By Mr. NEELY of West Virginia: Papers filed in support of bill (H. R. 20998) for the relief of Lydia Ann Hagan; to the Committee on Invalid Pensions.

By Mr. RAKER: Petition by citizens of Red Bluff, Cal., favoring the enactment of House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of citizens of Baltimore, Md., against export of arms; to the Committee on Foreign Affairs.

Also, petition of John J. Freschi, president, and Dominic A. Irotta, secretary, of the Union League of Italian-Americans of United States, against Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Louis M. Cole, president, and Frank Wiggins, secretary, Chamber of Commerce, Los Angeles, Cal., favoring support by United States Government of the widow of Gen. A. R. Chaffee; to the Committee on Pensions.

By Mr. REILLY of Connecticut: Petition of William I. Barber, secretary of the Hartford (Conn.) Business Men's Association, against House joint resolution 372, to provide for a national security commission; to the Committee on Rules.

By Mr. SELDOMRIDGE: Petition of citizens of Colorado, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of city council of Colorado Springs, Colo., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. SMITH of Minnesota: Petition of citizens of Minneapolis, Minn., urging the passage of House joint resolution 377, forbidding exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. TALCOTT of New York: Petition of members of St. Michael's Society, of Rome, N. Y., protesting against the passage of the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of citizens of the thirty-third congressional district of New York, protesting against violations of neutrality; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of 1,170 American citizens, favoring adoption of House joint resolution 377, prohibiting the export of war materials; to the Committee on Foreign Affairs.

SENATE.

MONDAY, *January 18, 1915.*

(Legislative day of Friday, January 15, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Brady	Gallinger	Norris	Smoot
Brandegee	Hardwick	Overman	Sterling
Bryan	Hollis	Page	Stone
Burleigh	James	Perkins	Thomas
Burton	Johnson	Pomerene	Thornton
Catron	Jones	Reed	Tillman
Chamberlain	Kern	Robinson	Vardaman
Clapp	La Follette	Saulsbury	Walsh
Clark, Wyo.	Lane	Sheppard	Warren
Colt	Lea, Tenn.	Shively	White
Culberson	Lippitt	Smith, Ariz.	Works
Cummins	Martin, Va.	Smith, Ga.	
Dillingham	Martine, N. J.	Smith, Md.	
Fletcher	Myers	Smith, Mich.	

Mr. ROBINSON. I was requested to announce that the Senator from Arizona [Mr. ASHURST] and the Senator from Oklahoma [Mr. OWEN] are unavoidably detained from the Chamber on business of the Senate. This announcement may stand for the day.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present. The Chair lays before the Senate certain petitions from the Wesley Chapel Methodist Episcopal Church, the First United Presbyterian Church, and the Petworth Baptist Church, of this city, praying for the prohibition of the liquor traffic in the District of Columbia. The petitions will be properly noted in the Journal.

Mr. THOMAS. Mr. President, I ask unanimous consent to have printed in the RECORD, without reading, a letter from Dr. Charles M. Emmons in reply to certain correspondence which was put into the RECORD by the Senator from New Hampshire [Mr. GALLINGER] a few days ago relating to the site for the Eastern High School.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

EAST WASHINGTON CITIZENS' ASSOCIATION,
Washington, D. C., January 16, 1915.

Hon. C. S. THOMAS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In view of the personal interest you manifested in the debate on the floor of the Senate in the matter of the selected site for the Eastern High School, I deem it but just to yourself, as well as important to the subject matter, to make brief reply to some statements contained in and inferences that might be drawn from the letters of Henry P. Blair and John B. Larner, appearing on page 1610 of the CONGRESSIONAL RECORD of yesterday's proceedings.

By referring to the assessment books of the District of Columbia it will be found the Washington Loan & Trust Co., as trustee for the Equitable Building Association, of this city, controls lot 8 and part of lot 7 in square 1108, and also, as executor of the estate of J. Sprigg Poole, controls lots 40 and 41 in square 1095. These lots are all included within the boundaries of the proposed purchase.

The city directory shows that Mr. John B. Larner is vice president and general counsel of the said Washington Loan & Trust Co. and is also a director in the said Equitable Building Association. These two corporations are very closely connected, as is shown by the fact that Mr. John Joy Edson is president of both.

These two corporations with which Mr. Larner is conected necessarily have a fiduciary interest in the sale of these properties to the District of Columbia. As to the hearing before the board of education, mentioned in Mr. Blair's letter, I will state that the present proposed site had not been then selected. We appeared before the board of education to urge the selection of reservation No. 13. As a matter of fact, no public hearing whatsoever has been granted or had by the board of education or by the District Commissioners with reference to the purchase of this proposed site and the closing of the public streets.

Sincerely, yours,

CHARLES M. EMMONS, M. D.,
President East Washington Citizens' Association.

The VICE PRESIDENT. The question is on agreeing to the report of the Committee on Rules.

Mr. JONES. Mr. President, I have one letter here that I received this morning, which I wish to have read. I simply desire to say that I have received a great many letters this morning along the same line, but this letter sets out the facts so clearly and succinctly that I ask that it be read. I am glad to know that this man is working for a great company and is not afraid to express his sentiments in regard to this question; that he is not afraid the company will call him to task for so doing.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

256 NINTH STREET NE.,
January 17, 1915.

Senator JONES.

MY DEAR SIR: Your effort to clear the curse of the saloon from our Capital City meets with my approval. Trust that you may clear the corner Eleventh and C Streets NE., so that a lady may feel safe to pass that corner at night. I see no reason for such business to be placed in the eyes of so many homes and children. The nine years we have owned our home at Ninth and C Streets NE. our lady friends who were alone making calls always left early at night, stating they were afraid to pass this saloon after dark. The colored people seem to be the greater number around this saloon. We have two clean sons, 22 and 24 years, and would like to keep them so. Without the saloon I will feel more sure. You won't have time to read all such lengthy letters, but trust mine may help the cause.

Very truly, yours,

WILLIAM A. PIERSON,
Passenger Conductor, Pennsylvania Railroad.

Mr. SHEPPARD. I have a brief editorial here from the Commoner on this subject which I would be glad to have read.

Mr. STONE. I should like to ask if it is the same editorial the Senator from Washington [Mr. JONES] put in the RECORD on Saturday?

Mr. SHEPPARD. It is not.

Mr. JONES. I desire to say that the Senator from Washington put in no editorial from the Commoner.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Secretary will read as requested.

The Secretary read as follows:

NATIONAL PROHIBITION IN CONGRESS.

In the last issue of the Commoner I expressed the opinion that this was not an opportune time to propose a national prohibition amendment, not because of any objection to the principle involved—I stated I would vote for the amendment if submitted—but because the submission of such an amendment at this time would divert attention from other issues pressing for consideration without advancing the cause of prohibition

On another page will be found the vote upon the amendment. It will be seen that while it lacked the two-thirds necessary to pass such a resolution, it received a majority of eight—a striking proof of the growing tide against the liquor business.

While the brewers and distillers are congratulating themselves that the prohibition forces could not secure a two-thirds majority, they are looking with blanched faces and trembling hearts upon the declaration, solemnly made on roll call, that a clear majority of the people's Representatives in Congress are arrayed against rum selling.

As it only requires a majority to pass laws, the liquor interests see in the vote on the amendment the beginning of the end of their suprem-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

acy. The death knell of the saloon has been sounded, and it is only a question of a few years when the business, now made an outlaw, will be driven from the highways and forced into the secret places, where, after a few years more of fugitive life, it will meet its death. From now on the liquor business can consider itself a fugitive from justice, living in constant fear of arrest and punishment.

Many who voted for the prohibition amendment were opposed to its submission at this time, but, when compelled to vote yes or no, they preferred to ally themselves with the temperance forces rather than run the risk of being counted on the side of the saloon. Others, who have fought the liquor interests in their several States, voted against the submission of the amendment at this time because they preferred to center the fight on the States where it is at issue rather than to have the attack scattered over the entire country. These will be for a national amendment whenever they think the time is ripe for such action, and in the meantime they will redouble their energies and enter with still more earnestness into the State contests against the liquor interests. The temperance element will not deal harshly with the man who voted "No," provided he is in the forefront of the battle in his State, but woe unto the man who pleads "State rights" against national prohibition and then allies himself with the liquor interests in his State! He will find it difficult to convince his constituents that his arguments against the exercise of national authority on the subject expressed his real reason for voting "No."

W. J. BRYAN.

Mr. KENYON. Mr. President, I introduced and had read into the RECORD on Saturday an editorial from the Commoner of some weeks ago. The Senator from Texas has now had read an editorial from the last issue of the Commoner. On the third page of that same issue there is another editorial by Mr. Bryan on this same subject, which I think should also be inserted in the RECORD and read. I ask to have that done.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. The Secretary will read as requested.

The Secretary read as follows:

STATE RIGHTS NOT MENACED.

The discussion of the proposed national prohibition amendments has brought out a new lot of mock heroics on the subject of local self-government. Some of the "wets," in attempt to justify their opposition to national prohibition, express great fear lest the national authority shall trample upon the "imperishable rights of local self-government." What perishable tommy rot!

The insincerity of these protestations is manifest when it is remembered that the liquor interests are just as jealous of "the imperishable rights of interstate commerce" as they are of "the imperishable local self-government"; it depends entirely upon the case which is being presented.

If a State attempts to deal with the liquor question a hoard of saloon sympathizers raise a chorus against the "invasion of the rights of the National Government." They insist that "commerce between the States must be protected"; "the arm of the National Government must not be paralyzed"; "fanaticism must not be permitted to suspend the traffic between the various Commonwealths of the Nation," etc.

Whenever, however, the authority of the National Government is invoked we find this same crowd worshiping at the shrine of "State rights" and beating their breasts in frantic fear lest the people may be robbed of the sacred right to control their own affairs.

Those who regard the saloon as an unalloyed evil and seek to abate the nuisance need not worry themselves about the hypocritical arguments presented by those who prey upon the welfare of society and make a merchandise of morals. The right to class alcohol as a poison; the right to protect society against those who would make money by administering this poison to their fellow men—this right can be exercised without any danger either to the authority of the National Government or to the rights of local communities. It will be a sad day for this country when the brewers, the distillers, and the saloon keepers are made the custodians of either national or local authority.

The rights of the city are not trampled upon when township option is adopted, as it has been in some States; such legislation simply enlarges the unit and places the control of the liquor traffic in the hands of a greater number of people. The rights of local self-government are not imperiled by legislation which makes the county, instead of the township, the unit—which has been done in a number of States. No more is local self-government menaced when the State is made the unit, as it has been in some 14 States. The same reasoning holds true when the legislative unit is the Nation, instead of the State.

If the readers of the Commoner will take notice they will find that whenever a choice is to be made between two units, the liquor interests always choose the smaller unit—no matter which two are under consideration. If the question is between national prohibition and State prohibition, the liquor interests are the vociferous champions of the State's right to act. When, however, the choice is between State prohibition and county option, the liquor interests are just as vehemently in favor of county option. If it is a choice between county option and township option, the liquor interests are out beating their tom-toms and shouting for precinct option; if the choice is between township option and city, town, or village option, the liquor interests bring out their cohorts and make their fight for the least unit, and there is just as much sincerity in their arguments in one case as in any other; but there is no sincerity in their arguments in any case, it is all a matter of pecuniary interest.

To carry the illustration further, they would favor ward option as against city option, and they would favor giving the option to the block instead of to the ward. Finally, they would demand that the option be exercised by the individual rather than by any governmental unit, and they would do this in the name of "personal liberty," although if the manufacturers of intoxicants were in position to enforce their decrees, they would make drinking compulsory, even if they had to tie their victim and force alcohol down him as stated intervals—they would do it, of course, for the benefit of the victim's health.

When it is understood that the arguments made in favor of the liquor traffic are not the real ones that actuate those who make them, why should the opponents of the saloon pay any attention to them?

Experience has taught that the unit is enlarged in proportion as public sentiment against the saloon increases, and a national prohibition amendment will be submitted as soon as enough States adopt prohibition to make the ratification of the amendment probable. When that time comes, the reserved rights of the States will be just as sacredly guarded as they are now, or ever have been—they will be guarded by intelligent and sober freemen who believe in the theory upon which our Government is founded. It only brings "State rights" into ridicule to have the phrase made a mask for a disreputable business which is fighting to perpetuate the privilege of debauching a nation.

W. J. BRYAN.

Mr. MARTINE of New Jersey. Mr. President, in view of the statements made here by the Senator from Washington [Mr. JONES] on Saturday last, regarding the excise board of this District, which, if they are half true, the Senate owes the duty to itself and to the country that they should be diligently inquired into, I desire to make a motion.

I am unalterably opposed to prohibition, but I am square, and I believe in being square. To that end, I move that a committee of five be appointed by the President of the Senate to inquire into all the charges which have been made by the Senator from Washington.

The VICE PRESIDENT. The question is on the motion of the Senator from New Jersey. [Putting the question.] The ayes have it, and the motion is agreed to.

Mr. CLAPP. Mr. President, I had intended this morning making some remarks upon the question before the Senate. I realize, however, that the junior Senator from Texas [Mr. SHEPPARD], who has been primarily back of this amendment, is a member of the dominant party; I realize that the dominant party is charged with the enactment of legislation at this session, that it has what might be called "a program," and that continued debate upon this question has and that further debate will subject the author of the amendment to the criticism of delaying the action of the policy or the program of his dominant party. The Senator in charge of the matter feels that it is wise that there be no unnecessary loss of time in taking a vote upon this measure; therefore, rather than embarrass him, unless I shall discover later this morning a tendency to delay and postpone the vote, I shall refrain from addressing the Senate upon the subject. Later when this question comes up, as it will if not successful at this time, I shall discuss the question.

The VICE PRESIDENT. The question is on agreeing to the report of the Committee on Rules.

Mr. JAMES. I ask for the yeas and nays.

The VICE PRESIDENT. The yeas and nays are called for. Is the request seconded?

Mr. REED. I call for a statement of the question, Mr. President.

Mr. SMOOT. Mr. President, I intend to detain the Senate but a very few moments. The real question before the Senate is as to whether or not we shall suspend the rules. I am going to vote upon that question, and upon no other.

Mr. President, I am opposed to suspending the rules of this body, particularly the one that is asked to be suspended at this time. We are asked to suspend Rule XVI, paragraph 3, providing:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

Mr. President, I believe there is no necessity for suspending the rules at this time. The Senator from Texas [Mr. SHEPPARD] can get a vote upon this question in the Senate in a more direct way. The same question has been presented to the Senate in a bill introduced by the Senator from Texas, which is now before a committee of this body. If that committee does not desire to report the bill to the Senate, the Senator from Texas has a perfect right to move to discharge the committee from the further consideration of the bill, and that the Senate itself consider the bill.

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

Mr. SMOOT. Certainly.

Mr. SHEPPARD. What chance does the Senator think a bill reported and passed by the Senate in that manner would have in the other House at this session?

Mr. SMOOT. If the Senator takes that position, that is another good reason why action such as proposed should not be taken.

Mr. SHEPPARD. No; the reason for acting upon it in this way is that this is a House appropriation bill and it will go through in this way.

Mr. SMOOT. I understand the Senator's position, but I am opposed to any such way of legislating. It is for that reason that I oppose the suspension of the rules.

Mr. SHEPPARD. Has the Senator from Utah always taken that position?

Mr. SMOOT. I have, Mr. President; but this question has never arisen before in the Senate during my service here. I have in the past consented to legislation going upon appro-

priation bills where it was the almost unanimous wish of this body, where there was very little sentiment against it, but wherever there is such a vital question as this involved I do not believe that this is the proper way to reach it.

I want to say, however, that if this question should be referred to the people of the District of Columbia and I had an opportunity to vote upon it, I should vote for prohibition in the District, as I voted and would again vote for prohibition in my home city. I simply wanted to make this statement so that my position could not be misunderstood. It is for this reason, Mr. President, that I shall vote against suspending the rules, and that is the sole and only question before the Senate at this time.

I could discuss the question of prohibition and state my attitude upon it, but I do not think it is now necessary. I do, however, think that this body ought to change Rule XL, and change it as quickly as possible, in conformity with the sentiment expressed by this body. I shall first give notice of my intention to do so, and then I shall offer an amendment and have it referred to the Committee on Rules, amending Rule XL to read as follows:

RULE XL.

SUSPENSION AND AMENDMENT OF THE RULES.

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof, and shall require a vote of two-thirds, and shall be decided without debate.

Mr. President, I think that will make Rule XL clear. I think that when the question of the suspension of the rules is presented it should be decided without debate, and if the rules are to be suspended, unless by unanimous consent, they should only be suspended when there is involved a question of vital importance to the welfare of the United States.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. SMOOT. Certainly.

Mr. GALLINGER. Do I understand the Senator as suggesting that an amendment to the rules should require a two-thirds vote?

Mr. SMOOT. My suggestion was a proposed amendment to Rule XL, requiring a two-thirds vote to suspend a rule of the Senate.

Mr. GALLINGER. To suspend?

Mr. SMOOT. Yes.

Mr. GALLINGER. I understood the Senator to say "or amend." Manifestly, we ought to be able to amend our rules by a majority vote.

Mr. SMOOT. Yes, Mr. President; that is true. I wrote the proposed amendment hurriedly, and did not notice at the time that the amendment as prepared would apply to a motion to amend the rules.

Mr. SMITH of Georgia. The suggestion of the Senator is simply that a motion to suspend the rules shall be considered without debate and shall require a two-thirds vote?

Mr. SMOOT. Yes.

Mr. SMITH of Georgia. But a rule may be modified by a majority vote just as heretofore?

Mr. SMOOT. Absolutely. That was my intention; but, as I have explained, I hurriedly wrote out the proposed amendment. That, however, will be the effect of the amendment and will be the wording when it is finally drafted.

Mr. SHEPPARD. Mr. President, I do not desire to prolong the discussion of this matter, but I believe it important at this time to give the Senate some important instances of the addition of general legislation to appropriation bills in this body.

It is not an uncommon practice to add provisions embodying general legislation to appropriation bills. The entire bill creating a public-utilities commission, a measure composed of 103 sections, was placed upon the District appropriation bill by the Senate on February 19, 1913. Almost immediately after that measure was added to the District appropriation bill the Senator from Washington [Mr. JONES] offered as an amendment what was known as the "excise bill." That bill was composed of 27 distinct and comprehensive sections, and it was likewise added to the District appropriation bill.

In the Fifty-sixth Congress, second session, an amendment providing for the establishment of civil government in the Philippine Islands was placed upon the Army appropriation bill. The President pro tempore, Mr. Frye, submitted the question of order to the Senate, and the Senate by a vote of 39 to 23 determined that the amendment was in order. I call attention to that vote, because the Senator from Utah [Mr. SMOOT] endeavored to create the impression that the Senate had only added provisions embodying general legislation to appropriation bills when there was practical unanimity on the subject.

Again, an amendment providing for the construction of a telegraph cable between the United States and the Hawaiian Islands and appropriating $500,000 for that purpose, was placed upon the Diplomatic and Consular appropriation bill. Mr. Blackburn raised the question of order that it was general legislation on an appropriation bill; the then Vice President, Mr. Stevenson, submitted the question of order to the Senate, and it was voted in order by a vote of 36 to 25. Here were measures involving general legislation about which there was great difference of opinion and which were added to appropriation bills.

The Senator from Connecticut [Mr. MCLEAN] succeeded some months ago in attaching the migratory bird law to the agricultural appropriation bill. The Senator from Florida [Mr. BRYAN] raised the point of order that it was general legislation. The question was submitted to the Senate, the Senate deliberately voted it in order, and the amendment went upon the bill.

Mr. President, the only difference between the Senate in adding general legislation to appropriation bills and myself in the effort I am now making has been that the Senate has added general legislation in a roundabout and indirect way, while I have attempted to do it in an orderly way and in accordance with the rules. It seems that my proposition to do a thing properly in the Senate has shocked some Senators, who have stood here and permitted general legislation to be added to appropriation bills by means of a parliamentary subterfuge.

The ordinary practice is to have an agreement with the Chair to submit the question to the Senate, Is the matter said to be general legislation in order? Then the Senate, while technically voting on the point of order, votes upon the merits of the proposition.

I have but one further thing to say, and that is that the excise bill, of which the Senator from Washington [Mr. JONES] and the Senator from California [Mr. WORKS] were joint authors, after having been referred to the Senate Committee on the District of Columbia, was reported to the Senate and passed. It then went to the House, where it was permanently held up in the House Committee. The only way that bill could then have been passed was by adding it to the District of Columbia appropriation bill, and that was done. I did not attempt to have the Senate Committee on the District of Columbia report out my prohibition bill, because I felt, even if the Senate passed it, the influence which held up and in that way defeated the excise bill in the House would also hold up and stifle my measure for prohibition for the District.

Mr. SUTHERLAND. Mr. President, a good deal of the discussion which has taken place in the Senate with reference to this rule I think might be characterized as somewhat disingenuous. Senators have argued that we have put upon appropriation bills in the past items of general legislation. That is probably true; but whenever it has been done it has either been done by unanimous consent of the Senate, by which, of course, any rule can be suspended or any procedure adopted which may be desired, or it has been done upon a vote of the Senate declaring that the proposed amendment was in order.

The Senator from Texas has just criticized the Senate for doing the very things which he has been citing as illustrations in support of what he is himself undertaking to do.

Mr. SHEPPARD. Oh, no; not at all, Mr. President.

Mr. SUTHERLAND. The Senator from Texas has just cited some cases where the Senate has voted that certain proposed legislation was in order upon an appropriation bill, and proceeded to say that he did not proceed in that way; that he was proceeding in an orderly way. If that is not equivalent to saying that the Senate in proceeding in the other cases was out of order, then I am incapable of understanding the significance of the English language.

Mr. SHEPPARD. Mr. President, I did say it had proceeded out of order, but I did not say that I did not indorse its action in proceeding out of order along that line. If the Senator will pardon me, my real reason for citing these instances was due to the fact that it was stated here on the floor on Saturday last that I was introducing a revolutionary innovation, and a dangerous practice in attempting to add an item of general legislation onto an appropriation bill; and it was suggested that I was embarrassing the President by attaching a substantive measure to an appropriation bill. It was for that reason that I cited the fact that it was not an uncommon practice for the Senate to add general legislation to appropriation bills, and that in adding that general legislation it has proceeded in a way not permitted by the language of the rules.

Mr. SUTHERLAND. Well, Mr. President, the Senate undoubtedly has put upon appropriation bills items which might be termed "general legislation," and yet with reference to those

items there was evidently a difference of opinion, and I am not prepared to say that it was not an honest difference of opinion. Some Senators when the question was presented have voted that the proposed item was in order; in other words, that it was not general legislation, and a majority of the Senate has declared, and by their votes have determined, that the item was not obnoxious to the rule. I do not think that it lies in the mouth of any Member of this body to impeach the integrity and good faith of his fellow Members in that way. Whenever——

Mr. GALLINGER. Mr. President——

Mr. SUTHERLAND. Just a moment—whenever the Senate has voted by a majority that a particular item was in order, I am not prepared to say that that majority was not voting in accordance with its honest opinions about it. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, it was my fortune or misfortune to be overruled on two occasions when I had the honor to preside over the Senate when I decided that certain matters, being general legislation, were obnoxious to the rule, but the Senate voted that I was wrong. After that vote was taken Senators came to me and said that they knew the ruling was right, but they wanted to put the item on the bill, and they put it there.

Mr. SMOOT. That often happens.

Mr. SUTHERLAND. I do not know who those Senators were. I know perfectly well that the Senator from Utah who is now on his feet was not one of them.

Mr. GALLINGER. Mr. President, it does not admit of argument that the Senate puts general legislation on appropriation bills when it wants to do it, whether it is in accordance with the rule or not. That is a truism that can not be denied.

Mr. SUTHERLAND. The Senator from New Hampshire of course is welcome to his own opinion about that; but however that may be, the proposition now pending before the Senate is whether the Senate will deliberately suspend a wise rule of this character for the purpose of putting upon an appropriation bill an item which everybody concedes is general legislation. I am not going to enter upon a discussion of that question. I have some very pronounced views about it, however.

Mr. SHEPPARD. Mr. President, will the Senator yield to me?

Mr. SUTHERLAND. Not for a moment. I think the rule is a very wise one. The Senator from Montana [Mr. WALSH] the other day, in his brief discussion of this subject, put it in such a way that it seems to me no unprejudiced man could differ with him; and I agree with and indorse what he said upon that subject. The rule which requires that general legislation shall not be put upon an appropriation bill is a wise one, and the rules ought not to be suspended unless the matter is one of the most vital concern.

I now yield to the Senator from Texas.

Mr. SHEPPARD. I want to say to the Senator that I do not think any legislation affecting the District of Columbia is general legislation from the standpoint of Congress. Congress is legislating for the Nation, and the essential definition of general legislation is that it shall apply to all parts of the country and to all persons.

Mr. SUTHERLAND. Oh, Mr. President, upon reflection the Senator from Texas himself will not insist upon that definition of general legislation. General legislation is legislation which applies uniformly to the class with which you are dealing. If you are dealing with the whole Nation, legislation which deals with the whole Nation is general legislation. If you are dealing with a particular State, legislation which affects the whole State is general legislation. If you are dealing with the District of Columbia, any legislation which deals with the entire District of Columbia is general legislation. This is a general appropriation bill, and this proposition to enforce prohibition in the District is clearly general legislation.

Mr. President, upon the main question which is involved here I desire to say a word. I believe in prohibition. I believe that the people of this country would be far better off if no intoxicating liquor were permitted to be sold or used at all. I think that would be an ideal condition, because I think intoxicating liquor has done precious little good in this world, and it has done an infinite amount of harm. It is possible that in some cases it may be useful as a medicine; but I, for one, would be glad to forego whatever small benefit may result from its use as a medicine in order that we might accomplish the great good that would result from the abolishment of its use altogether. But it is one thing, Mr. President, to pass a law declaring for prohibition, and it is quite another thing to enforce it.

This is not a new question. The sentiment of the country upon prohibition has ebbed and flowed for the past 60 or 70 years. More than 60 years ago Neal Dow, that great exponent of prohibition, succeeded in bringing about a state of sentiment in Maine in response to which the people of Maine voted for State-wide prohibition. I do not care what anybody says about it; I have spent some time in the State of Maine, and I know what has been going on there, and there is not any doubt that State-wide prohibition in the State of Maine is a farce. It does not prohibit. What results is that liquor is imported from the surrounding States, a very large part of it from the city of Boston.

Every year the State of Maine is flooded with letters from liquor houses in Boston and other places inviting the people to purchase liquor and have it transported to them by express. They will send to you, if you are in Maine, a letter calling your attention to what they are selling, and they will inclose in the letter a blank order giving the names of the various kinds of liquors, and all you have to do is to fill in the quantity you want and send them back the printed order list.

Some four or five years ago I spent several weeks at a little village in Maine—an ordinary fishing village of perhaps 600 or 700 people. There was a drug store in that village which would have done credit to the city of Washington. Upon one occasion I went to the express office and I saw in the room a large collection of packages. I said to the expressman, "How does it happen that you are getting so much express matter up here in this little village?" He told me that three-fourths of it consisted of shipments of liquor.

The vice of the situation is that it brings into the prohibition State of Maine a class of liquor which ought not to be brought there. If people are going to drink at all, I think it is better that they should drink liquor which contains the least quantity of alcohol. The ardent spirits are certainly more harmful than the light beers and the light wines. I am not speaking of the high-proof wines, because I think the high-proof wines are quite as injurious as the whiskies and brandies; but the result of it is to promote in the State of Maine the consumption of the more ardent spirits and to discourage the consumption of the beers and the light wines, because the beers and the light wines come in larger packages, and it is a good deal easier to bring into the State of Maine a quart of whisky than it is a case of beer. So that has been the effect of it.

I was told that in the city of Bangor, Me., there were pending on the docket of the municipal court 436 cases; that 400 of those 436 cases were prosecutions for violation of the liquor law; that out of those 400 cases but one conviction resulted. I was told that by a gentleman whom I regard as reputable.

To my mind, the ideal way to deal with the liquor question is by local option, because when you have a community which votes in favor of prohibition under the local-option plan you have behind your vote the force of a sentiment which will bring about at least the measurable success of the law. Now, take an illustration: Here is a town of three or four thousand people, and we will say that 100 per cent of those people believe in prohibition and vote for it. Of course, everybody having voted for prohibition, the law in that town is going to be a complete success. But we will suppose that 80 per cent voted in favor of prohibition and 20 per cent against it. Then the law is going to be pretty nearly successful, because the 80 per cent are so strong as compared with the 20 per cent that they can enforce their law. But take a case where 51 per cent of the people vote for it and 49 per cent against it. Then you have an exceedingly difficult problem. It is going to be an exceedingly difficult thing for the sentiment represented by the 51 per cent to compel the 49 per cent to yield to it.

Communities teach by example, precisely the same as individuals do. I used to hear it said that when a community voted out the saloon it injured the business of the town, that the law could not be enforced, and all that sort of thing. I do not believe it. I think that when a town has voted "dry" with a fairly good majority the law can be enforced, and as a general thing is enforced, with measurable success. I am sure the town is cleaner and better for getting rid of the saloon, and I am sure that in the long run it does not in any way injure business; but if it did injure business, that would be no reply. We could afford to injure business to some extent to get rid of the evils which result from the saloon. So when I speak about prohibition, when I opposed in my own State four years ago State-wide prohibition as contrasted with local option, it was not because I believed in the saloon, because I do not; I am as strongly opposed to the saloon as anybody, but it was because I wanted the law which could be made most nearly successful, which would accomplish the best results.

When a State by a majority vote attempts to put into operation prohibition for the entire State, the effect of it is to vote prohibition into a community where the majority sentiment is

against prohibition just the same as it votes prohibition into a community where the majority sentiment is in favor of it; and it is the community which, in the last analysis, enforces a law of that character. Where a majority of the people of a community have had foisted upon them a law which for any reason they did not believe should have been put upon them, that law is bound to be more or less of a dead letter.

Local option on the whole has operated well in my own State. More than nine-tenths of the State in area is "dry." The law is being administered with reasonable success; more successfully, it is true, in some towns than in others. Now these communities, as I said a moment ago, are teaching by example, just as an individual teaches by example.

For instance, here is one community that upon a vote has voted "wet," because the people of that community think the law can not be enforced, or for a variety of other reasons. Another community, some little distance off, has voted "dry." People from the "wet" community come to the "dry" community, and they see that the law is being enforced; they see that business is not suffering; they see that conditions have been bettered. They go back to their own community and say: "Why, we insisted that the law could not be made a success, but we have been over to such and such a town and we find that it is being made a success"; and they have the force of the sentiment of that individual who theretofore was against the "dry" town thereafter in favor of it. So, gradually, the territory is gained step by step; and the advantage of it is that as you make each gain of territory you have put behind the gain the sound, determined sentiment of the majority of the people.

I venture to say that, with the possible exception of Kansas, the local-option plan has done more for the cause of temperance in the United States than has the State-wide plan.

Mr. GRONNA. Mr. President——

Mr. SUTHERLAND. I said a moment ago that this was no new question. The tide has been ebbing and flowing for 60 years.

Mr. GRONNA. Mr. President——

Mr. SUTHERLAND. I yield to the Senator from North Dakota.

Mr. GRONNA. I can not let that statement go without making some observations, if the Senator will permit me.

Mr. SUTHERLAND. I am very nearly through, and I hope the Senator will defer what he has to say.

Mr. GRONNA. I simply wanted to say that I represent, in part, a State that has prohibition, and not a single saloon will be found in my State nor a single place where liquor is sold as a beverage.

Mr. SUTHERLAND. I am prepared, of course, to accept the statement of the Senator from North Dakota. The conditions in North Dakota are very much as they are in Kansas, only I think they are better. If I had thought of North Dakota when I was speaking, I should have added North Dakota to my statement; but the conditions in Kansas and in North Dakota are peculiarly favorable to the enforcement of the State-wide prohibition law, and whenever conditions are peculiarly favorable I should be in favor of the State-wide plan. It is, in my mind, wholly a question as to which plan can be made most successful. That is all there is about it. Under what form of law can you best promote temperance?

The population of Kansas, in the main, is a rural population. They have been educating sentiment in Kansas for 30 years in favor of prohibition. There are people in Kansas who have grown to maturity without ever having seen a saloon. The sentiment in favor of prohibition is peculiarly strong in that State, and from what I have heard about it I believe the law is quite successful in that State. I am just as certain that it is not at all successful in the State of Maine, which I have just described. The same thing will apply to North Dakota. If they had saloons in North Dakota they would not have as much intemperance as they would have in a State where more people were in favor of drinking. A comparatively small number of the population of that State desire to drink at all, and so the conditions are exceedingly favorable for the enforcement of a prohibitory law.

I want to give the Senate now a very brief résumé of what happened some 50 or 60 years ago with respect to this question. Under the impulse given by Neal Dow, for whom I have the greatest possible admiration, the State of Maine declared for State-wide prohibition.

Under that same impulse the State of New York declared for prohibition. That is a fact which is, I think, not generally understood. The great State of New York at one time, 50 or 60 years ago, voted for State-wide prohibition. The State of Delaware, the State of Illinois, the State of Indiana, the State of Nebraska, the State of Rhode Island, the State of Massachusetts, the States of Connecticut, Michigan, Vermont, and New Hampshire all at that time declared for State-wide prohibition. There were altogether 13 States with a State-wide prohibitory law upon their books. I think there are 10 to-day. That was at a time back in the fifties and late forties, when we had about 30 States; so nearly one-half the States of the Union at that time declared in favor of State-wide prohibition.

In New York the law was never attempted to be enforced, because it was declared to be unconstitutional. No attempt was made to amend the constitution so as to provide for State-wide prohibition.

In Delaware the law, after a trial of two years, was repealed.

In Illinois, after a trial of two years, the law was repealed.

In Indiana and in Nebraska, after a trial of three years, the State-wide prohibition law was repealed.

In Rhode Island they tried it for 11 years and then repealed it.

In Massachusetts they tried the law for 23 years and then repealed it.

In Connecticut and in Michigan the law was in operation for many years—I do not remember how many—and then it was repealed.

In Vermont and New Hampshire the law was tried for many years, and in those two States it has been repealed. The Senator from New Hampshire [Mr. GALLINGER] undoubtedly knows more about the situation in his State than I do. It is sufficient to say that after the people of New Hampshire had tried prohibition for many years they concluded that it was a failure. I do not know the exact form of the law, but they went to some form of law that permits the sale of intoxicating liquor.

Mr. GALLINGER. Prohibition was the policy of New Hampshire probably for over 40 years. The law was repealed and a local-option law substituted by the legislature. The question was never submitted to the people of New Hampshire, and I am satisfied that if it was submitted the State of New Hampshire would be largely in favor of a prohibitory law for the entire State.

Mr. SUTHERLAND. The Senator may be right about that; but as it is a mere matter of opinion, I beg leave to differ with him. The law of New Hampshire had been in operation for 40 years, and if it had been a success, if the large majority of the people of New Hampshire believed that the cause of temperance was being more nearly promoted by the State-wide law than by a local-option law, I do not think any legislature would have undertaken to repeal such a law.

Mr. GALLINGER. The Senator is speaking from the Utah standpoint, not the New Hampshire standpoint. In my own city we submitted the question only a few months ago. The churches were for no license, the best people of the city were for no license, but in the last four days of that campaign the city was flooded with money sent in there by the wholesale liquor dealers of Boston and elsewhere, the scum of the city was gathered together at the polls, and they defeated no-license by about 100 votes.

Mr. SUTHERLAND. Under local option?

Mr. GALLINGER. Under local option.

I want to say to the Senator that when the prohibitory law was repealed in New Hampshire I was told that money was used in one way and another to secure that result. There is little question about it, I regret to say. And other powerful influences were invoked to influence the legislature.

Mr. SUTHERLAND. I am sorry to hear that indictment by the Senator from New Hampshire of his own State legislature.

Mr. GALLINGER. It is an indictment that will lie in one shape or another against every legislature in this country. There are some men who can be corrupted in legislatures, and the liquor people know how to corrupt them. The liquor men are more cunning and more efficient in that direction than any other class of people in the world. Without using money directly upon the legislature other influences can be brought to bear that are equally effective.

Mr. SUTHERLAND. There is a vast deal of corruption among people who deal in intoxicating liquor. It is not a business which commends itself to me any more than it does to the Senator from New Hampshire. But one difficulty with many of the advocates of prohibition is the intemperance of their mental attitude toward people who differ with them, not as to the results to be obtained, all agree to that, but as to the wisdom of the way in which we shall bring about those results. If two men believe in prohibition, believe in getting rid of the saloon, believe in temperance, and one of them advocates State-wide prohibition he condemns the other who believes in local option as a tool of the saloon; and that is an absolutely unfair attitude of mind. People who are advocating local option are just as honest and just as earnest in their desire to promote

the cause of temperance as those who are advocating State-wide prohibition.

I call attention to the action of these 13 States—12 States, because Maine has not changed—but I call attention to the attitude of these 12 States, constituting at that time more than a third of the States of the Union, as indicating what was the deliberate opinion of the people of those States after a trial of the system of State-wide prohibition. They tried it for periods varying from 2 to 23 years, 40 years in the case of New Hampshire, and it is significant that at the end of that period a majority of the people, whatever may be the case in New Hampshire, in many of those States, at any rate, concluded that the better way to deal with the liquor question was by local option.

It is the last expression of the opinion of those people upon it, and it is worth something. To my mind the action of the people of Massachusetts, which tried the State-wide prohibition system for 23 years and then set it aside for local option, is a good deal more instructive and a great deal more significant than the action of some States which vote State-wide prohibition for the first time. Massachusetts tried it. They found at one time in the city of Boston that approximately in value one-tenth of the property of that city, in a State-wide prohibition State, was being devoted in one form or another to the promotion of the liquor business. Some of the best men in Massachusetts who investigated the subject put themselves on record as declaring that the State-wide prohibition law was a failure and asking for local option.

Now, Mr. President, I am not going to prolong this debate.

Mr. THOMPSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SUTHERLAND. Yes.

Mr. THOMPSON. I understand the Senator to say that the last expression of the people in a prohibition State on the question of prohibition was in New Hampshire when it was a prohibition State, and that the vote was strongly against prohibition?

Mr. SUTHERLAND. In New Hampshire.

Mr. THOMPSON. Yes, sir. That should weigh heavily in this matter if it were true. I wish to call the Senator's attention to the fact that in the last election in the State of Kansas we had that question directly before the people, after 34 years of prohibition. We cast in that State 528,206 votes.

Mr. SUTHERLAND. The Senator evidently did not understand what I said.

Mr. THOMPSON. Just a moment. We had one candidate for governor on a resubmission ticket. That gentleman received only 47,201 votes, or less than 9 per cent of the vote of the people of Kansas on that important question. This was the last expression of the people in a prohibition State, and was strongly in favor of its continuance, and I hope forever settles that question, so far as my State is concerned.

Mr. SUTHERLAND. Mr. President, the Senator is indulging in the cheerful practice of building up something that I did not say at all for the purpose of answering it. What I said was that I would rather take the judgment of a State which had tried State-wide prohibition for 40 years than to take the judgment of a State which had just declared for it.

I was contrasting the State of Massachusetts with one of those States. I have already said that I think the State-wide law is measurably successful in Kansas. If I were a resident of Kansas I would not vote to repeal it. I think the conditions in Kansas under State-wide prohibition are better than they would be with the saloon, and I think they are better in North Dakota because of the conditions I have stated.

But what is a good rule for Kansas or for North Dakota may not be at all a good rule for some other States. I am quite sure that any attempt to provide for prohibition in the great city of New York would be an absolute failure. I think it would be a failure in almost all the great cities of the Union. But we have States composed of rural population and small communities, and I have no doubt that there it can be made measurably successful and more successful in the cause of temperance than the open saloon under strict regulation.

I forgot to enumerate among the States that have declared for State-wide prohibition, the State of Iowa, which my good friend [Mr. KENYON] represents. They have put into the constitution of Iowa a provision for prohibition, and yet there is no prohibition in Iowa.

Mr. KENYON. I think the Senator wants to be correct about that.

Mr. SUTHERLAND. Certainly.

Mr. KENYON. The State voted for constitutional prohibition by about 30,000 majority, and it was held unconstitutional by the courts.

Mr. SUTHERLAND. They never attempted to amend the constitution, did they?

Mr. KENYON. They did; but at that time it required a resolution to twice pass the legislature.

Mr. SUTHERLAND. It is generally understood that Iowa has voted for State-wide prohibition, and it is also understood that the people of Iowa have deliberately and quite frankly recognized under certain circumstances the saloon, and the saloon flourishes to some extent in the State of Iowa.

Mr. KENYON. Under the mulct law.

Mr. SUTHERLAND. The mulct law.

Mr. KENYON. The mulct law was copied after the Ohio law providing for a petition and statement and matters of that character.

Mr. REED. Mr. President——

Mr. SUTHERLAND. Mr. President, that is all I desire to say on that subject.

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

Mr. SUTHERLAND. Yes.

Mr. REED. I simply want to say, in order to clear up the matter for the RECORD, that Iowa adopted a constitutional provision. The law was declared to be unconstitutional, because the constitution declared it not to have been properly adopted. Thereupon the people and the legislature adopted a prohibitory law which was very stringent. Subsequently, after trying that law for a number of years, they adopted what is known as the mulct law, so that there are saloons regularly established in the State of Iowa in practically all the cities, I think. There is in connection with that I think a local-option regulation.

Mr. KENYON. The Senator has stated the situation correctly as to the mulct law. There are some 8 or 10 counties called wet in the State of Iowa; the balance of the State is dry.

Mr. REED. For instance, in most of the largest cities?

Mr. KENYON. I think so.

Mr. SUTHERLAND. The Senator from Missouri has stated what was my general understanding of the situation in Iowa. I have not given any attention to this matter for some time, but I knew that in some way there was a law—I was under the impression it was a constitutional provision—which prohibited the sale of liquor in Iowa, and that that law had been set aside and they had adopted a law which they call a mulct law, under which, I understand, whenever a majority of the people in a given locality petition to have a saloon established the petition is granted, or there is some such arrangement as that.

Mr. BRANDEGEE. It is equivalent to local option.

Mr. SUTHERLAND. It is equivalent to local option; only the burden is upon the petitioners to secure a majority in favor of the license system instead of the other way.

Mr. KENYON. It is a very skillful law. It practically gives local option to the counties.

Mr. SUTHERLAND. That is local option.

Mr. KENYON. Practically local option.

Mr. SUTHERLAND. Mr. President, I wish there were no cities that wanted liquor; but so far as there are cities in the Union where a considerable majority of the people desire to purchase liquor and desire that liquor shall be sold, it is perfect folly, to my mind, to attempt to force prohibition upon those communities. We must simply go on and educate the public sentiment as it is being educated.

Mr. President, in spite of the fact that the per capita consumption of liquor in the United States seems to be larger now than it ever has been, notwithstanding that, we all know, from our daily observation, that there is less drunkenness in the country than there ever has been. The great body of men who are working upon the railroads in the operating department are almost a body of teetotalers, because it has been borne in upon them that the wisest thing for them to do is to refrain from drinking intoxicating liquor. It is the same way in other employments; less and less liquor is being consumed immoderately all over the country. I think the cause of temperance is growing all over the country. We must simply proceed with the matter in a sane way with a view of obtaining the best results. I believe in high ideals. I would rather a man would have a high ideal than a low ideal; and yet, after all, unless you can put your high ideal into operation, so far as practical results are concerned, you might as well not have it.

It is all well enough to say that we want State-wide prohibition or Nation-wide prohibition, but the practical question is, How are you going to bring about temperance in the highest degree?

So far as the District of Columbia is concerned, I personally would like to see the saloon abolished. I think it is an unmixed evil, but I doubt very much whether even here a law abolishing the sale of intoxicating liquors could be enforced in a city of this size if a very large proportion of the people do not favor the law.

It is just one of those laws that is most difficult to administer against public sentiment. I should like to see the question submitted in some way to the responsible people of the District, and if a majority of the people of the District favor prohibition, prohibition ought to be put into operation. Then you would have a condition of public sentiment that would enable us to measurably enforce the law.

I think a better way to deal with this question probably would be to appoint a commission to study the subject between now and the next meeting of Congress and see exactly what the situation is in this District, ascertain, if they can, the state of sentiment, and be prepared to report to us a method by which the question can be submitted to the people of the District. That is the way to legislate. It is not wise to legislate upon any question in this haphazard way of introducing a bill as a rider upon an appropriation bill without any committee consideration, without any facts. So, Mr. President, I shall vote against suspending the rules.

Mr. CLARK of Wyoming. Mr. President, I have just a word to say. I shall vote for suspending the rules, and in doing so I shall be governed largely by the considerations which govern the Senator from Utah against suspending the rules. I shall be governed mostly by the fact that this is an effort to do in an orderly way what we have been heretofore doing in a disorderly way; in other words, there is no question at all of the fact that it has become a practice of the Senate to suspend the rules by a majority vote of the Senate. Time after time the Chair rules, under the rules, that an amendment is not in order; time after time by a majority vote of the Senate the Senate rules that it is in order, when the Senate very well knows that under the rules it is not in order. That is a suspension of the rules in a disorderly way; this is an attempted suspension of the rules in an orderly way. Therefore, in the interest of good order in the Senate, I shall vote for the suspension.

Any Senator voting on this particular matter before the Senate does not thereby indicate in any way what his vote may or may not be when the amendment is properly, and in order, brought before the Senate. The discussion in the last two days has turned not upon the question before the Senate, but upon the question of the amendment proposed by the Senator from Texas, which has not yet been decided to be in order, namely, prohibition in the District of Columbia. Of course, I think perhaps it is proper for that discussion to take place, in view of the importance of the subject. We can try to set it aside if we like, but the question of prohibition is before the people of the United States. I think in that sense it is right that it should come before the Members of this body.

Without expressing any indication one way or the other as to what my attitude shall be upon the main question, if it shall be decided by the Senate to allow the amendment to be proposed, I shall content myself with saying that, for the reasons stated, I shall vote for the adoption of the report of the Committee on Rules.

Mr. WORKS. Mr. President, when the question was presented whether or not a two-thirds vote was necessary to suspend a rule of the Senate, I voted against it, because there is no such requirement in the rules themselves. If the question were directly presented as to whether or not the rules should be amended in that respect, I should support an amendment requiring two-thirds in order to suspend a rule of the Senate; but here, in an orderly and proper way, the question is directly presented whether or not the rule shall be suspended temporarily for the purpose of allowing the Senate to vote upon this particular question.

One great trouble about this rule is that the Senate itself has not respected the rule. It has often set it aside and willfully violated it for the very purpose of bringing about legislation that was in direct violation of its terms. It would be a good deal better for the Senate to suspend the rule than to violate it. Whatever may be said by the Senator from Utah, it is undoubtedly true, as stated by the Senator from New Hampshire, that in the past, whenever the Senate desired to pass any particular legislation by attaching it to an appropriation bill, it has done so openly in violation of the rule.

This is a case, Mr. President, of the greatest importance. It involves a vital question affecting the interests of the people not only of the District of Columbia but of the whole country. If there ever was a valid reason for the suspension of the rule, this seems to be a case where that might properly be done.

I have listened with a good deal of surprise to the discussion of this question by the Senator from Utah. He has advanced that worn-out argument that legislation of this kind ought not to be passed because the law, when enacted, can not be enforced. Well, Mr. President, you might just as well insist that we should not pass a law making it a crime to commit murder or burglary or larceny, because those laws are only partially enforced. Murders are still committed and other crimes that are prohibited by law are committed. The fact that a law is not properly enforced by the administrative or executive officers is no argument against the passage of a proper law.

The Senator says that he believes in local option and that where the people themselves vote a measure of this kind it may reasonably be expected that it will be enforced. But what is the condition in Maine, where the Senator charges the law is not enforced? It was voted by the people of that State just the same as a law may be passed affecting a certain locality; and yet he arraigns the people of Maine as being a lawless people, not obeying the law, not enforcing it, although voted by them; and he therefore insists that we ought not to pass a law of this kind affecting the District of Columbia.

But, Mr. President, this proposed amendment is not a law affecting a whole State; it does not provide for State-wide prohibition. It affects only a small territory, where the people themselves are not authorized by law to vote upon it at all. It is a responsibility that rests upon Congress itself, and it is for Congress to determine whether or not a law of this kind ought to be enacted

It may be said that provision should be made for the people of this District voting upon this question; but that would require us to enact laws providing for all of the machinery of elections to be held in the District, and it is decidedly impracticable, it seems to me, to attempt to secure a vote of the people upon this question. Why is it, Mr. President, that it should be insisted that in dealing with this small locality, covering 10 miles square of territory, directly under the jurisdiction of the Government of the United States, we should not pass a law because State-wide prohibition has not been successfully enforced? As I said the other day, certainly the Government of the United States can enforce a law of this kind within the District of Columbia. It is a sad commentary upon the power of a Government of this kind if that can not be done.

I am a believer in prohibition; I think the time has come in this country when the people themselves are demanding it all over the country. I do not question the motives of those who believe in local option; I have no doubt of the entire sincerity of purpose of the Senator from Utah, who looks upon this matter quite differently from myself. I think his position is entirely illogical; I do not question his motives, but I do question his judgment with respect to it.

I am not going to take up the time of the Senate in discussing the matter any further. I only wanted to refer to this particular position taken by the Senator from Utah, which I think is exceedingly weak and entirely inconsistent and illogical as applied to conditions that exist in the District of Columbia and the legislation that we are now proposing to pass.

Mr. GRONNA. Mr. President, I regret very much that during the sessions that the amendment offered by the Senator from Texas [Mr. SHEPPARD] has been before the Senate for discussion I have, on account of important hearings before the Committee on Agriculture, been compelled to be absent from the Senate. I do not, therefore, know what arguments have been made against the pending motion. I learn, however, that no Senator has attempted to defend either the drinking habit or the open saloon, and that the main arguments have been made against a proposition of offering important legislation on an appropriation bill, and also that it is contrary to the provisions of our rules to permit the consideration of the proposed amendment by less than a two-thirds vote.

I am exceedingly sorry that anyone should object to the consideration of so important a measure as this for the reasons I have named. The Members of this body should be permitted to dispose of this proposed amendment by a majority vote, and that can be done if no Senator will object to its consideration. While I am in full accord with those who advance the argument that it is important and necessary for a legislative body to adopt rules that will protect the minority as well as the majority, I want to remind Senators that the rules of the Senate will permit the consideration of the proposed amendment if no Senator will object, but will give his consent to an agreement that the amendment shall be taken up for a vote. I therefore hope that no Senator will object, but will give us an opportunity to dispose of the question by a direct vote. If a majority of the Members of the Senate believe that prohibition is a good thing, they will vote for it; on the other hand, if a majority believe that it is a bad thing, they will vote against it.

The argument advanced by certain Senators that the President might veto this appropriation bill if the amendment proposed by the Senator from Texas should be incorporated in the bill is no argument at all. I know of no greater opportunity we could give our President than the privilege of approving a provision that would abolish the saloon in the District of Columbia. To my mind, sir, it would be an opportunity as great, if not greater, than that afforded the immortal President Lincoln. The abolishment of the saloon from the District of Columbia, the Capital of this great Nation, would make it the clean city we have heard so much about in the discussions of the provisions of this bill; it would make it an ideal clean city both from a moral and physical standpoint; it would afford a test whether it is possible for the Government of the United States to abolish the saloon and dispense with the liquor traffic. All seem to agree that the saloon and the liquor traffic are great evils, and we have no right to say that these evils can not be abolished until we have made an honest effort to put prohibition into effect. I believe, sir, that we can abolish the saloon and that a prohibition law can be enforced. The emancipation of millions of American men and women from this curse would, in my judgment, be a greater and a more humane act than the emancipation of the black man from slavery.

This is a question so great that it overshadows all other questions; it concerns every locality and every city and hamlet of every nation in the civilized world. In our own country the men at the head of great corporations engaged in the industrial pursuits have been among the first to realize that liquor destroys the efficiency of men. It may be true that a small percentage of our people have the intellectual capacity and the physical strength to control their appetites and moderately use liquor so that it will not destroy them; but what about the millions of our people and the hundreds of millions yet unborn who perhaps will not be endowed with intelligence and blessed with sufficient strength to control their appetites? We all realize that we are not living for ourselves alone, and what is done to best preserve the rights and the welfare of a majority of the human family is the best thing for us all.

The State which I have the honor in part to represent has never had a legalized saloon within its borders since it became a State. While some of the very best citizens of our State are opposed to prohibition, a large majority of our people believe in it as religiously as they believe in a living God. Prohibition with us is a condition and not a theory, because the prohibition law has been on the statute books for more than a quarter of a century, and while it is true that liquor has been sold in violation of law it will not be said by any fair-minded man that the law at any time has been ineffective. And to-day, sir, not a single place can be found within the borders of our State where liquor is being sold as a beverage.

After the enabling act was passed by Congress authorizing the inhabitants of that portion of the Territory of Dakota which is now North Dakota to become a State a constitutional convention was called and after full deliberation and discussion the draft of a constitution was submitted to the people of that State. In that constitution article 20, section 217, provides:

ARTICLE 20—PROHIBITION.

SEC. 217. No person, association, or corporation shall within this State manufacture for sale or gift any intoxicating liquors, and no person, association, or corporation shall import any of the same for sale or gift or keep or sell or offer the same for sale or gift, barter, or trade as a beverage. The legislative assembly shall by law prescribe regulations for the enforcement of the provisions of this article and shall thereby provide suitable penalties for the violation thereof.

The provision for prohibition met with much opposition, but a majority of the people voted for it, and it was adopted as a part of our constitution on the 1st day of October, 1889. I venture the statement that, although this section of our constitution has often been bitterly attacked, the time will never come when the people of that great State will permit it to be repealed.

A great deal has been said by those who oppose prohibition about the "blind pigs" and "bootleggers" who operate in a prohibition State. North Dakota has had her share of trouble with that lawless, criminal class of people who will knowingly and openly violate the law. At first it seemed almost an impossibility to be able to subdue the liquor traffic, and that condition prevailed until a statute was enacted giving the courts the power to enforce the prohibitory law by imposing a penalty of imprisonment as well as a fine. Just so long as those who were willing to offend against the law could escape by the imposition of a fine there were among the criminal classes those who would take the chance, but since we strengthened our laws and provided for imprisonment as well as a fine we have no trouble in enforcing the law. Men have been sent to the penitentiary in my State for violation of the prohibition law, and just as soon as the law began to be enforced in this way the "blind piggers" left our State.

I stand here to testify that the prohibition law has been effective and a great blessing to the people of our State. We constantly have to meet the argument that prohibition does not prohibit. I am here, sir, to testify that prohibition, properly enforced, does prohibit.

North Dakota was almost a wilderness when we adopted this law. The resources of that State were undeveloped. The inhabitants were financially poor. The inhabitants of the Territory of that day were mainly composed of young men and young women who had come from different portions of the United States, physically and mentally strong and morally clean. They were determined to set up an empire where the people should not be destroyed by the liquor traffic. The saloons that had been built during Territorial days, whether on the hillside or in the valley, were changed to places of legitimate and honorable business; and to-day, sir, that Territory, which at that time was almost a barren waste, has progressed as no other country has progressed, and in the place of the saloon we have built tabernacles of worship and modern educational institutions.

We were told that we were too poor to eliminate the liquor traffic. We were told that we must have the license in order to maintain the dignity and protect the people in our cities. For more than 25 years not a dollar has been paid into the treasury of any city or hamlet as a license fee; and yet, for its size, nowhere in this great country will you find better managed cities, better regulated cities, better and cleaner cities than will be found in our State.

We were told that it would bankrupt our State to do away with the license system. On the contrary, we can show that no agricultural State has made more rapid advancement, more rapid progress, than has our State. Our State is yet in its infancy, but our population has grown from 177,000 to about 700,000. Our resources to-day, on an assessed valuation, are more than $1,250,000,000. Our valuation per capita is greater than that of any other agricultural State—more than $2,000 for every man, woman, and child. Our educational institutions have been built up. We have to-day as many pupils in the public schools as we had inhabitants when our State was first admitted as a State. We expend annually more than $5,000,000 in our public schools, and we have a fund of more than $70,000,000 for the higher educational institutions of our State. So, from an economic standpoint, I ask you, Has prohibition hurt the State of North Dakota or the people of that State? It must be remembered that that wealth has been dug out of the earth by good and honest labor. Our wealth has not been amassed by speculation and gambling. Every dollar has been taken from the soil.

Prohibition is practical. We have the opportunity now to manumit the people of the District of Columbia from the greatest evil and the worst slavery that exists among men; and I, for one, shall vote to do it.

Mr. MARTINE of New Jersey. Mr. President, I received to-day a letter dated Greenville, S. C., January 17, 1915. A gentleman whom I do not know says:

Senator MARTINE: Read the inclosed articles in to-day's Atlanta Journal. Prohibition is a fake and farce in Atlanta. There are now 180 saloons—licensed—that sell any brand of beer you ask for—Schlitz; Pabst; Budweiser; Ehrets, of New York; Houcks, of Cincinnati; Perfect Brew, of Baltimore; and 25 other beers from different cities. These beers are all 4 per cent alcoholic strength and over. There are also about 30 clubs that sell you any brand of whisky and beer you ask for The same condition exists in Savannah and Augusta, Ga. If you will send some reliable man here to look up this subject he will verify the statement I have made.

Prohibition in Georgia is a joke. Any stranger can get a 10-day card in any club, and when it runs out can have it renewed.

I am sending you this information as the true conditions. I am a traveling man, and have visited the saloons and clubs often in past months, including yesterday.

Yours, very truly. CHARLES S. SIMMONS.

I do not know the gentleman. Then I clipped from the Washington Post of January 17 an interview with another gentleman, a Mr. Mattingly, of Atlanta, Ga., and I ask that it may be printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, that will be done.

The matter referred to is as follows:

"A striking example of the declaration that prohibition does not prohibit was shown in Atlanta, Ga., on New Year's eve," said Ralph Mattingly, of that city, at the New Willard. "Atlanta is supposed to be a dry town, with a State-wide prohibition law on the statute books, yet on the date mentioned the police made more than 500 arrests for drunkenness. I venture to say that in the city of Greater New York there were not that many persons held for drunkenness.

"There are no open barrooms in Atlanta, to be sure, but there are dozens of places where drinks of any kind can be obtained. I know of at least nine clubs in the down-town section of Atlanta where drinks can be obtained, and many men are members of all these clubs. The ex-

traordinary number of arrests on New Year's eve caused the mayor, who is not a sympathizer with the prohibitionists, I understand, to write a special message to the council recommending that stricter regulations be thrown about the serving of drinks in clubs, and particularly suggesting that women should not be served unless accompanied by a relative.

"The New Year's violations of the law doubtless will lead to a campaign on the part of the prohibitionists for the stricter enforcement of the law, but there is no chance of stamping out the consumption of intoxicants, and a nation-wide prohibition law, in my judgment, would only lead to an increase in the number of lawbreakers.

"Several years ago I believed prohibition could be enforced, but the late Senator Money, who himself had been an ardent prohibitionist, convinced me that it was impossible. The Senator had made a long and scientific study of the liquor question, and he came to the conclusion that legislation can not cure the drink evil."

Mr. MARTINE of New Jersey. I have no doubt that the gentlemen who are making this strenuous contest in this direction are prompted by honest and laudable motives. I know them, and I believe they are; but, as I said a day or two ago, I believe they are mistaken. How can the statements made by the distinguished gentlemen on that side of the question stand, in the face of the fact——

Mr. THOMAS. Mr. President——

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

Mr. THOMAS. I rise to a point of order, Mr. President.

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

Mr. THOMAS. The Senator from New Jersey has already spoken twice upon the pending question.

Mr. MARTINE of New Jersey. I think that is a mistake. I have spoken once; but, in Heaven's name, if you are going to pull that rule on me, the Senator from Colorado has violated it a hundred times.

The VICE PRESIDENT. If the Senator from Colorado insists upon his point of order, the Chair sustains it.

Mr. MARTINE of New Jersey. Is the point of order sustained, Mr. President?

The VICE PRESIDENT. Yes; it has been the same legislative day for three calendar days, and the Senator from New Jersey has spoken three times on this question.

Mr. MARTINE of New Jersey. Mr. President, I desire to ask the privilege to have printed in the RECORD, from page 210 of the Internal Revenue Report for 1914, a statement of the internal-revenue taxes received from the State of Georgia.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Revenues—Georgia.

Rectifiers	$300.00
Retail liquor dealers	28,857.14
Wholesale liquor dealers	3,037.50
Manufacturers of stills	16.67
Stills or worms manufactured	20.00
Brewers	600.00
Retail dealers in malt liquors	10,215.03
Wholesale dealers in malt liquors	2,872.91
Retail dealers in oleomargarine artificially colored in imitation of butter	48.00

Mr. SHIELDS. Mr. President, I do not wish to prolong this debate, especially along lines which are probably not germane to the direct question before the Senate. I must, however, challenge the statements that have been made during this debate, that the prohibition laws of Tennessee have proved a failure, especially in the cities of Memphis and Nashville. The Senators who have made these statements are misinformed. For years I held an official position in Tennessee which gave me ample opportunity to observe the manner in which these laws were enforced, and I know that they have not failed in their purposes. They have stopped the sale of intoxicating beverages in at least 92 counties out of the 96 into which our State is divided, and have very largely reduced the traffic and consequent evil resulting in the other 4 counties.

These laws are doubtless sometimes violated in every county of the State, but not more than other laws for the suppression and punishment of crime which are on the statute books. All criminal laws are violated sometimes. Even those against homicide are violated, but no one has ever said that they should be repealed on that account. The prohibition laws are as rigidly and successfully enforced as any of our criminal laws. The judges of our courts are able and conscientious, and do their duty without fear or favor; the district attorneys and other officers are men of high character and efficiency, and our juries are composed of intelligent men, and all criminal laws are enforced.

I can not deny that the sale of intoxicating beverages has not been entirely suppressed in Nashville and Memphis or that the temperance laws have at times been flagrantly violated in these cities. This, however, is not the fault of the laws, nor does it meet with the approval of the better class of the people of these cities. The majority of the people of Nashville and Memphis are as highly educated, refined, and law-abiding as those of any city in the country. The only fault I can find with them is they do not give that attention to the nomination and election of officers they ought to do in order to secure the best government. The fault is in the officers whose duty it is to enforce these laws. It grows out of their inefficiency and unfaithfulness or want of courage to do their duty.

The great majority of the people of the State approve these laws, and they mean to and will enforce them. Gov. Thomas C. Rye, an able and courageous man, was elected governor upon a platform declaring for the maintenance and enforcement of the temperance laws of Tennessee by a majority of over 20,000. In his inaugural address he declared that he would keep his platform pledges, and that these laws should be vigorously enforced and obeyed in every county in the State. He further declared that if the machinery we now have is insufficient for that purpose he would favor the enactment of such further laws as might be needed.

The great majority of the general assembly were elected upon the same platform and are in full sympathy with the governor. The personnel of this body is of unusual intelligence and ability, there being among them quite a number of the ablest lawyers of the State. Bills have already been introduced to carry out the platform pledges providing, among other things, for the removal of all unfaithful and inefficient officers, and reported for passage.

Knowing Gov. Rye and the members of the general assembly as I do, their ability, integrity, and loyalty to their pledges and to the people of the State, I have no doubt these bills will be enacted into law.

When the people of the State elect a Governor by a majority of 20,000 over a strong and popular opponent, and a general assembly upon a platform declaring in unmistakable terms for the maintenance and enforcement of a law, and when the governor of that State in his inaugural address declares he will keep his platform pledges, and the members of the general assembly promptly introduce bills to carry out the platform pronouncements, it can not be said that that law is a failure. On the contrary, it must be conceded that the people of the State favor it and have determined that it shall be enforced. The people of Tennessee, not the prohibitionists alone, recognized that the open saloons were hotbeds and nurseries of immorality and political corruption and are determined to drive them from the State, and they are going to do it. The laws they have enacted for this purpose, like all other new laws, require some time for adjustment, but they can be and will be enforced. It is only a matter of time. The people of Tennessee believe in law enforcement, and they will not allow any law to be repealed at the behest of those who violate it. They have never in peace or war failed to do their duty, and they will not in this case. It is now as much a question of good citizenship and whether the laws of the State can be defied and trampled upon by the lawless element as it is that intoxicating liquors shall not be sold. I have no doubt of the ultimate success and enforcement of the temperance laws of Tennessee, and deny all assertions that they or any other law can not be enforced in my State.

The VICE PRESIDENT. The question is, Will the Senate concur in the report of the Committee on Rules, which reports favorably the temporary suspension of the rule against offering an amendment proposing general legislation to an appropriation bill? The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN] who does not seem to be in the Chamber. I therefore withhold my vote. If privileged to vote, I would vote "yea."

Mr. WEEKS (when Mr. LODGE's name was called). My colleague [Mr. LODGE] is detained from the Chamber to-day on account of illness, and has requested me to state that if he were present he would vote "nay" on this question.

Mr. GRONNA (when Mr. MCCUMBER's name was called). I desire to state that my colleague [Mr. MCCUMBER] is unavoidably absent, and that he is paired with the junior Senator from Kentucky [Mr. CAMDEN]. If my colleague were present, he would vote "yea."

Mr. MARTIN of Virginia (when his name was called). I am paired with the junior Senator from West Virginia [Mr. GOFF]. In his absence I withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. THORNTON (when Mr. O'GORMAN's name was called). I have been requested to announce the necessary absence of the

junior Senator from New York [Mr. O'GORMAN] on account of illness in his family.

Mr. SMITH of Georgia (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE], and in his absence I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. SUTHERLAND (when his name was called). I inquire whether the Senator from Arkansas [Mr. CLARKE] has voted?

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and on that account I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT]. I am informed that we are in accord upon this proposition, and I therefore feel at liberty to vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I have been unable to procure a transfer of that pair. I must therefore withhold my vote. If I were at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. SUTHERLAND. I transfer my pair with the Senator from Arkansas [Mr. CLARKE] to the Senator from Delaware [Mr. DU PONT] and vote. I vote "nay."

Mr. SHEPPARD. Mr. President, a point of order. I think under the rule, it being a vote requiring two-thirds, the Senator will have to transfer to two. It requires two-thirds to carry the report.

Mr. SUTHERLAND. It would be the other way about.

Mr. LEA of Tennessee. I have been requested to announce the necessary absence of the senior Senator from West Virginia [Mr. CHILTON]. He is paired with the junior Senator from New Mexico [Mr. FALL]. If the Senator from West Virginia were present, he would vote "yea."

Mr. SMITH of Georgia. I have been requested to announce the necessary absence of the junior Senator from South Carolina [Mr. SMITH], who is detained at home on account of sickness in his family.

Mr. CATRON. I wish to announce the necessary absence of my colleague [Mr. FALL], who is detained on account of serious illness in his family, and he has been detained for some time by that cause.

The result was announced—yeas 38, nays 40, as follows:

YEAS—38.

Ashurst	Gore	Norris	Smith, Mich.
Borah	Gronna	Overman	Sterling
Brady	Hollis	Owen	Swanson
Bristow	Jones	Page	Thompson
Burleigh	Kenyon	Pittman	Townsend
Chamberlain	Lane	Poindexter	Vardaman
Clapp	Lea, Tenn.	Shafroth	White
Clark, Wyo.	Lee, Md.	Sheppard	Works
Crawford	Myers	Sherman	
Cummins	Nelson	Shields	

NAYS—40.

Bankhead	Hitchcock	Perkins	Smoot
Brandegee	Hughes	Pomerene	Stephenson
Bryan	James	Ransdell	Stone
Burton	Johnson	Reed	Sutherland
Catron	Kern	Robinson	Thomas
Colt	La Follette	Saulsbury	Thornton
Culberson	Lippitt	Shively	Tillman
Dillingham	McLean	Simmons	Walsh
Fletcher	Martine, N. J.	Smith, Ariz.	Warren
Hardwick	Oliver	Smith, Md.	Weeks

NOT VOTING—18.

Camden	Gallinger	Martin, Va.	Smith, Ga.
Chilton	Goff	Newlands	Smith, S. C.
Clarke, Ark.	Lewis	O'Gorman	Williams
du Pont	Lodge	Penrose	
Fall	McCumber	Root	

The VICE PRESIDENT. So the Senate does not concur in the report of the Committee on Rules.

Mr. JONES. In connection with this matter I ask to have printed in the RECORD an address delivered by Hon. William T. Haines, governor of Maine, on the question "The Maine law; or, does prohibition prohibit."

The VICE PRESIDENT. Is there objection. The Chair hears none.

Mr. SMITH of Georgia. Mr. President, the subject is not now up for consideration, and I object.

Mr. JONES. I merely thought that I would put in this address in connection with the vote just had.

Mr. SMITH of Georgia. If the subject were under consideration by the Senate, I would not object. The Senator from Utah [Mr. SMOOT] and myself have agreed to object to the publication of any matter in the RECORD which does not relate to a subject under consideration by the Senate.

Mr. JONES. It is to help in the future, and I think it is important.

The VICE PRESIDENT. The Chair is of the opinion that the objection of the Senator from Georgia is too late and the matter will have to go into the RECORD.

Mr. SMITH of Georgia. All right.

The matter referred to is as follows:

THE MAINE LAW; OR, DOES PROHIBITION PROHIBIT?

[By Hon. William T. Haines, governor of Maine.]

Ladies and gentlemen, I am invited to address the national convention of the Antisaloon League of America, whose sole object is the suppression of the traffic in intoxicating liquors and reduction of the evils flowing therefrom. I consider this a marked honor, and only regret that I am so situated that I can not be present at your convention; but I am handing what I have to say to the Rev. Wilbur F. Berry, of Waterville, Me., who will be in attendance upon the convention, and have asked him to read the same for me.

I have taken for my subject "The Maine law; or, Does prohibition prohibit?" By this I mean the law prohibiting the manufacture and sale of intoxicating liquors in my State, and what I have to say will pertain to my own State principally, with a few suggestions which I have to offer.

Maine was noted in its early history for inebriety. We were referred to by the early writers as "a race of drunkards." Rum was one of the principal articles of traffic. Our people were early engaged in navigation, particularly with the West India Islands. We sold them lumber and pickled fish. We took in exchange sugar, molasses, and West India rum, and the early commerce of the State is especially marked with the last-named product. If you were to examine the accounts kept by any of the country stores—and, in fact, all of the stores of the State prior to 1840—you would note in the charges made to the various customers, about every fourth item, "W. I. goods." I have examined a good many sets of old account books, and they all read the same. The subsistence of the average family consisted of very few items—salt pork, salt codfish, flour, and Indian meal, with the home-produced vegetables, milk, and butter, but to the family expense was added the inevitable item, "W. I. goods," or West India rum. It was cheap—almost free. There was no license fee to sell it and no internal revenue charged upon it by the Federal Government. All stores and taverns sold it. The State was large and taverns were frequent. There were no railroads and goods were moved by team very long distancs, and the stopping places were at these taverns. Every night saw the same round of drunkenness in the old-time barroom.

In 1830 we had 13 distilleries of our own; 500 licensed dealers, with only 400,000 people; and we imported 300,000 gallons of intoxicating liquors annually. It is estimated that we had at that date 10,000 habitual drunkards, the most of them heads of families. There were 2,000 grog shops in the State—1 to every 225 persons. In a single town of 1,200 population we had as high as 17 rum shops reported, where 10,000 gallons of liquor were sold annually.

While the most marked thing about the State in these early days was poverty, it was estimated that at least $12,000,000—at the very low prices for which intoxicating liquors were then sold—was spent annually for them by our people, or about $20 per capita.

In 1834 a few of the leading men of the State became frightened at the situation. A State temperance society was formed of which one of the governors was president, and Chief Justice Mellen, of our supreme court, was elected as his successor. The traffic was pronounced immoral, and a fight for better conditions was begun. Soon afterwards Judge Shepley, of our supreme court, and nine other leading men presented a petition to the legislature announcing the doctrine that "the sale of intoxicating liquors is either right or wrong. If right, the law by license should not make it a monopoly. If not right, it should not be sanctioned by law." "That by legalizing the traffic and authorizing a revenue from it, such laws tend to encourage the sale and use of such drinks and hold out a temptation to produce a town income from a source adverse to the moral interests of the community."

Various kinds of local and State license laws pertaining to innholders were passed from time to time for the next 20 years, all of little force and effect, but the agitation went constantly on, supported by the right-minded and far-seeing people of the State, creating a sentiment for the suppression of this traffic.

The first prohibitory law was passed in 1846, but it did not give the right of search and seizure, and it was not until 1851 that the first real prohibitory law was enacted. It was signed by Gov. Hubbard, a Democrat, who was reported to like his toddy altogether too well, but who had respect enough for the will of the people not to veto this statute, as it was expected he would do.

The row now began in earnest, with the late Gen. Neal Dow, commander in chief of the forces of prohibition on the one side, and the devil, with all the rum sellers and bums of the State on the other. The latter organization has remained intact to date, and I regret to say the most of the time they have had the assistance of the organization of the Democratic Party in our State, aided in later years by the United States Whisky Trust and the National Brewers' Association, which are now in complete control, or think they are, of the Democratic Party in Maine; but I must add that there are thousands of honest and right-minded Democrats in my State who refuse to follow this trust.

Lest I may be accused of partisanship in this discussion, I want to say also that the Republican Party, which in Maine, during the past 50 years, has stood for the principles of our prohibitory law, has grossly failed in its administration and enforcement many, many times. While it has had control of the State for over 50 years, with the exception of two administrations, one of one year and one of two years—one a fusion of Democrats and Greenbackers, in 1881; the other a fusion of Demorcats and the Whiskey Trust in 1911—it, the Republican Party, has many times been much more interested in the question of which would furnish the more votes—the churches or the rum shops—than in the suppression of drinking houses and tippling shops.

Uninfluenced by party politics, there never has been a time since 1858—when the question was referred to the people whether the "license law of 1856" or "An act of 1858 for the suppression of drinking houses and tippling shops" should be the future policy of the State—when there has been a question but what the sentiment of the majority of the people was in favor of what is popularly known as our "Maine law." For many years the Democratic Party of the State, in conventions assembled, declared it a sumptuary law. They insisted that it interfered with personal liberty. This question was finally fought out in the courts, even to the Supreme Court of the United States, which declared in favor of our State having control of its own police regulations to the extent of our prohibitory statutes.

Under our system of government the sheriffs of our 16 counties, together with the county attorney in each county, are especially charged by statute with the enforcement of this law. The Maine law is complete in every particular. It provides for the punishment of a single sale—for search and seizure process, even to the dwelling house; with confiscation and destruction of liquor seized, and punishment of those in whose possession it is found. It provides for indictment of "common sellers," the "keepers of drinking houses and tippling shops," and makes a "common nuisance" of every place in which liquors are kept for sale or sold in violation of law. It provides for injunction against the owners of buildings with knowledge that they are used by tenants for the sale of liquor; and any person who goes about as a salesman from place to place, offering liquors for sale, is subject to a penalty and fine for so doing.

Now, the question is being asked, constantly, from outside the State—probably I have had 25 inquiries during the last 10 months, as governor—"Does the prohibitory law prohibit?" My answer is always "Yes." By this I do not mean that it has always prohibited in the State of Maine; or, in other words, that the law has always been enforced—neither would I say that it has ever been fully and completely enforced; nor do I undertake to say that it is possible to give a full and complete enforcement of our Maine law, however honest and faithful officers may be; and if they are not honest and faithful, it may be looked upon as a complete failure, as it has been many times in the past, not only by people outside of the State, but by people inside of the State.

Public sentiment is subject to every wind that blows, and a weak public sentiment in our State makes a weak enforcement of this law, and submits us to ridicule and disgrace, and properly charged as hypocrites, and furnishes splendid opportunity for the friends of a "license law" to have the best of the argument. But there are some special reasons for this which those outside of our State may not understand. Our location is bad. We have a long border on the north, bounded by licensed Canada, and it is very easy to get rum across our borders. On the west and south again by licensed New Hampshire, and we are only six hours by rail from the center of the State to the great whisky market of New England—Boston—whose runners are ever among us, who have the name of every citizen of the State, in catalogue order, and who flood our mails day by day to the remotest hamlet with their circulars, advertising liquors; and we are bounded on the east by the great free rum Atlantic Ocean. There is no limit to the amount that is brought to our shores concealed in vessels of different kinds, which make the stock for pocket peddlers and the lowest cowards in the business.

We have had, through the efforts of the Whisky Trust and their allies in our State, during the past 20 years a determined and persistent demand for what is popularly known as "resubmission." In 1885, in order to stop continual agitation in the legislature at each succeeding session thereof for repeal or modification of the prohibitory law, Gen. Neal Dow succeeded in getting an amendment to the constitution forever prohibiting the manufacture and sale of intoxicating liquor in our State except for medicinal and mechanical purposes, submitted to the people for their approval or disapproval. It was voted on and approved and become a part of our fundamental law.

For about 10 years the question remained quiet, and the statutes were partially enforced. Then the new cry for resubmission increased in volume as the years went by, until 1911, when the claim became so strong for the young men of the State who had never had a chance to express themselves upon this question, that the legislature yielded and again submitted it to the people, or resubmitted it. Then the Rum Trust thought they had us. The Democratic Party was in power for the first time in 30 years in our State. They had the governor and both branches of the legislature, and their long-dreamed-of ambition to rid the State of the hateful prohibitory law seemed to be theirs in accomplishment. The day the "yes" and "no" vote was taken every would-be saloon keeper; a few hotel men who wanted to make the whisky trade the principal feature of their business; every thug and low-down citizen living in our State who would have been members of the "nether-world" population had they lived in the big cities; the keepers of houses of ill fame—all under the leadership of men who called themselves statemen, and assumed control of the Democratic Party, supplied with all the money that they could use by the brewers' association and Whisky Trust of the Nation, on the one side, with the churches, supported by the mothers and wives and backed by the honest business men and our great farming population, with its natural and clean discernment of right and wrong and good hard-headed common sense, on the other side made up the contending forces. Much to the surprise of everybody, the right had a small majority. The "no" won by less than 800 votes, but there never was a greater triumph for right and virtue against vice and crime than in this contest. The Republican Party as an organization had nothing to do with it. It was the Democracy, as organized and led in this State, against the people.

I think we have a right to assume that for awhile there will be no further claims made for the repeal of our "Maine law." Yet we have a certain line of newspapers in the State which claim to be in support of the present administration at Washington that are constantly claiming and declaring that "Prohibition does not prohibit." They seldom fail to let a day pass that they don't have an article to this effect. While the jails and prisons, under the present administration in our State, with fairly good enforcement, have only about one-half the inmates as a result of intoxication as compared with the number during a previous two years of nonenforcement, every time there is any crime as a result of drunkenness in the State it is advertised widely, with an invariable comment attached that "Prohibition does not prohibit."

In my inaugural address, delivered in January last, I appealed to all of the newspapers of the State, irrespective of party, "to help in creating a public sentiment against rum selling and rum drinking. It can do more to help or more to hinder in this cause than any other influence in the State." These papers saw the point, and have since done everything they can "to hinder in this cause."

I am trying to state the exact situation as I see it in our State and the causes of it. I may seem to have a partisan bias, but the people who live here know I am telling the truth. Several causes are making to-day in Maine for the enforcement of the prohibitory law, perhaps a little better than it was ever enforced before. First, I place the nonenforcement of the previous two years' administration, during which there was almost practically no enforcement in the State and the people got the nearest to an object lesson of what free rum means of anything they have had for half a century, and we are all under a great obligation to Gov. Plaisted and his administration for this splendid object lesson. The next is the fact that the business men of the State have at last come to the conclusion that a legal business is better than an illegal business, and the men who wish to do a legal business are disgusted with the men who wish to do an illegal business, especially with their presumption or assumption of the control of the political affairs of the State. The grocer and dry goods man, especially the retailer, who is dependent upon popular sentiment for his trade and is naturally timid, now thoroughly believe that they have better business and make more money when the laboring man takes home his pay check to his wife without interference or being waylaid by the rum seller on the way. The contractor and builder find with the enforcement of the "Maine law" a full crew on Monday morning, ready to go to work, with their heads clear and their hands steady. The doctor is no longer telling patients that alcohol is a good remedy. If from no other source, he has had it clearly demonstrated to him by the lectures of that distinguished naval officer, Capt. HOBSON, that the great destroyer of the white corpuscles, or life itself, is the great warrior John Barleycorn. The bankers and economists of our State have only to look at our bank reports to find that with a population of only about 742,000 people we have assets in our 48 savings banks, 44 trust companies, and 37 loan and building associations amounting to $165,784,505, or an average of about $224 for every inhabitant of the State, which is something of an argument that "prohibition does prohibit." Two hundred and thirty-three thousand one hundred and fifty-nine people in our State have deposits in our savings banks averaging $401. The gain in our savings bank deposits annually for the past 10 years has been about $6,500,000, running from four to eleven millions each year. These figures are something of an argument in favor of the "Maine law." It is estimated that we shall take from people living outside of the State during the present year for entertainment on our seashore and inland lakes, through our railroads, hotels, cottages, boarding houses, guides, summer schools, and other ways in which we serve a foreign population annually with our scenery, seacoast, fish, and game over $50,000,000. The Whisky Trust advocates have strenuously insisted that we could not maintain this business with an enforcement of the prohibitory law, but I am pleased to report that the proprietor of the largest hotel in the city of Portland, the largest city in our State and which is coming to be considered our largest summer resort point, told me in August that his hotel had broken all records for guests; also that Portland has had probably the best season for summer business that it has ever had, and this with the most strenuous enforcement of the prohibitory law it has had for years.

After I became governor, in January last, complaints were made from five counties that the sheriffs of those counties were not enforcing the law; that they were standing for nullification. Three were Democrats and two were Republicans. I submitted the one in Cumberland County to the legislature for impeachment, intending to submit the others as soon as I had a little more evidence, but the legislature, anticipating my purpose, immediately commenced impeachment proceedings against all of them. Three were tried and impeached, one resigned, and the other hunted up a case of smallpox and had himself exposed to it, and then he got in league with our board of health and got a certificate that there was some danger of his having smallpox, and the legislature adjourned without hearing his case. Rum sellers without smallpox are bad enough, but a sheriff who protected them was too much for a Maine Legislature.

I appointed successors in these places under pledges to enforce the prohibitory law, and I believe they have done so faithfully and honestly and to the best of their ability and against great opposition in their several localities. I am pleased to report, however, that this enforcement is now popular with the masses of the people. Every honest man likes it, irrespective of the political party to which he belongs. There is a political machine in these different counties fighting enforcement the best it can in every way possible, but they are losing ground. The mayor of Portland recently, upon the sudden death of Sheriff Scully, of that county, in the interim of the appointment of his successor of seven days, changed his heretofore publicly announced policy of doing nothing to assist in the enforcement of the prohibitory law in the city of Portland, at the request of strong public sentiment, and ordered his police force to enforce this law until the successor to Sheriff Scully was appointed and confirmed.

Bangor, in Penobscot County, which for many years has had the distinction of having the "Bangor plan," and from which was removed a Republican sheriff by the legislature for failure to do his duty, and another Republican appointed in his place, who is doing his duty fearlessly and without favor, is fast becoming a strong temperance locality. It is the county seat of the second county in the State. It is the metropolis of eastern Maine. It does a large wholesaling business, and its business men are among the brightest and most enterprising in the State. There is not a day passes that I do not receive some evidence of their satisfaction with and approval of the enforcement of the "Maine law" in that county, Bangor included. They see the point as business men. It is dollars and cents to every one of them, not looking in some way, directly or indirectly, from the profits of the sale of liquor.

In many of our counties there is practically no liquor sold, and but few or none in the jails as a result.

Now, this is the situation in Maine, as I see it and understand it. Of course, there is much more that I might add, but let me reassure you all that the "Maine law" in Maine is prohibiting and preventing the sale and use of intoxicating liquors, and there is no reason why it should not continue to do so more and more as the years go on; but it must be remembered that the personal liberty or privilege of no citizen has ever been interfered with. Every man is at liberty to have all the liquor he wishes come for his own private use from outside of the State, and many people have it. Some, perhaps, to whom it does no apparent harm—many to whom it does a great deal of harm, but as long as it is made and the right remains to ship it into our State, it will continue to come here and be used. That does not mean in any way that "prohibition does not prohibit," and there is less and less of this done every year.

In closing, I want to offer just one suggestion, and it is with reference to this particular matter. As long as the United States Government continues to collect a revenue for the sale and dealing in liquors, so long as they permit it shipped into the different States under interstate-commerce laws, so long as the United States mails are permitted to carry circulars and advertisements to every citizen in our State from every brewer and distiller, just so long will we have the condition in our State upon which the Whisky Trust will base their continuing claims that the "Maine law" is a failure or that "prohibition does not prohibit."

The Federal tax now collected for the manufacture and sale of liquors was put on as a necessity of war. Why continue it? The fact that the Federal Government licenses the sale of liquor and the State prohibits it makes a dual situation between the two Governments over the same people. They are inconsistent, and one or the other is right or wrong. They can't be both right and wrong. Why should the mails carry advertisements for liquor sellers any more than for lottery-ticket venders.

We permit the one and prohibit the other. Which is the greater evil? This is a question for Congress to consider, and in the very near future. We may need an amendment to the Constitution, as suggested by Gov. Baldwin in a recent address, to prohibit the sale of intoxicating liquors by the Federal Government, but we don't need any amendment to repeal the internal-revenue tax on liquors or to prohibit the carrying of liquor advertisements in the mail, and such a law would take the Federal Government out of copartnership with the whisky and beer trusts. Nothing would strengthen the hands of the State more than such legislation.

While I have referred to political parties and politicians freely in this paper, describing the situation in Maine, and the history of this law to some extent, I want to say that it is the greatest satisfaction to feel that we have two great Democrats in the Nation, and the first two in the land to-day—President Wilson and Secretary Bryan—who we all feel are on the moral side of this great question and can be depended upon to sustain the cause of prohibition, independent of the mandates of their party, even, if it ever comes to an issue of that kind, and there is no one for whom all lovers of law and order have greater respect than for that celebrated Democrat who has done so much to place the evils of alcohol before the American people, Capt. HOBSON.

This question is fast going beyond the bounds of party politics, and the party or the man who in the future is allied with the whisky or brewery interests in this country is bound ultimately to receive the condemnation of a fast-increasing intelligence and understanding, coupled with a keener sense of morality and justice, which will be given expression to by the American ballot.

EXPORTATION OF MUNITIONS OF WAR.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, in further response to a resolution of December 7, 1914, a memorandum showing the exports of domestic cartridges, gunpowder, and firearms from the United States to specified countries during the month of November, 1914, which, with the accompanying paper, was ordered to lie on the table and be printed. (S. Doc. No. 660, pt. 2.)

CREDENTIALS.

The VICE PRESIDENT presented the credentials of PAUL O. HUSTINGS, chosen by the electors of the State of Wisconsin a Senator from that State for the term of six years beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

PETITIONS AND MEMORIALS.

Mr. CHAMBERLAIN presented petitions of sundry citizens of Oregon, praying for the enactment of legislation to prohibit the sale of munitions of war, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Oregon, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Oregon, remonstrating against the transfer of postal clerks to the Railway Mail Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Oregon, remonstrating against the enactment of legislation to exclude anti-Catholic publications from the mails, which was referred to the Committee on Post Offices and Post Roads.

Mr. PAGE presented the petition of Mrs. F. W. Nash, State superintendent of antinarcotics of the Woman's Christian Temperance Union of Burlington, Vt., praying for the adoption of an amendment to the Philippine bill to prohibit the sale of intoxicating drinks and drugs in those islands except for medicinal purposes, which was referred to the Committee on the Philippines.

AMENDMENT OF THE RULES.

Mr. SMOOT. Mr. President, I ask unanimous consent that I may at this time give notice of a proposed amendment to Rule XL, and ask that it be read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The SECRETARY. The Senator from Utah gives notice that he will move to amend Rule XL as follows:

On line 4 of said rule, as printed on page 37 of the Rules and Manual, United States Senate, after the word "thereof," insert a semicolon and the following:

And a motion to suspend any rule or any part thereof shall require a vote of two-thirds, and shall be decided without debate.

The VICE PRESIDENT. The notice will lie over under the rule.

BILL INTRODUCED.

Mr. ROBINSON introduced a bill (S. 7328) granting a pension to Virginia F. Sawyer, which was read twice by its title and referred to the Committee on Pensions.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. ASHURST submitted an amendment proposing to appropriate $175,000 for beginning the construction of a dam and necessary controlling works for diverting water from the Gila River at a site above Florence, Ariz., etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

THE MERCHANT MARINE.

Mr. SAULSBURY submitted an amendment intended to be proposed by him to the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, which was ordered to lie on the table and be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. NELSON submitted an amendment intended to be proposed by him to the rivers and harbors appropriation bill (H. R. 20189), which was referred to the Committee on Commerce and ordered to be printed.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. KERN. I wish to offer an amendment.

The VICE PRESIDENT. The Chair understands the parliamentary situation to be that the amendment of the Senator from Ohio [Mr. POMERENE] is pending.

Mr. KERN. Very well.

The VICE PRESIDENT. That is the question to be disposed of. The question is on agreeing to that amendment.

Mr. POMERENE's amendment was to add to the bill a new section, as follows:

SEC. 1608 j. That said jury shall assess, as benefits accruing by reason of said opening, extension, widening, or straightening, an amount equal to the amount of damages as ascertained by them as hereinbefore provided, including $5 per day for the marshal and $5 per day for each juror for the services of each when actually employed, and all other expenses of such proceedings upon each lot or part of lot or parcel of land in the square or block in which said alley or minor street is to be opened, extended, widened, or straightened, and upon each lot, part of lot, or parcel of ground in the squares or blocks confronting the square in which such alley or minor street is to be opened, extended, widened, or straightened which will be benefited by such opening, extension, widening, or straightening, in the proportion that said jury may find said lots, parts of lots, or parcels of land will be benefited: *Provided, however*, That wherever the Commissioners of the District of Columbia, under the foregoing provisions, shall institute proceedings for the widening or extension of any alley so as to convert said alley into a minor street through the square in which said alley is located, such an amount of the total amount of damages as ascertained by the jury, as hereinbefore provided, including $5 per day for the marshal and $5 per day for each juror for the services of each when actually employed, and all other expenses of such proceedings, shall be assessed by the said jury as benefits, and to the extent of such benefits upon each lot or parcel of land in the square or block in which such alley is to be converted into a minor street, and upon any and all other lots, pieces or parcels of land which the jury may find will be benefited by the said widening or conversion of said alley into such minor street, as the said jury may find said lots or parts of lots, places or parcels of land will be benefited; and in determining the amount to be assessed against such lots or parts of lots, pieces or parcels of land the jury shall take into consideration the respective situations and topographical conditions of such lots or parts of lots, pieces or parcels of land, and the benefits and advantages they may severally receive from the said widening or conversion of such alley into such minor street.

Mr. SMOOT. If the amendment of the Senator from Ohio is now before the Senate, I wish to say that I shall object to that amendment, that it is general legislation upon an appropriation bill.

The VICE PRESIDENT. If that is the reason, the Chair will be compelled to sustain the point of order.

Mr. POMERENE. I am disposed to admit that the point of order is well taken, and necessarily if that objection is insisted upon I can not proceed with it. I expect, however, to present it in the form of a separate bill and will ask for action.

Mr. JONES. I intended to urge the Senator to permit me to make an explanation in reference to this amendment and to state the necessity for this law. I have some facts here with reference to the matter showing that it is a very imperative proposition, but after a talk with the Senator in charge of the bill, who is very anxious to proceed with the bill, and on the suggestion that if this amendment is permitted it would probably lead to the presentation of several other amendments, and with the assurance that our committee will take the matter up as a separate measure and act very promptly upon it, I shall not delay the Senate by presenting the facts that I have gathered, but will take it up before the committee in conjunction with the Senator from Ohio and seek action upon it through the action of the committee. I regret that it can not be passed on in this bill, but I recognize the parliamentary situation and shall hope for early and favorable action upon an independent measure.

Mr. KERN. I send to the desk an amendment, which I ask to have read.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 22, line 11, strike out "1886" and insert "1914," and in line 14 of the same page strike out "1904" and insert "1914."

Mr. SMITH of Maryland. Mr. President, I raise the point of order that that is new legislation. It is not estimated for.

Mr. KERN. I call the attention of the chairman of the committee to a palpable mistake that has been made in this section in providing that the asphalt used on the streets shall only be as good as that used prior to July 1, 1886, 29 years ago, when the asphalt business was in its infancy. I am only asking that the asphalt used shall be as good as that used up to July 1, 1914.

The VICE PRESIDENT. Why does the Senator from Maryland say that this is general legislation?

Mr. SMITH of Maryland. I accept the modification proposed by the Senator from Indiana if he insists upon it. I have no objection to it.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Indiana.

Mr. TOWNSEND. There has been so much confusion that I have not yet learned what is the object of the amendment proposed by the Senator from Indiana. I wish he would explain it briefly.

Mr. KERN. Let me read the paragraph as it now stands. After providing for certain improvements for asphalt pavement and asphalt-block pavement it reads:

Under appropriations contained in this act no contract shall be made for making or relaying asphalt pavement at a higher price than $1.80 per square yard for a quality equal to the best laid in the District of Columbia prior to July 1, 1886, and with same depth of base, nor more than $1.80 per square yard for laying standard asphalt-block pavement equal to the best laid in the District of Columbia prior to July 1, 1904.

The proposition as to the asphalt used shall be of that quality, but no better than that quality. The proposition is that that quality shall be used that was used 29 years ago, when the asphalt business was in its infancy and when there was no expensive asphalt, and that the asphalt blocks shall be no better than those used in 1904, the year when they first began to use asphalt blocks. I propose that the provision shall be amended so that the asphalt and asphalt blocks shall be as good as any used prior to July 1, 1914.

Mr. SMITH of Maryland. I should like to correct the statement made by the Senator. It does not say it shall be any better, but it shall be a quality equal to the best laid in the District of Columbia prior to July 1, 1886.

Mr. KERN. Used at that time.

Mr. SMITH of Maryland. It does not necessarily follow that it shall be better.

Mr. KERN. Let us suppose asphalt used on the street——

Mr. SMITH of Maryland. I have no objection to the amendment.

The amendment was agreed to.

Mr. JAMES. I call up the amendment I offered and ask that it be read to the Senate.

The VICE PRESIDENT. The Senator from Kentucky offers an amendment, which will be read.

The SECRETARY. Insert as a new section the following:

SEC. —. That section 6 of the act of the Fifty-seventh Congress entitled "An act making appropriations to provide for the expenses of the general government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," be amended by striking out the word "tangible" wherever it occurs in section 6 of said act; and that the words "personal property" wherever occurring in said section shall be held to include, in addition to the specific property mentioned in said section, all moneys, credits, cash, notes, bonds, stocks, annuities, and all other kinds and forms of indebtedness.

Mr. SMITH of Maryland. I raise the point of order that this is new legislation.

The VICE PRESIDENT. The Chair understands it to be admitted that there is an act of Congress which provides what property shall be assessed and how it shall be assessed. Is not that correct?

Mr. JAMES. I understand that that is the state of the law at this time. I will say to the Senator having the bill in charge that I recognize that this is new legislation. I regret exceedingly that he has felt impelled to make the point of order. I think the law ought to be amended in this respect, so that the stocks, bonds, and money of the very wealthy people of the District of Columbia should pay taxes just as the ordinary citizen pays taxes on his humble home. But if the Chair thinks it is new legislation, I can not insist upon it.

The VICE PRESIDENT. The Senator from Kentucky has admitted that it is new legislation?

Mr. JAMES. Yes; I think that the point of order is well taken, I regret to say.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. NORRIS. I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 30, after line 6, insert:

The Secretary of War is authorized and directed to construct two public bathhouses and convert portions of the tidal basin in Potomac Park into public bathing beaches, as outlined in Senate Document No. 593, Sixty-third Congress, second session, and for the beginning of such improvement the sum of $50,000 is hereby appropriated.

Mr. SMITH of Maryland. I raise the point of order that this is new legislation in one sense; in another sense it has never been estimated for.

Mr. NORRIS. In my judgment, the amendment is not general legislation.

The VICE PRESIDENT. May the Chair inquire of the Senator from Nebraska whether it is admitted that this is an increase of the appropriation made in the bill?

Mr. NORRIS. Yes.

The VICE PRESIDENT. Is it to carry out provisions of existing law?

Mr. NORRIS. It is not antagonistic to any existing law. There is not any law that has——

The VICE PRESIDENT. Very well. Has it been moved by the direction of any standing or select committee of the Senate?

Mr. NORRIS. No; it has not.

The VICE PRESIDENT. Or is it in accordance with an estimate made by the head of any one of the departments?

Mr. NORRIS. I think it is.

The VICE PRESIDENT. What department is that?

Mr. NORRIS. The War Department. The Senate of the United States, on August 25, passed a resolution asking the Secretary of War to make an estimate. In Senate Document No. 593, Sixty-third Congress, second session, in response to that resolution, is the reply of the Secretary of War sent to the Senate. That is the document referred to in the amendment, and in that document, signed by the Secretary of War, he says:

The estimated cost of the above outlined project is as follows.

Then he gives an itemized estimate of the entire cost.

But, Mr. President, as I have understood the ruling of the Chair, there is another reason why the amendment is not subject to a point of order. It does not purport on its face to be general legislation.

The VICE PRESIDENT. No; it is not general legislation. That is clearly true.

Mr. NORRIS. In conversations I have had with members of the committee, even members of the committee of the House, since this matter has been somewhat agitated, they have suggested that this amendment be put on the bill. I have had that suggestion made by the members of the House Committee on Appropriations, and I know that there are many members of the District Committee here who have given it consideration. On its merits there certainly can be no objection to it. I do not care to discuss the merits, because I do not want to take up the time of the Senate. I will not discuss them unless there is some objection on its merits, and then I would be glad to go into it.

Mr. SMITH of Maryland. I will say to the Senator we have no knowledge of any estimate upon this proposition. There has been no estimate made. There may have been a suggestion, but there is no estimate that came before our committee or before Congress.

Mr. NORRIS. If the Senator will get this document which I have named, he will find the estimate.

Mr. SMITH of Maryland. We have the document here.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. It is undoubtedly correct that the estimate of cost made by the Secretary of War is not an estimate such as our rules contemplate, yet I am going to appeal to my friend the chairman of the subcommittee to let this item go on the bill, and we will give it very careful consideration. This is, to my mind, a very desirable matter, and it may appeal to all of us that it is good legislation. I would not commit myself to what action I might take in conference over this question, but it is something that ought to be done. The condition that exists, so far as our bathing beach is concerned, is almost scandalous at the present time; and while undoubtedly, from my viewpoint, the amendment can be ruled out on a point of order, this estimate not having been correctly submitted through the Treasury Department, yet, as I said, I think it might be well to let it go on the bill for future consideration in conference.

Mr. SMITH of Maryland. I will say to the Senator from New Hampshire that there are many things that probably should

go on the bill that we in committee turned down, and this is a matter that did not, so far as I know, come before our committee at all. There were a great many propositions before our committee that were certainly desirable. The only question is, if you are going to start with this, there is no telling where the legislation will go. This bill has been before the Senate for nearly two weeks, and it does seem to me that we should dispose of it and not allow new legislation to be submitted here on matters that have not been estimated for in a proper way. From what I can understand, it certainly has not been properly estimated for. There is an estimate in a way of the cost, but not in such a way that I think can sustain the claim here that there has been a proper estimate made.

Mr. NORRIS. The rule says "an estimate by the head of a department." This very estimate has been before the Senator's committee since the 8th day of October last.

Mr. SMITH of Maryland. I would say to the Senator it was only sent in in compliance with a Senate resolution.

Mr. NORRIS. Yes.

Mr. SMITH of Maryland. It is no regular estimate for an appropriation; it is only in compliance with that resolution.

Mr. NORRIS. I think that should add to its importance. It is a request made by the Senate, not a request made by the committee; but when the estimate came in it was referred to the committee. It has been before the Senator's committee since the time I have mentioned.

Mr. SMITH of Maryland. The law provides that—

All annual estimates for the public service shall be submitted to Congress through the Secretary of the Treasury, and shall be included in the Book of Estimates prepared under his direction.

This has never gone through that operation.

The VICE PRESIDENT. If the point of order is insisted upon, it must be sustained.

Mr. NORRIS. I appeal to the Senator, the chairman of the subcommittee, that he ought not to make the point of order against this amendment. It is not saving any time. I am not to blame, neither is this particular subject, but I submit that a great deal of time has been taken up by the Senate in the discussion of the District appropriation bill. If I had been instrumental in taking it up and taking it up unnecessarily, I would feel different about it from what I do.

Mr. SMITH of Maryland. I will say to the Senator I should like very much to comply with his request, but there are other Senators here who had amendments that they have withdrawn. This bill has been before the Senate for nearly two weeks. If one amendment is admitted we will have to admit others.

Mr. NORRIS. Not by any means.

Mr. SMITH of Maryland. Whilst I would like very much to accommodate the Senator, and there may be something in it, but there are other amendments just as meritorious that have been withdrawn.

The VICE PRESIDENT. The point of order is sustained.

Mr. NORRIS. Mr. President, on page 30 of the bill, line 6, I move to strike out "$1,400" and to insert "$1,500."

This particular amendment which I have offered will be a sufficient foundation for a few remarks which I desire to make on the bill. The amendment I have offered refers to the location of a bathing beach somewhere in the District of Columbia.

Mr. GALLINGER. Let the amendment be stated, Mr. President.

The VICE PRESIDENT. The Secretary will state the amendment proposed by the Senator from Nebraska.

The SECRETARY. On page 30, line 6, after the word "grounds," it is proposed to strike out "$1,400" and to insert "$1,500."

Mr. NORRIS. Mr. President, the tidal basin, with which I presume every Senator is familiar, is a large pool of water, from 4 to 8 feet deep, located in Potomac Park. It contains 110 acres. It is of no particular use now, except that a few people have boats and small yachts floating upon it. It is connected with the main channel of the river by a drawbridge, where the water can be shut off and turned on and again connected with what is known as the Washington Channel. That is the part of the stream this side of the island. The connection between this channel and the tidal basin is a small opening that is but a few feet across and has a bridge spanning it. Trains, street cars, and automobiles cross it.

So we have here 110 acres of water connected with the river, with the Washington Channel. With those two exceptions it is entirely surrounded by land. It is no good to anyone, of no particular beauty to look at, because there is the river just on the other side and the Washington Channel on this side, and anyone can see it who wants to look at a bit of water.

The tidal basin has been made by the development of Potomac Park, where the mud and sand were pumped out of the river and put behind a retaining wall, and a beautiful park was made out of what before was nothing but a marsh. The Government of the United States has spent hundreds of thousands of dollars in reclaiming that land. It is to-day, as everyone knows, one of the most beautiful parks anywhere around the city of Washington. I am reminded by the Senator from New Hampshire [Mr. GALLINGER] that the Government and the District together made this improvement. That is true.

There is only one possible drawback to this park, and that is that the trees are all small; but it has been planted to trees, and it is only a question of time until it will be the finest beauty spot anywhere in the District of Columbia. In this park, surrounded by a wall, is this 110 acres, known as the tidal basin. I want to compare that tidal basin with the floor of the Senate Chamber and show you how it is connected. Over here to the left [indicating] is the Potomac River; where that door is [indicating] is the connection between this big basin and the Potomac River; over here at this door [indicating] is the Washington Channel. There [indicating] is the connection, smaller still, and the only connection that this tidal basin has with the outside. So it is a model location for public bathing, having no other use under the sun to which it can be put, and yet it is not used.

Over farther in this same park are some concrete basins—three of them, I think; I do not now remember their dimensions—where this same water is pumped in and let out again, and those are the bathing places in the District of Columbia. If you will go there in the summer time, you will find at 7 o'clock in the morning, when this place is first opened, a line of boys, and, on days when women are admitted, girls and grown women, ready to go into those pools, that are not much bigger than the pool of an ordinary Young Men's Christian Association building, yet almost within a stone's throw are 110 acres of as fine a body of water as there is anywhere, and nobody can use it, because no bathing houses have been built there and the beaches have not been sanded, perhaps.

It was the intention of the amendment which I offered to give to the people of Washington—to the boys, the girls, the men, and the women—a place large enough to accommodate the entire District, where in the summer time they can go bathing.

There is not another city in the United States located as is the city of Washington where this matter has been neglected as it has been here. We have gone to the expense in the last 10 or 15 years of creating this body of water, and there it stands useless; it is no good to anybody; but thousands of people who want to go in bathing in the summer time have no place to go.

The little pools we have, of which I have spoken, the concrete pools, are so crowded that it is necessary that rules and regulations be made governing their use. So you will find in the summer time at certain hours of the day boys are admitted; at certain other hours smaller children are admitted; at other hours larger children are admitted; at certain other hours women are admitted; and at cetain other hours both men and women are admitted to the pools, which are so crowded that they are practically useless. There are not one-tenth of the people who get the accommodations which they ought to have.

What I said a while ago I repeat now; there is not another city in the United States where they have any opportunity for a bathing beach, but what they have it provided for by the expenditure of public funds. Here we have the District of Columbia appropriation bill filled from beginning to end with legislation—even the very first sentence in it is legislation—and yet this amendment must go out because it is legislation. All the way through such legislation is brought in by the same committee which rejects this amendment as legislation.

I want to tell Senators of a little incident that happened here in the Senate. I knew of this document to which I have referred in the amendment, it being an estimate made by the Secretary of War, in which he approved this appropriation, and which, he says, should be made. You may search from one end to the other of this Capitol—indeed, of this entire District—and you can not find anyone opposed to it. They all say it ought to have been done years ago, but now the amendment must go out because a point of order is made against it on a bill that has more of legislation in it than it has apropriations, which legislation is in violation of this same rule that is now invoked to keep this amendment out.

Mr. SHAFROTH. Mr. President——

Mr. NORRIS. In just a moment I will yield to the Senator. I was going to illustrate just what happened here. I prepared that amendment at my desk. I knew about Senate Document No. 593. It consists of a letter from the Secretary of War, which he sent to the Senate in the estimates as to the cost of this bathing beach, in answer to a resolution which I

introduced and which was passed by the Senate. I had forgotten the number of the document, which I needed in preparing the amendment, so I called one of the little pages who sit around the Vice President's desk to me and said I did not know what the number was, but I also said to the boy, "I wish you would go up to the document room and get a document which consists of a letter from the Secretary of War in regard to a bathing beach down at the tidal basin in Potomac Park." The boy relied, "Why, I have that right here in my pocket," and he pulled the very document I was talking of out of his pocket. It was so badly worn that it was hardly legible. He had been carrying it in his pocket ever since there was such a document. How many boys in the District do you suppose have that document in their pockets now, thinking that possibly when we have a Senate that asks for the information and a Secretary of War who furnishes it and recommends it, possibly next summer or the following summer, or some time in the future, there may be some use made of these 110 acres of water down there where the boys can not now go swimming?

Why, Mr. President, if the point of order had not been made this proposed amendment would now be in the bill. I have taken up ten times as much time as it would have taken to adopt the amendment. I have not been instrumental in delaying the passage of this bill. I am not saying that the discussions that went on in reference to the prohibition question and the half-and-half principle were not proper, but they delayed the bill. The Senate itself has done that. We have now got back to the discussion of the bill, we have gotten through with those things, and now we come to something that will do some good for humanity, which would be of benefit to the rising generation, and then we are told that the rules must be rigidly enforced.

Why, Mr. President, there is not an item in this bill that ought to appeal so much as this one to anyone with a heart. There is no reason on earth of which I can conceive why anyone should object to making some use of this tidal basin, to making a bathing beach of it, especially as we have spent several hundred thousand dollars in placing it there. It has never been put to but one use, and that was for skating this winter. There might be some objection if using it in the summer time to swim in would prevent the boys skating on it in the wintertime when it was frozen over; but everybody knows that would be no objection. It will freeze over just the same if the weather gets cold enough, and people can skate on it just the same as they have done this winter if the weather should be sufficiently cold; but it goes without saying that we shall always have some warm weather, and there never will be a summer season when thousands and thousands of men, women, boys, and girls will not use this basin to the betterment of their health and the betterment of humanity.

Mr. President, I withdraw the amendment which I offered.

Mr. CLAPP. Mr. President, I desire to offer the amendment I send to the desk, and will say that it is recommended by the Board of Commissioners of the District of Columbia on page 121 of their annual report. I understand the committee is not particularly opposed to the insertion of the item.

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). The Secretary will state the amendment proposed by the Senator from Minnesota.

The SECRETARY. It is proposed by Mr. CLAPP to insert the following amendment:

That the Commissioners of the District of Columbia are hereby authorized and directed to institute, within three months after the passage of this act, in the Supreme Court of the District of Columbia a proceeding in rem, in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, to condemn the land that may be necessary for the widening and extension of Spring Road NW., between Sixteenth Street and the westerly line of square No. 2901, according to the permanent system of highways plan for the District of Columbia; also the land that may be necessary to extend Spring Road across square No. 2901 to Ninth Street NW., and across square No. 2690, with a width of 90 feet; also to condemn the land that may be necessary to extend Perry Place from its present terminus to connect with Spring Place and widen Spring Place between Fourteenth Street and Sixteenth Street to a width of 50 feet, as shown on plan filed in the office of the Engineer Commissioner of the District of Columbia: *Provided, however,* That the entire amount found due and awarded by the jury in said proceedings as damages plus the costs and expenses of the proceeding hereunder shall be assessed by the jury as benefits.

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 condemnation proceedings taken pursuant hereto, and for the payment of amounts 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.

Mr. CLAPP. Mr. President, the chairman of the committee informs me that during the pendency of the District appropriation bill, in view of the delay upon the bill, a great many Senators who had amendments they intended to offer have consented to refrain from offering them, and the chairman of the committee has been assured that they would not be offered, and he has given such assurance on the statement of a Senator who, jointly with me, had this amendment in hand that this amendment would not be offered. In view of that fact, rather than embarrass the chairman, I will withdraw the amendment.

Mr. LANE. Mr. President, I have an amendment which I think should be adopted by the Senate, to go into the bill after line 10, on page 86. The amendment reads:

Provided, That from and after the passage of this act the cost of all water mains shall be assessed upon the abutting property until such time as such mains shall yield a revenue from the sale of water of 5 per cent per annum upon the cost of the same.

The amendment provides for a change in the method of extending water mains throughout the city of Washington. At present the cost is paid from the revenues which are derived in a majority of cases from the poorer inhabitants and residents of the city who use water. It has been found to be unjust in all cities where investigation of the method has been conducted, and in most cities that method has been changed. Under the present plan, the money which is paid to the water department by the consumers who use the water for household purposes is used to extend mains throughout the city and beyond the inhabited portions of the city into vacant tracts of land which are being opened and put upon the market for speculative purposes at no cost to the "real estater" who engaged in selling town lots.

Mr. NORRIS. Mr. President——

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

Mr. LANE. In just a moment. In other words, it adds a value of from 30 to 40 per cent to the property without any cost whatever to the speculator, and at the direct expense and cost of the consumers of water throughout the city.

Mr. NORRIS. Mr. President, has the Senator offered the amendment?

Mr. LANE. I have.

Mr. NORRIS. Has he the consent of the Senator in charge of the bill?

Mr. LANE. I have not asked for it yet. I am assuming that I will get his consent as soon as I ask for it.

Mr. NORRIS. Does the Senator know that it will take some time and may delay this bill, which it is so necessary to get through in the next 15 minutes?

Mr. LANE. I did not know that.

Mr. NORRIS. Yes; I understand that is the objection to amendments being offered—that they will cause some delay.

Mr. LANE. I suppose it will take some time to discuss it, but it is a matter of such great importance——

Mr. NORRIS. I have no doubt of that.

Mr. LANE. To hundreds and thousands of people in this city, that I think it should be taken up and adopted. The present method is wrong; it is unfair and unjust.

Mr. NORRIS. But the Senator must know that we have taken three or four days to discuss the half-and-half principle and a week to discuss prohibition, and, therefore, we ought not to take any time to act upon anything that is necessary for the good of the District unless it can be done by unanimous consent.

Mr. LANE. There is a large amount of water in this amendment, so that in that respect it perhaps comes under the head of a prohibition measure.

At any rate I was going to say that the present method of taking the money derived from the collection of the water rates from the people of the city, especially from the poorer classes, who live in the crowded quarters and who in many cases I have no doubt by reason of the cost of water deny themselves the use of a bathtub—little children going without water—and using the money to exploit, to bring profit, and to add value to property held for purely speculative purposes is wrong; it is unfair; it is unjust.

I assume that the committee having this bill in charge have not yet had that condition of affairs drawn to their attention, and I feel quite sure that, being fair men and anxious to get the best possible results for the city, they will without loss of time consent to the adoption of the amendment as soon as it is explained to them. I do not see how the Senate or any other body that has legislative power could refuse, in behalf of the people, to adopt a measure which would so greatly equalize taxes.

Mr. SHAFROTH. Mr. President, I would like to ask the Senator a question for information. I will ask him if he has examined the status of the financial condition of the water department of the city; and, if so, does it pay? Have they money to their credit? If they are able to construct these mains, I inquire if they make to the city or to the Government any return on the investment?

Mr. LANE. I do not know whether the water system pays to the Government any money in return for the funds advanced by it; but I was informed by the Senator from Utah a day or two ago, who was then reading the report, that hundreds of thousands of dollars of the income received from the collection of water rates is used in the extension of mains. In the past the money collected from water rates—which, as I have said, in many cases comes out of the pockets of the poorer classes—has been spent to the extent of millions of dollars in increasing the value of lots held for speculative purposes, and from which in many instances very large profits have been derived.

There is one large tract lying in the northwestern portion of Washington which is, I presume, a mile long and perhaps half a mile wide—an enormous tract of land—through which there are streets, water mains, lamp posts, I presume electric light wires, with lines of curbing, without a house that I know of on the tract, these improvements having been placed there to enable the land to be sold as town lots for residence property, and I am informed that water mains have been extended through that property. If that has been done by the Commissioners of the District of Columbia—and whether it has been done or not, they have the authority to do it—without taxing any part of the cost on the abutting property, it is wrong. I think the better plan would be that which is provided in my amendment, which would compel the owner of the lot himself, at his own expense, to install water mains, subject to the regulations and under the supervision of the water department of this city, the city obligating itself to take them over at any time when they pay 5 per cent upon the cost. Such a plan would do no harm, and it would save the poor people of the city from advancing money for this purpose.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. LANE. Certainly.

Mr. GALLINGER. Without combating the Senator's proposition, I want to ask him if he has made inquiries concerning the large tract which he says is being opened for sale as to whether or not the parties owning it did not themselves construct the streets, lay the sidewalks, put in lamp-posts, and all that sort of thing? I do not know about the water mains; but did the Senator inquire about those things to ascertain the facts?

Mr. LANE. I am informed that they put in the streets, the curbs, and the sidewalks. I do not know whether they provided the lighting system; but I was also informed—although I do not know whether it is true or not—that the District put in mile after mile of water mains to serve this property. Without water mains the curbings, the sidewalks, and the decorated lamp-posts are not worth the ground they stand on, and the men who own the property, being far-sighted gentlemen, know that just as well as I do. I say that it is a bad system which permits the extension of water mains to property held for speculative purposes, thereby greatly enhancing its value, at the expense of the little fellow who lives in the alleys and crowded centers. It is not the proper way of doing that work.

Mr. GALLINGER. Whatever may be the fact as to that—and it is worthy of consideration—the further fact remains that there is no city on this continent and perhaps no city in the world which is supplied water as cheaply as is the city of Washington, and the "little fellow" gets the same benefit that the "big fellow" does.

Mr. SMOOT. Mr. President, I will say to the Senator from Colorado [Mr. SHAFROTH], in answer to his question, that the revenues for the year ending June 30, 1914, from water used in the District of Columbia, were $828,296.69. Of that amount there was expended $794,952.16, leaving a credit to the water department of $32,497.90.

That expenditure was along these lines: Fifty-two per cent of it was used for the extension of water mains and 27 per cent of it was for the maintenance charges of the system. That has been the plan of the District from the time that they first took over the water system of the city, and all water extensions which have been made, I think I am safe in saying, have been made from the revenues of the department.

Now, one other thing. In the District the minimum water rate, allowing 7,500 gallons, is $4.50, and when the consumption reaches more than 7,500 gallons the rate is 4 cents a hundred gallons. The average of all water meters in the District of Columbia shows a charge of $5.80 a year. Water is cheaper in the District of Columbia, I think, than anywhere else in all the world.

Mr. SHAFROTH. I should like to ask the Senator, Mr. President, how the amount of the original cost of construction has been paid? Has it been paid out of the general revenues, or has it been paid out of moneys collected from the sale of water?

Mr. SMOOT. Ever since the District took over the water system it has been extended by the expenditure of the receipts obtained from the use of water.

Mr. SHAFROTH. Has there been any return of any of the money that went into the plant originally?

Mr. SMOOT. The returns have been a great deal more than the amount that originally went into the plant outside of the extensions.

Mr. SHAFROTH. Have they been applied to the payment of the plant?

Mr. SMOOT. They have been applied to the payment of other expenses of the District, which, of course, would be the same thing. There is no bonded indebtedness upon the system, nor any debt whatever.

Mr. SHAFROTH. Then it was paid for originally out of the general appropriations?

Mr. SMOOT. Yes; the same as the purchase of any other property.

Mr. SHAFROTH. Half from the revenues of the District and half from those of the United States?

Mr. SMOOT. Half from the revenues of the District and half from the revenues of the Government.

Mr. SHAFROTH. I have understood that there are to be some extensions of the water mains, which will cost a great deal of money. If that is going to be the case, it seems to me these moneys ought to be conserved, at least to some extent, for that purpose.

Mr. LANE. Mr. President, allow me to say, for the information of the Senator from Colorado, that, judging from the statement made by the Senator from Utah, the District takes 52 per cent of its revenues derived from water rates to be used for the extension of mains.

Mr. SMOOT. They expended that percentage for the year 1914, and I think perhaps that is a fair average.

Mr. SMITH of Maryland. Mr. President, has the Senator sent up his amendment?

Mr. LANE. I have the amendment here.

Mr. SMITH of Maryland. Has the Senator sent it to the desk?

Mr. LANE. No; I have not sent it to the desk so far. I want to prepare it very carefully.

Mr. SMOOT. I want to say to the Senator offering the amendment that there are two sides to the question as to whether this would be a benefit to the poor people of the District. In my opinion, if this proposed plan were adopted it would stop the opening of many new residence districts outside of the city proper. It would stop the erection of cheaper buildings that the poor people could occupy for less rent. There is that question, which ought to be taken into consideration.

Mr. SHAFROTH. The Senator evidently is very familiar with the affairs of the water department. I should like to ask him whether it is contemplated that there shall be constructed a new source of water supply or water plant. As the Senator knows, we begin the supply of water at Great Falls, and conduct it down to the city. I have been told by persons that I do not know have the correct information that the construction of a new plant is contemplated, a new source of water supply from the Potomac River. If that is the case, I think this money ought to be conserved in the Treasury instead of being used in building mains. In fact, I am somewhat in sympathy with the statement of the Senator from Oregon, because I can not believe it is to the interest of the Government that we should construct mains until they are needed, and until they bring in some revenue upon the amount of money that is invested in building them.

Mr. SMOOT. I will say to the Senator that since the establishment of meters in the District, in 1905, the per capita use of water in the District has greatly decreased. I understand that beginning with that year up to the present time there has been a decrease of 33⅓ per cent. In other words, at that time the consumption per capita in the District of Columbia was 227 gallons per day. Now, as I stated, it is about 33 per cent less than that amount.

Mr. GALLINGER. Mr. President, the Senator will recall that at that time there was more or less agitation, or at least suggestions made, to the effect that we would require another supply.

Mr. SMOOT. Yes.

Mr. GALLINGER. To obviate that some of us interested ourselves in having the houses metered. The waste of water in Washington was enormous. Everybody saw it and knew it, and yet it was not remedied. I will say to the Senator from

Colorado that I feel sure that since the system of metering houses and public buildings has been adopted there is no suggestion of the need of another water supply, certainly not in the near future, and perhaps not in the remote future.

Mr. SHAFROTH. I am thoroughly in accord with the metering of private houses in the District of Columbia as well as public buildings, because I know that it conduces to saving, and necessarily in the end will produce an effect that will make a plant last 40 years longer than it would last under the wasteful system we have had.

Mr. SMOOT. By means of the pitometer service for the prevention of water waste through underground flow there has been saved annually over two million and a half gallons of water in the District that formerly was wasted; and I have not heard any suggestions of late that it will be necessary to expend a large amount of money to increase the water supply in the District of Columbia.

Mr. LANE. Mr. President, that is not the question. The question of metering the water supply piped to a house is a simple proposition, as I suppose anyone that has had any experience with it knows. If it is not metered and measured, the tenant of the house will waste it, or he may do so, either through leaky pipes, poor plumbing, or just ordinary sheer carelessness and shiftless disposition, or to prevent it from freezing in the wintertime, or in the summer through opening all the faucets in order to get a cool drink of water. Every city has discovered that meters pay. Every house should be metered and every supply pipe entering a factory should be metered, and the rate should be equitable.

Everybody wants the people of Washington to have plenty of water, and at as low a rate as possible; but if, from the water rates derived from the city, we are to continue to expend 52 per cent for the extension of mains, without any cost to the property owner, or without any assurance that it will pay the city a return in meter rates, we are making a mistake. We are merely visiting the cost upon the poorer and more thickly settled and older portions of the community for the benefit, in many cases, of speculators—men who buy property for the sole purpose of speculating in it, and are dependent upon this advance made by their poorer fellow citizens in the city to reap their profit.

Why, it is utterly wrong. It is inexcusable. It should not be allowed. Merely calling attention to the fact that the condition exists ought to be, it seems to me, enough to convince anyone.

Mr. President, I submit my amendment, which I ask to have read, and I hope the committee will accept it.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 86, after line 10, it is proposed to insert:

Provided, That from and after the passage of this act the cost of all water mains shall be assessed upon the abutting property upon such time as such mains shall yield a revenue from the sale of water of 5 per cent per annum upon the cost of the same.

Mr. SMITH of Maryland. Mr. President, this, as I understand, would almost entirely revolutionize the present water system. It is new legislation, and there is no estimate made for it; therefore I make the point of order against it.

Mr. LANE. I will say that it does not cost a cent. It will reduce expenditures.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. KERN. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 81, at the end of line 22, it is proposed to insert a colon and the following words:

Provided, That no brick or other building material that may be produced at said workhouse or reformatory shall be sold or offered for sale in competition with the products of free labor, or otherwise to any department or institution of the government of the District of Columbia or of the United States, or to any public or private corporation, partnership, person, or persons.

Mr. KERN. Mr. President, this amendment is offered as an addition to the clause on page 81, which provides as follows:

The commissioners are authorized, under such regulations as they may prescribe, to sell to the various departments and institutions of the government of the District of Columbia and of the United States the products of said workhouse and said reformatory, and all moneys derived from such sales shall be paid into the Treasury—one-half to the credit of the United States and one-half to the credit of the District of Columbia.

I wish to add this proviso so that convict labor which engages in making bricks or other building material shall not come in competition with the free labor engaged in the same business in this District.

Mr. GALLINGER. I will ask the Senator from Indiana what disposition could be made of the brick that is manufactured at the workhouse if his amendment should prevail.

Mr. KERN. I do not know that there is any compulsory law or rule by which they are compelled to make bricks. They could be used on the ground. They could be used for a new building, perhaps, that was being built by the commissioners themselves. I do not know. It is the same question that comes up all the time in regard to convict labor and free labor. The brickmakers, the men who have invested their money in the city of Washington in the manufacture of brick and in dealing in stone and other building materials, and the men who work for them, are, of course, subject to competition with the convict labor at the workhouse and the reformatory. It is the same old question we have had over and over again.

Mr. GALLINGER. At the National School for Boys they are raising flowers. They sell, I think, a couple of thousand dollars' worth, perhaps, in a year. If the florists of Washington should ask that an amendment be put in this bill denying that institution the right to sell those flowers, would the Senator think it was desirable?

Mr. KERN. I suppose that would be a rather small matter compared with this.

Mr. GALLINGER. The principle is the same.

Mr. KERN. I will meet that question when I come to it.

Mr. GALLINGER. I simply want to observe that at a large expense the government of the District of Columbia has purchased nearly 2,000 acres of land, as I remember, in the State of Virginia, for the establishment of a workhouse, and is about to establish a reformatory there. Those people are better off, happier, and more contented if they have some work to do. In the economy of things the commissioners have found that there is clay there and facilities for making brick. I do not know to what extent they have interfered with other manufacturers of brick; I should think perhaps not to any extent at all up to the present time. I can not for the life of me understand, however, why the brick made there should not be used for the construction of buildings in the District of Columbia, which is denied by this amendment, and why those people, most of them committed for minor offenses, some of them for more serious offenses, should not be allowed the privilege of performing some work and being of some use to the community.

I make the point of order against the amendment.

Mr. SWANSON. Mr. President, a point of order can not be made against this amendment.

The PRESIDING OFFICER. The Senator will state the ground of his point of order.

Mr. GALLINGER. I make it on the ground that it is general legislation upon an appropriation bill.

Mr. SWANSON. This is an amendment that was put on in the House. Let the whole amendment go out, and we are satisfied.

Mr. GALLINGER. We are not dealing with the House amendment at all.

Mr. SWANSON. It is an amendment that was put on in the House, and has come to the Senate, and this is an amendment to the House amendment.

Mr. GALLINGER. But it is not an amendment when it comes here from the House. It is a part of the bill.

Mr. SWANSON. No; it is not.

The PRESIDING OFFICER. The Chair is ready to rule on the point of order. The Chair is of opinion that the point of order is not well taken.

Mr. GALLINGER. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Indiana.

Mr. SWANSON. I can not see why the Government should prohibit the sale of convict-made goods and then create here in Virginia a convict camp to interfere with the legitimate enterprises of the people there. There is no limit to which this can go, except the number of convicts; and I can not see why it should be permitted if the Government believes in that policy, which has passed the Senate repeatedly and is a law on the statute books now, but which this provision proposes to repeal. It proposes to repeal a general statute of the United States. We want to exclude these products from the District of Columbia as a matter of justice to some enterprises that would be ruined if this were continued.

Mr. GALLINGER. Will the Senator from Virginia allow me to ask him a question?

Mr. SWANSON. Certainly.

Mr. GALLINGER. Is there not a mistake in the amendment, where it says that it shall be inserted on line 22, page 81? Is it not after line 14, after the amendment of the committee?

Mr. KERN. We may not have the same print. It follows the conclusion of the provision on that subject.

Mr. GALLINGER. I have the bill reported by the committee to the Senate, with amendments.

Mr. SWANSON. It is at the end of that paragraph.

Mr. GALLINGER. Very well. I was misled in regard to that. It is an amendment to the committee amendment, as I understand the matter.

Mr. SWANSON. To the House amendment, that the committee reported; that is right.

Mr. GALLINGER. No; but it is not a House amendment.

Mr. SWANSON. It is the House language.

Mr. GALLINGER. It is under the head of "Reformatory." Is that right?

Mr. SWANSON. It is under the House language, on page 81. That is the House language.

Mr. GALLINGER. It is the House language; yes.

Mr. SWANSON. We insist, Mr. President, that this general law ought not to be repealed by this language so as to injure brick manufacturers, labor, and other enterprises of that character that are covered by this amendment. If the Government is going to have a general policy in connection with convicts, then there is no reason why an exception should be made in this case. Those people can very easily work on Government roads. The convicts in Virginia work on State roads. The Government has sufficient roads to build on its property around here, and I think it would be well to let these convicts be engaged in that business.

Mr. GALLINGER. If they work on roads, do they not work in competition with free labor?

Mr. SWANSON. But nobody objects to that. Nearly all the States have adopted that as a way to let the convicts work. The Government has land over in Alexandria County. There is a necessity of having goods roads over it. The Government owns about one-third or nearly one-third of all the real estate in Alexandria County, and it certainly ought to have good roads through its land. We people in Virginia build good roads up to the Government land, and we are very anxious that it shall continue the roads through its land. The convicts could work on good roads around Washington and the District of Columbia. What we ask is that this general policy, which prevents convict labor from interfering with outside enterprises, shall be continued here, and not have this exception made.

Mr. GALLINGER. While I am as clear in my mind as I ever was about any proposition that this is not general legislation on an appropriation bill, the Chair has ruled that the point of order is not well taken, and I have nothing further to say about it.

Mr. SHAFROTH. Mr. President, I should like to say that in Colorado we have solved this problem as between labor and the manufacturer of goods, and it has been done by the passage of laws that require the convicts to work upon the public roads or to work upon the farms. The competition as against privately owned farms is so slight, because nearly all of the products of the farms go to the world's markets, that it is not objected to at all by the farmers. Consequently we have State farms, and we have gangs of convicts sent out on the public roads.

I want to say, furthermore, that by reason of giving to the convict a commutation of 10 days for every 30 days of service we have produced a revolution in the way of reform in the treatment of prisoners. We do not have any armed guards to conduct the penitentiary convicts in their work—simply two unarmed superintendents to a gang of 50 men—and we have had less escapes than we had under the old system of confining the prisoners.

Everybody recognizes that the convict should be given an opportunity to work and develop his mind and also his body. From a sanitary standpoint, from a health-giving standpoint, this new plan has been found to be most excellent. These men are taken out on the roads, sometimes as far as 200 miles from the penitentiary, and they are put into a camp there, with no wire fences around it and nothing at all to keep them in. The result has been that we have had fewer escapes than under the old plan. The convicts swear before they go out that they will not attempt to escape nor permit any other man to escape. There was an instance where a convict sneaked away, and another convict saw him, and he went to the camp and got a rifle and followed him 8 miles and brought him back and surrendered him to the authorities. Another convict, just before I left Colorado two years ago, came to the office of the pardoning board and said: "I am here to present my own case." He was asked what he was convicted of, and he said "murder." He was serving a life sentence. "How did you get here?" "Why," he said, "I was working 60 miles from here, and they told me I could come down and present my case." He came down and presented his case, and after being heard he went back and continued his work.

If this system produces a reform of that kind, it is not only good, but it is putting the work in the right direction. The labor organizations do not object to it, the farmers do not object to their working on the farms, and it seems to me we ought to confine their labors to those two branches.

Mr. THOMAS. Mr. President, I merely wish to add to what my colleague has said the fact that organized labor not only acquiesces in but actively approves this method of solving the question of convict labor. It improves the standard of the convict; it keeps him in a healthy atmosphere; it appeals to his spirit of honor and fair dealing; it awakens all the manhood that is latent in his breast; and it is in every respect one of the most desirable and, up to date, one of the most successful and practical experiments in handling the difficult question of convict labor that has been made anywhere.

Mr. SWANSON. Mr. President, this bill provides for the construction of enough roads to keep all of these convicts occupied and busy. When I was governor of Virginia we inaugurated in the State the system of working convicts on roads, the State controlling the camps, feeding them, clothing them, guarding them when necessary, and so on. That has been followed in different States. Every State that has tried it has made a marked success of working convicts on the roads. What we protest against is that, instead of doing that, this bill appropriates thousands and thousands of dollars for road work to be paid out of the District funds. Instead of working these convicts on the roads, improving the streets, and doing that kind of work, they desire by this amendment, nullifying the general statute against convict labor, to let them go in competition here with people engaged in the brick, stone, and other businesses. We ask to have their products excluded.

Mr. NORRIS. Mr. President, I was unable to hear the Senator's amendment. I presume it is an amendment offered by the Senator from Indiana [Mr. KERN].

Mr. SWANSON. Yes; by the Senator from Indiana.

Mr. NORRIS. Does it provide that the convicts shall be used in working on the roads?

Mr. SWANSON. It does not. That would be general legislation. They have come in here with a provision changing the general statute in connection with convict labor.

Mr. NORRIS. What does it provide for, briefly? What is the purpose of the amendment?

Mr. SWANSON. That brick and other building material produced by convicts shall not be sold in competition with the same kind of material made by free labor.

Mr. NORRIS. Are they making brick and other building material there now?

Mr. SWANSON. They are going to make brick, and nobody knows what else. They are making some brick now, I think.

Mr. GALLINGER. We have appropriated money, and we have a plant at Occoquan, for the manufacture of brick.

Mr. NORRIS. What would be the objection to letting them make brick, but not dispose of the brick?

Mr. SWANSON. That is all our amendment does. They can make all they please.

Mr. NORRIS. That would be perfectly consistent with our action in some other respects. We spent four or five hundred thousand dollars in fixing up the tidal basin down here, and now we refuse to let anybody use it. On the same theory we ought to make brick for 10 or 12 years and just pile it up and not use it. That would be doing the same thing.

I do not believe you will spend as much money in making brick as you have spent in fixing up the tidal basin unless you should run for 15 or 20 years. We have a good precedent right ahead of us for doing so.

I am in sympathy with the Senator's amendment. I do not believe convict-made materials of this kind ought to come in competition with similar products of free labor.

Mr. SWANSON. As I stated, this does not prevent them from making brick down there. It simply prohibits them from making brick with convict labor in competition with free labor, which is prohibited now by a general statute. We do not think that that statute ought to be repealed and this made a special case for the benefit of the United States Government or anyone else.

Mr. GALLINGER. Mr. President, as I suggested a moment ago, the Chair having intimated how he would rule, I have no disposition to discuss this matter. I will content myself by suggesting to the Senator from Virginia that if the plan they have in Virginia, which he says has been very successful, of having convicts work on the roads, is not any more successful

than it has been in Virginia in making good roads, it must be a failure.

Mr. SWANSON. If the Senator will permit me, the only roads in Virginia that the Senator complains of are in their present condition because Congress is so penurious that in Alexandria County, and where it has property around Washington, it will not appropriate any money to build roads through its own property in spite of the most earnest efforts. The Government does not pay any taxes in Alexandria County. It owns nearly one-third of the land there, but pays no taxes to build roads over its property, which is all we have asked. When we have improved roads up to the Government property, all we have ever asked the Government to do is to connect the roads we have built through its own property upon which it pays no taxes. The roads the Senator complains of are usually roads through Government property that the Government refuses to improve. I should be glad to have these convicts improve them.

Mr. GALLINGER. Is that true of the road between here and Mount Vernon?

Mr. SWANSON. There is very little travel to Mount Vernon except by patriotic travelers. There is no commercial travel in that direction, and yet they expect the people that live along the line of the road from Washington to Mount Vernon to build a road for the use of the 50,000 people that come to Washington each year and go to Mount Vernon. There is not a city in the United States that has a magnificent monument of patriotism and glory like Mount Vernon, there is not a Government in the world that would not be generous enough to build a road to it. To tax the few farms and other lands and small pieces of taxable property from Washington to Mount Vernon to furnish good roads for people all over the United States to get to Mount Vernon is not just and right.

Mr. GALLINGER. We might say that about any of the suburbs of Washington.

Mr. SWANSON. We would like to have these convicts build that road. It ought to be a national road. To ask the small number of people that pay the taxes in that county to furnish a road that is broad enough and monumental enough and to keep it up for the 50,000 to 100,000 people that go there each year, when they are not hauling their own traffic, their own business, or attending to their own enterprises, is absolutely unreasonable. You can never expect the people there to be taxed to furnish transportation over a good road for 100,000 people each year in the United States and keep it in repair. It is a disgrace that Congress has not built a monumental road to Mount Vernon, which ought to be the Mecca of patriotism of every American citizen.

Mr. GALLINGER. The patriotism applies to Virginia as well as to Congress.

Mr. SWANSON. Virginia will pay her part of it.

Mr. GALLINGER. She has not done it.

Mr. SWANSON. She is willing to do it when a part of it comes out of the National Treasury. Does the Senator think that about 50 per cent who live on the road from Washington to Mount Vernon ought to be taxed to pay enough money to keep a monumental road in order for the 100,000 people who travel on this road from all parts of the United States? It would confiscate the farms there.

Mr. GALLINGER. I think the State of Virginia ought to do it.

Mr. SWANSON. Washington is a national character, and when Virginia insists on him as being a Virginian you claim he is a national character. Yet when it comes to paying tribute you say he is a Virginian. When it comes to building monuments and things of that kind, what interest has Virginia in it outside of the interest of the rest of the United States? Every Virginian has been to Mount Vernon. It is a national movement; there is a national desire to go there. The travel is national, the monument is national, the home is held by ladies of every State in the Union. If there is one thing that ought to be national, it is the desire to honor Washington and Mount Vernon.

Mr. GALLINGER. I suppose if we buy Monticello the Government will have to build a road to Monticello, because that is a monument that is national in its character.

Mr. SWANSON. It ought to do it if it is its own property.

Mr. GALLINGER. From Washington?

Mr. SWANSON. Does the Senator think the State ought to be taxed to build monuments and roads through Government property? Is the United States Government so parsimonious and so bankrupt that it can not build roads and take care of its own property and its own monuments?

Mr. GALLINGER. I am not going to argue that with the Senator. His patriotism surpasses mine to such a great extent that it is not necessary.

Mr. SWANSON. I will say to the Senator that the county of Fairfax, one county in the State, has bonded itself nearly $100,000 to construct that road. It has been waiting and waiting for the Government of the United States to cooperate with it so as to have a road that will be an honor to Washington and to Mount Vernon. They have waited for Congress to make an appropriation. I have no doubt when the road is built and it is as monumental and as magnificent as it ought to be, complaint will be made that Virginia ought to build a fairer road. The county of Fairfax has bonded itself, I understand, for $100,000, and I have been trying to get a part of this fund of $250,000 devoted to experimental good roads, but I have not been able to get it. Do you not think $100,000 is enough for that county to give? It ought to be supplemented by several hundred thousand dollars by Congress to have as magnificent an avenue as the world possesses to that great home and Mecca of American patriotism.

Mr. GALLINGER. If Virginia will take a lesson from Maryland in good-road building, Virginia will have an entirely different system of roads from that which she has to-day, and if Virginia will take a lesson from the New England States or from Pennsylvania or New York or New Jersey, she will have better roads than she has to-day.

Mr. SWANSON. I will say——

Mr. GALLINGER. I say with some knowledge that the roads in Virginia are an abomination and a disgrace to that great State.

Mr. SWANSON. The Senator's experience with roads in Virginia is mostly as to those he finds around Washington.

Mr. GALLINGER. A short distance out.

Mr. SWANSON. The trouble around Washington is this, that you can not get the Federal Government that runs Washington to aid us in building roads. All the traffic from Virginia is not to Washington. Alexandria is a city. Baltimore trades largely with Washington, and Washington is the center of business of a great many people. There are good roads around the city of Richmond, the city of Roanoke, the city of Norfolk, and other cities which have united with the counties and made contributions to have good roads made into those cities.

The difficulty we have had in Virginia is that the Government here has been so parsimonious, so illiberal. We have a great deal of Government land south of the Potomac which pays no taxes, and you do not make any contribution to give us roads in that direction. Any city of the size of Washington would be glad to do it.

Mr. GALLINGER. When Virginia gets rid of her tollgates and does something about building better roads more than she has done, I will agree with the Senator.

Mr. SWANSON. We will do that.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana [Mr. KERN].

The amendment was agreed to.

Mr. KERN. I offer the following amendment, which has heretofore been proposed by the Senator from Idaho [Mr. BORAH].

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 49, after line 2, insert:

For the payment of all expenses, including personal services of architects and others, and for prizes to be awarded in a competition for the best preliminary designs for a model 12-room suburban school to be hereafter erected on the site purchased north of Rhode Island Avenue for the Woodridge and Langdon neighborhood, the awards to be made by a committee consisting of the superintendent of schools, the president of the board of education, the Engineer Commissioner of the District of Columbia, the Supervising Architect of the Treasury, and the municipal architect, $5,000.

Mr. KERN. Mr. President, I desire to say in support of the amendment that in the last Congress an appropriation of $12,000 was made for the purchase of land in the neighborhood described for school purposes. The land has been purchased. It is situated in a growing part of the city. The school facilities there are entirely inadequate. I regret that I have misplaced the paper signed by people living in that part of the city setting forth the exact facts. I had them here on Saturday.

The situation is such in the existing school, the facilities are so inadequate, that the children are unable to attend during the full day; that is to say, they have an afternoon school. It is very necessary that a new schoolhouse be built as soon as possible. The ground has been bought, and the only appropriation asked now is that the preliminary arrangements may be made for the building of a schoolhouse. That is the purpose of this appropriation of $5,000. It has been estimated for, I will say, by the school board.

Mr. SMITH of Maryland. Mr. President, I am entirely in accord with the Senator from Indiana in seeking much needed school improvement. That is the case in many parts of the city,

and there were many propositions presented to our committee to improve these schools. We wanted to improve them, but it seems that there having been no estimate for them we had to turn down quite a number of them. I will ask if there is any estimate for this.

Mr. KERN. I pointed it out to the Senator the other day. It is the estimate made by the school board.

Mr. SMITH of Maryland. The Senator from Indiana is right in saying that the school board took it up and gave the amount that would be requisite, but it is not estimated for by the proper authorities—the commissioners—and that is where the estimate has to come from. I would have no objection to this amendment and would be glad, so far as I am concerned, to allow the appropriation to be made, but we have had many requests of this kind, and where there has been no estimate made it would be out of order to introduce it.

The PRESIDING OFFICER. Does the Senator from Maryland make that point of order?

Mr. KERN. I did not understand what the Senator from Maryland said.

Mr. SMITH of Maryland. I say that there has been no estimate for it.

The PRESIDING OFFICER. Does the Senator from Maryland make a point of order?

Mr. KERN. Suppose a little later it should be found that there is an estimate? I am very sure that it was estimated for.

Mr. SMITH of Maryland. I will say to the Senator if there is an estimate for this by the commissioners, it will give me pleasure to try to get it in in conference, and I will agree to let it go in. I do not hesitate to say that, so far as I am concerned, if it was estimated for, I would agree to it, but there has been no estimate. We put in all they estimated for, and would like to have done more.

The PRESIDING OFFICER. Does the Senator from Maryland make the point of order?

Mr. SMITH of Maryland. I do.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. WILLIAMS. With regard to the last observation made by the Senator from Maryland, he could not put it in in conference, because it would not be a subject of difference between the two Houses.

Mr. SMITH of Maryland. That I recognize.

Mr. WILLIAMS. Therefore if anything is to be done it must be done now; it can not be done in conference. It seems to me this ought to be one place on the earth where nobody could reasonably contend that there were not sufficient school facilities. The people of the United States pay one-half of all the expenditures here.

In connection with this particular matter, there ought to be this school there, and it strikes me that with the great District of Columbia, wealthy as it is, paying 50 per cent and the United States themselves, wealthy as they are, paying the other 50 per cent, to have any dispute at all about $5,000 being expended for a school where it is admitted that a school ought to be, where it is admitted by everybody that the educational facilities are not sufficient without it, is sticking in the bark. I hope the Senator from Maryland will let us just vote it through and be done with it.

Mr. SMITH of Maryland. I entirely agree with the Senator from Mississippi that the school facilities of the District are not what they should be.

Mr. WILLIAMS. And they ought to be perfect.

Mr. SMITH of Maryland. They ought to be perfect.

Mr. WILLIAMS. They should be as near perfect as you can get them.

Mr. SMITH of Maryland. This was presented by the school board. There are schools here where they probably have to give only half days to the scholars.

Mr. KERN. That is what they are doing now.

Mr. SMITH of Maryland. We wanted to make this appropriation, but there has been no estimate made for it, and we could not make it.

Mr. WILLIAMS. Whose duty was it to make those estimates?

Mr. SMITH of Maryland. The commissioners.

Mr. WILLIAMS. The commissioners themselves have neglected their duty by not doing what the school board asked to have done. I know the school board pretty well, and they are not going to ask for things they ought not to have. Very frequently they do not ask for all they need.

Mr. SMITH of Maryland. As I stated on the floor of the Senate, we had propositions made by the president of the board, Mr. Blair, in whom I have the utmost confidence, a man that I do not think would ask for anything wrong.

Mr. WILLIAMS. No.

Mr. SMITH of Maryland. But we have not been able to allow them. Of course the committee had to follow the estimates and could do nothing more.

Mr. WILLIAMS. If there is a place on earth where there ought to be a university, a college, a high school, and primary schools going from the kindergarten up, and where there is no excuse under the sun for not doing it, it is right here. This place, of all places on the surface of the earth, ought to be a model for the education of the citizen for two reasons; first, because there is the financial power to have it; and secondly, because it is the Capital of the country. Our institutions rest upon intelligence, and intelligence ought not to be absent anywhere in this District at any rate.

I hope the chairman of the subcommittee will find it possible to accept the amendment.

Mr. SMITH of Maryland. I have not the slightest objection to its going in.

Mr. SHAFROTH. Mr. President, I must say that I feel in sympathy with the chairman of the subcommittee, the Senator in charge of this bill. He has raised the point of order upon other meritorious matters. The matter which the Senator from Nebraska presents is, it seems to me, very meritorious, but if the Senator from Maryland withdraws the point of order which he makes there is no telling when either this bill will be finished or how much the appropriations will amount to.

It is true that perhaps there is a requirement of some kind with relation to this particular section of the city, and yet we have not anything definite in regard to it. If you take the views of one Senator who happens to know of a certain locality, he will insist upon it. It is wise that these things should be controlled to a very large extent by estimates and by a demand upon the part of the commissioners, and then, when your schools are established, they will be established in the right way.

Mr. KERN. If the Senator will allow me, the last Congress purchased the land, and there is no trouble about the location. The school is overcrowded. They are not asking for an appropriation for a building. The appropriation of $5,000 is that the architects may prepare the plans.

Mr. SHAFROTH. I believe that these matters should be presented to the committee and let them at least see all sides, and investigate any objection that may be made to it. Legislating on the floor of the Senate is not a good way to legislate, and inasmuch as the chairman of the subcommittee has made the point of order and a good many other amendments have been presented, it seems to me that it should be insisted upon.

The PRESIDING OFFICER. Does the Senator from Maryland insist upon his point of order?

Mr. SMITH of Maryland. I make the point of order against the amendment.

The PRESIDING OFFICER. The Chair sustains the point of order made by the Senator from Maryland. The Senator from Nebraska [Mr. NORRIS] has submitted a proposed amendment.

Mr. NORRIS. I have an amendment that I want to offer.

Mr. JONES. Mr. President, I wish to call the attention of the Senator from North Carolina [Mr. SIMMONS] to the time that has been consumed on the other side, and also to the fact that when we had a very important amendment here a while ago, in which I was very much interested and upon which I had gathered quite a number of facts and some very interesting observations, I refrained from delivering them to the Senate and refrained from insisting upon having the amendment considered by the Senate. I merely wanted to show the Senator that I am not in the category mentioned.

Mr. NORRIS. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. On page 49, after line 2, insert:

> Hereafter any balance remaining after the purchase of the site for the Eastern High School may be applied for the purpose of putting said site in a condition suitable for the uses for which it was purchased.

Mr. SMITH of Maryland. Mr. President, I shall have to raise the point of order against the amendment.

Mr. NORRIS. I should like to inquire what rule the Senator is seeking to invoke now in this respect. I do not believe the amendment is subject to a point of order.

Mr. SMITH of Maryland. It is not estimated for. There is no law giving them the right to use the money for this purpose.

Mr. NORRIS. This is in the nature of a limitation on an appropriation already made. The Eastern High School site has

been appropriated for, but the site is not yet purchased. The Senator can not tell us now how much money is going to be left. There may be none. If there is none, this particular limitation would have no effect; but as near as we can estimate there will be something left if the site is purchased that has been discussed here, and I believe some proceedings have been commenced to condemn it.

Mr. SMITH of Maryland. I am not able to state from my own personal knowledge, but the information we have is that the amount will approximate about $40,000, and the purpose is to use that money for a purpose the present law does not justify.

The PRESIDING OFFICER. The amendment does not increase the appropriation. It seems merely to qualify the amendment. So the point of order is overruled.

Mr. GALLINGER. I suggest to the Senator from Nebraska to change the amendment so as to read "hereafter any balance or so much thereof as may be necessary."

Mr. NORRIS. Yes; I think that is an improvement.

The PRESIDING OFFICER. Without objection, the amendment will be considered as modified in that way. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEE of Maryland. I offer the following amendment. I should like to call the attention of my colleague [Mr. SMITH] to certain bearings of it after it has been read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 41, at the end of line 11, at the end of the items for the McKinley Manual Training School, insert the following proviso:

Provided, That in the expenditure of these appropriations for manual-training high schools there shall be no discriminating charge made against pupils from any State or Territory of the United States, who shall be admitted and taught on the same basis as pupils residing, or whose parents reside, in the District of Columbia.

Mr. LEE of Maryland. Mr. President, I should like to call the attention of the chairman of the subcommittee in charge of the bill to this amendment. It adds no additional expense and is not an appropriation that has not been estimated for. It merely provides how that which is already appropriated shall be expended. It is not general legislation, because it applies to the expending on an appropriation. Under these circumstances I trust the amendment will be acceptable to him and to the Senate.

Mr. GALLINGER. But, Mr. President, does not the amendment contemplate that pupils from all over the country can come here and be taught free of charge in these schools? That seems to be pretty general legislation.

Mr. LEE of Maryland. It is no more general than the appropriations made in this bill are general. Here is an appropriation for a purpose, and the amendment provides that the appropriation shall be spent in such and such a manner. It is absolutely germane with the spending of the money and is absolutely free from any objection under the rule.

Mr. President, I should like to call the attention of the Senate to the subject of this amendment, and I believe it will commend itself to their kindly sympathy.

The State of Maryland has gone to great expense in creating a school of technology in Baltimore under the Johns Hopkins University. The initial expenditure that the State made for that school of technology was $600,000. That school is open for general education along these absolutely important lines, especially important to the people of that section of the United States. It is the preparation for these schools of technology that the Manual Training High School provides. Any ambitious boy who wants to pay the railroad fare—and, of course, the number would be strictly limited, because it is a special business—any poor boy who is willing to make that effort certainly ought to get that much encouragement from the expenditures in the National Capital. I am simply asking that that may be done. Particularly I call the attention of the Senator from New Hampshire, who has been talking about the roads in Virginia, that here is a case where a State has made a liberal and large expenditure for technical education and that we want the District of Columbia to reciprocate for the preliminary preparation upon this line of important schooling to the limited extent that any poor boy coming into this District and paying the transportation might be willing to take advantage of.

Mr. GALLINGER. Mr. President, I am not going to make a point of order against this amendment. I do not know whether any other Senator will or not; but I want to say to the Senator from Maryland that while Maryland has built good roads and spent large amounts of money in building them, Maryland does not ovrlook the fact that we have to pay pretty liberally for using them. The Senator's proposition is to open our technical schools. He ought to include the Armstrong Manual Training School, which is a colored school strictly, because that has equal rights, certainly, with the other. He proposes to open those technical schools to the pupils from all over the United States to come here and be educated free of charge.

I see no reason why we should not open all our schools on the same basis, why our grammar schools and primary schools and kindergarten should not be opened if technical knowledge is to be opened. I do not think it is good legislation.

Mr. WILLIAMS. Mr. President——

Mr. GALLINGER. I yield to the Senator from Mississippi.

Mr. WILLIAMS. Does not the Senator from New Hampshire think, the fact being considered that parents of children outside of the District of Columbia pay 50 per cent of the cost of carrying on these schools, their children ought to be entitled just as much to attend them as the children of parents who live in the District of Columbia, who pay only the other 50 per cent? I agree with the Senator that it ought to apply to all the schools here. Every school in Washington, from the primary up, ought to be as free to the children of the parents who do not live in the District of Columbia, who pay one-half, as to the children of parents who do live in the District of Columbia, that pay the other half.

Mr. GALLINGER. Of course that is broadening the proposition, as I suggested, and if that is to be the policy I think it would be very much better policy than to simply apply it to one class of our schools.

Mr. SWANSON. Mr. President, it seems to me this ought to apply to all schools in Washington, as suggested by the Senator from New Hampshire. Of course the States that would be benefited most by it would be the States of Maryland and Virginia. A great many people bring their children here from other States. Many people who are officeholders and live in Virginia are permitted to send their children here. They pay very little taxes in Virginia, and that makes it more or less difficult to have as good high schools and as good a grade of schools around Washington as otherwise we would have. That condition has to some extent hurt Virginia and Maryland.

Mr. GALLINGER. Will the Senator permit me?

Mr. SWANSON. Certainly.

Mr. GALLINGER. Possibly the Senator has not looked at the amendment that the committee reported and which has been agreed to at the bottom of page 46. The committee has met with the proposition, on the one hand, that the school should be open free of charge to everybody. On the other hand, it was claimed that they ought to be open to the States contiguous to the District of Columbia. The present law allows people performing official duties here to have their children educated in the District of Columbia. The committee has enlarged that so as to provide that—

Hereafter all pupils whose parents are employed officially or otherwise in the District of Columbia shall be admitted and taught free of charge in the schools of said District.

So that any man from Maryland or Virginia or anywhere else who is doing business in the District will have free entrée to the schools of the District. I think we have liberalized it to a very large extent.

Mr. SWANSON. Yes; but we ought to go further, I think, than we have gone. The people of the United States pay one-half the expense of supporting schools in Washington, which I favor and have always voted for, because I feel that it is just and proper and right. When the people of the United States pay one half for supporting the schools of Washington it seems to me but just that the children of the other half should have the privilege of the schools. That is all we have ever asked. It is that we should have a half partnership in the benefits of Washington as we have a half partnership in its burdens.

I do not see why the United States Government, that favors education for the benefit of all its citizens to raise them to a higher grade of citizenship, should object to any citizen of the United States being permitted to come to Washington and get an education. I hope the amendment will prevail.

Mr. WILLIAMS. The geographical problem will keep them from getting here.

Mr. SWANSON. The very geographical problem suggested by the Senator from Mississippi will keep it from being abused. You must remember in Maryland and Virginia there live a great many officeholders in Washington who simply have homes and board in Virginia and their children go to our schools. We get little taxes from them. They have the privileges of schools in Maryland and Virginia, and the principle of reciprocity ought to extend to the people of these two States the privileges of the schools of Washington, because a proportionately large part of the officials in Washington have the privi-

leges of the schools of Virginia and pay practically no taxes to support them.

Mr. NORRIS. I did not hear the reading of the amendment. I ask the Senator from Virginia if this amendment has particular application to Maryland and Virginia?

Mr. SWANSON. Not at all; it applies to any citizen of the United States.

Mr. NORRIS. In its practical application will not the result be that the benefits will be derived by the citizens of Maryland and Virginia?

Mr. SWANSON. Very largely that is true; but the Senator must remember that Maryland and Virginia very largely educate free of cost a large part of the children of the officials in Washington who have suburban homes in Maryland and Virginia.

Mr. NORRIS. Yes; I presume that is true. I have not said anything against the amendment.

Mr. SWANSON. We thought it but right that there should be reciprocity; and we thought it was not proper to limit its scope to Maryland, which would be a discrimination; but the geographical situation of other States will make it an impossibility for the privilege to be abused in the way of overcrowding the schools of Washington.

Mr. NORRIS. Of course it ought to be general in its terms.

Mr. SWANSON. It ought to be.

Mr. NORRIS. Yes; but, as a matter of practical application, the benefits will be derived by the people of Virginia and of Maryland.

Mr. SWANSON. That is largely true.

Mr. NORRIS. The Senator understands, does he not, that this amendment is subject to a point of order? The chairman of the committee, coming from Maryland, would, of course, make the point of order on something which affects Maryland, as he has made it on other similar amendments.

Mr. SMITH of Maryland. I will say to the Senator from Nebraska that the Senator from Maryland will look after it in the proper way when the time comes. I take it for granted, however, that the Senator's idea is, it being a Maryland matter, that I would not make the point of order.

Mr. NORRIS. I have suggested that of course I knew the Senator would do so.

Mr. SMITH of Maryland. I understand what the Senator has suggested, but we can sometimes draw our own conclusions.

Mr. NORRIS. Yes; and I am going to draw mine, Mr. President. The debate had gone on here so long and no point of order had been made that I had already commenced to draw it.

Mr. SHAFROTH. Mr. President——

Mr. SWANSON. I yield to the Senator from Colorado.

Mr. SHAFROTH. I am on the committee with the Senator from Maryland [Mr. SMITH], and I feel that a point of order ought to be made against the amendment. I therefore make the point of order.

I want to say, with relation to the matter, that the half-and-half principle as applied between the Government of the United States and the District of Columbia has nothing to do, as it seems to me, with an amendment of this kind, because the United States Government, as a government and the holder of property in the District, is supposed to get its compensation in the way of protection from the District. Therefore it is not fair to say that everybody in the entire United States shall have privileges of this kind in addition to the Government having such privileges. For that reason I do not believe that the half-and-half principle applies or should apply to a matter of this character.

Mr. President, it seems to me that as every school district in the United States provides whenever a child comes into that district it shall pay tuition of some kind, it is nothing but fair to the people of the District whenever a child comes into their schools from any State, they giving to the Government, by reason of the Government paying one-half of the expense, this protection in all directions in government, the same rule ought to prevail. The price of the tuition is not high; it is not regarded as a very great burden; and it seems to me that, in order to protect the people of the District of Columbia with respect to this matter, the point of order ought to be made. I therefore contend, Mr. President, that the point of order that this amendment is general legislation should prevail.

Mr. LEE of Maryland. Mr. President, I offered this amendment, and the Senator from Nebraska [Mr. NORRIS] probably did not listen to my preliminary explanation.

Mr. THOMAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. THOMAS. Is the point of order debatable?

The VICE PRESIDENT. It is not.

Mr. THOMAS. I make the point of order that the point of order is not debatable.

Mr. LEE of Maryland. I ask the Senator to withhold his point of order for a moment.

Mr. THOMAS. I am quite anxious to see a final vote upon this bill this week, and the prospect is not now very promising.

The VICE PRESIDENT. The Chair believes the amendment to be general legislation and sustains the point of order.

Mr. LEE of Maryland. I appeal from the decision of the Chair.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. LEE of Maryland. Is an appeal from the decision of the Chair debatable?

The VICE PRESIDENT. It is.

Mr. LEE of Maryland. Mr. President, I am glad to lay before the Senate the fact that this amendment is drawn with the intent of not being open to a point of order. The amendment provides that in the expenditure of the appropriations made by this bill they shall be expended so and so. You, Mr. President, were out of the Chamber when I explained the amendment. I doubt very much, if you had not been by absence cut off in listening to the statement of the amendment, that you would have decided as you have decided. In fact, I doubt very much, Mr. President, if you ever read the amendment before you decided the point of order.

The VICE PRESIDENT. The Chair does not believe that the Chair is called upon to sit here and have statements of that kind made from the floor of the Senate, which impugn the honor, honesty, and integrity of the Chair.

Mr. LEE of Maryland. Mr. President, I certainly want to disclaim any reflection upon the honor or the honesty of the Chair. I am perfectly willing to have the Chair say whether he had ever read the amendment before.

The VICE PRESIDENT. The Chair did read the amendment and is now rereading it.

Mr. LEE of Maryland. I am glad that the President is rereading the amendment.

Mr. President, the question whether the expenditure of a sum of money can be regulated by the Senate without having a point of order made against that regulation is the question now before the Senate. There is not a single dollar added to this appropriation by that amendment, not a single cent of burden is thrown upon any taxpaying contributor, but the amendment provides that the money shall be spent so and so. If that is not within the discretion and power of the Senate in passing an appropriation bill, the power of the Senate over appropriation bills has practically gone. Any Member of the Senate can rise and make a point of order under this ruling and take out of the hands of the Senate the power to say how money appropriated shall be expended.

I wish the Senate could decide this for themselves, and I regret that you, Mr. President, have brought in the issue of your own dignity as the presiding officer in the discussion of this minor matter. I disclaim any reflection upon you, and I ask the same consideration from the Chair.

Mr. President, I will ask to have the amendment read.

Mr. NORRIS. I want to ask the Senator from Maryland some questions in regard to the amendment. The amendment is, on page 41, at the end of line 11, to insert:

Provided, That in the expenditure of these appropriations for manual-training high schools there shall be no discriminating charge made against pupils from any State or Territory of the United States, who shall be admitted and taught on the same basis as pupils residing, or whose parents reside, in the District of Columbia.

What I wanted to ask the Senator was, if it were not true that there is now on the statute books a law that does make such a discrimination?

Mr. LEE of Maryland. There is general legislation to that effect; but this particular appropriation by this amendment, properly and consistently with the rules of the Senate, is proposed to be taken from under that general legislation by reason of a special provision with reference to this particular appropriation.

Mr. NORRIS. Does the Senator contend, because of the language immediately preceding or following this in the bill, that it would modify the intent really of this provision? I have not considered it in connection with the other language of the bill.

Mr. LEE of Maryland. I maintain that the Senate in making an appropriation can apply that appropriation in a way that might not be consistent with general legislation.

Mr. NORRIS. Yes; but outside of this bill, in a general law, as I understand, there are provisions made by which there is a

discrimination against people coming into the schools of the District from outside of the District. Is not that true?

Mr. LEE of Maryland. I so understand.

Mr. NORRIS. They have to pay tuition, and I do not know but that there are some other regulations with which they have to comply. The effect of this amendment would be to repeal that law, would it not?

Mr. LEE of Maryland. To the extent of the expenditure of this appropriation. That is just what I have said to the Senator very distinctly.

Mr. WORKS. Mr. President——

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

Mr. NORRIS. I yield to the Senator.

Mr. WORKS. Mr. President, the admission just made by the Senator from Maryland [Mr. LEE] that this amendment would have the effect of repealing or modifying the existing statute proves clearly that it is general legislation.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. LEE of Maryland. I ask to have the amendment stated before the vote is taken.

The VICE PRESIDENT. The Secretary will state the amendment on which the opinion of the Chair is challenged as to whether or not it is general legislation.

The SECRETARY. On page 41, in the item relative to the McKinley Manual Training School, at the end of line 11, it is proposed to insert the following:

Provided, That in the expenditure of these appropriations for manual training high schools there shall be no discriminating charge made against pupils from any State or Territory of the United States, who shall be admitted and taught on the same basis as pupils residing, or whose parents reside, in the District of Columbia.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. NORRIS. I ask for the yeas and nays, Mr. President.

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

Mr. GALLINGER (when his name was called). I announce my pair with the junior Senator from New York [Mr. O'GORMAN], who is absent. If I were privileged to vote, I should vote "yea."

Mr. SMITH of Georgia (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE] and withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT], but I am informed that, if he were present, he would vote with me on this question. I therefore feel at liberty to vote, and do vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], but I am informed by his colleague that, if he were present, he would vote "yea" upon this question. I feel, therefore, at liberty to vote the same way. I vote "yea."

The roll call was concluded.

Mr. GALLINGER. I transfer my pair with the Senator from New York [Mr. O'GORMAN] to the senior Senator from Pennsylvania [Mr. PENROSE] and vote "yea."

Mr. SUTHERLAND. I transfer my pair with the senior Senator from Arkansas [Mr. CLARKE] to the senior Senator from New York [Mr. ROOT] and vote "yea."

Mr. GRONNA. I desire to announce that my colleague [Mr. MCCUMBER] is necessarily absent from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN].

Mr. STONE (after having voted in the affirmative). I inquire if the Senator from Wyoming [Mr. CLARK] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. STONE. Then I will have to withdraw my vote, as I have a general pair with that Senator.

The result was announced—yeas 60, nays 1, as follows:

YEAS—60.

Ashurst	Hughes	Page	Smith, Mich.
Bankhead	James	Perkins	Smoot
Bristow	Johnson	Pittman	Sterling
Bryan	Jones	Poindexter	Sutherland
Chamberlain	Kern	Pomerene	Swanson
Clapp	La Follette	Reed	Thomas
Culberson	Lane	Robinson	Thompson
du Pont	Lea, Tenn.	Saulsbury	Tillman
Fletcher	Lippitt	Shafroth	Townsend
Gallinger	Martin, Va.	Sheppard	Walsh
Gore	Martine, N. J.	Sherman	Warren
Gronna	Myers	Shively	Weeks
Hardwick	Nelson	Simmons	White
Hitchcock	Oliver	Smith, Ariz.	Williams
Hollis	Overman	Smith, Md.	Works

NAYS—1.

Lee, Md.

NOT VOTING—35.

Borah	Clarke, Ark.	Lodge	Root
Brady	Colt	McCumber	Shields
Brandegee	Crawford	McLean	Smith, Ga.
Burleigh	Cummins	Newlands	Smith, S. C.
Burton	Dillingham	Norris	Stephenson
Camden	Fall	O'Gorman	Stone
Catron	Goff	Owen	Thornton
Chilton	Kenyon	Penrose	Vardaman
Clark, Wyo.	Lewis	Ransdell	

So the Senate sustained the ruling of the Chair.

The bill was reported as amended, and the amendments made as in Committee of the Whole were concurred in.

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

The bill was read the third time and passed.

THE MERCHANT MARINE.

Mr. FLETCHER. I move that the Senate proceed to the consideration of Senate bill 6856.

The VICE PRESIDENT. The Senator from Florida moves that the Senate proceed to the consideration of a bill the title of which will be stated.

The SECRETARY. A bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

The VICE PRESIDENT. The question is on the motion of the Senator from Florida.

Mr. GALLINGER. On that I ask for the yeas and nays.

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

Mr. GALLINGER (when his name was called). I announce my pair with the junior Senator from New York [Mr. O'GORMAN], and for that reason withhold my vote. If I were privileged to vote, I should vote "nay."

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 transfer that pair to the Senator from South Carolina [Mr. SMITH] and vote "yea."

Mr. MYERS (when his name was called). I inquire if the Senator from Connecticut [Mr. MCLEAN] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. MYERS. I have a pair with that Senator, and in his absence withhold my vote.

Mr. THORNTON (when Mr. O'GORMAN'S name was called). I again announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN], on account of illness in his family, and I ask that this announcement stand for the day.

Mr. SAULSBURY (when his name was called). Transferring my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Nevada [Mr. NEWLANDS], I vote "yea."

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from New York [Mr. ROOT] to the junior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. TILLMAN (when his name was called). I have a pair with the Senator from West Virginia [Mr. GOFF]. As he is not here, I withhold my vote.

Mr. CHAMBERLAIN (when Mr. VARDAMAN'S name was called). In reference to the junior Senator from Mississippi [Mr. VARDAMAN], I am requested to announce for this vote and the last that he is unavoidably detained from the Senate.

The roll call was concluded.

Mr. SUTHERLAND. I transfer my pair with the Senator from Arkansas [Mr. CLARKE] to the Senator from Idaho [Mr. BRADY] and vote "nay."

Mr. GALLINGER. I transfer my pair with the Senator from New York [Mr. O'GORMAN] to the Senator from Wisconsin [Mr. STEPHENSON] and vote "nay."

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. SMITH of Georgia (after having voted in the affirmative). I transfer my pair with the senior Senator from Massachusetts [Mr. LODGE] to the junior Senator from Tennessee [Mr. SHIELDS], and allow my vote to stand.

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. Not knowing how he would vote if he were present, and not having secured a transfer of my pair, I must withhold my vote. If I were at liberty to vote, I would vote "yea."

The result was announced—yeas 39, nays 24, as follows:

YEAS—39.

Ashurst	Johnson	Owen	Smith, Ga.
Bankhead	Kern	Poindexter	Smith, Md.
Bryan	La Follette	Pomerene	Stone
Chamberlain	Lane	Robinson	Swanson
Culberson	Lea, Tenn.	Saulsbury	Thomas
Fletcher	Lee, Md.	Shafroth	Thompson
Gore	Martin, Va.	Sheppard	Thornton
Hardwick	Martine, N. J.	Shively	Walsh
Hughes	Myers	Simmons	White
James	Overman	Smith, Ariz.	

NAYS—24.

Brandegee	Dillingham	Oliver	Sterling
Bristow	du Pont	Page	Sutherland
Burton	Gallinger	Perkins	Townsend
Catron	Gronna	Sherman	Warren
Clapp	Jones	Smith, Mich.	Weeks
Clark, Wyo.	Nelson	Smoot	Works

NOT VOTING—33.

Borah	Fall	McLean	Shields
Brady	Goff	Newlands	Smith, S. C.
Burleigh	Hitchcock	Norris	Stephenson
Camden	Hollis	O'Gorman	Tillman
Chilton	Kenyon	Penrose	Vardaman
Clarke, Ark.	Lewis	Pittman	Williams
Colt	Lippitt	Ransdell	
Crawford	Lodge	Reed	
Cummins	McCumber	Root	

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. BURTON. Mr. President, on Thursday, the 7th of January, I was addressing the Senate on this bill. It was requested that it be laid aside for the District of Columbia appropriation bill. At that time no one anticipated that so long a time would be required for the consideration of the latter measure, so I am compelled to take up my remarks after a considerable interval. The time which has elapsed and the fact that certain Senators are now here who were not here on the prior occasion will justify some small amount of repetition. I may also say that there have been developments in relation to this measure since the 7th of January which justify a further reference to the argument advanced on that occasion.

So far as I know, not a single chamber of commerce or commercial body in the United States has expressed itself in regard to the measure except in condemnation. No organization of that nature has expressed a favorable opinion of this bill. Opposition has been voiced by the Chamber of Commerce of the City of New Orleans in one of the most cogent set of resolutions yet voiced against the measure; and yet that is the city which it is maintained by the advocates of the bill is the most seriously injured by the present situation and most in need of the passage of the bill. If you await a declaration by the press of the thick-and-thin partisan type, its voice has been raised unanimously against this measure. Another development in regard to this bill has also occurred; that is the reference to the measure made by the President of the United States in his speech at Indianapolis. At some later time I may take occasion to comment upon it as well as upon the address of the Secretary of the Treasury at Chicago, but I wish to dwell today upon certain fundamental facts and principles involved in this very manifest departure from the policies adopted by the United States.

Mr. DU PONT. Mr. President, I call attention to the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Hollis	Perkins	Sterling
Brandegee	Hughes	Poindexter	Stone
Bristow	James	Pomerene	Sutherland
Bryan	Johnson	Reed	Swanson
Burton	Jones	Robinson	Thompson
Chamberlain	Lane	Saulsbury	Thornton
Clark, Wyo.	Lea, Tenn.	Shafroth	Walsh
Culberson	Martine, N. J.	Sheppard	Warren
Dillingham	Myers	Shively	Weeks
du Pont	Norris	Simmons	White
Fletcher	Oliver	Smith, Ariz.	Williams
Gallinger	Overman	Smith, Ga.	
Hardwick	Page	Smoot	

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

Mr. BURTON. Mr. President, on January 7 I referred to a number of very important questions involved in this discussion, which I trust will be very carefully discussed.

The one which presents itself at the very outset is the general policy of Government ownership. It will be recognized that the operation of a business by the Federal Government which heretofore has been conducted by private parties is a very serious departure from established policy. Furthermore, the entering upon such a field by a country so large and so populous as the United States is clearly distinct from the same question as presented by a small country like Switzerland, for instance, or Belgium.

The second question which presents itself is whether it is desirable or feasible, in any form of enterprise, that it should in part be conducted by the Government and in part by private enterprise.

Abraham Lincoln, in an expression which has been very widely quoted, said that the country could not remain half slave and half free. It is very desirable that any policy of government shall be of uniform application throughout the country. It is equally desirable that in the conduct of any form of activity either private or public agency shall have exclusive control. The best thought of the country has favored, in municipal enterprise, exclusive control, either by the municipality or by private parties. In case both take up any form of public-service enterprise—electric lighting, gas works, water works, or whatever it may be—there is sure to be collision, duplication of plants, higher costs, and probably inefficiency.

The argument oftentimes used for a partial occupancy of the field by the public is that the municipal electric plant, or whatever it may be, will serve as a check on private exploitation, will prevent extortionate prices, and will secure improved service; but in almost every instance this has not proved to be the case. The result is that neither is sufficiently equipped to occupy the field, that neither performs a service as good as would be rendered by one plant having full responsibility for funding the service. Exactly this question arises here.

It is not contemplated that the Government shall attempt to purchase and operate ships on a scale which will supply more than a bare fraction of the transportation industry by sea. The merchant marine of the United States however decadent it may be in over-sea traffic, has been estimated to have a value of $560,000,000. This estimate, of course, is a mere approximation. This bill contemplates an expenditure of $40,000,000, or one-fourteenth of that amount. Not only reasoning on general principles, but judging by the experience of cities which have entered the field of public utilities on a small scale, we may confidently predict that ill success would result from such an attempt as this.

Then there is a third question: Is this a kind of enterprise into which the Government can profitably enter? To my mind the arguments are strongest successively on these three questions: First, against Government ownership; second, against partial Government ownership and partial private ownership; third, against this particular field of effort.

The shipping business is one which in an unusual degree is successfully conducted or unsuccessfully conducted in accordance with the skill and the experience of those engaged in it. Those who are successfully engaged in the business have made it a lifelong occupation. One gentleman who has presented here a statement of ocean traffic and his objections to this bill visited the Plate country in 1863 and has been familiar with the trade to the east coast of South America for more than 50 years. Is it probable that the members of the Cabinet or any men who have been engaged in other occupations can enter into the field of transportation and do as efficient work as these men who have given their lives to it?

Some seem to think that a few men may gather around a table, smoke cigars, discuss questions requiring expert knowledge and ability, and reach conclusions as wise as those who have given their lives to that particular business. I have met persons who thought that the great inventions were the result of some sudden inspiration; that the great discoveries in electricity came from men who, as it were, peered out into the darkness and brought in an electric light or a telephone or something of the kind. Such, however, is not the case. The great inventor, Mr. Edison, stated a few weeks ago that genius consisted of 10 per cent inspiration and 90 per cent perspiration. If the Government should organize a corporation and engage in the shipping business, there would be in the management perhaps 10 per cent of inspiration and almost surely 90 per cent of inexperience, which inevitably, in any business enterprise, results in bad management, inefficiency, and failure.

Again, in order to conduct the shipping business successfully it is necessary to create or secure the ready use of wharves and other terminal facilities. The ships which sail the ocean can not maintain a successful business without convenient

and expeditious opportunities for loading and unloading. They must have, in addition to that, affiliations with shippers. They must have knowledge as to the routes of trade. They must anticipate the future and provide for future demands. They must have a knowledge of the seasonal movements of freight and must solve the intricate problem of its most efficient transportation.

Still further, in many instances the business of shipping is connected with that of the merchant. The sea captains of Maine and of the other States of New England who followed their calling with such wonderful success and made our clippers and sailing ships the marvel of ocean transportation were not merely the owners of the boats; they traded to the Indies and to China, made their purchases from merchants, brought the products of far-off Cathay and of the Orient to the United States, and sold them at a profit. While this is not true to-day in so large a degree as it was 100 or 75 or even 50 years ago, it is still a feature of the shipping business. The shipowner may have a cargo to South America, to the west coast, or to the east coast, and may engage in the venture, being assured of freight only for the outward voyage. At the other end he may discover that there is no return cargo. In view of that situation he purchases products of South America—nitrates, ores for reduction, or agricultural products.

Is the Government going to engage not merely in the shipping business, but in the mercantile business as well? Instances are sure to arise in which the purchase of a return cargo would be absolutely necessary for the successful conduct of the business; and yet I can not conceive that a corporation dominated by the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce could engage in trade.

Thus we see that if this Government is about to enter upon any line of activity which heretofore has been left to private enterprise, one of the most unfavorable fields which it could enter is that of the buying and operation of ships. Indeed, I think there is much of validity to a remark which was made to me a few days ago to this effect: "If I were the worst enemy of Government ownership, there is nothing over which I should have more cause for congratulation than the entry of the Government of the United States into the ownership and operation of ships."

Mr. President, in my remarks a few days ago I omitted one very important line engaged in the traffic to the east coast of South America. That is the Lloyd Brazileiro, a Brazilian line which owns some 100 ships in all and which controls from 40 to 45 per cent of the tonnage plying to the east coast of South America. I have a statement from the manager of that line in New York, to which I shall refer later, in which he condemns this bill.

Mr. NORRIS. Mr. President——

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

Mr. BURTON. I do.

Mr. NORRIS. I wish to inquire of the Senator if all the ships owned by this line are engaged in the traffic between ports in North America and ports in South America?

Mr. BURTON. No; they are not; in fact, only a comparatively small share of them—10 or 12.

Mr. NORRIS. Where are the most of them engaged?

Mr. BURTON. The rest are engaged in local traffic along the coast of Brazil. The coastwise trade of Brazil is provided for probably as well as that of any country of an equal degree of advancement.

Mr. NORRIS. How many of these ships, if the Senator knows, are engaged in the traffic between ports in the United States and South American ports?

Mr. BURTON. I think about 12, although I do not know that I can speak with certainty.

Mr. NORRIS. Do they have a regular schedule?

Mr. BURTON. Some of them do. For instance, the Senator from Nebraska will note that, according to advertisements in the New York Herald, two ships are scheduled to sail from New York to Rio de Janeiro, one on February 10 and one on March 10. Some of the boats carry passengers.

Mr. NORRIS. How large are these boats that are engaged in the traffic between the ports of the United States and South American ports?

Mr. BURTON. Their dead-weight capacity would be, I take it, about the same as that which I gave for the general type of boats to South America—from six or seven thousand to ten or twelve thousand tons.

Mr. NORRIS. How frequent are the sailings? How often is it possible now to ship freight between, say, New York and Brazilian ports?

Mr. BURTON. That, of course, depends upon the freight that is available; certainly every month.

Mr. NORRIS. Do they carry mail?

Mr. BURTON. The passenger boats that sail on these established schedules carry mail.

Mr. NORRIS. And carry passengers?

Mr. BURTON. And passengers, as well.

Mr. NORRIS. Why is it that as a general thing—or, at least, I have heard it so stated a great many times—the passengers going from the United States to South America go first to Europe?

Mr. BURTON. There are several reasons for that. In the first place, the average trans-Atlantic passenger is accustomed to luxurious accommodations. That has its effect upon all the passenger traffic, whether it be to Europe or to any other part of the globe. It must be conceded that these boats which ply to South America of the Lloyd Brazileiro and the Lamport and Holt lines are not quite up to the standard of the boats, say, of the Cunard Line, the White Star Line, the North German Lloyd Line, or the Hamburg-American Line. If there is any one fact that is characteristic of passenger traffic out of the United States, it is the demand for the very highest grade of accommodations. I remember that not many years ago the manager of the North German Lloyd Line stated to me that the first cabins to be taken on his line were the cabins de luxe; that they were oftentimes engaged a year in advance.

Mr. NORRIS. Is it the contention of the Senator that this bill is unnecessary because there are enough ships to supply this trade?

Mr. BURTON. I endeavored to show that in my former address to the Senate.

Mr. NORRIS. If that be true, then why the necessity of going first to Europe to get to South America?

Mr. BURTON. In the first place, they offer a higher grade of accommodations. In the next place, many passengers to South America enjoy the opportunity of a brief stay in England or somewhere else in Europe on their way. Then, again, there are close financial relations between Brazil and England and other European countries, and in the transaction of business it is often very desirable to stop in Europe on the way.

Mr. NORRIS. In going from Europe to South America the passengers do not encounter that difficulty, do they?

Mr. BURTON. What is that?

Mr. NORRIS. That the boats are not of the luxurious nature to which the Senator referred.

Mr. BURTON. The Royal Mail Line from Southampton is a line of excellent boats. I would not say that they were of so much higher grade than those from New York to South America, but, nevertheless, they are better boats. They are faster and more up to date.

Mr. NORRIS. There certainly must be something of that kind. The persons who go that way because they want better accommodations must be able to get better accommodations from Europe to South America than they can get from the United States to South America.

Mr. BURTON. Oh, it is a better class of boats. That opens up a very, very wide field that I had not intended to dwell upon at this time; but I will say briefly that conditions are such that the traffic from Europe to South America is naturally larger than from the United States to South America. The most profitable passenger business, and perhaps the most profitable business of any kind, that a trans-Atlantic steamship enjoys is that of carrying steerage passengers. That is point No. 1.

Mr. DU PONT. Mr. President——

Mr. BURTON. I will yield to the Senator from Delaware in just a minute; I want to answer the question of the Senator from Nebraska.

There is a very large migration from points in Europe to South America, going from Lisbon and the northern ports of Europe to Brazil, to some extent to Argentina, and a very large migration from Italy to the Argentine Republic. That makes it possible to put on boats that are larger and that are of a more expensive type than those from New York to Rio de Janerio and the Argentine Republic. That is point No. 1. They have an established business taking care of this emigration.

No. 2. The return cargoes are more abundant, especially from Argentina, than they are to the United States. The products of the Argentine Republic and of Uuruguay—Uruguay is, perhaps, the fourth country commercially in South America, although it is small in size—are competitors with our own in the case of wheat, meats, and, to some small extent, corn. Any boat sailing from Europe to any one of those ports would have a far better opportunity for a return cargo to Europe than it would to the United States. Indeed, I am compelled to say that this promises, at the present time at least, to be a permanent disad-

vantage resting upon passenger through lines between New York and South America—at least, to the east coast—as compared with boats from Europe.

Mr. NORRIS. What the Senator has said in regard to passengers going first to Europe applies also to the freight, does it not, to a great extent?

Mr. BURTON. Not by any means to the same extent.

Mr. NORRIS. How far does it apply?

Mr. BURTON. I quoted—and the Senator from Nebraska will find it on pages 1189 and 1190 of the RECORD—a statement showing the sailings, first, of the Prince Line, from January 1, 1914, to September 30; and, second, of steamers dispatched from New York to Brazil and the River Plata. It appeared, as regards the Prince Line, that the sailings during this time, which were two to four a month, in every single instance, before the war and after the war, were made with a very large amount of empty cargo space. The most notable——

Mr. FLETCHER. Mr. President——

Mr. BURTON. In just a minute. The most notable illustration was the sailing of the *Portuguese Prince* August 2. It had 175,500 cubic feet of unused space. That would mean a cargo capacity of nearly 4,500 tons, which, I take it, is considerably more than half the carrying capacity of the boat. It also appears that of boats sailing from New York to this part of South America—Brazil and the Argentine Republic—there were 96 voyages in 9 months, an average of a little more than 10 per month. Now I shall be glad to yield to the Senator from Delaware.

Mr. DU PONT. The Senator from Ohio has anticipated the answer to the question I was going to propound. I was going to ask if it was the fact that vessels sailing from New York directly to South America had been loaded to their full capacity.

Mr. BURTON. In no case. While I am on that point let me read what was said in the joint letter of the Secretary of the Treasury and the Secretary of Commerce, transmitted here and printed December 29 last, on pages 10 and 11, beginning toward the bottom of page 10:

> As a matter of fact, the demand for cargo space to South American ports is not sufficient to fill the steamers which are leaving for such ports. It is a notable fact that many of the South American lines are sending boats out of New York, frequently after a long detention, in order to secure a proper cargo, with vacant space. Mr. Lilly, of Norton, Lilly & Co., pointed out that last year his company had 17 steamship sailings from New York to the River Plata. This year this company has had only 10 steamship sailings. The steamship *San Francisco*, of this company, has been held in New York since November 16 waiting for a cargo. This steamer should have sailed December 5, but it is not expected that a sufficient cargo will be secured until toward the first of the year.

This is from a letter in which the passage of this bill is advocated, and yet they state in the clearest language that there is an abundance of shipping now to the east coast of South America.

I shall be glad to yield to the Senator from Florida now.

Mr. FLETCHER. I want to submit to the Senator from Ohio in all fairness if it is not true that the statement just made, and which the Senator made the other day and which he gave figures to substantiate, that ships sailing from New York to South American ports with so much space unoccupied really means nothing. A ship may be loaded down to her mark and still have a large amount of cubic space unoccupied. Is not that the case?

Mr. BURTON. Oh, no. This statement is intended to show the actual capacity for carrying cargo. Every 40 cubic feet that is not occupied would mean empty space for a ton of freight.

Mr. FLETCHER. Precisely; that was not occupied.

Mr. BURTON. This much is correct in what the Senator from Florida suggests. I suppose in an ordinary voyage there is a certain amount of space which it is not expected to fill; but the amount here is, in almost every case, exceptional.

Mr. FLETCHER. I simply submit that a statement showing unoccupied space and the argument that there was a showing of that kind does not mean that the ship might not have been absolutely loaded to her limit.

Mr. BURTON. Oh, not to her limit.

Mr. FLETCHER. She might have plenty of cubic space unoccupied and still be carrying all the load that the law would allow her to carry.

Mr. BURTON. Oh, no. As I have stated, this table was prepared with a view of showing the amount of cargo in tons, which, without loading her below her proper load line, she could have carried. The same is true, while I am on this subject, of shipments to the west coast of South America. In this case also there is the same abundance of tonnage. As I believe I stated the other day, there has been a very considerable falling off in the demand by South America for heavy freight. The railway building is in a measure suspended. The provisions for lighting plants and other public utilities which would be made in case of favorable conditions there have fallen off; and that is a condition not altogether caused by the war, but is due to financial conditions in the leading countries of South America, which have reduced their purchasing power.

I have noticed a statement frequently that trade follows the flag. I may some time wish to argue that proposition. It is a kind of shibboleth used by extreme protectionists. I concede a certain amount of force in that expression, whether you use it with reference to trade with colonies where the flag of the mother country floats or whether, as it is more commonly used, you apply it to the flag of the boat and its ownership. But instead of laying down a general rule that trade follows the flag, it is nearer to the truth to say that the flag follows trade; and still nearer, especially in the conditions that prevail in a new country, that trade follows the extension of credit by an older country to a newer one.

Mr. SIMMONS. Mr. President——

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

Mr. BURTON. I do.

Mr. SIMMONS. I wish to ask the Senator a question for information. The Senator has been telling us about ships that ply between this country and Brazil having a great deal of unoccupied space. Has the Senator investigated with a view to finding out whether those plying directly between this country and Europe do not have under ordinary circumstances a good deal of unoccupied space?

Mr. BURTON. Under certain conditions at certain seasons of the year.

Mr. SIMMONS. Is it not rather a rare thing that a freighter from this country to any country is filled to its full capacity?

Mr. BURTON. I would say that in the case of passenger boats they may quite frequently depart with unoccupied cargo space.

Mr. SIMMONS. They are combined passenger and freight.

Mr. BURTON. The fast passenger lines carry mail and carry express freight, and do not depend so largely on coarser freight. I say further, as I said to the Senator from Florida, that under normal conditions it would hardly be expected that a boat would be loaded to the maximum on every trip.

Mr. SIMMONS. Is it not also true that if a vessel is loaded with some very heavy freight she may be loaded to her carrying capacity and yet have a good deal of unoccupied space?

Mr. BURTON. Yes; if the freight were heavy as compared with its bulk.

Mr. SIMMONS. No; say lead or iron. While she would be loaded to the extent of her carrying capacity, yet she might have a great deal of space left.

Mr. BURTON. Yes; that would be true. These figures were, however, prepared with a view to showing the amount of freight which should normally be carried, and it was thought the amount of cubic space afforded the best indication of carrying capacity. In two or three instances boats went to Norfolk to take on coal for the voyage, because it was thought desirable to fill in the unused space with coal for the round trip, it being possible to obtain coal there more cheaply than in South America.

Mr. SIMMONS. Will the Senator let me ask him another question? The Senator said a little while ago that there was considerable indirect intercourse between this country and Brazil and other South American countries; that is, it went to Europe and then back to Brazil. That, he said, was true both of freight and of passengers.

Mr. BURTON. Much more of passengers than of freight.

Mr. SIMMONS. That is true also of mail matter?

Mr. BURTON. Yes; to a certain extent.

Mr. SIMMONS. A good deal of mail matter from this country to South America is carried first to Europe and then from Europe to South America. Why is that? Is it because it can go quicker? A passenger can not only have better accommodations but he can go quicker——

Mr. BURTON. I can not answer that.

Mr. SIMMONS. By way of Europe than he can directly from the United States to South America.

Mr. BURTON. That question can not be answered categorically.

Mr. SIMMONS. Is not that true with reference to a cargo? Of course, time is very much the essence of transportation. Is it not true that cargoes from this country destined to South America can frequently reach there quicker by going first to Europe and then to South America?

Mr. BURTON. That depends upon the boat. Suppose a boat sails on the 1st, the 11th, and the 21st of each month directly to South America and makes the usual time—17 days—to Rio, Santos, Barbados, Trinidad, and to Pernambuco, and perhaps to Bahia. No shipment could be made by way of Europe to surpass that in shortness of time. But suppose between the interval of steamers making the trip of 17 days it is desired to forward freight, in view of the fact that it would be a week or two weeks, perhaps, before there would be a through fast boat, the freight could then be sent quicker by way of Europe. I am satisfied, although I do not make the assertion with the utmost confidence, that the custom of transshipment by way of Europe is much less in vogue than it was formerly; that is, it is just like every other line of freight which responds to demands, and as our trade to South America increases the facilities increase.

Mr. SIMMONS. Obviously, if the Senator will permit me, if a boat starting from here went directly to South America at the same speed, it would go there very much quicker than it would go by way of Europe. But, as a matter of fact, boats going from here to Europe and from Europe to South America have regular sailing days, have regular schedules, and are generally fast boats, while boats going from here to South America have no regular sailing days.

Mr. BURTON. Two lines maintain regular sailings.

Mr. SIMMONS. I know they have no regular schedules in many cases, and they have stopping points; as a matter of fact, as I have understood it, in many cases it is found much more expeditious for either a person or his cargo to go by way of Europe to South America than to rely upon the irregular service that we have directly between here and South American ports.

Mr. BURTON. That is due to a condition which is easily explained. There are not passengers enough to justify sailings to South America except with a certain degree of frequency. The Lamport & Holt Line sent out a boat every week until this struggle came. Recently by lack of freight and passengers they have been sending boats out less frequently. Before that line was established the facilities for reaching South America were much inferior to what they are now, due largely to the fact that there was not enough passenger traffic to justify a high-grade service. The question arises, How are you going to help that condition with a Government line? If you can not afford to send ships that make fast time, and that is the situation after years of trial, what are you going to do? Are you going to put a Government line on there and run it at a big loss; run it whether there is freight or not?

Mr. SIMMONS. I will say to the Senator that so far as I am concerned I shall hope very much if this bill passes that we will have a regular line controlled by the Government between here and Brazil with just as good passenger accommodations and just as good freight accommodations and just as quick schedules as boats running from here to Europe. Now let me ask the Senator another question.

Mr. BURTON. Let me make a remark right there. If that be the case, why not run to South Africa? Why not run to New Zealand? If you have rapid-running steamships, why not establish service to other countries of the world?

Mr. SIMMONS. We will not run them simply for the purpose of having rapid steamships, but we will run them for the purpose of having adequate steamships.

Mr. BURTON. What is going to be your policy about it? Are you going to run them with the idea that it is a good plan to run ships to every part of the world, irrespective of traffic, or are you going to run your boats where there is traffic to justify it?

Mr. SIMMONS. I would run them for the purpose of accommodating the present traffic. I would run them for the purpose of building up additional traffic. The lack of trade that there is between this country and these great countries to the south of us is because of the lack of adequate transportation.

But I did not rise to get into a debate with the Senator. I wanted to get some information from him. I want to direct his mind to this point, because I should like to have his views upon it. I know he has studied this question pretty carefully.

The Senator has said that there are not sufficient cargoes to fill the boats that are already available running directly between here and South America. He has said that there was a large part of the traffic between here and South America that went by way of Europe for one reason or the other.

I will ask the Senator this question: Suppose all the traffic between this country and the countries of South America were provided with adequate transportation and quick transportation for passengers and freight, does he not suppose that this triangular process would cease, and the ceasing of that would stop the present methods of carrying half or a third or a fourth of the freight and passengers from here to South America by way of Europe and then to South America? If it were all concentrated directly between here and South America, would it not very greatly increase the tonnage of vessels plying directly between this country and South American countries?

Mr. BURTON. I am not so sure about that. There would still be a certain amount of traffic that would go around that way, particularly of passengers; but, as it seems to me, with the greatest respect, the fallacy of the argument of the Senator from North Carolina is that you are to put on boats irrespective of the demand for them. You can not do business in that way. You can not send boats to South America or establish a line like the Cunard Line, with the *Mauretania* or the *Lusitania*, and make it profitable. You must adapt your transportation facilities to the demands of trade.

Mr. SIMMONS. Would the Senator from Ohio think, therefore, that a railroad company should not build a road anywhere until there was sufficient traffic already developed to that place to make the railroad profitable?

Mr. BURTON. Oh, railroads are built in anticipation of the growth of trade, and just so are steamship lines. Steamship lines have already been established to South America, in anticipation that they would build up traffic. There is no difficulty about that, but the service established must have some regard for the reasonable expectation of traffic.

I say again that it is my impression, though I can not speak with entire confidence that the triangular traffic, so called, has very much diminished in recent years. The reason for its existence hitherto is partly personal preference of passengers and the convenience of shippers, and more, perhaps, because the traffic has not been sufficient to justify the highest grades of accommodations.

Why, Mr. President, I very boldly make the prediction that if the Government should put on a line to South America of the same high standard as the lines to Europe they would soon find that it would prove an extravagant and wasteful experiment.

As regards traffic with the west coast of South America, there is a point that assumes the utmost importance which should be taken into account—that is the conclusion of the work on the Panama Canal. This canal greatly increases the efficiency of each unit of shipping plying from New York to and from all Atlantic and Gulf ports and to most of the ports of South America. For instance, the round trip from New York to Callao, the principal port of Peru, involves a sailing of 20,000 miles. With the opening of the Panama Canal it is 10,000 miles. That does not mean that a boat can make twice as many trips from New York to Callao as before, but it does mean a greatly increased efficiency in the transportation of freight between those two places. For instance—this reason will appeal to the Senator from California [Mr. PERKINS]—you can not make twice as many trips, because there are certain stops which must be made, and those stops will still occupy the same amount of time, but the sailing distance and the time required therefor would be cut in two.

Mr. GALLINGER. Mr. President, will the Senator from Ohio yield to me?

Mr. BURTON. Certainly.

Mr. GALLINGER. Just at this point I wish to ask does not the fact that the Panma Canal has substantially reduced the sailing distance one-half force us to the conclusion that we will need fewer ships to do whatever business there is between our country and South America than we have for that purpose under existing conditions?

Mr. BURTON. Certainly; and that is now making its influence felt.

Mr. GALLINGER. That is true.

Mr. BURTON. There is also another factor. The Chilean and Peruvian Governments are placing a line on the west coast of South America. Is there not a British line which has been in operation for many years from Panama south? The Senator from California [Mr. PERKINS] will understand about that. How many steamers have they?

Mr. PERKINS. About 13.

Mr. BURTON. They have, of course, been interfered with somewhat by the war; but the line is still running ships.

There is one point which I neglected to explain in answering the question of the Senator from Nebraska as to the reason for the wide disparity between the number of boats belonging to the Lloyd-Brazileiro, or the Brazilian Line, and the number engaged in through traffic from New York to Brazil. Perhaps four-fifths of those boats are used for local traffic along the coast of Brazil. I started to explain that, but some question intervened and I did not conclude my statement.

There are a number of ports which by reason of their shallowness would shut out large-sized boats such as would make

the trip from New York down south of the Equator. Another reason, perhaps even more substantial, is that a sufficient cargo could not be obtained to make it worth while to stop at any of these numerous small ports. Thus the freight is carried in large boats from New York to Pernambuco or Bahia or Rio, or perhaps Santos, and it is distributed from those points by transshipping from a large boat to a smaller one or by placing it in the warehouse; and on some occasions it is carried by smaller boats of those lines into the domestic or local ports.

In this connection, Mr. President, I wish to present a list of questions, which I trust will be answered at an early date by the advocates of this bill. I shall read them and then take them up one by one and comment upon them. They are as follows:

1. Will it be the policy of the Government to select a special route for such ships? On what route is a line to be established?

2. If so, what will be the determining factors in selecting the route?

3. Will the choice be determined with a view to getting any particular American commodity to market? If so, what product; and what will be the determining factors in the selection?

4. What American port or ports will be adopted as the export and import points, and what will be the rule for determining the choice?

5. Will the desire to build up new trade be the determining factor? If so, how will this be accomplished?

6. Will it be the policy to operate the boats on a profit or no-profit basis? If on a no-profit basis, will it not drive all American shipping off the routes invaded? If on a profit basis, can you demonstrate on what routes and by what economic saving this can be accomplished to better advantage than by private shipping?

7. Will boats be required to follow definite routes; that is, will the plan be to establish a line of steamers with regular schedules, or will the steamers be left free to accept charters at will? If so, will they not engage in the world's random trade and not offer any definite assurance of promoting American exports and imports?

8. Where is the Government to secure its ships? If by construction, can they be secured soon enough to relieve the so-called emergency? If by purchase, from whom?

9. If the purchase of interned vessels is contemplated, will it not prejudice the quality of our neutrality? If such purchase were at all feasible, could it not be accomplished with less prejudice by private capital than by public capital?

10. If the desire is to build up an American merchant marine, will not this bill defeat its own purpose by driving private capital out of the business? Is there not a larger amount of private capital ready for the purchase of ships which is kept from investment by this bill than is contemplated to be expended by the bill itself?

11. Should the almost impossible happen and the Government-owned line prove profitable, to whom would it be sold?

12. Will the managers of this Government line enter into conferences or agreements with existing lines?

13. Will boats be acquired for special service, such as the carriage of fruit, meat, or oil?

14. Will the policy of the Government be to operate the boats through the proposed corporation or to charter them to private parties?

There is one question at the very beginning that assumes great importance in this matter: Is this to be a permanent or a temporary policy? It seems to me we are entitled to know what is intended by those who insist upon the enactment of this measure.

It is of the utmost importance that it should be definitely understood whether the provisions of this bill are intended to correct an immediate emergency in the shipping trade or whether they are intended to inaugurate a permanent policy. Without knowing definitely what is intended, it is impossible to determine the adequacy or desirability of the means proposed. These propositions are so entirely different that they can not be met with equal efficiency by the same economic facilities. For example, if a temporary emergency only is contemplated, the essence of the relief is that it shall be immediate and instantly potent. Delay would defeat entirely its adequacy. If a real emergency exists which can be remedied only by Government agency, then the Government would be justified in a course of action which could not be justified under less imperative conditions. If there were any possible way of securing ships, it might be defensible to pay under such circumstances more than their real commercial value. It should be noted, however, that to provide immediate relief it is necessary to secure additional tonnage. No mere transfer of tonnage will be of any avail.

If, on the other hand, it is desired to establish a permanent policy, then the minutest consideration should be given to its economic features. Every detail of business economy in building, purchasing, equipping, and operating such fleet should be exercised. For the Government to go into such an enterprise with less consideration than this would be indefensible. If such a policy is contemplated, then the present time is most inopportune for its inauguration. There has not been a moment since the Civil War when boats could not be secured to better advantage than at present. The Government could not buy a single bottom without paying from 50 to 100 per cent more than it is actually worth. The expense of building under present conditions is also considerably above normal. The slightest consideration of prevailing conditions must make it evident to anyone familiar with the shipping business that a permanent policy of Government ownership could not be initiated under more unfavorable auspices.

It is for considerations of this sort that it is absolutely imperative that the Senate should be given the fullest assurance as to what the real policy is of those who are insisting on the enactment of a ship-purchase bill. Only then can the Senate proceed to any intelligent consideration of the question. To mix the proposals produces an impossible situation.

It seems to me, Mr. President, that this assumes primary importance at the very start. Exactly what is intended? Is it intended simply to meet this emergency, or is the Government embarking on a policy of owning a considerable amount of shipping? If it is to meet the emergency, how are you going to do it?

I will take up more in detail the questions which I have enumerated. Will it be the policy of the Government to select a special route for such ships? If so, on what route is a line to be established? In my remarks on the 7th of January I asked the question, "Where is the route on which you propose to place these ships?" In reply, we were informed that that was a question for the shipping board to determine, and it was said, "We will cross that bridge when we come to it." Well, Mr. President, we have reached that bridge already. Should not the advocates of this bill tell us where, in the multitude of routes extending over the entire globe, is there one on which you can place ships acquired under this bill?

The first agitation for the measure was on behalf of an increased trade with South America; but your own Secretary of the Treasury and your Secretary of Commerce have negatived that proposition, for they say that boats find it hard to obtain cargoes for South American ports; that a boat which was to have sailed on the 5th of December had not left port on the 29th of December because of the lack of freight. Therefore there is manifestly no need for any boats to those ports. Will it be to Java or to Hongkong and Calcutta? There does not seem to be any scarcity there. Indeed, they will probably have a surplus of boats to spare from that trade, which is very well established, to transfer for service across the Atlantic. They would have transferred them before this except for the fact that owners of shipping lines do not wish to suddenly change the established routes which they have adopted and for which they have been long furnishing facilities.

Another reason is found in the hope that the present war will not be of long duration.

To make this appropriation and leave it to any shipping board is too much like the blind pools which speculators form, when some one of financial standing says, "I want a couple of million dollars; I can buy some stocks at a profit." He is asked, "What are you going to do?" "Oh, I will not tell," he replies; "the enterprise is of so confidential a nature that I must refuse to tell what it is; you must put your money into a pool with mine and permit me to determine what disposition shall be made of it."

In the appropriations which we make for different objects Congress has always insisted on knowing the purposes for which the money is to be expended. Thus far in this debate not a word has been said by the proponents of this measure as to where these boats would be used. I asked whether they were for South America and China. Or do you intend to put on a line of boats running to Bremen? Is it desirable to send boats over that route, which for 150 miles is strewn with floating mines, many of which have probably broken loose from their original anchorage and are liable, without a moment's warning, to send a ship to the bottom and all the men on it to eternity?

Mr. POMERENE. Mr. President——

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

Mr. BURTON. Certainly.

Mr. POMERENE. Is not the reason the Senator is now giving a very good one why we should not determine these routes?—because these vessels may not be ready for six months or a year, we will assume for the sake of the argument, and the Senator is now speaking of the fact that the sea is strewn with mines in many places. Of course, if it is strewn with mines now a vessel should not be put on a given route. If the route that is in contemplation six months hence should be strewn with mines, clearly the board that has control ought not to place the vessels where they would be in jeopardy.

Mr. BURTON. In other words, disregarding present conditions, the boats are to be built for the routes where they may be required 6 or 12 months hence. By the way, the suggestion of my colleague does not allow sufficient time for their construction. For boats of any considerable capacity it requires at least 9, 10, or 12 months before they can be made ready for the sea. In its last analysis you are simply saying, "Eliminate all the routes; we have at present no routes where it is desirable to place them now, but just give us the money, and we will build the ships, and by that time there will exist routes on which they can be profitably used."

In this troublous time, when so large a share of the world is convulsed with war, if any man can look into the vista of the future and tell where there will be a profitable route 9 months hence or 12 months hence, he is endowed with a wisdom denied to mere mortals.

Mr. POMERENE. Mr. President, it occurs to me that it is just because we do not have that wisdom now that we should not decide now what we will do a year hence.

Mr. BURTON. What is my colleague's idea—may I ask—that we should buy boats or build them?

Mr. POMERENE. My thought is to buy, if we can; to build, if we must. As I read the public prints to-day, it seems to me that the one question which confronts the business public now is that we have not the necessary means of transportation. That is an established fact; and that being so, the first step is to provide means of transportation. When the Government has these vessels, we can then determine where to place them so as to get the best use out of them.

Mr. BURTON. That, Mr. President, is piling uncertainty upon uncertainty. "We know of no route now where they could be used. But we recognize a certain emergency, and when we are through building them we will know where to send them."

I submit that if we are going to commit this country to such a course as this we ought to know now where these ships are to be obtained.

In the first place, it is said, "Buy some." Is there some place where the Government of the United States can buy ships, but where private individuals can not buy them? Is there some hidden harbor or cove in some remote portion of the world where these vessels are moored and where Government agents alone will find them? I assert with the utmost confidence that not merely forty millions—the amount it is expected the Government will invest in ships—would have been invested by this time by private capital in vessels to carry American produce, but one hundred millions would have been so invested, except for the inevitable feeling in the business world that they can not compete with the United States. It is an effective check upon every plan for enlarging the merchant marine of the United States, because the policy to be pursued by the Government is a mystery locked in the breasts of a few men not yet even selected.

Nobody knows what you propose to do. Do you intend to run these boats at a loss and operate them at such low rates that private shipping will be driven from the ocean? That is one possibility. Are you going to pick out the best and most fruitful routes and run the boats on those alone, saying to American shipping: "You shall have the remainder, the skim milk, as it were, and we will take the cream."

With these questions undecided, no company or private individual is willing to proceed, however much he may desire to engage in the business—a business in which perhaps he has been engaged all his life and in which, except for this threat, he sees now a golden opportunity for advancement. If we answer this question in the negative, I am confident that there will be a larger number of boats sailing the ocean under the American flag than if we pass this measure, and that the facilities for shipments will be far superior to what they now are.

Why, it seems to me that Congress, in the exercise of its prerogatives—this Congress that sometimes demands to know what use is to be made of the paltry sum of a thousand dollars—should know what is to be done with the thirty or forty millions which we are asked to deliver into their hands without being admitted to their confidence. We are driven to the conclusion that if you do not tell us for what you are going to use it you do not know yourselves, and that there is no useful purpose to which it can be applied.

It is true that heretofore large sums have been placed in the hands of the President, as in the case of the Panama Canal, but it was to accomplish a definite object, clearly understood, and approved by the American people. Yet here we are told that we must leave it to this board to use their discretion, and that we must indeed wait until the boats are built. Why, we fervently hope that when the time has passed within which ships could be built the drums of war will have ceased to beat, and every boat now blockaded in the harbors of any nation will weigh anchor and again set sail, resuming its place along the great routes of trade, and furnishing a supply which shall be ample for the shipping of the entire world.

If there is any business enterprise that would be foolish at this time, it is that of building ships with the uncertainties incident thereto, with their increased cost, and with the probablity that when they are finished there will be no use for them.

What will be the determining factor in establishing the route? How are you going to settle that? Are you going to put on boats to carry wheat, cotton, and meat? If so, are you going to build boats expressly for the purpose of carrying meat, or are you intending to buy them? Shipping is now highly specialized. One class of boats, with their refrigerator chambers, are built to carry fruit; another to carry meat, with the same facilities for refrigeration; and another to carry oil. If the Government goes into the shipping business, it should make provision for all these varied kinds of trade. Is this enterprise intended for the cotton grower alone? Is it for the wheat producer alone? Or is it for the meat producer alone? Why, you might spend all of your money, and before you were through you might not have enough to carry the wheat, the corn, or even the cotton that is shipped from this country.

Do you propose to help one trade or one line of production alone? And if so, is that fair to the American people? From what ports are you going to send out these ships? Will New Orleans, whose chamber of commerce has protested against this bill, have them all, or the bulk of them? Will they all sail from Galveston? Or will they, as is the usual tendency, concentrate at New York?

You can not sail from one port one week and from another port another week. If the business is to be conducted profitably, if you are going to obtain freight for your vessels, those who manage this proposed line must keep track of the trade in each locality. Must Galveston complain because New Orleans gets all the ships? Must Boston be left to say, "We are being ignored, and all these ships are going to other ports"?

These questions show the futility of the plan under which it is proposed to enter the shipping business, unless you handle all the commerce which offers. If you take part of it, you are doing an injustice to a great majority of the industries of the country and favoring one or even a few of these industries. You are doing an injustice to the great majority of the ports of the country, and again favoring but one or a few of them.

I presume it will be said, "We will send the boats as they are needed." Yes; but who will know where they are needed? One port may say, "There is a scarcity of shipping here." The shipping agents may say, "If there is a scarcity of shipping there, it is because there is not enough freight to make it profitable, or because they are unwilling to pay the natural prices on traffic from that port." Will you empower a political board to decide all those questions?

I must say, Mr. President, that I think there is a very rational ground for apprehension about leaving the decision of those questions to any political body. Some months ago, when the question of the location of regional banks was before us, I expressed my belief that it would be better if we passed a resolution that no Member of this body should go before the organization board to urge any place for such a bank. I believed it would be better to leave to the board the decision as to the proper localities, because every one of us knows, and the people know, that when you leave those questions to a political board there is bound to be favoritism.

Now, there are certain questions which settle themselves, and settle themselves correctly. One of these is the normal relation between demand and supply. For illustration, if the place where a boat is needed to ship freight, and the kind of freight which ought to be carried be left to this normal law of trade, all will be well. But if you appoint a board, and introduce resolutions in the Senate and the House to learn why did we not send the *Dacia* to Charleston or the *Prince Joachim* to Galveston, and permit Senators and Representatives to importune the dispatch of boats to particular points, there is sure to be trouble.

So, if you establish this kind of a corporation and buy a few boats, perhaps one-fourteenth of the number that are needed, you can not manage the enterprise without favoritism. You can not manage it without conferring a benefit on some interest or locality to the prejudice of all the rest.

Mr. GALLINGER. Mr. President——

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

Mr. BURTON. I do.

Mr. GALLINGER. If it will not interrupt the Senator, I want to call his attention to the steamship facilities that we now have between this country and South America. A friend of mine who is very well versed in this matter has given me a list of the steamship lines, and if it will not interrupt the Senator I should like to read them.

Mr. BURTON. To South America?

Mr. GALLINGER. To South America.

Mr. BURTON. I shall be glad to have them read. I think I mentioned all of them except the Lloyd Brazileiro in a table I gave the other day, but it will be well to repeat them.

Mr. GALLINGER. I think the Senator must have omitted some. There is the Red D Line, with which the Senator is familiar.

Mr. BURTON. Yes. That does not go to Brazil. That only goes as far as Venezuela.

Mr. GALLINGER. To Venezuela; yes. There is the United States & Brazil Steamship Line, an American line.

Mr. BURTON. That is a United States Steel Corporation Line, and carries their products largely.

Mr. GALLINGER. Yes. There is the United Fruit Co., an American line; the New York-South American Line, an American line; the Luckenback Line, an American line; the Booth Steamship Co.; the Lamport & Holt Line; the Royal Dutch Line; the Quebec Steamship Co.; the Trinidad Line; W. R. Grace & Co.——

Mr. BURTON. They sail to the west coast.

Mr. GALLINGER. To the west coast—the Prince Line; the Lloyd Brazileiro Line; the Funch Edye Line; the Houston Line; the Barber Line; the Houlder, Wiere & Boyd Line; Wessels, Duval & Co.; the Merchants' Line; the Seeberg Line; and the Munson Steamship Line.

Of course some of those do not go to the farther ports, but they are all between our country and South America. I will ask the Senator if in his investigations—and very little has escaped the Senator from Ohio in this matter, he has discovered the fact that there is not a port of South America, with the exception of Rio, where a ship drawing more than 23½ feet can enter?

Mr. BURTON. They are changing so rapidly that I would not dare make that statement now. I think some are deeper than that.

Mr. GALLINGER. The information I have is very recent. I suppose the Senator knows that those ships in that trade are built upon a model somewhat different from the ordinary ships. They are broader beamed and lighter draft. So it is necessary to build ships of that type, or, if we bought ships for that trade, we would have to reconstruct them all at a very great cost.

Mr. BURTON. That is another reason which should be conclusive against putting on ships of the most advanced type, like those that sail between the United States and Europe, some of which draw nearly 40 feet and require very deep and wide harbors. It is not merely a matter of draft. They are unwilling to go into ports unless there is ample room to maneuver, as shown by the fact that the Cunard Line has recently declined to stop its boats at Queenstown because of the danger in entering that port.

Mr. OLIVER. Mr. President——

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

Mr. BURTON. I do.

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

Mr. FLETCHER. I raise the point of order that there has been no business transacted since the last call was made.

The VICE PRESIDENT. The Senate has decided heretofore that unless business shall have intervened since the last roll call disclosing a quorum the point of order is well taken. There has been no intervening business since the last roll call disclosed a quorum. The Chair therefore sustains the point of order.

Mr. GALLINGER. I move that the Senate adjourn.

Mr. FLETCHER. On that I ask for the yeas and nays.

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

Mr. CLAPP (when his name was called). I have a general pair with the Senator from North Carolina [Mr. SIMMONS], and on this question I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my pair with the Senator from New York [Mr. ROOT] to the senior Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. In his absence I withhold my vote.

Mr. CHAMBERLAIN (when Mr. VARDAMAN'S name was called). The junior Senator from Mississippi [Mr. VARDAMAN] is unavoidably detained from the Senate.

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

The roll call was concluded.

Mr. GALLINGER (after having voted in the affirmative). When I voted I inadvertently overlooked the fact that the junior Senator from New York [Mr. O'GORMAN] is not present. I transfer that pair to the junior Senator from Idaho [Mr. BRADY] and allow my vote to stand.

Mr. JOHNSON. Has the junior Senator from North Dakota [Mr. GRONNA] voted?

The VICE PRESIDENT. He has not.

Mr. JOHNSON. I am paired with that Senator and withhold my vote.

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I transfer my pair with that Senator to the Senator from Ohio [Mr. POMERENE] and vote. I vote "nay."

Mr. JAMES. Has the junior Senator from Massachusetts [Mr. WEEKS] voted?

The VICE PRESIDENT. He has not.

Mr. JAMES. I transfer my pair with that Senator to the junior Senator from Kansas [Mr. THOMPSON] and vote. I vote "nay."

Mr. STONE (after having voted in the negative). I voted, not noticing that the Senator from Wyoming [Mr. CLARK] is not present. I have a general pair with that Senator. I transfer that pair to the junior Senator from Mississippi [Mr. VARDAMAN] and will allow my vote to stand.

Mr. LEA of Tennessee. I transfer my pair with the Senator from South Dakota [Mr. CRAWFORD] to the Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. JOHNSON. I transfer my pair with the Senator from North Dakota [Mr. GRONNA] to the Senator from Colorado [Mr. SHAFROTH] and vote. I vote "nay."

The result was announced—yeas 11, nays 36, as follows:

YEAS—11.

Brandegee	Nelson	Perkins	Stephenson
Bristow	Oliver	Poindexter	Warren
Gallinger	Page	Smith, Mich.	

NAYS—36.

Ashurst	James	Myers	Smith, Ariz.
Bankhead	Johnson	Norris	Smith, Ga.
Bryan	Kern	Overman	Stone
Chamberlain	La Follette	Pittman	Swanson
Fletcher	Lane	Reed	Thomas
Hardwick	Lea, Tenn.	Sheppard	Thornton
Hitchcock	Lee, Md.	Sherman	Walsh
Hollis	Martin, Va.	Shively	White
Hughes	Martine, N. J.	Simmons	Williams

NOT VOTING—49.

Borah	Cummins	McLean	Smith, S. C.
Brady	Dillingham	Newlands	Smoot
Burleigh	du Pont	O'Gorman	Sterling
Burton	Fall	Owen	Sutherland
Camden	Goff	Penrose	Thompson
Catron	Gore	Pomerene	Tillman
Chilton	Gronna	Ransdell	Townsend
Clapp	Jones	Robinson	Vardaman
Clark, Wyo.	Kenyon	Root	Weeks
Clarke, Ark.	Lewis	Saulsbury	Works
Colt	Lippitt	Shafroth	
Crawford	Lodge	Shields	
Culberson	McCumber	Smith, Md.	

The VICE PRESIDENT. No quorum having voted, the Secretary will call the roll.

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

Ashurst	Fletcher	Kern	Oliver
Bankhead	Gallinger	Lane	Overman
Bristow	Hardwick	Lea, Tenn.	Page
Bryan	Hitchcock	Lee, Md.	Perkins
Burton	Hollis	Martin, Va.	Pittman
Catron	Hughes	Martine, N. J.	Pomerene
Chamberlain	James	Myers	Ransdell
Clapp	Johnson	Nelson	Reed
Colt	Jones	Norris	Robinson

Sheppard	Smith, Ga.	Thomas	White
Sherman	Stephenson	Thornton	
Simmons	Stone	Tillman	
Smith, Ariz.	Swanson	Walsh	

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present. The question recurs on the motion to adjourn upon which the yeas and nays have been ordered The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. COLT (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. SAULSBURY] and withhold my vote.

Mr. GALLINGER (when his name was called). I will announce my pair with the junior Senator from New York [Mr. O'GORMAN].

Mr. JAMES (when his name was called). I transfer my general pair with the Senator from Massachusetts [Mr. WEEKS] to the Senator from Kansas [Mr. THOMPSON] and vote. I vote "nay."

Mr. JOHNSON (when his name was called). I transfer my pair with the junior Senator from North Dakota [Mr. GRONNA] to the Senator from Colorado [Mr. SHAFROTH] and vote. I vote "nay."

Mr. LEA of Tennessee (when his name was called). Transferring my pair as before, I vote "nay."

Mr. STONE (when his name was called). I transfer my pair with the Senator from Wyoming [Mr. CLARK] to the junior Senator from Mississippi [Mr. VARDAMAN] and vote "nay."

Mr. THOMAS (when his name was called). I make the same transfer as before and vote "nay."

Mr. TILLMAN (when his name was called). Unless it is necessary for me to vote, I will observe my pair with the Senator from West Virginia [Mr. GOFF].

Mr. WALSH (when his name was called). I am paired with the Senator from Rhode Island [Mr. LIPPITT]. I find he is not present. I transfer that pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. WILLIAMS (when his name was called). Repeating the same announcement which I made on the last roll call, I vote "nay."

The roll call was concluded.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN]. In his absence I would withhold my vote, but inasmuch as a quorum appears not to have voted I ask to have my vote recorded. I vote "nay."

Mr. TILLMAN. I ask to have my vote recorded. I vote "nay."

The result was announced—yeas 6, nays 39, as follows:

YEAS—6.

Bristow	Nelson	Poindexter	Sherman
Jones	Perkins		

NAYS—39.

Ashurst	James	Overman	Smith, Ga.
Bankhead	Johnson	Pittman	Stone
Bryan	Kern	Pomerene	Swanson
Burton	Lane	Ransdell	Thomas
Chamberlain	Lea, Tenn.	Reed	Thornton
Fletcher	Lee, Md.	Robinson	Tillman
Hardwick	Martin, Va.	Sheppard	Walsh
Hitchcock	Martine, N. J.	Shively	White
Hollis	Myers	Simmons	Williams
Hughes	Norris	Smith, Ariz.	

NOT VOTING—51.

Borah	Cummins	McCumber	Smith, Mich.
Brady	Dillingham	McLean	Smith, S. C.
Brandegee	du Pont	Newlands	Smoot
Burleigh	Fall	O'Gorman	Stephenson
Camden	Gallinger	Oliver	Sterling
Catron	Goff	Owen	Sutherland
Chilton	Gore	Page	Thompson
Clapp	Gronna	Penrose	Townsend
Clark, Wyo.	Kenyon	Root	Vardaman
Clarke, Ark.	La Follette	Saulsbury	Warren
Colt	Lewis	Shafroth	Weeks
Crawford	Lippitt	Shields	Works
Culberson	Lodge	Smith, Md.	

So the Senate refused to adjourn.

The VICE PRESIDENT. A quorum has not voted.

Mr. GALLINGER. Let the roll be called.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Hitchcock	Nelson	Simmons
Bankhead	Hollis	Norris	Smith, Ariz.
Bristow	Hughes	Overman	Smith, Ga.
Bryan	James	Perkins	Stone
Burton	Johnson	Pittman	Swanson
Catron	Kern	Poindexter	Thomas
Chamberlain	La Follette	Pomerene	Thornton
Clapp	Lane	Ransdell	Tillman
Cummins	Lea, Tenn.	Robinson	Walsh
Fletcher	Lee, Md.	Sheppard	White
Gallinger	Martine, N. J.	Sherman	Williams
Hardwick	Myers	Shively	

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

Mr. GALLINGER. Let the absentees be called, Mr. President.

The VICE PRESIDENT. The Secretary will call the list of absentees.

The Secretary called the names of absent Senators, and Mr. PAGE and Mr. REED responded to their names when called.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 45 minutes spent in executive session the doors were reopened.

RECESS.

Mr. FLETCHER. I move that the Senate take a recess until 11 o'clock to-morrow.

Mr. GALLINGER. On that I ask for a division.

The VICE PRESIDENT. All in favor of the motion will rise. [After a pause.] Those opposed will rise. [After a pause.] The division shows that the ayes have it, and the Senate stands——

Mr. GALLINGER. Mr. President, I make the point that no quorum has voted.

The VICE PRESIDENT. The Chair has heretofore ruled, and thinks he was sustained by the Senate, that when the question of a division arises it is simply for the information of the Chair, and if it is desirable the absence of a quorum can be disclosed by a yea-and-nay vote.

Mr. GALLINGER. This is not a motion to adjourn. This is a motion to take a recess, and it can not be done except by a quorum of the Senate. If it were a motion to adjourn, it undoubtedly could be declared carried.

The VICE PRESIDENT. The last roll call disclosed a quorum of the Senate present. A motion was made to take a recess. There was simply a request for a division, which was had for the information of the Chair, and the Chair decided that the motion was carried.

Mr. GALLINGER. I take an appeal from that decision, and I want to be heard on it.

The VICE PRESIDENT. The question is whether the ruling of the Chair shall stand as the judgment of the Senate. [Putting the question.] The ayes have it.

Mr. GALLINGER. I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The Senate sustains the ruling of the Chair. The Senate stands in recess until 11 o'clock a. m. to-morrow.

Thereupon (at 6 o'clock and 17 minutes p. m., Monday, January 18, 1915), the Senate took a recess until to-morrow, Tuesday, January 19, 1915, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate January 18 (legislative day of January 15), 1915.

UNITED STATES ATTORNEY.

James A. Smiser, of Columbia, Tenn., to be United States attorney for the district of Alaska, division No. 1, vice John J. Reagan, appointed by the court.

UNITED STATES MARSHAL.

Jonas T. Amis, of Columbia, Tenn., to be United States marshal for the middle district of Tennessee, vice John W. Overall, whose term has expired.

RECEIVER OF PUBLIC MONEYS.

Martin N. Fegtly, of Jordan Valley, Oreg., to be receiver of public moneys at Vale, Oreg., vice Henry G. Guild, term expired and resigned.

REGISTERS OF THE LAND OFFICE.

Dallas C. Weyand, of Craig, Colo., to be register of the land office at Glenwood Springs, Colo., vice Ernest E. Fordham, whose term expired January 10, 1915.

Joseph T. Carruth, of Blackfoot, Idaho, to be register of the land office at Blackfoot, Idaho, vice Henry W. Kiefer, term expired.

Nathaniel Campbell, of Portland, Oreg., to be register of the land office at Portland, Oreg., vice Henry F. Higbee, term expired.

PROMOTIONS IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. William Bryden, Fifth Field Artillery, to be captain from January 10, 1915, vice Capt. Cleveland C. Lansing, Fourth Field Artillery, resigned January 9, 1915.

Second Lieut. Leo J. Ahern, Field Artillery (detailed first lieutenant in the Ordnance Department), to be first lieutenant from January 10, 1915, vice First Lieut. William Bryden, Fifth Field Artillery, promoted.

Second Lieut. Donald M. Beere, Field Artillery, unassigned, to be first lieutenant from January 10, 1915, vice First Lieut. Leo J. Ahern, whose detail in the Ordnance Department is continuous from that date.

CAVALRY ARM.

Capt. Ervin L. Phillips, Thirteenth Cavalry, to be major from January 15, 1915, vice Maj. Letcher Hardeman, Fourth Cavalry, retired from active service January 14, 1915.

First Lieut. Douglas H. Jacobs, Cavalry, unassigned, to be captain from January 15, 1915, vice Capt. Ervin L. Phillips, Thirteenth Cavalry, promoted.

INFANTRY ARM.

Second Lieut. George C. Bowen, Twentieth Infantry, to be first lieutenant from September 18, 1914, vice First Lieut. Sherman A. White, Twelfth Infantry, promoted.

Second Lieut. John H. Hester, Twenty-fourth Infantry, to be first lieutenant from September 18, 1914, vice First Lieut. Howard G. Sharpe, Eighth Infantry, retired from active service September 17, 1914.

Second Lieut. Franklin L. Whitley, First Infantry, to be first lieutenant from September 22, 1914, vice First Lieut. William H. Clendenin, Seventeenth Infantry, promoted.

Second Lieut. Alfred H. Hobley, Infantry (detailed as first lieutenant in the Ordnance Department), to be first lieutenant from September 30, 1914, vice First Lieut. Samuel M. Parker, Thirtieth Infantry, detached from his proper command.

Second Lieut. Arthur J. Hanlon, Eighth Infantry, to be first lieutenant from September 30, 1914, vice First Lieut. Alfred H. Hobley, whose detail in the Ordnance Department is continuous from that date.

Second Lieut. Olin O. Ellis, Infantry, unassigned, to be first lieutenant from November 4, 1914, vice First Lieut. Kelton L. Pepper, Fifteenth Infantry, retired from active service November 3, 1914.

Second Lieut. Elmer C. Desobry, Nineteenth Infantry, to be first lieutenant from November 7, 1914, vice First Lieut. Roy W. Ashbrook, Ninth Infantry, retired from active service November 6, 1914.

Second Lieut. Emile V. Cutrer, Eleventh Infantry, to be first lieutenant from November 11, 1914, vice First Lieut. John R. Kelly, Twenty-sixth Infantry, promoted.

PROMOTIONS IN THE NAVY.

Commander Herman O. Stickney to be a captain in the Navy from the 15th day of December, 1914.

Lieut. Commander Ivan C. Wettengel to be a commander in the Navy from the 15th day of December, 1914.

Ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1914:

George W. Hewlett,
Frank S. Carter, and
John M. Ashley.

Ensign James D. Moore to be a lieutenant (junior grade) in the Navy from the 6th day of June, 1913.

POSTMASTERS.

ALABAMA.

Theresa C. Spink to be postmaster at Grand Bay, Ala. Office became presidential January 1, 1915.

ARIZONA.

Ella G. Clarke to be postmaster at Florence, Ariz., in place of Ella G. Clarke. Incumbent's commission expired January 11, 1915.

ARKANSAS.

Bessie Bevill to be postmaster at Kensett, Ark. Office became presidential January 1, 1915.

Mary G. Clark to be postmaster at Bald Knob, Ark. Office became presidential January 1, 1915.

William K. Estes to be postmaster at Calico Rock, Ark. Office became presidential January 1, 1915.

Robert H. Harrison to be postmaster at Tuckerman, Ark. Office became presidential January 1, 1915.

Sylvester K. Hohes to be postmaster at Murfreesboro, Ark. Office became presidential January 1, 1915.

Jesse C. Latta to be postmaster at Piggott, Ark., in place of Frank Weldin. Incumbent's commission expires January 19, 1915.

Noble J. Nixon to be postmaster at Mulberry, Ark. Office became presidential January 1, 1915.

Joe J. Shaddock to be postmaster at Thornton, Ark. Office became presidential October 1, 1914.

Philip J. Smith to be postmaster at Dumas, Ark. Office became presidential January 1, 1915.

Benjamin W. Thomasson to be postmaster at Rison, Ark. Office became presidential January 1, 1915.

CALIFORNIA.

T. C. H. De Lapp to be postmaster at Huntington Beach, Cal., in place of I. M. Clippinger. Incumbent's commission expired December 19, 1914.

Charles L. Gassaway to be postmaster at Banning, Cal., in place of Ada Ainscough, resigned.

K. D. Harger to be postmaster at Riverside, Cal., in place of G. D. Cunningham. Incumbent's commission expires February 14, 1915.

Henry E. Smith to be postmaster at Taft, Cal., in place of George E. Seybolt. Incumbent's commission expired December 13, 1914.

COLORADO.

James Brennan to be postmaster at Grand Valley, Colo., in place of J. E. Sipprelle. Incumbent's commission expires February 17, 1915.

Mary Farrell to be postmaster at Aspen, Colo., in place of G. E. Rohrbough. Incumbent's commission expired January 10, 1915.

D. W. Shores to be postmaster at Carbondale, Colo., in place of Jessie L. Thurston. Incumbent's commission expires February 23, 1915.

J. A. Theobold to be postmaster at Breckenridge, Colo., in place of Maude E. McLean. Incumbent's commission expired January 11, 1915.

GEORGIA.

W. A. Enterkin to be postmaster at Temple, Ga. Office became presidential January 1, 1915.

General M. Kilgore to be postmaster at Loganville, Ga. Office became presidential January 1, 1915.

ILLINOIS.

Thomas E. Davis to be postmaster at Mulberry Grove, Ill. Office became presidential January 1, 1915.

George B. Gray to be postmaster at Sesser, Ill. Office became presidential January 1, 1915.

Ludwig A. Karcher to be postmaster at Dahlgren, Ill., in place of James O. Burton. Incumbent's commission expired December 20, 1914.

J. J. Lloyd to be postmaster at Fairfield, Ill., in place of Francis M. Brock. Incumbent's commission expired December 21, 1914.

Elmer Lummis to be postmaster at Quincy, Ill., in place of David F. Wilcox, removed.

James K. Hopkins to be postmaster at Princeton, Ill., in place of Palmer E. Anderson. Incumbent's commission expires January 31, 1915.

John T. Scott to be postmaster at Saybrook, Ill., in place of Frank Woolley. Incumbent's commission expired December 13, 1914.

Louis A. Slykas to be postmaster at Westville, Ill., in place of Bertha Taylor. Incumbent's commission expired June 10, 1914.

Charles L. Stephenson to be postmaster at St. Francisville, Ill. Office became presidential January 1, 1915.

J. F. Stillwell to be postmaster at Edwardsville, Ill., in place of T. M. Crossman. Incumbent's commission expires February 16, 1915.

INDIANA.

Walter M. Engle to be postmaster at Francesville, Ind., in place of Calvin Myers. Incumbent's commission expires February 6, 1915.

Merrimon Straughn to be postmaster at Cambridge City, Ind., in place of Peter H. Zehrung. Incumbent's commission expires January 19, 1915.

IOWA.

Frank W. Eichoff to be postmaster at Muscatine, Iowa, in place of Robert S. McNutt. Incumbent's commission expires January 21, 1915.

Frank C. Siebengartner to be postmaster at Bettendorf, Iowa. Office became presidential January 1, 1915.

Walter E. Witten to be postmaster at Sloan, Iowa, in place of Francis H. Farley. Incumbent's commission expires January 18, 1915.

KANSAS.

Henry Block to be postmaster at Syracuse, Kans., in place of Robert D. Rodgers. Incumbent's commission expires February 8, 1915.

James T. Braddock to be postmaster at Madison, Kans., in place of George Gilman. Incumbent's commission expires January 20, 1915.

G. S. Hoss, jr., to be postmaster at Cherryvale, Kans., in place of Fred C. Oehler. Incumbent's commission expires February 6, 1915.

Anna C. Huffman to be postmaster at Eureka, Kans., in place of Robert Z Swegle. Incumbent's commission expires March 3, 1915.

W. S. Twist to be postmaster at Bonner Springs, Kans., in place of John A. Stark. Incumbent's commission expired December 13, 1914.

KENTUCKY.

Willis Green Bandy to be postmaster at Irvington, Ky. Office became presidential October 1, 1914.

Andrew M. Edwards to be postmaster at New Castle, Ky. Office became presidential January 1, 1915.

Helen L. Gurney to be postmaster at Erlanger, Ky. Office became presidential January 1, 1915.

William P. Kirtley to be postmaster at Horse Cave, Ky., in place of William R. Lyon, removed.

John B. Lasley to be postmaster at Lewisburg, Ky. Office became presidential January 1, 1915.

Allie Reid to be postmaster at Brandenberg, Ky. Office became presidential January 1, 1915.

George T. Smith to be postmaster at Beattyville, Ky. Office became presidential January 1, 1915.

Edward F. Yelton to be postmaster at Butler, Ky. Office became presidential January 1, 1915.

LOUISIANA.

Frank J. Maricelli, jr., to be postmaster at Campti, La. Office became presidential January 1, 1915.

MARYLAND.

Alice L. Exley to be postmaster at Kensington, Md. Office became presidential January 1, 1915.

MASSACHUSETTS.

John J. Downey to be postmaster at Blackstone, Mass., in place of Andrew N. Maxon. Incumbent's commission expired December 13, 1914.

Nathaniel A. Eldridge to be postmaster at Chatham, Mass., in place of Nathaniel A. Eldridge. Incumbent's commission expired December 13, 1914.

F. B. Estabrook to be postmaster at Moody (late East Northfield), Mass., in place of F. B. Estabrook; to change name of office.

James T. Hennessy to be postmaster at Wareham, Mass., in places of John Huxtable. Incumbent's commission expires February 23, 1915.

MICHIGAN.

Julius C. Armbruster to be postmaster at Sebewaing, Mich., in place of Joshua Braun. Incumbent's commission expires February 1, 1915.

Clyde O. Barrett to be postmaster at Mackinaw, Mich., in place of Oliver J. Gowans. Incumbent's commission expired December 13, 1914.

William F. Hemmeter to be postmaster at Saginaw West Side, Mich., in place of Martin N. Brady. Incumbent's commission expires February 1, 1915.

Charles A. Johnson to be postmaster at Pinconning, Mich., in place of George Barie. Incumbent's commission expires February 1, 1915.

Ward J. Kelly to be postmaster at Crystal Falls, Mich., in place of Frank D. Ball. Incumbent's commission expired January 10, 1915.

Judson E. Richardson to be postmaster at Evart, Mich., in place of George W. Michin. Incumbent's commission expires February 23, 1915.

William H. Vau Consant to be postmaster at St. Johns, Mich., in place of Will H. Brunson. Incumbent's commission expires January 20, 1915.

William H. S. Wood to be postmaster at Howell, Mich., in place of Timothy Smith. Incumbent's commission expired January 10, 1915.

MINNESOTA.

Isaac I. Bargen to be postmaster at Mountain Lake, Minn., in place of Isaac I. Bargen. Incumbent's commission expires February 1, 1915.

C. S. Dougherty to be postmaster at Northfield, Minn., in place of William H. Revier. Incumbent's commission expired December 13, 1914.

Frank X. Eickmann to be postmaster at Glencoe, Minn., in place of Thomas M. Paine, resigned.

James D. Griggs to be postmaster at Truman, Minn., in place of James D. Griggs. Incumbent's commission expired December 13, 1914.

John Haas to be postmaster at Lamberton, Minn., in place of Alfred J. Gebhard. Incumbent's commission expires January 20, 1915.

C. J. Schendel to be postmaster at Campbell, Minn. Office became presidential October 1, 1914.

MISSISSIPPI.

Virginia B. Duckworth to be postmaster at Prentiss, Miss., in place of Virginia B. Duckworth. Incumbent's commission expires February 23, 1915.

L. M. McClure to be postmaster at Ocean Springs, Miss., in place of Charles H. Bransford. Incumbent's commission expires March 3, 1915.

James T. Skelton to be postmaster at Goodman, Miss. Office became presidential January 1, 1915.

Margaret S. Walker to be postmaster at Houlka, Miss. Office became presidential January 1, 1915.

MISSOURI.

William H. Alexander to be postmaster at Paris, Mo., in place of Willis L. Flanders. Incumbent's commission expires February 23, 1915.

George H. Applegate to be postmaster at Keytesville, Mo., in place of Daniel J. Holman. Incumbent's commission expired December 13, 1914.

James T. Dearmont to be postmaster at Mound City, Mo., in place of Wesley W. Wehrli. Incumbent's commission expires February 1, 1915.

John H. Nelson to be postmaster at Lewistown, Mo. Office became presidential January 1, 1915.

Dow S. Pollard to be postmaster at Cowgill, Mo. Office became presidential January 1, 1915.

William J. Rouse to be postmaster at Monroe City, Mo., in place of Robert K. Megown. Incumbent's commission expired January 18, 1915.

Edward Smyth to be postmaster at New Hampton, Mo. Office became presidential January 1, 1915.

Bayard C. Wilson to be postmaster at Lawson, Mo. Office became presidential January 1, 1915.

NEBRASKA.

Edward H. Bishop to be postmaster at Central City, Nebr., in place of Isaac S. Tyndale. Incumbent's commission expires February 16, 1915.

A. S. Campbell to be postmaster at Imperial, Nebr., in place of Charles W. Meeker. Incumbent's commission expired December 17, 1912.

William H. Hartsick to be postmaster at Westpoint, Nebr., in place of James C. Elliott. Incumbent's commission expires January 20, 1915.

NEW JERSEY.

James D. Carpenter to be postmaster at Woodbury, N. J., in place of Frank D. Pedrick. Incumbent's commission expires February 1, 1915.

Robert L. De Camp to be postmaster at Westfield, N. J., in place of Augustus K. Gale. Incumbent's commission expired January 10, 1915.

NEW HAMPSHIRE.

John N. Grimes to be postmaster at Troy, N. H., in place of H. P. Thompson. Incumbent's commission expired December 13, 1914.

NEW YORK.

Frank P. Bagg to be postmaster at Barneveld, N. Y. Office became presidential July 1, 1914.

Edward T. Cole to be postmaster at Garrison, N. Y., in place of Edward T. Cole. Incumbent's commission expired April 21, 1914.

Sylvester R. Deyo to be postmaster at Kingston, N. Y., in place of Walter P. Crane. Incumbent's commission expired December 13, 1914.

Gregory Dillon to be postmaster at New Rochelle, N. Y., in place of Eben Adams. Incumbent's commission expired December 20, 1913.

Charles R. Flanly to be postmaster at Babylon, N. Y., in place of Joseph A. Douglas. Incumbent's commission expires January 27, 1915.

Edgar H. Jolliffe to be postmaster at Congers, N. Y., in place of George F. Odell, resigned. Office became presidential January 1, 1915.

John W. McKnight to be postmaster at Castleton, N. Y., in place of George Anderson. Incumbent's commission expires January 20, 1915.

Maud Rogers to be postmaster at Bridgehampton, N. Y., in place of Edward A. Hildreth. Incumbent's commission expired January 9, 1915.

John W. Salisbury to be postmaster at Hamburg, N. Y., in place of William C. Froehley. Incumbent's commission expired April 21, 1914.

James J. Smith to be postmaster at Fleischmanns (late Griffin Corners), N. Y., in place of James J. Smith; to change name of office.

NORTH CAROLINA.

Stephen L. Ross to be postmaster at Robersonville, N. C. Office became presidential January 1, 1915.

William B. Walker to be postmaster at Andrews, N. C., in place of James A. Bristol. Incumbent's commission expired December 13, 1914.

NORTH DAKOTA.

Frank Argersinger to be postmaster at Forman, N. Dak., in place of Charles Marcellus. Incumbent's commission expires February 23, 1915.

James F. Cannon to be postmaster at Tioga, N. Dak., in place of H. F. Irwin. Incumbent's commission expires February 14, 1915.

M. J. Gurnett to be postmaster at Balfour, N. Dak., in place of Ole Helseth. Incumbent's commission expires March 3, 1915.

T. J. McCully to be postmaster at Sheldon, N. Dak., in place of James L. Green. Incumbent's commission expires February 23, 1915.

Bernhard Ottis to be postmaster at Wyndmere, N. Dak., in place of Charles G. Klenzing. Incumbent's commission expires February 23, 1915.

Henrietta Rooks to be postmaster at Linton, N. Dak., in place of Thomas Jones. Incumbent's commission expires March 2, 1915.

OHIO.

William Alexander to be postmaster at Miamisburg, Ohio, in place of J. Shepherd McKnight. Incumbent's commission expires January 23, 1915.

Thomas O. Armstrong to be postmaster at Middle Point, Ohio. Office became presidential January 1, 1915.

William A. Ault to be postmaster at Wadsworth, Ohio, in place of Morgan Neath. Incumbent's commission expires January 23, 1915.

Andrew H. Austin to be postmaster at Ravenna, Ohio, in place of E. W. Marvin. Incumbent's commission expires January 23, 1915.

Welker Besst to be postmaster at West Lafayette, Ohio, in place of John Carroll. Incumbent's commission expires February 23, 1915.

Frederick M. Bushnell to be postmaster at Mansfield, Ohio, in place of Le Roy C. Benedict, resigned.

Ira A. Deeter to be postmaster at Pleasant Hill, Ohio, in place of Henry H. Coppock. Incumbent's commission expires February 23, 1915.

Roy E. Faber to be postmaster at Rittman, Ohio, in place of John B. Mullie. Incumbent's commission expires February 23, 1915.

E. W. Fisher to be postmaster at Sugarcreek, Ohio. Office became presidential January 1, 1915.

John S. Gossett to be postmaster at Dennison, Ohio, in place of David C. Mahon. Incumbent's commission expires January 23, 1915.

Robert E. Jennings to be postmaster at West Milton, Ohio, in place of A. G. Eidemiller. Incumbent's commission expires February 23, 1915.

Frank J. Mitchell to be postmaster at Port Clinton, Ohio, in place of John Orth. Incumbent's commission expires February 23, 1915.

Nelson C. Petrie to be postmaster at Rock Creek, Ohio, in place of Augustus M. Barker. Incumbent's commission expires January 23, 1915.

John E. Robbins to be postmaster at Jeffersonville, Ohio, in place of Warren W. Williams. Incumbent's commission expires January 23, 1915.

E. C. Wisman to be postmaster at Bryan, Ohio, in place of Charles T. La Cost. Incumbent's commission expires March 2, 1915.

PENNSYLVANIA.

Dwight M. Hess to be postmaster at Heilwood, Pa., in place of John McM. Thompson, resigned.

Leslie C. Lockerman to be postmaster at Cheswick, Pa., in place of H. H. McDonough. Incumbent's commission expired January 9, 1915.

P. F. Leininger to be postmaster at Myerstown, Pa., in place of James Koller. Incumbent's commission expired December 19, 1914.

Robert McCalmont to be postmaster at Franklin, Pa., in place of Josiah R. Dodds. Incumbent's commission expired January 10, 1915.

J. Edwin McCanna to be postmaster at Paoli, Pa., in place of John D. Burns. Incumbent's commission expired December 13, 1914.

Thomas J. McClelland to be postmaster at Boswell, Pa., in place of Chauncey S. Ickes, resigned.

R. Morgan Root to be postmaster at Pottstown, Pa., in place of G. F. P. Wanger. Incumbent's commission expires February 17, 1915.

William W. Van Eman to be postmaster at Grove City, Pa., in place of James S. Kennedy. Incumbent's commission expires February 1, 1915.

RHODE ISLAND.

Emory H. Desilets to be postmaster at Manville, R. I., in place of Jonathan Bateman. Incumbent's commission expired December 13, 1914.

SOUTH CAROLINA.

David Duncan to be postmaster at Whitmire, S. C. Office became presidential January 1, 1915.

Benjamin J. Hammet to be postmaster at Blackville, S. C., in place of Benjamin J. Hammet. Incumbent's commission expires February 6, 1915.

Samuel E. Owen to be postmaster at St. Matthews, S. C., in place of Samuel E. Owen. Incumbent's commission expires March 3, 1915.

John W. Peeples, jr., to be postmaster at Estill, S. C. Office became presidential January 1, 1915.

SOUTH DAKOTA.

V. M. Dalthorp to be postmaster at Volga, S. Dak., in place of Ole A. Stumley. Incumbent's commission expires March 2, 1915.

G. F. Davis to be postmaster at Estelline, S. Dak., in place of George C. Lohr. Incumbent's commission expires February 23, 1915.

John T. McCullen to be postmaster at Miller, S. Dak., in place of Frank E. Saltmarsh. Incumbent's commission expires February 15, 1915.

H. K. Sanborn to be postmaster at Hurley, S. Dak., in place of J. A. Churchill, resigned.

TENNESSEE.

Jesse F. Jones to be postmaster at Loudon, Tenn., in place of James A. Greer. Incumbent's commission expired December 13, 1914.

William D. Kyle to be postmaster at Kingsport, Tenn. Office became presidential January 1, 1915.

TEXAS.

Walter C. Blalock to be postmaster at Linden, Tex. Office became presidential January 1, 1915.

William E. Cage to be postmaster at Pharr, Tex. Office became presidential January 1, 1915.

J. T. Cox to be postmaster at Groesbeck, Tex., in place of Elizabeth Rhea. Incumbent's commission expires February 6, 1915.

Horace B. Cooper to be postmaster at Quinlan, Tex. Office became presidential January 1, 1915.

J. A. Kercheville to be postmaster at Devine, Tex., in place of George W. Brown. Incumbent's commission expires February 6, 1915.

George P. Lillard to be postmaster at Seguin, Tex., in place of William Myers. Incumbent's commission expires February 23, 1915.

D. L. Lunn to be postmaster at Humble, Tex., in place of W. E. Sholar, removed.

Elmo D. McCage to be postmaster at Aubrey, Tex. Office became presidential January 1, 1915.

T. L. D. Richardson to be postmaster at Jourdanton, Tex., in place of C. E. Long, removed.

James T. Tarlton to be postmaster at Gunter, Tex. Office became presidential January 1, 1915.

UTAH.

L. P. Nelson to be postmaster at Mount Pleasant, Utah, in place of Thomas Brady. Incumbent's commission expires February 17, 1915.

Henry W. Wadley to be postmaster at Pleasant Grove, Utah, in place of Luella E. Thorne. Incumbent's commission expired December 13, 1914.

VERMONT.

David P. MacKenzie to be postmaster at Island Pond, Vt., in place of John S. Sweeney. Incumbent's commission expires January 26, 1915.

VIRGINIA.

William H. Maffett to be postmaster at Vienna, Va., in place of Edmond L. S. Bouton, removed.

John L. Pulley to be postmaster at Ivor, Va. Office became presidential January 1, 1915.

T. W. Richardson to be postmaster at Bedford (late Bedford City), Va., in place of William H. Mosby, deceased; change name of office.

WASHINGTON.

Stonewall J. Craig to be postmaster at Clarkston, Wash., in place of S. D. Steininger. Incumbent's commission expires February 1, 1915.

George T. Heslin to be postmaster at Newport, Wash., in place of Carl M. Johanson. Incumbent's commission expired January 11, 1915.

Calvin W. Stewart to be postmaster at Tacoma, Wash., in place of F. L. Stocking. Incumbent's commission expires February 23, 1915.

WISCONSIN.

Thomas N. Curran to be postmaster at Campbellsport, Wis., in place of Platt Durand. Incumbent's commission expired January 10, 1915.

Henry B. Kaempfer to be postmaster at West Bend, Wis., in place of William Hausmann. Incumbent's commission expires March 2, 1915.

John J. Kaiser to be postmaster at Stratford, Wis. Office became presidential January 1, 1915.

John A. Kuypers to be postmaster at De Pere, Wis., in place of Paul L. Halline. Incumbent's commission expired January 10, 1915.

Charles J. Janisch to be postmaster at Waterloo, Wis., in place of Alexander Archie. Incumbent's commission expires February 17, 1915.

George H. Herzog to be postmaster at Racine, Wis., in place of James A. Pritchard. Incumbent's commission expired January 11, 1915.

WEST VIRGINIA.

A. L. Hatfield to be postmaster at Matewan, W. Va. Office became presidential July 1, 1914.

James A. Pyles to be postmaster at New Martinsville, W. Va., in place of R. T. Richardson. Incumbent's commission expires March 3, 1915.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 18 (legislative day of January 15), 1915.

POSTMASTERS.

FLORIDA.

R. E. L. McFarlin, Quincy.

ILLINOIS.

George R. Tilton, Danville.

MICHIGAN.

William H. S. Wood, Howell.

PENNSYLVANIA.

Henry C. Deible, Reynoldsville.
John E. Guthrie, Summerville.

TENNESSEE.

Felix P. McGinness, Carthage.
E. F. Wilson, Tullahoma.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 18, 1915.*

The House met at 12 o'clock noon.

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

God bless us all, for we all need Thy blessing and Thy help. We are weak; Thou art almighty. We know only a little; Thou knowest all things. We are a mixture of good and evil; Thou are infinitely pure and holy. Impart unto us wisdom, strength, purity, that we may reach the highest results in our calling, satisfy the best that is in us, and accomplish Thy commands; in the spirit of Him who taught us Thy will and left us an example worthy of all emulation. Amen.

The Journal of the proceedings of Saturday, January 16, 1915, was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CANTOR, for one week, on account of the death of his son.

To Mr. GARRETT of Texas, for three days, on account of illness in his family.

GOVERNMENT AID TO HOME OWNERS.

Mr. BUCHANAN of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of Government aid to home owners, both farm and city.

The SPEAKER. The gentleman from Illinois [Mr. BUCHANAN] asks unanimous consent to extend his remarks in the RECORD on the subject of aid to home owners. Is there objection?

There was no objection.

AMERICAN MERCHANT MARINE.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a communication received from the Boston Chamber of Commerce; also some suggestions in regard to the upbuilding of the American merchant marine and an article written by myself published in the New York World on the same subject.

The SPEAKER. The gentleman from Massachusetts [Mr. GREENE] asks unanimous consent to extend his remarks in the RECORD by printing certain resolutions passed by the Boston Chamber of Commerce and also an article which he himself wrote, published in the New York World, on the subject of improving the American merchant marine. Is there objection?

There was no objection.

PLAZA AWARDS.

Mr. JOHNSON of Kentucky. Mr. Speaker, about a week ago unanimous consent was given that Senate joint resolution 129, relative to the Plaza Commission, be stricken from the calendar and that the resolution lie upon the table. I find it still upon the Union Calendar, and I repeat the request.

The SPEAKER. If there be no objection, the resolution will be stricken from the calendar.

There was no objection.

Mr. JOHNSON of Kentucky. I also ask unanimous consent that House joint resolution 308, relating to the same subject, be stricken from the calendar and that the resolution lie on the table.

The SPEAKER. The gentleman asks unanimous consent that House joint resolution 308 be stricken from the calendar, and that it lie on the table. Is there objection?

There was no objection.

IMMIGRATION.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing resolutions adopted by Branch No. 520 of the Polish National Alliance, of Toledo, Ohio, on the Smith-Burnett immigration bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing resolutions on the Burnett immigration bill. Is there objection?

There was no objection.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will report the first bill on the Calendar for Unanimous Consent.

OLD POST OFFICE, JERSEY CITY, N. J.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 9584) to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J.

The bill was read, as follows:

Be it enacted, etc., That upon the completion of the new Federal building at Jersey City, N. J., and its occupancy by the United States, the Secretary of the Treasury is hereby authorized, in his discretion, to sell the present old post office and site thereof in said city, after proper advertisement, at public or private sale, on such terms as he may deem to be to the best interests of the United States.

With the following committee amendment:

Page 1, lines 6, 7, 8, and 9, strike out, after the word "discretion," the following words: "sell the present old post office and site thereof in said city, after proper advertisement, at public or private sale, on such terms as he may deem to be to the best interests of the United States," and insert in lieu thereof the following: "offer at public sale, after proper advertisement, the present old post office and site in said city, and sell the same to the highest and best bidder."

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, when this bill was up before, I think, the gentleman from New Jersey [Mr. HAMILL] was going to get a statement from the Treasury Department of the value of this site and propose an amendment fixing an upset price.

Mr. HAMILL. I have such a letter, Mr. Speaker, and in the opinion of the Treasury Department this property should be sold at not less than $25,000. I have drawn an amendment to that effect.

Mr. MANN. Did the gentleman get an estimate of the value from the official taxing or assessing board?

Mr. HAMILL. Yes.

Mr. MANN. What do they say the value is?

Mr. HAMILL. The actual valuation of the land, as made by the tax assessors of Jersey City, is $21,700.

Mr. MANN. And the gentleman proposes to offer an amendment fixing the upset price at $25,000?

Mr. HAMILL. Yes.

Mr. STAFFORD. What is the basis of the appraisement in Jersey City as to its valuation?

Mr. HAMILL. The full value.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. HAMILL. I ask unanimous consent to consider it in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

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

Mr. BORLAND. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Missouri moves to strike out the last word, and is recognized for five minutes.

Mr. BORLAND. Mr. Speaker, my attention has been called to a speech delivered on December 30, 1914, by a Member of this House, the gentleman from Colorado, Mr. GEORGE J. KINDEL, and circulated separately, in which he says:

What if we had a captain of industry like Mr. Ford, of automobile fame; Mr. Wanamaker, of department-store fame; Mr. Woolworth, of the tallest-building fame, at the head of our Postal System. With a man of their caliber as our Postmaster, how long would political hacks such as our Third Assistant Postmaster continue feeding at the public crib?

What valuable service has he rendered to entitle him to a perpetual meal ticket at the hands of our Government?

Mr. Speaker, that comment is as foolish as it is unjust. The Third Assistant Postmaster General of the United States is the Hon. Alexander Monroe Dockery, of Missouri. I notice in this speech, on the front page, something that I never saw on a speech before in my life:

I will mail to commercial or economic bodies, at 75 cents per hundred, or single copies at 1-cent postage stamp.

Now, I assume that if people are required to pay for copies of this speech it will not have a very large circulation, even though the fool killer is considerably behind with his work. But I want to invite the attention of the House, especially the Members who do not know the Third Assistant Postmaster General personally, to the fact that he served for 8 consecutive terms—16 years—as a Member of this House. During that service he was a towering figure on the floor of the House of Representatives. He served on the great Committee on Appropriations of this House. His distinguished services are still evident in all the executive departments of the Government.

Among his other legislative activities he was the author of the celebrated Dockery Act, which for the first time put the accounting system of the Federal Government on a business basis. The Dockery Act gave the Treasury Department the power to outline a uniform system of accounting for the various bureaus of the departments of the Government. Under that act the disbursements in the Treasury Department have been reduced lower and lower each year in proportion to the amount of money disbursed and the amount of business handled by that great department. The departments are still operating under the Dockery Act, which has saved thousands of dollars of the peoples' money.

Gov. Dockery retired from service in this House when he was elected by the people of Missouri as the governor of that great State in 1900. He served four years as governor. If he had not retired from representing his district to become governor, he would still be a commanding figure on the floor of this House, for he was greatly beloved by the people of his district and greatly reverenced and beloved by the people of Missouri.

To talk of a meal ticket in connection with the public services of a man like Mr. Dockery is absurd. His public services were at the call of the people of his district and of his State. When his term as governor expired he was out of public life for eight years, his private interests being ample to engage his attention.

He has never asked, and under no other circumstances than a request from the Democratic administration would he accept public service. He has accepted it to my personal knowledge at a personal loss to himself. The idea of a meal ticket has never entered into Mr. Dockery's service to the United States, and does not to-day. The present Postmaster General, who was a Member of this House at the time Mr. Dockery was a leader of the Democratic Party on this floor, invited him into the official family with the full knowledge that Mr. Dockery was one of the principal supporters of the Speaker of this House for the Presidency of the United States.

I know nothing of the dispute between Gov. Dockery and the gentleman from Colorado, except that I understand that Gov. Dockery is seeking to compel the gentleman from Colorado to pay the Government about $4,000 postage for alleged abuse of the franking privilege. Gov. Dockery, having been a Member of this House, knows the just rights of a Member in the use of the franking privilege. I am satisfied he would not call the gentleman from Colorado to account unless he had grounds to do so. As an honest and vigilant public servant he will not submit to an abuse of the franking privilege at the expense of the Public Treasury. Those of us who desire to see the franking privilege protected from abuse are inclined to support Gov. Dockery's action.

Mr. Dockery's services added luster to the Democratic side of this House; has added luster to the Democratic Party in the State of Missouri, and to-day adds luster to the Democratic administration in Washington; he is a man who never shirked a duty or betrayed a friend. [Applause on the Democratic side.] He needs no defense at my hands on the floor of this House, but I desired to take this opportunity to call these facts to the attention of the Members of this body. [Applause on the Democratic side.]

Mr. KINDEL rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. KINDEL. To move to strike out the last word.

The SPEAKER. The gentleman from Missouri made that motion.

Mr. KINDEL. Then I rise, Mr. Speaker, to oppose the amendment. Mr. Speaker, I am pleased to note that Gov. Dockery has such a champion as we have just discovered in the distinguished gentleman from Missouri [Mr. BORLAND]. What I meant to convey was that we put men in office who are positively not qualified for the position in which they are placed. Mr. Dockery himself told me that he did not know anything about the rates that were operating in the parcel post. He could not, to save his life, reconcile the present graduated rates on parcel post, and neither can the gentleman from Missouri [Mr. BORLAND] or anybody else. I contend that any man that will take a position that he does not know anything about is getting a meal ticket and not earning the money which he receives.

Mr. DECKER. Will the gentleman yield?

Mr. KINDEL. Yes; I will yield.

Mr. DECKER. Does the parcel-post business come under Gov. Dockery's department?

Mr. KINDEL. Yes.

Mr. DECKER. In what way?

Mr. KINDEL. In the management of the receipts and the rules of the Post Office. Can the gentleman himself reconcile these rates?

Mr. DECKER. I am not talking about the rates. I want the gentleman to explain to the House in what way Mr. Dockery has the management of parcel post.

Mr. KINDEL. He is one of the heads of the department.

Mr. DECKER. Does it come under his department?

Mr. KINDEL. He told me I must pay $4,000 for putting a rubber stamp on some things I put out.

Mr. DECKER. Does it come under Mr. Dockery's department?

Mr. KINDEL. I told the gentleman in a general way that he is one of the heads of the department.

Mr. DECKER. Does the gentleman mean to give the impression that Mr. Dockery is not acquainted with the work and details of his department?

Mr. KINDEL. I emphatically say that he can not reconcile the parcel post's graduated rates upon which they work, and I will leave that challenge open to you or any other man.

Mr. DECKER. Will the gentleman answer my question?

Mr. KINDEL. There is no use in asking any more questions, and I decline to yield any further. I have nothing against Mr. Dockery nor anybody else connected with the Post Office Department. I came here elected a Democrat, to help the country and to help the party, but I found it was utterly useless to get in on the transportation rates, although when I came here I had been studying and giving large attention to those matters for the past 25 years. In everything I have said there is no malice intended toward anybody. All I want to do is to improve the service, if it can be done. I have not made a speech on the floor at any time that I did not inject rates and rules on transportation into it. Mr. Dockery wanted to humiliate and ridicule me by presenting me with a bill for $4,000, because I had put a rubber stamp on a speech announcing the very fact that the gentleman from Missouri [Mr. BORLAND] has just said concerning the fool killer, and I repeat that speeches do cost money and that I am out of pocket, and if anybody wants more than one copy they must send a 1-cent stamp for each one. I think it would be money well invested and time well spent to study and digest my speech, and if you find anything for criticism in it, I am open to conviction. [Applause on the Republican side.]

The SPEAKER. The pro forma amendment is withdrawn. The question is on the committee amendment.

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

The SPEAKER. The question now is on the amendment offered by the gentleman from New Jersey [Mr. HAMILL], which the Clerk will report.

The Clerk read as follows:

On page 2, after line 4, insert "*Provided, however*, That said property shall not be sold for less than the sum of $25,000."

Mr. CLARK of Florida. Mr. Speaker, I desire to state that that amendment is perfectly satisfactory to the committee.

The amendment of Mr. HAMILL was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAMILL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS ST. LOUIS RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17762) to amend an act approved February 20, 1908, entitled "An act to authorize the Interstate Transfer Railway Co. to construct a bridge across the St. Louis River between the States of Wisconsin and Minnesota."

The SPEAKER. Is there objection?

Mr. MILLER. Mr. Speaker, reserving the right to object, I would like to make an inquiry of the gentleman from Wisconsin [Mr. LENROOT]. Has the War Department or the engineers of the War Department reported on this bill as yet?

Mr. LENROOT. Not any further than the gentleman is already aware of.

Mr. MILLER. Then they have sent in no formal report upon the bill?

Mr. LENROOT. Not that I know of.

Mr. MILLER. Does not the gentleman think that it is advisable that the consideration of this bill be postponed until such report is received?

Mr. LENROOT. No; but I shall not object if the gentleman makes that request.

Mr. MILLER. Under the circumstances, I think I shall have to ask the gentleman to request that it be passed over without prejudice.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill which has been reported and the next bill on the calendar, H. R. 15727, be passed without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that this bill and the next one on the calendar be passed without prejudice. Is there objection?

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

Mr. MANN. I understand there is some controversy in respect to the matter that ought to be first settled.

Mr. MILLER. Mr. Speaker, I will say to the gentleman that the condition as to the other bill which he mentions, the one that follows this on the calendar, is not at all the same as the bill that is now before us, because the Board of Engineers has reported upon that.

Mr. MANN. I thought the gentlemen had agreed upon that. Then I ask unanimous consent that the pending bill be passed without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill just reported be passed without prejudice. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, I will ask the gentleman from Illinois whether this bill under the circumstances would retain its place upon the calendar or would it go to the bottom of the calendar?

Mr. MANN. I think it ought to retain its place on the calendar.

Mr. FOSTER. Does not the gentleman think, because so many of these bills are passed over without prejudice, that they ought to go to the bottom of the calendar?

Mr. MANN. Of course when Members first began to ask unanimous consent to pass the bills over without prejudice, when the Unanimous Consent Calendar first went into effect, I objected; but in the course of time various good reasons were given for passing a particular bill, and that has been the custom from then on.

Mr. FOSTER. I think it prevents a lot of Members from having an opportunity to have their bills considered.

Mr. MANN. I do not care about the matter particularly. If the gentleman desires to object to this, I shall not quarrel with him, but then I shall object to passing any bills over without prejudice, under any circumstances.

Mr. FOSTER. I do not mean the first time.

Mr. MANN. If we are going to have that rule, we ought to treat everyone alike. I do not believe in making any distinction in respect to bills as between one Member and another. If the gentleman thinks the bill ought not to be passed over without prejudice, I certainly shall not quarrel with him, if he objects, but I shall object to passing any other bills.

Mr. FOSTER. I shall not object to passing any of them over without prejudice, but I submit that if we do it two or three times on the same bill——

Mr. MANN. Unless there is reason for it, it ought not to be done.

Mr. FOSTER. Is this bill likely to be disposed of on the next unanimous-consent day?

Mr. MANN. I do not know. I understand that they are waiting for a report from the War Department, and it ought to be in.

Mr. FOSTER. I shall not object at this time.

The SPEAKER. Is there objection?

Mr. LENROOT. Mr. Speaker, reserving the right to object, there has been an understanding that this bill and the next bill on the calendar shall be considered as companion bills, and in view of my understanding that the gentleman from Minnesota would object if this bill were presented now, I ask unanimous consent to modify the request of the gentleman from Illinois by including the following bill, and that both bills be passed over without prejudice.

Mr. MILLER. Mr. Speaker, reserving the right to object, I have no objection particularly, because the gentleman from Wisconsin is, of course, ready to make the same objection to the next bill that I have made respecting this, but I do not think it fair to state that the two bills are companion bills.

Mr. LENROOT. I said it is the understanding that they shall be treated together.

Mr. MILLER. I do not quite agree with that. That has been the understanding in times past; but I wish the gentleman to know that if there is any doubt in his mind, regardless of whether the House sees fit to pass the bill or not, I am under the highest obligation and shall be insistent on every effort to consider the other bill. If the department is not able to report upon the gentleman's bill, I can see no reason why the House should not take action upon the bill that has been reported upon.

Mr. LENROOT. Mr. Speaker, I want to say, in reply to the gentleman from Minnesota, that there was an understanding when these bills were recalled from the Senate that they should be considered together when considered at all.

Mr. MILLER. I had no such understanding with the gentleman from Wisconsin.

Mr. ADAMSON. Mr. Speaker, as chairman representing the committee which has on this calendar so many bills, not knowing exactly what hands I may fall into and not desiring to make any enemies, as the candidate for membership in the church said when he was asked to renounce the devil and all his works, I will say nothing about the proposition of my friend from Illinois [Mr. FOSTER] as to passing bills to the heel of the calendar;

but I will say, as to this pending bill, there has been some conflict over the two bills—this and the next one—as between the two localities represented, respectively, by the distinguished gentleman from Minnesota [Mr. MILLER] and the distinguished gentleman from Wisconsin [Mr. LENROOT], but I think the crux of the difficulty is aimed at in this bill. Our committee recommended and Congress many years ago consented for a bridge. Our committee is now inclined to the opinion that the conditions of the consent of Congress have not been complied with by the company constructing the bridge.

The committee, after elaborate hearings, reported the bill introduced by the gentleman from Wisconsin [Mr. LENROOT], to amend the original act. The War Department, however, had not up to that time concurred with the view of the committee; but I am informed that the War Department is undergoing a change of heart on the subject and that there is likely to come in a report favorable to the bill, and for that reason I think it wise that the matter stand in status quo for the present.

The SPEAKER. Does the gentleman object?

Mr. ADAMSON. I do not.

The SPEAKER. Is there objection to passing this bill and the next one without prejudice? [After a pause.] The Chair hears none.

FALSE ADVERTISING IN THE DISTRICT OF COLUMBIA.

Mr. DENT. Mr. Speaker, I ask unanimous consent to pass without prejudice the bill H. R. 4931, a bill to prevent false advertising in the District of Columbia. I ask it at this time, Mr. Speaker, because when that bill was introduced the District attorney or the prosecuting attorney of the District of Columbia at the time thought it was necessary. The present District attorney doubts whether it is necessary or not, but his attention has only recently been called to the bill, and he would like to have further time to investigate it.

The SPEAKER. What is the calendar number of the bill?

Mr. DENT. It is H. R. 4931, Calendar No. 370.

The SPEAKER. The gentleman from Alabama asks unanimous consent to pass Unanimous Consent Calendar No. 370 without prejudice. Is there objection? [After a pause.] The Chair hears none.

COMMISSION TO SURVEY CRATER BATTLE FIELD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13923) authorizing and directing the Secretary of War to appoint a commission to designate, define, and survey the battle field of the Crater at Petersburg, Va., and to collect certain data concerning the same and make report thereon.

The bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is ordered stricken from the calendar.

CERTAIN CLAIMS OF THE UNITED STATES AGAINST THE STATE OF TENNESSEE.

The next business on the Calendar for Unanimous Consent was S. J. Res. 65, to amend S. J. Res. 34, approved May 12, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States."

The Clerk read the title of the joint resolution.

Mr. HULL. Mr. Speaker, I desire to make a request for unanimous consent that consideration of this resolution be passed without prejudice——

The SPEAKER. The gentleman asks to pass this resolution without prejudice.

Mr. HULL. For the reason that the Department of Justice has been working on information sought by the gentleman from Illinois and others and has not been able to complete this work, but we are hopeful the desired information may be brought in a little later on.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman, when the information is obtained, have it printed either in the RECORD or in some other form, so that it will be available for Members of the House?

Mr. HULL. I will be very glad to take that up with the gentlemen on the other side.

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

PUBLIC BUILDING, GRAND JUNCTION, COLO.

The next business on the Calendar for Unanimous Consent was the bill (S. 4012) to increase the limit of cost of the United States public building at Grand Junction, Colo.

The Clerk read as follows:

Be it enacted, etc., That the limit of cost of the United States public building at Grand Junction, Colo., be, and the same hereby is, increased from the sum of $100,000 to the sum of $200,000, said increase being necessary in order to complete the building according to the present plans and specifications.

The committee amendment was read, as follows:

Line 5, strike out "$200,000" and insert "$175,000."

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would like to have an explanation of this bill.

Mr. TAYLOR of Colorado. Mr. Speaker, this matter has been up, and up, and the House has had some discussions on it once or twice before. The city of Grand Junction is the largest city in the western part of the State. I secured an appropriation some four and a half years ago for $100,000 to provide a public building there. The Supervising Architect has advertised three different times, and has never been able to get a bid that could be accepted. They can not build any kind of a suitable building for the present appropriation. The matter is at a standstill. It seems that it will be exceptionally expensive to get a suitable foundation. They report that it will cost some $30,000 to build a proper foundation.

Mr. FINLEY. Right there, let me ask the gentleman, is that the case in every part of the city of Grand Junction, that you have such trouble to get a proper foundation? Why not move the location?

Mr. TAYLOR of Colorado. No; the whole city is underlaid with some alkali—it would do no good to change the site—they have to make an extensive construction there they claim to stand the weight of this kind of a public building. Furthermore, since the original appropriation was made the Government has established or extended the Reclamation Service there, and has increased the Weather Bureau and other Government functions there. The Treasury Department wants to provide for all of them at the same time, and this authorization only provides for a very plain brick building, while that city, I think, is entitled to a stone or marble building.

Mr. FINLEY. Well, what are the dimensions of the building upon which the plans and specifications have been made?

Mr. TAYLOR of Colorado. Eight thousand square feet of floor space, I believe. The report and its hearings give all the details very fully. This matter has been gone into exhaustively by the Secretary of the Treasury and the Supervising Architect and the Public Buildings and Grounds Committee, and the Treasury very earnestly recommended and tried to get $100,000 additional, whereas I am only asking for $75,000 in this bill.

Mr. FINLEY. I will say this to the gentleman, that this looks too much like a new proposition. It is 75 per cent a new proposition.

Mr. TAYLOR of Colorado. It is not a new proposition. The original one has been pending and held off for nearly 10 years since we got the site, and nearly 5 years since I got this appropriation. That city is certainly entitled to a public building, and they never can get one until Congress appropriates enough for them to build a building large enough to hold the Government business there.

Mr. FINLEY. It has gone out all over this country that we are to have no public buildings bill this year.

Mr. TAYLOR of Colorado. I will say to the gentleman that if there are to be none of these bills passed this session I do not ask to have this one passed; I do not want any advantage over other equally meritorious bills, not at all. I will say now to the other Members of the House, if that is the program I will subscribe to it instantly. But we have, during the past six months, passed one or two bills of this kind, and there are several more of them on the calendar, and if we are going to pass others I do not want the House to make fish of one and fowl of another. I fully realize that we are all trying to economize in every way, and no one wants to make any appropriation that is not absolutely necessary as an emergency measure. We just passed one small bill somewhat similar to this.

Mr. FINLEY. I was not here when that bill passed; I was at my committee room.

Mr. CLARK of Florida. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes, sir.

Mr. CLARK of Florida. I want to say for the information of the gentleman from South Carolina that it is not the purpose of the committee to report any omnibus public buildings bill.

But we distinctly stated some time ago, and the committee came to that conclusion after hearings and after conferring with the Treasury officials and other officers of the Government,

and even the President himself, that we would only report out such bills as appeared to be emergencies and of urgent necessity.

Mr. FINLEY. Now, just there, will the gentleman give me the urgent necessity in this instance?

Mr. CLARK of Florida. Let me finish that statement. We particularly described as one of the emergencies which the committee thought ought to be taken care of, cases where authorizations had heretofore been made and where the department had attempted by advertisement to secure contracts for the erection of a building and found, after such effort, that the authorization was inadequate and that the building could not be constructed within the limits of the authorization; and that we would then consider propositions to increase the authorization. That is one of the cases. And for three times, as the gentleman from Colorado [Mr. TAYLOR] has stated, advertisements were made and efforts to make contracts were made, and it was found utterly impossible to construct an adequate building for the purposes of Grand Junction within the limits of the authorization.

Mr. FINLEY. Now, just there. I ask the gentleman what facilities are afforded at Grand Junction at this time for the accommodation of the public business?

Mr. CLARK of Florida. I understand that they are extremely meager, though my friend from Colorado [Mr. TAYLOR] can answer the question.

Mr. TAYLOR of Colorado. I will answer that. They have the post office in a rented building and without sufficient space. They have the Reclamation Service in another rented building in another part of the city and without sufficient space. They have the Forest Service in another place, and other Federal offices scattered around over the city.

Mr. FINLEY. Will the gentleman tell me what rentals are paid?

Mr. TAYLOR of Colorado. The report here of the Treasury Department shows that they pay $1,000 a year rent for the post office; they pay $750 a year for the Reclamation Service; they pay $300 a year for the Forest Service; and they pay $480 a year for the Weather Bureau, and besides that they have the Civil Service Commission and the Department of Justice in separate buildings. and they are establishing a drainage department of the Government that will require considerable room. Let me call the gentleman's attention to the fact that the post-office receipts of that city are $35,000 a year.

Mr. FINLEY. About how much population has Grand Junction?

Mr. TAYLOR of Colorado. There are 15,000 served at this office.

Mr. CLARK of Florida. If my friend will permit me, I want to say this much further. He ought to recollect that the site for this building was procured some seven or eight years ago. The building was provided for in the public building bill of June 25, 1910, four and a half years ago. Now, the gentleman in his district, presumably, and I in mine and other gentlemen in theirs, had items carried in that bill. The buildings have been constructed. This is not a new proposition, but one which has been pending for all these years. It was carried originally in the bill of 1910, and on account of the fact of this foundation being so peculiar, as has been described, it has been utterly impossible to construct the building within the limits of the authorization. I hope my friend will not object.

Mr. FINLEY. I want to say to the gentleman this, that these are war times. The condition of the Treasury is not such as to warrant any expenditure that is not absolutely necessary, and I am not here contending for anything for any other State or any other district in the Union. But any proposition that looks to an isolated instance, where it is substantially a public building proposition as big as this, it strikes me it can wait until next winter.

Mr. CLARK of Florida. I want to say to the gentleman, and I am violating no confidence, I think, when I say that I had a talk with the President on the subject of this character of legislation recently, and I think the gentleman will agree with him that we ought not to stop all matters of public improvement; that where it is necessary for work to be done or where it results in a substantial saving to the Government and can not be done hereafter so well and so economically as it can be done now, it is our duty to do it now.

Mr. FINLEY. I do not understand how there could be so much of error in what would necessarily be the cost and the estimates upon which this proposition was first based.

Mr. TAYLOR of Colorado. Let me suggest to the gentleman that the Government functions have very greatly increased in that city since this building was originally proposed. The Reclamation Service has a large force there now. Grand Junction is the metropolis of western Colorado and the center of a large part of the Government functions in that part of our State, and these matters have been developing very much in recent years.

Mr. FINLEY. The figures which you have read amount to about $2,000 a year in rent.

Mr. TAYLOR of Colorado. More than that. They amount to nearly $3,000 a year in rent.

Mr. FINLEY. And then the necessary cost of upkeep of a public building would be vastly more. Now, I ask the gentleman how much harm and injury would be done to the public service by letting this matter go over until next winter?

Mr. TAYLOR of Colorado. I will say to the gentleman from South Carolina that this building has gone over now for 8 or 10 years, and it has been 4½ years since I got the original appropriation. If Congress is not going to pass any bills of this kind increasing any existing appropriations at all at this session. then I will acquiesce. However, I will say that there is no case more meritorious or urgent than this one, and if any bills of this kind are to be considered I certainly want to have this bill passed if possible.

Mr. CLARK of Florida. Will my friend permit one more question? He can realize——

Mr. MANN. Mr. Speaker, I ask for the regular order.

Mr. CLARK of Florida. I hope the gentleman will withhold that request for a moment. I just wanted to ask one question of my friend, if the gentleman will not insist on it now.

Mr. MANN. I withhold the request for the regular order for a minute.

Mr. CLARK of Florida. I want to say to the gentleman this, that here is a case where $100,000 has already been authorized. It is found that the building can not be constructed for that money. Is it not good business judgment to authorize $75,000 more now, when the gentleman knows that not a dollar of the $75,000 will possibly be reached for three years?

Mr. FINLEY. Has the site been obtained?

Mr. CLARK of Florida. Yes; seven or eight years ago. The Government owns the site now.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Florida asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered read a third time, was read a third time, and passed.

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

The SPEAKER. The Clerk will report the next one.

PUBLIC BUILDING, ST. PETERSBURG, FLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18783) to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla.

The bill was read, with a committee amendment.

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Florida [Mr. CLARK] a question in regard to that.

Mr. DONOVAN. Mr. Speaker, I want to reserve the right to object as well.

The SPEAKER. Very well.

Mr. MANN. If this increase is granted, will this be the last one that will be asked for?

Mr. CLARK of Florida. Mr. Speaker, I will say in reply to the gentleman that there is one other bill, which has passed the Senate——

Mr. MANN. I mean the last increase for this building?

Mr. CLARK of Florida. Oh, absolutely.

Mr. MANN. The gentleman is sure of that?

Mr. CLARK of Florida. Yes.

Mr. MANN. We made two increases before, did we not?

Mr. CLARK of Florida. Yes; but I will say to the gentleman that this is one of the most marvelously growing places in America. There is no question about it.

Mr. MANN. We commenced by making an authorization of $55,000 in 1908, after we purchased a site for $7,500 in 1907. Would it not be wise, if this place is growing so rapidly, not to hurry the building, because everything we have done heretofore has fallen short?

Mr. CLARK of Florida. No; it would be wise to get this additional land as quickly as possible. That is the proposition here.

Mr. MANN. We provided $55,000 for a building in 1910, and increased it $25,000 in 1913. It is proposed now, in the early days of 1915, to make another increase. I do not say it is improper, but I just wondered if we could ever tie it up.

Mr. CLARK of Florida. I think so. I want to say, Mr. Speaker, that this request does not come from my colleague [Mr. SPARKMAN], who represents St. Petersburg, but it comes from the Treasury Department.

Mr. MANN. I have never found him short in attending to his duties.

Mr. CLARK of Florida. He has not made the request. It comes absolutely from the department itself, and it was on their own initiative that the bill was introduced. Now I yield to my colleague [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, I only want to say that when the first authorization of this building was made I called the attention of the Treasury Department, possibly not that of the House, to the fact that the amount authorized was not sufficient for an adequate building there. That was in 1910. This they realized later. In the next act, in the bill of 1913, they provide for an increase of $25,000, which it contains. Again I warned that increase was not enough, and that they would yet need a further increase.

Last summer, when they were believed to begin work on the building, they found that the amount as increased would not suffice, and of their own initiative they sent an agent down there to look into the matter, who, after a thorough investigation, reported that they would need at least the amount which they ask for here, and which this bill carries.

Now as to the urgency of the matter, I doubt if there is one more so. Why, at this very time, and for several months past, the post-office authorities have been utilizing the municipal building—the city hall—of St. Petersburg as a post office, because they can not find any other suitable place for that purpose that is more available. Among other difficulties, the rents are higher there than the Post Office Department is willing to pay. Of course, no one will rent to the Government when he can get more from other parties, and but for the fact that the city itself lets them use a part of its own building, they would have no place there in that beautiful, progressive town in which to carry on the post-office business.

This bill, as has been stated by my colleague [Mr. CLARK], is very meritorious. There is certainly none on the entire calendar more so. The city is growing as rapidly as any other in Florida, and that means in the country. Its post-office receipts have grown from $13,661 in 1908 to $44,913 in 1914. Its normal population is now about 10,000, with a winter population of perhaps 25,000; and I would suggest that we had better provide for the building now and get it started, otherwise we may be soon called upon for a further increase.

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, we have here, as has been stated, an appropriation for a building in the State of Florida. I would like to suggest to the gentleman from Florida that, in view of the large amount of money that is collected from the different States by direct tax, Florida has already had its share.

Mr. SPARKMAN. As to that I want to say that Florida, up to this time, has not gotten anything. She has not asked for anything.

Mr. DONOVAN. Then I object. If the gentleman does not know what is going on down there and makes that statement, I object.

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] objects.

Mr. SPARKMAN. Mr Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next one.

REGULATION OF TRAFFIC DURING PARADES, DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (S. 2415) relating to the exclusion of traffic from the streets and avenues of the District of Columbia during parades.

The bill was read.

The SPEAKER. Is there objection?

Mr. JOHNSON of Kentucky. Mr. Speaker, reserving the right to object, I wish to say that the House committee seems to have taken something for granted because this bill was prepared by the corporation counsel and because it already had been passed by the Senate. But I find on the first page, toward the end of line 7 and throughout line 8, when taken in connection with what follows, that the bill either gives concurrent jurisdiction to the Commissioners of the District of Columbia and to the police court or it gives conflicting jurisdiction; I can not certainly tell which. Besides that, the bill nowhere creates the offense of misdemeanor or felony or any other specific offense. I therefore object to its present consideration, and further ask that the bill be laid on the table.

The SPEAKER. The gentleman from Kentucky objects, and asks that the bill be laid on the table. Is there objection to his request?

Mr. STAFFORD. Mr. Speaker, I do not think we should have the bill laid on the table without its being considered.

Mr. JOHNSON of Kentucky. Then, Mr. Speaker, I ask that the bill be recommitted to the Committee on the District of Columbia.

The SPEAKER. The gentleman from Kentucky asks that the bill be recommitted to the Committee on the District of Columbia. Is there objection?

Mr. MOORE. Mr. Speaker, reserving the right to object, I call the attention of the gentleman to the title of this bill "relating to the exclusion of traffic from the streets and avenues of the District of Columbia during parades." It would seem to pertain to vehicular traffic and not to the granting of permits to parade. But the bill itself apparently empowers the commissioners to grant permits to parade, and then it imposes a fine of $40 for the violation of such regulation as they may provide. It is not clear to me, as I read the bill in connection with the title, whether the imposition of this penalty, which seems to be delegated to the commissioners, is to be against street car companies or vehicles that may interrupt a parade, or against those who parade without a permit.

Mr. JOHNSON of Kentucky. I wish to say to the gentleman that in construing a statute the court will not take the title into consideration in connection with the bill; and if he will look at the end of line 7 and all of line 8, taken in connection with what follows, I apprehend that it may confer judicial power upon the commissioners to convict and impose fines.

Mr. MOORE. It reads that way.

Mr. JOHNSON of Kentucky. I do not think the commissioners ought to have judicial powers.

Mr. MOORE. I am not going to object to the motion to refer the bill back to the committee, but I think——

Mr. JOHNSON of Kentucky. I ask unanimous consent that the bill be stricken from the entire calendar and recommitted to the Committee on the District of Columbia.

The SPEAKER. Is there objection to the request to recommit the bill to the Committee on the District of Columbia?

There was no objection.

PETER LASSEN NATIONAL PARK, CAL.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 52) to establish the Peter Lassen National Park in the Sierra Nevada Mountains in the State of California, and for other purposes.

The Clerk read the title of the bill.

Mr. JOHNSON of Washington. Mr. Speaker, I object to the consideration of this bill.

The SPEAKER. The gentleman from Washington objects. The bill will be stricken from the calendar.

ALCATRAZ ISLAND.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 9017) transferring the control and jurisdiction of Alcatraz Island, and its buildings thereon from the Department of War to the Department of Labor.

The Clerk read the title of the bill.

Mr. ANTHONY. Mr. Speaker, I reserve the right to object to this bill.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That Alcatraz Island and all its buildings thereon, now under the control and jurisdiction of the Department of War, and now used as and known, designated as and called the United States military prison on Alcatraz Island, Cal., be, and the same hereby is, transferred to the Department of Labor to be used by the Bureau of Immigration and Naturalization, the said Alcatraz Island and all its buildings thereon to be hereafter under the exclusive control and jurisdiction of the Department of Labor

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That Alcatraz Island and all buildings, machinery, and improvements thereon, now under the control and jurisdiction of the Department of War, and used for and known as the Pacific branch, United States military prison, on Alcatraz Island, Cal., be, and the same hereby is, except as herein otherwise provided, transferred to the Department of Labor to be used by the Bureau of Immigration as an immigration station or for such other uses as may be provided for by law. The said Alcatraz Island, together with all buildings, machinery, and improvements thereon, shall be hereafter under the exclusive control and jurisdiction of the Department of Labor, subject to the provisions of the

act of Congress approved September 28, 1850, providing for a lighthouse at Alcatraz Island."

The SPEAKER. Is there objection?

Mr. ANTHONY. Mr. Speaker, reserving the right to object, I should like to say that there does not appear to be any compensation to the War Department for the transfer of a very valuable piece of property.

Mr. KAHN. Mr. Speaker, there is no compensation provided in this bill. After all, it would be simply a matter of bookkeeping—transferring in the Treasury Department from one page of the ledger to anther page of the ledger the cost of the buildings.

This transfer is really needed at the present time. Alcatraz Island, in the bay of San Francisco, is about 2 miles from the mainland, and has on it a comparatively new building, completed probably three or four years ago for a military prison.

The War Department has recently inaugurated a new policy with reference to military prisoners. As I understand it, the new regulation went into effect on or about September 30 last. Many of the prisoners confined in this military prison are deserters. They are serving time for desertion, ranging from one year to two or three years. Some of them, too, are serving time for felonies that were committed by them while they were in the Army. The War Department feels that when a soldier has deserted and is willing to serve out his time and get an honorable discharge, it should be the policy of the department to give that man a chance to redeem himself. I understand that the Navy Department has carried out such a policy for some years quite successfully. The War Department has now taken it up.

The purpose of the War Department is to rehabilitate an old fortification built in 1861, located at the northern extremity of the peninsula of San Francisco, known as Fort Point. This fort is a very substantial building. At a comparatively small cost of money it has been renovated and made habitable for disciplinary companies of soldiers who deserted and who are trying to redeem themselves. The War Department feels that these soldiers can be used to some advantage if they are placed in these disciplinary barracks at Fort Point; that their labor can be utilized in the construction of roads and walks, and the care of the grounds in the military posts in and about the bay of San Francisco.

The present immigration station is located on Angel Island, between 4 and 5 miles from San Francisco and approximately 3 miles north of Alcatraz Island. That station was completed about 10 years ago. With the exception of the building which contains the dynamos and boilers, as I now recall, the buildings are of wood construction. At the present time the sole occupants are orientals, Chinese and Japanese and Hindu immigrants who come from oriental countries to San Francisco.

There is no doubt that with the opening of the Panama Canal additional immigration buildings will have to be constructed. There are no accommodations, or there would be no accommodations at present, for white immigrants coming to San Francisco if they should come in any considerable numbers, and it is believed that they will come in considerable numbers as soon as the canal is formally opened for the traffic of the world. In view of that fact, the Secretary of Labor, negotiating with the War Department, and the War Department, feeling that a considerable saving could be made to the Government by transferring those buildings to the Department of Labor, has asked for this legislation.

Mr. MOORE. Has the Department of Labor indicated that it wants it?

Mr. KAHN. Yes. In the report of the Committee on Military Affairs on this bill the gentleman will find the statement that the Commissioner of Immigration and the Secretary of Labor both want the transfer.

Mr. MOORE. It would not want the buildings for prison purposes?

Mr. KAHN. Oh, no. At a very small expense they could be converted into very desirable quarters for immigrants.

Mr. MOORE. Hospital purposes?

Mr. KAHN. Oh, there is a splendid hospital there. The buildings are of modern reinforced-concrete construction, only completed three or four years ago.

Mr. TOWNSEND. Would there not be another advantage that the gentleman overlooked in having this transfer, that instead of these disciplinary companies being located some 5 miles away, and being transferred back and forth every day at a loss of three or four hours' time, they might be conveniently employed if they were located at Fort Point?

Mr. KAHN. That is very true. I thank the gentleman for his suggestion.

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

Mr. KAHN. I will yield to the gentleman from Illinois.

Mr. MANN. Is it not rather a reflection on the War Department that they should construct these modern buildings, almost finishing them now, and then immediately find out that they are not proper for the service for which they were constructed or that the place is not a proper one?

Mr. KAHN. The buildings themselves were constructed by prison labor, so that the actual cost of construction was not very great. But, as I stated at the very outset, the War Department has recently—in fact, within the last year—inaugurated an entirely new policy so far as the treatment of military prisoners is concerned. At the time the buildings were commenced no such policy was in contemplation. The fact that they have changed the former policy makes it advisable to transfer these buildings to another branch of the Government service that certainly will require buildings.

The SPEAKER. Is there objection?

Mr. NORTON. Mr. Speaker, I reserve the right to object.

Mr. MOORE. Are these buildings known as prison buildings?

Mr. KAHN. They are known as the United States Military Prison, Branch of the Pacific.

Mr. MOORE. The gentleman knows that it would be very unhappy to call buildings "prison buildings" that were to be devoted to immigration purposes.

Mr. KAHN. If they are turned over to the Department of Labor, they will be known as the United States Immigration Station. The very fact that these buildings occupy a very conspicuous location in the bay of San Francisco and are designated as a United States military prison, in my judgment, is exceedingly detrimental to the War Department.

Mr. NORTON. I would like to ask the gentleman if it is not a fact that one of the principal reasons for desiring this change is the sentimental one that the citizens of San Francisco are opposed to having this prison located in the harbor on this island?

Mr. KAHN. The gentleman is entirely mistaken; the sentimental reason probably occurred to me rather than to anybody else. As a member of the Committee on Military Affairs, I do not think it a good thing to have such a conspicuous building as that pointed out as a military prison; but there is not a citizen of San Francisco who has expressed any opinion on the subject as far as I know. They are willing to have it there no matter what it is called, but the Immigration Service requires additional buildings and will have to have them, and in the interest of economy it is desirable to make this transfer.

Mr. NORTON. Mr. Speaker, the report shows that within the past two years $250,000 has been expended in the construction of a new prison building on this island. It occurs to me that there is no immediate need for a change of the control of this building from the War Department to the Immigration Department, except that it be for the satisfaction of some citizens in San Francisco to improve the harbor and have these buildings designated as an immigration station rather than as a prison. Further than that, it means that a large appropriation will soon be asked for in the improving of the harbor and for the construction of other prison buildings on the mainland. I object.

The SPEAKER. The gentleman objects, and the bill will be stricken from the calendar.

THE NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to have referred back to the Committee on Naval Affairs the naval appropriation bill (H. R. 20975) in order to correct one paragraph that does not accurately express the action of the committee.

Mr. BUTLER. The unanimous action of the committee.

Mr. PADGETT. By inadvertence, the language does not accurately express the action of the committee.

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

Mr. MANN. I did not hear the request.

Mr. PADGETT. I am asking to have the naval appropriation bill, which is on the calendar, referred back to the Committee on Naval Affairs in order to correct some inaccurate language.

Mr. MANN. I have no objection.

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

MALAMBO FIRE CLAIMANTS.

The next business on the Calendar for Unanimous Consent was the bill S. 4254, an act to enable the Secretary of War to pay the amount awarded to the Malambo fire claimants by the joint commission under article 6 of the treaty of November 18, 1903, between the United States and Panama.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman objects, and the bill will be stricken from the calendar.

IMPROVEMENT OF THE FOREIGN SERVICE.

Mr. FLOOD of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill S. 5614, for the improvement of the foreign service, which provides for the reorganization of the Consular Service and the secretaries in the Diplomatic Service.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter all appointments of secretaries in the Diplomatic Service and of consuls general and consuls shall be by commission to the offices of secretary of embassy or legation, consul general, or consul, and not by commission to any particular post, and that such officers shall be assigned to posts and transferred from one post to another by order of the President as the interests of the service may require: *Provided*, That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interest demand further service, when such assignment may be extended for a period not to exceed one year, and no longer: *Provided further*, That no secretary, consul general, or consul shall be promoted to a higher class except upon the nomination of the President, with the advice and consent of the Senate.

SEC. 2. That secretaries in the Diplomatic Service and consuls general and consuls shall hereafter be graded and classified as follows, with the salaries of each class herein affixed thereto:

SECRETARIES.

Secretary of class 1, $3,000.
Secretary of class 2, $2,625.
Secretary of class 3, $2,000.
Secretary of class 4, $1,500.
Secretary of class 5, $1,200.

CONSULS GENERAL.

Consul general of class 1, $12,000.
Consul general of class 2, $8,000.
Consul general of class 3, $6,000.
Consul general of class 4, $5,500.
Consul general of class 5, $4,500.

CONSULS.

Consul of class 1, $8,000.
Consul of class 2, $6,000.
Consul of class 3, $5,000.
Consul of class 4, $4,500.
Consul of class 5, $4,000.
Consul of class 6, $3,500.
Consul of class 7, $3,000.
Consul of class 8, $2,500.
Consul of class 9, $2,000.

SEC. 3. That section 1685 of the Revised Statutes is hereby amended to read as follows:

"SEC. 1685. That for such time as any secretary of embassy or legation shall be lawfully authorized to act as chargé d'affaires ad interim at the post to which he shall have been appointed or assigned, he shall be entitled to receive, in addition to his salary as secretary of embassy or legation, compensation equal to the difference between such salary and 50 per cent of the salary provided by law for the ambassador or minister at such post; and for such time as any vice consul shall be lawfully authorized to assume charge of a consulate general or consulate during the absence of the principal officer at the post to which he shall have been appointed or assigned, he shall be entitled to receive, in addition to his regular salary or compensation as a subordinate consular officer or employee, compensation equal to the difference between such salary or compensation and 50 per cent of the salary provided by law for the principal consular officer at such post."

SEC. 4. That a secretary, consul general, or consul of whatever class detailed for special duty outside of the city of Washington shall be paid his actual and necessary expenses for subsistence during such special detail: *Provided*, That such special duty shall not continue for more than 60 days unless in the case of international gatherings, congresses, or conferences, when such subsistence expenses shall run only during the life of the international gathering, congress, or conference, as the case may be.

SEC. 5. That the Secretary of State is directed to report from time to time to the President, along with his recommendations for promotion or for transfer between the department and the foreign service, the names of those secretaries in the Diplomatic Service and the names of those consular officers or departmental officers or employees who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon examination to have fitness for appointment to the lower grades of the service.

SEC. 6. That section 1674 of the Revised Statutes is hereby amended to read as follows:

"SEC. 1674. That the official designations employed throughout this title shall be deemed to have the following meanings, respectively:

"First. 'Consul general' and 'consul' shall be deemed to denote full, principal, and permanent consular officers as distinguished from subordinates and substitutes.

"Second. 'Consular agent' shall be deemed to denote consular officers subordinate to such principals exercising the powers vested in them and performing the duties prescribed for them by regulation of the President at posts or places different from those at which such principals are located, respectively.

"Third. 'Vice consuls' shall be deemed to denote consular officers subordinate to such principals exercising and performing the duties within the limits of their consulates at the same or at different points and places from those at which the principals are located, except that when vice consuls take charge of consulates general or consulates when the principal officers shall be temporarily absent or relieved from duty they shall be deemed to denote consular officers who shall be substituted, temporarily, to fill the places of said consuls general or consuls.

"Fourth. 'Consular officer' shall be deemed to include consuls general, consuls, vice consuls, interpreters in consular offices, student interpreters, and consular agents, and none others.

"Fifth. 'Diplomatic officer' shall be deemed to include ambassadors, envoys extraordinary, ministers plenipotentiary, ministers resident, commissioners, chargés d'affaires, agents, secretaries of embassy and legation, and secretaries in the Diplomatic Service, and none others."

The offices of vice consul general, deputy consul general, and deputy consul are abolished.

SEC. 7. That no ambassador, minister, minister resident, diplomatic agent, or secretary in the Diplomatic Service of any grade or class shall, while he holds his office, be interested in or transact any business as a merchant, factor, broker, or other trader, or as an agent for any such person to, from, or within the country or countries to which he or the chief of his mission, as the case may be, is accredited, either in his own name or in the name or through the agency of any other person, nor shall he, in such country or countries, practice as a lawyer for compensation or be interested in the fees or compensation of any lawyer so practicing.

SEC. 8. That this act shall take effect on the 30th day of September, 1914, when all acts or parts of acts inconsistent with this act are repealed.

The SPEAKER. The Chair wishes to state that if this bill is to be passed at this session it should be passed now, in order that it may be provided for in the appropriation bill. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to have the gentleman from Virginia state what the difference is between the Senate bill and the bill as reported from his committee. I notice that the Senate bill is quite different from the House bill.

Mr. FLOOD of Virginia. The differences are slight.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE. Is the gentleman's request for consideration, or is it a motion to suspend the rules?

The SPEAKER. His request is to take from the Speaker's table this bill and consider it.

Mr. MOORE. Does that admit of an opportunity for debate as under suspension of the rules? Under the suspension of the rules there would be 20 minutes on a side.

The SPEAKER. The suspension of the rules has nothing to do with it. The Chair put it ahead because if the bill is to be passed at all it should be passed now.

Mr. STAFFORD. Mr. Speaker, will the gentleman postpone the consideration of this bill until later in the afternoon, when we may have an opportunity to examine it? We have not been able to obtain the print that has been read by the Clerk.

Mr. MOORE. Mr. Speaker, I wish to say to the gentleman that 10 minutes have elapsed since I sent for my copy, and I have just been able to obtain it.

Mr. STAFFORD. And we are not certain of the copy we have received. The bill that I have in my hand does not show that it is the bill that passed the Senate.

Mr. FLOOD of Virginia. If I could be recognized a little later, I would be perfectly willing to postpone the consideration of the matter now.

The SPEAKER. The Chair does not know about that. He can not tell what the state of the business will be in two or three hours. The Chair will promise to recognize the gentleman, however, as soon as we get through with the next two of these bills. Will that be satisfactory to the gentleman from Wisconsin?

Mr. STAFFORD. I do not know how much time that will take, Mr. Speaker.

The SPEAKER. The Chair is simply asking if the gentleman would like to have that much time.

Mr. STAFFORD. That certainly will be better than taking it up for consideration now.

Mr. BURNETT. Mr. Speaker, I will ask the Chair to make that the next three bills.

The SPEAKER. Very well; make it the next three.

MAJORS IN ORDNANCE DEPARTMENT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17765) to regulate the details of majors in the Ordance Department.

The Clerk read the bill, as follows:

Be it enacted, etc., That majors may be detailed in the Ordnance Department, under section 26 of the act approved February 2, 1901, and acts amendatory thereof, without a compulsory period of service out of that department.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

PUBLIC BUILDING AT HONOLULU, HAWAII.

The next business on the Calendar for Unanimous Consent was the bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the acts of June 30, 1906 (34 Stats., p. 782), June 30, 1906 (34 Stats., p. 794), May 30, 1908 (35 Stats., p. 490), May 30, 1908 (35 Stats., p. 541), March 4, 1909 (35 Stats., p. 951), June 25, 1910 (36 Stats., p. 696), March 4, 1911 (36 Stats., p. 1373),

March 4, 1913 (37 Stats., p. 866), and October 22, 1913, providing for the acquisition of a site, the enlargement thereof, and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, be, and the same are hereby, amended so as to authorize the Secretary of the Treasury, in his discretion, in lieu of enlarging the site heretofore acquired for said building, to reconvey said site by the usual quitclaim deed to the person or persons from whom the United States acquired title, or to their successors in interest, upon the payment to the United States of the price the Government paid for said property, and conditioned upon the payment being first made by said previous owners, or by their successors in interest, of the sum of $35,000 to the person or persons who contributed said sum for the opening and dedication of Bishop Street, adjoining said site, or to their successors in interest; and the Secretary of the Treasury, in his discretion, is hereby authorized to acquire, by purchase, condemnation, or otherwise, a new and conveniently located site of ample area for said authorized building, and to enter into contract, within the limit of cost hereinafter fixed, for the acquisition of such new site, or such enlargement of the present site, and for the erection and completion of the building heretofore authorized: *Provided*, That the cost of the present site, including the enlargement thereof, or of such new site, and of said building shall not exceed the total of the limits of cost heretofore fixed, to wit, $1,325,000: *Provided further*, That all appropriations heretofore made toward the acquisition of the present site and the enlargement thereof and the construction of said building, together with the proceeds of such sale of the present site, are hereby made available toward the acquisition of such new site, or the enlargement of said present site, and the construction of said building upon either the new or the present site.

With the following committee amendments:

Page 2, line 16, strike out the words "in his discretion."

Page 2, lines 17, 18, 19, 20, 21, 22, 23, 24, 25, and line 1, on page 3, strike out the following: "Reconvey said site by the usual quitclaim deed to the person or persons from whom the United States acquired title, or to their successors in interest, upon the payment to the United States of the price the Government paid for said property, and conditioned upon the payment being first made by said previous owners, or by their successors in interest, of the sum of $35,000 to the person or persons who contributed said sum for the opening and dedication of Bishop Street, adjoining said site, or to their successors in interest," and insert in lieu thereof the following: "Sell said site to the highest bidder, at public or private sale, after giving notice by advertisement for 30 days in some newspaper published in said city of Honolulu, at a minimum price of not less than $150,000, the proceeds of said sale to be paid into the Treasury as miscellaneous receipts."

Page 3, lines 6 and 7, strike out the words "in his discretion."

Page 3, lines 11 and 12, after the word "site," strike out the comma and the words "or such enlargement of the present site."

Page 3, lines 13 and 14, strike out the words "the present site, including the enlargement thereof, or of."

Page 3, lines 19 and 20, strike out, after the word "building," the comma and the words "together with the proceeds of such sale of the present site."

Page 3, lines 21 and 22, after the word "site," strike out the comma and the words "or the enlargement of said present site."

Page 3, line 23, strike out the word "either" and the words "or the present."

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I notice that there is no limitation in the bill as to the cost of the new site. We make available all of the moneys that have heretofore been appropriated for the purchase of a site and the erection of a public building at Honolulu, without any limitation whatsoever on the cost of the new site. I propound this question to the gentleman who has charge of the bill—whether he does not think there should be some restriction placed in this bill on the exercise of discretion on the part of the Government officials in islands so far removed as Hawaii?

Mr. BURNETT. Mr. Speaker, this bill does not propose to take a cent out of the Treasury. The gentleman is aware of that, of course. In 1906 there was authorization for the construction of a customhouse, courthouse, post office, and various other public buildings in Hawaii, in Honolulu. A site was purchased for $104,000. It was ascertained that that was inadequate in size, and an appropriation or authorization was made for the purpose of enlarging it. It was found that was going to cost so much, and there were so many intricacies in regard to the matter, that it was determined they could not do that and still construct the building within the authorization. Therefore this bill is for the purpose of selling the old site at $150,000, turning that money into the Treasury, and then buying a new site and to construct the building out of the authorization; so it really is a net profit of $150,000 to the Public Treasury.

In regard to the suggestion of the gentleman, this is under the suggestion of the Treasury Department. It was first in the discretion as to enlargement of the old site, but all of that is stricken out, and that has been done with the concurrence of the Treasury Department. They say there are several sites in view. They believe they can buy a site and keep within the cost of $200,000 or $225,000. However, the entire site is to be purchased and the building constructed within the authorization, and hence we discussed with them the very question that the gentleman has asked, and they said for that reason they did not see any necessity and hoped there would not be any limit as to the cost of the site, because the building and the site can not exceed the amount of the authorization.

Mr. STAFFORD. The gentleman has had wide enough experience on the Committee on Public Buildings to know that if you are going to grant to these officials out there unlimited discretion as to the purchase of a site within the combined cost of the site and the public building, when the site has once been purchased, then they can come back and say that the site cost so much that they are not able to construct the building within the amount authorized.

Mr. BURNETT. Yes, that is true; that is often done.

Mr. STAFFORD. There is nothing in the report to show what the estimated cost of the new building will be.

Mr. BURNETT. I see the Delegate from Hawaii [Mr. KALANIANAOLE] here, who is perhaps more familiar with that proposition than I am, and I would not object to a reasonable limitation on the cost of the site. I believe it unnecessary, however, because this thing has been going on so long that they are very anxious to get on with the construction of it.

Mr. STAFFORD. I hope the gentleman will not contradict himself. In one breath he says he agrees with what I say might arise and the next breath he says he thinks it is unnecessary to do this.

Mr. BURNETT. I think so because of the facts. I think they will proceed to purchase the site and construct the building.

Mr. STAFFORD. The gentleman can not furnish the committee with any estimate as to the cost of the building?

Mr. BURNETT. Mr. Speaker, perhaps the Delegate here from Hawaii can give the gentleman more accurate information than I am able to give.

Mr. KALANIANAOLE. Mr. Chairman, the Treasury Department has not given any estimate of the cost of these sites. There are two sites now being considered by the Treasury Department, one in the city proper and another about a quarter of a mile out of the city, both of which I believe can be purchased for about $200,000.

Mr. STAFFORD. Which one does the gentleman refer to when he says the price is $200,000?

Mr. KALANIANAOLE. Both the so-called Spreckels site and the Irwin site, I think, can be purchased for that amount.

Mr. STAFFORD. Both have an estimated value of $200,000?

Mr. KALANIANAOLE. It may be a little more.

Mr. STAFFORD. Would the gentleman have any objection, in line 10, page 3, to inserting, after the word "cost," "$200,000," so as to read "within the limit of cost of $200,000," so that these officials in purchasing a new site will leave sufficient money for the erection of this public building?

Mr. KALANIANAOLE. I do not think it would be well to limit the cost of the site to $200,000, as one can not say with any degree of certainty that that amount would be sufficient to purchase either of the sites under consideration.

Mr. STAFFORD. The gentleman is acquainted with the practice in these public-building proposition of limiting the appropriation for the site and then the amount of appropriation for the public building. I have no objection whatsoever to the erection of this public building, but I can see that if a public building is to be erected there should be some limitation on the cost of the site.

Mr. KALANIANAOLE. In this case I do not think it would be well to limit the cost of the site, inasmuch as the cost of the building and site must come within the authorization.

Mr. STAFFORD. I realize it is a proper legislative function to place a limitation as to the amount that can be paid for site purposes.

Mr. KALANIANAOLE. I think the gentleman is right.

Mr. STAFFORD. The gentleman knows that very frequently when there is no limitation on the cost of the site that they purchase a very large site at a very large price, and that then there is not enough money left to construct the building according to the original plans, and they come here for a supplemental appropriation. I would not have any objection, Mr. Speaker, even to raising the amount and allowing $50,000 more, so as not to restrict them too closely and enable them to obtain a proper site, but without such a limitation I will feel constrained to object. I hope that meets with the approval of the Delegate from Hawaii.

The SPEAKER. Is the gentleman objecting or objecting conditionally?

Mr. STAFFORD. Mr. Speaker, I am objecting conditionally, and I find my suggestion has the full approval, I may say, of the gentleman from Hawaii.

Mr. ASHBROOK. Do I understand the Delegate accepts the raise?

Mr. STAFFORD. The Delegate always accepts everything that is right and proper.

The SPEAKER. Is there objection?

Mr. GOULDEN. Mr. Speaker, I would like to ask the gentleman from Alabama what is the total authorization for site and building?

Mr. BURNETT. One million three hundred and twenty-five thousand dollars. That has heretofore been made, but not in this bill.

Mr. GOULDEN. That excludes the sale or the proceeds of the sale of the present site?

Mr. BURNETT. Oh, yes; that goes back into the Treasury. Now, as far as the suggestion of the gentleman from Wisconsin goes, I think it would be a very wise provision to put a limitation that the cost shall not exceed $250,000, and, like the Delegate, I do not believe it will cost that. I do not believe it will exceed $200,000, but out of abundant caution, in order that they may have ample funds, we have no objection.

Mr. MANN. You are selling the present site for $150,000.

Mr. BURNETT. And that goes into the Treasury.

Mr. MANN. That is not large enough, and what is the use of wasting time in passing a bill to buy a new site for $150,000?

Mr. STAFFORD. Two hundred and fifty thousand dollars. The Delegate himself thinks it can be bought for $200,000, and so we give him plenty of leeway by adding $50,000. We put that limitation on the cost.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the committee amendments.

The question was taken, and the committee amendments were agreed to.

Mr. STAFFORD. Does that include the new proposition?

The SPEAKER. It does not.

Mr. STAFFORD. Mr. Speaker, I offer an amendment. In line 10, page 3, after the word "cost," strike out the words "hereinafter fixed" and insert in lieu thereof "of $250,000."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the word "cost," strike out the words "hereinafter fixed" and insert the word and figures "of $250,000."

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

The bill as amended was ordered to be read a third time, was read the third time and passed.

PRESIDIO AND FORT MASON (CAL.) LANDS.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was H. J. Res. 346, ceding to the State of California temporary jurisdiction over certain lands in the Presidio of San Francisco and Fort Mason (Cal.) Military Reservation.

Mr. KAHN. Mr. Speaker, this resolution has already become a law, a Senate bill of similar import having already been passed. I therefore move that it be stricken from the calendar.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

IMPROVEMENT OF FOREIGN SERVICE.

Mr. FLOOD of Virginia. Mr. Speaker, this is the point at which I understood I was to be recognized.

Mr. MANN. That bill went off the calendar. That does not count.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent to take from the Speaker's table and consider at the present time the bill S. 5614, for the improvement of the foreign service. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think the chairman of the committee should explain this bill.

Mr. FLOOD of Virginia. Mr. Speaker, the gentleman from Wisconsin asked the difference between this bill and the bill as reported from the House committee. The gentleman, I suppose, has in his hand a print of the bill S. 5416?

Mr. STAFFORD. Yes. Since the colloquy I went out and obtained an engrossed copy of the Senate bill.

Mr. FLOOD of Virginia. Now, the gentleman will observe at the end of line 14 of this bill as it passed the Senate——

Mr. MOORE. Line 14 on which page?

Mr. FLOOD of Virginia. Page 1, section 1, as follows:

Provided further, That no secretary, consul general, or consul shall be promoted to a higher class except upon the nomination of the President, with the advice and consent of the Senate.

Mr. MANN. Of course, that absolutely destroyed the purpose of the bill.

Mr. FLOOD of Virginia. No; that was the purpose of the bill as recommended by the House committee. They did not use that language. The intention of this, I will say to the gentleman from Illinois, is that the President may appoint to a class, and that being confirmed by the Senate he could transfer the secretary or the consul from any post in that class to any other post in the same class; but if the President wishes to promote or demote a consul or secretary it has to be sent to the Senate for confirmation. The House bill did not use that language but made a similar provision in different language.

Mr. MANN. The House bill was directly the contrary.

Mr. FLOOD of Virginia. No.

Mr. MANN. The House bill provided consuls should be appointed as consuls and should be sent to posts in the discretion of the President.

Mr. FLOOD of Virginia. Oh, no; it did not. Only to posts in the same class.

Mr. MANN. That is what it reads.

Mr. FLOOD of Virginia. The House bill provided that consuls should be appointed to classes, and that confirmation had to be had by the Senate, and then if the President should desire he could transfer a consul from any post in that class to any other post in the same class, but he could not promote or demote the consul without the advice and consent of the Senate; and the provision applies to secretaries.

Mr. MANN. The House bill says:

That hereafter all appointments of secretaries in the Diplomatic Service and of consuls general and consuls shall be by commission to the offices of secretary of embassy or legation, consul general, or consul, and not by commission to any particular post, and that such officers shall be assigned to posts and transferred from one post to another by order of the President as the interests of the service may require.

Mr. FLOOD of Virginia. Such officers shall be assigned to a post and transferred from one post to another.

Mr. MANN. Yes; they are to be appointed simply as consuls. It is true section 2 of the bill says the grade shall be classified as follows, but they are not appointed to a class. Under section 1 they are appointed as consuls. There is not any question about what the bill says. I supposed the very purpose of this bill was to give the President or the Secretary of State acting with him power to change consuls and let a man enter the service in a lower grade without being held up by Senators all the time on the question of patronage.

Mr. FLOOD of Virginia. No; the gentleman is mistaken as to the purpose of the bill, and the same question arose in the Senate that the gentleman is making now, that the bill was not clear on that point, and the amendment I have just called attention to was put in on the floor of the Senate to make that clear.

Mr. MANN. I may be mistaken as to the purpose of the bill, although I have examined this bill for several Congresses.

Mr. FLOOD of Virginia. That was not the purpose. And the Senate took the position that the gentleman from Illinois takes, that the wording of the bill was not plain, and did not carry out the meaning of the bill, and therefore added that amendment.

Mr. MAPES. Will the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. The gentleman has introduced two bills on this same subject in the House, has he not?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. And when he refers to the House bill, to which one does he refer?

Mr. FLOOD of Virginia. I refer to H. R. 18654.

Mr. MAPES. In H. R. 18654, sections 5, 6, and 7 of H. R. 16680 were omitted, were they not?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. And that strikes out the section providing for the efficiency reports and the competitive examination feature, does it not?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. Now, in the Senate bill as it passed the Senate, section 5 was kept in?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. The bill passed the Senate with that section in?

Mr. FLOOD of Virginia. Yes.

Mr. MAPES. Does the gentleman propose, if unanimous consent is given to consider this bill this afternoon, to offer an amendment striking out section 5 as reported by the House committee, or to leave it in as it passed the Senate?

Mr. FLOOD of Virginia. In deference to the gentleman, I did not propose to offer an amendment to the Senate bill. I do not care about section 5, but I do not propose to offer any amendment to strike it out.

Mr. STAFFORD. To which section 5 does the gentleman refer?

Mr. FLOOD of Virginia. Section 5 in the bill as it passed the Senate.

Mr. STAFFORD. The engrossed copy? What objection could there be to that? It reads as follows:

SEC. 5. That the Secretary of State is directed to report from time to time to the President, along with his recommendations for promotion or for transfer between the department and the foreign service, the names of those secretaries in the Diplomatic Service and the names of those consular officers or departmental officers or employees who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon examination to have fitness for appointment to the lower grades of the service.

Is that the section that the gentleman objects to?

Mr. FLOOD of Virginia. I do not object to it. The gentleman from Michigan [Mr. MAPES] wants it.

Mr. MAPES. I object to its being taken out.

Mr. STAFFORD. What objection could be lodged against it?

Mr. FLOOD of Virginia. My only objection to that is that it was a part of the system of civil service that was originally incorporated in this bill.

Mr. ROGERS. I have in my hand a copy of Senate bill 5614, which was reported from the Committee on Foreign Relations to the Senate. I attempted to get from the House and Senate document rooms the text of that bill as it passed the Senate, but they tell me it has not been printed. I presume the copy that the gentleman from Virginia [Mr. FLOOD] has in his hand is the only copy in this room.

Mr. MANN. No. I will loan the gentleman my copy if he desires it.

Mr. FLOOD of Virginia. That was the only change made. The bill passed the Senate exactly as reported by the committee, with the exception that I have indicated.

Mr. MOORE. Has section 5 of the bill S. 5614 been stricken out by the Senate?

Mr. FLOOD of Virginia. No. The gentleman from Michigan [Mr. MAPES] asked me if I would move to strike it out if unanimous consent were given to the consideration of the bill. I said I would not.

Mr. MOORE. Section 5 of the Senate bill will be considered when the time comes for consideration?

Mr. FLOOD of Virginia. Yes.

Mr. MOORE. I wish to inquire if sections 6 and 7, both pertaining to examinations and promotions, were in the bill as originally presented to the House by the gentleman from Virginia himself.

Mr. FLOOD of Virginia. As originally introduced. I subsequently changed it and introduced another bill.

Mr. MOORE. And they were stricken out by the Senate, and they contain certain civil-service features?

Mr. FLOOD of Virginia. They not only were stricken out by the Senate, but the House committee did not report them.

Mr. MAPES. Mr. Speaker, will the gentleman say why they were stricken out by the House and by the Senate?

Mr. FLOOD of Virginia. They were stricken out by the House committee because that committee was anxious for the early enactment of this legislation, and we thought the bill would stand a better chance to get through if we did not inject the civil-service feature into the bill.

Mr. HARRISON. Mr. Speaker, will the gentleman yield a moment? I want to read what Mr. Carr said with respect to the civil-service feature.

Mr. MAPES. Just one moment. Was the Foreign Relations Committee in the Senate in favor of the two sections?

Mr. FLOOD of Virginia. There were several gentlemen who were in favor of them. I am not, and I do not know how many gentlemen there are on the House committee who are not in favor of them.

Mr. MAPES. They were in the bill as originally introduced?

Mr. FLOOD of Virginia. Yes; they were in the bill as originally introduced; and I then introduced another bill leaving them out and leaving out section 5 of the Senate bill. But I will say to the gentleman that, so far as the civil-service law is concerned, there is an Executive order in the State Department that puts consuls and secretaries to embassies and legations under as strict civil-service regulation as any law we could pass, and it is being rigidly enforced at the present time.

Mr. MAPES. The Executive order could be changed at any time?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. Could I make a suggestion to the gentleman from Virginia?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. As I understand, the gentleman from Virginia expected to suspend the rules and have this bill considered to-day, which would require a two-thirds vote?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. Now the gentleman is asking unanimous consent. If consent is given now there will be an opportunity, I take it, for amendment and debate? The gentleman would not expect to move the previous question at once?

Mr. FLOOD of Virginia. Oh, no.

Mr. MANN. The gentleman is perfectly willing to allow a reasonable allotment of debate and amendment under the five-minute rule?

Mr. FLOOD of Virginia. Certainly.

Mr. MANN. It seems to me we would make progress if we were to determine now whether or not we were going to consider it where we would have a chance to amend it, over what we would make if we considered it only under suspension of the rules.

Mr. MAPES. Mr. Speaker, if I am allowed to introduce an amendment to reincorporate into the bill sections 6 and 7, I shall have no objection. I understand that I will have that right.

Mr. MOORE. I want a ittle time, but I do not want to interfere with the consideration of the bill.

The SPEAKER. Is there objection? Does the Chair understand that the gentleman from Michigan [Mr. MAPES] intends to object conditionally?

Mr. MAPES. No.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

Mr. MANN. Mr. Speaker, this is a Union Calendar bill.

Mr. FLOOD of Virginia. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. MANN. With the understanding that there will be reasonable latitude for debate and amendment?

Mr. FLOOD of Virginia. Certainly.

The SPEAKER. Without objection, it is so ordered. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That hereafter all appointments of secretaries in the Diplomatic Service and of consuls general and consuls shall be by commission to the offices of secretary of embassy or legation, consul general, or consul, and not by commission to any particular post, and that such officers shall be assigned to posts and transferred from one post to another by order of the President as the interests of the service may require: *Provided,* That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interest demand further service, when such assignment may be extended for a period not to exceed one year, and no longer: *Provided further,* That no secretary, consul general, or consul shall be promoted to a higher class except upon the nomination of the President, with the advice and consent of the Senate.

Mr. MOORE. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore (Mr. ALEXANDER). The gentlemen from Pennsylvania moves to strike out the last word.

Mr. MOORE. Mr. Speaker, this bill purports to be for "the improvement of the foreign service." I am certainly in favor of the improvement of the foreign service so far as it pertains to the efficiency of the personnel, and I join very heartily in the recommendation of the Secretary of State that there shall be some improvement in the salaries paid to many of our hard-working and efficient representatives on the other side of the water. Too much can not be said about the work they are doing, and too much can not be said about the advisability of encouraging these men to give even better service. Many of them receive a stipend that is niggardly in the extreme; consuls, vice consuls, and others of the minor representatives in the foreign service. It is regrettable that some of our American representatives in foreign countries must live and maintain families on salaries ranging from $1,500 and less up. I would like to see all that corrected in some systematic way, but I would not like to see taken away from the men who are faithful and who work at such small compensations the right of promotion and the hope and expectation of being advanced in consequence of faithful service performed. If the bill did not leave a loophole in this respect, admitting of the possible overthrow of an efficient service by omitting the right of examination and promotion upon records made, I would cheerfully support it.

The Secretary of State, in his report recommending the passage of the bill, argues for "a higher efficiency" to the Government and "greater service to the business interests" than are obtainable at present. The Secretary of State makes this specific statement in his report to the United States Senator who happened to have charge of the bill in the other Chamber.

The Secretary of State, however, in his official letter suggests the advisability of introducing "elasticity into the service." First he wants "a higher efficiency," then he wants the privilege to "introduce elasticity into the service."

Now, if it were simply a matter of meeting a war condition, if it meant only that in an emergency he should have the right to transfer these consular officers, without sending their names to the Senate for confirmation, very well. That kind of "elasticity" might be all right. This House might very readily approve of it. But the Secretary has laid himself open to a double meaning upon this question of "elasticity" and of efficiency in the service.

At a recent court proceeding in New York City we were given a side light upon the kind of "elasticity" that might be generally applied to secure the kind of "efficiency" most desired by the Secretary of State.

Addressing the Hon. W. Walter Vick about consular matters in Santo Domingo the Secretary said:

MY DEAR MR. VICK: Now that you have arrived—

Mr. Vick, you will remember, was appointed to a position approaching that of diplomacy for this particular island.

MY DEAR MR. VICK: Now that you have arrived and are acquainting yourself with the situation, can you let me know what positions you have at your disposal with which to reward deserving Democrats? Whenever you desire a suggestion from me in regard to a man for any place there, call on me.

Are we to understand by this that the Secretary is standing in this particular for "higher efficiency" or for an "elasticity" of the service that will give him the privilege of sending those friends of his whom he regards as deserving Democrats to fill positions in the service?

The SPEAKER pro tempore (Mr. ALEXANDER). The gentleman has spoken five minutes.

Mr. MOORE. I ask unanimous consent to continue the reading of this letter until it is finished.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MOORE. The Secretary, in his letter to Mr. Vick, continues:

You have had enough experience in politics to know how valuable workers are when a campaign is on and how difficult it is to find suitable rewards for all the deserving. I do not know to what extent a knowledge of Spanish is necessary for employees. Let me know what is required, together with the salary, and when appointments are likely to be made.

Sullivan will be down before long, and you and he together ought to be able to bring about such reforms as may be necessary there. You will find Sullivan a strong, courageous, reliable fellow. The more I have seen of him the better satisfied I am that he will fit into the place there and do what is necessary to be done.

W. J. BRYAN.

I have no further comment to make, Mr. Speaker, except to say that the Secretary of State who wrote this letter to Mr. Vick seeking places for "deserving Democrats" in the Consular Service is the same Secretary who, in his report to the Senator who had this bill passed in the Senate, said:

In the present emergency—

That is, the emergency for the passage of this bill giving the Secretary an "elasticity" in the service—

the President desires me to inform you that he earnestly hopes that the bill S. 5614, which you were good enough to introduce in the House on May 19 last, will become a law at the earliest possible moment.

And in this connection I would add that the President, whose wish was voiced by the Secretary of State in his letter to the Senator, is the same President who only recently, in a speech at Indianapolis, indicated that he stood for a particular political party, and that he desired to see the interests of that particular party advanced.

Now, Mr. Speaker, this may be a good bill in that it provides higher salaries for some of our deserving consular employees. It may be a good bill in that it may encourage "higher efficiency" without examinations; but if it is such a bill as will grant to the Secretary of State that "elasticity" which he seems to desire in his letter to Mr. Vick, then it is a bad bill, and ought not to pass.

Mr. ROGERS. Mr. Speaker, I desire to offer the following amendment:

Strike out the proviso in section 1, which reads as follows:

"*Provided*, That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year, and no longer."

And insert in place thereof the following:

"*Provided*, That any such officer may be assigned for duty in the Department of State without loss of grade, class, or salary, such assignment to be for a period of not more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year, and no longer.

The SPEAKER pro tempore. The Clerk will report the amendment.

Mr. ROGERS. I have not reduced the amendment to writing. I think when I explain the amendment——

Mr. MANN. I know; but the gentleman can not offer his amendment in this way. We have a right to know what the amendment is. The gentleman has plenty of opportunity to prepare his amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the proviso in section 1, which reads as follows:

"*Provided*, That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year, and no longer."

And insert in lieu thereof the following:

"*Provided*, That any such officer may be assigned for duty in the Department of State without loss of grade, class, or salary, such assignment to be for a period of not more than three years, unless the public interest demands further service, when such assignment may be extended for a period not to exceed one year, and no longer."

Mr. ROGERS. Mr. Speaker, this measure was originally introduced in the House by the gentleman from Virginia [Mr. FLOOD] on May 19, 1914, and into the Senate by Senator STONE on May 20. It was, I think, identical as originally introduced in the two branches. It was taken up and hearings were had upon it in the House Committee on Foreign Affairs. In the House committee is was suggested that there was weakness in the proviso to section 1 as originally drawn, for this reason: It has been the habit of the Department of State to withdraw secretaries of embassies or legations from their service in foreign posts and place them temporarily as clerks in the Department of State. As there has hitherto been no appropriation under which the department was enabled to pay to such secretaries their previous salaries, they were allowed only the compensation ordinarily paid the regular clerks in the personnel of the department. Therefore these men, not because they were inefficient, not because they were being punished, but simply because there was no appropriation that could care for them, were, when thus taken back into the Department of State, often to do the most responsible service, obliged to serve at perhaps two-thirds or one-half of their regular pay.

The Committee on Foreign Affairs in considering this measure felt that this result was improper and unjust, and drafted an amendment to care for it, and in reporting the bill to the House that amendment was embodied. It reads as follows:

That any such officer may be assigned for duty to the Department of State without loss of grade, class, or salary—

And so forth.

That was clearly to cover this very point. It was suggested by some officials of the department that possibly the measure as originally drawn cared for the difficulty, but it was the opinion of the committee that it did not and that it was safer to have such a provision. Therefore, as it is not included in the Senate bill now before us, I am suggesting it in the form of an amendment. [Applause.]

Mr. FLOOD of Virginia. Mr. Speaker, I am in favor of the idea contained in the amendment offered by the gentleman from Massachusetts, and yet I hope it will not be adopted at this time, because I believe that any amendment to this bill now may mean its defeat.

The gentleman has the same desire that the department has and that the members of the Senate committee have. Everybody who has investigated the matter realizes that to bring a secretary from an embassy paying $3,000 a year to Washington to do work for the Department of State at a salary of $1,000 or $1,200 or $1,500 is unjust and unfair, and in drawing this bill, which is a State Department bill, it was drawn to obviate that injustice. In the opinion of the officials of the State Department it does obviate that injustice, and I think there can be no doubt about it, though the language of the gentleman from Massachusetts is clearer.

Mr. McKENZIE. Will the gentleman yield?

Mr. FLOOD of Virginia. Certainly.

Mr. McKENZIE. Is it not a fact that where a man is appointed to the Consular Service and his salary is fixed by law, and the same act provides that he may be assigned to the State Department temporarily, that he will receive the salary fixed by law when he is so assigned unless it is expressly set forth in the law to the contrary?

Mr. FLOOD of Virginia. Not under the present law.

Mr. McKENZIE. I mean under this bill.

Mr. FLOOD of Virginia. Yes; under this bill he will, because after this act has been approved it provides for more secretaries in certain classes than there are posts for those secretaries to fill. There will be one additional secretary in the $3,000 class, and that secretary will be assigned to duty here in Washington, and he will get the $3,000 when he is appointed a secretary in that class, whether he is secretary at London or Paris or here in Washington. He will be appointed secretary in class 1, and will be confirmed as a secretary in class 1, and when he is brought to Washington he will still be a secretary in class 1,

and although performing duties in the department at Washington he will draw the salary of a secretary in class 1.

Mr. ROGERS. The gentleman recognizes that the present system is unjust and indefensible?

Mr. FLOOD of Virginia. Undoubtedly.

Mr. ROGERS. I assume that the present law would continue in operation in this city unless it was changed by the new law. Can the gentleman point to anything in the new law that changes it?

Mr. FLOOD of Virginia. Yes; all secretaries are appointed to classes, and the salaries for those classes are fixed in the bill, and when they are assigned to London or Paris they will be assigned to class 1 and get $3,000. If assigned to the Department of State in Washington, they will still get the $3,000.

Mr. ROGERS. The only language of the bill is this language:

Provided, That no officer may be assigned for duty in the Department of State for a period of more than three years unless the public interests demand further service.

Mr. FLOOD of Virginia. They will assign him from one of these classes—either 1, 2, 3, or 4—to duty in the department at Washington. A man so assigned will stay three years, except for special reasons for extending it, and then he gets a salary not as clerk but as secretary in his class, assigned for duty in the Department of State at Washington. That is the construction put upon it by the State Department and also by the Senate. While it is not as clear as the language in the gentleman's amendment, it seems to me that it is clear enough. I will say that if the gentleman wants to improve the service, if he wants this bill to pass, his amendment ought not to be agreed to.

Mr. ROGERS. I have no desire to imperil the bill, because I thoroughly believe in it. But this bill will go to conference, and it seems to me there will be ample time to consider it.

Mr. FLOOD of Virginia. It might be very difficult to get it up in the Senate again.

Mr. GARDNER. Will the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. GARDNER. Is it not true that if it comes back from conference and goes to the committee it loses its privilege?

Mr. FLOOD of Virginia. Yes. I will say to the gentleman that the Secretary of State is in favor of this bill not only because it increases the salary for a few secretaries, but because it makes the service more elastic, and that elasticity is not in the way of enabling the Secretary of State to provide positions for Democrats over Republicans, but it is to transfer secretaries from one post in some class to another. As to the letter which was read by the gentleman from Pennsylvania [Mr. MOORE] that the Secretary of State wrote to Mr. Vick it meets my hearty approval, and I believe it meets the approval of red-blooded party men in this country, Democrats or Republicans. It was simply a statement that in his opinion there were Democrats as able to fill positions as Republicans, and so far as he was concerned he favored a Democrat of capacity and character over a Republican, and I believe his wisdom and patriotism in that matter is approved by the country. [Applause.]

Mr. MANN. Mr. Speaker, I am very much surprised to hear the gentleman from Virginia [Mr. FLOOD] or anyone else openly defend the unfortunate letter of Secretary Bryan to Mr. Vick. That was not a case of getting Democrats jobs as against Republicans. It was a case of trying to exploit the people of another country in order to furnish ward workers for the Democratic Party in this country. It was a case of trying to make the poor people of Santo Domingo pay the expenses—I will not say of the Democratic Party, but of the political heelers of the Secretary of State.

Mr. Speaker, this is a bill to reorganize to a large extent the Consular Service of our Government, as well as other portions of the Diplomatic Service. Personally I am in favor of the bill. I hope that we may accomplish by legislation some kind of an organization that in some way, unknown to us, will perhaps put a little lime or other element of strength into the backbone of the State Department. I received yesterday by wireless the following telegram from one of the newspaper correspondents who has been in Washington for some time, now, I believe, on his way to Berlin to act as a newspaper correspondent there. It may be assumed that he is pro-German. I suspect that to be the case. He says:

S. S. "NEW AMSTERDAM," *January 16.*

Representative MANN,
Washington, D. C.:

New Amsterdam held up by British cruiser *Caronia* in sight of New York. American citizens, including correspondent of Washington Herald, forced to show passports to British officer. See Fish-Berthemy letter.

SCHUETTE.

I remember the letter which Secretary Fish wrote during the Franco-Prussian War in 1870. At that time French war vessels hovered around the city of New York and the entrance to Norfolk Harbor prepared to seize German vessels that might come out; and as there was some backbone and nerve in the office of the State Department at that time, Secretary Hamilton Fish wrote a letter which, I think, was addressed to Elihu B. Washburne, the American minister to France. It was to our diplomatic representatives in France at that time. The letter is as follows:

SECRETARY OF STATE HAMILTON FISH TO E. B. WASHBURNE, AMERICAN MINISTER TO FRANCE.

DEPARTMENT OF STATE,
Washington, October 4, 1870.

This Government desires and intends to maintain a perfect and strict neutrality between the two powers now unfortunately engaged in war. It desires also to extend to both the manifestation of its friendly feeling in every possible way and will allow to the vessels of war of each power equally the hospitality of its ports and harbors for all proper and friendly purposes.

But this hospitality is liable to abuse, and circumstances have arisen to give rise in the minds of some persons to the apprehension that attempts at such abuse have taken place.

I am not in possession of facts to justify me in saying that such has been the case, but I have deemed myself justified in calling the attention of M. Berthemy, the French representative at this Capital, to the current rumors, sustained, as they are, by the presence of a number of French vessels upon the coast of the United States. These vessels have appeared at or near the entrance of the harbor of New York, off Sandy Hook; at the entrance of the Long Island Sound; at or near the entrance of the Chesapeake Bay. One or more is represented to have been anchored not far from Sandy Hook (the main entrance to New York Harbor), and there is a difference of statement as to the precise distance at which she lay from the shore, some claiming that she was within a marine league. But of this there is no positive evidence. She has entered the port of New York—as claimed by some—for the purpose of watching a German steamer about to sail thence. Three of them have put into the harbor of New London (which looks out upon Long Island Sound, the eastern entrance to the New York Harbor) avowedly for some small repairs; one recently asked permission, which was granted, to make some repairs at the Norfolk Navy Yard, near the entrance of Chesapeake Bay.

All this may be consistent with an intention of perfect observance of the neutral character of our waters and jurisdiction and with an entire absence of undertaking any hostile movement against the vessels of North Germany from those waters or that jurisdiction.

A large trade has been carried on from the ports of the United States approached by the waters in which these vessels have thus appeared by vessels belonging to North Germany.

The appearance of French vessels in these immediate neighborhoods in such numbers and force does not fail to excite the alarm of these vessels and must have the effect to a greater or less degree to diminish that trade.

The United States are not prepared at present to say that any actual violation of international law has been committed or that the hospitality of these waters has been positively abused. But the hovering of the vessels of war of a belligerent on the coasts near the entrance of the principal ports of a friendly power does interfere with the trade of the friendly power.

The interruption of the regular communication with you, by reason of the investment of Paris, has led me to represent to M. Berthemy our views on this subject and to say that, although the vessels of either belligerent may not actually shelter within the jurisdiction of the United States and proceed thence against the vessels of its enemy, this Government would regard as an unfriendly act the hovering of such vessels upon the coast of the United States, near to its shores, in the neighborhood of its ports, and in the track of the ordinary commerce of these ports with intent to intercept the vessels of trade of its enemy.

I have requested M. Berthemy to make known these views to the French Government and to express the confident hope of the President that there may be no cause of complaint on the part of this Government by reason of any such hovering by the vessels of the French Government.

You will be pleased to take an early opportunity to present the same view to the minister for foreign affairs, which you may do by reading to him this dispatch.

HAMILTON FISH.

Mr. Berthemy at that time was the French representative at this Capital. How refreshing it is to go back to the old days of Ulysses S. Grant and Hamilton Fish and learn that we had the nerve to tell the French to keep their war vessels away from the entrance to our harbors with intent to annoy the commerce of this country, and they kept them away. [Applause.] And if we would say so now, Great Britain would keep hers away. We are a neutral power; but we have some rights, and we ought to insist upon our rights being respected. [Applause.]

Mr. HARRISON. Mr. Chairman, I do not believe that the American people agree with the gentleman from Illinois [Mr. MANN] in his statement that there is no backbone in the administration of the present State Department. I believe that the American people applaud and approve the actions and policies of the present Secretary of State, as well as the whole administration. The gentleman from Pennsylvania [Mr. MOORE] just read a letter into the RECORD and criticized the Secretary of State for writing to Mr. Vick about getting places for certain Democrats. The gentlemen on that side of the aisle forget that when the Democrats came into control of the Sixty-second Congress, and when the Republicans in Washington and away from Washington saw the handwriting upon the wall, the Republican administration under Mr. Taft and the State Department, presided over by Secretary Knox, recommended to the Foreign

Affairs Committee of this House that we enact into law the placing of the Consular Service under the civil service. This was not done until they saw that the Democrats would sweep the country in 1912 We did not take their suggestions, because we knew and they knew they had placed Republicans in all of the places in this service and had covered them in by an Executive order, and we knew they wanted them fixed so that they could be retained. The administration has not removed them. They have kept them. The administration has placed efficiency above partisanship. I do not know that I can agree absolutely with that policy. I believe that good and efficient Democrats could have been found to take and fill many of these places. This bill is based on efficiency and economy. The gentleman from Michigan [Mr. MAPES] says that he is going to introduce some amendments to put these places under the civil service. If he will read section 5 he will see that these places are to be filled on merit.

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

Mr. HARRISON. Yes.

Mr. MAPES. I understand the gentleman's contention to be that the President has authority under the orders heretofore issued by President Roosevelt and President Taft to conduct something of the same kind of an examination as is provided in the amendment which I propose to introduce.

Mr. HARRISON. Yes; and there is an Executive order now in force.

Mr. MAPES. That can be set aside by the stroke of the pen of the President.

Mr. HARRISON. It can; and I want to say that the representative of the State Department, Mr. Carr, came before the committee and said that this was what they desired to have done.

Mr. MAPES. May I ask the gentleman a further question? Is the gentleman in favor of carrying out in good faith those orders of the former Presidents?

Mr. HARRISON. I am in favor of appointing efficient men to this service, and I hope and believe that they can find Democrats to fill these places who are efficient. I believe, like the Secretary of State, Mr. Bryan, that Democrats are just as good as Republicans, and I do not believe there is a Republican on that side of the aisle who has any respect for his party and any feelings for the men who make up the rank and file of the party who is not in favor when they get into power of putting good Republicans in control if they can get them. I think possibly you could find a few if you should get a comb and scrape the whole country and——

Mr. MAPES. I am afraid the gentleman is not answering my question.

Mr. HARRISON. What was the gentleman's question?

Mr. MAPES. Is the gentleman in favor of carrying out in good faith those orders of the former Presidents?

Mr. HARRISON. If it were left to me, I would abolish the Executive order with respect to this business altogether and put in good Democrats throughout the country who are reliable and worthy and efficient.

Mr. BATHRICK. Mr. Speaker——

Mr. MAPES. Will the gentleman yield for one further question?

Mr. HARRISON. Yes.

Mr. MAPES. Then the gentleman's objection to the amendment I propose to introduce is based upon the fact that he is not in sympathy with those orders and therefore not willing to have them enacted into law?

Mr. HARRISON. I will say to the gentleman that Mr. Carr, representing the department, came before us, and Mr. LINTHICUM, a member of the committee, asked him this question:

Mr. LINTHICUM. And the civil service of this bill you recommend striking out?

Mr. CARR. We recommend leaving that just where it stands at present under existing Executive orders.

And another reason why I am opposed to the amendment would be that it might be impossible, if you tack on amendments to this bill, to get it enacted into law at this session of Congress. The Senate would not probably recede from their former action and concur in them, and it might be the means of defeating this most desirable legislation.

Mr. MAPES. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. MAPES. This bill was started six months ago with those sections all in it?

Mr. HARRISON. Yes.

Mr. MAPES. At that time it would have been just as easy to report it out of the committee and pass it with those provisions in as without them?

Mr. HARRISON. It was not reported out of the House committee with those provisions in it. A majority of the committee were opposed to incorporating them in the bill.

Mr. MAPES. It was before the committee with those provisions in.

Mr. HARRISON. It was; and they were stricken out on the recommendation of the State Department. I think probably the State Department thought it might endanger the passage of the bill. Mr. Speaker, one word in conclusion, and that is that I hope that no amendment will be tacked on this bill, so that the bill can be speedily passed and become a law. It is very important that that should be done.

Mr. AUSTIN. May I ask the gentleman a question?

Mr. HARRISON. Yes.

Mr. AUSTIN. Mr. Carr, director of consuls, indorses this bill and recommends its passage?

Mr. HARRISON. Oh, undoubtedly he favors it and recommends its passage as well as the State Department recommends it.

The SPEAKER. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 3. That section 1685 of the Revised Statutes is hereby amended to read as follows:

"SEC. 1685. That for such time as any secretary of embassy or legation shall be lawfully authorized to act as chargé d'affaires ad interim at the post to which he shall have been appointed or assigned, he shall be entitled to receive, in addition to his salary as secretary of embassy or legation, compensation equal to the difference between such salary and 50 per cent of the salary provided by law for the ambassador or minister at such post; and for such time as any vice consul shall be lawfully authorized to assume charge of a consulate general or consulate during the absence of the principal officer at the post to which he shall have been appointed or assigned he shall be entitled to receive, in addition to his regular salary or compensation as a subordinate consular officer or employee, compensation equal to the difference between such salary or compensation and 50 per cent of the salary provided by law for the principal consular officer at such post."

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. I rise to inquire of the chairman whether this increase of salary to the acting secretaries and consuls and vice consuls is to be paid, whether there is a vacancy or not, or whether it is to be paid in every instance——

Mr. FLOOD of Virginia. What section?

Mr. STAFFORD. I am referring to the provision in section 3—that any secretary of embassy or legation or vice consul who fills the post during the absence of his principal shall receive, in addition to his regular salary, compensation equal to the difference between such salary and 50 per cent of the salary provided by law for the principal at such post.

Mr. FLOOD of Virginia. What is the question?

Mr. STAFFORD. Whether he is to be paid only in the case the salary of the principal is not being drawn, or whether he is to be paid under all conditions, whether the principal is absent from his post and drawing the salary or not?

Mr. FLOOD of Virginia. No; he is only paid where the principal is absent and not drawing his salary.

Mr. STAFFORD. The section does not place any such limitation upon it.

Mr. FLOOD of Virginia. That is a rule in the State Department. If the principal gets leave of absence, he does not draw the salary; and, as a matter of fact, this provision saves the Government money.

Mr. STAFFORD. There is no question as to the saving of money to the Government, if the principal is not to receive the salary while absent from his post.

Mr. FLOOD of Virginia. That is the fact.

Mr. MANN. That is the case now.

Mr. STAFFORD. There is nothing in this section—that may be a regulation, but it is not provided in the section.

Mr. FLOOD of Virginia. That is the construction that has been put upon the law from time immemorial.

Mr. STAFFORD. But the other practice could pertain under the wording of this amendment.

Mr. FLOOD of Virginia. But it does not in practice.

Mr. STAFFORD. That is not the intent?

Mr. FLOOD of Virginia. No, indeed.

The Clerk read as follows:

SEC. 4. That a secretary, consul general, or consul of whatever class detailed for special duty outside of the city of Washington shall be paid his actual and necessary expenses for subsistence during such special detail: *Provided*, That such special duty shall not continue for more than 60 days unless in the case of international gatherings, congresses, or conferences, when such subsistence expenses shall run only during the life of the international gathering, congress, or conference, as the case may be.

Mr. MANN. Mr. Speaker, I move to amend section 4 by inserting just before the proviso—I do not have the page and

line—after the word "detail," the following: "Not exceeding $4 per day."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 1, after the word "detail," insert the words "not exceeding $4 per day," so that the line will read "expenses for subsistence during such special detail not exceeding $4 per day."

Mr. SELDOMRIDGE. Will the gentleman from Illinois yield?

Mr. MANN. I will yield.

Mr. SELDOMRIDGE. I would like to ask the gentleman if he thinks that the sum stated in his amendment, $4 per day, is ample to cover the expenses for subsistence in other countries? I believe from what knowledge I may have of the matter that there are certain capitals in Europe where the expense for subsistence would be considerably greater than $4 per day.

Mr. MANN. I have no doubt there are many places where it could be greater than $4 per day. We passed a law here in the last session, I believe it was, limiting the amount that could be paid for subsistence here to $4 or $5 a day——

Mr. STAFFORD. Five dollars.

Mr. MANN. To anybody, a Cabinet officer or anybody else. I do not pretend to be fixed about the amount. Maybe it ought to be $5 a day, although it occurred to me that $4 was all right. This is simply where a man is detailed to some place else, and we still pay him his salary. This pays him his subsistence. Now, it became a habit under the law authorizing these payments generally to pay the judges of the court of the United States $10 a day. That is what they get. They put in a bill for $10 a day whenever they are holding court in places away from where they live. I do not think we ought to extend that abuse to anybody else.

Mr. SELDOMRIDGE. If the gentleman will yield, it seems to me if the State Department orders some of these subordinate officials of the Government in the Diplomatic Service to leave their posts and go to other cities on special duty and be put to the additional expense of providing for their subsistence, that they might find themselves put to very great inconvenience and hardship if limited to the sum named by the gentleman from Illinois, namely, $4 a day. It seems to me it should be much larger in Europe and other countries than in the United States.

Mr. MANN. The expense of living in Europe is not as large as living in the United States, and it should be remembered that these people are drawing their salaries, anyhow. If they want to live high, I have no objection.

Mr. FLOOD of Virginia. This is not intended to cover a detail in Europe. It is only intended to cover a detail in this country, and I think the gentleman from Illinois is correct about it. There ought to be a limitation, and still I believe it will imperil the passage of the bill.

Mr. MANN. Oh, no; it will not.

Mr. FLOOD of Virginia. If the gentleman will make it $5 a day instead of $4, it would be more satisfactory.

Mr. MANN. I am perfectly willing to say $5 a day.

Mr. FLOOD of Virginia. Make it $5 a day.

Mr. MANN. Mr. Speaker, I ask unanimous consent to make the amount not exceeding $5 per day.

The SPEAKER. The gentleman from Illinois modifies his amendment by making it to read not to exceed $5 a day.

Mr. FLOOD of Virginia. I hope the amendment will be adopted.

Mr. FOSTER. That makes it not exceeding $5 a day in this country?

Mr. FLOOD of Virginia. Yes.

Mr. FOSTER. What is the reason we should pay more than we do for subsistence to other men in the service? It means if this amendment is adopted they will likely get $5 a day instead of $4.

Mr. FLOOD of Virginia. These men are in the Consular Service or are secretaries of embassies and legations, who are brought here and sent about the country to confer with commercial boards and to give them information about matters in foreign countries.

Mr. MANN. This provides for actual expenses.

Mr. FOSTER. As I understand, they have actual expenses besides this $4 a day?

Mr. FLOOD of Virginia. No. That is not the intention of the amendment.

Mr. MANN. Their actual expenses for subsistence will not exceed so much.

Mr. FOSTER. Actual expenses for subsistence; but that does not include the railroad fare.

Mr. MANN. Oh, no; that has nothing to do with railroad fare. They get paid that, and properly.

Mr. FOSTER. That is what I was getting at. This gives them $5 a day besides their traveling expenses?

Mr. MANN. It does if they spend it.

Mr. FOSTER. I judge they would usually spend that amount.

Mr. MANN. Ordinarily they would in Chicago, New York, or Washington, undoubtedly.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

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

The SPEAKER. The Clerk will read.

The Clerk read as follows:

SEC. 5. That the Secretary of State is directed to report from time to time to the President, along with his recommendations for promotion or for transfer between the department and the foreign service, the names of those secretaries in the Diplomatic Service and the names of those consular officers or departmental officers or employees who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon examination to have fitness for appointment to the lower grades of the service.

Mr. MAPES. Mr. Speaker, I desire to offer an amendment. I have not the engrossed copy of the bill, and it may be that the amendment comes after a different line than the one I have marked.

The SPEAKER. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4 of the engrossed copy, after line 17, insert the following as a new section:

"SEC. 6. That the board of examiners for the Diplomatic Service shall be composed of an Assistant Secretary of State, the chief examiner of the Civil Service Commission or such other officer as that commission shall designate, a law officer of the Department of State, and one other officer to be designated by the Secretary of State. The board of examiners for the Consular Service shall be composed of an Assistant Secretary of State, the Director of the Consular Service, a law officer of the Department of State, the Chief of the Bureau of Foreign and Domestic Commerce of the Department of Commerce, and the chief examiner of the Civil Service Commission or such other officer as that commission shall designate.

"SEC. 7. That the scope and method of the examinations shall be determined by the board of examiners, but the examinations shall include business experience and ability; the resources and commerce of the United States, with special reference to the development of export trade; international, commercial, and maritime law; American history, government, and institutions; and one language other than English. These examinations shall be held at least once annually, and shall be conducted with strict impartiality and without regard to the political or other affiliations of any candidate; and upon their conclusion the board of examiners shall certify in writing to the Secretary of State the names of those persons whom they have found to be, in their judgment, thoroughly well qualified for the Diplomatic or Consular Services, and the results of the examinations shall be made public.

Mr. FLOOD of Virginia. Mr. Speaker, I reserve a point of order on that amendment.

The SPEAKER. The gentleman will state his point of order.

Mr. FLOOD of Virginia. I reserve it now. The amendment provides for a board of examiners and a complete civil-service system in the Consular and Diplomatic Service. This is a bill to appoint consuls and secretaries to classes. The amendment is a civil-service law incorporated into this bill and is not germane to anything that is in the bill. I think it is subject to a point of order.

Mr. MANN. Why, Mr. Speaker, this bill provides for the appointment of consular officers. It provides for dividing them into grades, and it provides for their salary. Now, if we provide for the appointment, we can lead up to the appointment. Personally I do not have any doubt that the amendment is germane, but as laid before the House I can not vote for it, because I do not want to destroy the bill. I would rather have a half loaf than no loaf.

The SPEAKER. Does the gentleman from Michigan [Mr. MAPES] desire to be heard?

Mr. MAPES. I do not care to discuss the point of order. It seems to me that my amendment is clearly germane.

The SPEAKER. The Chair will ask the gentleman where he got this printed matter?

Mr. MAPES. It is sections 6 and 7 of the bill as first introduced by the gentleman from Virginia [Mr. FLOOD].

Mr. MANN. It is the same bill.

Mr. MAPES. It is from the same bill with these sections taken out.

Mr. FLOOD of Virginia. The committee did not think it was germane to the main object of the bill and cut those provisions out.

Mr. MANN. The committee of the Senate did not want to take away their power, I suppose.

Mr. FLOOD of Virginia. The committee of the House eliminated it.

Mr. MANN. It was eliminated in the Senate. The House did not act upon it until they found they could not put it through the Senate.

Mr. FLOOD of Virginia. The gentleman is entirely mistaken. The House committee reported this bill with these provisions out of it before the Senate passed the bill that has been considered here to-day.

Mr. MANN. That is all true; but the gentleman found he could not pass it through the Senate with these amendments in it. Let us be on the square about these things. That is true of a previous Congress and true of this Congress.

Mr. FLOOD of Virginia. I did not and do not think we could pass it through this House with this amendment in it.

Mr. MANN. I do not know whether you could or not. We were not relinquishing any power by the amendment; we were asking the other body to do it, and we were perfectly certain they were not going to do it.

The SPEAKER. The point of order is overruled.

Mr. MAPES. Mr. Speaker, I have introduced this amendment at the request of the National Civil Service Reform League. The amendment is taken verbatim from sections 6 and 7 of a bill introduced in May, 1914, by the chairman of the committee that reported this bill. On May 19, 1914, the gentleman from Virginia [Mr. FLOOD] introduced a bill along the line of the Senate bill which we are now considering, with these two paragraphs in it. Subsequently he introduced another bill with those two sections and section 5 of the Senate bill, which he had in his first bill, eliminated. This last bill was reported favorably by the Committee on Foreign Affairs of the House. The bill as originally introduced in the Senate by Senator STONE also contained sections 6 and 7, the section which I propose to reinstate by my amendment as well as section 5.

The National Civil Service Reform League approved and recommended the bill as originally introduced by the gentleman from Virginia. With these sections taken out, however, they say that the point of the bill is destroyed, and that they do not support it.

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

Mr. MAPES. Certainly.

Mr. ROGERS. Does not the gentleman think that it stands about like this: That this bill as originally introduced by the gentleman from Virginia [Mr. FLOOD] contained two good provisions, each independent, each desirable, standing on its own legs, and that as the result of that amendment one of the good things has been taken out, but that a good one remains behind?

Mr. MAPES. In answer to the gentleman from Massachusetts [Mr. ROGERS] I will say that the Senate bill does contain one section recommended by the Civil Service Reform League, but which the Committee on Foreign Affairs of the House eliminated, providing for efficiency reports and promotions from the efficiency list. It is a good feature, which was not in the bill as reported from the House committee. I intended to introduce the three sections if the House bill had been taken up, but we are considering the Senate bill, which has left the efficiency section in, and the chairman of the committee assured us that he would not attempt to have it stricken out.

In further answer to the gentleman from Massachusetts, I would like to read just one paragraph from a letter which I have from the National Civil Service Reform League, which says that—

> In the opinion of the league, however, the bill (H. R. 18654) is largely devoid of its usefulness without these sections. * * *
>
> The main purpose of the original bill was to enact into statute the provisions of the Executive orders providing for examination for admission to the Consular and Diplomatic Services promulgated by President Roosevelt on June 27, 1906, and President Taft on November 26, 1909, the first order relating mainly to the Consular Service and the second order extending the same system to the Diplomatic Service.

Those who have been interested in the Consular Service, business men and others, have been endeavoring for a number of years to improve this service. Now, we propose to take away all the examination features of the Diplomatic Service except as they are promulgated by Executive order.

Mr. FLOOD of Virginia. I will say to the gentleman is not that the case now?

Mr. MAPES. That is the case now.

Mr. FLOOD of Virginia. Does not the gentleman think that in the past eight years the Consular Service of this country has greatly improved?

Mr. MAPES. I think it has, and we might have—perhaps not under this administration—but we might have an Executive order that would take these men from under these examinations, the same as we had an Executive order under this administration taking out of the civil service the fourth-class postmasters which were put under the civil service by President Taft. I have not heard any objection, Mr. Speaker, to the amendment which I have proposed, putting back into the bill the two sections which have been taken out. The only opposition to the amendment that I have heard is based upon the assumption that it might jeopardize or prejudice the passage of the bill in another body. If it is a good thing, let us incorporate it in this bill.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. MAPES. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD by incorporating a letter from the National Civil Service Reform League.

The SPEAKER. The gentleman from Michigan [Mr. MAPES] asks unanimous consent to extend his remarks in the RECORD by inserting the document named. Is there objection?

There was no objection.

Following is the letter referred to:

NATIONAL CIVIL SERVICE REFORM LEAGUE,
New York, September 15, 1914.

Hon. CARL E. MAPES,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN MAPES: Inasmuch as it is understood that a special rule is likely to be passed at any time bringing up for immediate consideration Mr. FLOOD's bill (H. R. 18654) providing for the appointment of secretaries in the Diplomatic Service and appointments in the Consular Service, I venture to call your attention to certain facts with respect to the bill. On May 19 Mr FLOOD introduced a bill (H. R. 16680) making the same provisions as the bill mentioned above, with three additional sections, two providing that candidates for entrance to the Diplomatic and Consular Service shall be subjected to a qualifying examination, the other providing that efficiency records of employees in the Diplomatic and Consular Service shall be submitted to the President in order that promotions may be based upon an accurate record. The National Civil Service Reform League was glad to register its hearty approval of the bill in that form, and it did so in letters to the Committee on Foreign Affairs.

In the opinion of the league, however, the bill H. R. 18654 is largely devoid of its usefulness without these sections. Without insuring some system of examination for appointees in the foreign service, no matter how adequate the salary schedule and the method of designating incumbent's terms, there can be no guaranty that appointments will not be made for political considerations. The examinations provided for in the original bill are noncompetitive, but the league has indorsed the measure because it represents the best system obtainable under the existing circumstances and at the present time. The Constitution stands absolutely in the way of a requirement that the President must make selections from the top of an eligible list.

The main purpose of the original bill was to enact into statute the provisions of the Executive orders providing for examinations for admission to the Consular and Diplomatic Service promulgated by President Roosevelt on June 27, 1906, and President Taft on November 26, 1909, the first order relating mainly to the Consular Service and the second order extending the same system to the Diplomatic Service.

The secretary of this league in 1912, during the consideration of a similar bill introduced by Congressman Sulzer, made a thorough investigation into the actual working of the Executive orders and examined the records of the Department of State in regard to these examinations. This investigation showed conclusively that, while the orders had not excluded political considerations from appointments, the maintenance of a high standard of examinations has led to the elimination of the old class of place hunters and the substitution of men of good education and capacity to the benefit of the two services. The high standard of these examinations has been maintained and experience has shown that they are successful in weeding out the incompetents. A list of competent persons is created from which the President may select in his discretion, and the constitutional rights of the Senate are protected by the procedure outlined above by the fact that no attempt is made to interfere with its power to confirm or fail to confirm as it sees fit.

It is most desirable that some provisions be made in the bill for the keeping of efficiency records of various employees in the Diplomatic and Consular Service, so that promotions may be made on the basis of merit and fitness. Section 5 of Mr. FLOOD's bill, H. R. 16680, provides that the Secretary of State shall make his recommendations for promotion to the President on the efficiency records which shall be kept in his department. This provision would attract qualified persons who desire to make the foreign service their career, as advancement would depend upon service records.

It is almost inconceivable in this day and generation that a backward step should be taken by a new administration in view of these results, which would sacrifice the business interests of the country by turning these positions back into the spoils arena and permitting again the appointment of incompetents for political considerations; but the system should not be allowed to be imperiled by the fact that it rests only on Executive discretion, when there is no constitutional or other valid objection to its enactment into law.

On behalf of the league, therefore, I venture to ask that you use your influence to secure the insertion in the bill, H. R. 18654, introduced by Mr. FLOOD on September 3 of sections 5, 6, and 7 of his bill, H. R. 16680, introduced on May 19.

Very truly, yours, HARRY W. MARSH,
Assistant Secretary.

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

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will read.

The Clerk resumed and concluded the reading of the bill.

Mr. ROGERS. Mr. Speaker, I rise to ask unanimous consent to return to section 1 of the bill and to offer again an amendment to that section which I previously offered, but which I did not press because of the belief that its adoption might imperil the bill in conference. But inasmuch as the bill has to go to conference anyway——

Mr. MANN. It does not have to go to conference.

Mr. ROGERS. The chairman of the committee told me it would have to go to conference. I understand I have the approval of the chairman in offering this amendment?

Mr. FLOOD of Virginia. I have no objection.

The SPEAKER. The gentleman from Massachusetts [Mr. ROGERS] asks unanimous consent to return to section 1 so as to offer an amendment which he offered earlier in the day. Is there objection?

There was no objection.

Mr. ROGERS. Mr. Speaker, the amendment is to strike out the first proviso in section 1 and insert in lieu thereof the following language, which was included as a proviso in the bill as originally reported to the House from the Committee on Foreign Affairs.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amend, page 1, line 10, of the Senate engrossed copy by striking out the proviso beginning in line 10, which reads as follows: "*Provided*, That no officer may be assigned for duty in the Department of State for a period of more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year and no longer," and inserting in lieu thereof the following: "*Provided*, That any such officer may be assigned for duty in the Department of State without loss of grade, class, or salary, such assignment to be for a period of not more than three years, unless the public interests demand further service, when such assignment may be extended for a period of not to exceed one year and no longer."

Mr. MANN. Mr. Speaker, I see a difference in the language. But what is the difference in the effect of the two propositions?

Mr. ROGERS. It was not clear to me, and I think it was not clear to a majority of the Committee on Foreign Affairs, that a secretary when recalled to the State Department for temporary service would, under the original language, retain his grade and class and salary; this ambiguity was called to the attention of some of the officials of the State Department, who agreed that it was desirable that there should be no possibility of dispute upon this point.

Mr. MANN. The Senate proposition does not provide that. It provides for the assignment to the Department of State.

Mr. ROGERS. Yes.

Mr. MANN. The man is in a certain grade as a certain officer with a certain salary. When you assign him he, of course, retains his grade and salary.

Mr. ROGERS. The gentleman understands that the right of a secretary to retain while temporarily in departmental work his full secretarial salary is a departure and a modification of the present practice in that regard?

Mr. MANN. Oh, yes; but now we appoint a man as a consular officer at a particular port, and when he leaves there and goes into the State Department he is not performing the duties for which he is appointed; but when a man is appointed as consul in a certain place, he may be in Persia, or he may be in the United States doing some work. I do not think there is any possible question myself about the effect of it. It certainly would not be contemplated that we would authorize a consul to be transferred to the State Department without any salary.

Mr. ROGERS. The presumption would be that as at present he would then take the salary of the ordinary clerk in that department.

Mr. MANN. But he can not draw his salary now as consul, because he is not at his post.

Mr. ROGERS. I do not suppose it is necessary that a man be at his post in order that he may be able to draw his salary.

Mr. MANN. Oh, yes; it is.

Mr. ROGERS. He can be on leave temporarily.

Mr. MANN. He might be on leave temporarily; but he can not be on leave temporarily and transferred to some other place, under the law. Now, they are violating the law at this time, or straining it, at least, and that is one reason for the urgency of passing this bill, I suppose. During the war in Europe a number of consular officers have been transferred from one place to another. Under the law they are not entitled to draw their salaries. Well, they are winking at that. So far the comptroller or the auditor have not held them up. Probably they have not discovered it officially, and that is one of the reasons for haste on this bill. There is no question that under this bill, if a man is assigned to the State Department, he is in a particular grade to which he is appointed and confirmed.

Mr. ROGERS. But he is doing different work, and he may be considered, as before, to be doing the work at the salary provided for that work in the Department of State. At all events, this makes it clear beyond peradventure.

Mr. MANN. I have no objection. I wondered why the Senate used other language. What was the reason for that?

Mr. FLOOD of Virginia. Because that was the way it was drawn in the bill as originally introduced.

Mr. ROGERS. That is the identical language embodied in the original bill introduced in the Senate by Senator STONE, and this is a perfecting amendment adopted by the Committee on Foreign Affairs of the House. There is no question as to the desirability of the amendment.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. ROGERS].

The amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. FLOOD of Virginia, a motion to reconsider the last vote was laid on the table.

Mr. MANN. I hope the gentleman will ask to have the similar House bill (H. R. 18654) laid on the table.

Mr. FLOOD of Virginia. I ask unanimous consent that House bill 18654 lie on the table.

The SPEAKER. The gentleman asks unanimous consent that the corresponding House bill (H. R. 18654) be laid on the table. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. PADGETT, from the Committee on Naval Affairs, reported a bill (H. R. 20975) making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the State of the Union, and with the accompanying report (No. 1287), ordered to be printed.

Mr. BUTLER. Mr. Speaker, I desire to reserve all points of order on the bill.

The SPEAKER. The gentleman from Pennsylvania reserves all points of order on the bill.

POST-OFFICE BUILDING AT ST. PETERSBURG, FLA.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to make a statement to the House. It will take but a minute.

The SPEAKER. The gentleman asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, this morning the bill (H. R. 18783) to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla., was objected to. I want to say that the situation there is this: In this city of St. Petersburg, Fla., which has a population of 20,000 or 25,000 people, land can not be bought for less than it can be bought for in the average city of 100,000 to 150,000 people. If this bill passes, the outside appropriation will be only $120,000. The postal receipts last year were practically $45,000. The lease which the Government had on a building that was occupied as a post office has expired, and I am reliably informed that the Government was out in the street because the owners of the property could rent it to private persons for a sum that the Government could not afford to pay, and the Government is to-day occupying the city hall in that town, by the grace of the city, for postal purposes. I ask unanimous consent to return to that bill, and for its present consideration.

The SPEAKER. The gentleman from Florida asks unanimous consent to return to the bill which he mentions. Is there objection?

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

Mr. KENT. Regular order, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. DONOVAN. Reserving the right to object, Mr. Speaker, does the gentleman from Florida——

Mr. KENT. I ask for the regular order.

The SPEAKER. The gentleman from California demands the regular order. The regular order is to put the question, Is there objection? If nobody objects——

Mr. DONOVON. I am going to object if I can not get some information.

Mr. CLARK of Florida. Let the gentleman ask his question. It will take only a minute.

Mr. KENT. Mr. Speaker, I withdraw the demand for the regular order.

Mr. DONOVAN. Does the gentleman from Florida have any information about how many other public buildings the State of Florida has for its first and second class post offices at the present time?

Mr. CLARK of Florida. The State of Florida has a number of public buildings.

Mr. DONOVAN. How many?

Mr. CLARK of Florida. I do not know how many—Jacksonville for one.

Mr. DONOVAN. You do not know anything about it, do you?

Mr. CLARK of Florida. Yes; I do. I can tell you if the House will give me the time.

Mr. DONOVAN. You do not know about the lease expiring, do you?

Mr. CLARK of Florida. I do.

Mr. DONOVAN. Has the lease expired?

Mr. CLARK of Florida. I have the word of the Comptroller of the Treasury, Judge Downey.

Mr. DONOVAN. Is that all you know about it?

Mr. CLARK of Florida. I have no reason to doubt it.

Mr. DONOVAN. I want to tell the gentleman that it has not.

Mr. CLARK of Florida. The gentleman doubts the word of Judge Downey. That is a question between him and Judge Downey; that is all.

Mr. DONOVAN. One thing more. The lease at St. Petersburg has not expired, and the population stated by the gentleman is not correct, and the number of post offices in the State is a matter of conjecture with him. I will say further that there is an immense amount of money collected for public buildings and other purposes; and shall we dump it all into such States as Florida?

Mr. CLARK of Florida. Mr. Speaker, I demand the regular order. If the gentleman wants to object, let him object.

Mr. DONOVAN. I will make the point of order, Mr. Speaker, that it is not proper to go back to this bill.

The SPEAKER. The gentleman from Connecticut objects.

Mr. ADAMSON rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. ADAMSON. To submit a request for unanimous consent. I have no personal bill of my own, but I call attention to the bill H. R. 8904, a bill to establish a life-saving station at the mouth of the Siuslaw River, Oreg., for the Lighthouse Service, which service asked for that one little project out on the Pacific coast. I ask unanimous consent that it may be immediately considered.

Mr. MANN. I think it ought to be reached in the regular order.

Mr. ADAMSON. But it will not be reached in the regular order. Will not the gentleman withhold his objection?

Mr. DONOVAN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The gentleman from Connecticut demands the regular order. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the Clerk will read the next bill.

USE OF PORTIONS OF NATIONAL FORESTS FOR RECREATION PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17780) providing for the use of certain portions or spaces of ground within the national forests for recreation purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture may, upon such terms as he may deem proper and for periods not exceeding 20 years, permit responsible persons or associations to use and occupy suitable spaces or portions of ground in the national forests for the construction of summer homes, hotels, stores, or other structures needed for recreation or public convenience, not exceeding 5 acres in area to any one person or association.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like some information from gentlemen from far Western States where they have so many forest reserves. I was under the impression that the gentlemen from the coast were protesting against the forest reserves because the lumber could not be marketed. The query comes to my mind that as this bill is intended to depart from the policy of forestation and turn these reserves into pleasure grounds, or national parks, that there is a conflict between the two ideas of keeping the forest reserves for forestation and making them national parks and allowing hotel proprietors to erect hotels in favored places.

Mr. HAWLEY. I think there is no conflict between the two policies. There are many places in the forests that are very beautiful in natural scenery and useful for fishing and hunting, and where there are many natural wonders. I have one particular place in mind as an illustration. Near Grants Pass, in Jackson County, Oreg., there is a place known as the Oregon Caves, some 25 miles from the city. The people will build a road over the lands belonging to private individuals to assist in facilitating access to the proposed park. The caves are of vast extent and great interest, and unless some provision is made by which people going there can receive accommodations, they can not very well visit them. If they can have permission, if the Secretary of Agriculture can have authority to lease a small area of ground for the building of a hotel, people can go and enjoy the scenery and the fishing and hunting. It is a most beautiful place. This is only one instance, as adjacent to many communities there are places of great scenic beauty and interest that could be so used by the people. It will be for the benefit of the forest reserve in which it is located to have visitors come into them under the conditions proposed in this bill. The roads that will be built will help the forest officers in patrolling the forest, and the presence of a large body of people who always turn out to fight the fire will assist the foresters in fighting fires in that vicinity should they occur.

Mr. STAFFORD. I would like to inquire of the gentleman what would prevent in the case instanced by him of creating it into a national monument if these special caves to which the gentleman refers have a scenic value. Why can not the department create it into a national monument?

Mr. HAWLEY. It would be less expensive to have it in the forest reserve, as proposed here, than to have it exist as a monument. During the winter when no people are there, the foresters can look after it, without extra cost. If it is a national monument, it would be without care, and there would be danger from fire and other causes. Unless an additional officer was provided it would be without care for a part of the year.

Mr. STAFFORD. The gentleman can appreciate that while in this instance the local people might be willing to expend money in building a road, if we adopted a general policy permitting the building of hotels on long-term leases, that there would arise a great demand for the building of roads, so as to turn the forest reserves proper into national parks.

Mr. HAWLEY. I doubt if that will ever be done to any great extent.

Mr. STAFFORD. It is a very present doubt in my mind.

Mr. HAWLEY. There are in certain places natural wonders, which people would like to visit as campers and to secure recreation. At present the people have an unlimited right to go upon the public land in the national forests. They can go there and build a temporary camp, put up a tent or a little camp of some kind. They are given now by the Secretary of Agriculture permission to construct temporary structures. But it does not enable them to put up any important building, or justify any considerable expenditure. But if they could get permission for a period of years they can afford to put up a better building and will have an interest in protecting that particular locality, and if they have a building in which they can put a stove there is not the same danger of forest fires as if they built it outside. The Secretary of Agriculture and the Chief Forester are very much in favor of this legislation, as the following letter indicates:

JULY 22, 1914.

Hon. A. F. LEVER,
Chairman Committee on Agriculture,
House of Representatives.

DEAR MR. LEVER: I wish to acknowledge receipt of your letter of July 11, inclosing a copy of the bill (H. R. 17780) introduced by Mr. HAWLEY, providing for the use of certain portions or spaces of ground within the national forests for recreation purposes.

You will probably recall that in the hearings (p. 302) on the bill (H. R. 13679) making appropriations for the Department of Agriculture, Mr. Graves testified at some length on the need for just such legislation, requiring summer-residence leases, as is proposed in the bill. As a result of his testimony, your committee added an amendment to the Agriculture appropriation bill, which was substantially the language used in Mr. HAWLEY's bill, now referred here for report. The amendment to the Agriculture appropriation bill went out, however, on a point of order made by one of the Members.

There is at the present time some hesitancy on the part of persons who want to use national-forest land upon which to construct summer residences, hotels, stores, and other structures involving a large expenditure, because of the indefinite tenure of the permits to them which the present law provides for. At the present time, however, there are several thousand such permits in use, upon which structures have been erected. In justice to those who desire to construct more substantial improvements it is believed that the present law should be amended to give persons a better right than the revocable permit now authorized.

For the reasons given above this department would approve of the passage of the bill.

Very truly, yours, D. F. HOUSTON,
Secretary.

Mr. STAFFORD. I have been benefited by the gentleman's information as to the fact that the public can go there and locate temporarily from season to season, and I think that is better than to grant a permit to hotel proprietors to build for 20 years.

Mr. FERRIS rose.

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

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. The gentleman from Oregon asks unanimous consent that the bill be passed over without prejudice. Is there objection?

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

Mr. CLARK of Florida. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, I object.

QUITCLAIM DEED TO CERTAIN LANDS IN AKRON, OHIO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18550) empowering and directing the Secretary of the Treasury to convey by quitclaim certain lands in the city of Akron, State of Ohio.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, empowered and directed to convey, by the usual quitclaim deed, to the city of Akron, in the State of Ohio, for street purposes and no other, the northeasterly 5 feet of the new Federal-building site at the southwesterly corner of East Market and Prospect Streets, in said city.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Florida asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole. Is there objection?

Mr. DONOVAN. Mr. Speaker, I am going to object.

The SPEAKER. The gentleman from Connecticut objects.

Mr. DONOVAN. Did the gentleman from Florida notice that objection?

The SPEAKER. The House will be in order.

Mr. CLARK of Florida. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 18550.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 18550, with Mr. UNDERWOOD in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk again read the bill.

The CHAIRMAN. If there is no general debate, the Clerk will read the bill for amendment under the five-minute rule. [After a pause.] The Clerk will read the bill.

The Clerk again read the bill.

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

The Clerk read as follows:

Strike out lines 3 and 4 and insert:

"That the Secretary of the Treasury be, and is hereby, authorized, in his discretion, to convey by the usual quitclaim."

Mr. BATHRICK. Mr. Chairman, that amendment was suggested by the Secretary of the Treasury as giving him the discretion to make this conveyance instead of as in the original bill, directing him to make the conveyance. The committee has no objection to it.

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

The amendment was agreed to.

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. UNDERWOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 18550 and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

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

The amendment was agreed to.

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

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

ROCKY MOUNTAIN NATIONAL PARK, COLO.

Mr. TAYLOR of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (S. 6309) to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, with the amendments, which I send to the Clerk's desk and ask to have read.

The Clerk read the bill, as follows:

Be it enacted, etc., That the tract of land in the State of Colorado particularly described by and included within metes and bounds as follows, to wit: Beginning at the southeast corner of section 34, township 3 north, range 73 west of the sixth principal meridian, Colorado, thence north along the section lines to the northeast corner of section 3, said township; thence west to the northwest corner of said section; thence north along the section lines to the northeast corner of section 16, township 4 north, range 73 west; thence west to the northwest corner of said section; thence north to the northeast corner of section 8, said township; thence west along the section lines to the northwest corner of section 7, said township; thence north to the northeast corner of township 4 north, range 74 west; thence west along the first correction line north, to the southeast corner of section 36, township 5 north, range 74 west; thence north along the range line to the northeast corner of the southeast quarter of the southeast quarter of section 13, said township; thence west to the northwest corner of the southeast quarter of the southeast quarter of section 14, said township; thence north to the northwest corner of the northeast quarter of the southeast quarter of section 11, said township; thence east to the northeast corner of the northeast quarter of the southeast quarter of section 12, said township; thence south along the range lines to the southeast corner of said section; thence east along the section lines to the southeast corner of the southwest quarter of section 10, township 5 north, range 73 west; thence north to the northeast corner of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of said section; thence north to the northeast corner of said section; thence east to the southeast corner of the southwest quarter of the southwest quarter of section 2, said township; thence north to the northeast corner of the southwest quarter of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of the southwest quarter, said section; thence north to the northeast corner of the northeast quarter of the southwest quarter of said section; thence east to the southeast corner of the northeast quarter of section 1, said township; thence north along the range line to the northeast corner of section 36, township 7 north, range 73 west; thence west along the section lines to the intersection with the west bank of the Big South Cache la Poudre River in township 7 north, range 75 west; thence southeasterly along the west bank of said river to the mouth of a tributary of said river, probably in section 1, township 6 north, range 75 west; said tributary heading at La Poudre Pass in section 20, township 6 north, range 75 west; thence southwesterly along the west bank of said tributary to its head; thence across the Continental Divide to the headwaters of the North Fork of the Grand River, which also heads at La Poudre Pass; thence down the west bank of the North Fork of the Grand River to its intersection with the section line between sections 29 and 30, township 6 north, range 75 west; thence south along the section lines to the southeast corner of section 18, township 5 north, range 75 west; thence west along the section line to its intersection with the west bank of the North Fork of the Grand River; thence down the west bank of the North Fork of the Grand River to its intersection with the section line between sections 25 and 36, township 4 north, range 76 west; thence east to the northeast corner of section 36, said township; thence south along the range line to the southeast corner of said township; thence east along the township line to the northeast corner of the northwest quarter of section 4, township 3 north, range 75 west; thence south to the southwest corner of the northeast quarter of section 9, said township; thence west along the quarter section line to its intersection with a creek in section 7, said township, this creek being an outlet of Grand Lake, and flowing into the North Fork of the Grand River; thence southerly along the said creek to its junction with the North Fork of the Grand River; thence southerly along the west bank of the North Fork of the Grand River to its intersection with the township line between townships 2 and 3 north; thence east along the township line to the southeast corner of section 34, township 3 north, range 73 west of the sixth principal meridian, Colorado, the place of beginning, all of said above-described tract now being included within the boundaries of the counties of Grand, Boulder, and Larimer, in the State of Colorado, is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tract is dedicated and set apart as a public park for the benefit and enjoyment of the people of the United States, under the name of the Rocky Mountain National Park: *Provided*, That the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a Government reclamation project.

SEC. 2. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. Whenever consistent with the primary purposes of the park the act of February 15, 1901, applicable to the location of rights of way in certain national parks and the national forests for irrigation and other purposes, shall be and remain applicable to the lands included within the park. The Secretary of the Interior may, in his discretion and upon such conditions as he may deem wise, grant easements or rights of way for steam, electric, or similar transportation upon or across the park.

SEC. 3. That no lands located within the park boundaries now held in private, municipal, or State ownership shall be affected by or subject to the provisions of this act.

SEC. 4. That the said park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of the said executive authority, as soon as practicable, to make and publish such reasonable rules and regulations not inconsistent with the laws of the United States as the said authority may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation of the natural conditions and scenic beauties thereof. The said authority may, in his discretion, execute leases to parcels of ground not exceeding 20 acres in extent in any one place to any person or company for not to exceed 20 years whenever such ground is necessary for the erection of establishments for the accommodation of visitors, may grant such other necessary privileges and concessions as he deems wise for the accommodation of visitors and may likewise arrange for the removal of such mature or dead or down timber as he may deem necessary and advisable for the protection and improvement of the park. The regulations governing the

park shall include provisions for the use of automobiles therein. All funds derived from concessions, privileges, or other sources within the park shall be expended therein: *Provided*, That no appropriation for the maintenance, supervision, or improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law.

The SPEAKER pro tempore (Mr. HAY). Is a second demanded?

Mr. MOORE. Mr. Speaker, I demand a second.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Colorado is entitled to 20 minutes and the gentleman from Pennsylvania to 20 minutes.

Mr. TAYLOR of Colorado. Mr. Speaker, in arising to present this bill to the House I want to take this first opportunity of expressing to the Speaker the profound appreciation of the State of Colorado for granting my earnest appeal and placing this bill at the head of the Suspension Calendar to-day. With the many thousands of bills before us there was no other possible way that it ever could have been reached for consideration at this session of Congress, or probably within the next year, and I know my constituents will forever feel grateful for his act of special consideration to my State.

I want to also thank the Public Lands Committee for granting my request for a full and patient hearing upon the bill and their authorizing me to make this favorable and unanimous report.

I am aware that it is not customary to publicly express gratitude in this way; but very few people realize the tremendous importance of this measure to Colorado, and I know that this brief acknowledgment is but a very feeble expression of the sentiment of my constituents.

The committee accorded me the privilege of conducting the hearings upon this bill and I presented our retiring governor, Elias M. Ammons; our incoming governor, George A. Carlson; both of our United States Senators, CHARLES S. THOMAS and JOHN F. SHAFROTH; and Mr. R. B. Marshall, the Chief Geographer of the United States Geological Survey, who had made an exhaustive examination of and report on this proposed park; also Mr. Mark Daniels, the general superintendent and landscape engineer of national parks. The committee was also favored with a very attractive presentation by Mr. F. W. Byerly, which I wish you all could have seen, of stereopticon natural-color views of the park. I also presented a large amount of data upon this subject that had been sent to me by many associations and people throughout the country.

In my printed report upon this bill, covering 48 pages, I have incorporated a synopsis of what was presented at the hearing, as well as some other relevant and, I think, interesting information.

INTRODUCTORY.

The project of establishing a national park in this region was started several years ago by a number of our public-spirited citizens. A bill for that purpose was introduced in the Sixty-second Congress, but nothing whatever was done or attempted to be done with it during that Congress. I was requested by a great many people to take the matter up at that time, but I did not do so, because a few enthusiastic individuals were very industriously trying to include a large part of four counties, and embracing some 800,000 acres of land, much of which was mineral land, a large amount of it agricultural land, and a considerable portion was patented and privately owned land. After a large amount of correspondence and many conferences with the chambers of commerce, business men's organizations, and enterprising citizens of Denver, Boulder, and Grand Counties, as well as the Interior Department, and after Secretary Fisher had sent Mr. Marshall out to examine the territory in the fall of 1912, and Mr. Marshall had made his report in January, 1913, Senator THOMAS and I finally succeeded in bringing about an agreement between the Interior and Agricultural Departments and the inhabitants of Larimer, Boulder, and Grand Counties, and the Denver Chamber of Commerce and Real Estate Exchange and others as to the proper boundaries of the park and the appropriate provisions of the bill. Thereupon a compromise bill was prepared in duplicate, and on the opening day of the first session of this Sixty-third Congress, April 7, 1913, I introduced it—H. R. 1634—and on April 8 Senator THOMAS introduced it in the Senate—S. 530.

Those bills were referred to the Interior and Agriculture Departments and investigated and considered by those departments for about 15 months, and after many more conferences and further investigations and correspondence—I have written hundreds and hundreds of letters about this bill—it was determined to eliminate further lands and reduce the size of the park to about one-third of its original contemplated dimensions. So the bill was again rewritten and reintroduced in the Senate by Senator THOMAS on June 29, 1914, as Senate bill 6007, and a few days afterwards as the present bill (S. 6309), and again reintroduced in the House by myself as House bill 17614, on July 2, 1914. Those bills were again referred to the two departments, and I have incorporated their reports on this bill, which is the fourth amended bill, in my report.

I mention these preliminary matters merely so that the House may know that this is not a hastily prepared or unduly considered measure.

There has been a world of detail work put upon this bill during the past three years by the department officials and by Senator THOMAS and myself, and we have all along been greatly assisted by Mr. Frederick R. Ross, the chairman of the Rocky Mountain National Park Committee of the Denver Chamber of Commerce and the Denver Real Estate Exchange, and by former United States Senator Thomas M. Patterson, Gov. Ammons, and Mr. John C. Shaffer, proprietor of the Rocky Mountain News, and many other organizations and people prominent in Colorado affairs whom I would like to mention.

The Secretaries of both the Interior and Agriculture Departments are now heartily in favor of this bill in its present amended form. I asked for and obtained an additional report from the Interior Department as late as January 9, 1915, in which Secretary Lane says:

> I favor the creation of the Rocky Mountain National Park in the State of Colorado. It will give to the country a new national playground, having unsurpassed mountain scenery and a most salubrious climate, and which will be in proximity to the great centers of population in the eastern portion of the United States. I am confident that the affairs of this park could be administered at a moderate cost.

This bill is supported by our State legislature, all political parties, the city of Denver, and a great many business men's organizations, and, in fact, by the entire population of Colorado. There are over 800,000 citizens in my State who are to-day anxiously looking, hoping, and appealing to this House to pass this bill, and if you grant their appeal there will be more general heartfelt rejoicing than there has been over any local measure since the passage by Congress in 1876 of the enabling act by which the Territory of Colorado was admitted into the Union as the Centennial State. However, Colorado is not alone in her appeal for this bill. The National Federation of Women's Clubs, including a million of the good women of this country, are enthusiastically supporting the measure. The Daughters of the American Revolution and hundreds of outing clubs, recreation associations, and unselfish, patriotic, and public-spirited organizations all over the United States have passed resolutions and written me indorsing this bill. I have mentioned a number of these and set out a few of the indorsements in both the hearings and in my report here before us.

DESCRIPTION.

I can not take the time, as I would like, to give a detailed description of the marvelously beautiful region that is sought to be created into a national park. But I will say generally that the area contains 229,062 acres, or 350 square miles of gorgeous scenery. All of it, excepting 3,082 acres, are now included in the Arapahoe and Colorado National Forests. All of the land, excepting 11,200 acres, is surveyed land. There are 2,340 acres of patented land and 1,200 acres of State land in the park, and all the rest of it is public domain. It will be the fourth in size of our national parks. It is situated on the crest of this continent on the main range of the backbone of the Rocky Mountains in the most rugged section of the Continental Divide, about one half on the Atlantic and the other half on the Pacific slope. The territory is located about one-half in Grand County, one-third in Larimer, and one-sixth in Boulder County, and about 60 miles northwest of the city of Denver in the northern-central part of the State. The territory is the source of a number of tributaries of some of our large rivers. The waters from the eastern part ultimately flow into the Missouri River, while on the western slope of the peaks the melting snows reach the Pacific Ocean through the Colorado River. The lowest part of the region is at an altitude of 8,000 feet, and the greater part of it is over 9,000 feet above sea level.

There are over 60 peaks that rise above 12,000 feet and a dozen exceed 13,000 feet within 10 miles along the Continental Divide, with Longs Peak rising 14,255 feet above the ocean's tides—145 feet higher than Pikes Peak. While Longs Peak lacks a few feet of being the highest peak in Colorado, yet, owing to its rugged nature and marvelous surroundings, in a panorama of scenic grandeur, in the heart of the Rockies, it is looked upon as America's gem, and is often called the "King of the Rockies," and frequently compared to Mount Blanc and the Matterhorn. Colorado is the top of the world, and my description of Longs Peak would be the bright jewel set in the crest of the Rockies,

where it shines as the Kohinoor of all the gems of this Continent.

In her book, A Lady's Life in the Rocky Mountains, Miss Isabella L. Bird describes one view of the peak as follows:

Deep, vast canyons, all trending westward, lie in purple gloom. Pine-clad ridges, rising into the blasted top of Storm Peak, all run westward, too, and all the beauty and glory are but the frame out of which rises—heaven piercing, pure in its pearly luster, as glorious a mountain as the sun tinges red in either hemisphere—the splintered, pinnacled, lovely, ghostly, impossible, double-peaked summit of Longs Peak, the Mount Blanc of northern Colorado.

But Longs Peak is only one of the many wonderful features of this park. Nature has lavished many of her choicest gifts upon this region. The entire region is equal in grandeur to the Swiss Alps, and it surpasses Switzerland in the varied glory of its magnificence. There are several large glaciers and one extinct volcano in the park. It is a veritable wonderland. There are many beautiful small parks and valleys, while the foliage is perfectly gorgeous. There is a ruggedness and grandeur in the scenery which no one can describe. It must be seen to be realized.

There are nearly 200 lakes, varying in size from a few rods to a half a mile across. A dozen of the peaks within the park are capped with perennial snow. There are many scraggy peaks, deep canyons, and snow fields; hundreds of cascades and many passes in the Continental Divide above an altitude of 12,000 feet. The timber line, the altitude above which trees will not grow, in the Alps is about 6,500 feet elevation, while in the Rocky Mountains in this proposed park the timber line is 11,500 feet.

There are many kinds of wild life, including the mountain sheep (bighorn); grizzly bear, black and brown bear, deer, and beavers abound; all the lakes and streams contain mountain trout; and a herd of elk has recently been brought from the Jackson Hole, in Wyoming, and placed in the park.

Owing to the wide range of climate, from summer moderation to the perpetual snow line, it is estimated that there are in the park a thousand varieties of wild flowers. The colombine, the official State flower of Colorado, and which we think is the most exquisitely beautiful flower in the world, grows in luxuriant profusion all over the sides of these mountains. It is a native mountain flower, and only grows naturally in that high altitude. Besides the flowers, there is a much greater variety of plant life than is found in the Alps.

There is comparatively little timber that is of a merchantable value, and there is no agricultural land in the park; and, moreover, the altitude is too great for practical farming, and there is very little grazing possibilities in that region. In fact, it has been said thousands of times by people from all over the world that the one great and only thing this region is suitable for is a great national park. It has no value for anything but scenery and climate.

Some of the greatest known travelers, authors, and naturalists of the world have for the past 40 years visited this territory and paid tribute to its scenic worth by writing books and articles upon it. In fact, Estes Park and Grand Lake and the adjacent territory included in this bill have long since attained not only a nation-wide reputation, but are known almost as well throughout Europe as they are in this country. The park is visited every summer by tens of thousands of people because of its scenic beauty and delightful mountain summer climate. Last summer there were 20,250 people visited the Yellowstone National Park, while it is estimated that over 50,000 people visited Estes Park, and many of them stayed there practically the entire summer, because it is not only a very invigorating and healthful climate, but one of the most delightful places in the world. Nowhere in the long range of the Continental Divide is there such scenery as that of this region. This bill will nationalize the State's most beautiful park and will capitalize Colorado's scenery for the benefit of the Nation. Some of the Nation's greatest attractions, from the tourist's standpoint, are located in Colorado.

It is eminently fitting that this region should be selected by Congress and given the name of "the Rocky Mountain National Park." No one can behold and contemplate the magnificent scenery of this region without being bigger and better ever thereafter.

For over 40 years Estes Park has been famous to travelers and tourists, who include it in their intinerary. Kit Carson went through there in 1840. The first house was built there in 1860 by Joel Estes, after whom the park was named. He was one of the earliest settlers of Colorado, who made his home there when it was a wilderness. Later on it became a resort for tourists and an attractive holiday place for thousands of people.

There were 10,000 automobiles from outside the State that visited the park last year, and it is estimated that fully 25,000 nonresident automobiles and from 125,000 to 150,000 people from all over the United States will visit the park this coming summer. One of the greatest and most important features of this park will be its inexpensive, easy, and ready accessibility It will be a glorious and immensely popular resort. It will be the one great national park on the eastern slope of our country, and at least one day nearer and much more accessible to the population of the country than any other national park. It will be the one great national recreation ground that will be the most available to all the people, and I predict that more people will visit this park every year than visit all the other parks combined.

By the adoption of this measure one of Colorado's most beautiful districts will be dedicated forever to public use and will be maintained as a national monument for the enlightenment and inspiration of the people of the United States; and Colorado will always be grateful to Congress for the creation of this park. It will indeed make Colorado the great "playground of the Nation." It will soon be the most popular of all the national parks.

All people need recreation, and there is a very great and growing demand for public recreation places out of doors. The tendency of the times, the modern business habits of our people, are such that they will be compelled to more and more seek outdoor life, and these recreation places will be a Godsend to their health and shattered nerves, and benefit the lives of many millions of people physically, mentally, and morally every year. The grown-up children of the Nation need parks just as much as the little ones do.

We want to consecrate this territory to the public use as a national playground. We cordially invite the people of our country to come and be invigorated by and enjoy this delightful spot, the scenery of which is not surpassed by any park or anywhere on earth.

Our State highway commission and the city of Denver and those counties are building magnificent automobile roads from Denver and all the adjoining cities and towns to and across the park. So that everyone can go. There will be no trust or monopoly of any of the highways leading to or through this park. All western railroads run to Denver, and from there it is only a three hours' delightful automobile ride, and it is less than that from the cities of Boulder and Loveland. Many thousands of people will every year come from the east, north, and south in their automobiles over the Lincoln National Highway.

Our people are especially anxious to have this park created now on account of the European war and the Panama-Pacific Exposition, so that the traveling public may learn of its attractive features during the coming summer and be benefited thereby.

The American people have never yet capitalized our scenery and climate, as we should. It is one of our most valuable assets, and these great assets should be realized upon to the fullest extent. We receive comparatively nothing for it, while Switzerland derives from $10,000 to $40,000 per square mile per year for scenery that is not equal to ours. But Switzerland knows that the public is ready and willing to pay for scenery and they have developed it for selling purposes. It is estimated that the American people spend approximately $500,000,000 a year abroad, and a considerable portion of it goes to see scenery that in no way compares with our own. Besides, our mountains are endowed with a climate so far superior to that of the Old World that this park will soon become the mecca of the tourists of the earth.

Now is the time to cultivate the "See America First" movement. We should systematically turn the attention of the American tourists to the fact that there is grander and more beautiful scenery in this country than elsewhere, and keep at home some of the hundreds of millions of dollars of tourist money that is now annually spent abroad. A large per cent of the American population scarcely know that we have national parks, and most of them only have the vaguest notion of what our natural scenic resources are. The closing of European resorts to American travel this year has developed this "See America First" spirit and will be of great aid in the teaching of American citizens to visit and appreciate our own parks. Tens of thousands of Americans who have every year spent their surplus money in Europe will, on account of the present war, many of them visit the mountains, and a large per cent of them will inevitably visit the Rocky Mountain National Park; and a very large per cent of all the people who visit the Panama-Pacific Exhibition will stop off at Denver on their trip across the continent and visit this park.

It is estimated that 300,000 Americans visited Europe last year. Switzerland sells to the world $250,000,000 worth of scenery every year. The several hundred million dollars that

Americans spend in Europe every year is a net and unnecessary loss to America, because our citizens could derive a better quality of scenery by judiciously spending their money at home. We should popularize our own parks through letting the people know of their beauty and advantages. There should be a tremendous annual movement of our people for vacations in the Government reserves. I hope the Interior Department will use the moving-picture concerns for the purpose of advertising these national parks. Uncle Sam has an unlimited supply of scenery that is worth advertising.

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

Mr. TAYLOR of Colorado. Certainly.

Mr. MOORE. I demanded a second mainly for the purpose of getting information. I understand some gentlemen may want to oppose the bill. I would like to inquire to what extent the Federal Government will be called upon to bear expense in connection with this enterprise?

Mr. TAYLOR of Colorado. If the gentleman from Pennsylvania will notice, the amendment which the committee has recommended at the end of the bill provides that the entire annual cost is limited to $10,000, unless otherwise authorized by Congress some time hereafter. That amount is not a great deal in excess of what it is now costing the Federal Government to maintain this territory as a part of two forest reserves. Several forest rangers are required to superintend and protect that territory at the present time. In fact, I understand the Forest Service contemplates spending very much larger sums each year than this bill authorizes. There are 14,500,000 acres of forest reserves in Colorado. This park only comprises about 2 per cent of the forest reserves of my State, and I am asking by this bill to transfer the jurisdiction of less than a quarter of a million acres out of our fourteen and a half million acres of forest reserves from the Agriculture Department to the Interior Department, because our people believe that that grand and rare scenic region, which is one of the most beautiful spots in the entire Rocky Mountains, can be much better administered, protected, and delevoped by the national park service of the Interior Department as a national park than it possibly could be under the Forest Service. Forest reserves are not public playgrounds and they are not administered for recreation places. I am asking that this very unique scenery be converted into a national park, so that all the people of the United States may see and enjoy it.

Mr. MOORE. I want the gentleman to have a fair chance to explain the bill, and I call to his attention the fact that the report states that the Colorado Democratic State platform of 1914 contained the following plank:

> We heartily favor the creation of the Rocky Mountain National Park, and commend our Senators and Representatives in Congress for their labor in its behalf.

Are we to understand from that that the bill has any particular political significance?

Mr. TAYLOR of Colorado. Not the slightest. If the gentleman will look at page 7 of my report, he will see that I state right in the very next sentence that "all other parties urgently advocated the establishment of the park." I put that in my report to show that the entire State, all organizations and all political parties and everybody, is in favor of it. This is one subject upon which Colorado is absolutely and enthusiastically united. Our legislature has adopted and sent to me a memorial to Congress, which in part says:

> That the people of Colorado desire that said park shall be established. It includes the highest mountain peaks in the State; the area is little adapted to either agriculture or grazing; its scenery for sublimity and grandeur is not excelled on the continent. Its location is easy of access to America's millions who seek health and recreation in the summer months, being situated in the front and main range of the Rocky Mountains.

Mr. MOORE. Now, one further question. I am still seeking information. Why is it that the State of Colorado does not take care of this park itself?

Mr. TAYLOR of Colorado. Well, there is very little use of our discussing that question, because, in the first place, Congress would not under any circumstances cede that territory to the State. It would be wrong for the Government to ever surrender title to that territory. Secondly, Colorado has a large number of beautiful parks. Half of the State is composed of mountain parks. We have three times as much mountain scenery in our State alone as there is in the entire Swiss nation. Our State does not want this as a local State park. We want the Nation to have this marvelous region so the entire population of the United States will feel a proprietary interest in it. We prefer to surrender jurisdiction over the territory to the Federal Government, and let the entire world feel at liberty to come there as the guest of Uncle Sam.

Mr. MOORE. The maintenance of it, for the first year at least, would be limited to $10,000?

Mr. TAYLOR of Colorado. It is limited to $10,000 a year forever unless Congress grants us an increase.

Mr. MOORE. Ten thousand dollars per annum is all you propose to ask at present?

Mr. TAYLOR of Colorado. That is all until further additional appropriations are authorized by Congress.

Mr. MOORE. Would $10,000 a year be sufficient to provide for maintenance and take care of future improvements?

Mr. TAYLOR of Colorado. No; that amount is not enough; but we will have to get along with that sum for a while, and I am in hopes that we will be allowed to also retain and use toward the improvement of the park all the revenues derived from automobile licenses and concessions from all sources. If we can have those receipts, I feel that we can get along without any additional appropriation for possibly several years to come.

Mr. MOORE. The gentleman expects some revenue will be derived from the park to make up the expenses?

Mr. TAYLOR of Colorado. Yes, sir. Mr. Marshall and the Interior Department recommend that we be given those receipts for the maintenance and improvement of the park, especially for road and trail building, and I am relying upon these recommendations and that express provision in this bill. I had that in mind when I reluctantly consented to the adoption by the committee of this $10,000 a year limitation.

If Congress will permit Secretary Lane to carry out his ideas concerning these national parks, I confidently believe that in the near future they will all be self-supporting.

There are three different types of revenue that may be received from national parks: First, from the natural resources; second, from the public utilities operated there; and, third, from leases and concessions.

If the Rocky Mountain National Park were a purely local project, the outdoor clubs and other patriotic organizations throughout the United States and representative newspapers everywhere would not be supporting this measure as earnestly as they are. But our State administration and prominent men in Colorado affairs and all of our business men's organizations want this territory placed in a national park, so that its scenic features may be preserved and reserved in perpetuity for the people of the United States.

We already have in southwestern Colorado the Mesa Verde National Park, the ruins of the ancient cliff dwellers. From an archeological viewpoint it is one of the wonders of the world. To me it is the most weird and fascinating place I have ever visited. Mr. Daniels says:

> If any man wants to find Omar Khayyám's lines expressing the eternal thought of "whence we come and why," let him visit those wonderful remains, steep himself in their mystery, and puzzle over the riddle they present. Who built them? When? Whence came they? Whither did they go? No man knows the answer. The pyramids of Egypt are no more impressive, no more awesome.

We also have the wonderfully unique and picturesque Colorado National Monument, near Grand Junction, Colo., which I had the honor of having created, and of naming it in 1911. We have also the Wheeler National Monument, in southern Colorado. I have had the distinction and pleasure of passing through Congress bills granting parks on the public domain to some 20 different cities and towns in my State. And last summer I had charge of the two bills in the committee and House which set apart a 15,000-acre mountain park for the city of Denver, a portion of which was placed in a forest reserve for that purpose. All of our Colorado cities appreciate the importance of having outing places, recreation and pleasure playgrounds. That sentiment is natural to our people because we have so many wonderfully beautiful natural parks in Colorado. I feel that every city in the United States should have a public park large enough to accommodate its entire population and should be maintained and kept in a way that would make it attractive to the old and young. Instead of having 13 national parks in this country we ought to have at least a hundred.

Your Committee on the Public Lands confidently believe that the time is fast approaching when this Government will need and have many more national parks. The tendency in every State and every city in the United States is toward the creation of more outing places. The strenuous life which the American people are living requires outdoor recreation and relaxation, and our city, State, and national parks are one of our greatest health assets. No money ever expended by the Government will bring greater returns in health and happiness than that expended toward the improvement and maintenance of our national parks. Your committee believes that

from the natural wonders which the proposed territory contains it should be created into a national park, and therefore unanimously and earnestly recommend the passage of this bill.

Grand Lake adjoins the western boundary of this park and geographically is practically a part of it. It is immediately across the range from Estes Park, and the new State highway which is now approaching completion renders it easy of access from the Estes Park portion of the park. The lake is one of the most interesting, attractive, and picturesque spots in the Rocky Mountains, as well as one of the largest natural lakes in Colorado. The surrounding region is unsurpassed in grandeur for beauty of natural scenery, and at the same time it is intensely interesting from a romantic, legendary, and historical point of view. The lake is the source of the Grand River, one of the two streams that constitute the Colorado River, one of the great rivers of the country that finds its way to the Pacific by way of the Gulf of California. The territory was originally occupied by the Ute Indians, and the legendary history of their wars and tribal strifes is intensely interesting in connection with this park. The lake was also the scene of strife in later years. About 1884 a pitched battle was fought on the shores of the lake involving practically all of the white inhabitants of the county, and several of them were killed. "Patience" Thornton, one of Colorado's early and most successful novelists, used the incident in connection with this county-seat war as the basis of a most realistic story. So that it will live as a part of the record of the region and serve to render the lake a place of historical interest.

Prof. Ellsworth Bethel, of the East Denver High School, has made some valuable researches in the Estes Park region that I think are of sufficient interest to justify being inserted in the RECORD, as follows:

NOTES ON THE NATURAL HISTORY OF THE ESTES PARK REGION.

The flora and fauna of Colorado: Colorado has about 3,000 species of native wild plants, this phenomenally large number being exceeded only by California.

The varying altitude from the Great Plains to the summits, reaching to an elevation of 14,000 feet above sea level, is responsible for the large number of varieties. The flora is acknowledged by all botanists to be the most beautiful, interesting, and varied of any State in the Union.

The proposed Rocky Mountain National Park contains more than 1,500 species, mostly Alpine and sub-Alpine. Many botanists have visited this region and pronounced it one of transcendent interest, and having once visited it they return from year to year. The Rocky Mountain blue columbine (the State flower), acknowledged to be the most beautiful flower in the United States, grows in great profusion. Hardly less attractive are the Mariposa lily, gentians, cowslips, buttercups, bluebells, and harebells in many varieties. The Alpine flora is exceedingly attractive and in variety and brilliancy of color are quite equal to those of the Alps; in fact, many of them are the same as those found in the high mountains of Europe. Attractive forests cover the hills and slopes. These are composed chiefly of pines (three species), spruce (two species), firs (two species), junipers (two species). The aspen, birches, alders, willows, poplars, etc., intermingle with the coniferous forests, and, unlike their habit in the East, turn to a brilliant red and orange in the fall, presenting a landscape effect of indescribable beauty. The snows linger in the forests until July, and Alpine flowers grow right through the snow and in close proximity thereto, so that almost anywhere near timber line one can pick up snow with one hand and beautiful wild flowers with the other.

The fauna: More than 400 kinds of birds are found in the State, which number is exceeded by only one other State. Many of these breed in the Estes Park region, so that bird life is abundant. Mammals of many kinds abound, such as chipmunks, squirrels, rabbits, conies, beaver; and there are some of the larger forms, such as mountain sheep, bear, lions, deer, coyotes, and wildcats.

Physiography: Glaciation, with its resultant cirques and moraines and impounded lakes, is in evidence everywhere. A half dozen small glaciers occur, and gorgeous and steep slopes are clad with perpetual snow. The rocks are chiefly granitics, schists, and quartzites, though eruptive rocks are also found within the park. Specimen Mountain, an old volcanic cone and crater, has vast deposits of black obsidian (volcanic glass) and geodes.

The proposed national park includes about 10 miles of the Great Continental Divide, with Longs Peak nearly 3 miles (14,253 feet) above the ocean tides. A dozen other peaks exceed 13,000 feet, and a score rise to 12,000 feet. Scenically it is America's gem, a wonderland of such transcendent beauty that the tourist is sure to return many times.

There are scores of unscaled peaks and dizzy heights to tempt the most arduous mountain climber. It would take one many summers to explore all the canyons, high peaks, and lakes and waterfalls.

Prof. Bethel has also compiled some interesting information upon the peaks of Colorado, as follows:

THE HIGH PEAKS OF COLORADO.

[Being a list gathered from the latest available authorities of the named mountain summits in this State exceeding 14,000 feet in altitude. Compiled for the club by Ellsworth Bethel.]

Colorado is the mountain State of the Union. Of the 49 named peaks of the United States which exceed 14,000 feet in height, Colorado has 36, California 12, and there is 1 in Washington. There are probably at least 10 more peaks of this altitude in Colorado which remain unnamed. It is estimated that one-fifth of the State stands above 10,000 feet in altitude, that it contains 350 peaks above 11,000 feet, 220 above 12,000 feet, 150 above 13,000 feet, and about 45 above 14,000 feet.

The highest peak in the United States proper is Mount Whitney (Cal.), altitude 14,501 feet. Mount Massive, Mount Elbert, and Blanca Peak, which head the table in this leaflet, are, respectively, the second, third, and fourth highest in the United States. Massive and Elbert, after elaborate recent surveys, have been found to differ less than a foot in altitude.

In the following table the first column gives the name of the mountain, the second column the altitude of the peak above sea level, the third column the survey or other authority from which the figure is derived, the fourth column the mountain range to which the peak belongs, and the fifth the county in which it lies. In the fourth column the letters "U. S. G. S." signify that the figure given is fixed by the records of the United States Geological Survey; Hayden, that it is derived from the Hayden survey of Colorado; Wheeler, from the Wheeler survey; and C. A. C. from work done by Prof. L. G. Carpenter and students of the Colorado Agricultural College. Pikes Peak and Longs Peak were determined by checked spirit leveling, and are probably correct within 1 foot. Those credited to the United States Geological Survey were determined by vertical angulation, and are probably correct within 10 feet; while those credited to Hayden and Wheeler were determined many years ago by mercurial barometer, and may be in error as much as 100 feet.

The altitudes of Mount Massive and Mount Elbert were recently determined by vertical angulation by R. B. Marshall, chief geographer of the United States Geological Survey, for the Colorado Academy of Sciences, upon request of its secretary, Mr. J. Clarence Hersey.

Recent determinations have reduced the elevations of Mount of the Holy Cross and Buckskin Mountain so that they no longer belong in this list. The name Crestone supplants Three Tetons, and Mount Wilson has been adopted in place of Glacier Mountain.

Grays Peak, Torreys Peak, Mount Evans, Longs Peak, and Pikes Peak are visible from Denver, and the last named also from Pueblo and Colorado Springs.

Mountain peaks in Colorado exceeding 14,000 feet in altitude.

Mountain.	Altitude.	Authority.	Range.	County.
1. Mount Massive	14,402	U.S.G.S.	Sawatch	Lake-Pitkin.
2. Mount Elbert	14,402	...do	...do	Lake.
3. Blanca Peak	14,390	...do	Sangre de Cristo	Huerfano-Costilla.
4. Mount Harvard	14,375	Hayden	Sawatch	Chaffee-Gunnison.
5. Grays Peak	14,341	...do	Front	Summit-Clear Creek.
6. Torreys Peak	14,336	...do	...do	Do.
7. La Plata Mountain	14,332	U.S.G.S.	Sawatch	Chaffee.
8. Uncompahgre Peak	14,305	...do	San Juan	Hinsdale.
9. Mount Lincoln	14,287	...do	Park	Park-Summit.
10. Mount Evans	14,260	...do	Front	Clear Creek.
11. Castle Peak	14,259	...do	Elk Mountain	Pitkin-Gunnison.
12. Quandery Peak	14,256	...do	Park	Park.
13. Longs Peak	14,255	C. A. C.	Front	Boulder-Larimer-Grand.
14. Mount Wilson	14,250	U.S.G.S.	San Juan	San Miguel.
15. Mount Antero	14,245	Hayden.	Sawatch	Chaffee.
16. Mount Shavano	14,239	...do	...do	Do.
17. Crestone Peak	14,233	...do	Sangre de Cristo	Saguache-Custer.
18. Mount Princeton	14,196	...do	Sawatch	Chaffee.
19. Yale Mountain	14,187	...do	...do	Chaffee-Gunnison.
20. Old Baldy Peak	14,176	...do	Sangre de Cristo	Costilla.
21. Mount Sneffles	14,143	U.S.G.S.	San Juan	Ouray.
22. Maroon Peak	14,126	...do	Elk Mountains	Pitkin.
23. Pikes Peak	14,110	...do	Front	El Paso.
24. San Luis Peak	14,100	Hayden.	La Garita	Mineral-Saguache.
25. Mount Windom	14,084	U.S.G.S.	Needle Mountains.	La Plata.
26. Mount Eolus	14,079	...do	...do	Do.
27. Culebra Peak	14,069	Hayden.	Culebra	Las Animas.
28. Simpson Mountain	14,055	Wheeler		
29. Sunlight Mountain	14,053	U.S.G.S.	Needle Mountains.	La Plata.
30. Red Cloud	14,050	...do	San Juan	Hinsdale.
31. Mount Sherman	14,048	...do	Park	Park.
32. Stewart Peak	14,032	Hayden.	Sawatch	Saguache.
33. Wetterhorn Peak	14,020	U.S.G.S.	San Juan	Ouray-Hinsdale.
34. Grizzly Mountain	14,020	...do	Sawatch	Pitkin.
35. Sunshine Peak	14,018	...do	San Juan	Hinsdale.
36. Handies Peak	14,008	...do	...do	Do.

Hon. Mark Daniels, general superintendent and landscape engineer of national parks, has furnished me with some data upon this subject that I feel is of sufficient general importance to warrant being inserted in the RECORD in connection with this bill. His letter is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, January 11, 1915.

Hon. EDWARD T. TAYLOR,
House of Representatives.

MY DEAR MR. TAYLOR: Your request for a more full opinion from me as to my reasons for advocating the creation of the Rocky Mountain National Park brings up a rather broad subject, and one which in order to be entered into exhaustively would take considerable time and space.

It seems to me that the question of our national parks, like other subjects involving art and esthetics, is constantly being confronted with a demand for reasons for its existence, and yet to one who understands the functions which they perform in the scheme of things it seems impossible that they should be so frequently challenged.

That scenery is a national asset has been proven in many instances in the older countries, where all resources have been carefully considered. Switzerland derives a revenue of over $250,000,000 annually from her scenery. She has made the scenic resources of her country one of the best revenue producers within her boundaries.

It has been estimated that over $400,000,000 annually leave this country and are spent abroad by tourists and travelers. Undoubtedly a very large proportion of this is for the purpose of transacting business, and to acquaint the traveler with the customs of the foreign people; a very large proportion, however, is spent by the tourist who goes to see scenery, and so spending his money he is purchasing a commodity which is inferior to the home product.

If the Secretary of the Interior were to announce to the press that a new mineral product had been discovered which would produce to this country, after being thoroughly developed, $50,000,000 net annually for a period of 25 years, there would undoubtedly be a great hue and cry to undertake the enterprise at once, and yet, if the national park system

were properly developed and placed before the public in all of its wonderful phases there is no doubt that more than $50,000,000 that are spent annually abroad by scenery lovers would be diverted and be spent within the boundaries of the United States.

In order that the people of this country shall derive the benefit, from a commercial point of view, of our national scenery, it is necessary that the scenic areas of national interest be set aside and administered in a way that will satisfy the demands of the tourist and the traveling public. Th's is the real and fundamental reason why it is necessary, in order to develop scenery as a national resource, to set aside the scenic areas as national parks.

As to the administrative cost or the cost of maintenance and development of these parks there are two general policies which have been adopted by different countries, namely, the establishment and administration of the parks upon the principle that they should be free to all visitors as against the policy of developing along the lines of self-support. I may say that it is only in the older countries, with the exception of the Dominion of Canada, where such parks are administered as free institutions. There is much to be said in favor of both policies, but suffice it to say that the policy which has developed in this country is one of administering the parks as nearly as possible in such a way as to make them self-supporting.

This can be done by charging hotel concessioners, transportation concessioners, etc., a rental for the privilege of operating their concessions in the park areas. The Secretary of the Interior has recently taken steps to accomplish as economic administration as possible and to develop the revenue-producing phases of the parks in a manner that will in no wise interfere with their scenic values.

We have, therefore, the following condition: The scenery of our country is a great national resource and once through which many millions of dollars annually may be kept in this country which are now being spent outside. The policy which looks to the eventual establishment of these reservations upon a self-supporting basis, so that the cost of maintaining the parks as a national resource will be of little or no expense to the Federal Government. It is difficult to understand, therefore, any reticence on the part of Congress to set aside any area which has proven itself to be one of national interest and one of such magnitude and glorious scenery as to attract, without assistance on the part of the Federal Government, such numbers as 56,000 visitors, which, I am told, was the number that visited the proposed Rocky Mountain National Park last year.

Cordially, yours, MARK DANIELS,
General Superintendent and Landscape Engineer, National Parks.

Mr. Marshall in his report to which I have referred concludes his statement and recommendations concerning the park as follows:

PHYSICAL CHARACTERISTICS.

There is no predominant, commanding natural feature in Estes Park, such as is found in the Crater Lake, the Yellowstone, or the Yosemite, or along the Grand Canyon of the Colorado, but the region as a whole is as beautiful as any to be found in the United States, or, indeed in the world. There is spread before the eye a gorgeous assemblage of wonderful mountain sculpture, surrounded by fantastic and ever-changing clouds, suspended in an apparently atomless space. At first view, as one beholds the scene in awe and amazement, the effect is as of an enormous painting, a vast panorama stretching away for illimitable distances; gradually, this idea of distance disappears, the magnificent work of nature seems to draw nearer and nearer, reduced apparently by an unseen microscope to the refinement of a delicate cameo. Each view becomes a refined miniature, framed by another more fascinating, the whole presenting an impressive picture, never to be forgotten.

ACCESSIBILITY.

Perhaps the most attractive feature of the plan to create this park, viewed from both the National and the State standpoints, is the accessibility of the area. In considering the probable success of this proposed park, I have kept constantly in mind the enormous population of the eastern part of the United States, which would derive benefit from it, its nearness to the large centers of population, and the low transportation charges in effect during the season in which it would be most visited. Estes Park can be reached from Chicago in about 30 hours and from Denver by automobile in about 3 hours. These factors will lead to a large amount of travel into the park from outside the State and undoubtedly will result in its assuming a much more national character than any of the existing parks. Denver being the center of practically all the railroad systems west of Mississippi River, the number of visitors that may be expected annually in the proposed park will add enormous revenues to the State of Colorado and will make this one of its most productive sections.

There has been a marked increase within the last few years in the annual number of visitors to Estes Park and vicinity. It is estimated that this number has increased from 1,800 to 30,000 within a comparatively short time and, with the added attraction of the national park, it seems safe to predict that within a decade or two 100,000 or more people from all sections of the United States will visit this area each year. From a purely commercial standpoint, then, the proposed national park should certainly appeal to the people of the State of Colorado. Moreover, every citizen of Colorado realizes full well the value of the entire State as a health resort, and, reputed for their hospitality as they are, I am sure that none of them would wish, from selfish motives, to prevent the enjoyment of the benefits of his State by the greatest number of people of the whole country; but the State does need the help of the National Government in this, and I know of no way in which this assistance can be better rendered than in the establishment and maintenance of a national park. There is even now in the Estes Park one good hotel, the Stanley, which probably cost in the neighborhood of $500,000, and numerous smaller ones, which seem to indicate clearly the confidence of the public in the permanency of the attractions of this mountain park.

RECOMMENDATIONS.

I therefore respectfully recommend—

(1) That Congress be asked to create for the benefit and enjoyment of the people a national park in the Rocky Mountains of Colorado in the vicinity of Longs Peak, to be known as the "Rocky Mountain National Park," with boundary as defined on the map accompanying this report;

(2) That wherever practicable lands included within the boundary of the proposed park which are now in private ownership be exchanged for public lands outside said boundary;

(3) That a civilian superintendent and necessary guards be appointed through the United States civil service for the proper administration of the park;

(4) That leases of suitable acreage for the erection of hotels and camps for the accommodation of visitors within the park and of 1-acre tracts for the erection of private homes be granted, all such leases to cover periods of not more than 25 years, subject to renewal under conditions governing leases in the other national parks;

(5) That the use of dead and down timber for building purposes within the park be permitted;

(6) That suitable roads and trails be constructed within the park;

(7) That the use of automobiles within the park be permitted;

(8) That leases be granted, under suitable conditions, for the development of mining, hydroelectric, and grazing privileges within the park;

(9) That a fish hatchery be maintained within the park to keep the streams stocked with fish;

(10) That the destruction of game or birds within the park be prohibited; and

(11) That all revenues derived from the park, from whatever source, be applied to its development and improvement.

Very respectfully,

R. B. MARSHALL, *Chief Geographer.*

The present Secretary of the Interior, Hon. Franklin K. Lane, is one of the most earnest and forcible advocates of public parks in this country. A statement of his appearing in the Washington Evening Star a few days ago is exceedingly timely and interesting, as follows:

PREPARING FOR TOURIST TRAVEL.

Secretary Franklin K. Lane is a believer in preparedness. The Secretary of the Department of the Interior naturally leaves to his associates in the Cabinet, Secretaries Garrison and Daniels, the study of preparedness related to war equipment. What he is interested in is the preparedness on the part of the Government to handle properly the tremendous tourist travel in America, which is expected to be one of the results of the great war.

In the opinion of the Interior Department officials and others who are familiar with conditions in the national parks of the West these great natural show places have never been visited by as many American people as should have toured them, because there have not been the same kind of facilities to care for travelers which are found in Europe, where the tourist trade has been catered to for hundreds of years, and where in many places it is the chief source of income of the people.

Secretary Lane believes that many thousands of Americans will travel in this country during the coming season and following years who have heretofore spent their money in Europe, and that the national parks of the West and points in Alaska, with their scenic wonders, will be the places sought out by large numbers of American tourists. The work of reorganizing the system of caring for and developing the national parks is now going on, and in the near future it is believed that most of the American parks will have facilities which will rival Europe for completeness in providing for tourists.

Mark Daniels, the California landscape engineer, whom Secretary Lane has secured as the new general superintendent of the national parks, is now working on plans for reorganizing the system of management and bettering conditions generally in all of the great Government reservations which are under the Department of the Interior. Mr. Daniels is now planning along two lines, one to develop an economic policy for the parks and a system of administration to provide for the constant increase of visitors and an increase of revenue of the parks; and, secondly, to develop a system to care for the physical features of the parks, such as the construction of roads, trails, and buildings used by the hotel men and others who have concessions.

At the present time the Government appropriates slightly more than $300,000 to care for the national parks of the country. Canada appropriated $700,000 this year for her parks. The amount of revenue collected from national parks in the United States is approximately $100,000 a year. Revenue comes from three sources, rental and leasing of concessions, the operation of public utilities, and from natural resources, such as dead and down timber and water power.

Supt. Daniels believes that the revenues of the parks can be increased very materially without any great increase in the cost of operation, and that the national parks of the country in time can be made entirely self-sustaining. This condition will be brought about not by commercializing the parks any more than they ever have been in the past, but by increasing and perfecting facilities and conditions for caring for the tourists and encouraging a greatly increased tourist travel throughout all the reservations.

The new general superintendent of the parks thinks that the American people have been too slow to look upon scenery as an asset which is just as valuable in its way as is coal, timber, water power, or any other natural resource. The scenery of Switzerland is estimated to be worth more than $250,000,000 a year to the people of that little country. It has also been estimated that the Americans who go abroad each year carry to the various European countries more than $400,000,000.

One of the features in increasing accommodations for the parks is the proposed establishment in each park of a bureau of information and transportation. At the present time visitors have fallen into the habit of going to the nearest concession stand to ask for information, and, naturally, the advice is governed by the financial interest of the concessionaire.

Another feature in the development of the park system will be the organization of a national park ranger service. This will include the building up of a force of able men who will be uniformed, and, as representatives of the Government, will set a new standard of service in America in providing for every care of tourists who are Uncle Sam's guests in the parks. The plans for organization of the ranger service are now being developed by Col. L. M. Brett, the United States Army officer who is superintendent of the Yellowstone National Park, and who has just been detailed to Washington especially to cooperate with Supt. Daniels in perfecting plans for the organization of this service.

Concerning the financial policy of the Government in relation to these parks, and as a matter of information, it may be stated that in the sundry civil act approved March 14, 1911 (33 Stat., 1421), provision is made that hereafter the Secretary of the Interior shall submit in the annual Book of Estimates, following the estimates for each of the national parks, a classified statement of receipts and expenditures for the complete fiscal year next preceding the fiscal year for which the estimates of appropriations are submitted. Pursuant to this statute, the data required have been embodied in succeeding Books of Estimates. (H. Doc. 129, 62d Cong., 2d sess., p. 412 et seq.; H. Doc. 944, 62d Cong.,

3d sess., p. 638 et seq.; and H. Doc. 398, 63d Cong., 2d sess, p. 574 et seq.) In the Book of Estimates for 1916 (H. Doc. 1394, 63d Cong., 3d sess.) will be found detailed statements showing, as required by section 6 of the sundry civil act approved August 1, 1914, the number of persons employed, rates of compensation paid, and amounts expended for various purposes, with estimated unit cost of construction done or proposed to be done in the parks, showing amounts expended in 1914 and the purposes of the various items for which expenditure is to be incurred in 1916.

The report of the Secretary of the Interior for the fiscal year ending June 30, 1914, just published, contains much interesting data on this subject, and I will ask to extend my remarks in the RECORD by inserting several extracts therefrom, as follows:

NATIONAL PARKS AND RESERVATIONS.

The policy of setting aside tracts of land as national parks or pleasure grounds for all the people was inaugurated by Congress with the establishment, by the act of March 1, 1872, of the Yellowstone National Park in Wyoming, Montana, and Idaho. Since that time 11 additional parks in various sections of the country have been created, embracing in all over 4,436,000 acres of land. The areas of these national parks, with date of establishment of each, are as follows:

Areas of national parks.

Name.	Date of establishment.	Area.
		Acres.
Yellowstone, in Wyoming, Montana, and Idaho	Mar. 1,1872	2,142,720
Yosemite, in California	Oct. 1,1890	719,622
Sequoia, in California	Sept. 25,1890	161,597
General Grant, in California	Oct. 1,1890	2,536
Mount Rainier, in Washington	Mar. 2,1899	207,360
Crater Lake, in Oregon	May 22,1902	159,360
Wind Cave, in South Dakota	Jan. 9,1903	10,522
Sullys Hill, in North Dakota	Apr. 27,1904	780
Platt, in Oklahoma	July 1,1902; Apr. 21,1904	848.22
Mesa Verde, in Colorado	June 29,1906; June 30,1913	48,966.40
Hot Springs Reservation, in Arkansas	June 16,1880	911.63
Glacier, in Montana	May 11,1910	981,681
Total		4,436,904.25

Visitors: The increasing number of visitors to these national reservations and the many requests that are received for literature in relation thereto clearly indicate the interest of the public therein. The last national park was created May 11, 1910, and since that time bills have been introduced in Congress looking to the establishment of additional national parks in various sections of the country, none of which has as yet become a law. During the year the total number of visitors in all the parks aggregated 239,693, as against 251,703 during 1913. While the travel to these parks was not as great as in 1913, there is every reason to believe that there will be a material increase in the number of visitors during the next fiscal year, when the Panama-Pacific International Exposition will be held in San Francisco.

Economic value of national parks: Without taking into consideration the cost to visitors of transportation from their homes to the parks, a fair idea of the economic value of tourist travel in four of the larger parks may be obtained by consideration of the financial reports of concessionaires, to wit, the gross receipts in the Yellowstone for 1913 amounted to $1,186.811.36, as compared with $1,067,161.34 for 1912; in the Yosemite, $359.481.45 for 1913, as compared with $311,444.32 for 1912; in the Mount Rainier, $66,942.76 for 1913, as against $56,735.93 for 1912; and in the Glacier National Park, $161,510.87 for 1913.

Appropriations and revenues: The total appropriations made by Congress for protection and improvement of these parks during the year, expendable under this department, was $302,490, and the total revenues received from concessionaires in all the parks was $56,949.01.

Expenditures of revenues: The several acts of Congress setting aside lands for national park purposes, except in the cases of the Crater Lake National Park, Oreg., and the Mesa Verde National Park, Colo., authorize the expenditure of the revenues derived from the privileges or concessions therein in the management and protection of the respective reservations. In the case of the two parks above mentioned, however, the revenues therefrom are under existing law deposited in the Treasury to the credit of miscellaneous receipts and the reservations receive no direct benefit therefrom. It is desirable that these parks, so far as the revenues therefrom are concerned, be put upon the same footing as are other national parks, and in submitting the annual estimates to Congress for the park service appropriate legislation has been recommended.

Senate bill 2223, to authorize the use of the revenues in the Crater Lake National Park in the management of the same and the construction, repair, and improvement of roads, trails, and bridges therein, passed the Senate April 14, 1914, and is now pending before the House Committee on the Public Lands. This bill should be enacted into law at an early date.

Automobiles in the parks: Automobiles have heretofore been admitted, under strict regulations governing travel of the roads, in the Mount Rainier National Park, the Crater Lake National Park, the Glacier National Park, the Wind Cave National Park, the Platt National Park, the General Grant National Park, over the Giant Forest Road in the Sequoia National Park, over the Coulterville Road from the Merced Grove of Big Trees into the Yosemite Valley in the Yosemite National Park, and over a road in the northwestern section of the Yellowstone National Park not forming a part of the generally traveled routes in that reservation, for the special accommodation of people of Gallatin County, Mont.

During the year automobiles, under appropriate regulations, were admitted over the roads in the Mesa Verde National Park, Colo., and were also admitted on the Wawona Road leading to the Mariposa Big Tree Grove and the Big Oak Flat Road in the Yosemite National Park. The generally traveled roads in the Yellowstone National Park, Mont., and the Hot Springs Reservation, Ark., are not in such a condition, considering the safety of individuals and animals, as to permit of their joint use by motor-driven vehicles and vehicles drawn by horses. Licenses have been issued during 1914, as follows:

Automobile licenses issued, season of 1914.

	Automobiles.	Motorcycles.
Mount Rainier	1,594	188
Crater Lake	1,107	18
Glacier	267	4
Sequoia	158	.....
General Grant	392	12
Yosemite	673	.....
Wind Cave	11	.....
Mesa Verde	34	4

The policy of the department in admitting automobiles to the parks, where road conditions make motoring safe, has met with general approval. It enables the traveling public to make trips to the parks more expeditiously than formerly, and in addition to materially increasing the number of visitors to the reservation has been productive of considerable revenues, the receipts from this source in 1914 being $14.243.07 as against $8,435.45 during 1913.

Jurisdiction: In the Yellowstone National Park and the Platt National Park the United States has exclusive jurisdiction thereover, and Congress has provided a means of enforcement of the laws and regulations pertaining thereto. The Legislature of the State of Montana, by the act of February 17, 1911, ceded exclusive jurisdiction to the United States of the territory within the metes and bounds of the Glacier National Park, and by act approved August 22, 1914, Congress accepted the cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park, and the United States District Court for the District of Montana has, as required by section 6 of said act, appointed a commissioner to reside in the park, who has jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by said act. In the other national parks, however, over which the laws of the States in which they are located obtain, great difficulties in administration have been encountered, owing to the fact that the department has no jurisdiction to punish offenses in violation of the regulations relating thereto, and particularly in the matter of preventing depredations on game and the selling of liquor therein.

Removal of troops from the parks: Under the act of June 6, 1900 (31 Stat., 618), the Secretary of War has, on request of this department, detailed troops during the summer months to the Yosemite, Sequoia, and General Grant National Parks for protective purposes therein. The expense to the War Department in maintaining these details was considerable, and the expenditures from the park revenues resulting from their presence in the park were large; furthermore, the conditions in and around these reservations which led to the authorization of the use of the military force in these parks having radically changed, the conclusion was reached that their presence was no longer required in the Yosemite, Sequoia, and General Grant National Parks, and the Secretary of War was so advised. During the past year, therefore, troops have no longer been employed in these reservations and have been superseded by civilian rangers, bringing the latter in closer touch with the actual work of the park management than was formerly practicable when troops were only in the reservations for a few months.

General superintendent of national parks: On March 10, 1914, Mr. Mark Daniels, of California, was commissioned as landscape engineer in the Yosemite National Park for the purpose of preparing a comprehensive general plan for the development and improvement of the floor of the Yosemite Valley covering the best locations for roads, trails, and bridges, so as to bring into view the full scenic beauty of the surroundings, the clearing and trimming of suitable areas of woods to provide attractive vistas, the proper location and arrangement of a village in the Yosemite Valley, etc. Subsequently, with a view to increasing the efficiency in the administration of the parks and the reduction in the cost of superintendence, Mr. Daniels was commissioned, on June 4, 1914, general superintendent and landscape engineer for all the national parks under this department, and the titles of the officers in charge of the immediate work in the reservations changed from superintendents to supervisors at lower salaries than were paid the superintendents. Since the date of his appointment Mr. Daniels has inspected the Yosemite, Sequoia, and General Grant National Parks in California; Mount Rainier National Park, Wash.; Glacier National Park, Mont.; Crater Lake National Park, Oreg.; and the Yellowstone National Park, Wyo., and submitted recommendations in relation thereto; and before the close of the year he will inspect the Mesa Verde National Park, Colo.; Platt National Park, Okla.; Hot Springs Reservation, Ark.; the Wind Cave National Park, S. Dak.; and Sullys Hill National Park, N. Dak.

Roads: Under a cooperative agreement with the Good Roads Office of the Agricultural Department, and with a view to bringing about the wisest possible expenditure of available funds for road building and maintenance thereof in the parks, the services of experienced highway engineers have been secured to make comprehensive surveys for a system of roads and trails in the reservations, the salaries of such engineers to be paid by the Agricultural Department and their expenses by the Interior Department. This work is satisfactorily progressing and preliminary surveys have been made in the Glacier, Yosemite, Sequoia, and General Grant National Parks. Through cooperation by the employees of the Forest Service in the field with the employees in the various parks, more effective control of forest fires have been secured and much valuable timber has been preserved.

Sanitary inspections: The reports of the sanitary inspections heretofore made by the chemist of the United States Geological Survey of camp, hotel, sewerage, and other conditions of the Glacier, Yellowstone, and Yosemite National Parks were brought to the attention of the superintendents of these reservations as well as the concessionaires therein, and active work has been inaugurated looking to the protection from pollution of the water for drinking purposes, the proper disposition of sewage, and the enforcement of hygienic regulations necessary to the protection of the health of the visitors in the parks. Similar inspections will be made where necessary in other national parks as funds available for the work will permit.

Hotels: In the Yellowstone National Park the hotel at Mammoth Hot Springs has been reconstructed, additions have been made to the Old

Faithful Hotel, the pavilions for housing and caring for people at the permanent camps materially improved, and a 20 per cent reduction in the transportation rates from the western entrance of the park has been secured without any deterioration of the character of service rendered. In the Yosemite National Park a contract is under consideration under which new hotel and camps will be provided for the accommodation of tourists in the Yosemite Valley, and in the other parks material improvements have been made in the permanent camps and other services.

Hetch Hetchy Valley, Yosemite National Park: In prior annual reports the permit issued to the city and county of San Francisco in 1908 granting the right of way over certain lands in the Yosemite National Park, with permission to take water from Lake Eleanor and Hetch Hetchy Valley in that park under conditions therein set forth, was very fully discussed, and reference was made to a bill then pending in Congress granting the city and county of San Francisco such right of way in said park. On December 19, 1913, House bill 7207 became a law, granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes. The maps required under this act showing the right of way have been filed and approved and the city has taken steps to effectuate the provisions of this statute.

Proposed national-park service: In the annual report of the Secretary of the Interior for 1911, in discussing national-park affairs, he stated:

"While public interest in and use of these reservations is steadily increasing, as shown by the growing number of visitors, adequate provision has not been made for their efficient administration, and sufficient appropriations have not been made for their proper care and development. At present each of these parks is a separate and distinct unit for administrative purposes. The only general supervision which is possible is that obtained by referring matters relating to the national parks to the same officials in the office of the Secretary of the Interior. Separate appropriations are made for each park, and the employment of a common supervising and directing force is impossible. Many of the problems in park management are the same throughout all of the national parks, and a great gain would be obtained and substantial economies could be effected if the national parks and reservations were grouped together under a single administrative bureau. Bills to create a bureau of national parks have heretofore been introduced in Congress, and, in my judgment, they should immediately receive careful consideration so that proper legislation for this purpose may be enacted. Adequate appropriation should also be made for the development of these pleasure grounds of the people, especially through the construction of roads and trails and their proper care and maintenance."

A bill (S. 826, 63d Cong., 1st sess.) to establish the national-park service, and for other purposes, is now pending in Congress and has been reported favorably by the Senate Committee on Public Lands, and its early enactment into law is earnestly recommended.

There are hereto appended tables giving the location, date of establishment, area, private holdings, if any, and number of visitors, and the special characteristics of the various national parks under the supervision of the Secretary of the Interior, the appropriations made by Congress for the protection and improvement thereof during 1914 and eight years prior thereto, as well as revenues derived from leases, privileges, and concessions in said reservation received during said period; also a statement of the automobile receipts during 1914.

NATIONAL MONUMENTS AND PRESERVATION OF AMERICAN ANTIQUITIES.

By an act approved June 8, 1906, entitled "An act for the preservation of American antiquities," the President of the United States is authorized, "in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments." Under such authority the President has created the 29 monuments:

National monuments administered by Interior Department.

Name.	State.	Date.	Area.
			Acres.
Devils Tower	Wyoming	Sept. 24, 1906	1,152
Montezuma Castle	Arizona	Dec. 8, 1906	160
El Morro	New Mexico	do	160
Chaco Canyon	do	Mar. 11, 1907	[1] 20,629
Muir Woods [2]	California	Jan. 9, 1908	295
Pinnacles	do	Jan. 16, 1908	2,080
Tumacacori	Arizona	Sept. 15, 1908	10
Mukuntuweap	Utah	July 31, 1909	[1] 15,840
Shoshone Cavern	Wyoming	Sept. 21, 1909	210
Natural Bridges [3]	Utah	Sept. 25, 1909	[1] 2,740
Gran Quivira	New Mexico	Nov. 1, 1909	160
Sitka	Alaska	Mar. 23, 1910	57
Rainbow Bridge [4]	Utah	May 30, 1910	160
Lewis and Clark Cavern	Montana	May 16, 1911	160
Colorado	Colorado	May 24, 1911	13,883
Petrified Forest	Arizona	July 31, 1911	25,625
Navajo [4]	do	Mar. 14, 1912	360
Papago Saguaro	do	Jan. 31, 1914	2,050

[1] Estimated area.
[2] Donated to the United States.
[3] Originally set aside by proclamation of Apr. 16, 1908, and contained only 120 acres.
[4] Within an Indian reservation.

One new monument, the Papago Saguare, was created during the fiscal year. It embraces approximately 2,050 acres of rocky and desert land in Maricopa County, Ariz. Within the tract is found a splendid collection of characteristic desert flora, including many striking examples of giant cactus and other interesting species of cacti as well as fine examples of the yucca palm. Within the tract historic pictographs may be found upon the faces of the rocks, adding to the interest of the reservation ethnologically and archeologically.

Administrative conditions: The supervision of these various monuments has, in the absence of any specific appropriation for their protection and improvement, necessarily been intrusted to the field officers of the department having charge of the territory in which the several monuments are located.

As stated in the last annual report, the administrative conditions continue to be unsatisfactory, since no appropriation of funds has yet been made available for this important, protective, and preservative work. Such supervision as has been possible in the cases of a few monuments only has been wholly inadequate and has not prevented vandalism, unauthorized exploitation or spoliation of relics found in those prehistoric ruins, whose preservation is contemplated by the passage of the act of June 8, 1906. An estimate in the sum of $5,000 for protection of these monuments was submitted last year, but no appropriation was made, and a similar estimate will again be submitted to Congress, not so much for the purpose of preserving by restoration the objects reserved in the national monuments as to prevent the removal of valuable relics and vandalism. Monuments suffering from these causes should be provided with a custodian or superintendent, and in this way a small general appropriation can be made most useful and its expenditure will be wholly in the interest of the public. The protection and preservation of the national monuments as public reservations are of great interest and importance, because a great variety of objects, historic, prehistoric, and scientific in character are thus preserved for public use intact instead of being exploited by private individuals for gain and their treasures scattered. These reserves should be administered in connection with the national parks, which they strongly resemble. It would be difficult to define one in terms that would exclude the other. The renewal of the estimate for a small appropriation has been made for the purpose of keeping this class of reserves intact until such time as Congress shall authorize the creation of some administrative unit which shall take over both the parks and monuments and administer them under a general appropriation.

National monuments under other departments: The following national monuments are not administered by the Secretary of the Interior:

National monuments administered by Department of Agriculture.

Name.	State.	Date.	Area.
			Acres.
Cinder Cone	California	May 6, 1907	[1] 5,120
Lassen Peak	do	do	[1] 1,280
Gila Cliff Dwellings	New Mexico	Nov. 16, 1907	160
Tonto	Arizona	Dec. 19, 1907	[1] 640
Grand Canyon	do	Jan. 11, 1908	[1] 806,400
Jewel Cave	South Dakota	Feb. 7, 1908	[1] 1,280
Wheeler	Colorado	Dec. 7, 1908	[1] 300
Oregon Caves	Oregon	July 12, 1909	[1] 480
Devil Postpile	California	July 6, 1911	[1] 800
Mount Olympus	Washington	Apr. 17, 1912	[1] 603,480

[1] Estimated area.

National monuments administered by War Department.

Name.	State.	Date.	Area.
			Acres.
Big Hole battle field [1]	Montana	June 23, 1910	5
Cabrillo	California	Oct. 14, 1913	1

[1] Set aside by Executive order.

Excavation of ruins: Paragraph 3 of the uniform rules and regulations promulgated by the Secretaries of the Interior, Agriculture, and War under date of December 28, 1906, to carry out the provisions of the act for the preservation of American antiquities, reads as follows:

"Permits for the excavation of ruins, the excavation of archæological sites, and the gathering of objects of antiquity will be granted by the respective Secretaries having jurisdiction to reputable museums, universities, colleges, or other recognized scientific or educational institutions, or to their duly authorized agents."

During the year five permits were granted for the examination, excavation, and gathering of specimens, as follows:

To Prof. Byron Cummings, of the University of Utah, to make examinations and excavations as continuation of explorations under similar permits granted him by the department on June 26, 1912, and July 11, 1913, with the Navajo National Monument, in the Navajo and Piute Indian Reservations, and in San Juan County, Utah, as well as on lands 30 miles northwest of Bluff, Utah.

To Prof. F. W. Putnam, honorary director of the Peabody Museum, Harvard University, to make examination and excavation of ruins in the Chinlee Valley and the tributary canyons heading against the Navajo Mountains, on its east and north sides, on behalf of the Peabody Museum, as continuation of explorations under a similar permit granted by the department on June 18, 1913. This locality is in the vicinity of the Navajo National Monument, and approaches, but does not overlap, the region of Prof. Cummings's explorations.

To Prof. Lull, representing the department of geology, of Yale University, to enter upon the Rosebud Indian Reservation and the Pine Ridge Reservation, in South Dakota, and the Fort Niobrara Abandoned Military Reservation, in Nebraska, for the purpose of collecting vertebrate fossils, specimens of which are to be used in the museums of Yale University.

To Prof. Livingston Farrand, president of the University of Colorado, to carry on archæological research in Montezuma and La Plata Counties, Colo., and in San Juan County, N. Mex., including such parts of the Ute and Navajo Indian Reservations as lie within those counties, and to take specimens for the benefit of the University of Colorado.

To Dr. E. Bonnert, of Dornach-Mulhausen, Germany, for removal of not exceeding 500 pounds of silicified wood from the Petrified Forest National Monument in Arizona, for presentation to the Geological Institute of Elsass-Lothringen, in Germany.

BIRD RESERVES.

All of the bird reserves have been created through reference from the Interior Department to the President of forms of Executive orders providing therefor. These reserves are regarded as in all essential particulars reservations of public lands for public use or other purposes, for which there are numerous precedents. The first specific act of Congress providing for the protection of birds by bird reserves created by Executive order was introduced by Hon. John F. Lacy, of Iowa, and became a law on June 28, 1906 (34 Stat., 536). This act made it unlawful to kill birds, to take their eggs, or to willfully disturb birds upon the reservations, and it provides a fine of not exceeding $500 or imprisonment for

not exceeding six months, or both fine and imprisonment, for each conviction secured. This law was substantially reenacted in the new penal code approved March 4, 1909 (35 Stat., 1104), in the following language:

"SEC. 84. Whoever shall hunt, capture, willfully disturb, or kill any bird of any kind whatever, or take the eggs of any such bird, on any lands of the United States which have been set apart or reserved as breeding grounds for birds by any law, proclamation, or Executive order, except under such rules and regulations as the Secretary of Agriculture may from time to time prescribe, shall be fined not more than $500 or imprisoned not more than six months, or both."

During the year two new reservations for the protection of native birds were created, as follows:

Smith Island, Wash., created June 6, 1914.

Blackbeard Island, Ga., created July 17, 1914.

The reservations now existing are 67 in number, of which 65 are being administered under the direction of the Biological Survey, Department of Agriculture. The Pribilof Reservation, in Alaska, is administered by the Bureau of Fisheries of the Department of Commerce, and the Canal Zone Reservation, Panama, by the Isthmian Canal Commission.

Bird reserves created.

Name of reservation.	Date.	Location.	Area.
Pelican Island	Mar. 14, 1903	East Florida coast	5.50 acres.
Breton Island	Oct. 4, 1904 / Nov. 11, 1905	Southeast coast of Louisiana.	Unknown.
Stump Lake	Mar. 9, 1905	North Dakota	27.39 acres.
Huron Islands	Oct. 10, 1905	Lake Superior, Mich	Unknown.
Siskiwit Islands	do	do	Do.
Passage Key	do	Tampa bay, Fla	36.37 acres.
Indian Key	Feb. 10, 1906	do	90 acres.
Tern Islands	Aug. 8, 1907	Mouths of Mississippi River, La.	Unknown.
Shell Keys	Aug. 17, 1907	South Louisiana coast	Do.
Three Arch Rocks	Oct. 14, 1907	West Oregon coast	Do.
Flattery Rocks	Oct. 23, 1907	West Washington coast	Do.
Quillayute Needles	do	do	Do.
Copalis Rock	do	do	Do.
East Timbalier Island	Dec. 7, 1907	South Louisiana coast	Do.
Mosquito Inlet	Feb. 24, 1908	East Florida coast	Do.
Tortugas Keys	Apr. 6, 1908	Florida Keys, Fla	Do.
Klamath Lake	Aug. 8, 1908	Oregon and California	Do.
Key West	do	Florida Keys, Fla	Do.
Lake Malheur	Aug. 18, 1908	Oregon	Do.
Chase Lake	Aug. 28, 1908	North Dakota	Do.
Pine Island	Sept. 15, 1908	West Florida coast	Do.
Matlacha Pass	Sept. 26, 1908	do	Do.
Palma Sola	do	do	Do.
Island Bay	Oct. 23, 1908	Florida	Do.
Loch Katrine	Oct. 26, 1908	Wyoming	Do.
Hawaiian Islands	Feb. 3, 1909	Hawaii	Do.
East Park	Feb. 25, 1909	California	Do.
Cold Springs	do	Oregon	Do.
Shoshone	do	Wyoming	Do.
Pathfinder	do	do	Do.
Bellefourche	do	South Dakota	Do.
Strawberry Valley	do	Utah	Do.
Salt River	do	Arizona	Do.
Deer Flat	do	Idaho	Do.
Minidoka	do	do	Do.
Willow Creek	do	Montana	Do.
Carlsbad	do	New Mexico	Do.
Rio Grande	do	do	Do.
Keechelus Lake	do	Washington	Do.
Kachess Lake	do	do	Do.
Clealum Lake	do	do	Do.
Bumping Lake	do	do	Do.
Conconully	do	do	Do.
Bering Sea	Feb. 27, 1909	Alaska	Do.
Pribilof [1]	do	do	Do.
Tuxedni	do	do	Do.
Farallon	do	California	Do.
Culebra	do	Porto Rico	Do.
Yukon Delta	do	Alaska	Do.
St. Lazaria	do	do	Do.
Bogoslof	Mar. 2, 1909	do	Do.
Clear Lake	Apr. 11, 1911	California	Do.
Forrester Island	Jan. 11, 1912	Alaska	Do.
Hazy Islands	do	do	Do.
Niobrara	do	Nebraska [2]	14,640 acres.
Green Bay	Feb. 21, 1912	Wisconsin	1.87 acres.
Chamisso Island	Dec. 7, 1912	Alaska	Unknown.
Pishkun	Dec. 17, 1912	Montana	Do.
Desecheo Island	Dec. 19, 1912	Porto Rico	Do.
Gravel Island	Jan. 9, 1913	Wisconsin	Do.
Aleutian Islands	Mar. 3, 1913	Alaska	Do.
Canal Zone [3]	Mar. 19, 1913	Panama	Do.
Walker Lake	Apr. 21, 1913	Arkansas	Do.
Petit Bois Island	May 6, 1913	Alabama and Mississippi	Do.
Anaho Island	Sept. 4, 1913	Nevada	247.73 acres.
Smith Island	June 6, 1914	Washington	Unknown.
Blackbeard Island	July 17, 1914	Georgia	Do.

[1] Transferred to Bureau of Fisheries.
[2] Approximate area.
[3] Under jurisdiction of Isthmian Canal Commission, Canal Zone. Strictly speaking, not a bird reservation, but birds are protected by Executive order.
Total reservations, including Canal Zone, 67.

Bird reserves enlarged and reduced.

Name of reservation.	Date.	Location.	Area.
Pelican Island	Jan. 26, 1909	Florida (enlarged)	Unknown.
Mosquito Inlet	Apr. 2, 1909	do	Do.
Cold Springs	Nov. 25, 1911	Oregon (enlarged)	Do.
Clear Lake	Jan. 13, 1912	California (reduced)	Do.
Minidoka	Feb. 21, 1912	Idaho (enlarged)	Do.
Niobrara	Nov. 14, 1912	Nebraska (enlarged) [1]	15,253.7 acres.

[1] Approximate area.

As appears from this list, these reservations are scattered between Alaska and Porto Rico. After careful consideration, based upon representations made by this department, the Isthmian Canal Commission secured an Executive order for the protection of the native birds within the zone, which, in its punitive features, conforms to section 84 of the United States Penal Code. Jurisdiction over the Canal Zone reservation is, however, retained by the Isthmian Canal Commission instead of being placed with the Department of Agriculture, as is the case in all other Government bird reserves.

NATIONAL-PARK STATISTICS.

Appropriations and revenues of national parks for the fiscal years 1906–1914.

	Appropriation.	Revenue.	Total.
Yellowstone National Park:			
1906	$7,500.00	$1,522.50	
1907	7,500.00	2,808.96	
1908	8,000.00	4,699.65	
1909	8,000.00	4,790.20	
1910	8,000.00	18,188.82	
1911	8,500.00	23,420.13	
1912	8,500.00	16,476.38	
1913	8,500.00	21,980.10	
1914	8,500.00	15,439.23	
	73,000.00	109,325.97	$182,325.97
Yosemite National Park:			
1906	5,400.00	1,000.00	
1907	5,750.00	9,193.04	
1908	30,000.00	14,390.06	
1909	30,000.00	16,051.17	
1910	30,000.00	21,373.18	
1911	62,000.00	35,765.48	
1912	50,000.00	23,855.77	
1913	80,000.00	19,495.83	
1914	125,000.00	23,406.14	
	418,150.00	164,530.67	582,680.67
Sequoia National Park:			
1906	10,000.00		
1907	10,000.00	159.50	
1908	15,550.00	43.15	
1909	15,550.00	46.57	
1910	15,550.00	121.78	
1911	15,550.00	255.65	
1912	15,550.00	305.16	
1913	15,550.00	353.85	
1914	15,550.00	4,094.21	
	128,850.00	5,379.87	134,229.87
General Grant National Park:			
1906	2,000.00		
1907	2,000.00		
1908	2,000.00	63.75	
1909	2,000.00		
1910	2,000.00	50.00	
1911	2,000.00	324.39	
1912	2,000.00	173.54	
1913	2,000.00	158.63	
1914	2,000.00	429.64	
	18,000.00	1,200.00	19,200.00
Crater Lake National Park:			
1906	3,000.00		
1907–8	7,315.00	25.00	
1909	3,000.00		
1910	3,000.00	11.00	
1911	3,000.00	30.00	
1912	3,000.00	323.00	
1913	3,000.00	784.18	
1914	7,540.00	793.00	
	32,855.00	[1] 1,966.18	34,821.18
Mesa Verde National Park:			
1907–8	7,500.00		
1909	7,500.00		
1910	7,500.00		
1911	20,000.00	100.00	
1912	7,500.00	898.62	
1913	15,000.00	615.21	
1914	10,000.00	679.00	
	75,000.00	[1] 2,292.83	77,292.83

[1] Carried to credit of "Miscellaneous receipts" and "General fund" in Treasury.

Receipts collected from automobiles and motor cycles admitted into the national parks during the period from July 1, 1913, to Oct. 20, 1914.

Name of national park, source of receipt, and fee charged per automobile or motor cycle.	Number of permits issued.		Receipts, season 1913.		Receipts, season 1914.		Total receipts, automobiles and motor cycles.
	Automobiles	Motor cycles.	Automobiles.	Motor cycles.	Automobiles.	Motor cycles.	
Mount Rainier (Wash.):							
Fee, $5 per automobile	1,190		$5,950.00				
	1,594				$7,970.00		
Fee, $1 per motor cycle		184		$184.00			
		188				$188.00	
Deduction of transmission fees			20.82		24.90		
			5,929.18		7,945.10		$14,243.28

Receipts collected from automobiles and motor cycles admitted into the national parks during the period from July 1, 1913, to Oct. 20, 1914—Continued.

Name of national park, source of receipt, and fee charged per automobile or motor cycle.	Number of permits issued.		Receipts, season 1913.		Receipts, season 1914		Total receipts, automobiles and motor cycles.
	Automobiles.	Motor cycles.	Automobiles.	Motor cycles.	Automobiles.	Motor cycles.	
Yosemite (Cal.):							
Fee, $5 for single round-trip automobile permits	129	(1)	$645.00	(1)		(1)	
Fine for each failure to secure permit, $5			10.00				
			655.00				
	673				$3,365.00		
Deduction of transmission fees			.90		8.75		
			654.10		3,356.25		$4,010.35

[1] Motor cycles not admitted into Yosemite Park.

Visitors to national parks, 1907 to 1914.

Name of park.	1907	1908	1909	1910	1911	1912	1913	1914
Yellowstone National Park	16,414	19,542	32,545	19,575	23,054	22,970	24,929	20,250
Yosemite National Park	7,102	8,850	13,182	13,619	12,530	10,884	13,735	15,145
Sequoia National Park	900	1,251	854	2,407	3,114	2,923	3,823	4,667
General Grant National Park	1,100	1,773	798	1,178	2,160	2,240	2,756	3,735
Mount Rainier National Park	2,068	3,511	5,968	8,000	10,306	8,946	13,501	15,038
Mesa Verde National Park	(1)	80	165	250	206	230	280	502
Crater Lake National Park	2,600	5,275	4,171	5,000	[2] 4,500	5,235	6,253	7,094
Wind Cave National Park	2,751	3,171	3,216	3,387	3,887	3,199	3,988	3,592
Platt National Park	28,000	26,000	25,000	[2] 25,000	30,000	[2] 31,000	[2] 35,000	[2] 30,000
Sullys Hill National Park	400	250	190	190	[2] 200	[2] 200	300	500
Hot Springs Reservation	(1)	(1)	(1)	120,000	130,000	135,000	[2] 135,000	[2] 125,000
Glacier National Park					[2] 4,000	6,257	12,138	14,168
Total	61,335	69,703	86,089	198,606	223,957	229,084	251,703	239,693

[1] No record kept. [2] Estimate.

Location, area, and characteristics of national parks.

Name.	Location.	When established.	Area (acres).	Private lands (acres).	Visitors, 1914.
Yellowstone (1)	Wyoming, Montana, and Idaho	Mar. 1, 1872	2,142,720	None.	20,250
Yosemite (2)	California	Oct. 1, 1890	719,622	19,827	15,145
Sequoia (3)	do	Sept. 25, 1890	161,597	3,716.96	4,667
General Grant	do	Oct. 1, 1890	2,536	160	3,735
Mount Rainier (4)	Washington	Mar. 2, 1899	207,360	18.2	
Crater Lake (5)	Oregon	May 22, 1902	159,360	2,458.11	7,094
Wind Cave (6)	South Dakota	Jan. 9, 1903	10,522	160	3,952
Platt (7)	Oklahoma	July 1, 1902 / Apr. 21, 1904	848.22	None.	[1] 30,000
Mesa Verde (8)	Colorado	June 29, 1906	42,376	880	502
Boundary changed	do	June 30, 1913	48,966.4	993	
Hot Springs Reservation (9)	Arkansas	June 16, 1880	911.63	None.	[1] 125,000
Glacier (10)	Montana	May 11, 1910	981,681	16,668.11	14,168
Sullys Hill (11)	North Dakota	Apr. 27, 1904	780	None.	500
Casa Grande Ruins (12)	Arizona	Mar. 2, 1889	480	None.	[1] 500

[1] Estimated.

SPECIAL CHARACTERISTICS.

(1) Wonderful scenery, geysers, boiling springs, mud volcanoes and springs, mountains, grand waterfalls, brilliant-hued canyons, great lake 8,000 feet above the level of the sea, wild animals.

(2) Mountain scenery, magnificent waterfalls, the Hetch Hetchy and Yosemite Valley, ice-sculptured canyons, glacier lakes, forests.

(3) The home of the "big tree" (sequoia gigantea), growing to a height of 300 feet, with a diameter of 30 feet, the bark being 2 feet thick; rugged and picturesque scenery, beautiful cascades and falls, and wonderful caves.

(4) Glaciers and wild mountain scenery.

(5) Rugged mountain scenery, beautiful lake within the crater of an extinct volcano, etc.

(6) Well known by reason of a cavern therein having many miles of galleries and numerous chambers of considerable size containing many peculiar formations.

(7) Noted for its bromide and other springs, the waters of which have medicinal qualities; park well wooded, scenery picturesque.

(8) Set aside to preserve the prehistoric ruins of an ancient people; rugged scenery.

(9) Famous for its thermal springs, having wonderful medicinal qualities.

(10) Famed for its beautiful lakes derived from glaciers, lofty mountains clad with forests, magnificent glacial formations, numberless waterfalls. Game, fish, and birds abound.

(11) Small rugged hills containing prehistoric ruins. Practically a local park.

(12) These ruins are one of the most noteworthy relics of a prehistoric age and people within the limits of the United States. Discovered in ruinous condition in 1694.

All of the Presidents of the United States and all of the Secretaries of the Interior have for several years past been enthusiastically in favor of the establishment of national parks and the development of the national-park service in order that our country and our people may obtain some of the benefits of our unparalleled scenery and climate, and so the visitors and tourists from the world at large, as well as from the various States, may be accommodated and suitably cared for in their visits to our public playgrounds and outdoor recreation centers.

President Taft in his message to Congress on February 2, 1912, in advocacy of the establishment of a bureau of national parks, used the following language:

I earnestly recommend the establishment of a bureau of national parks. Such legislation is essential to the proper management of those wondrous manifestations of nature, so startling and so beautiful that everyone recognizes the obligations of the Government to preserve them for the edification and recreation of all the people.

The Yellowstone Park, the Yosemite, the Grand Canyon of the Colorado, the Glacier National Park, and the Mount Rainier National Park and others furnish appropriate instances. In only one case have we made anything like adequate preparation for the use of a park by the public. That case is the Yellowstone National Park. Every consideration of patriotism and the love of nature and of beauty and of art requires us to expend money enough to bring all these natural wonders within easy reach of our people. The first step in that direction is the establishment of a responsible bureau, which shall take upon itself the burden of supervising the parks and of making recommendations as to the best method of improving their accessibility and usefulness.

Soon thereafter President Taft delivered an address upon the subject, from which the following extracts may be appropriately quoted:

PRESIDENT TAFT'S ADDRESS.

Ladies and gentlemen: It costs a good deal of money to run a government, and the first ambition of anyone responsible for a government is economy—at least it ought to be. Therefore the proposition to add a bureau or a department sends goose flesh all over the body of anyone who has any sort of responsibility in respect to the finances of the Government, for it means another nucleus for the increase of governmental expenses. Yet a modern government, in order to be what it ought to be, must spend money. Utility involves expense.

Now, we have in the United States a great many natural wonders, and in that lazy way we have in our Government of first taking up one thing and then another, we have set aside a number of national parks, of forest reservations, covering what ought to be national parks, and what are called national monuments. We have said to ourselves: "Those can not get away. We have surrounded them by a law which makes them necessarily Government property forever, and we will wait in our own good time to make them useful as parks to the people of the country. Since the Interior Department is the 'lumber room' of the Government, into which we put everything that we don't know how to classify and don't know what to do with, we will just put them under the Secretary of the Interior." That is the condition of the national parks to-day.

Those of you who have first been in the Yellowstone Park and admired its beauties and thought of the ability of the Army engineers to construct such roads as are there, and then have gone on to the Yosemite and have seen its beauties and have found the roads not quite so good, and then have gone to Grand Canyon and have found a place where you could bury the Yellowstone Canyon and the Yosemite and never know that they were there, and found no roads at all except a railroad, that was built at a great expense and probably at great loss,

to the side of the canyon, and only a trail, called the "Bright Angel Trail," down into the canyon—down which they would not let me go, because they were afraid the mules could not carry me—you will understand that something needs to be done in respect to those parks if we are all to enjoy them.

I am in favor of equality of opportunity, and I resent an exclusion from the enjoyment of the wonders of the world that it only needs a little money to remove.

Now, the course that was taken in respect to the Yellowstone Park ought to be taken in respect to all of our parks. If we are going to have national parks, we ought to make them available to the people, and we ought to build the roads, as expensive as they may be, in order that those parks may become what they are intended to be when Congress creates them. And we can not do that, we can not carry them on effectively unless we have a bureau which is itself distinctly charged with the responsibility for their management and their building up.

When the Secretary of the Interior, therefore, asked me to come here and told me the subject of the meeting to-night, I was glad to come. It is going to add to the expense of the Interior Department, and it is going to swell those estimates, but it is essential that we should use what the Lord has given us in this way and make it available for the people. We have the money. It is not going to take enough to exhaust the Treasury. It is a proper expense, a necessary expense. Let us have the bureau.

The Hon. Walter L. Fisher, Secretary of the Interior during the last administration, made many eloquent and earnest appeals to Congress for suitable recognition and development of the national parks and for the establishment of a park service. In one of his addresses he used the following language:

ADDRESS OF HON. WALTER L. FISHER, SECRETARY OF THE INTERIOR.

In the first place, the national parks, like Topsy, have "just growed"; at least that is the impression which has been produced upon my mind from such investigation and discussion as I have given to them. There is no consistent theory of legislation with regard to the national parks. While some of them follow the general lines of previous statutes, there are wide variations in the statutory authority under which the parks are carried on to-day. The whole park work of some States is wholly different from that of others, and the situation in detail is almost radically divergent. For instance, I find some such question as this: Whether the revenue derived from a particular national park shall be available for the use of that park, its improvement and development. We have no consistent action. Two of our important parks are without statutory authority to that effect, so that such revenue as is derived from the park itself in any way has to go back into the general fund of the Nation, to be used in such a way as that derived from any other general source is used, and appropriated directly and specifically for that purpose. In other parks a very large per cent of the money available is directly available without appropriation. The same thing is true with regard to appropriations which Congress gives to the parks. The importance and the political pressure which a particular park possesses bring to it appropriations larger than those which may be given to another. The result is that we have no consistent theory of park administration.

There are many questions which anyone could see at a glance are similar in all these parks. Take, for instance, the question of road making. We have practically the same problems in all of the parks with regard to road making, at least in a very considerable number of then. For instance, there may be three or four parks where these problems are so similar that the general specifications, the general principles that should be applied, are identical, but they may differ from another class of these parks.

Take many of the other questions that are raised in the parks. The whole question of the protection and the disposition of the trees, the concessions, how the hotel concessions shall be managed, what requirement shall be made of the hotel proprietors, what regulations shall be made with regard to the casual, ordinary visitor for his protection and so that he may receive the proper sort of service. These are very similar in all these parks, or, at all events, it is quite apparent that an examination into any given question in one of the parks would throw a great deal of light upon the same problem when it arises in other of the parks.

I mention these things, simple as they may seem, to call your attention to the singular fact that although there has been a great deal of talk of improved efficiency in our Government affairs, we have absolutely no machinery and no legal authority to use any machinery for the coordination of these parks, so we may state this problem as a whole. The only thing we can possibly do in the way of coordination in the Interior Department is to see that questions that come to us for determination are referred to the same individuals in the department. We can see that the chief clerk or his assistant shall primarily pass upon these matters. We may say that the assistant secretary—as distinguished from the first assistant, there being two—shall be the person to whom appeals shall go, the person to whom the chief clerk shall go for final determination of questions of importance; and we do. When we have done that we are through. We may use our Division of Mails and Files. We may use our Division of Publications and get a certain amount of effective work there; and we have Mr. Schmeckebier, of that division, who has accomplished some quite remarkable results, in my judgment, in the publicity line simply in getting out some material to those who are eager to have it. We have found that the American public is greedy for real news about the national parks; that it is genuinely interested in the national parks and ready to get anything that is not simply perfunctory news upon this subject. But when we have done these things the Department of the Interior is through. That is all that it can do toward coordination. It would seem that it required practically no argument to convince that the one thing we need at once for the efficiency of administration and economy in expenditure is to get these parks together under some division or bureau where they can receive the benefit of a central staff, where we can take the men who are now studying road making, or the management of roads, or the sprinkling problem, which is, after all, to the traveling public probably the most important question connected with the administration of the park, because the hotels will do a certain amount of looking after their own interests along the lines of intelligent and enlightened selfishness; and the revenue is there. But if the roads are to be sprinkled and taken care of, that must be done purely as a matter of expenditure, and unless it is looked after by the administrative force it will not be looked after at all.

Now, it is perfectly apparent what we ought to have. We ought to have some sort of a central organization—something in the nature of a bureau, with a head and subordinates—so we can get proper expert talent and men who will devote their time to the matters not merely with regard to one park, but all the parks where the question arises. It is perfectly apparent that if we were studying any one of these questions with regard to any one of these parks and were confined to that and the appropriations for that park we could not get as good a man to study these problems in the case of the others. And, in the second place, after we have done it once, unless we can utilize his advice and experience some place else, we don't get it at all. Then, another thing. We get rid of a good many of these isolated and separate and distinct appropriations. We would not have several appropriations made distinctly for the Yellowstone Park and made for the Yosemite Park, and so on down the line, and each appropriation confined to that particular or some particular function or interest in that park, but we would begin to learn that many of these problems are alike; that it is not enough to treat one park in one way and another in another way. We would have our bureau bring forward the things in our parks which now do not receive particular attention, very largely through ignorance of the subject, because the experience of the particular man who has that park in charge has not been so great as has been that of some other man.

The famous explorer and geologist, Dr. Hayden, in describing this wonderful scenic region as early as 1875, wrote:

Not only has nature amply supplied this region with features of great beauty and surroundings of admirable character, but it has thus distributed them that the eye of the artist may rest with perfect satisfaction on the complete picture presented.

Right Hon. James Bryce, British ambassador to the United States, in his address before the American Civic Association, November 20, 1912, among other things stated:

I have lived long enough in the United States and have known the United States long enough, having come here for the first time 42 years ago, to feel just as much interested in all those questions that relate to your welfare, in city and country, as if I were one of your citizens, and I hope you will allow me to speak to you with that freedom which you would allow to one of your citizens. I do not think I need to feel those limitations when discussing a subject of this kind, so far removed from politics or any other controversial fields.

* * * * * * *

Now, a word about additional parks. Although you have done splendidly in creating these I have mentioned and some others, there are still other places where national parks are wanted. * * * Then you might have some additional parks in Colorado also.

* * * * * * *

The places of scenic beauty do not increase, but, on the contrary, are in danger of being reduced in number and diminished in quantity, and the danger is always increasing with the accumulation of wealth, owing to the desire of private persons to appropriate these places. There is no better service we can render to the masses of the people than to set about and preserve for them wide spaces of fine scenery for their delight.

From these propositions I draw the conclusion that it is necessary to save what we have got and to extend the policy which you have wisely adopted by acquiring and preserving still further areas for the perpetual enjoyment of the people.

Mr. J. Horace McFarland, president of the American Civic Association, in an address to this society entitled "Are national parks worth while?" stated, among other things:

So I hold that in safeguarding and stimulating the essential virtue of patriotism the beauty of the American park stands forth as most of all worth while. I urge that as an antidote to the teachings of social disorder, as a counterirritant to the saloon, as a relentless foe to the slum, the American park idea in the playground is most completely justified.

* * * * * * *

The primary function of the national forests is to supply lumber. The primary function of the national parks is to maintain in healthful efficiency the lives of the people who must use that lumber. The forests are the Nation's reserve wood lots. The parks are the Nation's reserve for the maintenance of individual patriotism and Federal solidarity. The true ideal of their maintenance does not run parallel to the making of the most timber, or the most pasturage, or the most water power.

On another occasion Mr. McFarland also stated:

The value of great scenic possessions is being increasingly recognized the world over. Its value is now known to have great influence upon the development of that best citizenship, without which a country is poor, indeed.

LORD DUNRAVEN ON ESTES PARK.

No one ever has shown a higher appreciation of the attractiveness of Estes Park, which is an essential part of the proposed national park, than the Earl of Dunraven, an English peer, who has achieved an enviable reputation both as an author and a sportsman, and no one has had a better opportunity to form an opinion on the subject. In the early days, when Colorado still was a Territory and he was a young man, the earl was attracted there by the reports of the abundance of big game. He was among the first to enter the park, and he was so entranced by the beauties of the scenery and by the presence of elk, deer, mountain sheep, and other wild animals that he undertook to establish himself there permanently. He obtained possession of about 10,000 acres of land, including the greater part of the park, with the idea of establishing an immense game preserve and, incidentally, of entering into the cattle business upon a great scale. He took in a large number of stock and spent several years in the park, but, while he met with no obstacles in the beginning, increasing population ultimately had the effect of causing him to surrender control of this natural

beauty spot, and he long since ceased to maintain his proprietary rights there. That, however, his interest did not cease with the cessation of his property tenure has been made manifest by his utterances on the subject. In one of his books, "The Great Divide," devoted in the main to an account of a camping trip through Yellowstone Park, and written as early as 1876, he makes many pleasant references to Estes Park, and in a recent work, entitled "Canadian Nights," he devotes an entire chapter to the Colorado park, which it is proposed now to transform into a national park. The chapter is entitled "A Colorado sketch," and it is so full of appreciation and withal so enlightening that I ask to have it inserted as a part of these hearings. The sketch is as follows:

A COLORADO SKETCH.

It would appear that the American Continent was originally of considerably larger dimensions than it is at present. It was probably found to be altogether too large for comfort or convenience, and it was reduced by the simple process of pressing or squeezing it together from the sides—an operation which caused it to crumple up toward the center, and produced that great, elevated, tumbled, and tossed region generally and vaguely known as the Rocky Mountains. If this simple theory of the formation of a continent sounds somewhat infantile, you must remember that I am not a scientific man, and that it is not more unscientific than many other theories of creation. There is no such thing as a chain of Rocky Mountains. Under that name are included various ranges and belts of mountains and hills, which embrace within their far stretching arms fertile valleys, arid deserts, sunny hill slopes clothed with valuable timber, parks full of pastoral beauty basking beneath a sun that warms them into semitropical life, but which never melts the virgin snow whitening the hoary heads of the mountains that forever look down upon those smiling scenes. Rich and extensive plains, tracts of inhabitable land almost large enough to be the cradle and home of nations, are included in the Rocky Mountains. Among all the States and Territories that lie wholly or partially within the borders of this vast, upheaved region there is none, so far as I am aware, more favored by nature and at the same time more accessible to man than Colorado. It is easily reached from all the great cities of the Eastern States; its scenery is varied, beautiful, grand, and even magnificent. Crystal streams of pure, wholesome water rush down the hillsides, play at hide and seek in the woods, and wander deviously through the parks. The climate is health-giving—unsurpassed, as I believe, anywhere—giving to the jaded spirit, the unstrung nerves, and weakened body a stimulant, a tone, and a vigor that can only be appreciated by those who have had the good fortune to travel or reside in that region.

The parks of Colorado constitute its special feature; there is nothing elsewhere on the American Continent resembling them in natural characteristics. They are not valleys; they are too flat and extensive for that. They can not be called plains, for they are not flat enough; and, besides, plains are generally bare and destitute of trees, while the parks are rich in timber, with beautifully undulating surfaces, broken up by hills, spurs from the parent range, and isolated mountains. The term "park" is usually applied to ground more or less artificially made; and these places are very properly called parks, for they look, if it be not rank heresy to liken nature to art, as if ground naturally picturesque had been carefully laid out and planted with most consummate skill and taste. Some of them are of great size, such as the North, Middle, South, and St. Louis Parks; others—and it is with them I am best acquainted—are comparatively small.

There are many things to arouse deep interest in that favored region. Where you find lofty mountains, foothills, plain, valley, forest, and quick-flowing stream, in a southern latitude, you have in combination all that can gratify the scientific student, as well as all that can content the eye of man, in the way of scenery. The philosopher who devotes himself to the study of atmospheric conditions could nowhere find a more fitting field for observation. The mountain ranges and extensive level spaces comprised within their limits are important factors in the economy of nature. The great masses of heat-radiating rock temper the winds that blow over them and shed genial warmth far and wide.

The whole region is one vast brewery of storms. Chemical changes are constantly going on. Electricity is working with exceptional vigor, riving the solid rocks, devastating trees, and putting forth most vividly the awful and mysterious manifestations of its strength. Hot currents and cold currents fight aerial battles round those patient peaks, that stand unmoved amidst the roar and racket of elemental strife. Frequent lightnings blaze or flicker round the mountain heads; continuous thunder crashes on their slopes and rolls and rumbles in the caverns and valleys that seam their sides. Tempests shriek round the crags and moan dismally as they toss the gnarled and matted branches of the stunted trees that force their adventurous way up the broad shoulders of the range. Snow in winter, rain and hail in summer, pour upon the higher summits, while beneath the land is glowing under a cloudless sky. Contending air currents of different density discharge their moisture on the hills. The sun draws up fresh moisture from the valleys, like drawing water from a well. All nature seems seething in that region of heat and cold, sunshine and tempest, dryness and damp, constantly fabricating those great cloud masses that, breaking away from their cradle, carry rain and fertility over thousands and thousands of miles. Sometimes they overexert themselves, carry their good intentions too far, exceed their proper limits, and, transgressing the boundaries of their native land, cross the wide Atlantic and pour their accumulated store of rain upon those already sodden little islands, Great Britain and Ireland.

The parks and valleys which spread out beneath the mountains or nestle cosily amid the warm folds of the forest mantles which clothe them play also an important part. They act as reservoirs; they catch the little, tiny, ice-cold rills that trickle out from under the ever-melting but never-melted snow, gather them together, hold them till they grow strong enough to carve their way through the granite flanks that hem them in, and launch them out into the world, forming rivulets bright and sparkling, flecked with light and shade, over which the quivering aspen bends from banks sweet and bright with flowers; growing into brooks down which lumber may be rafted; swelling into streams which carry irrigation and fertility to arid wastes, becoming rivers upon which steamboats ply and ships ride at anchor.

Physical geography is a fascinating science, and to the student of it nothing can be more interesting than to stand upon some commanding mountain top and, with a large, comprehensive view, study the configuration of the country that gives birth to those rivers that in their course determine the natural geographical features of a continent, and consequently shape the destiny of a race. From many a peak in Colorado the geographer can trace the devious line of the "watershed," the "divide" that separates the rivers and sends them out, each on its appointed course, and can see, shining like silver threads, the rivulets from which they spring. Looking westward and to the north and south he can see the fountains of both Plattes, of the Rio Grande—the grand river—the Arkansas, the Blue, the White, and the Bear Rivers, and other streams which unite to form that most extraordinary of all rivers on the American continent, the Colorado. Turning to the east a very different scene greets his eye. There, spread out like an ocean beneath him, lies the prairie, that great deposit of gravel, sand, and unstratified clays, the débris of the mountain range on which he stands.

Where could the geologist find a region more suitable for the exercise of his peculiar branch of science than one which combines the vast deposit of the prairies with mountain masses obtruded from the bowels of the earth, and deep canyons exposing broad sections of the earth's crust to his view? And where is the mineralologist more likely to be rewarded for his pains? As to the botanist, I would almost warn him from visting those scenes, lest he should never be able to tear himself away; for the variety of the flora is infinite, ranging from Alpine specimens blooming amid everlasting snows, to flowers of a very different character, growing in rich luxuriance in deep valleys under a subtropical sun.

I have not included hunting among the sciences, but in reality I might have done so. It is a very exact science, and one in which excellence is rarely obtained. Many men never become, never can become, good hunters. They are not endowed with the necessary faculties; and those who are gifted with them require years of study and hard work before they can be entitled to call themselves masters of the art. I hope no one labors under the delusion that hunting is a mere barbarous, bloodthirsty sport. Every good hunter will agree with me that it is not the killing of the animal that gives pleasure. The charm lies in overcoming difficulties—in matching your natural intelligence and acquired knowledge and skill against the instinct, cunning, intellect, and reason of the animal you are endeavoring to outwit.

The reward of the hunter is the same as that of the student of languages, of the archeologist, of the geologist—in fact, of all scientific people. His triumph is the triumph of unraveling a mystery, tracing and discovering a hidden fact, grappling with and overcoming a difficulty. It is the fact of overcoming, not the act of killing, that brightens the hunter's eye and renders his occupation so charming. The hunter's craft gives health, its surroundings are beautiful, it calls forth some of the best qualities of man, it is full of fascination, and it is no wonder that primitive races find it difficult to emerge from the hunting condition. It is most annoying that everything that is pleasant is all wrong. We all know that peoples, in their progress toward civilization, advance from the hunting to the pastoral state, from the pastoral to the agricultural, and from thence to a condition of existence in which the manufacturing instincts of man are fully developed. This is the sequence—hunting, cattle tending, sheep herding, fresh air, good water, lovely scenery, wholesome excitement, healthy lives, and—barbarism; agriculture, manufactures, great cities, hideous country, poisoned water, impure air, dirt, disease, and—civilization. It is difficult sometimes to know exactly what to say when preaching civilization to the savage. It is certain that in so far as the masses of the people are concerned the highest aim of civilization is to secure to a large number the same blessings that a small number obtain, freely and without trouble, in an uncivilized state.

It was sport, or, as it would be called in the States, hunting, that led me first to visit Estes Park. Some friends and I had visited Denver at Christmas to pay our proper devotions to the good things of this earth at that festive season, and hearing rumors of much game at Estes Park we determined to go there. We spent a day or two laying in supplies, purchasing many of the necessaries and a few of the luxuries of life, and wound up our sojourn in Denver with a very pleasant dinner at an excellent restaurant, not inaptly styled the "Delmonico" of the West. During dinner one of those sudden and violent storms peculiar to that region came on. When we sat down the stars were shining clear and hard with the brilliancy that is so beautiful in those high altitudes on a cold, dry midwinter night, and not a breath of wind disturbed the stillness of the air, but before we had half satisfied the appetites engendered by the keen, frosty atmosphere the stars were all shrouded in cloud, the gale was howling through the streets, and snow was whirling in the air, piling up in drifts wherever it found a lodgment and sifting in fine powder through every chink and cranny in the door. It did not last long. Before morning the sky was clear, cloudless, steely, star-bespangled as before, and when we left by an early train for Longmont Station the sun was shining undimmed upon the fields of freshly fallen snow.

By way of enlivening the journey we were treated by thoughtful nature to a magnificent spectacle—a beautiful exhibition of that phenomenon known, I believe, as a parhelion. The sun was only a few degrees above the horizon. The sky was very clear and intensely blue overhead, but slightly clouded with a thin gauzy film round the horizon, and, on looking up, one could see that the air was full of minute crystals of ice. It was tolerably cold—probably about 15° or 20° below zero—and perfectly calm. All around the horizon ran a belt of pure bright white light, passing through the sun. This belt was not exactly level, but dipped a little to the east and west, and rose slightly to the north and south. The sun was surrounded by a halo showing rainbow colors on the inside, which faded into white light on the outside edge. A bright perpendicular ray of white light cut through the sun, forming, with the belt that ran round the horizon, a perfect cross. There was a similar cross in the west, and another in the north, but none in the south at first, but after an hour or so a fourth cross formed in that quarter also. Right overhead was a partially formed horizontal rainbow, the colors of which were very bright. Sometimes this rainbow would develop into an almost perfect circle, then, again, it would diminish till there remained only a small segment of the circle. The points where the solar halo cut the belt which encircled the horizon were intensely brilliant—almost as bright as the sun—and rays of white light struck down from them. As the sun rose the halo surrounding it became very dazzling, and assumed the colors of the rainbow, and a second rainbow-tinted circle formed outside it. The rainbow in the zenith increased at the same time in brilliancy, and a second circle formed outside that also. The whole phenomenon was very beautiful; it continued some hours, gradually fading away, and finally disappeared about 3 in the afternoon.

The next morning we loaded up a wagon with stores and started on our toilsome expedition to the park. It is very easy work—it is not

work at all, in fact—to get into the park nowadays. It was a very different affair at that time. There are two good stage roads now. There was no road at all then, only a rough track going straight up hill and down dale and over rocks and through trees and along nearly perpendicular slopes, with the glorious determination to go straight forward of an old Roman road, but without any of the engineering skill and labor expended upon the latter. It was a hard road to travel, covered with snow and slippery with ice; but, by dint of literally putting our shoulders to the wheel uphill, by chaining the wheels downhill, and by holding up the wagon by ropes and main strength on precipitous hillsides, we got to our destination very late at night, with only one serious accident—the fracture of a bottle containing medical comforts.

The road from Longmont to the park traverses the level plain for about 15 miles, and then enters a canyon flanked on either side by strange-shaped masses of bright red sandstone, outcropping from the surface, and in some places tilted nearly on end. It then follows along the bank of the St. Vrain River, teeming with trout, crosses that stream, and works its way, with many curves and twists, up through the foothills, along grassy slopes, through pine forests, past fantastic masses of rock, crosses a little creek hiding deep among aspens and poplars, and, after plunging down two violent descents and mounting up again, enters a long valley rejoicing in the euphonious title of "Muggins Gulch." I do not know who Muggins was—no doubt an honest citizen—but he should have changed his name before bestowing it upon such a pretty spot. You ascend this valley at an easy gradient till you reach the summit, when suddenly a lovely view bursts upon you, and the park lies spread out at your feet. On the left the hillside rises steeply, crowned with a buttress of frowning rock. On the right a mountain of almost solid rock stands naked and savage. In front, beyond the park, the main range of mountains rears itself, topped with snow, rent in great chasms, pierced by the gloomy heavily timbered depths of black canyon. On the extreme left and in the distance Longs Peak towers above its fellows, and beneath you, in strange contrast with the barren foothills through which you have passed and the savage, stern grandeur of the range, lies the park—undulating, grass covered, dotted with trees, peaceful, and quiet, with a silver thread of water curving and twining through its midst.

A log house is comfortable enough at any time, and on that particular night it appeared eminently so to us, as, cold and wearied, we passed the hospitable threshold. What a supper we devoured, and what logs we heaped upon the fire, till we made the flames leap and roar on the open hearth; and then lay down on mattresses on the floor and listened to the howling of the wind, till the noise of the tempest, confusedly mingling with our dreams, was finally hushed in deep, unbroken sleep.

The winter weather in northern Colorado is most enjoyable. At the high altitude of Estes Park, between 7,000 and 8,000 feet above sea level, it consists of alternate short storms and long spells of fine weather. You will have several days of bright clear weather, hard frost, the thermometer very low, but the sun so powerful that you can lie down and go fast asleep, as I have frequently done, on a warm, sunny, and sheltered bank, in the very depth of winter. Then the clouds begin to accumulate, growing denser and denser, till they break and descend in a snowstorm of some hours' duration. The cattle, which before dotted all the open ground, disappear as if by magic, seeking and finding shelter in little hidden gulches and unnoticed valleys, and the land looks utterly desolate. The snowstorm is invariably succeeded by a violent tempest of wind, which speedily clears the ground of snow, heaping it up in drifts, and blowing the greater part of it into the air in such a thin powdery condition that it is taken up by the atmosphere and disappears completely. So dry is the air and so warm the winter's sun that snow evaporates without leaving any moisture behind it. Another period of clear, still, cold weather then follows after the gale.

The violence of these tempests is very great. Many a night have I lain awake listening to the screams and clamor of the gale; now rising suddenly to a shriek as a fresh gust of wind came tearing down the level plain, snatching up pebbles and stones, sending them hopping over the ground, and hurling them against the log house; then sinking to a long melancholy moan; whistling shrilly around the walls, hoarsely howling in the wide chimney; while, under all, the low continuous roar of the tempest raging in the distant forest sounded like a mighty bass note in the savage music of the storm.

That is the time to appreciate the comfort of a warm weather-proof house, to snuggle up in your blanket and idly watch the merry sparks fly up the chimney, and the warm ruddy flicker of the fire casting shadows on the rough brown pine logs; gazing and blinking, listening and thinking, one's thoughts perhaps wandering very far away, and getting less and less coherent. The storm chimes in with your fancies, mingles with your dreams, till with a start you open your eyes, and find to your astonishment the level rays of the rising sun lighting up a scene as calm and peaceful as if the tempest had never been.

In spring and summer the scene and climate are very different. Ice and snow and withered grass have passed away, and everything is basking and glowing under a blazing sun, hot but always tempered with a cool breeze. Cattle wander about the plain—or try to wander, for they are so fat they can scarcely move. Water fowl frequent the lakes. The whole earth is green, and the margins of the streams are luxuriant with a profuse growth of wild flowers and rich herbiage. The air is scented with the sweet-smelling sap of the pines, whose branches welcome many feathered visitors from southern climes; an occasional humming bird whirrs among the shrubs, trout leap in the creeks, insects buzz in the air; all nature is active and exuberant with life.

I and a Scotch gillie, who had accompanied me from home, took up our abode in a little log shanty close to the ranch house, and made ourselves very cozy. There was not much elegance or luxury in our domicile, but plenty of comfort. Two rough rooms—a huge fireplace in one of them—two beds, and no other furniture of any kind whatever, completed our establishment. But what on earth did we want with furniture? We were up before daylight, out hunting or fishing all day, had our food at the ranch, sat on the ground and smoked our pipes, and went to bed early. One's rest is a good deal broken in wintertime, and it is necessary to go to bed early in order to get enough sleep, because in very cold weather it is highly advisable to keep a fire burning all night; and as yet hunters have not evolved the faculty of putting on logs in their sleep. It would be most useful if they could do so; and, according to the law of evolution, some of them by this time ought to have done it. However, I was not much troubled, for Sandie, who slept by the fire, was very wakeful. I would generally awake about 2 or 3 in the morning to find the logs blazing and crackling merrily, and Sandie, sitting in the ingle smoking his pipe, plunged in deep thought.

"Well, Sandie," I would say, "what kind of a night is it, and what are you thinking of?"

"Oh, well, it's a fine night, just a wee bit cheely outside [thermometer about 25° below zero]; and I'm thinking we did not make that stalk after the big stag just right yesterday; and I'm thinking where we'll go to-day to find him." Then we would smoke a little—have a little, as Sandie would call it—and discuss the vexed question of how we made the mistake with the big stag; and having come to a satisfactory conclusion and agreed that the stag had the biggest antlers that ever were seen—which is always the case with deer you don't get—we would put out our pipes and sleep till daylight warned us to set about our appointed task, which was to find a deer somehow, for the larder wanted replenishing.

In those days you had not far to seek for game, and you could scarcely go wrong in any direction at any season of the year. In winter and spring the park still swarms with game; but it is necessary in summer to know where to look for it, to understand its manners and customs, to go farther and to work harder than formerly, for Estes Park is civilized. In summer time beautiful but dangerous creatures roam the park. The tracks of tiny little shoes are more frequent than the less interesting but harmless footprints of mountain sheep. You are more likely to catch a glimpse of the flicker of the hem of a white petticoat in the distance than of the glancing form of a deer. The marks of carriage wheels are more plentiful than elk signs, and you are not now so likely to be scared by the humanlike track of a gigantic bear as by the appalling impress of a No. 11 boot.

That is as it should be. There is plenty of room elsewhere for wild beasts, and nature's beauties should be enjoyed by man. I well remember the commencement of civilization. I was sitting on the stoop of the log shanty one fine hot summer's evening, when to me appeared the strange apparition of an aged gentleman on a diminutive donkey. He was the first stranger I had ever seen in the park. After surveying me in silence for some moments he observed, "Say, is this a pretty good place to drink whisky in?" I replied, "Yes," naturally, for I have never heard of a spot that was not favorable for the consumption of whisky, the State of Maine not excepted. "Well, have you any to sell?" he continued. "No," I answered, "got none." After gazing at me in melancholy silence for some moments, evidently puzzled at the idea of a man and a house but no whisky, he went slowly and sadly on his way, and I saw him no more.

On the morning that Sandie and I went out, it was not necessary to go far from the house. We had not ridden long before we came to likely looking country, got off, unsaddled and tethered our horses, and started on foot, carefully scanning the ground for fresh sign. Soon we came upon it—quite recently formed tracks of three or four deer. Then we had to decide upon the plan of operations in a long and whispered conversation; and finally, having settled where the deer were likely to be, and how to get at them, we made a long circuit, so as to be down wind of the game, and went to work. The ground to which I am referring is very rough. It slopes precipitously toward the river. Huge masses of rock lie littered about on a surface pierced by many perpendicular jagged crags, hundreds of feet high, and long ridges and spurs strike downward from the sheer scarp that crowns the canyon of the river, forming beautiful little glades—sheltered, sunny, clothed with sweet grass—on which the deer love to feed.

In such a country there was no chance of seeing game at any distance; so we had to go very cautiously, examining every sign, crawling up to every little ridge, and inch by inch craning our heads over and peering into every bush and under every tree. In looking over a rise of ground it is advisable for the hunter to take off his head covering unless he wears a very tight-fitting cap. I have often laughed to see great hunters (great in their own estimation) raising their heads most carefully, forgetting that a tall felt hat, some 6 inches above their eyes, had already been for some time in view of the deer. Many hunters seem to think that the deer can not see them till they see the deer.

The sportsman can not go too slowly, and it is better to hunt out one little gully thoroughly than to cover miles of ground in the day. If he walks rapidly he will scare heaps of deer, hear lots of crashing in the trees and scattering of stones, and perhaps see the whisk of a white tail, or the glance of a dark form, through the trees, but never get a shot for his pains. We pursued a different plan—took each little gulch separately, and carefully crept up it, searching every inch of ground, using redoubled caution toward the end where the bush is thickest, and especially scanning the north side; for, strange to say, deer prefer lying on the north side of valleys in the snow, even during the coldest weather, to resting on the warm sunny grass on the southern slopes. Patiently we worked; but our patience was not well rewarded, for not a sign of anything did we see till our entirely foodless stomachs and the nearly shadowless trees indicated that it was past noon. So we sat us down in a nice little sheltered nook, from whence we commanded a good view of the precipitous cliffs and gullies that led down to the tortuous and icebound creek, some thousands of feet below us, as well as of the face of the mountain that reared itself on the opposite side, and betook ourselves to food and reflection. It is very pleasant to lie comfortably stretched out with nothing to do but to gaze with idle pleasure and complete content upon grand and varied scenery. The eye, now plunging into the abyss of blue crossed at intervals by swiftly moving clouds, now lowered and resting on the earth, pauses for a minute on the dazzling snow-white summits, then travels down through dark-green pine woods, wanders over little open glades or valleys gray with withered grass, glances at steep cliffs and great riven masses of rock which time and weather have detached and hurled down the mountain side, and falls at last upon the pale-green belt of aspens that fringes the rivers, white with snow where spanned with ice, but black as ink where a rapid torrent has defied the frost. Nor is the eye wearied with its journey; for mountain, valley, cliff, and glade are so mingled, and are so constantly changing with light and shade, that one could look for hours without a wish to move. The mind goes half asleep and wonders lazily whether its body is really there in the heart of the Rocky Mountains leading a hunter's life, or whether it is not all a dream—a dream of schoolboy days which seemed at one time so little likely to be realized, and yet which is at length fulfilled.

It must not be supposed that, because we were half asleep and wholly dreaming, we were not also keeping a sharp lookout; for in a man who is very much accustomed to take note of every unusual object, of every moving thing, and of the slightest sign of any living creature—more especially if he has roamed much on the prairies where hostile redskins lurk and creep—the faculty of observation is so constantly exercised that it becomes a habit unconsciously used, and he is all the time seeing sights, and hearing sounds, and smelling smells, and noting them down, and receiving all kinds of impressions from all external objects, without being the least aware of it himself. However, none of our senses were gratified by anything that betokened the presence of game, and,

after resting a little while, we picked up our rifles and stole quietly on again. So we crept and hunted, and hunted and crept, and peered and whispered, and wondered we saw nothing, till the pine trees were casting long shadows to the east, when suddenly Sandie, who was a pace or two in front of me, became rigid, changed into a man of stone, and them, almost imperceptibly, a hairbreadth at a time, stooped his head and sank down. If you come suddenly in sight of game, you should remain perfectly motionless for a time, and sink out of sight gradually; for if you drop down quickly, the movement will startle it. Deer seem to be shortsighted. They do not notice a man, even close by, unless he moves. I never saw a man so excited at the sight of game, and yet so quiet, as Sandie. It seemed as if he would fly to pieces; he seized my arm with a grip like a vise, and whispered, "Oh, a great stag within easy shot from the big rock yonder. He has not seen me." So, prone upon the earth, I crawled up to the rock, cocked the rifle, drew a long breath, raised myself into a sitting position, got a good sight on the deer, pulled, and had the satisfaction of seeing him tumbling headlong down the gulch, till he stopped stone dead jammed between two trees.

Leaving Sandie to prepare the stag for transportation, I started off as fast as I could and brought one of the ponies down to the carcass. It was pretty bad going for a four-footed animal; but Colorado horses, if used to the mountains, will go almost anywhere. The way they will climb up places, and slither down places, and pick their way through "windfalls" is marvelous. They seem to be possessed of any number of feet and to put them down always exactly at the right moment in the right place. I do not suppose they like it, for they groan and grunt the while in a most piteous manner. My pony was sure-footed and willing, and, moreover, was used to pack game; so we had little trouble with him, and before long had the deer firmly secured on the saddle and were well on our way home. It was well for us that we killed the deer in a comparatively accessible place or we should not have got him in that night or the next day. It was almost dark when we topped the ridge and could look down into the park and see the range beyond, and there were plenty of signs there to show that a storm was at hand. Right overhead the stars were shining, but all the sky to the west was one huge wall of cloud. Black Canon, the canon of the river, and all the great rents in the range were filled with vapor, and all the mountains were wrapped in cloud.

When we left the ranch that night after a good supper, a game of euchre, and sundry pipes it was pitch dark and light flakes of snow were noiselessly floating down to the earth, and when we got up the next morning behold there was not a thing to be seen. Mountains, ranch house, and everything else were blotted out by a densely falling white, bewildering mass of snow. Toward noon it lightened up a little, and great gray shapes of mountains loomed out now and then a shade darker than the white wall that almost hid them; but the weather was not fit for hunting, and as there was nothing else to be done out of doors we made a fête of it, as a French-Canadian would say, and devoted ourselves to gun cleaning and spinning yarns.

When deep snow lies upon the higher grounds surrounding Estes Park wapiti come down into the park in considerable numbers. The wapiti is a splendid beast, the handsomest by far of all the deer tribe. He is called an elk in the States—why, I do not know; for the European elk is identical with the American moose, and a moose and a wapiti are not the least alike. But I presume the wapiti is called by the Americans an elk for the same reason that they call thrushes robins and grouse partridges. The reason, I dare say, is a good one, but I do not know what it is.

The wapiti enjoys a range extending from the Pacific seaboard to the Mississippi and from the northwest territories in British possessions down to Texas, and he formerly was found all the way across the continent and in the Eastern States. He is exactly like the European red deer—only about twice as large—carries magnificent antlers, and is altogether a glorious animal. Wapiti are very shy. They require quiet and large undisturbed pastures, and they are hunted with a thoughtless brutality that must shortly lead to their extermination in civilized districts. They do not accustom themselves to civilization as easily as do moose or antelope, but resent deeply the proximity of man; that is to say, of civilized man, for Indians do not interfere with them very much. Indians, as a rule, are not really fond of hunting; they hunt for subsistence, not for pleasure, and where buffalo are to be found never trouble their heads about smaller game. Elk are plentiful in any Indian country that suits them. In fact, as a rule, there is very little use in hunting wapiti in any country that is not exposed to Indian incursions, and the more dangerous the country the better sport you are likely to have; but this is not an invariable rule. There are some places where wapiti may be found in quite sufficient numbers to repay a sportsman's labor and where he need not incur the smallest risk to life or limb. I imagine there are more wapiti to be found in Montana and the adjacent territories than in any other part of the United States. Wapiti are to be met with in forests of timber, among the mountains, and on the treeless prairie. They are, I think, most numerous on the plains, but the finest specimens are found in timbered districts.

One might suppose that branching antlers would cause inconvenience to an animal running through the tangle of a primeval forest, but the contrary appears to be the case, for in all countries the woodland deer carry far finer heads than the stags of the same species that range in open country. The size of the antlers depends entirely on the food which the animal can procure. Where he is well fed, they will be well developed; where food is scarce, they will be small. In a timbered country there is more shelter than on the plains, the grass is not so deeply covered with snow in winter, and consequently food is more plentiful at that time of year and the animal thrives better. You always find heavier deer in woodland than in an open country. Early in the fall the stags gather large herds of hinds about them; about the end of October they separate, and the big stags wander off alone for a while, and then later on join in with the big bands of hinds and small stags. During the winter they run in great numbers—it is not unusual to find herds of two or three hundred together, and I have seen, I believe, as many as a thousand different wapiti within a week. A large herd of these grand animals is a magnificent sight and one not soon to be forgotten. They are to be killed either by stalking them on foot, or partially on foot and partially on horseback, or by running them on horseback as you would run buffalo.

THE PARK REGION AS SEEN BY AN ENGLISH LADY.

Fortunately for the region embraced in the proposed park, that part of Colorado was visited while yet in its primitive state by Miss Isabella L. Bird, who, like Lord Dunraven, was English, and like him also a traveler and writer of many books. She went to Colorado in 1873, after a visit to the tropical islands of the Pacific Ocean, and became so entranced with the beauties of the Longs Peak country that she spent two years in that vicinity, practically camping out. She wrote many letters to friends at home in England, which afterwards were collected and published in book form under the title of "A Lady's Life in the Rocky Mountains." The book was published in England and by Putnams, of New York, in 1880. These letters fairly teem with ecstatic praise of the atmosphere, the scenery, and the wild life of the country, and all are portrayed in such choice language and such graphic style as to render the little book a classic in travel literature.

Much of the text is occupied with Estes Park, but Miss Bird also spent considerable time in the adjoining mountains, and she was entranced by every spot. She was one of the first women to make an ascent of Longs Peak, that great sentinel of the Front Range. Her ascent of the peak, which is within this proposed national park, was made late in the fall and was replete with danger and hardship. Her account of the experience would be worth producing as a whole, but I present only a few descriptive extracts. To her this great mountain was king of all other Colorado peaks, and time and again she compares it to Mont Blanc and the Matterhorn. She first views the mountain from a glade much to her liking, of which she says:

This is an upland valley of grass and flowers, of glades and sloping lawns, and cherry-fringed beds of dry streams, and clumps of pines artistically placed, and mountain sides densely pine clad, the pines breaking into fringes as they come down upon the park and the mountains breaking into pinnacles of bold gray rock as they pierce the blue of the sky. A single dell of bright green grass on which dwarf clumps of the scarlet poison oak look like beds of geraniums slopes toward the west. Deep vast canyons, all trending westward, lie in purple gloom. Pine-clad ridges, rising into the blasted top of Storm Peak, all run westward, too, and all the beauty and glory are but the frame out of which rises—heaven piercing, pure in its pearly luster, as glorious a mountain as the sun tinges red in either hemisphere—the splintered, pinnacled, lovely, ghostly, impossible, double-peaked summit of Longs Peak, the Mount Blanc of northern Colorado. This is a view to which nothing needs to be added. This is the lodge in some vast wilderness for which one often sighs when in the midst of a bustle at once sordid and trival. This scenery satisfies my soul. * * *

This place is, indeed, far removed. It seems farther away than any place I have been to yet, except the frozen top of the volcano of Mauna Loa. It is so little profaned by man that if one were compelled to live here in solitude one might truly say of the bears, deer, and elk, which abound, "their tameness is shocking to me." It is the world of big game. Just now a big, heavy-bearded elk, with much branched horns fully 3 feet long, stood and looked at me and quietly trotted away. He was so near that I heard the grass, crisp with hoarfrost, crackle under his feet. Bears stripped the cherry bushes within a few yards of us last night. Now two lovely bluebirds, with crests on their heads, are picking about within a stone's throw.

Coming to Estes Park, where Miss Bird spent much of her time, she says:

From a ridge at a height of 9,000 feet we saw at last Estes Park, lying 1,500 feet below in the glory of the setting sun, an irregular basin, lighted up by the bright waters of the rushing Thompson, guarded by sentinel mountains of fantastic shape and enormous size, with Longs Peak rising above them all in unapproachable grandeur while the Snowy Range, with its outlying spurs heavily timbered, came down upon the park slashed by stupendous canyons lying deep in purple gloom. The rushing river was blood red, Longs Peak was aflame, the glory of the glowing heaven was given back from earth. Never, nowhere, have I seen anything to equal the view into Estes Park. * * *

We had an ascent of four hours through a ravine which gradually opened out upon this beautiful park. But we rode for some miles before the view burst upon us. The vastness of the mountain range, like astronomical distances, can hardly be conceived of. At this place I suppose it is not less than 250 miles wide, and with barely a break in its continuity it stretches almost from the Arctic Circle to the Straits of Magellan.

From the top of Longs Peak, within a short distance, 22 summits, each above 12,000 feet in height, are visible, and the Snowy Range—the backbone or divide of the continent—is seen snaking distinctly through the wilderness of ranges, with its waters starting for either ocean.

From the first ridge we crossed we had a singular view of range beyond range, cleft by deep canyons and abounding in elliptical valleys, richly grassed. The slopes of all the hills as far as one could see were waving with fine grass for the scythe, but the food of wild animals only. All these ridges are heavily timbered with pitch pines, and where they were down on the grassy slopes they looked as if the trees had been arranged by a landscape gardener. Far off, through an opening in a canyon, we saw the prairie, simulating an ocean. Far off, through an opening in another direction, was the glistening outline of the Snowy Range. * * *

You will ask, "What is Estes Park?" This name, with the quiet midland counties sound, suggests "park palings" well lichened, a lodge with a courtseying woman, fallow-deer, and a Queen Anne mansion. Such as it is, Estes Park is mine. It is unsurveyed, "no man's land," and mine by right of love, appropriation, and appreciation; by the seizure of its peerless sunrises and sunsets, its glorious afterglow, its blazing noons, its hurricanes sharp and furious, its wild auroras, its glories of mountain and forest, of canyon, lake, and river, and the stereotyping them all in my memory. Mine, too, in a better than the sportsman's sense, are its majestic wapiti, which play and fight under the pines in the early morning, as securely as fallow-deer under our English oaks; its graceful blacktails, swift of foot; its superb bighorns, whose noble leader is to be seen now and then with his classic head against the blue sky on the top of a colossal rock; its sneaking mountain lion with his hideous nocturnal caterwaulings, the great grizzly, the beautiful skunk, the wary beaver, who is always making lakes, damming and turning streams, cutting down young cottonwoods, and setting an example of thrift and industry; the wolf, greedy and cowardly; the coyote and the lynx, and all the lesser fry of mink,

marten, wildcat, hare, fox, squirrel, and chipmunk, as well as things that fly, from the eagle down to the crested bluejay. May their number never be less, in spite of the hunter who kills for food and gain, and the sportsman who kills and marauds for pastime.

But still I have not answered the natural question, "What is Estes Park?" Among the striking peculiarities of these mountains are hundreds of high-lying valleys, large and small, at heights varying from 6,000 to 11,000 feet. The most important are North Park, held by hostile Indians; Middle Park, famous for hot springs and trout; South Park, rich in minerals; and San Luis Park. South Park is 10,000 feet high, a great rolling prairie, 70 miles long, well grassed and watered, but nearly closed by snow in winter. But parks innumerable are scattered throughout the mountains, most of them unnamed, and others nicknamed by hunters or trappers who have made them their temporary resorts. They always lie far within the flaming foothills, their exquisite stretches of flowery pastures dotted artistically with clumps of trees, sloping lawnlike to bright, swift streams full of red-waiscoated trout, or running up in soft glades into the dark forest, above which the snow peaks rise in their infinite majesty. Some are bits of meadow, a mile long and very narrow, with a small stream, a beaver dam, and a pond made by beaver industry. Hundreds of these can only be reached by riding in the bed of a stream or by scrambling up some narrow canyon till it debouches on the fairylike stretch above. These parks are the feeding grounds of innumerable wild animals, and some, like one 3 miles off, seem chosen for the process of antler casting, the grass being covered for at least a square mile with the magnificent branching horns of the elk.

Estes Park combines the beauties of all. Dismiss all thoughts of the midland counties. For park palings there are mountains, forest skirted, 9,000, 11,000, 14,000 feet high; for a lodge, two sentinel peaks of granite guarding the only feasible entrance; and for a Queen Anne mansion, an unchinked log cabin with a vault of sunny blue overhead. The park is most irregularly shaped, and contains hardly any level grass. It is an aggregate of lawns, slopes, and glades, about 18 miles in length, but never more than 2 miles in width. The Big Thompson, a bright, rapid trout stream, snow born on Longs Peak, a few miles higher, takes all sorts of magical twists, vanishing and reappearing unexpectedly, glancing among lawns, rushing through romantic ravines, everywhere making music through the still, long nights. Here and there the lawns are so smooth, the trees so artistically grouped, a lake makes such an artistic foreground, or a waterfall comes tumbling down with such an apparent feeling for the picturesque, that I am almost angry with nature for her close imitation of art. But in another hundred yards nature, glorious, unapproachable, inimitable, is herself again, raising one's thoughts reverently upward to her Creator and ours. Grandeur and sublimity, not softness, are the features of Estes Park. The glades which begin so softly are soon lost in the dark, primeval forests, with their peaks of rosy granite and their stretches of granite blocks piled and poised by nature in some mood of fury. The streams are lost in canyons nearly or quite inaccessible, awful in their blackness and darkness; every valley ends in mystery; seven mountain ranges raise their frowning barriers between us and the plains, and at the south end of the park Longs Peak rises to a height of 14,700 feet, with his bare, scathed head slashed with eternal snow.

The lowest part of the park is 7,500 feet high; and though the sun is hot during the day, the mercury hovers near the freezing point every night of the summer. An immense quantity of snow falls, but partly owing to the tremendous winds which drift it into the deep valleys, and partly to the bright, warm sun of the winter months, the park is never snowed up, and a number of cattle and horses are wintered out of doors on its sun-cured, saccharine grasses, of which the gramma grass is the most valuable. The soil here, as elsewhere in the neighborhood, is nearly everywhere coarse, gray, granite dust, produced probably by the disintegration of the surrounding mountains. It does not hold water and is never wet in any weather. There are no thaws here. The snow mysteriously disappears by rapid evaporation. The wild flowers are gorgeous and innumerable, though their beauty, which culminates in July and August, was over before I arrived, and the recent snow flurries have finished them. Here are dandelions, buttercups, larkspurs, harebells, violets, roses, blue gentian, columbine, painter's brush, and 50 others, blue and yellow predominating. Snakes and mosquitoes do not appear to be known here. Coming almost direct from the Tropics, one is dissatisfied with the uniformity of the foliage; indeed, foliage can hardly be written of, as the trees properly so called at this height are exclusively Coniferæ and bear needles instead of leaves. In places there are patches of spindly aspens, which have turned a lemon yellow, and along the streams bear cherries, vines, and roses lighten the gulches with their variegated crimson leaves. The pines are not imposing, either from their girth or height. Their coloring is blackish green, and though they are effective singly or in groups, they are somber and almost funereal when densely massed, as here, along the mountain sides.

The timber line is at a height of about 11,000 feet and is singularly well defined. The most attractive tree I have seen is the silver spruce, *Abies engiemanii*, near of kin to what is often called the balsam fir. Its shape and color are both beautiful. It looks as if a soft, blue, silver powder had fallen on its deep-green needles, or as if a bluish hoarfrost, which must melt at noon, were resting upon it. Anyhow, one can hardly believe that the beauty is permanent and survives the summer heat and the winter cold. The universal tree here is the *Pinus ponderosa*, but it never attains any very considerable size.

Miss Bird's account of her two days' climb of Longs Peak is accentuated by many interesting references to the scenery. Describing the view from "the Lift," about 500 feet below the summit, she says:

At the foot of the precipice below us lay a lovely lake, wood embosomed, from or near which the bright St. Vrain and other streams take their rise. I thought how their clear, cold waters, growing turbid in the affluent flats, would heat under the tropic sun and eventually form part of the great ocean river which renders our far-off islands habitable by infringing on their shores. Snowy ranges, one behind the other, extended to the distant horizon, folding in their wintry embrace the beauties of Middle Park. Pikes Peak, more than 100 miles off, lifted that vast but shapeless summit which is the landmark of southern Colorado. There were snowy patches, snow slashes, snow abysses, snow forlorn and soiled looking, snow pure and dazzling, snow glistening above the purple robes of pine worn by all the mountains, while away to the east in limitless breadth stretched the green gray of the endless plains. Giants everywhere reared their splintered crests. From thence with a single sweep the eye takes in a distance of 300 miles—that distance to the west, north, and south being made up of mountains ten, eleven, twelve, and thirteen thousand feet in height, dominated by Longs Peak, Grays Peak, and Pikes Peak, all nearly the height of Mount Blanc. On the plains we traced the rivers by their fringes of cottonwood to the distant Platte, and between us and them lay glories of mountain, canyon, and lake sleeping in depths of blue and purple most ravishing to the eye.

As we crept from the lodge round a horn of rock I beheld what made me perfectly sick and dizzy to look at—the terminal peak itself—a smooth, cracked face or wall of pink granite as nearly perpendicular as anything could well be up which it was possible to climb, well deserving the name of the American Matterhorn.

Her description of the mountain top itself was brief. She contents herself by saying of it simply that it was "an acre of bowlders."

From the summit we saw in unrivaled combinations all the views which had rejoiced our eyes during the ascent. It was something at last to stand upon the storm-rent crown of this lonely sentinel of the Rocky Range, on one of the mightiest of the vertebræ of the backbone of the North American Continent, and see the waters start for both oceans, uplifted above love and hate and storms of passion. Calm amidst the eternal silences, fanned by zephyrs, and bathed in living blue, peace rested for that one bright day on the peak as if it were some region "where falls not rain, or hail, or any snow, or ever winds blow loudly."

In closing my extracts from this fascinating book, I can not refrain from the author's reference to the color of the Rocky Mountains, which she says "beats all I have seen." She gives many bits of description in support of this statement, of which the following sentence is a fair sample:

The sky and the earth combine to form a wonderland every evening—such rich velvety coloring in crimson and violet; such an orange-green and vermilion sky; such scarlet and emerald clouds; such an extraordinary dryness and pureness of atmosphere, and then the glorious afterglow which seems to blend earth and heaven.

When this bill is signed by President Wilson there will be bequeathed to the United States and the world one of the most beautiful and attractive places ever evolved by nature for the pleasure of mankind. And its dedication to the present and future generations is a noble and patriotic act, for which the men and women who have supported this measure may all well feel proud.

The creation by Congress to-day of this national park will be a milestone in the development of Colorado, and I am supremely proud to be able to render this service to my beloved Commonwealth. It will be worth many millions of dollars to Colorado and many times that sum to the Nation.

The State of Colorado has always been one of the most enthusiastic champions of the slogan "See America first." President Roosevelt referred to the Centennial State as the "Playground of the Nation," and many citizens of our country proudly and affectionately refer to the State as "the Switzerland of America." The State has more than 5,000 miles of excellent State highways, 20,000 miles of improved county roads on the plains, the foothills, through the mountains and valleys, amidst magnificent scenery. With fine camping, hunting, hundreds of good trout streams, and 320 days of sunshine in every year, she invites the human race to come and enjoy her superb health-giving climate and unique mountain scenery of unparalleled grandeur and marvelous beauty.

Mr. Speaker, I am now pleased to yield five minutes to the gentleman from Illinois [Mr. MANN], and I know the State of Colorado will be exceedingly grateful to him for speaking in behalf of this bill.

Mr. MANN. Mr. Speaker, I am in favor of the passage of this bill. I have seen a good deal of the country in Colorado. I believe the most valuable purpose for which a country like this can be used is for the preservation of its scenery. I think the time will come, and I hope it will not be very long in the future, when the vast hordes of Americans who now go across the Atlantic to see some mild scenery over there will restrain their curiosity for the other side of the ocean and visit some of the grand scenery in this country which is to be found in the Rocky Mountains. It will be a good thing even financially, and it would broaden the minds of those gentlemen who live along the Atlantic coast, many of whom never have gone as far west as the Allegheny Mountains and who do not know that there exists a portion of the country west of the Mississippi. [Applause.] This makes into a national park what in the main is now a national forest. As I understand, nearly all of this territory embraced in this bill is now covered by reservations for national forests and it makes it into a national park. It does not make a large appropriation, but leaves to the people who manage the park the problem of working out some method by which the park will pay for itself in the way of maintenance and improvements. Personally, next to working in a garden, I would rather climb one of the Colorado mountains in August, way above the snow line, than do anything else. I believe it will be inspiring to all of our people who will do that. There can be no damage in creating such a park, and I hope that every Member of Congress as he crosses the continent this summer, if he does, will stop on the way coming or going and see

the Rocky Mountains. There is no other part of the world, unless it be in the high places in Asia or in the Andes, which compares in grandeur with the Rocky Mountains, and there is nothing that makes a man feel that he ought to be great and grow big like it does to go out and see what nature has done. [Applause.]

Mr. TAYLOR of Colorado. Mr. Speaker, I yield two minutes to the gentleman from California [Mr. KENT].

Mr. KENT. Mr. Speaker, I believe in having the public domain used for those things for which it is fitted. This piece of property is peculiarly adapted to the purpose designated, and is not adapted, in my opinion, to any other purpose. It should be dedicated as a pleasure ground and a scenic attraction to all our people, and the difference between its being held under the forest reserve and under the Department of the Interior as a national park is simply this—that as a national park the animal life will be forever free from molestation. Moreover, there will be no question of timber cutting for utilitarian purposes, but the property, which has few available commercial resources, will be held in a state of nature, and for which it is peculiarly adapted. I know of no other part of the United States better fitted for park purposes. It should be dedicated to the people of the United States as a public park forever. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired. The question is on the passage of the bill.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to use five minutes.

The SPEAKER pro tempore. How much time does the gentleman from Pennsylvania yield to the gentleman from Washington?

Mr. MOORE. Mr. Speaker, I yield five minutes to the gentleman from Washington.

Mr. JOHNSON of Washington. Mr. Speaker, this seems to be about the only bill that is going through this Congress on greased skids, except some of the bills on the administration program. Here is a bill referred to the Committee on the Public Lands on January 12, and here it is before the House under suspension of the rules on January 18.

Mr. MANN. The gentleman is mistaken about the dates.

Mr. JOHNSON of Washington. I am reading from the bill here.

Mr. MANN. October 9 it was referred to the Committee on the Public Lands.

Mr. JOHNSON of Washington. And reported out on the 12th. and acted on in just one week. I find here in the Rocky Mountain News of January 6 a statement to the effect that this bill will be passed on the 18th day of January, and telling just how it will be done. I find a report of 48 pages accompanying this bill. The report reads as if it were a one-sided hearing on the bill. I understand hearings were held on the bill, but they have not been printed, and they can not be had.

Mr. TAYLOR of Colorado. I will say to the gentleman from Washington that hearings were held. The report was referred to the gentlemen who appeared before the committee so that they could correct their testimony. The governor of the State and two United States Senators and a number of other distinguished people appeared before the committee, and the hearings were sent around to these gentlemen for correction, and they got back to the committee only the other day, when they were sent down here, two or three days ago, to the printer. I was in hopes that they would be here by this time, but it is no fault of anybody.

Mr. JOHNSON of Washington. At any rate, the bill itself has gotten ahead of the hearings. There will now be no need of printing the hearings.

The statement has been made here that there is no opposition whatever to the bill. I hold in my hand a letter signed by the Front Range Settlers' League, dated December 8, in which quite a number of substantial arguments are made against this bill. I have received the past week quite a number of letters from citizens of Colorado who oppose the measure. I call attention to the fact that the park you are about to create is in a forest reserve; that it cuts the reserve in two; that it will increase the number of Federal employees; that the park scheme adds nothing to the great natural scenic beauty, nor will it make the locality one bit more accessible; in fact, it will simply give tourists an opportunity to pay more, and will develop the schemes of real estate speculators and hotel men, who have already secured the available hotel sites, which are, by the way, outside of the proposed park area and will not be subject to regulations governing national parks.

A magnificent road to Estes Park is already constructed, built by the State and the Forestry Bureau—principally by the State. The Forest Service proposes additional roads, but here, all of a sudden, it is proposed to yank Estes Park away from its present control and change its name to Rocky Mountain National Park. One citizen of Colorado writes:

> More work has been done in road building by the State and the Forest Service in one year than we could hope to get from the Government in 10 years. I base this observation on a study of the yearly appropriations of Congress for national parks.

Another gentleman says in a letter:

> In talking with a former forest rider I learned that Enos A. Miles, owner of Longs Peak Inn, at the foot of Longs Peak, is the originator of this national-park idea, and that he and his associates have purchased and obtained options on large tracts and on all the best grounds about Horse Shoe Park, all of which will be taken in by the Rocky Mountain National Park.

I have no information as to whether that statement is exactly correct or not.

Mr. TAYLOR of Colorado. I will say to the gentleman that since those original lines were proposed they have changed the lines and have eliminated all of that Estes Park, so it is not in the park.

Mr. JOHNSON of Washington. The writer of the letter says further:

> I can not see where there is any benefit to the people of the United States or of Colorado in making this ground into a national park only to enrich Mills and his associates by advertising his hotel and lands, for the amount of money to be obtained will only police the park partly, and nothing will be expended on roads and trails for the next 20 or 30 years.

Mr. CAMPBELL. Mr. Speaker——

The SPEAKER pro tempore. Will the gentleman from Washington yield to the gentleman from Kansas?

Mr. JOHNSON of Washington. Yes.

Mr. CAMPBELL. What does this fellow want to use it for?

Mr. JOHNSON of Washington. He sees, no doubt, that the tract is now as great a scenic attraction as it ever will be without going to additional Government expense. In the 48 pages of this report—a most remarkable report—you will find on the last page an argument saying all the other national parks are on the west of the Rocky Mountains and to a greater or less extent inaccessible.

Mr. CAMPBELL. I would like to know what this kicker wants to do with this national park.

Mr. JOHNSON of Washington. The roads and trails have been built in there. It is now accessible to everyone for its scenic beauty. You can go through it in an automobile or a wagon or a motor cycle without cost, whereas if it is made into a park it will cost $5 a vehicle.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JOHNSON of Washington. I would like to have two minutes more.

Mr. MOORE. I yield two minutes more to the gentleman.

Mr. JOHNSON of Washington. Now, Mr. Speaker, I have no desire to obstruct the passage of this bill to the extent of making a point of no quorum. I simply want to call attention to the difficulties that so many important bills are having—no hearings and no chance—while this one, for which no emergency exists, gets a peculiar right of way. It provides for a park to be maintained by the Government. The plan is to take over a beautiful natural tract for the benefit of the automobilists principally. It gets the right of way in the Committee on the Public Lands, while 400 other bills which do not relate to playgrounds or to play of any kind repose peacefully in the pigeonholes of that committee's room. Particularly I want to call attention to the haste with which this bill has been sent out of the committee, into the House for passage, on to the calendar, and up for passage—if not by unanimous consent, then by suspension of the rules. As I said a moment ago, it is one that skids in the good old-fashioned way.

Mr. HUMPHREY of Washington. Are there any other national park bills pending before that committee?

Mr. JOHNSON of Washington. I think so.

Mr. HUMPHREY of Washington. Have any of them been reported?

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

Mr. MOORE. Mr. Speaker, I desire to yield more time, but I thought the gentleman from Colorado wanted to use some.

Mr. HUMPHREY of Washington. Mr. Speaker, I want to ask the gentleman from Colorado [Mr. TAYLOR] a question.

The SPEAKER pro tempore. Does the gentleman from Colorado yield to the gentleman from Washington?

Mr. TAYLOR of Colorado. Yes; certainly.

Mr. HUMPHREY of Washington. Do I understand this is in a forest reserve?

Mr. TAYLOR of Colorado. Yes.

Mr. HUMPHREY of Washington. Is there any timber there?

Mr. TAYLOR of Colorado. Not of much value, I will say to the gentleman.

Mr. HUMPHREY of Washington. I think, if there should be, it ought to be preserved as a natural curiosity. [Laughter.]

Mr. TAYLOR of Colorado. We have not the timber in our State that you have in your State.

Mr. HUMPHREY of Washington. If there is any forest reserve that has any timber on it, that timber ought to be preserved.

Mr. TAYLOR of Colorado. I now yield, Mr. Speaker, two minutes to the gentleman from Oklahoma [Mr. FERRIS].

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. FERRIS] is recognized for two minutes.

Mr. FERRIS. Mr. Speaker, I doubt if there is anything that I could add to the eloquent statement of the gentleman from Colorado [Mr. TAYLOR] and to the more than eloquent statement of the gentleman from Illinois [Mr. MANN] on the establishment of parks in the Rocky Mountains. I am glad to say that I think this is the very purpose for which this land should be used. It is already a reserved area, and this bill transfers it from the Department of Agriculture to the Department of the Interior. There is no friction about it. Both departments agree to it. Both have reported in favor of it. It can be administered economically, and the people of Colorado are very desirous of it. Both their outgoing governor and their incoming governor and different conservation societies from Chicago and elsewhere, all over the country, are in favor of it, and telegrams have been received from everywhere asking that this park be created.

We have only 13 parks in the United States. They do not cost the Government very much to maintain, and even if they did, it would be worth while. So many citizens, I think, are so far removed from any personal contact with the Federal Government now that it is wise to arrange these national playgrounds for them where appropriate. This is an ideal spot for it. It ought to have been done years ago. The Colorado delegation are entitled to great credit for it. I am proud to have been an humble member of the great Committee on the Public Lands who have reported it.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Oklahoma yield to the gentleman from Washington?

Mr. FERRIS. Yes.

Mr. JOHNSON of Washington. Is it true that the gentleman's Committee on the Public Lands has caused it to be stated that it would authorize no more national parks during this session of Congress?

Mr. FERRIS. No. No such statements have been made to us or by us, so far as I know. I can not think any such statement has been made by anyone. It does not sound like our committee. I think there must be some mistake about that.

Mr. HUMPHREY of Washington. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. I do.

Mr. HUMPHREY of Washington. The gentleman's committee does not intend any such policy as that, I hope?

Mr. FERRIS. Oh, not at all. I never heard of it before. There is nothing of that sort intimated by anyone.

I merely desire to say, Mr. Speaker, that the committee used every precaution in consulting the local people and the Interior Department and the Department of Agriculture and the Forest Service and the Geological Survey people and everybody that would know anything about it. I think this park is well conceived and the details are well worked out. It follows the usual procedure in the establishment of national parks, and it is not a park for the State of Colorado alone, but it is a park for the enjoyment of the people of other States as well. The people of my own State, in the hot and arid months, and the people from the States of New Mexico, Kansas, Texas, and adjoining States journey out there in one form and another and spend a month or two in that locality.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. TAYLOR of Colorado. I yield to the gentleman one minute more.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for one minute more.

Mr. MARTIN. Mr. Speaker, I wanted to ask the gentleman what is the recommendation of the Committee on Agriculture in regard to this park?

Mr. FERRIS. It is in favor of it, and so is the Interior Department.

Mr. STAFFORD. Why did the committee not follow the recommendation of the department in creating a bureau of national parks? The department says that on several occasions they have approved of the creation of such a bureau, and several bills have been reported separately creating these national parks. The Secretary recommends that there should be a uniform bill apply to all of them.

Mr. FERRIS. The committee has such bills before it, and they have been urged very vigorously to do so by the officials of the department. So far as I am concerned, I do not care to create any more officials or add to the expense of the Government at this time. We have too many officers now I fear, and we ought to go slow on new ones until the war lets up and our commerce again gets started.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield two minutes to my colleague from Colorado [Mr. SELDOMRIDGE].

The SPEAKER pro tempore. The gentleman from Colorado [Mr. SELDOMRIDGE] is recognized for two minutes.

Mr. SELDOMRIDGE. Mr. Speaker, I am heartily in favor of the passage of this bill. I represent the district in which the greater part of the national park herein proposed is located. I have never received a single line from any resident of that district protesting against the passage of this bill. My constituents clearly recognize the value of this legislation in benefiting not only the State, but the entire country.

I wish I could take the Members of this House to Colorado and give them an opportunity to observe the natural beauty of this park and the wonderful scenery it contains. It comprises some of the loftiest snow-covered peaks in the Rocky Mountain States, with a large number of lakes, valleys, and parks. I know, Mr. Speaker, that it will afford every American citizen who visits this region a feeling of pride and satisfaction that he has a proprietary interest in this great natural scenic property. In common with citizens of Colorado and Representatives of other States, I believe that Congress is doing something not only for the State, but also for the Nation in passing this bill.

I wish to express on behalf of the citizens of our State our appreciation of the generous and friendly interest which Members from other States have shown in this bill.

We are particularly grateful to the Speaker of the House, who has afforded my colleague [Mr. TAYLOR] an opportunity to bring the bill before the House under suspension of the rules, and to the able leader of the minority [Mr. MANN], who has given material assistance in advocating the passage of the measure.

The people of Colorado will not be backward in contributing to the care and maintenance of the park, in cooperation with the General Government. They will see to it that the scenic attractions, not only of this park but of the entire Rocky Mountain region, are brought more fully to the attention of the American people. For many years thousands of American tourists have contributed to the support and development of European tourist centers, unmindful of the fact that we have in this country some of the greatest natural wonders of the world. While we deplore the calamity of war which is now devastating Continental Europe, we hope that it will have one effect at least, and that to interest our American citizens in the natural beauties of our own country. Every section of the Nation has a wealth of physical beauty that should appeal to citizens of other sections. There should be an intermingling of tourist travel within our own borders. We have all degrees of climate, and there is no limit to the number and variety of medicinal and healthful springs. "See America first" should be the slogan in every section. Transportation lines should be encouraged to aid in this movement; and if we can retain within our borders a large share of the wealth which we have been sending abroad through American tourists we will do much to develop and enlarge our natural scenic assets. The people of Colorado, through their Representatives in Congress, will always be willing to aid in the creation of national parks in other States where their creation is justified.

The park provided for in this bill is most accessible to the great population of the Middle West and Southwestern States. It is directly on the line of travel between the two oceans; and when its attractions are more fully known it will draw many thousands annually, not only to Colorado but to the Pacific coast and the great Yellowstone and Glacier Parks. Constructive legislation of this character not only directly benefits the locality affected but indirectly helps other sections. The support which the bill has received from nature lovers whose attention has been directed to it is most gratifying, and the passage of the bill will be welcomed by citizens generally who are actively interested in the preservation and protection of our natural resources.

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

Mr. MOORE. Mr. Speaker, I yield four minutes to the gentleman from Kansas [Mr. CAMPBELL].

The SPEAKER pro tempore. The gentleman from Kansas [Mr. CAMPBELL] is recognized for four minutes.

Mr. CAMPBELL. Mr. Speaker, I have made two or three trips that led me over the Rocky Mountains. I do not know that I have been through that portion of the mountains that is described within the limits of the proposed park, but from my general knowledge of the Rocky Mountains I believe the lands within these described boundaries are not suitable for agricultural purposes. In fact, I do not know of any other purpose to which the mountains or the scenery could be put, or any to which it is so well adapted, as that of a park. I think the Committee on Public Lands is rendering the entire country a great service by reporting favorably upon this bill and urging that a national park be established there.

I agree with the gentleman from Illinois [Mr. MANN] that every citizen of our country should see as much of the Rocky Mountains as possible. It should be made as attractive as may be for our citizens to go there, and every convenience for their comfort while they are there in the way of travel and hotels should be provided, and if perchance some hotel keeper can be induced to spend his money to build a hotel for the accommodation of such guests as may pass that way, the writer of the letter to the gentleman from Washington [Mr. JOHNSON] will have no real ground for complaint. It probably will not cost him anything.

There is no reasonable objection that can come from any source to the establishment of this park, and there is every argument in its favor. I heartily favor the bill, and hope it will have the necessary votes to insure its passage.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, all of the land that is comprised within this proposed national park is now within national forest reservations, and with the limitation of expense contained in the bill there will be little or no increased expense unless Congress shall hereafter expressly authorize it. Therefore from any standpoint there is no reason why this bill should not pass, and there are many reasons why it should.

I am especially glad for one thing, Mr. Speaker, to find that these gentlemen who have thundered so long and so loudly against bureaucracy in reference to our national domain in the West have come before our committee, and now come on the floor of the House and ask for a little more bureaucracy with reference to the 230,000 acres comprised within this proposed park. When our committee held its hearings I was amazed to hear some gentlemen, not Members of this body, but of another, urge most strenuously before our committee the creation of this park because of the fact that the National Government could so well administer it and take such splendid care of it; and it struck me at the time that if those gentlemen would apply a little more of the same reasoning with reference to certain other portions of the national domain, we might get along very much better in the consideration of some of these matters.

Mr. JOHNSON of Washington. Does the gentleman think it would take any less money to care for the remaining portion of the forest reserve after the 240,000 acres were taken out for this park?

Mr. LENROOT. Oh, yes; it would cost considerably less, of course.

Mr. JOHNSON of Washington. I doubt it.

Mr. LENROOT. From every standpoint I am heartily in favor of this bill.

Mr. MOORE. I yield three minutes to the gentleman from Oregon [Mr. LAFFERTY].

[Mr. LAFFERTY addressed the House. See Appendix.]

Mr. KENT. I should like to ask the gentleman if he would be willing to say that to the members of the committee? Because I am quite sure that the Public Lands Committee as a whole have no knowledge of any such alleged facts and do not tolerate any such statement.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MOORE. I yield three minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I was rather inclined to be against this bill until I heard the moving appeal of my friend from Illinois, the distinguished leader of the minority [Mr. MANN], who is a learned and earnest lover of nature. When he held out to us the prospect of seeing him climb that mountain in August, I found that I could not resist his argument. I trust he will realize, however, that in making that ascent, considering the present state of social aridity in Colorado, he will remember to carry something more than the coat on his back. I promise him that with that prospect in view, and the other that he hinted at of having the privilege to go out there this summer, I shall cordially indorse him and follow him in this vote. [Applause.]

Mr. MOORE. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Colorado [Mr. TAYLOR] has one minute, and the gentleman from Pennsylvania [Mr. MOORE] three minutes.

Mr. SHERLEY. I desire to make an inquiry and a suggestion in regard to this bill.

Mr. MOORE. I have but three minutes.

Mr. SHERLEY. I notice that most of the time has been given to those in favor of the bill. I think there ought to be an opportunity for a suggestion about it by those who may not be in favor of it.

Mr. MOORE. I think the gentleman had better direct his inquiry to the gentleman from Colorado [Mr. TAYLOR], who is in charge of the bill.

Mr. SHERLEY. You were supposed to have the time in opposition to the bill.

Mr. MOORE. I am going to yield to myself, Mr. Speaker.

The SPEAKER pro tempore. The gentleman's time is running.

Mr. MOORE. If my time is running, I shall have to decline to yield.

Mr. SHERLEY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHERLEY. I want to know if it is in order for a person in charge of the time in opposition to yield all the time to gentlemen who speak in favor of the bill?

The SPEAKER pro tempore. The gentleman from Kentucky knows that the gentlemen in charge of time can distribute it to whom they please.

Mr. SHERLEY. But men get time in opposition under the statement that they are opposed to legislation.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. MOORE] demanded a second. No one else demanded a second, nor did anyone indicate that he was opposed to the bill, nor did the gentleman from Pennsylvania indicate it. The Chair can not now control the parceling out of the time.

Mr. MOORE. I should have been glad to have yielded to the gentleman from Kentucky if he had asked it.

Mr. MANN. Mr. Speaker, I think the request of the gentleman from Kentucky ought to be granted; but the suggestion that the gentleman made is unfair to the gentleman from Pennsylvania, who, like anyone else in control of time, if people do not come who are opposed to the bill, he yields the time to those in favor of it. I ask unanimous consent that the gentleman from Kentucky have three minutes.

Mr. SHERLEY. Mr. Speaker, I do not want to talk on the bill, except to call attention to some language in it which I think ought to be corrected. I do not want to be arbitrary or make any point of no quorum, but I do want to call attention to some of the language in the bill.

Mr. MANN. If the gentleman from Kentucky had been in the Chamber——

Mr. SHERLEY. I was at work in the Committee on Appropriations.

Mr. MANN. I understand the gentleman was busy in the Committee on Appropriations, but if he had been here he would have had no difficulty in getting time.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the gentleman from Kentucky have three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Speaker, I desire to call attention to the language in the proviso, which, as has been suggested, may create a permanent appropriation of $10,000 annually, and which nobody would desire to do. I also want to suggest the wisdom of striking out the language which requires that all funds derived from concessions, privileges, or other sources within the park shall be expended therein.

At this time there is no reason why that should not be done, and probably there will not be any reason in the near future, but I hope we are reaching a point where we are going to adopt some system for making national parks yield some revenue that may help to sustain them, and we ought not to tie up by this all the revenues that may come from a particular park.

It is a mistaken notion that parks belong to the localities where they exist. That is one of the vices I find running all through the arguments of gentlemen from public-land States—the assumption that the public land belongs to those States,

which I will never agree to as long as I may be able to protest against it.

Now, we ought not to reserve all the revenues that come from any particular park and say that they must be expended in that park. My committee makes appropriations for these parks. At present we do spend in the parks all the revenue that comes from them, but we may reach a time when it will be desirable to place the revenue in a general fund and expend that fund for park purposes generally and not on any particular locality.

Mr. MANN. The amendment which is offered provides that not more than $10,000 shall be appropriated in any one year. Does not the gentleman think that the park will come and ask for a change, and we can make the other change?

Mr. SHERLEY. I think they will ask for one change, but will not concede the other.

Mr. MANN. Well, the gentleman from Kentucky and I will be here, and if we are they will not get it.

Mr. SHERLEY. The gentleman from Illinois may not be here and I may not.

Mr. MANN. Well, some one will be here to take care of it.

Mr. SHERLEY. I see no reason why we should have the provision in the bill, and I suggest that there is no need for it. We ought not to segregate the fund in this way.

Mr. MOORE. Mr. Speaker, one reason for demanding a second on this bill was to give an opportunity for just such questions as the gentleman from Kentucky has raised.

The practice of the House in calling up bills suddenly without notice is very unfair to the main body of the Members who might be interested in them but who are engaged in committee work or are at their offices. Because of it bills that are not wholly meritorious might occasionally get through except for the watchfulness of two or three careful Members on the floor.

I sought information as to the wisdom of passing this bill. I did not say that I opposed the bill, but I did want to have it discussed. The arguments in favor of the bill have been quite convincing, but the discussion has invited comment from those of us who come from the Atlantic seaboard.

The gentleman from Illinois [Mr. MANN] made an intensely interesting talk advising people who live in the eastern part of the country to go out to the Rocky Mountains and "see America first." He wanted them to get a grasp of the beauty and the magnificence of this land of ours. That is exactly what most of us have done. Many of us have gone over the Rocky Mountains, over the Canadian Pacific, riding by the snow-capped peaks, and we have enjoyed to the full the grandeur of the scenery. We glory in all this, but sometimes, when these reports come in from the Committee on Public Lands, and we recall that in a State like Pennsylvania, for instance, where we have great forest reserves which we take care of ourselves at the expense of the people of the State, we wonder why we should be criticized for seeking river and harbor improvements to create revenue to care for the forests and parks of other States. This, however, is only in passing. I am inclined to think that this is a good bill. We ought to preserve our natural beauty spots, not alone for those who come from foreign shores, but for the people in our own land.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, in view of the fact that some question is being made concerning lines 14 and 15, on page 7, about the expenditure of funds derived from concessions, and as I do not want to jeopardize the bill by meeting opposition, I ask uanimous consent to strike those two lines out.

Mr. MANN. The gentleman asks unanimous consent to modify his motion so as to make that one of his amendments?

Mr. TAYLOR of Colorado. Yes.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent to modify his motion by the amendment which he proposes and which the Clerk will report.

The Clerk read as follows:

On page 7, line 14, after the word "therein," strike out "all funds derived from concessions, privileges, or other sources within the park shall be expended therein."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection to the request

Mr. RAKER. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection of the request of the gentlemen from Colorado [Mr. TAYLOR and Mr. SELDOMRIDGE] and the gentleman from California [Mr. RAKER] to extend and revise their remarks in the RECORD?

There was no objection.

PROVIDING FOR STOCK-RAISING HOMESTEADS.

Mr. FERGUSSON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 15799) to provide for stock-raising homesteads, and for other purposes, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act it shall be lawful for any person qualified to make entry under the homestead laws of the United States to make a stock-raising homestead entry for not exceeding 640 acres of unappropriated unreserved public land in reasonably compact form: *Provided, however*, That the land so entered shall theretofore have been designated by the Secretary of the Interior as "stock-raising lands."

SEC. 2. That the Secretary of the Interior is hereby authorized, on application or otherwise, to designate as stock-raising lands subject to entry under this act lands, the surface of which is, in his opinion, chiefly valuable for grazing and raising forage crops, do not contain merchantable timber, are not susceptible of irrigation from any known source of water supply, and are of such character that 640 acres are reasonably required for the support of a family.

SEC. 3. That any qualified homestead entryman may make entry under the homestead laws of lands so designated by the Secretary of the Interior, according to legal subdivisions, in areas not exceeding 640 acres, and in compact form so far as may be subject to the provisions of this act, and secure title thereto by compliance with the terms of the homestead laws: *Provided*, That instead of cultivation as required by the homestead laws the entryman shall be required to make permanent improvements upon the land entered before final proof is submitted tending to increase the value of the same for stock-raising purposes, of the value of not less than $1.25 per acre, and at least one-half of such improvements shall be placed upon the land within three years after the date of entry thereof.

SEC. 4. That any homestead entryman of lands of the character herein described, who has not submitted final proof upon his existing entry, shall have the right to enter, subject to the provisions of this act, such amount of contiguous lands designated for entry under the provisions of this act as shall not, together with the amount embraced in his original entry, exceed 640 acres, and residence upon the original entry shall be credited on both entries, but improvements must be made on the additional entry equal to $1.25 for each acre thereof.

SEC. 5. That persons who have submitted final proof upon, or received patent for, lands of the character herein described under the homestead laws, and who own and reside upon the land so acquired, may, subject to the provisions of this act, make additional entry for and obtain patent to contiguous lands designated for entry under the provisions of this act, which, together with the area theretofore acquired under the homestead law, shall not exceed 640 acres, on proof of the expenditure required by this act on account of permanent improvements upon the additional entry.

SEC. 6. That in the event there are not contiguous lands in area sufficient to complete an entry of 640 acres, as provided for in this act, the entryman or patentee shall have the right to enter within a radius of 10 miles from his first entry subject to the same requirements as specified for contiguous additional entries, lands in reasonably compact form which have been designated for entry under the provisions of this act, that shall, together with the first entry, not exceed 640 acres: *Provided*, That the entryman shall be required to enter all contiguous areas open to entry prior to the entry of any noncontiguous land.

SEC. 7. That any person who is the head of a family, or who has arrived at the age of 21 years and is a citizen of the United States, who has entered or acquired under the homestead laws, prior to the passage hereof, lands of the character described in this act, the area of which is less than 640 acres, and who is unable to exercise the right of additional entry herein conferred because no lands subject to entry under this act adjoin the tract so entered or acquired or lie within the 10-mile limit provided for in this act, may, upon submitting proof that he resides upon and has not sold or encumbered the land so entered or acquired, relinquish or reconvey to the United States the land so occupied, entered, or acquired, and in lieu thereof, within the same land-office district, may enter and acquire title to 640 acres of the land subject to entry under this act, but must show compliance with all the provisions of this act respecting the new entry and with all the provisions of existing homestead laws except as modified herein: *Provided*, That the lands so relinquished or reconveyed as herein provided shall thereafter be subject to disposition only on such terms and under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 8. That the commutation provisions of the homestead laws shall not apply to any entries made under this act.

SEC. 9. That any homestead entrymen or patentees who shall be entitled to additional entry under this act shall have, for 30 days after the designation of lands subject to entry under the provisions of this act and contiguous to those entered or owned and occupied by him, the preferential right to make additional entry as provided in this act: *Provided*, That where such lands contiguous to the lands of two or more entrymen or patentees entitled to additional entries under this section are not sufficient in area to enable such entrymen to secure by additional entry the maximum amounts to which they are entitled, the Secretary of the Interior is authorized to make an equitable division of the lands among the several entrymen or patentees, applying to exercise preferential rights, such division to be in tracts of not less than 40 acres, and so made as to equalize as nearly as possible the area which such entrymen and patentees will acquire by adding the tracts embraced in additional entries to the lands originally held or owned by them: *Provided further*, That where but one 40-acre tract of vacant land may adjoin the lands of two or more entrymen or patentees entitled to exercise preferential right hereunder, the tract in question may be entered by the person who first submits to the local land office his application to exercise said preferential right.

SEC. 10. That any person who has heretofore acquired title to land of the character designated in this act under any of the homestead

laws of the United States and who is the owner and occupant of the land so acquired may purchase from the United States not exceeding 320 acres of stock-raising lands, as designated by this act, or unappropriated and unreserved lands valuable only for grazing contiguous to his said homestead, upon paying to the United States the sum of $1.25 per acre for such lands, under such rules and regulations as may be prescribed by the Secretary of the Interior, which said land, together with the area theretofore acquired under the homestead laws, shall not exceed 640 acres.

SEC. 11. That all entries made and patents issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same. The coal and other mineral deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal and mineral land laws in force at the time of such disposal. Any person qualified to locate and enter the coal or other mineral deposits, or having the right to mine and remove the same under the laws of the United States, shall have the right at all times to enter upon the lands entered or patented, as provided by this act, for the purpose of prospecting for coal or other mineral therein, provided he shall not injure, damage, or destroy the permanent improvements of the entryman or patentee, and shall be liable to and shall compensate the entryman or patentee for all damages to the crops on such lands by reason of such prospecting. Any person who has acquired from the United States the coal or other mineral deposits in any such land, or the right to mine and remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining or removal of the coal or other minerals, first, upon securing the written consent or waiver of the homestead entryman or patentee; second, upon payment of the damages to crops or other tangible improvements to the owner thereof, where agreement may be had as to the amount thereof; or, third, in lieu of either of the foregoing provisions, upon the execution of a good and sufficient bond or undertaking to the United States for the use and benefit of the entryman or owner of the land, to secure the payment of such damages to the crops or tangible improvements of the entryman or owner, as may be determined and fixed in an action brought upon the bond or undertaking in a court of competent jurisdiction against the principal and sureties thereon, such bond or undertaking to be in form and in accordance with rules and regulations prescribed by the Secretary of the Interior and to be filed with and approved by the register and receiver of the local land office of the district wherein the land is situate, subject to appeal to the Commissioner of the General Land Office: *Provided*, That all patents issued for the coal or other mineral deposits herein reserved shall contain appropriate notations declaring them to be subject to the provisions of this act with reference to the disposition, occupancy, and use of the surface of the land.

SEC. 12. That the Secretary of the Interior is hereby authorized to make all necessary rules and regulations in harmony with the provisions and purposes of this act for the purpose of carrying the same into effect.

The SPEAKER pro tempore. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second.

Mr. FERGUSSON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. The gentleman from New Mexico asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from New Mexico is recognized for 20 minutes, and the gentleman from Wisconsin is entitled to 20 minutes.

Mr. FERGUSSON. Mr. Speaker, before I take up the bill, I ask unanimous consent to modify my original motion, by incorporating in section 10, line 8, page 6, after the word "land," the words "of the character designated in this act." It is obvious that that was the intention.

The SPEAKER pro tempore. The gentleman from New Mexico asks unanimous consent to modify his motion by inserting an amendment, which the Clerk will report.

The Clerk read as follows:

Page 6, line 8, after the word "land," insert the words "of the character designated in this act.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, may I take the liberty of asking what were the amendments which were offered with the bill? No one could tell from the reading of the bill what the amendments were. They were not committee amendments, reported in the bill.

The SPEAKER pro tempore. Without objection, the Clerk will report the amendments which were read into the bill.

There was no objection, and the Clerk read as follows:

Page 2, line 6, after the word "family," strike out the words: "*Provided*, That the Secretary of the Interior shall not designate for entry under this act lands of such character that, in his opinion, 640 acres will not support a family."

Page 4, line 24, after the word "provisions," strike out the words "of the homestead law and," and in line 25, after the word "entry," insert the words "and with all the provisions of existing homestead laws except as modified herein."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico? [After a pause.] The Chair hears none.

Mr. FERGUSSON. Mr. Speaker, the object of this bill is to restore the beef and mutton producing capacity of the semiarid States of the West, and at the same time enable the settlers to get homes, and thus promote the settlement and prosperity of these semiarid States by inducing settlers to get title to the land and to become taxpayers.

It is conceded by those who want to lease parts of this semiarid country, and also maintained by those who are in favor of homesteading all that can be reduced to homes, that the meat-producing capacity of the West—beef and mutton—has been reduced; some claim at least 50 per cent, about half of what they could produce in that semiarid country, comprising something like 330,000,000 acres. It has been reduced from overcrowding. There is no order. First there is sheep and then cattle. A man takes a homestead and can not raise anything because there is not enough land in 160 or even 320 acres to enable him to do anything in the way of grazing. The title of this bill is, "To provide for stock-raising homesteads." Now, the advantage of a grazing homestead is obvious to anybody. He will farm all that he can. The land will be subject to taxation. He will improve the stock; he will provide for winter feed for his stock; he will improve the kind of forage—sudan grass and fedrietta—and all improvements; whereas on an immense cattle range a man leases 10,000 or 20,000 acres of land; it will be impossible for him to improve or produce any quantity of meat. That is the general idea of introducing this bill. The question of leases is not disposed of by the enactment of this bill for this reason, that there are many hundreds of thousands of acres of land in these semiarid States. Six hundred and forty acres of land will be enough for a man to raise 20 or 30 beeves and do any farming. There is no sort of doubt about that, and the balance of all this immense area will be subject to disposition by Congress hereafter if it should be advisable under the leasing laws. Mr. Speaker, under the time to which I am limited I will not have time to go into the details of the various provisions of the bill, and I will be glad to submit it with these few preliminary remarks, reserving the balance of my time.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the homestead laws provide for a homestead of 160 acres. In some instances the provisions of law have been changed so that some homesteads are authorized at 320 acres, some at 640 acres, but everyone, I think, has realized that there was occasion from time to time to make some changes as to the amount of acreage which might be required in a homestead where the conditions of the land require it. Now, here is a bill coming in here to-day, 8 pages long, 12 sections long, a bill which necessarily is largely a matter of detail and form. You want to describe the particular circumstances under which you authorize the larger homestead. A motion is made to suspend the rules and pass the bill, with no opportunity for anyone, except the mover of the motion, to offer an amendment, not even to correct the grammar of the bill, and it is seriously in need of correction, a bill that has a privileged status, could have been called up in the House any day since May 6 last when it was reported. It does not require to be considered by unanimous consent. It does not require a motion to suspend the rules to consider it. The Committee on Public Lands any day, except on Calendar Wednesday or possibly unanimous-consent day, could move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of this bill, because the rules provide—Rule XI, paragraph 56:

The following-named committees shall have leave to report at any time on the matters herein stated. The Committee on Rules, etc. The Committee on the Public Lands—

And among other things—

And bills for the reservation of public lands for the benefit of actual and bona fide settlers.

Under that rule all bills relating to homesteads and providing for homesteads are privileged, and yet the Committee on the Public Lands bring in a bill covering 12 sections, necessarily in the main a matter of detail, propose to suspend the rules and pass it, with no chance for amendment, with only 20 minutes' debate on a side, to give 640 acres of land as a homestead. No one can read this bill and tell what it means. The first provision in the bill is that this homestead shall not exist unless the land is of such a character that 640 acres are reasonably required for the support of a family. If 630 acres will support a family, this bill will not apply. It does not apply unless the Secretary says that 640 acres are reasonably required for the support of a family.

Then the bill goes on and provides that if 641 acres are necessary for the support of a family, this bill will not apply. The Secretary, under the terms of the bill, if he finds a piece of land where 639 acres will support a family, this bill does not apply. Or if he finds 641 acres are necessary to support a family, this bill does not apply. Well, gentlemen will say, of course, the

Secretary will not draw the line that fine. He does not know how large the family is to be.

Now, my distinguished friend from Nebraska [Mr. KINKAID] might be able to live on 640 acres and support his family while the gentleman from Pennsylvania [Mr. MOORE] would not be able to support his family, because the size of the families is very different. Yet under the terms of this bill the Secretary is required to make a finding which no man on earth can truthfully make. What is the use of imposing duties upon an executive officer which he can not perform and which it is not intended he shall perform?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Speaker, I yield three minutes more to the gentleman.

Mr. MANN. Now, for instance, we can not amend this bill, and yet it would be vastly improved if you could insert, on page 2, line 2, after the word "crops," the words "and which," because without those words it does not make sense. The bill was drafted in the Land Office, but in printing it the Committee on Public Lands probably did not read it very carefully, and they left out a pronoun which is absolutely required to make sense. Yet we can not offer an amendment to perfect it, notwithstanding that the Committee on Public Lands, any day when Congress has been or is to be in session, did have and would have the privilege of calling this bill up for consideration as a matter of high privilege, having it considered in the Committee of the Whole, where there was a chance to perfect it by offering amendments, but the committee is evidently afraid to expose the bill to critical analysis. Hence it directs its Member in charge of the bill to move to suspend the rules and pass it without knowledge, without amendment, without real consideration.

Mr. Speaker, I yield back any time I may have left.

Mr. STAFFORD. Mr. Speaker, I ask the gentlemen on the other side to use some of their time.

Mr. FERGUSSON. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. FERRIS]. How much time did I use?

The SPEAKER pro tempore. The gentleman used three minutes.

Mr. FERRIS. Mr. Speaker, I hardly think I will use the time allotted. The gentleman from Illinois, with his ingenious mind, calls the attention of the House to the supposition that the Public Lands Committee can march in and take possession of the House with this or with any other bill that they have reported.

I think it is scarcely necessary to say that the Committee on Public Lands would not carry on any such proceeding as that, even if the rules would technically say we had the right.

The Public Lands Committee has many matters before it, some of little consequence and some important, but it does not feel it has the right to come in here and take advantage of some technical rule, and it has not done it in the past under this or any other administration. Neither has the gentleman from New Mexico [Mr. FERGUSSON] been selfish, grasping, or penurious with his bill.

The gentleman from New Mexico has gone down in defeat while working for the people of his State. He has been working in season and out to get up this bill. No man could have been more diligent. No man deserves more credit for his zealous and untiring efforts. It is not necessary for me to state that when a man comes into this House with a bill on the Unanimous Consent Calendar he approaches a perilous course. The Speaker has generously agreed to recognize the gentleman from New Mexico [Mr. FERGUSSON] to-day to call up this bill under suspension, and very properly so, as I believe.

As the public land dwindles away, and the good land is taken up, and the rocky and the hilly dry land is left, Congress is occasionally asked to modify the homestead laws. You can not go out on a sand dune or a bald knob without a stake or a blade of grass on it, and a family can not exist on 160 acres of such land.

I want the gentleman from Illinois to search into the innermost recesses of his heart and see if he can not put some of his patriotism into this bill as he did into the bill of the gentleman from Colorado [Mr. TAYLOR] a moment ago. The gentleman from Illinois has great influence in this House; he is the leader of a great party here, and he probably will be a candidate for leader in a greater capacity, and I hope he will; but I urge the gentleman from Illinois and his colleagues who sit about him, and I urge the colleagues of my friend FERGUSSON on this side of the House, not to turn their back on a law that will absolutely settle and populate the West. I ask, then, to pass a bill to-day that is workable, that is practical, and that will help the West.

Let me call the attention of the House to what Congress is being asked to do in another bill that has already passed the Senate, and it is being seriously urged in my committee. They ask to let land be taken up without any residence at all on the ground that they can not get water. Two States in previous Congresses have already been granted that right. I stood in the Public Lands Committee during the Congresses and opposed that proceeding. I am opposed to it now. I am in favor of letting the arid sections of the Rocky Mountain States, where it requires land for pasturage, perchance a little valley, on which to raise the various forage crops—fedrietta, alfalfa, Soudan grass, and others—be actually settled and not prove a failure.

They can not live and they can not stay on 160 acres of this dry, arid land. They can not live and they can not stay on 320 acres of this sort of land. But if you will give them an area large enough so that they can have, perchance, 10 dairy cows or 5 dairy cows, or perchance they can find a little valley with a little well water with which they can irrigate, or a little valley that will raise something without irrigation, and enable them to produce a little forage which they can put into a silo I think the West can be settled.

The Senator from Nevada [Mr. PITTMAN] called attention to the fact that although his State had been admitted into the Union 50 years they had only 80,000 population. Why, my own county in the State of Oklahoma has almost as much population as that. Think of it! Eighty thousand people in an entire State. No one can stay on the land under the present law. No arable or irrigable land or mineral land is to be settled under this bill; no land in any section of the country where they have rainfall enough to raise enough to live on can be homesteaded under this bill. But this bill will cause what? It will cause the Secretary of the Interior, the Geological Survey, the Commissioner of the General Land Office, to pick out a lot of high, dry, nonagricultural grazing land, and it will give 640 acres to a man and his family to live upon. Does anyone longer desire a State that has been admitted into the Union 50 years to be held down to a population of 80,000? This is a good bill. The West needs it. It will help produce more foodstuffs and enable people to get food more cheaply. It should have been passed long ago. I am proud to see it up for consideration. I want it to pass. It deserves to pass. The West will appreciate it. I ask the House to pass it.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. STAFFORD. Mr. Speaker, I can not agree with the chairman of the Committee on Public Lands that this bill relates only to lands on which nothing can be grown. If that were the fact, it would be meaningless and of no value to consider it in this House at all. But because I believe you are going to enlarge the homestead entries on lands that residents in any State might see fit to locate upon, and to grant to those who have already exercised their homestead rights additional land upon which to locate, is the reason I am against this bill.

I do not think the time has arrived for the inauguration of a policy on the part of the National Government to enlarge homesteads generally from 160 to 640 acres. In 10 years' time we have seen that idea develop from the well-known Kinkaid Act, which applied only to arid lands, until now it is proposed to be extended to lands that are capable of agriculture.

Because land is suitable for grazing it does not follow that it is not suitable for agriculture. If you will read this bill closely throughout, you will find that every endeavor is being made to add to the domain of those who have homesteaded the addition of 480 acres. If the homestead entryman has 160 acres, he can go and locate an additional 480 acres within 10 miles of the original tract. If there is no such compact tract within 10 miles of the original tract, he can go foraging around and take to that extent in little strips. He might appropriate under the provisions of this bill all the various scattered tracts of land that might contain watercourses. The gentlemen on the other side shake their heads, but as I read this bill it may be subject to such entry. You do not limit them.

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

The SPEAKER pro tempore. Does the gentleman from Wisconsin yield to the gentleman from Colorado?

Mr. STAFFORD. Yes; I yield. I wish to be notified, Mr. Speaker, when five minutes have elapsed.

Mr. SELDOMRIDGE. Is the gentleman personally familiar with the land that is described here?

Mr. STAFFORD. I tried to get some information about it. There is nothing here that says "arid" lands. It says lands described as suitable for stock raising. Now, stock-raising lands are grazing lands, and grazing lands may be suitable for agriculture.

Mr. HAYDEN. He can go only 10 miles.

Mr. STAFFORD. Then section 11 of the bill has some provisions relating to coal entries. What connection have stock-raising lands with coal entries? You are legalizing coal entries by this bill.

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

Mr. STAFFORD. Yes.

Mr. HAYDEN. That is a reenactment of other laws heretofore passed, providing for the surface entry, merely, of land containing coal and minerals.

Mr. STAFFORD. This provision goes further than that. It does not merely reserve to the Government the coal and mineral lands thereon, but specially grants the right to enter, and approves of those entries.

Mr. HAYDEN. Oh, no.

Mr. STAFFORD. Read the language and you will see that it will bear that construction. I am one of those coming from the Middle West, where we have large numbers of people who want to go upon the public domain. All the available public land has not been exhausted——

Mr. FERRIS. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. FERRIS. Is the gentleman speaking now of section 10?

Mr. STAFFORD. Section 11.

Mr. FERRIS. Did the gentleman observe that the gentleman from New Mexico [Mr. FERGUSSON], on the suggestion of the gentleman from Wisconsin [Mr. LENROOT], added an amendment which made it clear that when a homestead was taken it had to be of the character designated in this bill—a stock-raising homestead?

Mr. STAFFORD. I remember that amendment was suggested.

Mr. FERRIS. It was embodied in the bill.

Mr. STAFFORD. This is too important a bill to be considered without the privilege of amendment. You are crowding this through here, taking away the rights of the great majority of the people to locate on the public lands that are now available and permitting all who have heretofore homesteaded to enter upon an additional 480 acres without paying anything for the additional land. I protest against that policy.

Mr. FERRIS. We are not taking away anything.

Mr. STAFFORD. You are taking away the privilege that my people now have to homestead this land, and conferring a second homestead entry of 480 acres of grazing land adjacent to their present homesteads. This is for the benefit of the entrymen in the Western States, and not for the benefit of the people in the rest of the country.

Mr. HAYDEN. Will the gentleman kindly tell me how a man can enter public land without going West?

Mr. STAFFORD. I yield two minutes to the gentleman from California [Mr. KENT].

Mr. KENT. Mr. Speaker, a statement was made here by the gentleman from Oregon [Mr. LAFFERTY] that I, as a member of the Public Lands Committee, am obliged to resent. He stated that our committee had adopted the policy of recognizing only two bills for national parks, the bill of the gentleman from California [Mr. RAKER] and the bill of the gentleman from Colorado [Mr. TAYLOR], both members of the Public Lands Committee. The gentleman from Oregon, in connection with that statement, said that he had gone before a subcommittee of the Public Lands Committee to recommend a certain bill for the State of Oregon, and by that subcommittee he was told that that bill would not be considered and that no other bills than these two would be considered. The gentleman from Oregon has since informed me personally that that event happened in a previous Congress, when the bill of the gentleman from Colorado [Mr. TAYLOR] was not under consideration. I make this statement here and now because I feel it is due to the Public Lands Committee to have it known that they are not playing favorites. They have tried to do their duty by the membership of the House, to take up all questions concerning the public domain, irrespective of whether the bills were brought in by members of the committee or by others. I make this statement to repel false aspersions of recalcitrance to our duty or of favoritism.

Mr. FERRIS. I did not hear the statement of the gentleman from Oregon and do not know what he said. Did the gentleman from Oregon say he was seriously pressing some bill now that the committee had slighted?

Mr. KENT. I understood his statement would lead to the belief that a bill he was pressing was put aside in the interest of these two bills.

Mr. FERRIS. That was some park bill?

Mr. KENT. Yes.

Mr. FERRIS. The gentleman from Oregon has not been pressing any bill recently to the chairman of this committee, has he?

Mr. LAFFERTY. If the gentleman from California refers to me, I never heard of these two bills until to-day.

Mr. FERRIS. I did not know what the incident was, and all I desire to say is that I do not recall any Member of the Oregon delegation or the Washington delegation recently pressing any park bill. If they have done so, I have forgotten it.

The SPEAKER pro tempore. The gentleman from New Mexico has 11 minutes and the gentleman from Wisconsin has 7 minutes.

Mr. FERGUSSON. Mr. Speaker, I yield one minute to the gentleman from Wyoming.

Mr. STAFFORD. And I yield two minutes additional to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, when I presented the 320-acre homestead bill to the House some years ago I said that the next evolution in homestead law would be in the nature of a grazing homestead bill. A short time after that I introduced a grazing homestead bill. Now we have before us such a bill, called a stock-raising homestead bill. I am in favor of the legislation suggested in this bill. I very much regret, however, that the bill was not brought up in the way that it could have been brought up, and in which the House has heretofore considered the same kind of legislation, so that we could have an opportunity to debate it and amend it. I regret that that was not done, because I do not like the form of the legislation. While I am in favor of a good grazing or stock-raising homestead bill, whatever you may call it, I do not like the provisions of this bill. I do not like the provisions of the bill with the complete mineral reservation, which is not clear, and I am sure would not be satisfactory. There are other provisions of the bill that, in my opinion, could be wisely amended; but if it is a question of passing the bill or not passing the bill, I am in favor of legislation of this character, and therefore shall vote for the bill with all of its failings and imperfections. I yield back the balance of my time.

Mr. FERGUSSON. Mr. Speaker, I yield to the gentleman from South Dakota.

Mr. BURKE of South Dakota. Mr. Speaker, this is a good bill, and I am sure if its provisions are understood there will not be a vote against it. The bill authorizes any person qualified to make entry under the homestead laws of the United States to make a stock-raising homestead entry for not exceeding 640 acres of land that shall theretofore have been designated by the Secretary of the Interior as "stock-raising lands."

Section 2 of the bill authorizes the Secretary to designate or classify lands subject to entry under the bill, which limits the entry to the surface and provides that the land must be chiefly valuable for grazing and raising forage crops, not containing merchantable timber and not susceptible of irrigation, and that 640 acres are reasonably required for the support of a family.

Section 3 prescribes that the lands entered must be in compact form and that title can be secured by compliance with the terms of the homestead laws, except that instead of cultivation the entryman shall be required to make permanent improvements upon the land before final proof is submitted, tending to increase the value of the same for stock-raising purposes, of the value of not less than $1.25 per acre, and that at least one-half of such improvements shall be placed upon the land within three years after the date of entry.

Section 4 provides that an entryman who has an existing entry of 160 acres or less shall have the right to file upon contiguous lands designated for entry under the provisions of this act to the extent of an area equaling 640 acres, including his original entry.

Section 5 provides that one who has submitted final proof or received patent for lands of the character subject to entry under the terms of this bill, who owns and resides upon the land so acquired, may make additional entry for contiguous lands which, together with the area theretofore acquired, shall not exceed 640 acres.

Section 6 provides that where there are not contiguous lands in area sufficient to complete an entry of 640 acres the entryman or patentee shall have the right to enter, within a radius of 10 miles from his entry, lands in reasonably compact form designated for entry under the provisions of this bill that shall, together with the first entry, not exceed 640 acres.

Section 7 authorizes a person who has made an entry or submitted proof to relinquish or reconvey to the United States his land and make an entry in the same land district of 640 acres under the terms of this bill.

Section 8 provides that the commutation provisions of the homestead laws shall not apply to entries made under this act.

Section 9 gives entrymen or patentees entitled to an additional entry a 30 days' preference right to make an additional entry and also provides for how it shall be determined who is entitled to a tract where there are two claimants.

Section 10 provides that any person who has acquired title under the homestead laws and who is the owner and occupant of the land so acquired may purchase not exceeding 320 acres of stock-raising land at $1.25 per acre.

Section 11 reserves the mineral in lands entered and patented under the terms of this act and provides how the mineral deposits may be disposed of.

Section 12 authorizes the Secretary of the Interior to make rules and regulations for carrying the terms of the law into effect.

The original homestead law under which the public lands in the humid sections of the United States have been entered and acquired permit an entryman to file upon 160 acres as the maximum area that can be entered, the original theory of the law being that by reason of favorable climatic conditions and the productiveness of the soil 160 acres is sufficient to enable a settler with a family to live comfortably. I mention this because that is the correct theory upon which laws for the disposition of the public domain ought to be constructed. It is this theory that justifies the enactment of the pending bill, and I think I can demonstrate it. Some years ago Congress recognized that the homestead unit of 160 acres ought not to be adopted in all instances; in the irrigation act the Secretary of the Interior is authorized to fix the amount of land that can be entered, the maximum being 160 acres, and he may limit the amount that can be entered to only 40 acres. This limitation is because with the aid of water in arid localities lands may be irrigated and cultivated in the most intensive manner and several crops can be produced during the year.

In the Fifty-seventh Congress there was enacted what is known as the Kinkaid law (act of Apr. 28, 1904, 33 Stat., 547), which is limited in its application to a portion of western Nebraska. This act permits the entry of not exceeding 640 acres. The Kinkaid Act clearly recognizes the necessity of providing that a settler should have a greater area of grazing or arid land, especially nonirrigable, than a settler locating in a humid section on land susceptible of successful grain raising without irrigation. The Kinkaid law was predicated upon the suggestion of the President in his message to Congress at the opening of the second session of the Fifty-seventh Congress, in which he said:

Moreover, the approaching exhaustion of the public ranges has of late led to much discussion as to the best manner of using these public lands in the West which are suitable chiefly or only for grazing. The sound and steady development of the West depends upon the building up of homes therein. Much of our prosperity as a nation has been due to the operation of the homestead law. On the other hand, we should recognize the fact that in the grazing region the man who corresponds to the homesteader may be unable to settle permanently if only allowed to use the same amount of pasture land that his brother, the homesteader, is allowed to use of arable land. One hundred and sixty acres of fairly rich and well-watered soil, or a much smaller amount of irrigated land, may keep a family in plenty, whereas no one could get a living from 160 acres of dry pasture land capable of supporting at the outside only one head of cattle to every 10 acres.

Recognizing that in the intermountain States there are areas not susceptible to raising crops under the ordinary methods of farming, but which will, through the adoption of conserving the moisture by certain cultivation known as dry farming, produce profitable crops, Congress enacted what are known as the enlarged homestead laws of February 19, 1909 (35 Stat., 639), and June 17, 1910 (36 Stat., 531), under which acts not exceeding 320 acres may be entered as a homestead. It will be seen by the laws just cited that Congress has repeatedly recognized what I have already stated, that the original homestead laws are not applicable to portions of the public domain and that new laws are necessary to apply to portions of the country where none of the existing laws are applicable, and give the settler who may go upon such lands a fair chance to succeed.

The Assistant Secretary of the Interior, in his report to the chairman of the Public Lands Committee on the pending bill, commenting upon the success of the Kinkaid Act and the other enlarged homestead laws that I have referred to, said:

The settlement, home-making, and agricultural development which followed the enactment of these laws is well known and need not be here described.

With relation to the necessity for legislation, as proposed by this bill, the Assistant Secretary said:

There remain, however, as indicated, vast areas of the public lands to which none of the foregoing laws seem well adapted, and I am of opinion that the time has arrived when a new form of homestead law should be enacted peculiarly adapted thereto. The lands I have in mind, because of their arid or semiarid character, or because of their location on mountain tops or sides, will not produce agricultural crops for sale or exportation in sufficient quantities to justify acquirement thereof and residence thereon under the existing laws. They do, however, possess some value for grazing purposes and often include tracts of greater or less extent upon which might be grown forage crops, such as Kafir corn, milo maize, fodder, or other rough feed, of little value for sale and transportation, but valuable for winter feed or for the fattening of range stock. I believe that with this class of lands a homestead of 640 acres of land would enable bona fide homeseekers to establish and maintain homes for the purpose of stock raising and for such farming operations as will enable him to raise their own supply of rough feed for the stock pastured upon the remaining lands entered or acquired.

After the subject had been fully and carefully considered by the Public Lands Committee and after exhaustive hearings had been held, the committee approved the present bill precisely as it is presented here, and it was submitted to the Secretary of the Interior for a report, and the Assistant Secretary, in a letter to the chairman of the committee, under date of April 24, 1914, said:

As stated in my letter to you of January 30, 1914, I am heartily in favor of legislation which will permit and encourage the settlement and development of public lands to which the present homestead laws are not adapted, but which, under a somewhat more liberal measure, would be settled upon, improved, and developed for the purpose of stock raising.

He suggested a couple of amendments to the bill, and their adoption is included in the pending motion to suspend the rules.

I want to read a statement made by Mr. I. S. Bartlett, of Cheyenne, Wyo., that appears in the hearings upon this bill, as to the necessity for this legislation and the benefits that would result from it. Mr. Bartlett said:

A grazing homestead bill giving 640 acres, or even 2 sections, to each settler would soon add 200 per cent to the live-stock production of the public-land States and solve the beef problem for the next half century. Not only that, it would break down the high prices of beef, pork, and mutton, as well as dairy products.

Better than all, it would settle up the vast area of waste lands in the Nation with a hardy, intelligent, and progressive American citizenship.

Think for a moment what our desert or grass ranges will produce, situated, as they are, in an environment of mountains and plains and flooded with sunshine.

Here are some purely range products: Cattle, sheep, horses, hogs, goats, hides, wool, butter, cheese, milk and dairy products, poultry, and eggs. All these can be produced in our native grass regions without any plowing or land cultivation.

The irrigated and dry farms in the same section will supplement all the needed fattening and forage crops, and both the farming and stock-raising interests will be mutually and correspondingly benefited.

The range homestead proposition can be easily worked out. Instead of the requirements of plowing up the land and crop cultivation, the law should require expenditure for sinking wells, building of sheds and corrals, the possession of a certain number of animals, etc. The residence requirements should be the same as in other homestead acts.

In nearly every section of the grass ranges water can be found at depths varying from 20 to 500 feet. In many cases artesian water and flowing wells are obtained, giving a sufficient supply of water for irrigating many acres and raising fine crops. With the passage of a grazing homestead bill the so-called desert lands would be penetrated with wells and the whole landscape dotted with windmills and improvements in the form of houses, barns, corrals, and fences.

In a very few years a wonderful transformation scene would be enacted in the vast cattle ranges of the West, now practically uninhabited by settlers. That this is no dream has already been demonstrated by the results of the Kinkead 640-acre homestead act, which applied to the desert wastes of western Nebraska. That entire section is now settled up with a high class of prosperous and successful farmers. Five million acres of arid lands have been reclaimed there, and the wave of incoming settlers has overflowed into Wyoming in the search for dry-farming lands.

Even under the late repressive land administration the Commissioner of the General Land Office advocated the 640-acre homestead for the semiarid West, and in so doing stated that "the largest part of the unappropriated public domain would never pass to private ownership under smaller allotments."

Local bills are good enough so far as they go, but the whole subject should be treated from a national point of view and a bill passed applicable to all the States having public lands.

It is interesting to note what Maj. J. W. Powell, Director of the United States Geological Survey, said in 1879 with relation to the necessity for legislation permitting the entry of more than 160 acres of grazing land. Here is his statement:

THE FARM UNIT FOR PASTURAGE LANDS.

The grass is so scanty that the herdsman must have a large area for the support of his stock. In general, a quarter section of land alone is of no value to him. The pasturage it affords is entirely inadequate to the wants of a herd that the poorest man needs for his support (p. 21).

Four square miles may be considered as the minimum amount necessary for a pasturage farm, and a still greater amount is necessary for the larger part of the lands; that is, pasturage farms, to be of any practical value, must be of at least 2,560 acres, and in many districts they must be much larger (p. 22).

Hon. Charles D. Walcott, who for many years was the Director of the United States Geological Survey, in a communication to the Secretary of the Interior concerning the Kinkaid bill, among other things said:

The central idea of this bill is that of enlarging the area of homestead entry to suit the conditions of the semiarid West. There is general recognition of the fact that the present land laws, designed for the humid region, are not applicable to the arid region.

* * * * * * *

The arbitrary limit stated by the present land laws of 160 acres for a homestead does not suit existing conditions in the arid region. If the water supply is ample, 160 acres is usually far too much, and would support two, three, or four families; on the other hand, throughout 90 to 95 per cent of the vast extent of remaining public land 160 acres is so small as to be useless for a homestead.

No general rule as to what shall constitute a homestead can be laid down. In order to determine this matter local knowledge must be had and exercised in the same manner as it is under the reclamation projects. The question is one largely of altitude, climate, and water supply, rather than extent of land.

* * * * * * *

There can be no hard and fast rule as to the limits to be set for such land, but knowledge of the water supply and judgment may be used if the arid lands are to be divided into tracts capable of supporting a family. Under the operation of the laws at present in force there is no possibility of equity in the matter. Men take their chances of getting enough land one way or another. If they fail, they sell or relinquish their rights to their neighbors until an adjustment is finally attained, at great cost and hardship, and without attaining the best results for the Commonwealth, since in the general laxity of affairs the lands are not put to the best use, and many of them gradually pass into the hands of corporations instead of being utilized for the support of independent families.

I might go on discussing at much length the necessity for legislation for the disposition of lands of the character intended to be affected by this bill so as to induce settlers to go upon them and acquire homes and under conditions that would enable them to succeed and live comfortably, but being convinced that enough has been said to justify the passage of the bill, and having explained its different provisions in detail, I will conclude with a hope that the motion to suspend the rules will prevail and that the bill will be passed.

Mr. FERGUSSON. Mr. Speaker, I yield two minutes to the gentleman from South Dakota [Mr. MARTIN].

Mr. STAFFORD. Mr. Speaker, I also yield two minutes to the gentleman from South Dakota.

Mr. MARTIN. Mr. Speaker, in my opinion, no more important measure has been before Congress for consideration for many years. I do not believe that in all the history of the country a single piece of national legislation was ever passed that has resulted in greater good to the entire people than the homestead law of 1862. This bill, after very full consideration and very full hearings and with all the light up to date on this great homestead question, has been drafted, and the purpose of it is to adapt the fundamental principles of the homestead law to the conditions surrounding the remaining public lands.

Of course, the exact test as to what ought to be the size of the homestead which the Government offers to citizens who will go out upon and open up a new country and make it fit for civilization is the area that will enable an industrious man to support a family. That was the rule adopted as to the 160-acre homestead law, and it worked well in the Missouri and the Mississippi Valleys, but we have gone way beyond the point where 160 acres in area of our remaining public lands without irrigation, can support a family. The area here, 640 acres, has been fixed as the result of experience. This particular bill has been drafted by the Interior Department itself, and I differ from my friend from Wyoming [Mr. MONDELL] in his view as to whether it has been well prepared. It would have been proper if the bill, considering its importance, could have been considered for general amendment, and still I believe that the bill in its present form is about as good as could be drafted, with all the intelligence and information we have on this great subject up to the present time.

We undertook many years ago—10 years ago, indeed—to pass a section homestead law for the remaining public lands in western South Dakota. We passed it through this House, but it failed in the Senate because we were near the adjournment of Congress at that time. Impelled in part by the fact that that movement had life and agitation in Congress, two great railways built across that country and settlers poured into that semiarid area and took 160-acre homesteads; but the result has been, from practical experience, that many of those who went there have now gone away, while those who remain occupy practically 640 acres each and are making a living upon it. Consult the census and you will find that in Iowa, for instance, with rich lands and ample rainfall, about 160 acres are now the unit of farm area—one hundred and fifty-six and a fraction.

Mr. GARNER. Mr. Speaker, is it not a fact that in certain portions of the West 640 acres are not sufficient?

Mr. MARTIN. That is true. There are portions of the West where that is not sufficient, and it is the duty of the Secretary of the Interior under this bill to leave out those general areas from classification and to put in classification only those portions of grazing lands where 640 acres can be reasonably expected to support a family. In South Dakota the average farm unit is three hundred and thirty-five and a fraction acres; in North Dakota, 382; in Montana, 516; and in Wyoming, 777. We have never had a land monopoly in this country, and we never will have so long as Congress remains wise enough to provide farm homestead units upon which men can make a living. It is only when we are negligent in that respect that the lands are liable to fall into monopoly.

A large number of homesteads have been made in the semiarid West in the past few years. To the extent that they have become permanent, it is well known that the settlers are not supporting themselves on 160 acres of land. They are depending upon large areas of open range for their stock, and without this could not exist under present conditions. The native grass of the range country is being rapidly destroyed under the careless and wasteful methods of the open range. These vast areas of public lands are not subject to taxation and make no contribution to local self-government.

A good stock country is a wealthy country when properly stocked and used for the purposes for which it is best adapted. A section of these lands, properly protected and utilized, in the ownership of an industrious citizen may support a family. To limit the settler to 160 acres is to invite disaster.

It is the duty of the Government to offer the homesteader sufficient land that his battle on the frontier may not be a losing one. This legislation will take us a long step in the right direction. It will provide comfortable homes for thousands of our worthy citizens, who in turn will build up local communities and add millions of value to the combined wealth of the Nation.

Mr. FERGUSSON. Mr. Speaker, I yield one minute to the gentleman from Nebraska [Mr. KINKAID].

[Mr. KINKAID of Nebraska addressed the House. See Appendix.]

Mr. FERGUSSON. Mr. Speaker, I yield now to the gentleman from Colorado [Mr. TAYLOR] for one minute.

[Mr. TAYLOR of Colorado addressed the House. See Appendix.]

Mr. FERGUSSON. Mr. Speaker, I yield now to the gentleman from California [Mr. RAKER].

[Mr. RAKER addressed the House. See Appendix.]

Mr. FERGUSSON. I now yield to the gentleman from Arizona.

Mr. HAYDEN. Mr. Speaker, this bill, commonly known as the Fergusson 640-acre homestead bill, is the product of months of hard work by the Committee on the Public Lands. Exhaustive hearings were held, and the committee was favored by the testimony of men thoroughly familiar with every phase of the live-stock and dry-farming industries of the West. Three different drafts of this measure were considered by the committee, and the bill before you represents the collective judgment of its members as to what ought to be done in order to promote the settlement of large areas of the public domain.

Like most bills that come before this House, this proposed act is a compromise. I have not been a Member of this body very long, but I have served here a sufficient time to learn that we can not expect to have legislation passed that is entirely satisfactory to our constituents. This is particularly true of the Congressmen from the public-land States, because we must submit our measures for decision to the membership of the House, a majority of whom never saw an acre of the public domain and have no conception of the difficulties under which the homesteader is compelled to labor.

I betray no secrets when I say that there was a serious disagreement in the Committee on the Public Lands when this proposition was first considered. The bill as originally drawn made available for entry as "grazing homesteads" all lands designated by the Secretary of the Interior "the surface of which is, in his opinion, chiefly valuable for grazing, which do not contain merchantable timber, and which are not susceptible of irrigation from any known source of water supply." Immediate objection was made to this provision by a number of the members of the committee, upon the ground that it would permit speculation in large areas of land by entrymen who were not seeking in good faith to obtain homes, but who would make entries in order to force the stockmen to pay them to move away or to purchase the land after title was obtained from the Government.

Members of the committee who favored this language insisted that a similar provision in the 320-acre homestead law had worked well in actual practice, and that it was no concern of the United States as to what use was made of the land after a patent is issued. They were quite certain that the Department of the Interior could prevent the acceptance of proof made by entrymen who were not acting in good faith.

A compromise was finally agreed upon which requires the Secretary of the Interior to classify the land that is suitable for entry under this act. In addition to the text that I have just read, the Secretary must designate lands that "are of such character that 640 acres are reasonably required for the

support of a family," and a proviso was added which reads as follows:

Provided, That the Secretary of the Interior shall not designate for entry under this act land of which, owing to its general character or general conditions, in his opinion, 640 acres clearly will not support a family.

This proviso is an innovation in our homestead laws. Heretofore the settler could go upon the most arid, barren, and worthless tract of land imaginable and, if he succeeded in making satisfactory proof of residence and cultivation, title to the area entered would pass to him. The entryman took all the risk and did his own classifying. But under this provision it is made incumbent on the Secretary of the Interior to say that the average settler has a fair chance to make a living on 640 acres of land of such character that it is "chiefly valuable for grazing and raising forage crops."

This new idea was adopted by the committee after much discussion in the belief that it would not only tend to prevent speculation by entrymen who would not act in good faith, but with the further purpose of preventing the location of settlers by land agents in places where they are foredoomed to failure. The committee believed that an attempt by the settler to support his family by grazing live stock and growing forage crops on 640 acres in the semiarid West is, at best, an enterprise of considerable hazard, and for this reason the prospective entryman is entitled to the benefit of the best judgment of the Department of the Interior respecting the probability of his success on the land he desires to enter. Undoubtedly the department will, among other things, give consideration to the annual and seasonal rainfall, the length of the growing season, and the quality of the native grasses in determining the areas to which this act shall apply. The settler in a new country has enough of hardships to contend with, under any circumstances, and he certainly ought to be furnished with every particle of helpful information that the Government has at its command.

I desire to state, Mr. Speaker, that I have heretofore mailed a large number of copies of this bill to my constituents, and that much mention of it has been made in the newspapers of my State. I have received a great many letters from citizens of Arizona urging its passage. Most of the letters, however, are from the counties of Cochise and Santa Cruz in southern Arizona, and from Apache, Navajo, Coconino, and Yavapai Counties in the northern part of the State. I doubt whether the Department of the Interior will find any considerable area of land in the other counties of Arizona where this bill can be made applicable. I am satisfied, however, that its enactment into law will materially promote an increase in the population of the counties that I have mentioned by inducing new settlers to make homes on the public lands located therein.

This bill merits favorable action by the House. It is but a continuation of our present homestead policy, with such changes as experience has demonstrated to be necessary in view of the character and condition of the remainder of the public lands in the West. It will make homes for our citizens; it will create property values that can be taxed to support the State and county governments; it will promote the prosperity and the general welfare of the entire West. This is the only homestead legislation that is obtainable at this time, and I sincerely trust that this measure will become a law during the present session of Congress.

Mr. FERGUSSON. Has the gentleman only one more speech?

Mr. STAFFORD. Yes. I yield the balance of my time to my colleague [Mr. LENROOT].

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. LENROOT] is recognized for three minutes.

Mr. LENROOT. Mr. Speaker, I was not in charge of the bill nor was I interested in it any more than I was in any other bill coming from the Committee on the Public Lands, of which I am a member. I want frankly to say it had not occurred to me that this bill was a privileged bill, and if it were not for the fact that it would be impossible, through the inability of the Democratic Party to expedite business and its general incompetency [laughter on the Republican side], to secure consideration of this bill in the regular way during this session, although it is privileged, I would not favor this motion at this time. But we all know that, although privileged as it is, appropriation bills will take all the time of the remaining portion of the session.

Now, with reference to the criticism made on this bill by the gentleman from Illinois [Mr. MANN]. He very severely criticized that provision of the bill which requires the Secretary of the Interior in making designations to designate such land as he shall find that 640 acres are reasonably required for the support of a family, and on the other hand prohibits him from designating land where he believes 640 acres will not support a family. Now, technically, the criticism of the gentleman from Illinois may be correct, but, after all, it is only a direction to the Secretary of the Interior as to what character of land shall be designated by him; and it was the intention, as is clearly seen from a reading of the bill itself, that he must not designate land where 160 acres will support a family or 320 acres will support a family, but where 640 acres are reasonably required to support a family, and in order to prevent inducements being held out to would-be settlers from all over the country that here are 640-acre homesteads in abundance, in order that the entire public domain, much of which is absolutely worthless, will not be held out to them by land agents in the West, we make a limitation upon the other hand also prohibiting the Secretary from including in that designation land where the settler will not have a reasonable chance to make a home and support a family. That is the purpose of the proviso, of the two limitations, one that he shall designate 640 acres that will reasonably support a family, and the other that he shall not designate any land where it certainly will not support a family.

The SPEAKER pro tempore. The time of the gentleman has expired; all time has expired.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that all those who have spoken on the bill may have the privilege of extending their remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that those who have spoken on the bill may have the privilege of extending their remarks in the RECORD. Is there objection?

Mr. KEATING. Mr. Speaker, may I make a similar request?

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent that he may extend his remarks in the RECORD. Is there objection?

Mr. MANN. Mr. Speaker, I object to all of them. If we pass the bill under the suspension of the rules, let us have the RECORD show that we did it without consideration.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. Does the Chair understand the gentleman makes the point of order on the vote?

Mr. MANN. Oh, no; the vote has been disposed of.

The SPEAKER pro tempore. Evidently there is no quorum present.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p. m.) the House, under its previous order, adjourned, to meet to-morrow, Tuesday, January 19, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of Commerce, transmitting list of documents and files of papers of no use in the transaction of the current business of the department and of no permanent or historic interest (H. Doc. No. 1499); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

2. Letter from the Secretary of the Treasury, submitting data relative to leasing and renting unoccupied and unproductive property of the United States under the control of the Secretary of the Treasury (H. Doc. No. 1500); to the Committee on Appropriations and ordered to be printed.

3. Letter from the Secretary of the Treasury, submitting report as to rents received from properties located on sites of proposed public buildings purchased by the United States Government in the city of Washington (H. Doc. No. 1501); to the Committee on Appropriations and ordered to be printed.

4. Letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Interior submitting a supplemental estimate of appropriation for administration and protection of the Yellowstone National Park, caring for buffalo, etc., for the fiscal year ending June 30, 1916 (H. Doc. No. 1502); to the Committee on Appropriations and ordered to be printed.

5. Letter from the assistant clerk of the Court of Claims, transmitting certified copy of findings of fact and conclusions in

the case of Frances J. Tuyle, remarried widow of Henry F. Jacobs, deceased (H. Doc. No. 1503); to the Committee on War Claims and ordered to be printed.

6. Letter from the assistant clerk of the Court of Claims, transmitting certified copy of findings of fact and conclusions in the case of E. B. McHenry, receiver of the Bank of West Tennessee (H. Doc. No. 1504); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STOUT, from the Committee on the Public Lands, to which was referred the bill (S. 3897) to authorize the Great Northern Railway Co. to revise the location of its right of way, and for other purposes, reported the same with amendment, accompanied by a report (No. 1292), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (S. 5525) to authorize the President to appoint Maj. William O. Owen, United States Army, retired, a colonel on the active list of the Army, reported the same without amendment, accompanied by a report (No. 1291), which said bill and report were referred to the Private Calendar.

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. 12841) granting a pension to Blanche Wood; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 20410) granting a pension to Jennie S. Bunch; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FERRIS: A bill (H. R. 21007) giving contestants preference right to purchase abandoned entries pursuant to successful contest proceedings, and for other purposes; to the Committee on the Public Lands.

By Mr. BURNETT (by request): A bill (H. R. 21008) to further regulate the entrance of Chinese aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. GUERNSEY: A bill (H. R. 21009) to make Van Buren, Me., a port through which merchandise may be imported for transportation without appraisement; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 21010) granting an increase of pension to George Gardiner; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 21011) granting an increase of pension to James P. Strickler; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 21012) granting an increase of pension to Harriet Vosburg; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 21013) granting an increase of pension to Frances M. Hammond; to the Committee on Invalid Pensions.

By Mr. DONOHOE: A bill (H. R. 21014) granting an increase of pension to Mary E. Macdonald; to the Committee on Pensions.

By Mr. DONOVAN: A bill (H. R. 21015) granting a pension to Edward Rowe; to the Committee on Pensions.

By Mr. DOUGHTON: A bill (H. R. 21016) granting a pension to Mary A. Coffey; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 21017) granting an increase of pension to Schuyler C. Cline; to the Committee on Pensions.

By Mr. KEATING: A bill (H. R. 21018) granting an increase of pension to Charles W. Bushnell; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 21019) granting an increase of pension to Major S. Bowman; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 21020) granting an increase of pension to Mary Lenz; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 21021) granting a pension to Mary Wallace; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 21022) granting a pension to Francis M. Stoddard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21023) granting a pension to Sarah J. Effelberg; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 21024) granting a pension to Maggie Barron; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 21025) granting a pension to Sarah E. Sargent; to the Committee on Invalid Pensions.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 21026) granting an increase of pension to Justin B. Lynch; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 21027) granting an increase of pension to Joseph P. Campbell; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 21028) granting an increase of pension to Marcella Matlock; to the Committee on Pensions.

By Mr. TUTTLE: A bill (H. R. 21029) granting an increase of pension to William Husk; to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 21030) for the relief of the Hilton Building & Loan Association; to the Committee on Claims.

Also, a bill (H. R. 21031) for the relief of the Commonwealth Building & Loan Association; to the Committee on Claims.

By Mr. VOLLMER: A bill (H. R. 21032) granting a pension to Mary Burke; 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 citizens of St. Charles and Catholic Union State League of Missouri, protesting against sale of munitions of war by the United States; to the Committee on Foreign Affairs.

Also (by request), memorial of Pueblo German and Austrian Widows and Orphans' War Sufferers' Society, protesting against shipment of munitions of war; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petition of Eichelberger Co., J. E. Dilling, R. S. Isenberg & Sons, C. N. Johnson, and J. P. Rearick, all of Martinsburg, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BARNHART: Petitions of citizens of Elkhart, Silver Lake, Warsaw, Etna Green, Pierceton, Argos, Inwood, Tippecanoe, Atwood, Bourbon, Claypool, Mentone, and Plymouth, all in the State of Indiana, in favor of bill to compel mail-order merchants to pay taxes in communities where they sell merchandise; to the Committee on Ways and Means.

By Mr. BURKE of Wisconsin: Petitions of August Ruedebusch and 366 other citizens of the city of Mayville, Wis., and Andrew Schmidbauer and 34 other citizens of the town of Leroy, Dodge County, Wis., asking for the passage at this session of House joint resolution 377, to levy an embargo upon and prohibit the exportation of arms, ammunition, etc., from this country to any of the European countries now at war; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury, Conn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of the Hartford (Conn.) Business Men's Association, against House joint resolution 372, to establish a national security commission; to the Committee on Rules.

Also, petition of citizens of Danbury, Conn., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. DOUGHTON: Papers to accompany bill granting pension to Mary Coffey; to the Committee on Invalid Pensions.

By Mr. DRUKKER: Petition of citizens of New Jersey, favoring observance of strict neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of Wilmington Friends' meeting, of 1,000 or more members, favoring passage of House bill 16098, protecting the Quaker name against advertising; to the Committee on the Judiciary.

By Mr. GORDON: Petition of the Winton Gas Engine & Manufacturing Co., of Cleveland, Ohio, protesting against passage of House bill 18666, relative to Government ownership of merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. GRAHAM of Pennsylvania: Memorial of Philadelphia Branch, National Association of Civil Service Employees, favoring the passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

Also, memorial of Good of the Order Association, Fraternal Patriotic Americans, favoring the passage of the immigration bill, H. R. 6060; to the Committee on Immigration and Naturalization.

By Mr. GRIFFIN: Petition of citizens of Brooklyn, N. Y., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. IGOE: Petition of North St. Louis (Mo.) Business Men's Association, favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

By Mr. JACOWAY: Petition protesting against Smith-Burnett immigration bill by Polish National Alliance, Pulaski Branch, No. 178, Little Rock, Ark.; to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Iowa: Petition of William F. Schmidt, of Farmington; citizens of West Point; and J. A. Reid and others, of Morning Sun, Iowa, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Protest of Klemens Markowski, Southington, Conn., in re Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, letter of President C. L. Beach, the Connecticut Agricultural College, Storrs, Conn., in re agricultural appropriation bill; to the Committee on Agriculture.

Also, letters of J. F. Callbreath, secretary the American Mining Congress, Washington, D. C., and William North Rice, superintendent of Geological and Natural History Survey of Connecticut, Middletown, Conn., in re House bill 15869, to establish mining experiment stations; to the Committee on Mines and Mining.

Also, letter of William I. Barber, secretary of Hartford Business Men's Association, Hartford, Conn., in re House joint resolution No. 372, to establish a national safety commission; to the Committee on Rules.

By Mr. McANDREWS: Memorial of Catholic Union of Illinois, First German Baptist Church of Oak Park, German-Irish Central Legislative Committee, and German-Irish Demonstration, all of Illinois, favoring American neutrality; to the Committee on Foreign Affairs.

By Mr. MADDEN: Petition of Illinois Manufacturers' Association, favoring passage of the Root bill (S. 3672) relative to improvement of the Harlem River; to the Committee on Rivers and Harbors.

By Mr. MAHAN: Petition of sundry citizens of Norwich, Conn., and vicinity, favoring the passage of House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

Also, petition of Hartford (Conn.) Business Men's Association, protesting against the passage of House joint resolution 372, relative to appointment of national security commission; to the Committee on Rules.

By Mr. MAPES: Petition of Germania Aid Society, of Grand Rapids, Mich., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. MOORE: Memorial of Good of the Order Association, Fraternal Patriotic Americans, of Philadelphia, Pa., favoring the passage of the Dillingham-Burnett immigration bill (H. R. 6060); to the Committee on Immigration and Naturalization.

Also, memorial of Pennsylvania Arbitration and Peace Society, urging strict maintenance of neutrality law by the United States; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Petitions of Kullman, Salz & Co., Benicia, Cal., protesting against the Underwood Tariff Act; to the Committee on Ways and Means.

Also, memorial of Chicago Substitute Letter Carriers' Association, favoring the passage of H. R. 11522, providing a minimum wage for Federal civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. PHELAN: Memorial of Polish National Alliance, Group 1114, of Lawrence, and St. Michael's Polish Benefit Society, Branch 630, of West Lynn, Mass., protesting against the literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. RAINEY: Petition of Hardin, Ill., citizens, protesting against certain publications through the mails; to the Committee on the Post Office and Post Roads.

Also, memorial of Boardstown, Ill., Knights of Columbus, favoring restoration of order in Mexico; to the Committee on Foreign Affairs.

Also, petition of 300 citizens of Boardstown, Ill., favoring embargo on war materials; to the Committee on Foreign Affairs.

By Mr. REILLY of Connecticut: Petition of Polish Knights of Holy Virgin, of Meriden, and St. Stanislaw, B. Z. N. P., of Meriden, Conn., against Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. REILLY of Wisconsin: Petitions from residents of the sixth congressional district of Wisconsin, protesting against the exportation of arms and ammunition from this country to any of the warring European nations and asking the passage of legislation preventing such exportation; to the Committee on Foreign Affairs.

Also, letters of sundry citizens of the sixth congressional district of Wisconsin, asking support of House joint resolution 377, or legislation that will prevent the exportation of arms and ammunition from this country to any of the warring European nations; to the Committee on Foreign Affairs.

By Mr. RUBEY: Petition of citizens of Crawford County, Mo., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. SHREVE: Petition of Board of Commerce of Erie, Pa., favoring Senate bill 3672, to make certain improvements in Harlem River; to the Committee on Rivers and Harbors.

By Mr. STEENERSON: Petition of John Stege and others, of Perham; Peter Frendenberg and others, of Parkers Prairie; J. A. Fridgen and others, of Vining; and citizens of Rothsay, all in the State of Minnesota, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of Rev. Joseph Eitel and others, of Perham, Minn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. THOMAS: Papers to accompany bill granting pension to Jennie S. Bunch; to the Committee on Invalid Pensions.

By Mr. VOLLMER: Petition of Pueblo German and Austrian widows and orphans, war sufferers, Pueblo, Colo., favoring bill to prohibit the export of war materials; to the Committee on Foreign Affairs.

Also, petitions of 776 American citizens, favoring passage of House joint resolution 377, prohibiting export of war materials; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petition of Polish Society of Schenectady, N. Y., protesting against the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, *January 19, 1915.*

(Legislative day of Friday, January 15, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. JONES. Mr. President, there are only about half a dozen Senators present. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Brady	Gallinger	Overman	Swanson
Brandegee	Gronna	Page	Thomas
Bristow	Hitchcock	Perkins	Thornton
Bryan	Jones	Ransdell	Tillman
Burleigh	Kenyon	Robinson	Townsend
Burton	Kern	Shafroth	Vardaman
Chamberlain	La Follette	Sheppard	Walsh
Clapp	Lane	Simmons	White
Crawford	Lippitt	Smith, Ariz.	Works
Culberson	Martin, Va.	Smith, Mich.	
Cummins	Martine, N. J.	Smoot	
Fletcher	Myers	Stone	

Mr. GRONNA. My colleague [Mr. McCUMBER] is unavoidably absent from the city.

Mr. THORNTON. I was requested to announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN] on account of illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. 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. CAMDEN, Mr. CLARK of Wyoming, Mr. NORRIS, Mr. ROOT,