submitted in House Document No. 149, Sixty-third Congress, first session, $11,000.

"Improving Murderkill River, Del., in accordance with the report submitted in House Document No. 1058, Sixty-second Congress, third session, $12,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

"Improving Mispillion River, Del., in accordance with the report submitted in House Document No. 678, Sixty-second Congress, second session, $25,200: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

"Improving St. Jones River, Del.: The provisos attached to the items making appropriation for the improvement of St. Jones River, Del., in the river and harbor acts of June 25, 1910, and February 27, 1911, are hereby modified to read as follows: '*Provided*, That no part of said amount shall be expended for the excavation of any cut-off until a satisfactory title to the land required for that cut-off shall have been transferred to the United States, free of cost, and the United States shall have been released from all claims for damages arising from the proposed diversion of the stream.'

"Improving Little River, Del.: For maintenance, $1,000.

"Improving Leipsic River, Del.: For maintenance, $5,000.

"Improving inland waterway between Rehoboth Bay and Delaware Bay, Del.: Continuing improvement, $100,000: *Provided*, That the Secretary of War is hereby authorized to condemn a right of way through the tracks of the Delaware, Maryland & Virginia Railroad Co. where the line of said waterway intersects said railroad tracks, the basis of condemnation to be the building, maintenance, and operation of a proper drawbridge by the United States, or the payment by the United States to the railroad company of such sum of money as may be awarded in the condemnation proceedings, as full compensation for such right of way, including actual cost of constructing such bridge and the capitalized cost of its maintenance and operation, whichever method may, in the judgment of the Secretary of War, be deemed most advantageous and economical to the United States; and any funds appropriated for improving said waterway are hereby made available for paying the award that may be made in said proceedings: *Provided further*, That of the appropriation herein made the sum of $12,300, or so much thereof as shall be necessary, may be applied to the restoration of the channel between Assawaman Bay and Indian River Bay, and for the repair and alteration of existing bridges built by the United States across said channel.

"Improving inland waterway from Delaware River to Chesapeake Bay, Del. and Md., in accordance with the project recommended by the Chief of Engineers in paragraph 3 of his report, dated August 9, 1913, as published in House Document No. 196, Sixty-third Congress, first session: The Secretary of War is hereby authorized to enter into negotiations for the purchase of the existing Chesapeake & Delaware Canal, and all the property, rights of property, franchises, and appurtenances used or acquired for use in connection therewith or appertaining thereto, and be is further authorized, if in his judgment the price is reasonable and satisfactory, to make a contract for the purchase of the same subject to future ratification and appropriation by the Congress.

"In the event of the inability of the Secretary of War to make a satisfactory contract for the voluntary purchase of said canal and its appurtenances, he is hereby authorized and directed, through the Attorney General, to institute and carry to completion proceedings for the condemnation of said canal and its appurtenances, the acceptance of the award in said proceedings to be subject to the future ratification and appropriation by Congress. Such condemnation proceedings shall be instituted and conducted in, and jurisdiction of said proceedings is hereby given to, the District Court of the United States for the District of Delaware substantially as provided in 'An act to authorize condemnation of land for sites for public buildings, and for other purposes,' approved August 1, 1888, and the sum of $5,000 is hereby appropriated to pay the necessary costs thereof and expenses in connection therewith.

"Improving Curtis Bay Channel, Baltimore Harbor, Md.: Completing improvement in accordance with the report submitted in House Document No. 7, Sixty-third Congress, first session, $123,700.

"Improving harbors at Rockhall, Queenstown, Claiborne, and Cambridge, and Chester, Choptank, Warwick, Wicomico, Pocomoke, La Trappe, and Manokin Rivers, and Tyaskin Creek, Md.: For maintenance, $30,500.

"Improving Breton Bay, Md.: Completing improvement in accordance with the report submitted in House Document No. 127, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $3,000.

"Improving Elk and Little Elk Rivers, Md.: For maintenance, $2,500.

"Improving Corsica River, Md.: Completing improvement, $4,800.

"Improving Tuckahoe River, Md.: For maintenance, $1,500.

"Improving Chester River, Md.: Completing improvement in accordance with the report submitted in House Document No. 797, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $12,000.

"Improving Tred Avon River, Md.: Completing improvement of the North Fork of Tred Avon River in accordance with the report submitted in House Document No. 27, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $19,600.

"Improving Potomac River: For maintenance of improvement at Washington, D. C., $20,000.

"Improving Anacostia River, D. C.: Continuing improvement, $75,000.

"Improving harbor at Norfolk, Va., and vicinity, in accordance with the report submitted in House Document No. 605, Sixty-third Congress, second session, $170,000. The unexpended balance of appropriations heretofore made for improvement of channel to Norfolk, Va., is hereby made available for continuing improvement of said channel in accordance with the report submitted in said House Document No. 605, Sixty-third Congress, second session.

"Improving Mattaponi and Pamunky Rivers, Va.: For maintenance, $7,000.

"Improving Rappahannock River, Va.: For maintenance, $10,000.

"Improving Nansemond River, Va.: For maintenance, $3,000; completing improvement in accordance with the report submitted in House Document No. 1,246, Sixty-second Congress, third session, $4,500; in all, $7,500.

"Improving James River, Va.: Continuing improvement and for maintenance, $100,000.

"Improving Appomattox River, Va.: For maintenance, $5,000.

"Improving Blackwater River, Va.: For maintenance, $2,000.

"Improving waterway on the coast of Virginia: For maintenance, $1,000.

"Improving Hampton Creek, Va.: Completing improvement in accordance with the report submitted in House Document No. 29, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $27,000.

"Improving Oyster Channel, Va.: Completing improvement 50 feet wide and 5 feet deep in accordance with the report submitted in House Document No. 209, Sixty-third Congress, first session, $11,500.

"Improving Locklies Creek, Va.: Completing improvement in accordance with the report submitted in House Document No. 612, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $4,100.

"Improving Occoquan Creek, Va.: Completing improvement in accordance with the report submitted in House Document No. 661, Sixty-third Congress, second session, $43,000.

"Improving inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.: Continuing improvement, $500,000.

"Improving waterway from Norfolk, Va., to sounds of North Carolina: For maintenance, $3,000.

"Improving harbor of refuge at Cape Lookout, N. C.: Continuing improvement, $300,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $700,000, exclusive of the amounts herein and heretofore appropriated or authorized.

"Improving harbor at Beaufort, N. C.: For maintenance, $5,000.

"Improving Beaufort Inlet, N. C.: For maintenance, $10,000.

"Improving harbor at Morehead City, N. C.: For maintenance, $2,000.

"Improving Meherrin River, N. C.: For maintenance, $1,000.

"Improving Roanoke River, N. C.: For maintenance, $2,000.

"Improving Pembroke Creek, N. C.: Completing improvement in accordance with the report submitted in House Document No. 630, Sixty-third Congress, second session, $10,000.

"Improving Scuppernong River, N. C.: For maintenance, $2,000; completing improvement in accordance with the report submitted in House Document No. 1196, Sixty-second Congress, third session, $31,800; in all, $33,800.

"Improving Fishing Creek, N. C.: For maintenance, $1,000.

"Improving Pamlico and Tar Rivers, N. C.: Completing improvement up to Greenville and for maintenance of improvement above Greenville, $18,500.

"Improving Bay River, N. C.: For maintenance, $1,000.

"Improving Contentnia Creek, N. C.: For maintenance, $2,000.

"Improving Smiths Creek, N. C.: For maintenance, $2,000

"Improving Neuse and Trent Rivers, N. C.: Continuing improvement and for maintenance, $37,000.

"Improving Swift Creek, N. C.: For maintenance, $500.

"Improving waterway from Pamlico Sound to Beaufort Inlet, N. C.: For maintenance, $4,000.

"Improving New River and waterways to Beaufort, N. C.: Continuing improvement and for maintenance of New River and of inland

waterways between Beaufort Harbor and New River and between New River and Swansboro, $28,500.

"Improving Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance of improvement of Northeast and Black Rivers and of Cape Fear River above Wilmington, N. C., $13,000; completing improvement of Northeast River, in accordance with the report submitted in House Document No. 1356, Sixty-second Congress, third session, and subject to the conditions set forth in said document, $25,375; in all, $38,375.

"Improving Cape Fear River above Wilmington, N. C.: Continuing improvement, with a view to securing a navigable depth of 8 feet up to Fayetteville, $91,000.

"Improving Cape Fear River at and below Wilmington, N. C.: Completing improvement and for maintenance, $115,000: *Provided*, That not exceeding $5,000 thereof may be used for clearing to a depth of 10 feet and a width of 150 feet the channel or cut between the main channel of the river and the Carolina Beach Pier.

"Improving Shallotte River, N. C.: For maintenance, $1,000.

"Improving Bennett River, N. C.: Completing improvement in accordance with the report submitted in House Document No. 1362, Sixty-second Congress, third session, $6,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

"Improving Newbegun Creek, N. C.: Completing improvement in accordance with the report submitted in House Document No. 24, Sixty-third Congress, first session, $5,000.

"Improving harbor at Charleston, S. C.: For maintenance of Ashley River Channel, $15,000; completing improvement of the Cooper River Channel in accordance with the report submitted in Rivers and Harbors Committee Document No. 19, Sixty-third Congress, second session, $14,000; in all, $29,000.

"Improving waterway between Charleston and Winyah Bay, S. C.: Completing improvement of Jeremy Creek, S. C., in accordance with the report submitted in House Document No. 660, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $5,000. The unexpended balance of appropriations heretofore made for improvement of waterway between Charleston Harbor and McClellanville, S. C., or so much thereof as may be necessary, is hereby made available for completing improvement of waterway between McClellanville and Winyah Bay, in accordance with the report submitted in House Document No. 178, Sixty-third Congress, first session.

"Improving Great Peedee River, S. C.: For maintenance, $10,000.

"Improving Santee, Wateree, and Congaree Rivers, S. C.: For maintenance of improvement of Wateree and Congaree Rivers, $30,000; completing improvement of Santee River in accordance with the report submitted in House Document No. 603, Sixty-third Congress, second session, $10,000; in all, $40,000.

"Improving waterway from Charleston, S. C., to Savannah, Ga., in accordance with the report submitted in House Document No. 627, Sixty-third Congress, second session, $50,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

"Improving Savannah Harbor, Ga.: For maintenance, $250,000; completing improvement in accordance with the report submitted in House Document No. 290, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $154,000; in all, $404,000.

"Improving harbor at Brunswick, Ga.: For maintenance, $33,250.

"Improving Savannah River, Ga.: For maintenance below Augusta, $25,000.

"Improving Altamaha, Oconee, and Ocmulgee Rivers, Ga.: Continuing improvement, $40,000.

"Improving waterway between Savannah, Ga., and Fernandina, Fla.: Completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000; completing improvement of Back River, Ga., in accordance with the report submitted in House Document No. 1391, Sixty-second Congress, third session, $5,000; in all, $6,000.

"Improving Flint River, Ga.: Continuing improvement and for maintenance, $25,000.

"Improving Chattahoochee River, Ga. and Ala.: Continuing improvement below Columbus, Ga., and for maintenance, $90,000.

"Improving Coosa River, Ga. and Ala.: Continuing improvement and for maintenance between Rome, Ga., and Dam No. 4, Ala., $30,000.

"Improving harbor at Fernandina, Fla.: For maintenance, including the entrance channel through Cumberland Sound, Ga. and Fla., $25,000.

"Improving Tampa Bay, Fla.: For maintenance, $6,000.

"Improving harbor at St. Petersburg, Fla.: For maintenance, $1,500.

"Improving Apalachicola Bay, Fla.: Continuing improvement and for maintenance, including Link Channel and West Pass, $25,000.

"Improving St. Andrews Bay, Fla.: Continuing improvement and for maintenance, $60,000.

"Improving the Narrows in Santa Rosa Sound, Fla.: For maintenance, $5,000.

"Improving St. Johns River, Fla.: Continuing improvement from Jacksonville to the ocean, $175,000.

"Improving Lake Crescent and Dunns Creek, Fla.: For maintenance, $1,000.

"Improving Deep Creek, Fla., in accordance with the report submitted in House Document No. 699, Sixty-third Congress, second session, $9,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

"Improving Oklawaha River, Fla., in accordance with the report submitted in House Document No. 514, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $100,000.

"Improving Kissimmee River, Fla., in accordance with the report submitted in House Document No. 137, Sixty-third Congress, first session, $47,000.

"Improving Caloosahatchee River, Fla.: For maintenance, $2,000; completing improvement in accordance with the report submitted in House Document No. 137, Sixty-third Congress, first session, $25,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $27,000.

"Improving Crystal River, Fla., in accordance with the report submitted in Rivers and Harbors Committee Document No. 4, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $10,000.

"Improving Anclote River, Fla., in accordance with the report submitted in House Document No. 18, Sixty-third Congress, first session, $22,000.

"Improving Withlacoochee River, Fla.: For maintenance, $1,000.

"Improving Apalachicola River, Fla.: Continuing improvement and for maintenance, including the cut-off, Lee Slough, lower Chipola River, and upper Chipola River from Marianna to its mouth, $15,000.

"Improving Holmes River, Fla.: For maintenance of improvement from Vernon to the mouth, $3,000.

"Improving Blackwater River, Fla.: For maintenance, $5,000.

"Improving channel from Clearwater Harbor through Boca Ceiga Bay to Tampa Bay, Fla.: Completing improvement and for maintenance, $12,000; channel from Tampa Bay to Boca Ceiga Bay, in accordance with the report submitted in House Document No. 135, Sixty-third Congress, first session, $10,700; in all, $22,700.

"Improving channel from Apalachicola River to St. Andrews Bay, Fla.: Completing improvement, $65,000; and the Secretary of War is hereby authorized to pay to the treasurer of Calhoun County, Fla., out of any funds heretofore appropriated for improving channel from Apalachicola River to St. Andrews Bay, the sum of $400 as full compensation for damage done public highways of said county at points where the adopted line of said channel intersects said highways.

"The Secretary of War is authorized to appoint a board of three officers of the Engineer Corps of the United States Army, to examine and appraise the value of the work and franchises of the East Coast Canal, from the St. Johns River to Key West, Fla., with reference to the desirability of purchasing said canal by the United States and the construction over the route of the said canal of a free and open waterway, having a depth and capacity sufficient for inland navigation. Said board, to the extent that the same can be done from surveys heretofore made under the direction of the War Department and within the limits of the appropriation herein made, shall also examine and investigate the feasibility, for the purpose of such a waterway, of any parallel route between said points. The said board shall make a report of its work, together with its conclusions upon the probable cost and commercial advantages and military and naval uses of said route or routes, to the Secretary of War, who shall transmit the same to Congress as soon as practicable. The sum of $10,000, or so much thereof as may be necessary, is hereby appropriated to pay the expenses of said board, including such clerical and other assistance as may be deemed necessary by said board.

"Improving Choctawhatchee River, Fla. and Ala.: Continuing improvement and for maintenance, including Cypress Top outlet, $25,000.

"Improving channel from Pensacola Bay, Fla., to Mobile Bay, Ala., in accordance with the report of the special Board of Engineers, as recommended on pages 26 and 27 of said report submitted in House Document No. 610, Sixty-third Congress, second session, to the extent of providing a channel 7 feet deep and 75 feet wide on bottom, $25,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

"Improving Escambia and Conecuh Rivers, Fla. and Ala.: For maintenance, $15,000.

"Removing the water hyacinth, Florida, Alabama, Mississippi, Louisiana, and Texas: For the removal of the water hyacinth from the navigable waters in the States of Florida, Alabama, Mississippi, Louisiana, and Texas, so far as it is or may become an obstruction to navigation, $25,000.

"Improving harbor at Mobile, Ala.: For maintenance, $125,000, of which amount $5,000 may be used in the removal of sunken logs, deadheads, and other obstructions.

"Improving Mobile Bar, Ala.: For maintenance, $20,000.

"Improving Alabama River, Ala.: Continuing improvement and for maintenance, including the Alabama and Coosa Rivers between Montgomery and Wetumpka, $75,000.

"Improving Black Warrior, Warrior, and Tombigbee Rivers, Ala.: Completing improvement from Mobile to Sanders Shoals on the Mulberry Fork and to Nichols Shoals on the Locust Fork of Black Warrior River by the construction of locks and dams, including the 63-foot dam at Lock No. 17, authorized by act of Congress approved August 22, 1911, $750,000.

"Improving Tombigbee River, Ala. and Miss.: For maintenance of improvement from the mouth to Demopolis, Ala., $12,500, and from Demopolis, Ala., to Walkers Bridge, Miss., $18,000; in all, $30,500.

"Improving channel connecting Mobile Bay and Mississippi Sound: For maintenance, $10,000.

"Improving inland waterway from Mobile Bay, Ala., to Mississippi River, with a view to securing a channel 7 feet deep and 75 feet wide on the bottom, in accordance with the report submitted in House Document No. 610, Sixty-third Congress, second session, $25,000: *Provided*, That the Secretary of War shall submit a further report as to the most desirable route, all things considered, for the said 7-foot channel from Mobile Bay to the Mississippi River with an estimate of cost of the same.

"Improving harbor at Pascagoula, Miss.: The paragraph in the river and harbor act, approved March 4, 1913, providing for the improvement of harbor at Pascagoula, Miss., is hereby amended to read as follows: 'Improving harbor at Pascagoula, Miss.: For maintenance of improvement of channel at the mouths of Pascagoula and Dog Rivers, and improving channel through Horn Island Pass, Mississippi Sound, Pascagoula River, and Dog River, in accordance with the recommendation of the Chief of Engineers and the Board of Engineers for Rivers and Harbors in report dated February 10, 1914, and printed in Rivers and Harbors Committee Document No. 12, Sixty-third Congress, second session, $110,000: *Provided*, That local interests shall furnish space for public wharves, both at Moss Point and at Pascagoula, 800 feet in length and of such width as may be satisfactory to the Secretary of War.'

"Improving harbor at Gulfport, Miss.: Continuing improvement and for maintenance of anchorage basin at Gulfport and channel therefrom to the anchorage or roadstead at Ship Island, and for the improvement and maintenance of channel at Ship Island Pass, $50,000.

"Improving Pascagoula and Leaf Rivers, Miss.: For maintenance, $14,000.

"Improving Pearl River, Miss.: Continuing improvement and for maintenance below Rockport, $16,000.

"Improving Yazoo River, Miss.: For maintenance of improvement of mouth of Yazoo River, $10,000. The sums herein and hereafter appropriated for such maintenance, together with any unexpended balance of appropriations heretofore made, shall be expended under the direction of the Secretary of War.

"Improving harbor at Vicksburg, Miss., in accordance with the report submitted in House Document No. 667, Sixty-third Congress, second session, and subject to the conditions therein stated, $125,000.

"Improving Yazoo River and tributaries, Miss.: For maintenance of improvement, including Yazoo, Tallahatchie, Big Sunflower, and Coldwater Rivers, Tallahatchie River above the mouth of Coldwater River, Tchula Lake, Steele and Washington Bayous, Lake Washington, and Bear Creek, $40,000.

"Improving Big Sunflower River, Miss.: Continuing improvement, $90,000.

"Improving Southwest Pass, Mississippi River: Continuing improvement and for maintenance, $300,000.

"Improving Bayou Teche, La.: Continuing improvement and for maintenance, $30,000; for improvement in accordance with the report submitted in House Document No. 1329, Sixty-second Congress, third session, $50,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $80,000.

"Improving waterway from Mississippi River to Bayou Teche, La., in accordance with the report submitted in House Document No. 610, Sixty-third Congress, second session, $50,000, and in constructing said waterway the Secretary of War may use such portion or portions of any private canals as may be suitable for the purpose and can be acquired upon satisfactory terms.

"Improving waterway from Bayou Teche to Mermentau River, La.: The unexpended balance of amounts heretofore appropriated for the waterway from Franklin to Mermentau, La., is hereby made available for expenditure in accordance with the plan for improving the waterway from Bayou Teche to Mermentau River submitted in House Document No. 610, Sixty-third Congress, second session, which plan of improvement is hereby adopted: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

"Improving Bayou Vermilion and Mermentau River, La.: For maintenance of improvement of channel, bay, and passes of Bayou Vermilion and Mermentau River and tributaries, and continuing improvement and maintenance of Bayou Plaquemine Brule, $12,000.

"Improving Vermilion River, La., and channel to connect Vermilion River with the inland waterway at Schooner Bayou, in accordance with the report submitted in House Document No. 1336, Sixty-second Congress, third session, $37,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

"Improving Bayou Terrebonne, La.: Completing improvement, $25,000.

"Improving Atchafalaya River, La.: For maintenance, $10,000.

"Improving Lake Pontchartrain, La.: Completing improvement in accordance with the report submitted in House Document No. 176, Sixty-third Congress, first session, $32,000.

"Improving Bayou Grossetete, La.: Completing improvement and for maintenance, $9,000.

"Improving Johnsons Bayou, La.: For maintenance, $5,000.

"Improving Bayous Bartholomew, Macon, D'Arbonne, and Corney, and Boeuf and Tensas Rivers, La.: For maintenance, $16,000.

"Improving Galveston Channel, Tex.: Continuing improvement by construction of sea-wall extension in accordance with the report submitted in House Document No. 1390, Sixty-second Congress, third session, which is hereby adopted under the conditions therein named, $100,000: *Provided*, That no part of the amount herein appropriated shall be expended, except for surveys and other preliminary work, and no contract shall be entered into under this appropriation until the county or city of Galveston and other local interests shall have donated the necessary lands to the United States and shall have quieted all claims to the present San Jacinto Reservation, nor until the said county or city of Galveston shall have obtained a right of way and made provision in a manner satisfactory to the Secretary of War for paying the cost of constructing at least 3,300 feet of sea-wall extension in addition to that herein appropriated for: *Provided further*, That the entire work of construction shall be done under the direction of the Secretary of War, and the funds appropriated by Congress and those furnished by the county or city of Galveston shall be expended by him: *And provided also*, That the pavement of the roadway and sidewalk along the new sea wall shall conform in width to that heretofore constructed by the county of Galveston.

"Improving Galveston Channel, Tex.: Continuing improvement and for maintenance under the existing project, which contemplates the excavation of a channel 30 feet deep and 1,200 feet wide from the inner bar to Fifty-first Street and 700 feet wide from Fifty-first to Fifty-sixth Streets, $100,000: *Provided*, That at such time as in the discretion of the Secretary of War the same may be required in the interests of navigation and commerce the western terminus of said channel may be extended to Fifty-seventh Street with a width of 1,000 feet between Fifty-first and Fifty-seventh Streets, as recommended in the report submitted in House Document No. 328, Sixty-first Congress, second session.

"Improving channel to Port Bolivar, Tex.: For maintenance, $25,000.

"Improving Port Aransas, Tex.: Continuing improvement, $800,000.

"Improving Sabine Pass, Tex.: Continuing improvement and for maintenance of Sabine Pass and Port Arthur Canal, $550,000.

"Improving the Sabine-Neches Canal, Tex., from the Port Arthur Ship Canal to the mouth of Sabine River, the Neches River up to the town of Beaumont, and the Sabine River up to the town of Orange, as provided for in the river and harbor act of February 27, 1911.

"That the channels which the Beaumont navigation district, or other local interests, and the Orange navigation district, or other local interests, are required by the aforesaid act to maintain for a term of three years, free of cost to the United States, are hereby defined as, respectively, the channel from the mouth of the Neches River up to Beaumont, Tex., and the channel from the mouth of the Neches River up to Orange, Tex.: *Provided*, That nothing herein shall be construed as relieving said Beaumont navigation district of its obligation to provide for the operation and maintenance of the guard lock without cost to the United States as required by said river and harbor act of February 27, 1911.

"Improving Houston Ship Channel, Tex.: For maintenance, $200,000.

"Improving Anahuac Channel, Trinity River, Oyster Creek, and Cedar, Chocolate, Turtle, Bastrop, Dickinson, Double, and East Bay Bayous: For maintenance, $25,000.

"Improving inland waterway on coast of Texas: For maintenance of the West Galveston Bay-Brazos River section, $15,000; for maintenance of the Brazos River-Matagorda Bay section, $25,000; for maintenance of the Aransas Pass-Pass Cavallo section $30,000; for completing improvement and for maintenance of Guadalupe River up to Victoria, $15,000; for improvement of the Galveston-Sabine River section in accordance with the report printed in Rivers and Harbors Committee Document No. 7, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $25,000: *Provided*, That the Secretary of War may, on the recommendation of the Chief of Engineers, make such changes in the location of said channel as may be considered desirable, and can be made without increased cost; for improvement of that section between Aransas Pass and Brazos Santiago in accordance with the report submitted in House Document No. 610, Sixty-third Congress, second session, $80,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $190,000.

"Improving mouth of Brazos River, Tex.: For maintenance, $25,000.

"Improving Brazos River, Tex.: Continuing improvement from Old Washington to Waco by the construction of locks and dams heretofore authorized, $200,000; continuing improvement and for maintenance by open-channel work from Velasco to Old Washington, $25,000; in all, $225,000.

"Improving channel from Pass Cavallo to Port Lavaca, Tex.: For maintenance, $5,000.

"Improving channel from Aransas Pass to Corpus Christi, Tex.: For maintenance, $15,000.

"Improving Trinity River, Tex.: Continuing improvement with a view to obtaining a depth of 6 feet between the mouth and Dallas by the construction of locks and dams heretofore authorized, $140,000; for the construction of Locks and Dams Nos. 3 and 5, $50,000; for maintenance of improvement by open-channel work, $15,000; in all, $205,000.

"Improving Cypress Bayou, Tex. and La.: For maintenance, $5,000.

"Improving Red River, La., Ark., Tex., and Okla.: Continuing improvement and for maintenance below Fulton, Ark., $50,000; continuing improvement and for maintenance between Fulton, Ark., and the mouth of the Washita River, $25,000; in all, $75,000.

"Improving Colorado River, Tex.: Completing improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 3, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $5,000.

"Improving Ouachita River, Ark. and La.: Continuing improvement by the construction of Locks and Dams Nos. 2, 3, 4, 5, 6, 7, 8, and 9, $300,000; for maintenance of improvement by open-channel work up to Camden, $25,000, and from Camden to Arkadelphia, $2,500; in all, $327,500.

"Improving Saline River, Ark.: For maintenance, $3,000.

"Improving Arkansas River, Ark. and Okla.: Continuing improvement and for maintenance, including works at Pine Bluff and the completion and operation of dredging plant, $110,000.

"Improving White River, Ark.: For maintenance, $31,800.

"Improving White River at Du Valls Bluff, Ark.: Completing improvement in accordance with the report submitted in House Document No. 1259, Sixty-second Congress, third session, $14,000.

"Improving Cache River, Ark.: For maintenance, $3,000.

"Improving Black and Current Rivers, Ark. and Mo.: For maintenance, $33,150.

"Improving St. Francis River, Ark.: For maintenance of improvement of St. Francis and L'Anguille Rivers and Blackfish Bayou, $6,000.

"Improving French Broad River, Tenn.: Completing improvement and for maintenance of French Broad and Little Pigeon Rivers, $23,515.

"Improving Tennessee River, Tenn., Ala., and Ky.: Continuing improvement and for maintenance, as follows: Above Chattanooga, Tenn., $150,000; between Chattanooga, Tenn., and Browns Island, Ala., $150,000; between Florence and Riverton, Ala., $130,000; below Riverton, Ala., $120,000; in all, $550,000.

"Improving Tennessee River between Browns Island and the railroad bridge below the city of Florence, Ala.: For the completion of the detailed surveys, foundation borings, and preparation of plans for the improvement of this section of the river for the purposes of navigation, combined with the development of water power by the United States alone, or in cooperation with private interests, $150,000: *Provided*, That the work hereby authorized is understood to be of a preliminary nature only and in extension of investigations heretofore authorized, and that the United States is in no wise committed to the execution of any plan of improvement which may be contemplated or proposed without the further and express action of Congress.

"Improving Cumberland River below Nashville, Tenn.: Continuing improvement by the construction of Locks and Dams B, C, and D, $250,000.

"Improving Cumberland River above Nashville, Tenn., in accordance with the recommendation of the Chief of Engineers and the Board of Engineers for Rivers and Harbors, printed in Rivers and Harbors Committee Document No. 10, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $340,000.

"Improving Big Sandy River, W. Va. and Ky.: For completing guide wall below Lock No. 1, $25,000.

"Improving harbor at Toledo, Ohio: Completing improvement and for maintenance, $135,000.

"Improving harbor at Port Clinton, Ohio: For maintenance, $500.

"Improving harbor at Huron, Ohio: For maintenance, $2,500; completing improvement in accordance with the report submitted in House Document No. 5, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $34,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $37,000.

"Improving harbor at Vermilion, Ohio: For maintenance, $7,000.

"Improving harbor at Cleveland, Ohio: For maintenance by dredging and repair of breakwaters, $200,000.

"Cuyahoga River, Ohio: The sum of $5,000 is hereby appropriated to enable the Secretary of War to prepare, in cooperation with local interests, a complete and definite plan of improvement, as recommended in House Document No. 707, Sixty-third Congress, second session: *Provided*, That the Government shall not be deemed to have entered upon such project until funds for the commencement of work under the plan to be submitted to Congress in accordance with this authority shall have been actually appropriated by law.

"Improving harbor at Fairport, Ohio, in accordance with the report submitted in House Document No. 206, Sixty-third Congress, first session, $158,000.

"Improving harbor at Conneaut, Ohio: Continuing improvement, $243,530.

"Improving Ohio River: Continuing improvement and for maintenance by open-channel work, $350,000.

"Improving Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, $2,000,000.

"Improving harbor at Ontonagon, Mich.: For maintenance, $10,000.

"Improving harbor at Marquette, Mich.: For maintenance, $2,000.

"Improving Menominee Harbor and River, Mich. and Wis.: For maintenance, $7,500; completing improvement in accordance with the report submitted in House Document No 228, Sixty-third Congress, first session, $3,400; in all, $10,900.

"Improving harbor at South Haven, Mich.: For maintenance, $17,000.

"Improving harbor at Muskegon, Mich.: For maintenance, $5,000.

"Improving harbor at Ludington, Mich.: For maintenance, $21,000.

"Improving harbor at Frankfort, Mich.: For maintenance, $3,000.

"Improving harbor at Charlevoix and entrance to Pine Lake, Mich.: For maintenance, $4,000.

"Improving harbor at Alpena, Mich.: For maintenance, $5,000.

"Improving harbor of refuge at Harbor Beach, Mich.: For repairs to piers and maintenance of improvement, $362,380.

"Waterway across Keweenaw Point, Mich.: Continuing improvement by the construction of harbor of refuge at the eastern entrance, $75,000; for making a cut-off across Princess Point in accordance with the report submitted in House Document No. 835, Sixty-third Congress, second session, $138,000; in all, $213,000.

"Improving harbor at Arcadia, Mich.: Completing repairs to the north and south piers from the shore line of Lake Michigan to the shore line of the inner harbor, $25,000.

"Improving St. Marys River at the falls, Mich.: Continuing improvement by the construction of a fourth lock, $250,000: *Provided*, That so much as may be necessary of the unexpended balance of appropriations heretofore made for the construction of the new third lock may, in the discretion of the Secretary of War, be applied to the deepening and enlargement of the tailrace of the United States power plant, in order to increase the capacity of said plant.

"Improving Black River at Port Huron, Mich.: Continuing improvement and for maintenance, $30,000.

"Improving Clinton River, Mich.: For maintenance, $2,000.

"Improving harbor at Ashland, Wis.: Continuing improvement and for maintenance, $10,000.

"Improving Sturgeon Bay and Lake Michigan Ship Canal, Wis.: Completing improvement in accordance with the report submitted in House Document No. 1382, Sixty-second Congress, third session, $33,000.

"Improving harbor at Two Rivers, Wis.: For maintenance, $25,000.

"Improving harbor at Port Washington, Wis.: For maintenance, $2,500.

"Improving harbor at Racine, Wis.: For maintenance and continuing improvement in accordance with the reports submitted in House Document No. 62, Fifty-ninth Congress, first session, and in the Annual Report of the Chief of Engineers, United States Army, for the fiscal year ending June 30, 1909, $182,400.

"Improving harbor at Kenosha, Wis.: For maintenance, $7,500.

"Improving Fox River, Wis.: Continuing improvement from Depere up to Portage, including maintenance of improvement of Wolf River and of the harbors heretofore improved on Lake Winnebago, $25,000. And the Secretary of War is hereby authorized to convey, by quitclaim deed, to the State of Wisconsin, or to the city of Portage, free of cost, all the right, title, and interest of the United States in and to the 'Portage Levee,' including the right of way on which it is built, whenever the proper authorities of said State, or of said city, shall satisfy the Secretary of War that they are empowered by law to accept the same.

"Improving Warroad Harbor, Minn.: For maintenance, $2,000.

"Improving Lippel Bay, Lake of the Woods, Minn.: For maintenance, $1,000.

"Improving harbor at Agate Bay, Minn.: For maintenance, $5,000.

"Improving Baudette Harbor and River, Minn.: Completing improvement in accordance with the report submitted in House Document No. 109, Sixty-third Congress, first session, $2,750.

"Improving Red River of the North, Minn. and N. Dak.: Continuing improvement and for maintenance, $7,500.

"Improving Indiana Harbor, Ind.: For maintenance, $25,000.

"Improving harbor at Michigan City, Ind.: Completing improvement and for maintenance in accordance with the report submitted in House Document No. 659, Sixty-third Congress, second session, $48,600.

"Grand Calumet River, Ind.: That a change in the location of the channel of the Grand Calumet River through the lands of the Gary Land Co. and the Indiana Steel Co., corporations organized under the laws of the State of Indiana, in sections 34, 35, and 36, township 37 north, range 8 west, and in sections 2 and 3, township 36 north, range 8 west, Lake County, Ind., from the original location of such channel to a new location within the strip of land hereinafter described and the construction of a new channel within said strip of land, as the same has been done by said companies, is hereby authorized and approved: *Provided*, That the said Gary Land Co. and the said Indiana Steel Co. shall convey to the United States, free of cost, the right and easement to use said new channel and said strip of land as and for a free public waterway of the United States, and upon the acceptance of such conveyance by the Secretary of War the old channel of the river through the said lands shall be abandoned as a navigable waterway, and in its stead the aforesaid new channel, and any enlargement thereof which Congress my hereafter authorize, shall become and forever remain a free public waterway of the United States and shall be subject to the laws heretofore and hereafter enacted by Congress for the improvement, preservation, and protection of navigable waters: *Provided further*, That the said companies or corporations shall have the right to occupy and use so much of the said strip of land as lies outside the high-water limits of the said new channel until such time as Congress shall authorize and make provision for the enlargement, widening, or other improvement of said channel, it being understood that such occupation and use shall be for temporary purposes only and that the said companies or corporations shall place no structures or works of any kind on said strip or do anything that will tend to obstruct said channel or interfere with its free navigation by the public: *And provided further*, That nothing herein contained shall be construed as conferring any right, power, or privilege in conflict with any law or statute of the State of Indiana, in which said river is located.

"The said strip of land above referred to is described as follows: Beginning at a point on the west line of section 3, township 36 north, range 8 west, Lake County, Ind., which is 323.3 feet south of the northwest corner of said section; thence running easterly 3,430 feet, more or less, along a straight line which, if continued, would intersect the east line of said section 3 at a point which is 319.6 feet south of the northeast corner of said section 3; thence along a curve convex to the south 1,017.45 feet, said curve having a radius of 5,829.6 feet; thence northeasterly 1,580 feet, more or less, along a straight line, said straight line making an angle of 10° with the first-described straight line; thence along a curve convex to the north 900 feet, more or less, said curve having a radius of 5,629.6 feet, to a point which is 100 feet, more or less, north of the south line of section 35 and also 1,170 feet, more or less, west of the middle line of said section 35; thence along a curve convex to the north 1,171.5 feet, more or less, said curve having a radius of 11,563.2 feet, to a point on the middle line of section 35 which is 154 feet north of the south line of said section 35; thence easterly 1,612.5 feet, more or less, along a straight line which, if continued, would intersect the east line of said section 35 at a point which is 176 feet north of the southeast corner of said section 35; thence along a curve convex to the southeast 413.06 feet, said curve having a radius of 623.7 feet; thence northeasterly along a straight line 1,150 feet, more or less, to the south shore of the old river bed of the Grand Calumet River, said straight line making an angle of 38° with the last-described straight line; thence westerly 450 feet, more or less, along the south shore of the said old river bed of the Grand Calumet River; thence southwesterly 700 feet, more or less, along a straight line which is parallel to the aforementioned 1,150-foot line and 150 feet distant from same (measured at right angles); thence along a curve convex to the southeast 313.88 feet, said curve having a radius of 473.7 feet and being parallel to the aforementioned 413.06-foot curve and 150 feet distant from same (measured at right angles); thence westerly 2,700 feet, more or less, along a straight line which is parallel to the aforementioned 1,612.5-foot line and 150 feet distant from same (measured at right angles); thence along a curve convex to the north 1,017.45 feet, said curve having a radius of 5,829.6 feet and being parallel to the aforementioned 900-foot curve and 200 feet distant from same (measured at right angles); thence southwesterly along a straight line 1,580 feet, more or less, said line being parallel to the aforementioned 1,580-foot line, and 200 feet distant from same (measured at right angles); thence along a curve convex to the south 982.54 feet, said curve having a radius of 5,629.6 feet and being parallel to the aforementioned 1,017.45-foot curve and 200 feet distant from same (measured at right angles); thence westerly 3,430 feet, more or less, along a straight line which is parallel to the aforementioned 3,430-foot line and 200 feet distant from same (measured at right angles) to a point on the west line of section 3; thence southerly along said line of said section 3,200 feet, more or less, to the point of beginning, containing approximately 46.209 acres.

"Improving harbor at Waukegan, Ill.: For maintenance, $10,000.

"Improving harbor at Calumet, Ill.: Completing improvements in accordance with the report submitted in House Document No. 237, Sixty-third Congress, first session, $38,170.

"Improving Chicago River, Ill.: For maintenance, $10,000.

"Improving Calumet River, Ill. and Ind.: For maintenance, $10,000.

"Improving Mississippi River from Head of Passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement with a view to securing a permanent channel depth of 9 feet, $6,000,000, which sum shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees, and which may be done, in the discretion of the Secretary of War, by hired labor or otherwise, between Head of Passes and Cape Girardeau, Mo., and for surveys, including the survey from Head of Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interest of commerce at all stages of the river: *Provided*, That of the money hereby appropriated so much as may be necessary shall be expended in the construction of suitable and necessary dredge boats and other devices and appliances and in the maintenance and operation of the same: *Provided further*, That the watercourses connected with said river and the harbors upon it, now under the control of the Mississippi River Commission and under improvement may, in the discretion of said commission, upon approval by the Chief of Engineers, receive allotments for improvements now under way or hereafter to be undertaken, to be paid for from the amount herein appropriated: *Provided further*, That a survey with report shall be made by the Mississippi River Commission of the Atchafalaya River in accordance with the general plan of said commission for the improvement of the Mississippi River, and in making such survey and report, if in their opinion the improvement of the Atchafalaya is desirable, consideration shall be given and recommendation made as to any plans for cooperation on the part of local interests: *Provided further*, That the salary of the civilian members of the Mississippi River Commission shall hereafter be $5,000 per annum.

"Any funds which are herein or may hereafter be appropriated by Congress for improving the Mississippi River between Head of Passes and the mouth of the Ohio River, and which may be allotted to levees, may be expended, under the direction of the Secretary of War, in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for levees upon any part of said river between Head of Passes and Rock Island, Ill., in such manner as in their opinion shall best improve navigation and promote the interest of commerce at all stages of the river.

"Improving Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: Continuing improvement and for maintenance, $300,000.

"Improving Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $750,000.

"Improving Mississippi River from St. Paul to Minneapolis, Minn.: Continuing improvement, $70,000.

"Improving Mississippi River in Minnesota between Brainerd and Grand Rapids: Continuing improvement, $8,000.

"Improving the Mississippi River between Winnibigoshish and Pokegama Reservoirs, and the Leech River from its mouth to Leech Lake Dam, Minn.: Continuing improvement, $30,000.

"Improving Osage River, Mo.: Continuing improvement and for maintenance, $15,000

"Improving Gasconade River, Mo.: Continuing improvement and for maintenance, $15,000; completing improvement in accordance with the report submitted in House Document No. 190, Sixty-third Congress, first session, $6,500; in all, $21,500.

"Improving Kansas River, Kans.: In accordance with the report submitted in House Document No. 584, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $6,000; and the sum of $4,000, appropriated by the river and harbor act approved July 25, 1912, for improvement of Kansas River, Kans., up to Argentine, in accordance with the report submitted in House Document No. 94, Sixty-second Congress, first session, is hereby made available for completing the project herein adopted.

"Improving Missouri River: Continuing improvement and for maintenance, with a view to securing a permanent 6-foot channel between Kansas City and the mouth of the river, $1,000,000.

"Improving Missouri River: For improvement and maintenance from Kansas City to Sioux City, $50,000, of which amount at least $25,000 may be expended for such bank revetment as in the judgment of the Chief of Engineers may be in the interest of navigation; continuing improvement and for maintenance from Sioux City to Fort Benton, $50,000, of which amount at least $25,000 may be expended for such bank revetment as in the judgment of the Chief of Engineers may be in the interest of navigation; in all, $100,000.

"Improving Los Angeles Harbor, Cal.: For maintenance of improvement by dredging in the inner harbor, East and West Basins, and entrance channel, $75,000.

"Improving Los Angeles Harbor, Cal., in accordance with the report submitted in House Document No. 896, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $200,000.

"Improving harbor at San Francisco, Cal.: For maintenance, $9,000.

"Improving harbor at Oakland, Cal.: Continuing improvement and for maintenance, $98,000: *Provided*, That if in the judgment of the Secretary of War the prices received in response to advertisement for bids for dredging are not reasonable, so much of the amount herein appropriated as shall be necessary may be expended for the purchase or construction of a suitable dredging plant.

"Improving harbor at Richmond, Cal., in accordance with the report submitted in House Document No. 515, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $50,000.

"Improving San Pablo Bay, Cal.: For maintenance of channel through Pinole Shoal, $40,000.

"Improving Humboldt Harbor and Bay, Cal.: For completion and repair of the jetties at the entrance, $525,000.

"Improving San Rafael Creek, Cal.: Completing improvement in accordance with the report submitted in House Document No. 801, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $27,300.

"Improving Napa River, Cal., in accordance with the report submitted in House Document No. 795, Sixty-third Congress, second session, $20,000: *Provided*, That no expense shall be incurred by the United States for acquiring any land required for the purpose of this improvement.

"Improving Petaluma Creek, Cal., in accordance with the report submitted in House Document No. 118, Sixty-third Congress, first session, $7,500.

"Improving Sacramento and Feather Rivers, Cal.: Continuing improvement and for maintenance, including improvement above Sacramento to Red Bluff, in accordance with the report submitted in House Document No. 76, Sixty-second Congress, first session, $25,000.

"Improving Sacramento and Feather Rivers, Cal., in accordance with the report submitted in Rivers and Harbors Committee Document No. 5, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $200,000.

"Improving harbor at Coos Bay, Oreg.: For maintenance of the completed channels in Coos Bay and operating the bar dredge, $50,000.

"Improving Nehalem Bay, Oreg.: Completing improvement, $116,175.

"Improving Coquille River, Oreg.: Continuing improvement and for maintenance and connecting north jetty with the shore, $90,000.

"Improving Coos River, Oreg.: For maintenance, $3,000.

"Improving Siuslaw River, Oreg.: For maintenance, $5,000.

"Improving Siuslaw River, Oreg.: Continuing improvement, $112,500: *Provided*, That an equal amount be provided for the purpose by the port of Siuslaw or other agency, to be expended by the Secretary of War upon the same terms and conditions as those prescribed in connection with the work authorized by the river and harbor act approved February 27, 1911.

"Improving Snake River, Oreg., Wash., and Idaho: Continuing improvement and for maintenance up to Pittsburg Landing, Oreg., $10,000.

"Improving Columbia River and tributaries above Celilo Falls to the mouth of Snake River, Oreg. and Wash.: Continuing improvement, $20,000.

"Improving Columbia River between the foot of The Dalles Rapids and the head of Celilo Falls, Oreg. and Wash.: Completing improvement, $525,000.

"Improving Columbia River at Cascades, Oreg.: Continuing improvement, $10,000.

"Improving Willamette and Yamhill Rivers, Oreg., in accordance with the report submitted in House Document No. 13, Sixty-second Congress, first session, $40,000.

"Improving Willamette River, Oreg.: For the purchase of the existing canal and locks around the Willamette Falls at Oregon City, Oreg., and completing improvement in accordance with the report submitted in House Document No. 1060, Sixty-second Congress, third session, $80,000.

"Improving Columbia and Lower Willamette Rivers below Portland, Oreg.: Continuing improvement and for maintenance, $300,000: *Provided*, That of the funds herein appropriated $6,000, or so much thereof as may be necessary, may be expended in completing improvement at Cathlamet, Wash., in accordance with the report submitted in House Document No. 120, Sixty-third Congress, first session.

"Improving mouth of Columbia River, Oreg. and Wash.: Continuing improvement and for maintenance, including repairs and operation of dredge, $1,000,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $1,500,000, exclusive of the amount herein and heretofore appropriated.

"Improving Clatskanie River, Oreg.: For maintenance, $1,000.

"Improving Grays Harbor and Chehalis River, Wash.: For maintenance of improvement of inner portion of Grays Harbor and of Chehalis River up to Montesano, $30,000.

"Improving Grays Harbor and bar entrance, Wash.: For maintenance, $110,000.

"Improving Cowlitz and Lewis Rivers, Wash.: Continuing improvement and for maintenance, including North and East Forks of Lewis River, $16,000.

"Improving Grays River, Wash.: For maintenance, $500.

"Improving Skamokawa Creek, Wash.: Completing improvement in accordance with the report submitted in House Document No. 111, Sixty-third Congress, first session, $1,800.

"Improving Puget Sound, Wash.: For maintenance of improvement of Puget Sound and its tributary waters, $25,000.

"Improving Swinomish Slough, Wash.: That for the purpose of aiding in the improvement and maintenance of the channel across Padilla Bay, and securing the cooperation of local interests therein, the Secretary of War may authorize said local interests to construct a system of dikes and dredge along the said channel, and in connection therewith to close the adjacent streams known as Indian Slough and Telegraph Slough all in accordance with such plans as may be approved by him on the recommendation of the Chief of Engineers: *Provided*, That no expense shall be incurred by the United States on account of said improvement.

"Improving Skagit River, Wash.: For maintenance, $10,000.

"Improving Skagit River, Wash.: Completing improvement at Skagit City bar, in accordance with the recommendation of the Chief of Engineers, contained in House Document No. 935, Sixty-third Congress, second session, $30,000.

"Improving Columbia River between Bridgeport and Kettle Falls, Wash: Completing improvement, $25,000.

"Improving Apoon mouth of Yukon River, Alaska: Completing improvement in accordance with the report submitted in House Document No. 991, Sixty-third Congress, second session, $45,000.

"Improving harbor at Honolulu, Hawaii: Continuing improvement and for maintenance, $125,000: *Provided*, That if in the judgment of the Secretary of War the prices received in response to advertisement for bids for dredging are not reasonable, so much of the amounts herein and heretofore appropriated as shall be necessary may be expended for the purchase or construction of a suitable dredging plant.

"Improving Harbor at Hilo, Hawaii: Continuing improvement, $100,000.

"Improving harbor at San Juan, P. R., in cooperation with the local government, in accordance with the report submitted in House Document No. 865, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $200,000

"Appropriations made for the respective works herein named, or so much thereof as shall be necessary, may, in the discretion of the Secretary of War, be used for maintenance and for the repair and restoration of said works whenever from any cause they have become seriously impaired, as well as for the further improvement of said works.

"Surveys and examinations provided for in this section shall, unless otherwise expressed, be paid for from the appropriations made for the respective improvements or projects to which they pertain or in connection with which they are mentioned."

Mr. RANSDELL. Mr. President, I will ask to return to page 42 of the bill, and introduce on behalf of the committee an amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Louisiana offers an amendment to the committee amendment, which will be stated by the Secretary.

The SECRETARY. At the end of line 19, on page 42, after the numerals and before the period, it is proposed to insert a colon and the following:

Provided, That no contract shall be entered into nor any money spent for the construction of lock and dam at the foot of Caney Creek Shoals in accordance with project therefor submitted in House Document No. 360, Sixty-second Congress, second session, except upon conditions set forth on page 3 of said report, to the effect that the property holders affected by such improvement be required to secure and furnish the United States, free of cost, all the flowage rights necessary for this pool prior to any work of actual dam construction by the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. WEEKS. Mr. President——

Mr. RANSDELL. Let me go back to two or three committee amendments, and then I shall be glad to yield.

Mr. WEEKS. I think the Senator will have an opportunity after we get a quorum. 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	Jones	Perkins	Smith, S. C.
Bankhead	Kern	Pittman	Smoot
Brady	Lane	Pomerene	Sterling
Bryan	Lea, Tenn.	Ransdell	Stone
Burton	Lee, Md.	Reed	Thornton
Camden	Lewis	Robinson	Townsend
Chamberlain	McCumber	Shafroth	Weeks
Culberson	Martine, N. J.	Sheppard	West
Fletcher	Myers	Shields	White
Gore	Nelson	Simmons	Williams
Hollis	Norris	Smith, Ariz.	
Hughes	Overman	Smith, Ga.	
James	Page	Smith, Md.	

Mr. SMITH of Maryland. I desire to say, in regard to the junior Senator from Virginia [Mr. SWANSON], that he has been suddenly called home on account of the illness of his father; and in that connection I ask that he may be excused.

The PRESIDING OFFICER. The Senator from Maryland asks that the junior Senator from Virginia [Mr. SWANSON] may be excused on account of the illness of his father. Is there objection? The Chair hears none.

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] by leave of the Senate, and to state that he is paired with the Senator from New York [Mr. ROOT].

Mr. SMITH of Maryland. I also wish to include in my announcement the senior Senator from Virginia [Mr MARTIN], who is also absent on account of sickness in his family. I ask that he may be excused.

The PRESIDING OFFICER. The Senator from Maryland asks unanimous consent that the senior Senator from Virginia [Mr. MARTIN] may be excused on account of illness in his family. Is there objection? The Chair hears none, and it is so ordered.

Mr. LEA of Tennessee. I desire to announce the absence of the junior Senator from Kansas [Mr. THOMPSON], who was excused from attendance to-day by the Senate.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present.

Mr. BURTON. Mr. President, I desire to offer as a substitute for section 1 which has just been read as a substitute for section 1 the substitute which I offered and which was read this morning.

The PRESIDING OFFICER. The Senator from Louisiana announced his desire to offer some amendments to the amendment.

Mr. RANSDELL. Just to improve the committee amendment. I hope the Senator from Ohio will withdraw his request until I can offer these to perfect the amendment.

Mr. BURTON. It is understood that I will have the floor as soon as that is done?

The PRESIDING OFFICER. The Chair will state that by the unanimous-consent agreement heretofore entered into the Senator from Louisiana is entitled to offer committee amendments, and the Chair recognizes the Senator from Louisiana to submit his amendments.

Mr. RANSDELL. On page 48, line 11, there is a mistake in the spelling of the word "Lippel." It should be "Zippel." I ask that that change be made.

The PRESIDING OFFICER. The Senator from Louisiana offers an amendment to the amendment, which the Secretary will state.

The SECRETARY. On page 48, line 8, change the spelling of the word "Lippel" to read "Zippel," so as to read:

Improving Zippel Bay, Lake of the Woods, Minn.

Mr. RANSDELL. I ask for the adoption of the amendment to the amendment.

Mr. NELSON. It should be "Zippel." It is Zippel Bay.

Mr. RANSDELL. That is what I have asked to have it changed to.

Mr. NELSON. That is right.

The amendment to the amendment was agreed to.

Mr. RANSDELL. On page 63 of the substitute, between lines 9 and 10, I ask to insert what I send to the desk.

The PRESIDING OFFICER. The Secretary will read it.

The SECRETARY. On page 63, after line 9, insert the following:

Improving Willapa Harbor and River, Wash., in accordance with the report submitted in House Document No. 706, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $50,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. RANSDELL. I now move the adoption of the substitute as amended.

The PRESIDING OFFICER. Pending that motion, the Sergeant at Arms is directed to report the proceedings and action under the order of the Senate heretofore issued to compel the attendance of absent Senators.

Mr. JOHN J. MCGRAIN (Special Deputy Sergeant at Arms) appeared and said:

Mr. President, I have the honor to make the following report.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
September 19, 1914—1 p. m.

To the PRESIDENT OF THE SENATE:

SIR: I have the honor to further report that Senators CULBERSON and PERKINS, who were excused last evening on account of illness, have appeared in the Senate Chamber. Senators BANKHEAD, BRANDEGEE, GORE, MCCUMBER, NELSON, NORRIS, POMERENE, SMITH of Georgia, and SMITH of Michigan have responded to the order of the Senate by appearing in the Senate Chamber.

Every Senator now in the city of Washington, except Senators BRISTOW and LA FOLLETTE, who are reported sick, has appeared in the Senate Chamber.

Also, in obedience to the following order received by me—

"*Ordered*, That the Sergeant at Arms be instructed to request the attendance of all Senators now absent from the city of Washington except those who are sick or excused"—

I beg leave to report that I have complied with these instructions by telegraphing to all Senators now absent from the city of Washington, with the exception of Senators BURLEIGH, SHIVELY, and THOMAS, excused, and one Senator who is abroad.

Very respectfully,
JOHN J. MCGRAIN,
Special Deputy Serygant at Arms.

Mr. SMITH of Georgia. Mr. President, the report is incorrect in so far as it applies to myself. I was excused, I understood last night, and I reported this morning by 7 o'clock. I was excused for the night for confidential reasons.

The PRESIDING OFFICER. The Chair thinks the statement of the Senator from Georgia is correct.

Mr. BURTON. I move to amend the amendment proposed by the committee as a substitute by inserting in lieu of it the substitute offered by myself and read this morning.

The PRESIDING OFFICER. The Senator from Ohio offers as an amendment, in the nature of a substitute for the amendment proposed by the committee, the amendment which was read this morning.

Mr. BURTON. It is but proper that I should address the Senate on behalf of that amendment.

Mr. SHEPPARD. Mr. President——

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

Mr. BURTON. Yes.

Mr. SHEPPARD. I wish to ask the Senator from Ohio whether his substitute has yet been printed.

Mr. BURTON. I do not think it has yet been printed.

The PRESIDING OFFICER. The Chair is informed by the Secretary that the print will be here in a few minutes.

Mr. BURTON. I think I can explain it so that it will not be necessary to wait for the print.

Mr. FLETCHER. Mr. President, I make this point: The unanimous consent was that all amendments by the committee to the entire bill were to be considered first.

Mr. BURTON. This, however, is the perfecting of an amendment proposed by the committee.

Mr. FLETCHER. I understand; but there are other sections of the bill, and this is an amendment to only one section, and it seems to me that, under the agreement, the committee would have the right to propose amendments to the entire bill.

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

Mr. FLETCHER. If it is agreed otherwise, of course, I have no objection; but, under the order, if we take up the matter of offering amendments to the amendments proposed by the committee, we are not precluded, under the unanimous-consent agreement, from a preference in offering amendments to the remainder of the bill.

Mr. SMOOT. The Senator is right as to the unanimous-consent agreement. I take it the Senator from Ohio thought that the amendments of the committee were completed.

Mr. RANSDELL. As I understood the matter, we were going to perfect the substitute section 1 and to permit any Senator to offer amendments to that substitute and then take up the remainder of the bill. That was my understanding, though I may have misunderstood it. That is the basis on which I have acted.

Mr. FLETCHER. I have no objection to that order.

Mr. BURTON. The amendment which I have proposed is an amendment to the amendment proposed by the committee, and, it seems to me, that under the unanimous-consent agreement it is proper here, because it is a perfecting agreement.

As I understand the unanimous-consent agreement, the amendment as a substitute to section 1 was to be offered and then any amendment to that might be offered. That would include not only an amendment but a specific paragraph to an amendment to the whole section. It is on that theory that I have proposed a substitute for the whole of it.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Florida and the Senator from Louisiana to the fact that if the committee amendment be agreed to it would not be subject to amendment thereafter except by further unanimous consent. The Chair thinks that the amendment of the Senator from Ohio is in order under the unanimous-consent agreement.

Mr. RANSDELL. That is my opinion. As I understood the unanimous-consent agreement, we would attempt to perfect the substitute for section 1, and then it would be open to the Senator from Ohio, and any other Senator, to move amendments thereto. That was my understanding.

Mr. SMOOT. I ask that the unanimous-consent agreement be read, because I do not understand the unanimous-consent agreement in that way.

The PRESIDING OFFICER. The Chair can state from memory the unanimous-consent agreement. It was that the Senate proceed to the consideration of the bill, and that the committee amendments be first considered.

Mr. SMOOT. And then amendments to the bill should be offered thereafter or any amendment could be offered to the bill thereafter.

The PRESIDING OFFICER. Yes; and that the bill should be subject to amendment.

Mr. NELSON. I desire to say in reference to the question which has just been raised that the amendment of the committee to section 1 is the same amendment; it is an entirety, and the question is on the adoption of that amendment, but before we act upon it it is subject to amendment, and it does not depend at all upon the unanimous-consent agreement. The amendment to the amendment would be in order without unanimous consent.

The PRESIDING OFFICER. That is the ruling of the Chair.

Mr. BURTON. Mr. President, I desire to set forth at some length the differences between the substitute which I have proposed and the bill recommended by the Committee on Commerce.

In the first place, it eliminates certain large new projects. Perhaps most prominent among these is the Chesapeake & Delaware Canal. Concerning this proposed waterway there are two reports—one the report on the intercoastal waterway from Boston, Mass., to Beaufort, N. C., Document No. 391, Sixty-second Congress, second session. This sets forth the project on page 4, as follows:

The immediate purchase of the existing Chesapeake & Delaware Canal, which connects Chesapeake Bay with the Delaware River, at an estimated cost of $2,514,290, and its progressive change to a tide-level canal of 25 feet depth at mean low water at a further cost of $9,910,210, making a total initial cost of $12,424,500, of which $3,000,000 should be made available immediately, and the rest be covered by authorizations with a view to final completion, following the general line of improvement outlined by the special board. This canal forms an essential part of a through inland waterway connecting New York and Philadelphia with the South. Its purchase and the abolishment of tolls will produce at once a considerable saving in transportation expenses and should result in an early and substantial increase of traffic with advantage to the commerce of several States. This canal is at present 10 feet deep and of the lock type, the locks being 24 feet wide by 220 feet long. The change should be made gradually and in such way as to interfere as little as possible with existing traffic; and 12 feet depth or thereabout should be secured throughout the canal before the deepening is carried to 25 feet. While the above recommendation for immediate purchase of this canal and the enlargement of this section to about 12 feet depth is a definite recommendation, the method of deepening to 25 feet and the rapidity of work for the first and subsequent deepening must depend considerably upon the cost of the intermediate steps, and further estimates for such portions of the work will therefore be called for and submitted later with final recommendation for this section.

Then follows a recommendation by the special board:

The special board recommended the construction of a sea-level canal 25 feet deep across the State of New Jersey between the Delaware River and Raritan Bay at a cost estimated at $45,000,000. To aid in carrying out this project the State of New Jersey has undertaken to provide not to exceed $500,000 for purchase of right of way for the canal. The special board stated, however, that the construction of the canal recommended should be deferred until after the construction of the two more southerly sections (Delaware-Chesapeake and Norfolk-Beaufort sections), and until the necessary plant now at work on the Panama Canal shall be made available.

The Board of Engineers for Rivers and Harbors states that it is not convinced that a canal of much less depth than 25 feet would not adequately meet the demands of commerce, and believes that estimates of cost of a canal 12 feet deep should be made.

This is a part of an elaborate scheme for the improvement of inland waterways along the Atlantic coast, to be followed by similar waterways along the Gulf, the object of which is to provide sheltered routes and avoid the open sea. In some instances the distance is thereby materially shortened. There was little prospect for any such waterway until the year 1909. The total expense reaches enormous figures, according to some estimates $25,000,000 for the Chesapeake & Delaware Canal and $45,000,000 for the Raritan & Delaware Canal between New York and Philadelphia, together with an expenditure of $5,400,000 for an inland waterway 12 feet deep from Norfolk, Va., to Beaufort, N. C. To those should be added a project for an inland waterway from Boston to Providence Bay and from Providence Bay along Long Island Sound. The aggregate expense of all these projects totals approximately $100,000,000—that is only as far as Beaufort, N. C.—together with a very large additional sum on the south Atlantic coast and on the Gulf.

I wish to sound a note of caution against this enormous expense. It is not the time, when we are contemplating extraordinary taxes aggregating $100,000,000, to start upon any experiments or even upon improvements of this nature the expense of which is so colossal in amount.

Let us intelligently face the present situation. There are scores of river and harbor improvements under way, some of which have been prosecuted for 30 years and more, and many for 10 years and more, still altogether incomplete, the aggregate expense of which will be between $300,000,000 and $400,000,000. Our estimates are not so definite as to enable us to state the figures exactly, but we may be reasonably certain that the amount will nearly reach $400,000,000. Many of these improvements are of the utmost worthiness, and many have been provokingly delayed because of the slowness of Congress in making appropriations for them. A considerable number have been started in a blundering, unscientific manner, in that, however large the total cost, but small fractions of the amount required have been provided. For instance, in some cases one-tenth, in others one-twentieth, in others one-thirtieth of the total amount has been appropriated without any provision for the ultimate completion of the projects in question.

The most crying demand in our river and harbor improvement is for a reform in this regard, under which we shall not begin any of those projects, either large or small, unless at the date when provision is made for beginning them legislation is also enacted for their completion.

I have this first objection to this project—for the Chesapeake & Delaware Canal. It is an entering wedge for other improvements of vast expense and requiring many years for completion. And yet before any of them have been tried, before any of them are completed, we have an agitation here for beginning all of them.

What is the sensible course to pursue regarding waterways of this nature which have a distinctive quality? Why, Mr. President, the answer is very clear. We should try out a few of the most promising and ascertain whether such projects are feasible and desirable.

I have repeatedly called attention to the waste in the canalization of rivers, and to the fact that we have now under way plans for the improvement of inland waterways, some 20 or 30 in number, of which not a single one is entirely complete. We can not ascertain whether any of the 20 or 30 proposed will be a success until we have tried one of them and by experience have demonstrated its efficiency.

It is true an inland waterway has been constructed by private enterprise, known as the Cape Cod Canal, shortening very much the route from New York to Boston and having a channel some 7½ or 8 miles in length. Tolls are charged, but the canal will enable us to draw inferences as to whether these waterways are to be successful. I especially disapprove this most injudicious, this absurd policy under which, with a multitude of similar improvements, the Federal Government proceeds to do a trivial portion of the work on all of them without completing a single one.

Mr. JONES. Mr. President——

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

Mr. BURTON. In just a moment I shall yield. If this canal is to be undertaken, let us face the proposition at the beginning and say we shall appropriate enough money, or, in any event, authorize it, to carry it through to the end. Now I yield to the Senator from Washington.

Mr. JONES. As I understand, the Senator is discussing the general project of an intercoastal waterway canal to go from New York around to Texas.

Mr. BURTON. Indeed, from Boston around to Texas.

Mr. JONES. Can the Senator tell me how many sections, as distinct sections, or units of that canal there are?

Mr. BURTON. It would be more or less of a guess, but I would say between 40 and 60.

Mr. JONES. Between 40 and 60 distinct units.

Mr. BURTON. They are, however, not all of the same class. Some are shallow waterways; some are deep; and, as in this case, you will note, doubt is expressed as to whether there should be a depth of 12 feet or of 25 feet.

Mr. JONES. Does any one of the units depend especially upon any other unit for its efficiency?

Mr. BURTON. That is too strong a question to answer categorically, but there is no necessary connection between the greatest number of them. Each has a problem to be worked out by itself; yet each is constructed under conditions which measurably pertain to them all.

Mr. JONES. It would be impossible, then, if there be through traffic—that is, from one end of the canal to the other?

Mr. BURTON. It would be for many years.

Mr. JONES. Therefore, when you take up one unit it is practically just like taking up an independent project?

Mr. BURTON. Certainly.

Mr. JONES. If one of the units is a success, is that an indication that all of the other units may also be successful?

Mr. BURTON. Pro tanto. No two are exactly alike, and it is only by careful study of the situation and comparison that you could frame inferences from one which would be decisive as to another. Any one would, however, throw very great light upon all of the rest.

Mr. JONES. How many of these units have we actually under way now?

Mr. BURTON. Well, there are a number of the smaller ones in Texas and in Louisiana, and some minor ones in South Carolina, Georgia, and Florida.

Mr. JONES. Would the completion of any of those which are under way be a good indication as to what might happen?

Mr. BURTON. In a measure. Of course, for the first year the traffic might be slight. The Boston-New York Canal, the proposed inland waterway from Providence on Long Island Sound, the waterway from Raritan Bay to Delaware River, the proposed waterway from the Delaware to the Chesapeake, and the one under consideration are similar. The one from

Norfolk to Beaufort, now under way, I do not regard as in the same class with the others, because the traffic on the Norfolk-Beaufort waterway unquestionably will be local, while that on the Delaware and Chesapeake will be almost entirely through traffic.

Mr. JONES. Is there any one of these units not yet commenced which, in the judgment of the Senator, it would be well to begin and continue to completion?

Mr. BURTON. There are quite a number about on a par. Probably the Boston-New York Canal, constructed by private enterprise, affords the greatest promise of any of them.

Mr. JONES. That is already constructed?

Mr. BURTON. It is already constructed.

Mr. JONES. Should the Government take it over?

Mr. BURTON. That question can not be answered in an offhand way. Private enterprise controls it now and charges tolls. I do not know the rate of tolls, but it shortens the distance materially and saves the boats from rounding the dangerous Cape Cod.

Mr. JONES. How long has that canal been in operation?

Mr. BURTON. Not more than about a month or so.

Mr. WEEKS. Since July.

Mr. BURTON. Since July—about two months.

Mr. JONES. So that it would be the Senator's opinion that it would be wise action on the part of the Government to withhold taking up any similar units of this great intercoastal canal until we see what the success of this particular unit might be?

Mr. BURTON. Decidedly. Candidly, I should say there is one argument in favor of this canal, that it now has a channel of 10 feet; and, although it is not in very good order, it has some considerable traffic. You raise a perplexing question when you buy canals where tolls are charged with the intention of making them free. We have had a long and very earnest controversy in regard to the Panama Canal. After a very extended discussion Congress concluded that it was fair that all classes of traffic should pay tolls. If there is a canal in existence with small tolls, as in this case, averaging perhaps 20 or 25 cents, that affords the public a waterway, must we establish the principle that the United States Government must take it over? Is it not a good plan to leave it for a while, until it is an essential link, at any rate, in a longer route?

I may state in this connection that I have never known a case in which the Government took over a private improvement where the result was not unfavorable. In the first place, you find that the standards of the Government engineers are altogether different from those of the engineers of the concern which built and managed the canal. The Government will usually rebuild the canal, in the interest of greater efficiency, greater depth, greater width, and greater ease of passage. I could repeat half a dozen instances, such as the improvements in the Kentucky River, the Muskingum River, the Monongahela River, the harbor at the mouth of the Brazos, where taking over private improvements has been unsatisfactory.

Mr. WEEKS. Mr. President——

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

Mr. BURTON. Certainly.

Mr. WEEKS. I desire to ask the Senator from Ohio if there has been an instance in this country where any considerable canal has been constructed with private capital in which there has been a fair return earned on the capital based on the tolls charged?

Mr. BURTON. In the olden days there were shallow canals which paid very large returns. For instance, the Erie Canal paid for its construction and for great enlargements. For a number of years the canals of Ohio afforded a very large revenue to the State, but in recent years——

Mr. WEEKS. Was not that before the construction of railroads?

Mr. BURTON. Yes. I was about to say that I do not recall an instance in recent years in which either a shallow canal or a deep-water canal has been constructed in this country by private enterprise or by a private corporation which has proven profitable. Of course, few have been constructed recently.

Mr. WEEKS. I suppose the Senator from Ohio would give some weight to the claim, which I think is a fair one, that the construction of a coastwise canal system would be of some military value.

Mr. BURTON. Yes, Mr. President; but with a naval appropriation a multiple of the river and harbor bill, and a military appropriation bill considerably larger, if any particular attention should be given to military considerations I think they should be worked out by another committee and in another bill. I do not mean to say by that that naval considerations should be altogether ignored; but let us decide first whether it is a military enterprise or a commercial enterprise.

Mr. WEEKS. Mr. President, very naturally a canal which might be used by the naval service would be a military enterprise, not primarily, but secondarily. I think one of the strongest reasons, the most potent reason, for building the Panama Canal was its military value. In my judgment, if it had not been constructed, there would have been great pressure on Congress to construct two battleship fleets, instead of maintaining one as we are doing to-day; but, having the canal, we can move the fleet from one ocean to the other quickly and use it as effectively as could be done if we had two fleets. It would be impossible to give a military value to that in dollars and cents. It depends entirely on the contingency which may arise, and that would be the case with the intercoastal canals which the Senator is discussing. They might be of great value at any time and they might never be of military value.

Mr. BURTON. Oh, I suppose a certain naval value does exist there. Persons say that a fleet could move from the Delaware River or Bay to the Chesapeake Bay. After all, there is not a very large area involved between those two bays. Of course, the most prominent example, the most notable in the world, of a canal which is of great strategic value, is the Kiel Canal, which gives access to boats from the North Sea to the Baltic Sea. It is a long way around north of Denmark, and the two seas are bordered by different nations, which have their large fortified cities. It would be necessary to go around to the north of Denmark, through the Skagerrack and the Cattegat and some channels which are under foreign control from shore if that canal were not constructed.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator a question there.

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

Mr. BURTON. Certainly.

Mr. SHAFROTH. Do any of the plans for the construction of these canals along the eastern coast require a depth that would permit battleships to enter them?

Mr. BURTON. The plans do not contemplate a sufficient depth for battleships, and I am glad the Senator from Colorado called my attention to that. The draft of a battleship, as I recall it, is 26 feet or more. I think the Senator from Colorado has served on the committee, so that he is more familiar with those drafts than I am.

Mr. SHAFROTH. I think they draw about 30 feet. That is my judgment.

Mr. BURTON. That may be true now. My information is derived from the size in vogue perhaps five years ago. Another thing: The captains or commanders of battleships are very careful not to take them through channels unless they have ample width and depth. They demand safety, both in depth and in width; and that is an important fact in regard to the plan for this canal, where they propose to begin with 12 feet and gradually work it up to 25 feet. It is questionable whether it would be of very great strategic value, except for the transfer of torpedo boats and such smaller craft and lighter-draft cruisers.

Mr. SHAFROTH. If it were contemplated to make these canals of a sufficient depth to admit battleships, what, in the Senator's judgment, would be the total cost of constructing canals of that depth?

Mr. BURTON. I do not recall that estimates have been made for a greater depth. As the depth was increased, the cost would be very much larger. The probability is that if it was of ample size for a battleship it would be double the estimates now made. Indeed, Mr. President, I never believed in mixing commercial with military enterprises. If it is preeminently for the use of the Navy, let the officers of the Navy figure it out and determine what kind of a canal they want, and let the expense be carried as part of the Naval Establishment of the United States. If it is a commercial enterprise, let it be carried in the river and harbor bill.

I now wish to call attention to another phase of this proposed improvement. As the bill came to us from the House, the appropriation was $1,300,000 for the purchase of the existing Chesapeake & Delaware Canal and appurtenant property. The Senate has raised that amount first to $2,250,000, on the theory that the bonds of the company, approximating, I believe, $2,500,000—will the Senator from Delaware correct me if I am wrong in the amount of the bonds?

Mr. SAULSBURY. The amount of the bonds is something over $2,600,000.

Mr. BURTON. Yes. It is to be observed that this is not up to the par value of the bonds. The House thus proposed $1,300,000, probably on the theory that the canal could be

obtained at a great bargain, and the Senate decided to raise that amount to $2,250,000, neither of which is probably adequate for the original acquisition of the rights of the canal company; and that in any event would have to be supplemented with the cost of rebuilding and deepening. So the aggregate cost of a 12-foot canal would be, as I recall, about $8,000,000. I am correct in that, am I not?

Mr. SAULSBURY. The estimate is something over $7,000,000—between seven and eight million, I think—based on that purchase price.

Mr. BURTON. The purchase price of $2,250,000?

Mr. SAULSBURY. Yes. They estimate the purchase price at $2,500,000. They estimate a total of about $7,900,000.

Mr. BURTON. Yes; approximately $8,000,000. Now, what does the substitute, as reported by the committee, provide?

Improving inland waterway from Delaware River to Chesapeake Bay, Del. and Md., in accordance with the project recommended by the Chief of Engineers in paragraph 3 of his report—

Then it stops rather abruptly. It starts out by saying:

Improving inland waterway from Delaware River to Chesapeake Bay, Del. and Md.—

Referring to the document; and then, rather disjointedly, the paragraph proceeds with this language:

The Secretary of War is hereby authorized to enter into negotiations for the purchase of the existing Chesapeake & Delaware Canal, and all the property, rights of property, franchises, and appurtenances used or acquired for use in connection therewith or appertaining thereto, and he is further authorized, if in his judgment the price is reasonable and satisfactory, to make a contract for the purchase of the same, subject to future ratification and appropriation by the Congress.

That is the first part of it. He is authorized to make a contract, if the price is reasonable and satisfactory, for the purchase of the property, subject to future ratification and to appropriation by the Congress.

The second part of the paragraph advances a step further—

In the event of the inability of the Secretary of War to make a satisfactory contract for the voluntary purchase of said canal and its appurtenances, he is hereby authorized and directed, through the Attorney General, to institute and carry to completion proceedings for the condemnation of said canal and its appurtenances, the acceptance of the award in said proceedings to be subject to the future ratification and appropriation by Congress.

Then it goes on to say that the proceedings shall be according to the laws of the State of Delaware, which is one of the termini of the canal, and it winds up with an appropriation. What is the amount of the appropriation?—

And the sum of $5,000 is hereby appropriated to pay the necessary costs thereof and expenses in connection therewith.

Senators, if you are going to acquire that canal, why not decide the question and set apart the total amount necessary, either by appropriation or by authorization? Why mortgage future generations? Why postpone until the future provision for a purchase which we are virtually deciding upon, but for which, instead of $8,000,000, we only appropriate the infinitesimal sum of $5,000?

Why, Mr. President, look at that! Five thousand dollars appropriated and directions to make a contract if the terms are satisfactory; and if the company can not make a satisfactory contract with the Secretary of War, he is to call the company into court and condemn its property.

Does anybody here suppose that when you have taken those steps there is not going to be sufficient agitation behind this to compel Congress to make the necessary appropriations, at least for the expense of acquiring the canal?

I sometimes think that we Senators and the Members of the House of Representatives are not such free agents as we think we are. We are subject to all-powerful currents of public opinion or popular demand, especially if there is anything that interests a locality in the country; and more especially if there is anything with a waterways association behind it, our Congress is bound to buy it. We might just as well say now: "We are deciding to buy that canal, whatever it costs." And if we buy it, common sense and prudence would demand that we go on and deepen it and improve it, and yet we are appropriating only $5,000 for it.

Suppose this had come up a year ago, and it had been proposed to appropriate $5,000 on an $8,000,000 project. Congress did not do anything quite so foolish as that in the river and harbor bill of a year ago, although they did things similar in kind but different in degree. Appropriate the $5,000; commit yourselves to spend first $2,500,000 and then the balance up to $8,000,000, and how do you know what will happen in the future? Who could have foreseen, when the last river and harbor act was passed in March, 1913, that when millions of dollars were left unprovided for in 1914 the people of the United States, when the next appropriation bill was pending, would be confronted by conditions such as now exist?

We are imposing an obligation upon ourselves to pay $8,000,000 at some time in the future. We do not know what the condition of the Treasury will be; we do not know what the condition of the people will be; but we will take our chances upon it. At this time, when we are about to receive a revenue bill to raise $100,000,000, it does not seem to me wise to purchase such an improvement as this.

Mr. SAULSBURY. Mr. President——

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

Mr. BURTON. I do.

Mr. SAULSBURY. I desire to ask the Senator from Ohio whether he would prefer to have the matters of which I may have some knowledge discussed in a debate, or whether he would prefer that I should not interrupt him as he proceeds with his argument?

Mr. BURTON. While I do not like to refuse interruptions, I think I should prefer, if the Senator from Delaware goes beyond just an ordinary question or inquiry, to have him reply in his own time, if that is agreeable to the Senator.

Mr. SAULSBURY. I simply desired to know the Senator's preference. I can appreciate that for several hours the Senator has been laboring under a considerable disadvantage.

Mr. BURTON. When I have talked a little longer, I shall be able to speak more easily. My principal fear is that I do not make myself perfectly heard. I think interruptions, at least for any extended argument, would perhaps add somewhat to the difficulty under which I am laboring. I do not, however, wish to be understood as refusing to answer questions.

Mr. President, in view of the conditions which confront us, I think the presumption should be strongly against any new projects. Unless there is urgency, we ought not to undertake them. There is no urgency here, because instead of appropriating the amount required it is only proposed to put up $5,000; but the vice of all this is that upon an appropriation of $5,000 you have authorized your Secretary of War to make a contract with these people, and if he can not make a satisfactory contract with them, to go into the courts and condemn their property.

Mr. TOWNSEND. Mr. President——

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

Mr. BURTON. I do.

Mr. TOWNSEND. As I understood it, this provision was intended as a preliminary step to determine whether we ought to purchase it or not. Am I incorrect about that?

Mr. BURTON. It may have been intended that way. The intention may have been for that purpose, but it goes a great deal further than that. It provides for making a contract for purchase; and, if that contract can not be made, there is another distinctively solemn step—the bringing of condemnation proceedings.

Mr. TOWNSEND. Is that before Congress can act upon it?

Mr. BURTON. That is before Congress can act. But the Senator from Michigan, who, with his long experience, varied and in many respects much more extended than my own, can hardly realize the clamor that would be raised in this country if, after taking those steps, Congress should not appropriate the money. I can imagine there would be a force here, in comparison with which all the insidious lobbies rolled into one would be but a whisper, to influence the moral judgment of men.

Mr. SAULSBURY. Mr. President——

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

Mr. BURTON. Yes.

Mr. SAULSBURY. I feel it necessary to interrupt the Senator while he is speaking on that particular point to ask him to suggest any way he could conceive by which the Government can buy and at what price it may purchase this canal except in the method suggested in the bill.

Mr. BURTON. I think there are two or three ways. In the first place, to have a valuation carefully and accurately made. There seems to have been some dissatisfaction with the valuation already made by the engineers. It ought not to be a difficult problem to find out what a piece of property represented by stocks and bonds is worth. The bonds amount to a certain figure and pay a certain rate of interest. The stock, I understand, pays no dividends. That is one way. Another way is the valuation of the physical property, with the franchise added. Another way still is to enter into a treaty with the owners or managers of this canal to have a valuation fixed by some arbitral method. There are those three, and it seems to me it is a most unusual thing to take the steps named merely to ascertain values. I never heard of a State or the Federal

Government, while they frequently bring condemnation suits for property and occasionally abandon them, going quite this far merely for the sake of a valuation.

Mr. SAULSBURY. May I ask the Senator whether he is not aware that reports on both the methods he suggests of estimating the value of this property—namely, an estimate of the tangible property of the company, and an estimate of the value of the stocks and bonds of the company—have already been made by official boards of the Government?

Mr. BURTON. In the first place, I would say that it was far better to have that valuation made again if there is so large a difference between the House and Senate as $1,300 000 and $2 250 000. If that is not effective, there is a way of obtaining that property, and there is a time when we wish to obtain it, namely, when we have done what any great business organization ought to do—made up our minds that we will buy it and take the necessary steps to go ahead and acquire it. I do not believe in this idea of feeling the way, in this semblance of buying a thing without the reality, in clothing the Secretary of War with such broad comprehensive power that looked toward acquisition and then tying a string to it and saying that Congress shall have the right to approve or reject the whole project. I do not believe that will work well.

Mr. SAULSBURY. I hope the Senator does not intentionally evade the question which I asked, because I assume with his great knowledge in regard to all our waterway matters he is aware that boards of Government engineers have estimated the physical property of this canal at its replacement value at something like three million seven hundred and odd thousand dollars and three million nine hundred thousand dollars.

Mr. BURTON. I was not aware of the figure.

Mr. SAULSBURY. There are official reports to that effect also, in the form of other estimates, where special boards and chiefs of engineers have come to the conclusion that this canal is worth to the Government about the value of this property and the value of this security at two million five hundred and odd thousand dollars, and, of course, in making that statement I can furnish the distinguished Senator with the reports. I have them on my desk. I presumed the Senator had read them.

Mr. BURTON. If there are three estimates, one of $3,900,000, one of $2,500,000, and then another one made by the House of Representatives of $1,300 000, it looks like a most excellent place for a review and a further consideration of the question; that is, one of them fixes the figures three times as great as the other.

Mr. SAULSBURY. May I ask the Senator upon which authority he would prefer to rely—the estimates of Government engineers in the War Department or of the mere item in an appropriation which was passed by the House of Representatives and which comes here to us in this form?

Mr. BURTON. I take it the House committee consulted the engineers and had before it the engineers' reports.

Mr. SAULSBURY. I may say to the Senator that the House committee undertook to have some investigation, but none of the engineers were before the House committee. I may also say to him that the Senate Committee on Insular and Coast Survey did investigate this matter, that the Government engineers were before us, and the reports of the committees of the House and of the Senate are, of course, accessible to the Senator. I supposed, of course, in opposing or criticizing this measure so forcibly the Senator had read them.

Mr. BURTON. I have not read them.

Mr. SAULSBURY. I desire to say to the Senator that this investigation was made under a resolution of the Senate; that the Senator from South Dakota [Mr. STERLING] is well aware of the situation, and I should be glad to have him enlighten the Senator from Ohio. I have already occupied a great deal of time on this subject. If the Senator from South Dakota will do so, I should be glad to have him give the Senator from Ohio his impression of that investigation.

Mr. BURTON. I yield to the Senator from South Dakota.

Mr. STERLING. Mr. President, I will simply say that in regard to this proposed purchase I was very favorably impressed with the knowledge and information I obtained through being a member of the committee to which the Senator from Delaware refers. I thought the Chesapeake & Delaware Canal a project that might be made a part of a great intracoastal waterway system, in the first place, but independently of that I thought, because of its situation, because of the shortening of distance between important points on the Atlantic seaboard, it would be a most desirable acquisition on the part of the Federal Government.

Let me say further, Mr. President, that as to the value put upon this property, it seemed to me from the estimates of the Board of Army Engineers, the three different estimates, I think, which were before the committee, that $2,500,000 was not in excess of its value. It appeared that there were over $2,000,000 worth of bonds, as I remember.

Mr. SAULSBURY. Two million six hundred thousand dollars' worth.

Mr. STERLING. Two million six hundred thousand dollars' worth. There was no evidence to show that the owners of those bonds were anxious to dispose of the property, but the evidence I think shows that now they are obtaining an income on those bonds of about 5 per cent, and that they are willing to continue to hold this property as it is and collect their interest on these bonds.

They, however, will not be able to extend this into a waterway that will admit of the passage of the larger vessels, such as I think ought to be done, from its present situation. In order that that may be done it will be necessary for the Government to purchase and widen and deepen this canal. It would then, Mr. President, instead of being a toll-paying canal, be like other waterways, as it should be—not monopolistic, but a free waterway for the use of the commerce of the United States.

Of all the projects involved in this bill, save one in which I am particularly interested because it is in my own State, this is the one to which I gave some attention and in which I have felt great interest. I confess it appealed somewhat to my imagination as being a proper part of a great intracoastal system which, developed, would be of great advantage to our commerce.

Mr. SAULSBURY. If I may——

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

Mr. BURTON. Yes; certainly.

Mr. SAULSBURY. I desire before the Senator from South Dakota resumes his seat to ask him if, after having heard all the testimony taken by our committee, he can conceive of any way in which the price at which the Government can take this canal can be obtained otherwise than by a board of condemnation?

Mr. STERLING. I do not.

Mr. BURTON. Mr. President, I commend the Senator from South Dakota for this appeal to sentiment and imagination. Possibly he has not been seasoned by long experience in listening to booster clubs and boomers who come around either with canals for sale or to advocate the purchase of such canals. I have learned to be a wiser man in my relations with that class of people. They are among the most captivating, the most plausible, the most convincing of any class of our citizens.

I would like to ask the Senator from South Dakota if it was brought to his attention that some of these bonds were selling for 49 cents, or did at one time sell for 49 cents on the dollar?

Mr. STERLING. Yes; it was brought to my attention that at one time and under particular circumstances a few of the bonds sold at 49 cents on the dollar, but the evidence showed that their value was in excess, and largely in excess, of that—as I recall it, at least 68 cents on the dollar.

Mr. BURTON. Only 68 cents on the dollar, $2,600,000 worth of bonds; how is the valuation of $2,600,000 fixed?

Mr. STERLING. The Senator from Delaware will correct me if I have not made a correct statement in that regard, but it is largely in excess of 49 cents on the dollar.

Mr. BURTON. If it is 68 cents and there are $2,600,000 of bonds, that would amount to about $1,768,000.

Mr. STERLING. If the Senator will pardon me, I have not made any computation recently, but my recollection is that the value of the bonds was such as to have made a capital of two million five hundred or six hundred thousand dollars; that interest at 5 per cent was being realized by the bondholders on the amount.

Mr. BURTON. That could hardly be so, however, if the bonds were worth only 68 cents.

Mr. STERLING. I did not say positively they were worth 68 cents, and I modified the statement I did make as to the value of the bonds.

Mr. BURTON. How long did those bonds sell for 49 cents?

Mr. STERLING. I do not recall the date when some bonds were sold at that price, but it was a good while ago.

Mr. SAULSBURY. I think if the Senator from Ohio had done the Senate Committee on Coast and Insular Survey, which had the investigation of the matter, the honor of reading the report on the valuation of this canal, the report having been made within only a few months, he would be quite able to find that the estimate of the value of those bonds given by that Senate committee was 80 cents on the dollar, which would make upward of $2 000,000, and that would place the bonds on a 6 per cent basis, as I remember. The Senator will find all those facts stated in that report. It is much to my chagrin, as doubtless

that of the Senator from South Dakota, that the very laborious work we did in investigating the value of this canal had not met with sufficient interest on the part of the Senator from Ohio to cause him to read that report before so severely criticizing the subject.

Mr. BURTON. I fancy the reason is that the words "coast and insular survey" have a very definite and well-defined meaning, and it is expected that that committee will occupy itself with our seacoasts and the islands near them, and possibly Members of the Senate did not anticipate this very accurate and painstaking valuation of the bonds of a company in their report. They thought probably that would go to the Committee on Finance or some similar committee. I do not see yet where that valuation of two million and a half comes from. There is one thing I want to ask—Did the committee listen to any persons as de from the officers of this company and the owners of these bonds?

Mr. SAULSBURY. I can only say in regard to the Senator from Ohio being unaware of this investigation, I recall that when the resolution of investigation was introduced by me the distinguished Senator himself interrogated me—and the RECORD will show that he did—as to what the scope of this investigation would be and how long it would probably take.

Mr. BURTON. Where was that—before the Committee on Commerce?

Mr. SAULSBURY. The resolution was before the Coast and Insular Survey Committee about the time the river and harbor bill came over from the House, as I recall it.

Mr. BURTON. Not in the Coast and Insular Survey Committee.

Mr. SAULSBURY. Yes; and in the Senate the Senator interrogated me as to the value of this canal when the resolution of inquiry was introduced as to how long it would take us to make a report and the extent of the investigation. So he must have forgotten the fact.

Mr. BURTON. For the time I had forgotten it.

Mr. SAULSBURY. The Senator addressed some inquiry to me just now as to whether we examined witnesses other than the officers of the company—and who else, may I inquire?

Mr. BURTON. The stockholders or bondholders of the company.

Mr. SAULSBURY. I may say in reply that I interrogated all the officers of this company, and if the Senator will do us the honor to read the testimony which we took he will find that it was rather an unfriendly examination which we made. In addition to that, we had the Chief of Engineers, who had investigated this matter. We had the former United States Engineer in charge of that district before us, who himself had made an investigation of this particular matter, and every person we could find. We had before us the shippers through the canal, the men who run boats through the canal, and inquired of them as to the condition of the canal. The Senator I am sure will find that we made a most enlightening report in regard to all those conditions if he will do us the honor to peruse it.

Mr. BURTON. Really if I had the time I would be glad to read it; but it seems to me there are certain general principles that go a long way in suggesting the proper disposition of this matter. In the first place——

Mr. JONES. Mr. President——

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

Mr. BURTON. I do.

Mr. JONES. I have quotations here on the bonds. If the Senator would like to have me do so, I will read them.

Mr. BURTON. Very well.

Mr. JONES. This is a hearing before the subcommittee of the Committee on Coast and Insular Survey. In 1903 the lowest quotation had fallen to 43; in 1905 they were quoted at 48; in 1906, at 50; in 1910, at 63; in 1911, at 65; in 1912, at 66; and in 1913 they were quoted at 68.

Mr. BURTON. I can hardly understand that. The amount of the bonds was $2,600,000?

Mr. JONES. Two million six hundred and two thousand nine hundred and fifty dollars.

Mr. BURTON. Approximately $2,600,000.

Mr. JONES. Yes.

Mr. BURTON. Sixty-eight cents on the dollar. Really, Mr. President, I can not see how a concern of that kind, having bonds at 68 cents on the dollar, could be worth as much as two millions and a half.

Mr. STERLING. Mr. President——

Mr. BURTON. I do not altogether care to go into that matter of valuation.

Mr. STERLING. The Senator insists that the bonds were worth only 68 cents on the dollar, because I thought I named that figure. I modified my statement, my recollection not being clear on that point. I take the statement of the Senator from Delaware [Mr. SAULSBURY], chairman of the subcommittee, who has given the subject more personal attention than I myself have been able to do. I do not say that the bonds were worth 68 cents on the dollar. Now, if the Senator will permit me just a moment——

Mr. BURTON. Certainly.

Mr. STERLING. I call his attention to just a little of the testimony of Gen. Bixby in regard to the valuation of this property. He says:

> So that while the cost per unit might differ a little bit to-day——

He had given us the results of a previous appraisement, made, I think, in 1907—

> the total cost, if we were making a new appraisement, based on the figures of quantities that the commission verified, would go over $3,000,000 all the same, which is a price that is greater than the price which has been previously recommended for payment to the canal company. In other words, the price at which the Agnus Board and the other boards have concluded was best to stand by, as a payment to the canal company, was a price based upon its value as a going concern, which is less than what it would cost to reproduce the properties. And therefore they have all concurred, and the Chief of Engineers has concurred with them, that the recommendation which has been made for $2,500,000 was not too high and, if it erred anywhere, it was perhaps too low, because we know that to do the same work to-day in that locality we can not get it for any less money; and if we go to the next locality, which is the Sassafras route, it would cost us from $2,000,000 to $4,000,000 more to get a less satisfactory canal.

Mr. BURTON. There was no district attorney or anyone representing the Government, except the engineers who appeared before the committee. Can the Senator from Delaware explain how it could be that the engineers, with these bonds, to the extent of $2,600,000, quoted at 68 cents on the dollar—that seems to be the highest quotation—fix the valuation of the property at $3,900,000, while the committee of the House of Representatives fixed it at $1,300,000? The variation is very great.

Mr. SAULSBURY. Mr. President——

Mr. BURTON. I yield to the Senator from Delaware.

Mr. SAULSBURY. Mr. President, again I might say that if the distinguished Senator from Ohio had simply referred to the reports of several commissions appointed by the Government under authority of Congress to make estimates on the values of this property, he would have found that in making those estimates of nearly $4,000,000—I can recall that it was over $3,700,000—they took the items of construction, the masonry, the various works that they found on the canal, and made an exact and accurate estimate of their value. The conclusion those engineers drew from the amount of excavation and from the works on the canal was that their replacement value, as I have already said, was about $3,700,000.

I do not undertake to say what the House of Representatives did through their committee in making an appropriation of $1,300,000. That would be utterly futile, of course, because this canal, as I have heretofore said in the Senate, is actually earning net each year now about $118,000, which at 6 per cent would be something under $2,000,000, and at 5 per cent would be something in excess of the amount suggested in the first amendment to this bill by the Commerce Committee.

Mr. BURTON. Mr. President, the Senator from Delaware is slightly in error in his figures. The capitalization of $118,000 at 6 per cent would be about $1,970,000.

Mr. SAULSBURY. At 5 per cent it would be about $2,000,000. The Senator is quite correct in that.

Mr. BURTON. I do not want to go into these figures to any considerable extent, although it does seem very strange that there should be three estimates varying so widely and with bonds only at 68 per cent, which, of course, means that the stock is worthless; and with those bonds only aggregating $2,600,000 this property should be worth $3,900,000 or even $2,500,000. The total value of the property on that basis would be between $1,700,000 and $1,800,000.

However that may be, let that pass. If we want that canal, let us decide to go ahead and take the steps to secure it. The range could not be very great, it seems to me, on the price on condemnation; but instead of continuing this policy, under which there have been such objectionable instances, under which we have a tenth of the amount necessary to be appropriated, do not let us have another where but one one-hundred-and-sixtieth part of the total expense is provided for. Let us in one bill, by appropriation or authorization, make provision for this canal if we want it. If we do that, we shall then have a due sense of the magnitude of the undertaking; we will consider carefully what we are doing, and we will be able to decide this question wisely. A $5,000 appropriation attracts no attention; it goes almost unnoticed through the Senate or the House, but when there is an $8,000,000 appropriation the eyes of Senators

and of Representatives, however much they may be accustomed to large figures, are sure to be opened.

Indeed, Mr. President, in enumerating the objections to this proposition, about the strongest that I can bring to mind is this very one, that it proposes to do an absurd thing—to appropriate $5,000, with a practically assured expenditure within a few years of $8,000,000.

If you were to read this provision, you would think it was for some little insignificant ditch somewhere up on the borders of Delaware. Five thousand dollars is a small sum, but it seems a very much larger amount than that is involved.

Mr. JONES. Mr. President——

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

Mr. BURTON. Yes.

Mr. JONES. Does the Senator from Ohio think that any part of that $5,000 can be used for any purpose except for condemnation proceedings?

Mr. BURTON. Possibly it was intended for an investigation; and that is what it must mean—sufficient money to conduct the lawsuit or the proceedings for condemnation.

Mr. JONES. It was my understanding that they could not use any part of that money for any other purpose.

Mr. BURTON. No.

Mr. JONES. Therefore it is not to apply on the project itself, or the acquirement of any interest in the project, but it is simply to be expended in connection with the preliminary purpose of ascertaining for what the project can be secured.

Mr. BURTON. It is nevertheless a committal, not absolute, but if we may trust to the teachings of past experience, virtually it is a committal to that project. There is a very large and influential waterway association, which holds great meetings and issues bulletins. I have myself received the benefit of their attack within the last few days in a circular sent out under a Congressman's frank. That zest, that importunity, the ability to accomplish anything, is never better illustrated in this country than in the case of a waterway association after an appropriation. I think that this provision here would mean the acquisition of the property; that Congress would be sure to appropriate for it.

There are several ways, Mr. President, in which we might provide for our river and harbor improvements under present conditions. We might pass this bill purged of extravagant items. It is unthinkable to me that, in view of the approaching deficiency in our revenues, we should pass the bill in the form in which it now appears.

I may say, in this connection, that I wish to give full credit to the Committee on Commerce for their labors in eliminating some $18,000,000 from the bill; but their painstaking work, in which they obtained the advice of engineers, saves a very small sum to the United States Government. If, for example, there was an appropriation of a million dollars in the bill, as reported to the Senate, and it was cut down to $600,000, it was because of the lateness of the season, and the belief that between now and the 4th of March next, instead of a million dollars being required $600,000 would be ample. Thus, while there are a few objectionable projects eliminated, while the appropriation of $400,000 for Boston Harbor and the million-dollar continuing contract for Delaware River from Philadelphia to the sea are left out, there is no saving in this bill which justifies any claim of economy. If we have cut down appropriations in this bill, by just that amount the appropriations in the bill to be passed next winter must be increased; and so I think the claim that $18,000,000 has been saved here is entirely without foundation. The ultimate cost of the improvements will be just as much, and hence this shaving in anticipation of a bill next February or March is keeping the word of promise "to the ear and breaking it to the hope."

There is another course that might be pursued—indeed, last night I introduced a motion to that end—which is that an aggregate sum of not more than $20,000,000 might be appropriated for the maintenance of public works and the continuance by the Government of worthy improvements and projects. Could we supply the funds? We have something of a guide as to what that would require in a document filed with us by the War Department some months ago, in which it was said that the amount required for the maintenance of existing river and harbor works would be $2,750,000 and the amount for the continuation of work by Government equipment and plants would be some $10,000,000; in all, $12,750,000. That would leave out of account a very important category of expenses, namely, work done for the Government by corporations and individual contractors. Twenty million dollars would certainly seem to be ample to carry on the work done by the Government plants, the work of maintenance, and make a reasonable allowance for work done by contractors. Besides, no new projects would be adopted; but all these amounts would be apportioned by the Chief of Engineers under the direction of the Secretary of War.

We have a precedent for this in the emergency provision which appears in many of our bills. In the act of 1909 an aggregate amount was appropriated for apportionment in a similar manner, though I believe that bill did not make allowance for payments upon contracts for the continuance of work.

Last night I introduced a motion to recommit this bill to the Committee on Commerce with instructions to report an amount that will be sufficient to carry on Government work; but the motion was laid on the table. Perhaps in the partisan spirit which prevailed at that time this proposition was not treated with the attention which it deserved.

Another plan would be to reduce the amount appropriated in this bill, and that is what I am seeking to do.

As regards new projects, if they are to be eliminated, I do not see how any can remain. You can not discriminate between the projects of South Dakota and those of Georgia, nor between those of Massachusetts and those of Louisiana. If there are new projects in all four States, those in the vicinage would, of course, think theirs the most important and pressing, and any judgment which we may express here will be sure to lead to criticism. In my own judgment, there are three which stand out rather prominently among the new projects.

Mr. STERLING. Mr. President——

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

Mr. BURTON. I do.

Mr. STERLING. I should like to ask the Senator from Ohio, with his permission, if he will not make a distinction between a project or an improvement that is for the purpose of protecting land from erosion by a river and a new improvement that is for the purpose of navigation and where it is not necessary in order to protect the people in the possession and ownership of what they now have, as it is in the case where farms have been eroded and washed into the river? Would not the Senator make a distinction between an appropriation for an improvement that would prevent that great loss and destruction and an improvement that is for the purpose of commerce and where the people would be in no worse condition without the improvement than they were before?

Mr. BURTON. Of course danger to property or to life appeals very strongly to our sympathies. Without expressing any opinion with regard to any project in which the Senator from South Dakota may be interested, I would say that river and harbor bills have usually been confined very closely to the expenditure of money for the promotion of navigation; indeed, this formula or condition was almost invariably attached in past years when an appropriation was made providing for revetting the bank at a given place: "Provided it is required in the interest of navigation."

There is in the improvement of practically every alluvial stream a certain remote connection with navigation. If you do not have a channel and if the banks are not thoroughly protected, it is not possible to have a free passageway for boats. I will concede to the Senator from South Dakota that, so far as any sympathies I might have are concerned, they would be strongly enlisted where there was a threat to human life or to property.

Mr. STERLING. Mr. President, if the Senator will permit me again——

Mr. BURTON. Certainly.

Mr. STERLING. Will not the Senator agree that much of the appropriations for the rivers in the South, and especially for the lower Mississippi River and for levee work along the Mississippi River, are not particularly in the interest of navigation? The stream is not improved for the purposes of navigation, but it is improved for the protection of the lands adjacent to the stream. Is not that true?

Mr. BURTON. Mr. President, I have always said in the House and in the Senate that the provision for levees on the lower Mississippi was exceptional in its nature. The original idea, however, under which the provision was first made was that it was in the interest of navigation, and it does have a certain effect on navigation. It tends to restrict the scour of the river and tear out a more uniform channel than would otherwise be the case; but it is useless for us to deny that the great bulk of the amounts expended on the lower Mississippi are for the protection of property. The leveed districts are now extended up to Cape Girardeau; and, indeed, there is a provision in this bill that looks like spending the money clear up to Rock Island, although I do not believe much will be spent there.

The Senator from South Dakota, however, will recognize, in addition, that in a peculiar sense this great portion of the Southland, with its enormous floods and periodical loss of life and property caused by billions of cubic feet of water and enormous quantities of silt from the rivers above, has been regarded as one especially deserving the attention of the Federal Government.

Mr. President, I had intended to take up three other large new projects. I have already spoken of the Chesapeake & Delaware Canal, which involves the largest amount of money. I had on my list the Cumberland River above Nashville, where the appropriation in this bill is $340,000 and the ultimate expense $4,500,000; the Sacramento and Feather Rivers, where the appropriation in this bill is $200,000 and the ultimate expense $5,860,000; the Oklawaha, where the appropriation in this bill is $100,000 and the ultimate expense $733,000. However, after an all-night session, I do not wish to take the time of the Senate this afternoon to go into these projects as thoroughly as I think I should. To explain fully the reasons why these projects should not be adopted would require very considerable detail. I have here in one envelope a mass of material that, properly classified, and if a proper synopsis were made, would take a very considerable time; and it is my hope that if I go over it again I can summarize it and not occupy the time of the Senate for such a large number of hours.

The same is true of the Cumberland River as of the Tennessee, of the Sacramento and Feather, and of the Oklawaha. The total ultimate saving to the Treasury by the omission of these projects would be $19,000,000.

Of the four, I have no hesitancy in saying that the one which is the most promising is the largest one—the Chesapeake & Delaware Canal—but I appeal to those who are favoring these projects so doubtful in their nature: Do you think we ought to include them in this bill in this day when we are devising additional means of taxation? Do you think, when we are so many hundreds of millions in arrears, that projects ought to be adopted by the Government the completion of which may require appropriations of thirty or forty million dollars in future years? It seems to me they are very extravagant and, again, that they have not the merit as propositions for navigation which should entitle them to any standing in this bill.

There is another class of projects that ought to be taken out of this measure. Some of them are new. In this connection I dwelt at considerable extent on the Tennessee River last night. We ought to adopt a provision in unequivocal language which will forbid the building of locks and dams on that river without the further order of Congress.

Mr. President, it is absurd, it is ridiculous, when we now have two systems of locks and dams there that have proven so utterly futile that the cost of them each year, counting the interest on the investment, is nearly equal to the value of all the freight that is carried through. Just think of what that means. Suppose a farmer had a wagon and a pair of mules and in a year he paid out as much in managing those mules and the wagon as the value of all the freight he took to market. It would not be very long before that farmer would be forced into bankruptcy. No one knows what would become of his mules; they probably would be sold. That is just what our genial Uncle Samuel is doing on the Tennessee River—maintaining improvements where the interest on the money he has invested and the amount that he expends each year is practically equal to the value of all the freight carried. I refer to all the freight whose transportation in any respect depends upon the improvement.

So I raise my voice in protest against these locks and dams—$1,600,000 in one place and $1,000,000 in another. I read last night a protest from people living in the community against this improvement. I also read a protest against it from those who own every boat that plows the waters within 250 miles of this improvement. How the Senate can disregard that, I do not know. This is certainly the time to overhaul the whole proceeding and find out what ought to be done.

I have called attention also to the fact that the engineer in charge recommended that the flowage rights be paid for by those living in the locality. I am glad to see that the speech which I made, occupying a considerable portion of last night, has not been without effect, because to-day the very first amendment proposed to this substitute was one by the Senator from Louisiana, in which he proposed a limitation that this dam should not be built unless those in the locality paid for the flowage rights. We have already gone ahead there and spent $34,000, I suppose mostly for borings; but eleventh-hour action is better than no action at all, and I am glad to know that whatever opposition may have been awakened by other remarks of mine the pointing out of this palpable neglect by Congress—palpable when the proclamation is made here every day that a river and harbor bill is under consideration that all the provisions in it follow the engineers' report—has corrected it, at least as far as pertains to this proposed improvement.

I do not believe in that location for that lock and dam. I want to read a letter from the owner of a furnace in the near neighborhood which I regard as rather significant. This is like the letter written from Crystal River, in Florida, read by the Senator from Iowa a few days ago. The owner of this furnace has a plant near this proposed lock and dam.

The United States Board of Engineers for Rivers and Harbors, in session at Chattanooga, Tenn.

GENTLEMEN: For many reasons this company and its 800 employees are vitally interested in the question of the improvement of the Tennessee River, a few of which reasons are:

First. Our towing steamer *Lulu E. Warren*, 90 tons, plies between the mouth of Richland Creek, near Dayton, and our iron-ore mining camp of Knott, Tenn., near Euchee, Tenn. We use seven 250-ton ore barges in the trade, bringing down approximately 40,000 gross tons of hard red fossil ore per year. We are preparing to increase this tonnage to 60,000 tons per year. At present we can operate the towboat profitably only about eight months in the year, due to low water. During the other three or four months the depth of the water over the various bars and shoals, of which there are seven between Dayton and Knott, is about 30 inches and under, making it unprofitable to operate the boat and barges. The latter draw 4 feet and slightly over when loaded. Of course, we sometimes load them to draw only 30 inches and less, but this does not pay.

Now, Mr. President, just consider that a minute. It seems to me surprising that an engineer or board of engineers should be influenced by such a letter as that in recommending an improvement to cost $1,600,000. This man, it will appear from the statistics, has practically all the freight on this part of the river; not all, but by far the larger share; and he says that he can operate profitably eight months of the year and he would like to operate the remaining three or four months. On the Great Lakes, where a great quantity of ore is carried, they are very lucky if they can operate seven months of the year, and here this man, under present conditions, has eight months and he puts up to the Federal Government the argument that enormous expenses should be incurred so that he may increase the period of navigation from 8 to 12 months. Of course he favors it. Every man would like some special privilege for himself if it came at the expense of somebody else, but is that a reason why the Government ought to do it?

He says:

If we could get the proper depth of water the year round, we would probably get a larger steamer and barges and largely increase the output of our present mine, and would also draw ore from other points along the river. It should be mentioned that our plan is ultimately to get practically all of our ore, about 200,000 tons per year, from along the river, and we now have a new, modern 250-ton blast furnace under construction with this idea in view, although we expect to have rough sledding until after the river is improved.

Now, of course, in a sense, you can not blame this man for setting forth his personal interest so clearly; but should the Federal Government, at the expense of all the taxpayers, deepen that river, and especially build a dam to cost $1,600,000, for his benefit?

There is always a tendency for these officers to listen too much to those who have large property interests. Here is a list solemnly embodied in the report on the Mulberry and Locust Forks. After making recommendations the engineer—I want to say, however, that this was not a military engineer, but one of his subordinates—the engineer gravely reports the persons with whom he consulted. Let us listen to this.

PERSONS INTERESTED WHO WERE CONSULTED.

A list of persons who consider the Locust and Mulberry Forks worthy of improvement by the General Government, giving their occupations or business addresses:

Eugene A. Smith, State geologist of Alabama, University, Ala.

Frank Nelson, jr., president Empire Coal Co., Birmingham, Ala. Company owns 15,000 acres of land in vicinity of river and operates mines.

Of course he is in favor of the improvement of the river. You can not make it too deep or too wide to suit him.

John H. Adams, vice president Sayre Mining & Manufacturing Co., Birmingham, Ala. Company owns land and operates mines in vicinity of rivers.

Tracy W. Guthrie, president Republic Iron & Steel Co., Pittsburgh, Pa.

T. H. Aldrich, mining engineer, Birmingham, Ala.

L. B. Musgrove, president Jasper Trust Co., Jasper, Ala. Owns coal land and is president of Walker County Coal Co.

P. M. Long, Cordova, Ala. Executor for estate owning large amount of coal and timber land along Mulberry Fork.

J. J. and T. L. Long, merchants, Jasper, Ala. Own 8,000 acres of coal and timber land near Mulberry Fork.

Of course they want the river improved.

Rufus A. O'Rear, Jasper, Ala. Owns land and operates coal mine near Mulberry Fork.

W. L. Martin, Dora, Ala., superintendent of Dora mines No. 10 and No. 8.

George G. Crawford, president Tennessee Coal, Iron & Railroad Co.

The local superintendents at all mines visited expressed themselves as favorable to the proposed improvements.

Naturally they were in favor of it. It helps them and their mines. It seems to me this engineer was simple-hearted to an exaggerated degree to seek his information concerning the improvement of a river from that kind of an environment.

The only person consulted who was opposed to the improvement of these rivers was J. C. Maben, president Sloss-Sheffield Steel & Iron Co., Birmingham, Ala.

Mr. President, I can not help having a certain sense of admiration, mingled with sympathy, for the nature of a man who can get together a list of that kind and send it here to Washington as a reason why a river ought to be improved. The owners of hundreds of acres of land in the neighborhood, superintendents of all the mines, the president of the Republic Iron & Steel Co., are all included in the list. He does not tell of consulting any small farmer; he does not tell of consulting any man who would ask, Is this a judicious improvement? His associations were with large landowners in the neighborhood who will be greatly benefited by the improvement.

I have mentioned the Sacramento and Feather Rivers and probably at a later time will discuss them at considerable length. My objection to that item is that it is a reclamation project rather than one for navigation. That navigation could be provided for at the expense of $40,000 or $50,000 a year on both the stretches of the Sacramento—from the mouth to Sacramento and from Sacramento to the mouth of the Feather River—while this improvement is ultimately to cost $5,860,000.

I wish next to refer to certain smaller new projects, Mr. President, which I think ought to be eliminated. Among them is the Senate committee amendment found on page 34:

Improving channel from Pensacola Bay, Fla., to Mobile Bay, Ala., in accordance with the report of the special Board of Engineers, as recommended on pages 26 and 27 of said report submitted in House Document No. 610, Sixty-third Congress, second session, to the extent of providing a channel 7 feet deep and 75 feet wide on bottom, $50,000.

This has been very recently reported upon. There is some difference of opinion as to the depth of this project, and I think it ought to wait. For one thing, it ought to wait until we appropriate the whole amount required for that channel, and, again, it ought to wait until some other projects which we have had under way for these many years can be completed.

Then there is another item on the following page:

Improving inland waterway from Mobile Bay, Ala., to Mississippi River, with a view to securing a channel 7 feet deep and 75 feet wide on the bottom, in accordance with the report submitted in House Document No. 610, Sixty-third Congress, second session, $25,000: *Provided*, That the Secretary of War shall submit a further report as to the most desirable route, all things considered, for the said 7-foot channel from Mobile Bay to the Mississippi River with an estimate of cost of the same.

Mr. President, this is also a new project. Twenty-five thousand dollars is a mere committal; it contains this very singular provision, "that the Secretary of War shall submit a further report as to the most desirable route, all things considered"; that is, until the Secretary of War or the engineers have made up their minds where it is best to locate this route. I do not think Congress ought to make any appropriation for it, for if there is any one thing, in the very first instance, that is absolutely essential for the proper maintenance of our public works and for their proper construction, it is that the plans be thoroughly matured and the estimate of cost be determined before the work is done.

I next call attention to the harbor at Vicksburg. It is on page 37 of the bill, and is in the form in which it was first introduced in the Senate. It reads:

Improving harbor at Vicksburg, Miss., in accordance with the report submitted in House Document No. 667, Sixty-third Congress, second session, and subject to the conditions therein stated, $125,000.

Mr. President, this did not appear in the bill as reported by the House Committee on Rivers and Harbors to the House. It was inserted in pursuance of an amendment proposed on the floor of the House and adopted contrary to the recommendation of the House committee. It is altogether probable that it has merit, but it is so integral a portion of the work to be done by the Mississippi River Commission that it seems to me that commission should pass on the kinds of improvement to be made and, indeed, upon the primary question whether this improvement is to be made at all. In this case the amount—$125,000—would, I assume, be deducted from the appropriations made on this branch of our river and harbor improvements.

I next call attention to a waterway added by a Senate committee amendment. It is found on page 38:

Improving waterway from Mississippi River to Bayou Teche, La., in accordance with the report submitted in House Document No. 610, Sixty-third Congress, second session, $100,000.

This is based on a very recent survey. The Government has made provision for an unusual number of waterways and improvements in that locality. The House, after full consideration of the subject, included other waterways; and while this may not have been reported until after the bill passed the House, it can well afford to wait. Indeed, it would be an excellent rule if we should pass a law or adopt a regulation to the effect that reports recommending river and harbor improvements should not be acted upon unless they are filed with the committee a certain number of months or at a certain fixed time before the bill is reported. It has been too frequently the custom, while a report is still fresh from the press and before the maps and diagrams are printed, to include the project to which it relates in a river and harbor bill.

There is also another of these numberless river and harbor inland waterways, the Galveston and Sabine section of the inland waterway referred to on page 43 of the bill. There is an almost unlimited number of these inland waterways on the coast of Texas—Galveston Bay-Brazos, Brazos River-Matagorda, Aransas Pass-Pass Cavallo, Galveston-Sabine, and so forth.

Mr. President, we had better wait and see whether a few of these which are already finished bring any desirable results before we intersperse that whole country near the Gulf with waterways. We have gone far enough already. Some have just been finished within a year or two, and the proper thing to do is to wait until we try them out.

The very first item in this bill, while not especially objectionable, is small and might well be omitted. That is Tenants Harbor, in Maine. The report was filed on the 11th of January, 1913, and acted upon this year. On a prior occasion, while Thomas Lincoln Casey was Chief of Engineers, Col. Peter C. Hain reported upon this project. Speaking of the arguments in favor of its use as a harbor of refuge and the idea that a breakwater would be desirable, he says of the breakwater, "I am of the opinion that it is not needed," and he states something which may not have been examined by the later officer:

It is claimed that the undertow in southeasters would be much reduced and the area of good anchorage increased, but an increased area for anchorage is not needed at the present time, and the slight undertow in the harbor is a trifling matter, dangerous neither to life nor property, and can easily be avoided altogether by anchoring well to the westward or going into Long Cove.

* * * * * * *

In view of the above, I am of the opinion that Tenants Harbor, Me., is not worthy of improvement by the General Government.

It seems that a later survey was obtained in which a favorable report was made. I sometimes think opponents of river and harbor bills give too much attention to small projects. But, after all, in them there is the greatest opportunity for carelessness and for the worst kind of waste. So I especially commend the painstaking efforts of the Senator from New Hampshire [Mr. GALLINGER] and the Senator from Iowa [Mr. KENYON] in having unearthed a number of these smaller creeks and rivers the appropriations for which are utterly unjustified.

I have spoken of the Tennessee River and the Mississippi River between the Ohio and the Missouri. The balance on hand for the latter river is ample. There is a balance of over $300,000, which is more than the amount usually appropriated in the last half of the decade, when commerce was greater. This amount is certainly sufficient to take proper care of that river. I do not know, Mr. President, what unusual pull that locality can have with this Congress. I remember having some of the slings and arrows of outrageous misrepresentation aimed at me some years ago because I held these appropriations down to $250,000 a year. It seemed to afford a great deal of pleasure to those who indulged in these fusillades, and probably did no harm to me, but there has been an unintelligent demand for the appropriation of money on that stream hardly equaled in any other part of the United States.

Again, there is no need for any more money on the Missouri River. They already have over a million dollars on hand there—I am not sure but $1,720,000—and it is time we stopped to reconsider this proposition which, according to the Engineer's Report, contemplates a depth of 12 feet, at one end connecting with a waterway 4 feet in depth and at the other end connecting with one where they hope some time in the dim distant future to have 6 feet.

In the discussion of this subject in the year 1910, when Senators Warner and STONE were Members of the Senate, a dialogue will be found in the RECORD in which doubt was expressed what was really meant by the project. One of the two Senators clearly expressed the opinion that the total expense would not be more than about four or five million dollars, and he approved that project. The other did not altogether disagree with him, though he favored whatever was necessary for the improvement

of the river, in pursuance of the plan of always following the line of greatest resistance in appropriations. Congress and the engineers have been going on with a $20,000,000 project with $500,000 a year for its maintenance—more than the cost for three or four of the biggest harbors on the Atlantic coast; yet they propose such enormous expenditures on this river, with a commerce that is not sufficient to give distinction to a creek 40 feet wide. I can not understand how this could continue.

After a long discussion in 1902 we dropped this improvement. The House and Senate acquiesced in that action and agreed that it was useless to spend more money on the Missouri River. The communities also agreed to it; but back again it came in 1910, and it is now going on at a clipping pace of $2,000,000 a year.

Mr. President, can anyone find fault with opponents of this bill under such circumstances as those? No interest of importance was jeopardized or injured by discontinuing the old Missouri River Commission and the practical abandonment of improvements on that stream; but here, at last, it comes again, with its committal to the expenditure of this unlimited amount of money.

Mr. President, I think the bill should be overhauled and a readjustment made of balances. In some cases there is altogether more than is needed for the coming year—even for two years or, in some cases, for five or six years to come; in other cases the amounts are too small. My fear is that in the congestion of this session Congress could not give to this phase of the subject the attention it deserves; but certainly at no distant day there should be a marshaling of these balances, and if undue or unnecessary amounts appear, the money should either be paid back into the Treasury or transferred to other projects.

I have said there were several forms in which this bill might be drawn. There is still another method—a lump-sum appropriation for maintenance, another for the operation of Government plants, and another for contracts. Here we have in this bill between 100 and 200 pages devoted to maintenance. Let me show some of its provisions, for example, in the State of Michigan, the home of the distinguished Senator [Mr. SMITH] who has so often spoken of the projects in that region, and see how they read:

Improving harbor at Ontonagon, Mich.: For maintenance, $10,000.
Improving harbor at Marquette, Mich.: For maintenance, $2,000.
Improving Menominee Harbor and River, Mich. and Wis.: For maintenance, $7,500; completing improvement in accordance with the report submitted in House Document No. 228, Sixty-third Congress, first session, $3,400; in all, $10,900.
Improving harbor at South Haven, Mich.: For maintenance, $17,000.
Improving harbor at Muskegon, Mich.: for maintenance, $5,000.
Improving harbor at Ludington, Mich.: For maintenance, $21,000.
Improving harbor at Frankfort, Mich.: For maintenance, $3,000.
Improving harbor at Charlevoix and entrance to Pine Lake, Mich.: For maintenance, $4,000.
Improving harbor at Alpena, Mich.: For maintenance, $5,000.

There is an aggregate of $74,500 scattered over nine items.

Mr. President, every one of those figures is exactly the amount estimated, for the purpose of maintenance, at the War Department by the Engineer Corps. How much more businesslike it would be if, instead of scattering these items all through the bill, we should appropriate one general sum for maintenance and let the engineer who makes the estimate under the direction of the Secretary of War make these apportionments in the proper localities. It is true some Congressmen might be disappointed, but I do not think it would cause them very much trouble.

A commission should be created, preferably made up of the Secretaries of War, of the Interior, and of Commerce, with or without other persons, to make recommendations with regard to the proper policy for inland waterway and harbor projects.

We ought, Mr President, to have this whole matter reviewed. The National Waterways Commission made recommendations in 1909 and in 1912 which, if they had been adopted, would have gone far to remodel and reform the whole system, but a certain amount of prejudice developed against that commission. Much of its attention was given to the matter of water power, and very salutary results were accomplished by its work. But I am satisfied that we must, in the language of the street, "shake up" this whole system and eliminate that which is not up to date; that we must revise our policies, especially in regard to inland waterways, and arrive at conclusions which square with the tendencies of the times and which will in their operation protect the Treasury from waste and extravagance.

Possibly the time is not far distant when these appropriations will be made at the behest of a commission, appointed perhaps by the President, and the making of river and harbor appropriations will cease to be a legislative function. I can not look with entire complacency upon such a consummation; but if we are to prevent it, if we are to maintain our position as competent to perform this work, we must stop the inroads on the Treasury, and recommend or make no appropriations except those which promote the general welfare and conserve the great work of transportation and better communication between different portions of the country, which this bill is supposed to foster and promote.

Mr. President, at a later time I shall probably resume the floor, but I yield for the present.

Mr. STERLING. Mr. President, I have listened with a great deal of interest and, I think, with profit, too, to what has been said by the senior Senator from Ohio [Mr. BURTON], not only during the last few days of this discussion, but during the earlier stages of the debate on the river and harbor bill when the bill was first reported to the Senate. I wish to be understood, too, Mr. President, as one who appreciates the valuable services rendered not only the Senate but the country by the Senator from Ohio. I appreciate the valuable contributions he has made to this very important subject during his distinguished service in the House and Senate, and while I can not agree with the method of procedure adopted in opposing this bill, yet I know the Senator from Ohio has acted in entire good faith and that what he has done and what he has said have been, in his belief, in the interest of the great public.

Mr. President, I shall not attempt to discuss the merits of this bill as a whole. Undoubtedly it is far from being perfect; I know it is alleged that it contains many items that serve no real need in either promoting or protecting commerce and navigation. The discussion of these I leave to those who advocate such items and to those who are opposed to them. Among the disputants are those having special knowledge and those who have been long identified with river and harbor legislation.

I am frank to say at the outset that while I trust the bill will be put in such shape as to authorize no foolish or unjustifiable expenditure of the people's money, the interests for which I shall in the main speak are primarily local and pertain to a single community, or at most to a very few communities.

There are many items of appropriation in the bill the benefits of which must necessarily be limited to a comparatively small section.

The project, for example, is to improve a stream wholly within a State, and the benefits will accrue almost entirely to the citizens of the particular community in which the improvement is to be made.

But many belong to that class of benefits which arise out of the promotion of some new enterprise. If many of the appropriations asked for in this bill are denied, the communities to be affected by them are no worse off than they were. It is quite natural that in a time when there is need for retrenchment such proposals should be closely scrutinized.

But there is all the difference in the world between the promotion of a new enterprise or even the development of some project already begun and the conservation or protection of vital interests we now have.

In the item of the bill to which I shall call attention we are not asking Congress to furnish the means for our enrichment or to enable us to accumulate of property more than we now have, but we are asking relief from a most distressing situation, from conditions which have already impoverished many and which daily threaten the impoverishment of many more.

So it is not a question of an appropriation that will provide work for an army of men out of employment. It is not for the benefit of contractors looking for a Government job, nor for the improvement of a single harbor without a single yard of wharfage, as one Senator expressed it in his discussion the other day. As to the unemployed, happily there are none, or at least there need be none in that community of farmers where the demand for farm help at living wages (for the farmer who hires) exceeds the supply. Further, in their urgent need of relief they have never had a thought of the contractors who might be benefited, and it is safe to say that no possible contractors are known to the people seeking this relief.

But the interest of these farmers is in securing the Government aid that will prevent their property and their homes from being washed away and utterly destroyed by the ravages of a great, turbulent, and treacherous but navigable river that has its source in extreme southwestern Montana; that traverses many States; that throughout much of its course is a national highway of commerce; is under the jurisdiction of the Federal Government, and that for a distance of nearly 150 miles, covering the localities of which I shall speak, forms the boundary line between States—my own State and the State of Nebraska.

If this be "pork barrel" make the most of it. But I think few, if any, Senators will put this claim in that unsavory category. I was glad to note the disposition on the part of several Senators when this point was raised the other day to discriminate between the nature of this claim and other items to which

they were objecting, and I believe before I have finished my statement that they will agree with me that the emergency is such that irrespective of any river and harbor bill at all Congress ought to provide relief.

Let me read the item; it is found on page 62 of the bill, the bill as first reported by the Senate committee:

Improving Missouri River: Continuing improvement and for maintenance, with a view to securing a permanent 6-foot channel between Kansas City and the mouth of the river, $2,000,000.

Further, and more particularly, the next paragraph:

Improving Missouri River: For improvement and maintenance from Kansas City to Sioux City, $150,000, of which amount at least $100,000 may be expended for such bank revetment as, in the judgment of the Chief of Engineers, may be in the interest of navigation; continuing improvement and for maintenance from Sioux City to Fort Benton, $200,000, of which amount at least $150,000 may be expended for such bank revetment as, in the judgment of the Chief of Engineers, may be in the interest of navigation; in all, $350,000.

It is that last clause, relating to the improvement from Sioux City to Fort Benton, to which I want to call your attention during the course of my remarks; but, Mr. President, I want first to speak briefly of the general improvement of the Missouri River and the benefit which will flow therefrom; and, in the beginning, I might call attention to what may be called a conservative estimate or statement of the Board of Army Engineers.

Referring first to a report made July 19, 1909, which refers to other reports that had been made, on page 3 of this report there is the following statement:

The general recommendations of these reports were that the river was worthy of improvement.

Further on in this same report, and relating particularly to commerce, I find this statement:

It is recognized that the lack of proper facilities has been a factor in the decline of general river commerce in recent years.

Then, again, the following:

The question of floods is always a serious one for the Missouri River, and any improvement tending to regulation and rectification will ameliorate conditions to some extent, and especially assist in preventing the erosion of bottom lands.

It is to the last clause of that statement that I wish to call particular attention.

I refer now to the conclusions of the Chief of the Board of Army Engineers, as found in his report for 1913. These are his conclusions, in my language, not following the report verbatim:

First, that they demonstrate the possibility of regulating the river in such manner as to make it navigable for a channel of commerce; second, that the cost of such regulation is great; third, that no permanent good to through navigation can be accomplished by appropriation for specific localities not so connected as to form a part of the systematically improved regions; fourth, the result of the expenditures in separate localities has been beneficial locally by protecting the banks and forming good navigable water fronts, and incidentally preserving private property from the ravages of the river; fifth, that the effect of the improvement has been to equalize and keep down the freight rates, the actual river rates being about 66⅔ per cent of the railway rates; sixth, that the river formerly carried an active commerce, which had been entirely diverted to other channels; seventh, that increased commerce and the use of the river is observed in the upper river in the vicinity of Chamberlain, S. Dak.; Bismarck, Washburn, and Williston, N. Dak.

So, even from the report of the Chief of Engineers, we ought not to despair of the Missouri River and its possibilities as a highway of commerce.

Mr. President, while it may seem that the Missouri River at present is more enemy than friend, and that what it destroys more than balances its benefits to commerce, yet it is within the power of man to regulate and control it and to make it an agency to help and serve the needs of a population of many thousands, rather than leaving it uncontrolled to menace and destroy. We may not be able to accomplish it now, but in time the Missouri will be harnessed to serve the three great purposes, namely, water power, irrigation, and navigation.

Consider the possibilities as they exist in my own State simply. Taking the course of the river through South Dakota, it flows down a slope of about 1 foot to the mile, and this gives it a 500-foot fall in the State, which, as I am informed, is almost as great a fall as has the Mississippi from the Falls of St. Anthony to the Gulf. It has been estimated that more than three-fifths of this fall can be brought under control, and that would mean the development of 2,000,000 horsepower. It is easy to see what that would mean in the way of material wealth and the comfort and prosperity of a people within reach of such advantages. It is easy to conceive of what it means from the standpoint of the development of national resources. It will mean the occupancy of the public domain, the settlement of what is now a vast semiarid, but most healthful region, with a multitude of thrifty and prosperous home builders.

It would be impracticable, of course, to attempt to dam the Missouri just anywhere along its course. The width of the first bottom lands, from the mouth well up into South Dakota, would preclude that. But there are at least 12 points in South Dakota, beginning with Fort Randall on the boundary line between that State and Nebraska, where the walls of the river trough contract until they are much less than a mile apart, where dams could be built, where an available water head of 25 feet could be had, and where the resulting horsepower at each dam would be from 20,000 to 41,000; as estimated there would be a total fall of 317 feet and a total low-water horsepower of 281,000. It is estimated further that the average higher water will produce an excess above this of over 5,000,000 actual horsepower, making a maximum average of more than 2,000,000 horsepower throughout the year.

These estimates and figures I have summarized from the report of an address delivered by Mr. Doane Robinson, now and for many years secretary of our State historical society, before the State educational association last November. I personally know Mr. Robinson to be a most reliable man, and that he has given the subject most careful study. Permit me to read a few excerpts from this address. They are important as bearing upon the three results of proper Missouri River improvement mentioned a moment ago, namely, water power, irrigation, and navigation.

In the course of this address Mr. Robinson says:

You ask what use can be made of this great resource? The low-water power can always be delivered at any moment of the year, may be transmitted to every city, very hamlet, and every farm in the State, providing electricity—the white coal of the twentieth century—at nominal cost for power, for heat, and for lighting, and for other comforts such as have never before been realized.

Aberdeen, Brookings, Huron, Madison, Mitchell, Redfield, Sioux Falls, Watertown, and Yankton will be as much benefited as will be Chamberlain, Mobridge, and Pierre.

The three last-named towns being right on the river.

It is but slightly more than 100 miles from Sioux Falls to the nearest power site.

Sioux Falls being over in the southeastern part of the State and being the largest town in the State.

The excess or higher water power which can be delivered for only a portion of the year may be used for pumping water for irrigation.

As stated, much of the region west of the Missouri River is semiarid, where they can not depend upon the natural rainfall for the successful raising of crops. But, he continues:

Five million horse-power pumping against a 400-foot head and counting but 65 per cent efficiency of the pumps can lift 1 foot of water upon 4,335,000 acres of land in 30 days. It will not be necessary to lift much of the water so high as 400 feet, and it is safe to say that we can irrigate more than 5,000,000 acres of our fertile prairies from this source. Can you imagine what 5,000,000 acres of South Dakota's prairies, when relieved of all danger of drouth, will do toward solving the food problem?

Again, he says:

The cost will be but a bagatelle compared with the advantages permanently established. There is no novel engineering principles involved; nothing to do but to repeat what has been done hundreds of times. Chiefly it is a matter of putting concrete in the bedrock of the Missouri. At Plattsmouth, Omaha, Blair, Sioux City, Pierre, Mobridge, Bismarck, and elsewhere this has been successfully done, and the cost of doing it is well determined. Each of the suggested dams on the Missouri will require from 300,000 to 400,000 cubic yards of concrete, which, in place, will cost about $15 per cubic yard. At each of the points named the dam and lock will cost from $5,000,000 to $7,000,000, and the 12 developments, with dams as solid and immovable as the everlasting hills, with locks, power plants, pumps, ditches, reservoirs, and everything complete for the use and transmission of power and the pumping, conveyance, and use of the water for irrigation will cost in the average less than $15,000,000 to the plant, or a total of $180,000,000 for the entire development, being less than $40 per acre of the land placed under water. Does that statement impress you? Forty dollars per acre of the land benefited will develop these 12 great water powers, and, in addition, give to the people of South Dakota 843,000 commercial horsepower at cost of operation.

He has already, in a part of his address which I have not read, named the specific places at which these dams could be successfully built.

What does 843,000 horsepower mean? What can it do? To-day there are not more than 18,000 horsepower operating in all of South Dakota. Recently 60,000 commercial horsepower were sold from Keokuk Dam to the city of St. Louis for the sum of $1,000,000 per year. South Dakota power plants at low water will develop more than 14 times as much power as Keokuk is furnishing St. Louis.

Now, as to one other problem, and a question involved in this river and harbor bill, Mr. Robinson says:

We are all deeply interested in improving the navigation of the Missouri. The development of these water powers will settle navigation through this State. Instead of climbing the slope of the river through shallow water, hanging up on sand bars and dodging snags, steamboats will navigate flat, deep water for practically the entire distance. The passage of the locks will scarcely be an impediment. Vessels are put

through the Keokuk Lock in 14 minutes, and it is expected to reduce the delay to 10 minutes A stop of 10 or 15 minutes once in 25 miles will scarcely be noticed in steamboating.

So much for the three great things, namely, water power, irrigation, and commerce itself, all of which would be served by the proper improvement and development of the Missouri River.

So, Mr. President, if I thought the time ripe or opportune for the introduction of a measure that would provide for just the beginning of improvements like these, the cry of "pork barrel" from all the newspapers and magazines in the country would not deter me. My advocacy of such a measure would not rest solely on the ground that it would benefit the people living along the Missouri River or on the plains west of that stream; nor on the ground that it would be of incalculable benefit to the whole State, but on the ground that it would be a national boon as well. In these days of rapid transit and quick communication between the remotest parts of our country, that which greatly benefits the people of a State is on the instant a national affair, a benefit in which all in greater or less degree may participate.

Mr. President, I make bold to say that with all our waterways commissions, with all our learned, always consulted and almost always heeded boards of Army engineers, there has not been the attention given to the improvement of the Missouri River for the purposes named that the subject deserves. Even now, in the consideration of this subject as it appears in this bill, we are without the expert and official information we ought to have. We know how much has been appropriated for improvement of the river from Kansas City to Sioux City, and from Sioux City to Fort Benton. It has usually been in a lump sum without any reference to the kind of improvement or the place of improvement, save in a rare case when because of an emergency revetment work for the protection of the banks at a particular place was specified in the bill.

Thus, in the river and harbor bill passed March 4, 1913, there was appropriated $175,000 for continuing improvements and for maintenance from Sioux City to Fort Benton—

Of which amount—

And here I quote—

because of present emergency, an amount not exceeding $75,000 may be expended for such bank revetment above Elk Point as in the judgment of the Chief of Engineers may be necessary to protect existing revetments and regulate channel flow in the interests of navigation.

I wish to say here, and before I forget it, that Elk Point is just 15 miles down the river southeast from Vermilion, my home town. I have lived at Vermilion since 1901, and think I know something of conditions and the ravages of the river there. It is impossible to believe, from what I have seen with my own eyes of the conditions at Vermilion, and from what I have heard and know in a general way of conditions at Elk Point, that they are worse or ever have been worse than at Vermilion for the last four or five years. And yet in 1913 Elk Point had an appropriation of $75,000 in addition to appropriations which had been made before that time. The only specific appropriation that I can find in any of the reports for the improvement of the river at Vermilion, S. Dak., is an appropriation made away back in 1879, and that for improvements costing less than $2,000.

But recurring to the want of knowledge and specifications in bills and in reports, the present river and harbor bill as it came from the House, so far as improvements above Sioux City were concerned, comprehended everything in the one clause, and I would like to have Senators note this, because it is important to the amendment I expect to propose. I quote:

Continuing improvement and for maintenance from Sioux City to Fort Benton, $150,000.

There is a distance of 1,474 miles without any further specification in this bill than that it should be for improvements and maintenance for all that long distance.

On first seeing this item I remembered my experiences with the Army engineers under the act of March 4, 1913, which gave $75,000 for continuing improvement above Elk Point. Realizing our dire condition at Vermilion and having in mind the broad language of the act, it being for continuing improvement above Elk Point, and as the town of Vermilion is above Elk Point, along the river, I thought the War Department might see its way clear to use some part of the $75,000 for revetment work at Vermilion. To this end I made many visits to the office of the Chief of Army Engineers and submitted many letters and documents in proof of our need, but all without avail. It was not seen by the Board of Army Engineers how any relief could be afforded.

They were having an anxious time of it just then out at Vermilion—the farmers whose lands were being swept into the river, the citizens of the town who felt their business interests would suffer, the county commissioners who had sent in their statement showing the destruction being caused by the river, but there was imperturbable calm in the office of the Chief of Engineers.

With this as my experience I thought it well for Congress to make some distinct allotment on which we might rely of at least a portion of the fund to be devoted to improvements above Sioux City. The people of the town of Jefferson, some 10 or 12 miles below Elk Point, had suffered from the erosion of their lands and were being further menaced, and so on the 20th of April last I presented an amendment intended to be proposed to the river and harbor bill, thus following the act of 1913. This is the way the amendment reads:

For new improvement, continuing improvement, and for maintenance from Sioux City to Fort Benton, $200,000, of which amount, because of present emergency, not exceeding $75,000 may be expended for such improvement or bank revetment work at or near the town of Jefferson and the city of Vermilion, S. Dak., as in the judgment of the Chief of Engineers may be necessary to regulate the channel flow in the interest of navigation.

I appeared before the Senate committee in behalf of the amendment. I think the committee recognized the justice of the claim. They increased the item of $150,000 for improvement above Sioux City to $200,000, but they leave it in general terms, namely, for "continuing improvement and for maintenance from Sioux City to Fort Benton," without mentioning the towns of Vermilion and Jefferson, or either of them.

Mr. President, under this plan what may happen? Under this plan the allotment of this large sum is left absolutely to the discretion of the Board of Army Engineers. That board designates the places to be improved, the character of the improvement, the amount to be expended thereon.

Under this plan, and even with an increase of $50,000 procured for this most laudable purpose, on the representations of one familiar with the conditions, there is no assurance that a hand will be lifted or a dollar spent in making improvements that will aid the people of either of these stricken communities which I have named in the amendment. It is just as the Army board shall say, and they will take their time to say it.

Mr. President, if I am to be a suppliant at all, I would rather be so in the open and before Congress, with the world looking on and knowing exactly the foundation for my claim, with liberty to criticize or condemn it, than to be obliged to supplicate or "work" the Board of Army Engineers for anything. And that is what I would be obliged to do if this bill passed in the general terms I have noted. Although I had appeared before the committee and procured that increase of $50,000 for these special purposes, I would still have to importune the Board of Army Engineers in order to get anything there. It would be absolutely in their discretion as to whether any part of that sum should be devoted to improvements at Vermilion or Jefferson.

Mr. SMITH of Michigan. Mr. President, that resolves itself into a question of public policy. Congress can as well press upon a question of public policy as a board of engineers. We have not abdicated our entire functions under the Constitution. I think the Senator from South Dakota will find himself in a most awkward predicament if he expects to get anything from such a source. He has a right to make his claim here, and it ought to be listened to.

Mr. STERLING. I thank the Senator from Michigan; and it seems to me that this is the proper attitude for all of us. If a committee of either House, on hearing, adds an item or increases an appropriation for a specific purpose that purpose should be named in the bill, so that in the fulfillment of the purpose the Board of Army Engineers shall be under the orders of Congress, instead of being given, as in this case, carte blanche by Congress to do anything it pleased in all that 1,500-mile stretch of river from Sioux City to Fort Benton, and that, too, without further or more specific statement or estimate submitted by the board, so far as I am able to learn, than the general estimate for all improvements which may be made along the entire distance; and I mean no reflection on the general high character and ability of our Board of Army Engineers.

But I would like to have assurances. Having secured an increase at the will of the committee and, as I shall hope, at the will of Congress, I want to be relieved from the necessity of applying to any other body or board. At the proper time I shall, with due deference to the Committee on Commerce, submit my amendment making a part of this appropriation specific.

And now, Mr. President, let me be a little more specific as to the need of this appropriation. Prior to March 30, 1881, the Missouri River came in right near the town of Vermilion, which was then entirely situated on the bottom lands of the Missouri and Vermilion Rivers. But on that date there was a flood, from which pretty nearly everything since dates—a great over-

flow caused by an ice gorge, which sent the people to the hills or to the plateau above the bottom lands. The town was at once built there, and it is there to-day, save that elevators and warehouses and the station of the Chicago, Milwaukee & St. Paul Railroad, with a few scattered dwellings, are built on the bottom land. One of the results of the flood was that the channel of the Missouri River after the flood had subsided was found to be from 3 to 3½ miles away from Vermilion. It made that great change in the channel of the river. Since then the erosion of the river has been back toward the old channel, which previously had been so near the town, then entirely situated on bottom land. The soil is a rich alluvium, and the land for miles up and down the river from Vermilion, where not menaced, is worth from $100 to $150 per acre.

Let me give one or two personal experiences. About five years ago I was retained to defend in an action for the foreclosure of a mortgage given for a part of the purchase money of 40 acres of this bottom land a few miles out from Vermilion. The parties who had given the mortgage were not residents. One of them was not a resident of the State and the other was a resident of the State, but lived in a remote part of the State. They did not know much about what had been going on there, but having been served with a summons in that action they made their appearance. I told them that, perhaps, it would be a good idea to have the land surveyed. They agreed with me. The land was surveyed, and it was found there were left 14 of the 40 acres they supposed they had bought a few years before. A proper answer was made to the complaint, and the suit was compromised by the payment of a couple hundred dollars. Whether the vendor knew about how much land he had when he gave the deed I do not pretend to say.

Last September I was back at Vermilion. I was talking to a man who owns considerable bottom land. I told him of my experience in the lawsuit, and he said: "I know it very well. Why, the river has taken in the 14 acres and is 40 rods beyond. There is no question about it." This shows the rapidity of the erosion of that river.

When at home for a few days last September, just a year ago now, I was taken by a farmer who had land down on the Missouri bottom to look over the situation. I stood on the banks of that stream. It did not look like a river. As I stood there near where it had been sweeping away the land so rapidly, and but recently, it looked more like an arm of the sea than a flowing river, and that, too, was when the river was at low-water mark in September. He pointed out a small tract of land and said: "There are just 15 acres there now; I measured it the other day." He said: "A year ago I rented 160 acres, and that is what is left of what I rented." He pointed out the schoolhouse. We went by it. It was situated, as I should estimate it now, about 80 rods away from the river—from the new river bank. They have since had to move the schoolhouse, and that farmer, who lived just about the same distance from the river, had to move to another place. I think it is within the last two months that they moved the schoolhouse in order to keep it from going into the river, which must now be within 40 or 50 rods of that old channel which was deserted away back in 1881. With that vast scope of country, the distance having been three and a half miles from Vermilion to the new channel, you can imagine the wholesale destruction which may be caused there when the river through erosion has cut its way back to the old channel.

Armed with these facts, or a part of them, and seeing the situation in regard to the schoolhouse at that time, soon after I came here I visited the office of the Chief of Engineers. I submitted documents, the affidavits of farmers, the letters of farmers, the certificates of the county commissioners in regard to the situation, with a map. Those documents and this map have been lost or mislaid. I took them with me before the Senate Committee on Commerce, and I have not been able to find them since, although I have made search and inquiry at the committee rooms some three or four times.

Now, I produce a statement here showing the disposition made of the $175,000 appropriated in 1913 for the stretch of river between Sioux City and Fort Benton. After several visits to the office they furnished this paper. I think they procured the statement itself directly from the engineer in charge at Kansas City, under whose jurisdiction that part of the river comes. I was all the time wondering whether a part of the $75,000 might not be used in making some improvement at Vermilion, a part of the $75,000 appropriated for improvements above Elk Point. Here is the letter I received from Gen. Bixby. He said, under date of April 13, 1913:

Referring to the matter as to how the money appropriated in the last river and harbor act for the improvement of the Missouri River has been allotted in the State of North Dakota—

I think that is a clerical error, and that he means in the States of North and South Dakota—

I have to inform you that a letter has just been received from the district officer in which he recommends that the funds appropriated be allotted in accordance with report submitted in House Document No. 91, Sixty-second Congress, first session, as follows:

Here are the items:

(1) Snagging and plant: Operation of snagboats *McPherson* and *Mandan*, repairs to old plant and construction of new plant, and maintenance of boat yard	$47,000
(2) Revetment: Elk Point, S. Dak.; extension of revetment in accordance with conditions of the act	75,000
(3) Revetment: Washburn, N. Dak.; construction of about 1,800 feet of new work in the vicinity of the ways and landing	20,000
(4) Improvements at Government harbor at Rockhaven, N. Dak.: For completion of ways, building fences, and miscellaneous repairs	3,000

Now, note this item:

(5) Emergency and miscellaneous works: Repairs to existing works, extension of same, and construction of new works, as conditions may require	20,000
(6) Superintendence and office: Office expenses, surveys, superintendence, and miscellaneous items	10,000
Total	175,000

When I saw that item, No. 5, devoting $20,000 to the repair of existing works, extension of same, and noted the expression "construction of new works," I thought surely there is a chance to get a part, perhaps all, of the $20,000 for Vermilion in improving conditions there. With that object in view I visited again the Board of Army Engineers. I did not see Gen. Bixby on that occasion, but Col. Taylor and another member of the board were there, and I was told they did not see why Vermilion could not get, perhaps, the whole $20,000, but they must submit it to the district officer at Kansas City. I was hopeful and waited. After a while there came from the district officer at Kansas City the information to the effect that $20,000 was not sufficient, that it would be money thrown away on that improvement. In view of a statement like that as to our condition and our needs and the cost of any reasonable improvements, do you not think the appropriation asked for in this bill is in excess of what it ought to be?

Mr. President, I want to recur for just a moment to the larger question of the general improvement that should be brought to the attention of Congress in regard to the upper Missouri River, and I may be pardoned, I think, if I call attention to Senate joint resolution No. 25. I was new in the Senate when that joint resolution was introduced on April 21, 1913, but I had vividly in mind the terrible conditions caused by the great Ohio flood; I had in mind the conditions in South Dakota; and, while I remembered that there was a very comprehensive bill—the Newlands bill—involving the expenditure of many millions, but with small chance of early enactment, pending, also that a commission had done valuable service in investigating these subjects, yet I was impressed with the idea that a commission might be appointed that within a comparatively short time could investigate these great streams and their tributaries and make a report. I can not help but think if we had had before the Senate during the consideration of the river and harbor bill such a report as that contemplated by the joint resolution to which I have referred it would have given us many of the facts about which we have been in grave doubt.

The joint resolution provided for the appointment by the President of "a commission consisting of seven men, at least four of whom shall be skilled engineers of high repute, which commission shall be known as the National Waterways Commission."

They were to investigate, first, levees, dams, and locks and improvements designed as a protection against overflow; they were to investigate the question of water power furnished by the tributaries of the greater streams as well as the main streams themselves; then they were to investigate further as to the erosion which destroys farm lands and forest lands along the courses of these rivers. But the currency question, the tariff, and a number of other matters absorbed the attention of everyone, and, under such conditions, attention to the proposition by the Commerce Committee was hardly to be expected. It contemplated that this commission would be a temporary commission, to make report to the President and to Congress, and that it would be supplanted or succeeded by a permanent waterways commission. It has been a year and a half since that joint resolution was introduced. Had it received early consideration and been adopted a report might have been submitted before this time that would have given us most valuable information, and the conclusions of such a board, composed of competent engineers and others, would have been a safe guide as to what we should do in regard to many items in the river and harbor bill.

Still, Mr. President, the larger question, the improvement of the Missouri River, is not an idle dream. It would be to our lasting shame to leave it unharnessed and uncontrolled, a demon of destruction, when we have it in our power to make it minister in such large ways to the needs of men. I hope before time sufficient has elapsed to call it a "dream" the belief as to what may be accomplished will be transformed into action. The historian Motley, in the "Rise of the Dutch Republic," after speaking of the spongy land, its frequent overflow, caused by the currents of the rivers forced back by the stormy sea, and the character of the race which inhabited such an inhospitable soil, says:

Here at a later day the same race chained the tyrant ocean and his mighty streams into subserviency, forcing them to fertilize, to render commodious, to cover with a beneficent network of veins and arteries and to bind by watery highways with the farthest ends of the world a country disinherited by nature of its rights. A region, outcast of ocean and earth, wrested at last from both domains their richest treasures.

The situations are not parallel in this, that the region west of and tributary to the Missouri in South Dakota and beyond is a dry region. It has the sunshine and the quick, rich soil. But in the matter of rainfall it has been "disinherited by nature of its rights." But by the same token and in the same conquering spirit which guided the early Hollanders we will approach this problem, and as a result of a comprehensive and systematic plan to be yet worked out by Federal authority alone or in cooperation with States and communities we shall come to regard the Missouri River as, next to the Mississippi, the greatest national treasure of its kind, a great navigable inland waterway, obedient to the service of that trinity of interests—agriculture, manufactures, and commerce.

Mr. President, I do not think we should take the position that the river and harbor bill should be killed. Expenditures for rivers and harbors are necessary, and time out of mind we have had river and harbor bills. While many of them, not excluding the present one, may have provided for unwarranted expenditures, that fact does not justify wholesale condemnation of the bill. I can not bring myself to yield to the undiscriminating attack made by the newspapers and magazines, who, taking "pork barrel" as a term to conjure with, have denounced the bill and those who favor it. Many of them are like people who join in a "hue and cry"; they do not know the cause or who is pursued; and I venture the assertion that many of those who, through the newspapers, are condemning the bill wholesale could not speak from knowledge or information as to the merits or demerits of one out of forty of the three hundred or more items of appropriation contained in the bill.

I have not formed an opinion yet as to most of the items contained in the pending bill. I am ready to give all objections to any item and all amendments striking out or reducing the amount called for by any item the most careful consideration. If satisfied that a particular appropriation is not just, that it is a waste of money, I shall, notwithstanding my vital interest in any item to which I have called attention, gladly join with others in helping to defeat it. Under all the circumstances this, it seems to me, is the better method of procedure; it will lead to more profitable discussion and will tend to expedite rather than delay our work here.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 4274) to authorize and require an extension of the street railway lines of the Washington Railway & Electric Co., and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer:

H. R. 6433. An act to relocate the headquarters of the customs district of Florida;

H. R. 9318. An act to amend an act approved June 25, 1910, entitled "An act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes"; and

H. R. 13219. An act to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of buildings situated in the alleys in the District of Columbia.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until 11 o'clock on Monday morning.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m., Saturday, September 19, 1914) the Senate took a recess until Monday, September 21, 1914, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *September 18, 1914.*

The House met at 12 o'clock noon.

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

We thank Thee, our Father in heaven, for our great Nation, with its vast and varied resources, its peculiar form of government, unparalleled in all history for its civil, political, and religious rights. Realizing that eternal vigilance is the price not only of liberty but of everything worthy, increase, we beseech Thee, our vigilance, quicken our patriotism, and make us zealous in every good work, that peace and prosperity may continue to smile upon us and good government obtain now and always; in the spirit of Jesus Christ our Lord. Amen.

The SPEAKER. The Clerk will read the Journal.

Mr. MANN. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Illinois [Mr. MANN] makes the point of order there is no quorum present, and evidently there is not.

CALL OF THE HOUSE.

Mr. RUSSELL. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL] moves a call of the House.

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

The Clerk called the roll, and the following Members failed to answer to their names:

Aiken	Gardner	L'Engle	Rainey
Austin	George	Levy	Reilly, Conn.
Barchfeld	Gillett	Lewis, Pa.	Riordan
Bartholdt	Goldfogle	Lindquist	Roberts, Mass.
Bartlett	Good	Linthicum	Roberts, Nev.
Beall, Tex.	Gorman	Lobeck	Rothermel
Bell, Cal.	Graham, Pa.	Loft	Saunders
Brodbeck	Gregg	McAndrews	Scully
Brown, N. Y.	Griest	McClellan	Sells
Browning	Guernsey	Mahan	Smith, Md.
Brumbaugh	Hamill	Maher	Smith, N. Y.
Burke, Pa.	Hamilton, N. Y.	Manahan	Steenerson
Calder	Hensley	Martin	Stevens, N. H.
Cantrill	Hinds	Merritt	Stout
Carlin	Hobson	Metz	Stringer
Coady	Howard	Morin	Talbott, Md.
Connolly, Iowa	Hoxworth	Murdock	Thacher
Conry	Hughes, W. Va.	Norton	Townsend
Covington	Humphreys, Miss.	Oglesby	Tuttle
Crisp	Jones	O'Hair	Vare
Dale	Kennedy, Conn.	Paige, Mass.	Volstead
Driscoll	Kent	Palmer	Wallin
Elder	Kiess, Pa.	Parker	Watkins
Evans	Kindel	Payne	Webb
Faison	Kinkead, N. J.	Peters	Wilson, Fla.
Fitzgerald	Knowland, J. R.	Powers	Wilson, N. Y.
Floyd, Ark.	Korbly	Prouty	Woodruff

The SPEAKER. On this roll call 323 Members, a quorum, answered to their names.

Mr. RUSSELL. Mr. Speaker, I move that further proceedings under the call of the House be dispensed with.

The SPEAKER. The gentleman from Missouri moves that further proceedings under the call be dispensed with.

The question was taken, and the Speaker announced 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.

Mr. HEFLIN. Mr. Speaker, I make the point of order that the gentleman's motion is dilatory.

The SPEAKER. The demand for the yeas and nays is a constitutional right, and while it has been held once it is dilatory the Chair does not feel like holding that way, because he does not believe it is right. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Sixty-seven gentlemen have risen—a sufficient number—and the Clerk will call the roll.

The question was taken, and there were—yeas 250, nays 76, answered "present" 8, not voting 97, as follows:

YEAS—250.

Abercrombie	Borchers	Candler, Miss.	Copley
Adair	Borland	Cantor	Cox
Adamson	Bowdle	Caraway	Crosser
Allen	Brockson	Carew	Cullop
Anderson	Broussard	Carlin	Curry
Ansberry	Brown, W. Va.	Carr	Davenport
Ashbrook	Bruckner	Carter	Decker
Aswell	Bryan	Cary	Deitrick
Bailey	Buchanan, Ill.	Casey	Dent
Baker	Buchanan, Tex.	Church	Dershem
Baltz	Bulkley	Clark, Fla.	Dickinson
Barkley	Burgess	Claypool	Dies
Barnhart	Burke, Wis.	Cline	Difenderfer
Beakes	Burnett	Coady	Dillon
Bell, Ga.	Byrnes, S. C.	Collier	Dixon
Blackmon	Byrns, Tenn.	Connelly, Kans.	Donohoe
Booher	Callaway	Cooper	Donovan

Dooling	Harrison	McKellar	Slayden
Doolittle	Hart	MacDonald	Slemp
Doughton	Hay	Madden	Small
Eagan	Hayden	Maguire, Nebr.	Smith, Tex.
Eagle	Heflin	Mitchell	Sparkman
Edmonds	Helgesen	Montague	Stafford
Edwards	Helm	Moon	Stedman
Esch	Helvering	Morgan, La.	Stephens, Cal.
Evans	Henry	Morrison	Stephens, Miss.
Falconer	Hill	Moss, Ind.	Stephens, Nebr.
Farr	Hinebaugh	Mulkey	Stephens, Tex.
Fergusson	Hobson	Murray, Mass.	Stone
Ferris	Holland	Murray, Okla.	Sumners
Fields	Houston	Neely, W. Va.	Taggart
Finley	Hughes, Ga.	Norton	Talcott, N. Y.
Fitzgerald	Hull	O'Brien	Tavenner
FitzHenry	Igoe	Oldfield	Taylor, Ala.
Flood, Va.	Jacoway	O'Leary	Taylor, Ark.
Floyd, Ark.	Johnson, Ky.	O'Shaunessy	Taylor, Colo.
Foster	Johnson, S. C.	Padgett	Taylor, N. Y.
Francis	Jones	Page, N. C.	Temple
Gallagher	Keating	Park	Ten Eyck
Gallivan	Keister	Patten, N. Y.	Thomas
Gard	Kelly, Pa.	Peterson	Thompson, Okla.
Garner	Kettner	Phelan	Thomson, Ill.
Garrett, Tenn.	Key, Ohio	Post	Tribble
Garrett, Tex.	Kinkead, N. J.	Pou	Tuttle
Gerry	Kirkpatrick	Quin	Underwood
Gill	Kitchin	Ragsdale	Vaughan
Gilmore	Konop	Raker	Vollmer
Gittins	La Follette	Rauch	Walker
Godwin, N. C.	Langley	Rayburn	Walsh
Goeke	Lazaro	Reed	Walters
Goodwin, Ark.	Lee, Ga.	Reilly, Wis.	Watson
Gordon	Lee, Pa.	Rouse	Weaver
Gorman	Lesher	Rubey	Webb
Goulden	Lever	Rucker	Whaley
Graham, Ill.	Lewis, Md.	Rupley	Whitacre
Gray	Lieb	Russell	White
Griffin	Lloyd	Sabath	Williams
Gudger	Lobeck	Saunders	Wilson, Fla.
Hamlin	Logue	Seldomridge	Wingo
Hammond	Lonergan	Shackleford	Witherspoon
Hardwick	McAndrews	Sherley	Young, Tex.
Hardy	McCoy	Sherwood	
Harris	McGillicuddy	Sims	

NAYS—76.

Ainey	French	Langham	Roberts, Mass.
Anthony	Gillett	McGuire, Okla.	Roberts, Nev.
Avis	Green, Iowa	McKenzie	Rogers
Barton	Greene, Mass.	McLaughlin	Scott
Bathrick	Greene, Vt.	Mann	Shreve
Britten	Hamilton, Mich.	Mapes	Sloan
Browne, Wis.	Haugen	Miller	Smith, Idaho
Burke, S. Dak.	Hawley	Mondell	Smith, J. M. C.
Butler	Hinds	Moore	Smith, Minn.
Campbell	Howell	Morgan, Okla.	Smith, Saml. W.
Cramton	Humphrey, Wash.	Moss, W. Va.	Stevens, Minn.
Danforth	Johnson, Utah	Mott	Sutherland
Davis	Johnson, Wash.	Nelson	Switzer
Drukker	Kahn	Patton, Pa.	Towner
Dunn	Kelley, Mich.	Payne	Treadway
Fairchild	Kennedy, Iowa	Platt	Willis
Fess	Kennedy, R. I.	Plumley	Winslow
Fordney	Kinkaid, Nebr.	Porter	Woods
Frear	Kreider	Prouty	Young, N. Dak.

ANSWERED "PRESENT"—8.

Clancy	Hulings	Lindbergh	Sisson
Glass	Lenroot	Nolan, J. I.	Underhill

NOT VOTING—97.

Aiken	Estopinal	Lafferty	Reilly, Conn.
Alexander	Faison	L'Engle	Riordan
Austin	Fowler	Levy	Rothermel
Barchfeld	Gardner	Lewis, Pa.	Scully
Bartholdt	George	Lindquist	Sells
Bartlett	Goldfogle	Linthicum	Sinnott
Beall, Tex.	Good	Loft	Smith, Md.
Bell, Cal.	Graham, Pa.	McClellan	Smith, N. Y.
Brodbeck	Gregg	Mahan	Stanley
Brown, N. Y.	Griest	Maher	Steenerson
Browning	Guernsey	Manahan	Stevens, N. H.
Brumbaugh	Hamill	Martin	Stout
Burke, Pa.	Hamilton, N. Y.	Merritt	Stringer
Calder	Hayes	Metz	Talbott, Md.
Cantrill	Hensley	Morin	Thacher
Chandler, N. Y.	Howard	Murdock	Townsend
Connolly, Iowa	Hoxworth	Neeley, Kans.	Vare
Conry	Hughes, W. Va.	Oglesby	Volstead
Covington	Humphreys, Miss.	O'Hair	Wallin
Crisp	Kennedy, Conn.	Paige, Mass.	Watkins
Dale	Kent	Palmer	Wilson, N. Y.
Doremus	Kiess, Pa.	Parker	Woodruff
Driscoll	Kindel	Peters	
Dupré	Knowland, J. R.	Powers	
Elder	Korbly	Rainey	

So the motion to dispense with further proceedings under the call was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SCULLY with Mr. BROWNING.

Mr. METZ with Mr. WALLIN.

Until further notice:

Mr. BROWN of New York with Mr. AUSTIN.

Mr. PALMER with Mr. MARTIN.

Mr. CONNOLLY of Iowa with Mr. MERRITT.

Mr. AIKEN with Mr. BARCHFELD.

Mr. ALEXANDER with Mr. BARTHOLDT.

Mr. BRODBECK with Mr. CALDER.

Mr. CANTRILL with Mr. BELL of California.

Mr. CANDLER of Mississippi with Mr. BURKE of Pennsylvania.

Mr. CONRY with Mr. GOOD.

Mr. DOREMUS with Mr. GRAHAM of Pennsylvania.

Mr. DUPRÉ with Mr. GRIEST.

Mr. ESTOPINAL with Mr. GUERNSEY.

Mr. FAISON with Mr. HAYES.

Mr. GOLDFOGLE with Mr. HUGHES of West Virginia.

Mr. GREGG with Mr. KIESS of Pennsylvania.

Mr. HOWARD with Mr. LAFFERTY.

Mr. HUMPHREYS of Mississippi with Mr. LEWIS of Pennsylvania.

Mr. FOWLER with Mr. LINDQUSIT.

Mr. NEELEY of Kansas with Mr. MANAHAN.

Mr. RAINEY with Mr. MORIN.

Mr. REILLY of Connecticut with Mr. PAIGE of Massachusetts.

Mr. RIORDAN with Mr. POWERS.

Mr. STEPHENS of Nebraska with Mr. PARKER.

Mr. STOUT with Mr. PETERS.

Mr. TALBOTT of Maryland with Mr. VARE.

Mr. THACHER with Mr. SELLS.

Mr. TOWNSEND with Mr. SINNOTT.

Mr. WATKINS with Mr. VOLSTEAD.

Mr. LINTHICUM with Mr. WOODRUFF.

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. HENSLEY with Mr. J. R. KNOWLAND.

Mr. UNDERHILL with Mr. STEENERSON.

Mr. BARTLETT with Mr. BUTLER.

The result of the vote was announced as above recorded.

The SPEAKER. Further proceedings under the call are dispensed with. A quorum is present. The Doorkeeper will open the doors, and the Clerk will read the Journal.

THE JOURNAL.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

During the reading,

Mr. MANN. Mr. Speaker, I ask that the Journal be read in full.

The SPEAKER. The Clerk will read the Journal.

The Clerk resumed and concluded the reading of the Journal.

The SPEAKER. Without objection, the Journal as read will stand approved.

Mr. MANN. I object, Mr. Speaker.

The SPEAKER. The question is on the approval of the Journal.

Mr. MANN. No motion has been made yet to that effect, Mr. Speaker.

Mr. FITZGERALD. A motion is pending. That is the understanding.

Mr. UNDERWOOD. Mr. Speaker, I move the approval of the Journal.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves the approval of the Journal. The Chair does not think it requires a motion.

Mr. MANN. Oh, yes; it does. It is always understood.

The SPEAKER. It is like a conference report; nobody ever moves to adopt a conference report.

Mr. MANN. Oh, yes; they do.

The SPEAKER. Anyhow, the motion has been made, and that relieves the difficulty. The question is on the approval of the Journal.

Mr. MANN. Mr. Speaker, am I not entitled to be recognized to move to amend the Journal?

The SPEAKER. Certainly.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the motion to approve the Journal.

The SPEAKER. The gentleman from Alabama moves the previous question on the motion to approve the Journal. Those in favor of ordering the previous question will say "aye"; those opposed "no." The ayes seem to have it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks for the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Fifty-nine gentlemen have risen—not a sufficient number.

Mr. MANN. I ask for the other side.

The SPEAKER. The gentleman from Illinois demands the other side. Those opposed will rise and stand until they are counted. [After counting.] One hundred and thirty-seven gentlemen have risen in the negative and 59 in the affirmative—a sufficient number. The Clerk will call the roll. Those in

favor of ordering the previous question will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 224, nays 80, answered "present" 6, not voting 121, as follows:

YEAS—224.

Abercrombie	Dickinson	Houston	Rayburn
Adair	Difenderfer	Hughes, Ga.	Reed
Aiken	Dixon	Hull	Reilly, Wis.
Allen	Donohoe	Igoe	Rouse
Anderson	Donovan	Jacoway	Rubey
Ansberry	Dooling	Johnson, Ky.	Rucker
Ashbrook	Doolittle	Keating	Rupley
Aswell	Doughton	Kelly, Pa.	Russell
Bailey	Eagan	Kirkpatrick	Sabath
Baker	Eagle	Kitchin	Saunders
Baltz	Edwards	Konop	Seldomridge
Barkley	Evans	Lafferty	Shackleford
Barnhart	Fergusson	La Follette	Sherley
Bathrick	Ferris	Langley	Sherwood
Beakes	Fields	Lazaro	Sims
Bell, Ga.	Finley	Lee, Ga.	Sisson
Blackmon	Fitzgerald	Lee, Pa.	Slayden
Booher	FitzHenry	Lenroot	Slemp
Borchers	Flood, Va.	Lesher	Small
Bowdle	Floyd, Ark.	Lewis, Md.	Smith, Tex.
Brockson	Foster	Lieb	Sparkman
Broussard	Francis	Lindbergh	Stanley
Brown, W. Va.	French	Lloyd	Stedman
Bruckner	Gallagher	Lobeck	Stephens, Cal.
Buchanan, Ill.	Gallivan	Logue	Stephens, Miss.
Buchanan, Tex.	Gard	Lonergan	Stephens, Nebr.
Bulkley	Garner	McAndrews	Stephens, Tex.
Burgess	Garrett, Tenn.	McCoy	Stone
Burke, Wis.	Garrett, Tex.	McGillicuddy	Sumners
Burnett	Gerry	McKellar	Taggart
Byrnes, S. C.	Gill	MacDonald	Talcott, N. Y.
Byrns, Tenn.	Gilmore	Maguire, Nebr.	Tavenner
Callaway	Gittings	Mitchell	Taylor, Ala.
Cantor	Godwin, N. C.	Montague	Taylor, Ark.
Cantrill	Goeke	Moon	Taylor, Colo.
Caraway	Goodwin, Ark.	Morrison	Taylor, N. Y.
Carew	Gordon	Moss, Ind.	Ten Eyck
Carlin	Gorman	Mulkey	Thomas
Carr	Goulden	Murray, Mass.	Thompson, Okla.
Carter	Graham, Ill.	Murray, Okla.	Thomson, Ill.
Cary	Gray	Neeley, Kans.	Townsend
Casey	Griffin	Neely, W. Va.	Tribble
Church	Gudger	O'Brien	Tuttle
Cline	Hammond	Oldfield	Underwood
Coady	Hardy	O'Leary	Vaughan
Collier	Harris	Padgett	Walsh
Connelly, Kans.	Harrison	Page, N. C.	Walters
Cox	Hart	Park	Watson
Crosser	Hay	Patten, N. Y.	Webb
Cullop	Hayden	Phelan	Whaley
Davenport	Heflin	Pou	Whitacre
Davis	Helm	Prouty	White
Decker	Helvering	Quin	Williams
Deitrick	Henry	Ragsdale	Wingo
Dent	Hill	Raker	Witherspoon
Dershem	Holland	Rauch	Young, Tex.

NAYS—80.

Ainey	Gillett	Kreider	Roberts, Nev.
Anthony	Good	Langham	Rogers
Avis	Greene, Mass.	McKenzie	Scott
Barton	Greene, Vt.	McLaughlin	Shreve
Britten	Hamilton, Mich.	Madden	Sloan
Burke, S. Dak.	Hawley	Mann	Smith, Idaho
Cooper	Hayes	Mapes	Smith, J. M. C.
Cramton	Hinds	Miller	Smith, Saml. W.
Curry	Hinebaugh	Mondell	Stafford
Danforth	Howell	Moore	Stevens, Minn.
Dillon	Hughes, W. Va.	Morgan, Okla.	Sutherland
Drukker	Humphrey, Wash.	Moss, W. Va.	Switzer
Dunn	Johnson, Utah	Mott	Temple
Edmonds	Johnson, Wash.	Nelson	Towner
Esch	Kahn	Norton	Treadway
Fairchild	Keister	Patton, Pa.	Volstead
Farr	Kelley, Mich.	Payne	Willis
Fess	Kennedy, Iowa	Platt	Winslow
Fordney	Kennedy, R. I.	Porter	Woods
Frear	Kinkaid, Nebr.	Roberts, Mass.	Young, N. Dak.

ANSWERED "PRESENT—6.

Butler	Copley	Hulings	Nolan, J. I.
Clancy	Glass		

NOT VOTING—121.

Adamson	Conry	Hamlin	Lewis, Pa.
Alexander	Covington	Hardwick	Lindquist
Austin	Crisp	Haugen	Linthicum
Barchfeld	Dale	Helgesen	Loft
Bartholdt	Dies	Hensley	McClellan
Bartlett	Doremus	Hobson	McGuire, Okla.
Beall, Tex.	Driscoll	Howard	Mahan
Bell, Cal.	Dupré	Hoxworth	Maher
Borland	Elder	Humphreys, Miss.	Manahan
Brodbeck	Estopinal	Johnson, S. C.	Martin
Brown, N. Y.	Faison	Jones	Merritt
Browne, Wis.	Falconer	Kennedy, Conn.	Metz
Browning	Fowler	Kent	Morgan, La.
Brumbaugh	Gardner	Kettner	Morin
Bryan	George	Key, Ohio	Murdock
Burke, Pa.	Goldfogle	Kiess, Pa.	Oglesby
Calder	Graham, Pa.	Kindel	O'Hair
Campbell	Green, Iowa	Kinkead, N. J.	O'Shaunessy
Candler, Miss.	Gregg	Knowland, J. R.	Paige, Mass.
Chandler, N. Y.	Griest	Korbly	Palmer
Clark, Fla.	Guernsey	L'Engle	Parker
Claypool	Hamill	Lever	Peters
Connolly, Iowa	Hamilton, N. Y.	Levy	Peterson
Plumley	Sells	Stringer	Watkins
Post	Sinnott	Talbott, Md.	Weaver
Powers	Smith, Md.	Thacher	Wilson, Fla.
Rainey	Smith, Minn.	Underhill	Wilson, N. Y.
Reilly, Conn.	Smith, N. Y.	Vare	Woodruff
Riordan	Steenerson	Vollmer	
Rothermel	Stevens, N. H.	Walker	
Scully	Stout	Wallin	

So the previous question was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. WILSON of Florida with Mr. SMITH of Minnesota.

Mr. WALKER with Mr. MCGUIRE of Oklahoma.

Mr. MORGAN of Louisiana with Mr. HELGESEN.

Mr. LEVER with Mr. HAUGEN.

Mr. HARDWICK with Mr. PLUMLEY.

Mr. CLAYPOOL with Mr. GREEN of Iowa.

Mr. CLARK of Florida with Mr. CAMPBELL.

Mr. ADAMSON with Mr. BROWNE of Wisconsin.

The result of the vote was announced as above recorded.

The SPEAKER. The previous question is ordered. The question is on the approval of the Journal.

Mr. MANN. 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. [After counting.] Fifty-one Members have risen—not a sufficient number.

Mr. MANN. I ask for the other side.

The SPEAKER. The gentleman from Illinois demands the other side. Those opposed to ordering the yeas and nays will rise and stand until they are counted. [After counting.] One hundred and thirty Members in the negative. More than one-fifth—a sufficient number—have seconded the demand for the yeas and nays. The yeas and nays are ordered, and the Clerk will call the roll.

The question was taken; and there were—yeas 291, nays 1, answered "present" 4, not voting 135, as follows:

YEAS—291.

Abercrombie	Dent	Hay	Moss, W. Va.
Adair	Dershem	Hayden	Mott
Aiken	Dickinson	Heflin	Mulkey
Ainey	Difenderfer	Helvering	Murray, Mass.
Alexander	Dillon	Henry	Murray, Okla.
Allen	Dixon	Hill	Neeley, Kans.
Anderson	Donohoe	Hinds	Neely, W. Va.
Ansberry	Donovan	Hinebaugh	Nelson
Ashbrook	Dooling	Holland	Nolan, J. I.
Aswell	Doolittle	Houston	O'Brien
Avis	Doughton	Howell	Oldfield
Bailey	Drukker	Hughes, Ga.	O'Leary
Baker	Dunn	Hughes, W. Va.	O'Shaunessy
Baltz	Eagan	Hull	Padgett
Barchfeld	Eagle	Humphrey, Wash.	Page, N. C.
Barkley	Edmonds	Igoe	Park
Barnhart	Edwards	Jacoway	Patten, N. Y.
Barton	Esch	Johnson, Ky.	Payne
Bathrick	Evans	Johnson, S. C.	Peterson
Beakes	Fairchild	Johnson, Utah	Phelan
Bell, Ga.	Falconer	Johnson, Wash.	Platt
Blackmon	Farr	Kahn	Plumley
Booher	Fergusson	Kelly, Pa.	Porter
Borchers	Ferris	Kennedy, Iowa	Pou
Borland	Fess	Kennedy, R. I.	Prouty
Britten	Fields	Kinkaid, Nebr.	Quin
Brockson	Finley	Kirkpatrick	Ragsdale
Broussard	Fitzgerald	Kitchin	Raker
Bruckner	FitzHenry	Konop	Rauch
Bryan	Flood, Va.	Kreider	Rayburn
Buchanan, Ill.	Floyd, Ark.	Lafferty	Reed
Buchanan, Tex.	Foster	La Follette	Reilly, Wis.
Bulkley	Fowler	Langham	Roberts, Mass.
Burgess	Francis	Langley	Roberts, Nev.
Burke, S. Dak.	Gallagher	Lazaro	Rogers
Burke, Wis.	Gallivan	Lee, Ga.	Rouse
Burnett	Gard	Lee, Pa.	Rubey
Byrnes, S. C.	Garner	Lenroot	Rucker
Byrns, Tenn.	Garrett, Tenn.	Lesher	Rupley
Callaway	Garrett, Tex.	Lewis, Md.	Russell
Cantor	Gerry	Lieb	Sabath
Cantrill	Gill	Lindbergh	Saunders
Caraway	Gilmore	Lloyd	Scott
Carew	Gittins	Lobeck	Seldomridge
Carlin	Glass	Logue	Shackleford
Carr	Goeke	Lonergan	Sherley
Carter	Good	McAndrews	Sherwood
Cary	Goodwin, Ark.	McGillicuddy	Shreve
Casey	Gordon	McKellar	Sims
Church	Goulden	McKenzie	Sisson
Cline	Graham, Ill.	MacDonald	Slayden
Coady	Gray	Madden	Slemp
Collier	Green, Iowa	Maguire, Nebr.	Sloan
Connelly, Kans.	Greene, Mass.	Mann	Small
Cooper	Greene, Vt.	Mapes	Smith, J. M. C.
Cox	Griffin	Miller	Smith, Minn.
Cramton	Gudger	Mitchell	Smith, Saml. W.
Crosser	Hammond	Mondell	Smith, Tex.
Cullop	Hardwick	Montague	Sparkman
Curry	Hardy	Moon	Stafford
Davenport	Harrison	Morgan, La.	Stedman
Davis	Hart	Morgan, Okla.	Stephens, Cal.
Decker	Haugen	Morrison	Stephens, Miss.
Deitrick	Hawley	Moss, Ind.	Stephens, Tex.

Stone	Taylor, Colo.	Tribble	Whaley
Sumners	Taylor, N. Y.	Tuttle	White
Sutherland	Temple	Underwood	Williams
Switzer	Ten Eyck	Vollmer	Willis
Taggart	Thomas	Walker	Wingo
Talcott, N. Y.	Thompson, Okla.	Walters	Witherspoon
Tavenner	Thomson, Ill.	Watson	Young, N. Dak.
Taylor, Ala.	Towner	Weaver	Young, Tex.
Taylor, Ark.	Treadway	Webb	

NAYS—1.

Stevens, Minn.

ANSWERED "PRESENT"—4.

Butler	Hulings	Moore	Underhill

NOT VOTING—135.

Adamson	Estopinal	Kettner	Post
Anthony	Faison	Key, Ohio	Powers
Austin	Fordney	Kiess, Pa.	Rainey
Bartholdt	Frear	Kindel	Reilly, Conn.
Bartlett	French	Kinkead, N. J.	Riordan
Beall, Tex.	Gardner	Knowland, J. R.	Rothermel
Bell, Cal.	George	Korbly	Scully
Bowdle	Gillett	L'Engle	Sells
Brodbeck	Godwin, N. C.	Lever	Sinnott
Brown, N. Y.	Goldfogle	Levy	Smith, Idaho
Brown, W. Va.	Gorman	Lewis, Pa.	Smith, Md.
Browne, Wis.	Graham, Pa.	Lindquist	Smith, N. Y.
Browning	Gregg	Linthicum	Stanley
Brumbaugh	Griest	Loft	Steenerson
Burke, Pa.	Guernsey	McClellan	Stephens, Nebr.
Calder	Hamill	McCoy	Stevens, N. H.
Campbell	Hamilton, Mich.	McGuire, Okla.	Stout
Candler, Miss.	Hamilton, N. Y.	McLaughlin	Stringer
Chandler, N. Y.	Hamlin	Mahan	Talbott, Md.
Clancy	Harris	Maher	Thacher
Clark, Fla.	Hayes	Manahan	Townsend
Claypool	Helgesen	Martin	Vare
Connolly, Iowa	Helm	Merritt	Vaughan
Conry	Hensley	Metz	Volstead
Copley	Hobson	Morin	Wallin
Covington	Howard	Murdock	Walsh
Crisp	Hoxworth	Norton	Watkins
Dale	Humphreys, Miss	Oglesby	Whitacre
Danforth	Jones	O'Hair	Wilson, Fla.
Dies	Keating	Paige, Mass.	Wilson, N. Y.
Doremus	Keister	Palmer	Winslow
Driscoll	Kelley, Mich.	Parker	Woodruff
Dupré	Kennedy, Conn.	Patton, Pa.	Woods
Elder	Kent	Peters	

So the Journal was approved.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BROWN of West Virginia with Mr. COPLEY.

Mr. GODWIN of North Carolina with Mr. FREAR.

Mr. CONRY with Mr. FRENCH.

Mr. DIES with Mr. FORDNEY.

Mr. HELM with Mr. GILLETT.

Mr. KEATING with Mr. HAMILTON of Michigan.

Mr. KEY of Ohio with Mr. NORTON.

Mr. McCOY with Mr. KEISTER.

Mr. O'HAIR with Mr. KELLY of Michigan.

Mr. HAMLIN with Mr. PATTON of Pennsylvania.

Mr. POST with Mr. McLAUGHLIN.

Mr. KENNEDY of Connecticut with Mr. SMITH of Idaho.

Mr. CLANCY. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?

Mr. CLANCY. No; I was down in the restaurant.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

An act (H. R. 13219) to provide in the interest of public health, comfort, morals, and safety for the discontinuance of the use as dwellings of buildings situated in the alleys in the District of Columbia.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 6433. An act to relocate the headquarters of the customs district of Florida; and

H. R. 9318. An act to amend the act approved June 25, 1910, entitled "An act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes."

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. ROTHERMEL, for one week, on account of illness.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 4 minutes p. m.) the House adjourned until Saturday, September 19, 1914, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10228) granting an increase of pension to Edward F. Soule; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 17866) granting a pension to William H. Culler; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

Mr. SABATH introduced a bill (H. R. 18851) to prohibit the sale or gift of intoxicating liquors to minors within the admiralty and maritime jurisdiction of the United States, which was referred to the Committee on Alcoholic Liquor Traffic.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWDLE: A bill (H. R. 18852) granting a pension to R. M. Wheeler; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 18853) for the relief of the estate of William King, deceased; to the Committee on War Claims.

By Mr. DONOVAN: A bill (H. R. 18854) granting an increase of pension to Jane A. Dickinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18855) granting an increase of pension to Agnes M. Kesler; to the Committee on Invalid Pensions.

By Mr. EDMONDS: A bill (H. R. 18856) for the relief of Luther L. Martin; to the Committee on Naval Affairs.

By Mr. EDWARDS: A bill (H. R. 18857) for the relief of the heirs at law of the late Joseph S. Claghorn and John Cunningham, both now deceased; to the Committee on War Claims.

By Mr. FERGUSSON: A bill (H. R. 18858) for the relief of the heirs of Manuel Madril; to the Committee on Claims.

By Mr. GALLAGHER: A bill (H. R. 18859) for the relief of John M. Dimmick; to the Committee on Claims.

By Mr. J. R. KNOWLAND: A bill (H. R. 18860) granting a pension to Martha Bartl; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 18861) granting a pension to Mary J. Adams; to the Committee on Pensions.

Also, a bill (H. R. 18862) granting an increase of pension to Elizabeth J. Milliken; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 18863) granting a pension to Eva Kern; to the Committee on Pensions.

Also, a bill (H. R. 18864) granting an increase of pension to Raphael C. Loupe; to the Committee on Pensions.

Also, a bill (H. R. 18865) granting an increase of pension to John A. Brindle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18866) granting an increase of pension to Franklin M. Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18867) granting an increase of pension to Delancey S. Drake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18868) granting a pension to John O'Hagan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18869) granting an increase of pension to Adelaide E. Pratt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18870) granting an increase of pension to John M. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18871) granting an increase of pension to Matthew Rowland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18872) granting an increase of pension to Jane Williams; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Commercial Exchange of Philadelphia, Pa., against House bill 18666, for Government ownership of vessels engaged in the foreign trade; to the Committee on the Merchant Marine and Fisheries.

By Mr. BYRNS of Tennessee: Papers to accompany a bill for relief of estate of William King, deceased; to the Committee on War Claims.

By Mr. J. I. NOLAN: Protest of the Allied Printing Trades Council of Greater New York, against the passage of House bill 16238, to amend the copyright laws; to the Committee on Patents.

Also, protest of the American Publishers' Association, of New York City, against favorable report on House bill 16238, to amend the copyright law; to the Committee on Patents.

Also, communication from the International Typographical Union, favoring the amendment of section 85, House bill 15902, to prohibit the printing of "return cards" on Government stamped envelopes; to the Committee on Printing.

Also, resolutions of the Socialist Party of California, favoring the passage of the Hamill bill (H. R. 5139), for the retirement of superannuated Federal civil-service employees; to the Committee on Reform in the Civil Service.

Also, protest of the Milwaukee-Waukesha Brewing Co., against any additional revenue tax on beer; to the Committee on Ways and Means.

By Mr. VOLLMER: Petition of A. M. Hall, jr., and others, in favor of the Stevens bill (H. R. 13305), against price cutting and other dishonest trade abuses; to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES.

SATURDAY, *September 19, 1914.*

The House met at 12 o'clock noon.

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

Thou Grace Divine, encircling all,
A shoreless, soundless sea,
Wherein at last our souls must fall—
O love of God most free!

Impart unto us, we pray Thee, plenteously of Thy grace, that we may with all diligence fulfill the obligations devolving upon us to-day and be the better prepared for the duties of to-morrow, adding wisdom to wisdom, knowledge to knowledge, strength to strength, purity to purity, love to love.

Count that day lost whose low-descending sun
Sees at thy hand no worthy action done.

Thus may we reach the purest aspirations of our souls and prove ourselves worthy sons of the living God. In His name. Amen.

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

RESTORATION OF A PAIR.

Mr. BUTLER. Mr. Speaker, for many years I have had an arrangement for a pair with the gentleman from Georgia, Mr. BARTLETT. I can not understand why on yesterday I forgot that arrangement and voted. I should not have done so, because the division was largely of a partisan nature. I ask unanimous consent of the House to have the RECORD changed to show that I answered "present," and keep my pair with the gentleman from Georgia, Mr. BARTLETT.

The SPEAKER. The gentleman from Pennsylvania says that he has a general pair with the gentleman from Georgia, Mr. BARTLETT, and on yesterday on what was practically a political question he inadvertently voted. He now asks unanimous consent of the House to have that changed, to withdraw his vote, and answer "present." It will not change the result. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF THE LINES OF THE WASHINGTON RAILWAY & ELECTRIC CO.

Mr. CARAWAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4274) to authorize and require an extension of the street railway lines of the Washington Railway & Electric Co., and for other purposes.

The SPEAKER. Is there a similar bill reported and on the calendar?

Mr. CARAWAY. Yes; the bill H. R. 12592, an identical bill.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to take from the Speaker's table and consider the bill S. 4274, a similar House bill being reported and on the calendar. The Clerk will report the bill.

The Clerk read as follows:

An act to authorize and require an extension of the street railway lines of the Washington Railway & Electric Co., and for other purposes.

Be it enacted, etc., That the Washington Railway & Electric Co., of the District of Columbia, be, and it is hereby, authorized and required to construct an electric railway, beginning where its present tracks on Nichols Avenue intersect Portland Street SE., thence along Portland Street in a westerly direction to Fourth Street SW.: *Provided*, That said railway shall be constructed and operated by overhead electric system and may cross the tracks of the Baltimore & Ohio Railroad on grade, on condition only that before any of the cars of the said Washington Railway & Electric Co. shall cross such tracks said last-named company shall, at its own expense, install at such crossing an automatic safety device of such style and pattern as will make travel over said crossing safe, and which before being operated shall be inspected and approved by the Commissioners of the District of Columbia.

SEC. 2. That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the Supreme Court of the District of Columbia, within 30 days after the passage of this act, in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Laws for the District of Columbia, a proceeding in rem to condemn the land that may be necessary for the opening of Portland Street as laid down on the permanent system of highways of the District of Columbia contained in an act of Congress approved March 2, 1893, entitled "An act to provide a permanent system of highways in the part of the District of Columbia lying outside of cities," as amended by an act of Congress approved June 28, 1898, and other acts amendatory thereof: *Provided*, That the entire amount found to be due and awarded by the jury in said proceedings as damages for and in respect of the land to be condemned for said extension, plus the cost and expenses of said proceedings, shall be assessed by the jury as benefits; and that there is hereby appropriated out of the revenues of the District of Columbia an amount sufficient to pay the necessary costs and expenses of the said condemnation proceedings taken pursuant hereto and for the payment of the amount awarded as damages, to be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia.

SEC. 3. That the street railway extension provided for in section 1 hereof shall be begun within three months after the judgment has been made final in the condemnation proceedings provided for in section 2, and shall be completed, with cars running thereon, within a period of one year from said date; and the said Washington Railway & Electric Co. shall, within 30 days from the date of the final judgment in the said condemnation proceedings, deposit with the collector of taxes of the District of Columbia the sum of $1,000 to guarantee the construction of said extension within the prescribed time, and if said extension is not completed, with cars running thereon, within the prescribed time, said $1,000 shall be forfeited to the District of Columbia.

SEC. 4. That, in addition to the deposit hereinbefore referred to, the said company shall deposit such further sum or sums as the commissioners may require to cover the cost of inspection and the cost of changes to public constructions or appurtenances in public highways caused by the construction of said extension.

SEC. 5. That all plans of location and construction of said extension shall be subject to the approval of the Commissioners of the District of Columbia, and all excavations in public highways shall be made under permits from said commissioners and subject to regulations prescribed by them. That said extension shall be constructed in a substantial and durable manner, subject to the inspection of said commissioners, and all changes to existing construction and appurtenances in public space shall be made at the expense of said railway.

SEC. 6. That the said Washington Railway & Electric Co. shall have, over and respecting the extension of its lines herein provided for, the same rights, powers, and privileges that it has by its charter and amendments or by law over and respecting its routes, and shall be subject, in respect thereto, to all the other provisions and requirements, duties and obligations of its charter and amendments and of law. That in addition to the obligation placed upon said company by its charter and law regarding the maintenance of the space between its rails and tracks and 2 feet adjacent thereto on each side thereof the said company shall, in connection with its track construction and simultaneously therewith, grade the highways through which its tracks shall be extended, under the provisions of this act, for a distance of 2 feet outside the outer rails of its tracks to such section and profile as may be approved by the Commissioners of the District of Columbia, and shall bear and defray all of the costs of such grading, which shall be done to the entire satisfaction of said commissioners.

SEC. 7. That Congress reserves the right to alter, amend, or repeal this act.

The SPEAKER. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object, I see that this bill provides that there shall be an overhead trolley to operate these street cars. I do not know how many miles of streets this extension is to run over. I would not like to see the policy adopted of putting overhead trolleys now in the thickly settled portions of the District of Columbia, although we have overhead-trolley lines in some places. I believe that all of these lines ought to be put under ground as fast as possible. I am rather inclined to think that no consideration ought to be given to any new legislation for the operation of street cars within the District by the overhead-trolley system.

Mr. CARAWAY. Will the gentleman let me tell him where this is?

Mr. MADDEN. Yes.

Mr. CARAWAY. This is a line being extended on Congress Heights, outside of the built-up district, to a steel plant where there are 600 men employed. It is 6,000 feet from the mill to the nearest car line. This is being extended for their exclusive benefit. It is outside of any built-up section of the District, and it is under an agreement between the steel plant and the railway company for the benefit of the employees of the mill. It saves these men one fare.

Mr. MADDEN. I do not care to do anything to inconvenience the men employed in the steel plant. On the other hand, I would be glad to do everything for their convenience. But while enacting a law of this kind, should not we provide proper safeguards against possible loss of life by overhead trolleys, like the breaking of a wire or something of that sort?