he seemed never to think of himself, as he certainly never spoke of himself, and he was throughout as keenly interested in the diligent performance of his public duties and in kindly offices to others as if he had been free from pain. I feel that a beautiful spirit has gone out of the world.

Mr. DRUKKER. Mr. Speaker, ROBERT GUNN BREMNER was born in Keiss, Scotland, December 17, 1873, and it was from his Scotch ancestry that he inherited much of the indomitable will and courage which marked his career. At an early age he went to Toronto and ultimately settled on a farm in the neighboring village of Camella. He studied diligently, taught school, and subsequently came to Paterson, N. J., where he engaged in newspaper work. At the outbreak of the Spanish-American War he enlisted in Company C, Second New Jersey Volunteer Infantry. In 1902 he became editor and publisher of the Passaic Herald and served in that capacity up to the time of his death.

BOB BREMNER, as he was familiarly called, had the faculty of making and retaining friends. His mind was a storehouse of knowledge; his disposition sunny and cheerful. He was eminently fitted for the career he had mapped out and for the duties which were imposed upon him during the last year of his life.

His marked ability and leadership early attracted attention; and though suffering from an incurable illness he was nominated by his party without opposition to represent the seventh congressional district of New Jersey in the Sixty-third Congress. Only those who were favored with intimate acquaintance know how with pain-racked body he sought faithfully to carry out the wishes of his constituents. Those who were most closely associated with him during his protracted illness recall that even the greatest suffering could not break this masterly spirit of cheerfulness. No matter how severe his agony, this man, whose body was so cruelly spent by disease, had always the same tender smile and cheery welcome for his visiting townspeople.

History has made heroes of men whose deeds required no such fortitude as was displayed by this young Passaic editor, in whom bodily affliction could not put a check upon ambition, and who was able to look at life hopefully and philosophically even though, in his own heart, he knew that nothing could save him.

We can well believe the story which reached us from his bedside during his last hours. When asked why he submitted to further treatment after the attending physicians were forced to admit that it was impossible to extend further relief, he replied:

They may not be able to help me, but they can learn something from their experience which may be of help to others.

As an editor he did much for his city, where his pen was always ready to advocate reform. His life will be measured not by his achievements in this Chamber, where his illness prevented him from regular attendance, but in Passaic, N. J., where he labored long and was untiring in his efforts to advance the public good.

Mr. MONTAGUE. Mr. Speaker, the late Member of this House in whose memory we are now gathered has living within my district two brothers, one a very earnest and devout minister of the Gospel, and the other a lawyer of capability and success, of energy and good example. Knowing well these gentlemen, for I count them my friends, I was naturally much interested in meeting their brother when I became a Member of this House.

I had learned somewhat of his illness, but I was hardly prepared to see the inroad of this fatal malady so marked and so advanced. I first saw him sitting on the front row beyond the last aisle to the right of the Speaker with his arm apparently beneath the sleeve of his coat and supported by a dark bandage of cloth. It was apparent that the winding sheet of death was more than half about him, but despite this gloomy picture I found the greeting cordial and cheerful, a face of smiles, almost effeminate in tenderness, and here and there a seam or line that indicated intensity of suffering, but a fortitude to combat it. Such a personality attracted me as I am sure it attracted every Member who met him.

It is a fine thing to see a man battling against tremendous adversities of life. It is an inspiration to see a great soul endeavoring to overcome the moral and physical difficulties of the world. But to observe at close hand a man fighting for his life against such transcendent obstacles, with supreme cheerfulness and rare courage, will perhaps leave to you and to me a stimulus for the public good, a contribution to our official standards, greater than any forensic triumphs that may resound through this Hall.

Eloquence may be sometimes preserved by the records of this House; wit may here and there leave a shaft to be seen in after years; reason and exposition may cleave the clouds of our doubts; but I suspect I voice the inner conscience of the membership of the House should I observe that you and I are most helped in the discharge of our public duties by contact with a clean, lofty soul standing firm amidst racking pain and lowering clouds that gather about the end of the journey, and knowing no hypocrisy and no cant.

In the short period of life, which is but a watch in the night, it is more helpful to strike hands with some sincere man, burdened with the same responsibilities, than to be moved by those forces that sometimes lend majesty to this forum. We have in our natures those subtle, finer, and more enduring qualities that find their sources in the spirit, and to the spirit the still small voice is deep if not loud. Contact with such a character lends luster and exaltation to life.

Mr. Speaker, it is a mournful pleasure to associate myself with the membership of this House in giving some expression to my appreciation of ROBERT G. BREMNER and to pay my feeble tribute to this patient, hopeful man, with a serene but intrepid spirit, laboring for good amidst pain and agony and walking the last path of earth with a faith and a hope we may well envy.

ADJOURNMENT.

The SPEAKER pro tempore. The exercises having been concluded, in accordance with the resolution already adopted, the House will stand adjourned until to-morrow at 11 o'clock a. m.

Accordingly (at 12 o'clock and 55 minutes p. m.), under the order previously agreed to, the House adjourned until to-morrow, Monday, January 25, 1915, at 11 o'clock a. m.

SENATE.

MONDAY, *January 25, 1915.*

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

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

CORRESPONDENCE RELATIVE TO CONTRABAND (S. DOC. NO. 716).

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

Mr. STONE. Before the Senator does that, will he yield for just a moment?

Mr. SMOOT. I withhold the demand.

Mr. STONE. I have here a document that I have made two or three efforts to have printed as a document. It is correspondence mentioned in the papers this morning in reference to contraband. Several Senators have told me that they want to have it printed as a document. I should like to have consent to have it printed in the RECORD and also made a public document.

Mr. SMOOT. One or the other.

Mr. STONE. I will ask that it be printed as a Senate document.

The VICE PRESIDENT. Will the Senator from Utah withhold his suggestion of the absence of a quorum?

Mr. SMOOT. I will.

The VICE PRESIDENT. Is there objection to printing the correspondence as a Senate document?

Mr. STONE. I should like to have 5,000 additional copies printed for the use of the Senate document room.

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

CALLING OF THE ROLL.

The VICE PRESIDENT. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

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

Borah	Gallinger	Overman	Sterling
Brady	Hardwick	Page	Stone
Brandegee	Hollis	Perkins	Sutherland
Bristow	Johnson	Pittman	Thomas
Bryan	Jones	Pomerene	Thompson
Burton	Kern	Robinson	Thornton
Camden	La Follette	Root	Tillman
Catron	Lippitt	Saulsbury	Townsend
Chamberlain	McCumber	Sheppard	Vardaman
Chilton	McLean	Sherman	Warren
Clapp	Martin, Va.	Shively	White
Clark, Wyo.	Martine, N. J.	Simmons	Williams
Cummins	Nelson	Smith, Ariz.	Works
Dillingham	Norris	Smith, Ga.	
Fletcher	Oliver	Smoot	

Mr. PITTMAN. The Senator from Oregon [Mr. LANE] requested me to announce that he is busy on committee work.

Mr. LA FOLLETTE. I was requested to announce that the Senator from Montana [Mr. WALSH] is engaged in presenting a matter to the Committee on Indian Affairs and is unable to attend the session of the Senate this morning.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. OLIVER. My colleague [Mr. PENROSE] is unable to attend the session of the Senate on account of serious illness. I make this announcement for the day.

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

CREDENTIALS.

Mr. SUTHERLAND presented the credentials of REED SMOOT, chosen by the electors of the State of Utah a Senator from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

THE MERCHANT MARINE.

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. ROOT. Mr. President, I wish to address myself this morning to the amendment to the pending ship-purchase bill offered by the Senator from Massachusetts [Mr. LODGE]. I may find it necessary hereafter to speak upon another important phase of the proposed legislation, but at present I speak upon that alone.

I wish at the outset to say a few words regarding the discussion of the measure. I hope I am not warped or carried away by feeling or by any partisan considerations, but it does not seem to me that this bill to put the Government of the United States into the business of foreign shipping is receiving the kind of discussion which a measure of great importance and novelty ought to have. It is a very important measure. It is important not merely because it involves the expenditure of a vast sum of money at a time when we have been forced to make up a deficit in our revenues by imposing an extraordinary tax which we call the war-revenue tax, but it is important because it embarks the Government of the United States upon a new departure, based upon a reversal of the principles of government which we have always followed up to this time. No such change of principle and policy was in the contemplation of the people of the United States when the present administration was put into power by their votes. No such reversal of principle and policy was ever discussed and passed upon by the people of the United States in any election.

Plainly the judgment of the people should be taken so far as it is possible by the ordinary methods in which a free, self-governing people proceed with the conduct of their Government. Plainly if there be any strength or virtue in our representative government such a new departure and reversal of principle and policy should have the fullest possible discussion in the great public forum of the Congress of the United States. Is this measure receiving that? It seems to me, sir, that it is not.

The bill in its present form was reported on the 6th of January. During the month before in December it had been introduced by the Senator from Missouri [Mr. STONE] and referred to the Committee on Commerce. It was reported by that committee without hearing and without any extended consideration or discussion in the committee.

The bill was brought before the Senate for consideration, if I am not mistaken in my dates, on the 4th day of the present month, and the Senator from Florida presented in a brief and not exhaustive or extensive manner the report in favor of the bill. Upon that day notice was given that discussion of the bill by the minority in the Senate would be regarded as improper and obstructive. Those are substantially the words that were used by the senior Senator from Missouri [Mr. STONE]. Notice was given which stigmatized all discussion of the bill by the minority as obstructive and improper.

Mr. FLETCHER. May I interrupt the Senator?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Florida?

Mr. ROOT. Certainly.

Mr. FLETCHER. May I inquire who gave that notice?

Mr. ROOT. The Senator from Missouri [Mr. STONE] gave that notice.

Mr. STONE. Mr. President——

Mr. FLETCHER. I certainly did not myself, because I stated positively that we would afford ample opportunity for full discussion.

Mr. ROOT. The Senator from Missouri, who introduced the bill, gave the notice, and he accompanied it by the statement that they had the votes to pass the bill.

Mr. STONE. Mr. President——

Mr. ROOT. In advance of any discussion, in advance of any consideration, the notice was given that the majority in the Senate had the votes to pass the bill.

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

Mr. STONE. Mr. President, I was looking for the record of exactly what occurred. I did look that up when the Senator from New York made a statement somewhat similar to the one which he repeats this morning, and I thought later to have the exact facts shown from the record of what was said repeated here. I am not able at this moment to turn to that record, not recalling the exact time when the colloquies occurred; but if the Senator will permit me a few moments, as soon as I can look it up I will be very glad to have the exact facts and everything that was said in consecutive order stated.

Now, Mr. President——

Mr. ROOT. Mr. President, it is not my purpose to yield the floor.

Mr. STONE. I am not asking the Senator to yield the floor.

The VICE PRESIDENT. The Chair would not rule that the Senator from New York had yielded the floor.

Mr. ROOT. I say that because it is commonly reported——

Mr. STONE. But the statement——

Mr. ROOT. That it will be regarded during the progress of this debate as a yielding of the floor by the Senator holding it if he permits any interruption for the purpose of any speech or business whatever—that is the understanding—except the asking of a question.

Mr. STONE. Very well; I will wait until the Senator from New York concludes his address, Mr. President, and then I will produce the RECORD, for I am sure the Senator from New York does not wish to make a misleading statement, although a mistaken one.

Mr. ROOT. Mr. President, I do not wish to do the Senator from Missouri any injustice. Like him, I have not examined to get the precise words which were used. I am stating the effect of what he said upon my mind, the effect upon the mind of all the Senators about me, and upon the minds of all the Senators with whom I have since conversed. The effect was that the Senator from Missouri intended on the 4th of January to give notice that discussion of this ship-purchase bill on this side of the aisle would be regarded as improper and obstructive. He accompanied that by the statement: "We have the votes to put the bill through, unless it is prevented from coming to a vote by improper or obstructive tactics." That was but the beginning.

Two days after this notice was given a substitute bill was introduced striking out everything that had been in the measure on the 4th of January and substituting an entirely new measure, with much that was in the old, but a new measure from beginning to end. Since that time we have not been discussing this bill; there has been no discussion of this bill in this representative body. Some of us who have been opposed to the bill have been making speeches about it, but the bill has not been discussed.

I have sat here and counted with wonder from time to time the numbers of the majority who have been present while men eminent for learning and experience and ability and patriotism have been attempting to discuss the bill. I have seen here four Democratic Senators present, three present, one present. I marked the presence of but one Democratic Senator in this Chamber by saying to the Senator from New Hampshire [Mr. GALLINGER]: "If some one would call Mr. FLETCHER out of the Chamber, we might move to adjourn." I say that has been the rule—one, three, four, five, half a dozen Senators present while the Senator from Ohio [Mr. BURTON], the senior Senator from Iowa [Mr. CUMMINS], the junior Senator from Massachusetts [Mr. WEEKS], and the senior Senator from Massachusetts [Mr. LODGE] have been trying to perform their duty of discussing this great and novel measure in the Senate of the United States. The men who announced at the beginning that they had the votes to carry the bill have been absent.

The Senator from Mississippi [Mr. WILLIAMS], with that genial humor which so often brightens the closing hours of our legislative days, had—I will not say the effrontery, but I will say—the disrespect to tell the Senate that the speeches made by these gentlemen were not worth listening to. He said what was true, that he was not obliged to listen to the Senator from Ohio or to the Senator from Massachusetts or to the Senator from Iowa—that is true—but when having been absent, not having heard one word, he comes into the Senate and says they were not worth listening to, that they were long speeches with nothing in them, he denies the efficacy of the American system of representative government; he discredits the Senate of the United States; for, sirs, there is not now and never has been

in our history a group of men whose study and thought and expression upon great public questions have been of greater value to the people of the United States than the Senators whom I have pointed out and who, the Senator from Mississippi says, are not worth listening to.

Why is it, Mr. President, that this course has been followed? Not because the Senators upon the other side really believe that the contributions these Senators have made to the discussion of this bill are not worth listening to, but for a very different reason. It has not been the ordinary fatigue or desire to attend to other business; it has been for a specific purpose. Before I state that purpose, let me add that not only had there been an announcement at the beginning that you had the votes to pass the bill, and, subsequent to that, abstention from the meetings of the Senate during our attempts at discussion; not only has there been the open and public declaration that what the ablest men in the minority had to say on this new subject is not worth listening to, but the rules of the Senate have been so used, have been used in such an unusual and extraordinary way as to make any attempt at discussion upon this side of the Chamber most burdensome and difficult.

I am now speaking on the 25th day of January, but we are proceeding according to the Calendar of Business, from which I read, and according to the order of the majority of the Senate, upon the legislative day of Friday, January 15, 1915. Why is that fiction employed?

Mr. HUGHES. Mr. President——

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

Mr. ROOT. I yield so far as I may without losing the floor.

Mr. HUGHES. I merely desire to ask the Senator if that situation does not exist by virtue of unanimous consent entered into in this body?

Mr. ROOT. Mr. President, it does not exist by unanimous consent.

Mr. HUGHES. Well, practically by unanimous consent.

Mr. ROOT. It does not exist practically by unanimous consent. It exists against my open and vigorous objection, and it exists because of the voting down of a motion to adjourn made by the junior Senator from Pennsylvania [Mr. OLIVER] and the carrying by the majority of a motion for a recess until 11 o'clock, instead of the ordinary adjournment.

Mr. President, why is it that for 10 days we have been conducting our business under a fiction, under a false pretense—the pretense that we are in the day of January 15? Why, sir, it is in order that we may have from 11 o'clock in the morning until 6 or 7 o'clock in the evening, during which no business can be transacted, except the making of speeches on this bill; that is, eight hours of continuous speaking on this bill with no other business. This fiction of a continuous legislative day cuts out the morning hour; it cuts out the order of business under which petitions and memorials may be presented, under which bills may be introduced, under which reports of committees may be submitted; all business of the Senate is pushed aside by this fiction in order that the opponents of this bill may be turned into the Chamber under the necessity of speaking continuously eight hours every day, and with the threat looming up before us of night sessions also, and speaking to empty benches on the other side.

Mr. SIMMONS. Mr. President——

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

Mr. ROOT. I yield for a question.

Mr. SIMMONS. I do not rise especially to ask a question, but I rise——

Mr. ROOT. Then, Mr. President, I feel that I can not yield.

Mr. SIMMONS. I rise for the purpose of correcting an error in the statement of the Senator from New York, and I hope he will permit me to do that.

Mr. ROOT. If I do not lose the floor I will gladly yield.

Mr. SIMMONS. I do not ask the Senator to yield the floor.

The VICE PRESIDENT. The Senator from New York will not lose the floor.

Mr. SIMMONS. I appeal to the Senator if he will not permit me to correct what I think is a misleading, an unintentionally misleading, statement of the Senator from New York.

Mr. ROOT. I should be glad to be corrected.

Mr. SIMMONS. Mr. President, I have been in the Chamber not all the time since this debate began, but I have been in the Chamber as much during the speech of the Senator from Ohio and the speech of the Senator from Massachusetts as has any other Senator in this body.

Mr. GALLINGER, Mr. SMOOT, and others. Oh!

Mr. SIMMONS. But I want to say, as a result of my observations, believing that I was present as much as any other Senator in this body while those two speeches were being delivered, that, as a rule, there were as many Senators on this side of the Chamber while those speeches were being delivered as there were on the other side.

Sometimes there were more on the other side than on this side, and sometimes there were more on this side than on the other side; the attendance on both sides has been exceedingly meager. The great Senator from New York was in his seat very little of the time during the deliverance of those two speeches. It has been the case since I have been here that when a filibuster was going on and a Senator was speaking largely for the purpose of consumption of time both sides of the Chamber have been a little indifferent with reference to attending the discussions. I do not believe the Senator's criticism of the absence of Senators on this side is any more just than a like criticism of the absence of Senators on the other side during the delivery of the two speeches referred to. I may be wrong about it, but my recollection is that the Senator from New York was present but a very short time, a very small portion of the time while the two Senators to whom I have referred occupied the floor.

Mr. ROOT. Mr. President, the Senator from North Carolina is wise in saying that he may be mistaken about it, for he was not here to see whether the Senator from New York was present or not. He may have an invisible cap or coat, and if he has been present he has worn it, for I hoped very much from the fairness and intellectual integrity of the Senator from North Carolina that the arguments that were being made would produce an effect upon his mind, notwithstanding the arrogant assertion that his party had the votes to pass this bill and would pass it. The Senator from Massachusetts [Mr. LODGE] spoke not more than an hour and a half, and I sat and wished Senators upon the other side might be here to hear him. The fact remains, conceded by the Senator from North Carolina, that the benches were empty except now and then two or three or four. The fact remains that there has been no discussion of this bill, but there has been a conspiracy of silence on the part of the Democratic Party, which "has the votes" to pass the bill; and by a fiction which continues for 10 days the legislative day of January 15 it has been made as hard as possible for the opponents of the bill to discuss it.

Mr. President, this bill is being put through by the pressure of physical weakness. It is being put through by means of making it as exhausting as possible for the opponents of the bill to discuss it.

Mr. REED. Mr. President——

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

Mr. ROOT. I will ask the Senator not to interrupt me again. I have been diverted from the line of my remarks and have spent more time upon this phase of the matter than I had intended to.

Sir, there are two objects of discussion in a representative body. One is to convince one's colleagues, to produce an effect upon the minds of one's colleagues. That is the deliberation, the consideration of the representative body. That, sir, does not exist in regard to this bill. No one can deny it. There have been discussions behind closed doors, we are told by the newspapers. There have been discussions in the Democratic caucus, amendments offered and adopted, amendments offered and rejected behind closed doors, but no discussion of this great measure in this representative body.

I am not one, sir, who flouts at caucuses. I think there may well come a time in the course of the progress of legislation when a party shall undertake to act as a unit; but, sir, it ought to be after discussion, and not before discussion or as a substitute for discussion. You are substituting secret discussion in your caucus to the exclusion of that discussion and consideration of this great measure which the Constitution, the spirit of our free American Government, demands.

There is another object of discussion, sir, and that is an object which reminds me of the old phrase, so familiar to some of us, "leading in prayer." When we properly discuss a measure of public importance we not only address ourselves to each other, but we are leading, stimulating, inciting the thought and discussion of the people of the whole country; and that, sir, is after all the great, the all-important, the indispensable function of a public legislative body. Once we begin in the Senate to discuss a new measure, as little attention as may seem to be paid to specific utterances, some get into the press; in all the great newspaper offices there are men whose business it is to read the RECORD; public discussion begins; pertinent conversation among citizens begins; in all the places where American voters meet they begin to discuss, and gradually,

through the press and through letters, telegrams, and conversations comes back to the body a sense of public judgment.

Mr. President, when has there been proposed to the American Congress a measure which required that kind of discussion more plainly than this novel and important measure? Yet it is denied by the continued pressure of a fictitious legislative day, and long hours, and abstention from discussion upon the side of the majority, pressing on the progress of this measure for the purpose of putting it through by brute force and weight of votes before the people of the United States can think about it and discuss it and express their opinion upon it.

Mr. President, the fact that this measure can not have that kind of discussion and be passed at this short session consistently with doing the primary work of the session upon the appropriation bills shows that it ought not to pass at this short session. You can pass it, my friends upon the Democratic side of this Chamber. You can pass the bill. You have it in your power. The Senator from Missouri was right when he said: "We have the votes, and will pass it." You can do it because upon this side of the Chamber are men who have grown old in the public service, and whose physical strength makes it impossible for them to do what their sense of duty would dictate. You can pass it, but you do it at the fearful risk of denying to the people of the United States that consideration and discussion and formation and expression of judgment to which they are entitled.

Mr. President, important as this bill is, I am not sure that the subject I am now discussing is not still more important. The modification of constitutional government by practice is a gradual but resistless process. We are all familiar with the change in our constitutional system which practice has made in regard to the election of a President. The electoral college no longer is at liberty to speak its own mind or to act upon the dictates of its own judgment. Gradual progress has nullified the constitutional provision, and has created a new system. That process has taken place in many a land. When Louis XIV declared himself to be the State, it had become the sole function of the Parliament of Paris to register—not to discuss, but to register his decrees. I have seen national legislative bodies which have reached that point. I have seen them, have been present in them, when no voice was clear enough, no courage high enough, to break away from the custom which accepted and registered the directions of the chief executive. It was the result of a gradual process.

Let us not be too confident that we are proof against such a process. We abandon to-day the performance of our function of so discussing this measure among ourselves that there shall be real deliberation, real consideration, real forming of opinion here, of discussing it so that the people of the country shall follow us in discussing it in forming and expressing their opinion, and we have taken one step further than ever before in the process which will make us a registering body rather than a legislative body.

I do not mean that it will come to-morrow. I do not mean that other bills may not come on which there will be discussion; but I mean that we are taking a step in a process which is fraught with danger and with fatal results to representative government. We can justify our existence as a body only by the performance of our duty.

Oh, sir, the liberties of a free people depend upon the courage and persistency of a minority. They depend upon independence of thought and action on the part of all the members of a legislative body. If we are merely to register, if we are to refrain from discussion, if we are to smother our judgment, we are contributing our part toward a process more fatal to our country than any legislation we can devise, more injurious than any benefit we can render.

Now, Mr. President, let me turn my attention to the bill itself, and what it does.

It is an emergency measure. It puts in the hands of three members of the Cabinet practically $40,000,000, with power to increase the amount for the purpose of entering into the business of ocean transportation on the part of the Government of the United States.

I looked to see what may have prompted the sponsors of the bill, and I find that in the testimony of the protagonist in its behalf, the Secretary of the Treasury, Mr. McAdoo, the emergency character of the bill is clearly and forcibly stated. I read from his testimony taken on the 1st of September, 1914, before the House committee, the hearing of the Committee on Merchant Marine and Fisheries on House bill 18518. He says:

> A great deal of our commodities and our products are dependent and have been dependent for outlet upon some of the foreign bottoms which are now idle, and that, in turn, has, of course, had an injurious reflex action upon our commerce. The immediate problem confronting us is to provide additional facilities for carrying American products in the foreign trade; and in order to do that, we must depend upon either private capital to make these investments in ships to be sailed under our flag or else the Government will have, as an emergency measure, to come to the assistance of the country.

He says also:

> Of course this measure is designed to be an emergency measure. It never was contemplated that this should be a permanent operation on the part of the Government. Still I think the provision for the disposition of these ships is ample in case the necessity for them shall have disappeared. Therefore the bill was drawn with reference to the immediate emergency that is to be met.

He says also:

> You are facing a situation now where you can not measure economy against the interests of the American people, and you must assume also, in the discussion of subsidy, which I am opposed to on principle anyway, you must assume that companies are available to take advantage of any subsidy that would be granted. They are not available, and there is no telling how soon they could be organized. It is only by the Government dealing with this question in double-fisted fashion that relief can be given.

There was something said about South American trade, but manifestly that is not an emergency and not any part of the emergency, for everyone agrees that there is more shipping to transact the South American business than there is business to be transacted for the present, and there is no emergency there.

I said this puts a large amount of money in the hands of these gentlemen. They are at liberty to subscribe for $10,000,000 of stock. They are bound to subscribe for 51 per cent of that. They are to offer the remainder to public subscription; but it is agreed that the business is to be conducted at a certain loss. The Secretary of the Treasury states that with great frankness in the hearing; and therefore it is assumed by him and by other sponsors of the measure that there will be practically no private subscriptions for stock. It is quite evident that no one would from ordinary and proper commercial motives subscribe at par for the minority stock of a measure which is advertised beforehand as a losing measure.

Therefore the Government will subscribe for all the stock under the terms of the bill. They are authorized to sell $30,000,000 of Panama bonds, making $40,000,000. They are authorized to increase the stock indefinitely with the approval of the President.

The newspapers say that in the Democratic caucus an amendment has been adopted which will limit that increase to $10,000,000 more, and I will without dwelling further upon it assume that to be the limit, making $50,000,000. They are to put $50,000,000 into a losing business, the loss upon which will have to be made up from taxation.

Of course, this must be but an emergency measure. Of course, it is only as an emergency measure that anyone would propose to do such a thing at a time when we have had to impose an extraordinary war-revenue tax upon the people of the country because of a deficit in our revenue. Every man who pays his part of that war-revenue tax will be contributing to make up the loss upon the shipping business which is authorized by this bill, and of course it is an emergency measure.

Mr. SIMMONS. Mr. President——

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

Mr. ROOT. Yes, I yield.

Mr. SIMMONS. I assume that the Senator from New York does not desire to misrepresent the Secretary of the Treasury with reference to the testimony given by him about the first of September. I read that testimony very carefully last night. I think the Senator is in error when he states that the Secretary of the Treasury admitted that this whole business would be operated at a loss. At one stage of his testimony there was something said by the Secretary which might have had that construction, but later the Secretary made the positive statement that while he was satisfied a part of the ships would be operated at a loss, especially that part which were engaged on the new routes for the purpose of building up new trade, he was equally satisfied that other of these ships would be operated at a profit; and there is nowhere, I think, in his testimony anything that could be construed as a statement, taken in connection with the qualifications, that there would be a loss upon the entire operation.

Mr. ROOT. The Secretary of the Treasury says in his testimony:

> It is not only a question of establishing these routes, many of which will undoubtedly have to be operated at a loss for a time in order to establish the necessary trade relationships, but the Government will also have the power to establish rates that will be advantageous to American commerce.

He says:

> I think one of the essential requisites is that the Government shall have the power to establish these lines and see that they are operated in such a way, even at a loss, as to benefit the commerce of this country.

There are other expressions at various points in his testimony which leave no doubt whatever that that is his expectation.

We need not rely solely upon his expectations, but we know that as a matter of fact private enterprise operating American ships has been a losing enterprise. Upon good authority it is stated that there are, or there were a few weeks ago, 2,000,000 tons of shipping engaged in the commerce of the world under foreign flags and owned by American citizens. Why? Because the conditions of foreign commerce under the laws of the United States are such as to make profit practically impossible.

The Senator from Massachusetts [Mr. LODGE] has called my attention to a clause in the President's message where he says:

It—

That is, the Government—

It should take action to make it certain that transportation at reasonable rates will be promptly provided, even where the carriage is not at first profitable; and then, when the carriage has become sufficiently profitable to attract and engage private capital, and engage it in abundance, the Government ought to withdraw.

So the proposal is to go into a losing business, and to go into a losing business at a time when we are making up a deficit by an extraordinary war-revenue tax; and, of course, I say it can be regarded only as an emergency measure.

Now, this bill authorizes the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce to buy or build ships. How can the emergency be met? Manifestly, not by building ships. The small fleet of ships which could be procured by the use of this $50,000,000 would require from a year to 18 months, as I am advised, to build. So that will not meet the emergency. The emergency is the prevalence of high rates for the carriage of American produce to Europe. There is no emergency anywhere else.

It is true all the steamers in the world that are free are coming in to get the benefit of those high rates, and the ordinary working of economic laws is sure to bring the rates down. But for the moment there is the emergency, and but one emergency, and that is high rates of carriage for American produce to Europe.

It is true our farmers are getting $1.40 for their wheat, so that those high rates are paid not by us but by the purchasers abroad. It is true the export of foodstuffs has been greater within the last few months than ever before in our history. Still, there is an emergency. It is true cotton is bringing 8 cents, and the interposition of Government which was so strenuously demanded here a few months ago in order to save the cotton producers proved to be unnecessary. Still the rates of transportation of cotton are high and there is an emergency. But the emergency can not be met by building ships. We have got to buy them. Now, why?

Mr. SIMMONS. Will the Senator from New York allow me to ask him one more question and then I will not interrupt him again?

Mr. ROOT. Certainly.

Mr. SIMMONS. I have trenched probably rather much upon his patience already.

Mr. ROOT. I yield, Mr. President.

Mr. SIMMONS. The Senator says it is proposed that the Government shall go into a losing business. Does the Senator see any particular difference between the Government going into a losing business and the Government inviting private citizens of this country to go into what is admitted to be a losing business with a guarantee that by subsidies that loss will be made up out of the Treasury of the United States?

Mr. ROOT. Oh, Mr. President, I see many differences, but I am not going to discuss them here to-day. I am speaking upon an entirely different subject. I wish that I could detach the mind of the Senator from North Carolina from certain preconceived ideas which evidently possess it and get him to attend to the subject that I am talking about.

Mr. SIMMONS. The Senator was just talking upon the subject about which I asked the question.

Mr. ROOT. I have been pressing upon the Senate the emergency nature of this bill, and I had passed on to the question as to how the emergency can be met. I was saying you can not meet it by building ships because you can not get them in time to meet the emergency. You have got to buy them. Where are you going to buy them? You meet no emergency by buying ships that are already engaged in transporting our products. You meet no emergency by buying free ships.

A report of a committee of the Chamber of Commerce of New York presented to that body on the 4th of the present month makes an observation on that subject which is very pertinent and it is very good authority. This was a special committee on the American merchant marine in foreign trade appointed by the chamber of commerce of the greatest commercial city of the country. In their report, which I shall hereafter have occasion to bring to the attention of the Senate at large, they say:

Government ownership of ocean lines can not bring to our aid a single vessel except by building. Every steamship in the world is working to-day except those interned in neutral ports. If these can be transferred to our flag without international complications, there will be no difficulty in financing the transfer of those suitable for freight carrying, for their earnings will justify the purchase.

Now, that is high authority of men who know far more than you and I know about the great complicated world-wide business of ocean freight carriage.

There is left, then, to meet the emergency nothing but the purchase of vessels which are prevented by the conditions of war from engaging in the business of transportation now. I therefore was not surprised in reading the testimony of the Secretary of the Treasury to find that he plainly contemplated meeting this emergency by the purchase of vessels which are, to use the common although not very correct expression, interned because of war risks; that is to say, the vessels which are remaining in the ports where they were found at the outbreak of the war, unable or unwilling to put to sea for fear of capture; vessels belonging to one or another of the belligerent powers.

The Senator from Massachusetts [Mr. LODGE] has called attention to the testimony of the Secretary of the Treasury upon this subject; there are but a few words of it, and I wish to call your attention to it again as a part of what I have to say. In this same hearing from which I have quoted this occurred:

Mr. EDMONDS. Will they not be able to get plenty of bottoms when they can make financial arrangements for payment for the cargo?

Secretary MCADOO. I do not think so. An immense number of bottoms have been withdrawn from service.

Mr. EDMONDS. There are still quite a number of idle bottoms in New York Harbor to-day.

Secretary MCADOO. The number of bottoms that are idle in New York Harbor are largely bottoms that can not be put into service now.

Mr. SAUNDERS. How would this bill add to the number of available bottoms when it proposes to make its purchases from existing bottoms? It will not add to the volume of bottoms.

Secretary MCADOO. There is a large number of idle bottoms. They may be purchased.

Mr. SAUNDERS. Chiefly, are not those all German bottoms?

Secretary MCADOO. More of those are idle at the moment than any other.

Mr. SAUNDERS. It has been suggested that there would be grave objection to our undertaking to purchase German bottoms.

Secretary MCADOO. Why?

Mr. SAUNDERS. The newspapers make the statement that objection has come from the nations concerned in this war.

Secretary MCADOO. Of course, I shall not attempt to talk of diplomatic matters.

Mr. SAUNDERS. They say that would be equal to furnishing immediate pecuniary aid—that is, to Germany?

Secretary MCADOO. That is a question altogether aside, I think, from the issue. I believe that it can not be successfully disputed by any individual or any nation that this Government or any Government has a right to buy merchant ships, provided it buys them in good faith and for a neutral purpose, and that is exactly what would be done in this case.

The CHAIRMAN. If we should buy some French ships, too, that would alter the situation. In other words, if they had some, as well as Germany, that objection would not be urged?

Mr. SAUNDERS. We would not buy any French ships, because they are not to be bought.

Secretary MCADOO. I infer from what you tell me, of from what you have read in the papers, that those ships, if purchased, would be purchased from the German Government. I understand that those ships are simply owned by German companies in which German citizens are stockholders. It does not follow that the proceeds of a purchase from a private corporation of that country would be turned over to the Government.

It is quite plain that Secretary McAdoo took the same view of the way in which it would be possible—the only way in which it would be possible—to utilize this legislation for the purpose of meeting this emergency that I take; that is, that the only way is to purchase these idle bottoms, to purchase these ships of belligerents which are unable to go to sea because, if they went to sea, they would be captured. It is perfectly evident that that purchase was in the contemplation of the officer who was to be the head of the shipping board, and who came before the committee of the House to explain the bill. He came, having in mind this bill as a bill which would enable him and his associates, when passed into a law, to buy those ships. In the report in the House which followed this testimony, Report No. 1149, Sixty-third Congress second session, by Mr. ALEXANDER, submitted September 8, 1914, the committee say:

Fears are expressed that we will involve ourselves in complications with Great Britain and France if we buy German ships. That may be. The bill does not direct the shipping board to buy ships of the subjects of any particular nation. They have the widest discretion in the purchase or construction of vessels. We have no reason to believe they will act otherwise than with the greatest care in whatever they may do.

It is perfectly plain that the committee of Congress which reported the bill did it with the understanding that the bill author-

izes the Secretary of the Treasury, the Secretary of Commerce, and the Postmaster General to buy these ships, and that they were contemplating the purchase of these ships in a situation that can not be met in any other way than by the purchase of these ships.

The Secretary of the Treasury made a speech on this subject in Chicago. It is a speech, the central thought of which is one of the most amazing ever proposed by a responsible officer of the Government of the United States. While it is apart from the line of my discussion, I can not refrain from quoting it. He said:

The objection that the shipping bill puts the Government in the shipping business is not tenable. Those who urge it seem to forget that it is the duty of the Government to engage in any activities, even of a business nature, which are demanded in the interest of all the people of the country, when it is impossible to engage private capital in such operations.

Do my friends think that that proposition does not need discussion by the Congress of the United States and by the people of the United States, before the man who holds that view has unlimited millions put into his hands with which to put the Government into business?

I will return to the precise line of discussion; and that is the contemplation and the purpose to meet this emergency by the purchase of the belligerent ships that, unless we buy them, can not go to sea without being captured. In this speech the Secretary further said:

Some timid people have argued that if the Government is interested as a stockholder in a shipping company, and a ship of such company should be seized by a belligerent and brought into a prize court, the sovereignty of the Government would be involved. There is no ground whatever for this view. If the Government operated ships outright, just as it operates the vessels of our Navy, an awkward situation of this character might arise; but where a nation is merely a stockholder, or the sole stockholder, in a private corporation, its sovereignty is not and can not be directly involved if the ships of such a corporation become the subjects of litigation in a prize court concerning any issue which does not involve the Government itself. The Government would stand in relation to such a corporation exactly as any individual stockholder does to a corporation in which he is interested. A suit against the corporation does not necessarily involve the shareholders.

You perceive, sir, whenever this subject is suggested and objection is made to the purchase of these ships, it is met by an argument in favor of the purchase of the ships. This is the last argument which has come to my notice from the Secretary of the Treasury, having been delivered on the 9th of this month, after the pending bill was laid before the Senate—an argument, a lawyer's argument, by the man who is to be the head of the shipping board in favor of the power to buy the ships.

The Secretary of Commerce has said in a speech which I have not before me, delivered last Friday, I believe, at St. Louis, that he contemplated the purchase of British ships. Mr. President, there is no difference in principle, and before I get through I think I will show that there is no difference in the obstacles in the way of purchasing ships of one belligerent as compared with the ships of another belligerent.

I am not talking about this because the ships are German; I am talking about it because they are belligenent ships, and they are liable to be captured on the high seas as belligerents; they are liable to be torpedoed by submarines as belligerents; they are liable to be seized in foreign ports as belligerents; and I am alarmed by the evidences here that the proposed shipping board means to put the Government of the United States in the position of giving the protection of its flag to such ships when they sail out. German, or British, or French, or Austrian, or Russian, or what not, the objection is to the purchase of belligerent ships, and, as I have said, that objection has been met by the argument to which I have referred whenever it has been proposed to the gentlemen whom we are about to endow with these vast powers.

But there is another circumstance more potent in its effect upon my mind than the manifest necessities of the emergency which would require the purchase of belligerent ships, more compelling in my mind than the expressions of the gentlemen who are going to transact the business in favor of the right to purchase belligerent ships, more compelling even than the practical admission that that is what they have in mind, and that is the filing of an opinion by the Solicitor for the State Department in the Senate on the 11th of August last. I do not remember the exact date, but the bill to create the shipping board and to endow it with the power to build or buy ships had just been introduced in the House when, on the 11th of August, a paper was presented by the Senator from New York [Mr. O'GORMAN) in the Senate to be printed, and it was printed as Document No. 563, Sixty-third Congress, second session. That paper contained an opinion by Mr. Cone Johnson, Solicitor for the State Department. In support of the right to buy these ships, he states these conclusions:

1. Merchant ships of a belligerent may be transferred to a neutral after the outbreak of hostilities.
2. If the sale of the ship is made in good faith, without defeasance or reservation of title or interest in the vendor, without any understanding, expressed or tacit, that the vessel is to be retransferred after hostilities and without the indicia or badges of a collusive or colorable transaction.
3. But transfer can not be made of such vessel in a blockaded port or while in transitu.
4. The transfer must be allowable under and in conformity to the municipal regulations of the country of the neutral purchaser.
5. The declaration of the London convention that transfers of an enemy vessel to a neutral during war will not be valid unless it be shown that the same was not made to evade the consequences to which an enemy vessel, as such, is exposed, if it were controlling of the question, relates only to the good faith of the transfer and not to the ulterior motive of the parties to reap the natural advantages to flow from the operation of the vessel under the flag of a country not at war, while it inverts the burden of proof of the good faith of the transaction.

That opinion was dated August 7, 1914. It was presented in the Senate August 11, four days after, almost coincidentally with the introduction of the bill, and it must stand before us as the opinion upon which this legislation finds its claim of right.

Mr. Johnson is a lawyer of character and position, a lawyer of ability, but he says in the conclusion at the close of the opinion:

This memorandum is hurriedly struck off, and I have not had time or opportunity to revise it; but it is believed that it correctly presents the status of the question involved.

Why "hurriedly struck off?" What exigency called for haste in the consideration of this vastly important subject? The answer may be found by sending our minds back to the fact that it was announced and publicly reported that it was intended to put this shipping bill through then, last summer, during the last session; and this hurried memorandum—a lawyer's opinion that it is all right to buy these belligerent ships—is the basis upon which the legislation proceeds.

Mr. SIMMONS. Mr. President, will not the Senator permit me to interrupt him once more?

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

Mr. ROOT. Certainly.

Mr. SIMMONS. I wish to ask the Senator if, at the time that opinion was presented to the Senate, the Senate was not engaged in the consideration of the ship-registry bill, and if it was not with reference to the ship-registry bill that that opinion was expressed?

Mr. ROOT. I do not know. I have not looked to see, and I have not cared to see, what particular thing the Senate was engaged in doing. What I do see is that in great haste, coincidently with the beginning of this movement for the purchase of ships, there is presented to us a lawyer's opinion that we have a right to buy these belligerent ships. Therefore, Mr. President, I have come to the conclusion that the international situation is important, that it is serious, that it is our duty to consider it, and that it is my duty to discuss it.

There are two reasons which press that duty upon me with great weight. One is that I find, according to my own opinion, which is fallible, upon which I do not place, I hope, any greater weight than long experience of many errors leaves in my mind, that in the haste which for some reason or other was imposed upon him the Solicitor for the State Department has failed to consider fully the state of the law regarding which he was writing, and has been led, through the inadvertence of haste, to give radically and seriously incorrect advice upon this important subject.

The other consideration which makes me feel bound to ask for the attention of the Senate to my own views of what is the true state of the law is the fact that it happened to be my duty to give the instructions for the Government of the United States to the delegates to the London conference, and to direct their action during all the earlier part of the existence of that conference by daily cable communication, and afterwards as a member of the Foreign Relations Committee of the Senate to discuss and vote favorably upon the report of the conclusions of that conference, and afterwards, as a member of the Senate, to vote to advise the President to ratify. So, sir, when I see that under the law which I am advised we are about to pass it is the intention of the agents whom we shall constitute to buy these ships; when I see that that purpose has been formed and is liable to be executed under what I believe to be an erroneous opinion as to the state of the law and the international situation which they will meet, I feel bound to give the best I can in the

way of expressing and explaining my views of the true condition of the law.

I am going now to say something which most of you know. Some of you may not have given attention to it, however, and therefore I will state the rudiments of the case.

The London conference was a sequel of the second Hague conference of 1907. At this second Hague conference the delegates of the United States, under the instructions of their Government, pressed strongly for the creation of two judicial tribunals which should pass upon international disputes. One was an international prize court, made up by the representatives of different nations, which should pass upon questions of prize—just such questions as are arising now—so that instead of going to the courts of the captor country, which apply the law of that country, with the disadvantages that a claimant naturally has in going into the country of the captor and arguing his case before a branch of the government that has captured his ship, he would go to an impartial tribunal, selected from the various countries of the world. That court was created by a treaty called "the prize-court treaty." The other court was a general judicial tribunal which should pass upon all justiciable questions arising between nations, to be composed of judges who should devote their entire time to it, and be paid adequate salaries, and be a really judicial tribunal. That court never has been constituted, although provision was made for it.

It was not constituted because there could not be an agreement upon the way of appointing the judges, but the prize-court treaty was signed, and that has been ratified by the United States. That is to say, the Senate has advised and consented to its ratification. But when it came to the ratification of that treaty by European powers, there arose a question as to what law the court would apply, and it seemed to many representatives of different European countries that there was a long list of disputed questions that a prize court would have to pass upon, and that in order to make the court effective there must be some agreement upon the law they were to apply—questions relating to blockade, relating to contraband, relating to continuous voyages, relating to the transformation of merchant ships to warships, relating to the transfer of ships from a belligerent to a neutral flag—and accordingly Great Britain called a meeting of the representatives of the chief commercial powers of the world, to be held in London in December, 1908.

That meeting was attended by the representatives of Great Britain, France, The Netherlands, Germany, Austria, Italy, Spain, Russia, Japan, and the United States. I think I have enumerated them all. There were 10 of them. They discussed these difficult questions. There was long discussion upon the question which is raised by the proposal to buy these belligerent ships—that is, the right of transfer of a vessel from a belligerent flag to a neutral flag. The conclusions to which the conference came upon that subject were stated in these words:

TRANSFER TO A NEUTRAL FLAG. ARTICLE 55.

The transfer of an enemy vessel to a neutral flag, effected before the outbreak of hostilities, is valid, unless it is proved that such transfer was made in order to evade the consequences to which an enemy vessel, as such, is exposed.

Then follows a clause which is not pertinent here, and the article proceeds:

Where the transfer was effected more than 30 days before the outbreak of hostilities, there is an absolute presumption that it is valid if it is unconditional, complete, and in conformity with the laws of the countries concerned, and if its effect is such that neither the control of, nor the profits arising from the employment of, the vessel remain in the same hands as before the transfer.

Then there is a clause not relevant here, and then follows: *

ART. 56. The transfer of an enemy vessel to a neutral flag effected after the outbreak of hostilities is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

Then follow some clauses not relevant here.

You have there, sir, three situations stated:

First. If the transfer is effected before the beginning of hostilities it is valid unless it is proved that the transfer was made in order to evade the consequences to which the enemy vessel, as such, is exposed.

Second. If the transfer was effected more than 30 days before the opening of hostilities, there is an absolute presumption that it is valid, even though it was made in order to evade the consequences to which an enemy vessel, as such, is exposed, provided it is unconditional, complete, and there is no interest reserved. Of course, the declaration that a transfer more than 30 days before the outbreak of hostilities is valid if it is unconditional, complete, and in conformity with the laws of the countries concerned, neither the control of nor the profits arising from the employment of the vessel remaining in the same hands as before the transfer, carries by necessary implication the declaration that a transfer made less than 30 days before the opening of hostilities is not valid, although all those conditions exist, provided it was made to evade the consequences to which an enemy vessel, as such, is exposed.

The third situation is a transfer after the outbreak of hostilities, where the transfer is void, unless it is proved that it was not to evade the consequences to which an enemy vessel, as such, is exposed.

It is the opinion of the Solicitor, who has given that opinion to the State Department, as it has been communicated to us, that these provisions of the declaration of London do not involve any question as to the motive with which the transfer is made; that when the declaration says the transfer shall be valid before hostilities unless it is proved that it was made in order to evade, and that it shall be invalid after hostilities unless it is proved that it was not made in order to evade, it involves no question of motive. Prima facie, one would say that that is all motive; that there is nothing but motive in that provision. A thing done in order to evade is done with the motive of evading. There would seem to be nothing but motive in this; but the Solicitor does not think so, and he has advised to the contrary.

Now, sir, the question may arise, and naturally would arise, Why should we discuss the declaration of London? Why should the Solicitor have given an opinion upon the declaration of London? It has not been ratified. The Senate has advised and consented to its ratification, but before the documents of ratification were ever deposited the war came, and it never has been ratified. The reason why the declaration of London is subject to consideration although we are not bound by it is that England and France and Russia have adopted it with some modifications not touching this subject as their law for the present conflict.

Let me repeat, for the purpose of making myself clear, we are not bound by the declaration of London because it has not been ratified; that is, we are not bound by it as a convention, as an agreement, whatever effect the steps which led to it may have upon the propriety or wisdom of our conduct. The convention which embodied that agreement has not become a binding convention among the nations of the earth. It receives its importance because England and France and Russia have, by express provision, made it the law of those respective countries, and Germany, in an order to which I shall call your attention later, has in substance done the same thing. Her law for this war in somewhat different phrase, but with the same effect, is made to conform to the terms of the declaration of London which I have read:

It may be fortunate for us, fortunate for all who wish to secure freedom of trade, that this is so, because when the Conference of London met in December, 1908, there was no rule of international law regarding the transfer of a vessel from a belligerent to a neutral flag. International law requires the general acceptance of nations, and there had been no general acceptance of any rule by the nations of the earth.

The first thing that was done in the conference was to call for a statement from the different countries regarding their position upon the various disputed points that the conference sought to settle, and I call your attention now to the rules which were stated by the principal countries concerned in the present war.

I read from the proceedings of the International Naval Conference held in London, December, 1908, to February, 1909, printed by the British Government and called "Miscellaneous No. 5, 1909."

I will say that this report of the proceedings has never been translated from the original French, it is not open to access generally, and I think it must have been that the Solicitor in the haste of preparing his opinion has failed to observe the contents of this report, which gives the proceedings, the discussion, and conclusions reached from time to time by the conference. I am sure that if he had read this attentively he would have come to a different conclusion.

I call your attention now to the rules of national law stated by these different nations at the opening of the conference, for that is the background to which we have to go.

France. The change of nationality of ships of commerce effectuated after the declaration of war is null and of no effect.

Russia. The belligerents have the right not to recognize the neutral character of every ship of commerce purchased by neutral citizens from an enemy's state or one of its nationals unless the new proprietor proves that the acquisition had become definitive before he had knowledge of the commencement of the war.

Germany. The neutral or enemy character of a ship of commerce is determined by the flag that it carries. A ship flying a neutral flag will nevertheless be treated as an enemy ship if up to the opening of hostilities or within the two weeks which have preceded it has carried the enemy flag.

There are France, Germany, and Russia. Great Britain and the United States presented an entirely different rule, the rule of complete transfer and good faith. The Solicitor for the State Department has substantially stated what the American rule has been and what the British rule has been, subject to some modifications which it perhaps was not necessary that he should state.

In the conference these two different views confronted each other, the view of France and Russia and Germany that a transfer after the opening of hostilities was void and the view of Great Britain and the United States that a transfer made complete and in good faith would be recognized.

Mr. President, there being no rule of international law, each country applies its own law in such cases. Indeed, when a capture is made it is always made under the law of the captor. That is our law. Our Supreme Court has decided it. It is the municipal law of the captor that is in force when the capture is made.

The courts of England and America have said that the law of nations is a part of the law of the country, and we enforce the law of nations. But here there was no law of nations because no rule had ever been accepted. So as the law stood when this conference opened, if there had been a transfer of a merchant ship from the flag of a belligerent to the flag of a neutral any time after the opening of hostilities the armed ships of France, of Germany, and Russia would have ignored the transfer and treated the vessel as an enemy vessel, notwithstanding the transfer.

Mr. President, that was the law of France when her navy rendered us a service more memorable than any other that one nation ever rendered to another and held the mouth of the Chesapeake and made the surrender at Yorktown possible. That was the law of France then and for all the century and more that has passed. That was the law of Russia on that never-to-be-forgotten day when her fleet sailed into the harbor of New York during the Civil War. That was the law of Germany, whose ships are lying unable to proceed to sea in the harbors of New York, Boston, Philadelphia, and other ports. There was no escape from the capture of any vessel from one of these belligerents by the cruisers of another belligerent which may chance to meet her, notwithstanding the transfer to the American flag, except to compel these great nations to abandon the law they have held for generations.

Mr. WILLIAMS. I should like to ask the Senator from New York a question, if he will yield for that purpose.

Mr. ROOT. Certainly.

Mr. WILLIAMS. Notwithstanding the fact that this was the law of Russia and of France, and it has been the law of those two nations for a long time, have they not agreed during the present war to adopt the declaration of London as their law?

Mr. ROOT. Mr. President, I have already stated that.

Mr. WILLIAMS. Then if that be true——

Mr. ROOT. I beg the Senator not to draw me on by leading me into a discussion of questions, however interesting they are, which arise in his mind, because if I do what I think I ought I have got to go through a rather complicated subject. As I have already said, the significance of the declaration of London is that these countries who started with these perfectly strict and unyielding rules have adopted the declaration of London as their rule for this war.

Mr. WILLIAMS. And have modified their old position to that extent.

Mr. ROOT. They have modified their old position to that extent. So, although the declaration of London is not binding upon us as a convention, although it was never ratified, if we undertake to protect our flag upon a ship purchased from a belligerent we are driven to the declaration of London as the basis on which we must proceed. The old law was much more strict and unyielding than the declaration is, and that is why the Solicitor for the State Department was quite right in giving his opinion regarding the meaning of this provision of the declaration of London, and that is why I am going on to discuss that meaning. I have taken so much time because I have frequently observed the statement about the declaration of London, that it is not binding; that it was not ratified. If we could not have recourse to that declaration of London, these old rules are the only thing we would meet.

We have then reached this position, that these belligerent powers—England, France, Russia, and Germany—will enforce the provision of the declaration of London, and if we object to their enforcing that we come against still worse rules for neutral trade, that is, the old rules which three of them stated at the beginning of the conference. So their adoption of the declaration of London is an advantage to us of which we must avail ourselves so far as practicable.

When the different countries had stated their position regarding the transfer of the flag there was a statement prepared for the use of the conference which undertook to formulate certain propositions for discussion, basing those propositions upon the varied statements of rules by the different countries, and the basis which was formulated for discussion regarding the transfer of the flag I will now read. This is basis 35:

> A ship can not be transferred to a neutral flag in order to escape the consequences which its quality as an enemy ship draws upon it.
>
> 36. The transfer effected before the opening of hostilities is valid if it has come about regularly. That is to say if it involves nothing fictitious or irregular which renders it suspicious.
>
> 37. After the opening of hostilities there is an absolute presumption of knowledge of the transfer which is effected while the ship is in the course of a voyage.

Upon that they proceeded to a discussion. After the discussion proceeded for a considerable time these statements were made by the representatives of Germany and Great Britain. Mr. Kriege, the very able and experienced adviser of the German Foreign Office, who was the representative of that country at this conference, said:

> We are in accord with the authors of the summary upon the principle that a ship can not be transferred to a neutral flag with a view to escape the consequences which its quality as an enemy ship draws on it, but in the point of view of existing rights and for considerations of practical order we wish to see adopted the system of our memorandum which would have the double advantage of facilitating the task of commanders of cruisers and of avoiding consequences to neutral commerce.

Mr Crowe, one of the English delegates, explained the principle that was intended to be expressed in basis 35—that is to say, "that a commercial man subject of a belligerent State ought not to escape the consequences of war while transferring his ships under a neutral flag, but the application of this principle it is difficult to find among the memoranda by a rule precise and generally recognized."

There you see that the German and the English representatives were drawing together upon the rule which looked not so much to what we would call good faith as to the purpose for which the transfer was made.

A short time after Mr. Kriege, the German representative, stated with great lucidity the actual point of difference which had been reached by the conference. I read from page 183 of this publication of the proceedings:

> Mr. Kriege exposed the manner in which, according to him, this question ought to be treated in the basis of discussion. This exposé, with the motives which have inspired it, is found treated in Annex 73.

A formal paper which he presented. I call your especial attention to it because it was a formal paper and has a very important bearing upon determining the meaning of this declaration. In this paper he says:

> I desire to call the attention of the commission to a divergence which appears to exist between the proposition of the United States of America on the one part, and, upon the other part, the propositions of Great Britain and Germany.

Remember that our representatives and the British representatives had presented a rule which called for good faith in the transfer, and now he says:

> This is a question of the meaning of the term "good faith." The propositions are all three, in accord to prescribe that the transfers made during a war or immediately before a war are to be made in good faith.
>
> Only it seems that, in the idea of the delegation of the United States of America, the good faith would exist if the agreement relative to the transfer was genuine and definitive and involved nothing fictitious or irregular. On the other hand the German and Britannic propositions understand by good faith the absence among the motives of the transfer of the intention to withdraw the ship from the effect of the right of capture.

You perceive that is precisely what Mr. Johnson in his opinion says does not exist in the declaration. Let me read it again:

> On the other hand the German and British propositions understand by good faith the absence among the motives of transfer of the intention to withdraw the ship from the effect of the right of capture.
>
> In the sense of these propositions as according to the original text of Basis 35 the transfer would be null and without effect from the moment when it should have been induced by the desire of the vendor to put himself under protection from the loss which the confiscation of the ship would inflict upon him. The transfer would be, on the contrary, recognized as valid when there was ground to believe that it would have been effected also if the war had not arisen or had not been imminent at the moment of the conclusion of the contract.

After that presentation of the precise point in difference which had been reached between the delegates of the United States on the one hand and the delegates of these other powers, including England and Germany, on the other hand, the subject was submitted to a drafting committee to endeavor to formulate a rule which would be satisfactory, and I now wish to call your attention to the report of that committee. I will say, in order to indicate the materiality of the report, that it contains the rule which now appears in the declaration. It was presented in the ninth session of the commission—that is, with the con-

ference sitting as in committee of the whole—on the 6th of February, 1909. I read the record of proceedings:

The delegation of the United States of America made a reserve on the subject of the first article of the rule—

Which was reported upon the transfer of a flag, and the committee of the whole, the commission, adopted the report with the understanding that the part to which the American delegates objected, upon which they made their reserve, was to be reconsidered, and not deemed as adopted. That reserve of the American delegates appears on page 290 of these proceedings. By reference to it we find that it related not at all to the transfer of the flag after the opening of hostilities, but related solely to the transfer of the flag before the opening of hostilities. They say:

The American delegation regrets to find itself obliged to make a reserve upon the first article of the regulation relative to the transfer of flag. It considers that a rule which says, "The transfer to a neutral flag of an enemy ship before the opening of hostilities is valid, unless it shall be established that the transfer has been effected with a view to escape the consequences which the enemy character of the ship draws upon it," is not in accord with the spirit of modern rules adopted at The Hague concerning war, which have for their end to guarantee the security of international commerce against the surprises of war and wishing, conformably to modern practice, to protect as much as possible the operations engaged in in good faith and in course of execution before the beginning of hostilities.

The report was reconsidered upon that reserve. You perceive the American delegates accepted the rule which related to transfers after the beginning of hostilities, but objected to the rule relating to transfers before. A compromise was made. Under that compromise a new provision making a distinction between transfers 30 days before and less than 30 days before the opening of hostilities was made. Upon that our delegates agreed; that is to say, they got a rule which made all transfers more than 30 days before the war valid if they were real; they got a rule which made all transfers at any time valid if they were not made with the motive of avoiding the risk of war. Before 30 days they were valid, even though they were made with that motive; after 30 days they were valid unless they had that motive. On that they agreed.

When the drafting committee came to make its report to the committee of the whole, there was a full discussion of the question which Mr. Kriege had brought up by his very lucid statement of the different views as to what constituted good faith. That report leaves no doubt as to the meaning of this regulation, and no doubt whatever that the advice which has been given to the State Department and communicated to us as a basis for this legislation is erroneous. The report says—I read from pages 326 and 327 of the proceedings of the conference, translating, I hope, with substantial correctness.

The report has just stated the rules as I have read them, the rules as they were finally adopted. The report says of those rules:

The validity of the transfer is at the beginning subordinated to the accomplishment of certain judicial conditions, having for their object to show that the proprietor has been divested in a definitive manner and without reserve of his title to the ship over which he should preserve no control. If these conditions have not been fulfilled, for example, if the effect of the transfer has been subordinated to the eventualities of the war, the transfer is presumed to have taken place with the intention of shunning the consequences of the war, and it is declared null.

This is simple.

Behold the difficult point. All the juridical conditions have been fulfilled; but the captor is able to establish that the transfer, regular in substance and in form, has been effected with a view to escaping the consequences which the enemy character entails. Will he be permitted to make this proof in order to arrive at the result of declaring the transfer void, or will the intention of avoiding the consequences of the war result only from the failure to accomplish the juridical conditions? It has appeared doubtful to some. It has been recalled that the condition of good faith was exacted in a distinct manner, independently of juridical conditions, and that so, even if these conditions were fulfilled, one could prove that the sale had been made in bad faith; but how is this to be understood? It is a delicate point. The captor evidently will not view "good faith" in the same manner as the vendor. The vendor will consider that he acts honestly if he divests himself regularly and definitively of his ships, because he does not wish to run the risk of losing them by the exercise of the right of prize. The captor will think that there has not been good faith in wishing to escape from the consequences of war. If one considers the simple juridical interpretation, it seems, indeed, that a prize court, in the presence of the proposition reported above, would hold the transfer valid because the juridical conditions had been fulfilled, and would not place itself in the point of view of the captor in order to consider if there had been good or bad faith.

The majority of the committee did not accept this result, and accordingly, desiring an unequivocal formula, the following has been adopted:

The transfer to the neutral flag of an enemy ship effected before the opening of the hostilities is valid, unless it should be established that the transfer has been effected with a view to escape the consequences which the enemy character entails.

There, Mr. President, is a statement as plain as words can make it, that the terms which are used in the rule embraced in the declaration were substituted for the words "good faith" that our delegates were pressing for, in order that the intention to escape the consequences of the right of capture should be a separate and substantive ground for invalidating the transfer. There is no escape from that. There is no man here who could state with greater certainty and lucidity the purpose of the rule than it is stated in this report by Mr. Renault, the greatest of living teachers of international law, and the official adviser of the French foreign office.

That report of the drafting committee was adopted by the Committee of the Whole; it was made by the Committee of the Whole to the conference in plenary session, and it was adopted by the conference. If the conference could have heard read the advice given to our State Department and laid before the Senate as the basis of this legislation, it could not have controverted the conclusion of that advice in more positive and more unambiguous terms. I can find no words in which to show that the Solicitor for the State Department was wrong in his advice so clear as the words of Mr. Renault in this report.

Mr. SUTHERLAND. Mr. President, will the Senator permit me to ask him a question?

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from New York yield to the Senator from Utah?

Mr. ROOT. Certainly.

Mr. SUTHERLAND. I understand the Senator from New York to have shown that in addition to there having been payment in consideration and bona fides, in the usual meaning of that term, it must also appear that the ship was not transferred in order that the capture of it might be avoided. If it should turn out that the vendor transferred it with that desire; that is, that he transferred it in order that it might not be captured, and the vendee did not participate in that intention, would that be sufficient to meet the requirements of the rule, or does it require that there should be a participation on the part of both the vendor and the vendee in the desire to avoid capture?

Mr. ROOT. Clearly, Mr. President, the motive is a motive which is ascribed to the vendor. It is he who is seeking to take his ship out of the danger of capture; it is he who will substitute the valuable consideration that is necessary in place of the vessel that he can not use except at the risk of capture. The vendee prior to the transaction has no motive whatever in regard to the ship. It is the owner of the ship who escapes from the effect that the enemy character of the ship brings upon it.

Mr. WALSH. Mr. President——

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

Mr. ROOT. Certainly.

Mr. WALSH. The distinguished Senator has been giving us the propositions upon this important question submitted by the representatives of the various nations in response to the suggestion of the British Government. As I recall, a statement came from France as well as from Germany. Will the Senator kindly advise us whether the American delegates stated for the benefit of the conference, in response to the invitation, the position of our Government?

Mr. ROOT. Mr. President, the American delegates did not upon this point present any memorandum as to the position of the United States at the outset, but shortly after the discussion began they did present a statement of their views.

Mr. WALSH. They were called upon to make a formal statement of the position taken by their Government, together with the authorities which they desired to submit in support of the view taken. Will the Senator, who then was Secretary of State, advise us as to why our delegates did not comply with that request?

Mr. ROOT. Because the delegates of the United States presented, as the basis of their position upon the whole range of questions the naval war code and discussions of the Naval War College, and it was deemed wiser, as those discussions covered the entire range, not to attempt to commit them to any more definite and precise statement.

Mr. WALSH. Are we to understand the Senator, then, that they did not make a definite statement on any of the seven propositions submitted by the Government of Great Britain?

Mr. ROOT. I do not remember about the others; I have not examined the facts as to them.

Mr. WALSH. Very well. Will the Senator have the kindness to advise us in that connection if the delegates from Austria-Hungary made a statement as to the position of their Government, and, if it is brief, will he give it to us?

Mr. ROOT. They made a statement, and the representatives of various other countries made statements. The delegates of Austria-Hungary made a statement which was much

nearer in its view the position of Great Britain and the United States than it was the position of France and Russia.

Mr. WALSH. My recollection is that the delegates from Austria-Hungary made a statement to the effect that the French doctrine was entirely obsolete and had been disregarded by France.

Mr. ROOT. They did not go so far as that. They said in their statement that it was too strict, and that France had modified it or varied from it in the war of 1870; but we can hardly take the statement of Austria-Hungary regarding the position of France as against the formal official statement of France herself.

Now, I want to give credence to what I have said about what happened in this conference by reading from a distinguished publicist, a professor in the University of Vienna, Prof. von Ferneck, who was one of the Austrian delegates to the conference of London. I read from an article by him in the Handbuch Des Völkerrechts, for 1914. He says, in chapter 5, under the heading "Transfer of the Flag":

It may well be said that this subject, which is perhaps of much less importance to neutrals than that of contraband or of blockade, was the object of extraordinary attention on the part of the conference.

Omitting some irrelevant remarks, he proceeds:

For some time it seemed as though an unanimous solution of this question could not be reached. The reason for this was that the interests in the subject on the part of the powers represented at the conference were of a widely differing character, and that the laws and the customs of different States are dissimilar in important respects. The United States of America, France, Italy, The Netherlands, and Russia recognize without exception the transfer of enemy merchant ships to a neutral flag when the transfer is completed before the outbreak of the war; Germany, France, and Russia declare without exception as null and void any transfer of flag made after the outbreak of the war—these are strict, uncompromising solutions that may indeed be understood from a theoretical point of view, but in practice lead to difficulties.

Several of the powers, among them Great Britain, the American Union, and Germany insisted that in order to be valid in law, the transfer must have been intended in "good faith," and according to the American interpretation "good faith" meant not fictitious, while the other powers understood by "good faith" that the owner himself must not have intended to make it impossible for the opponent to seize the ship.

You will perceive that that answers the question put by the Senator from Utah [Mr. SUTHERLAND], and it states in few words just what Mr. Renault's report says.

The other powers—

Says Prof. von Ferneck—

understood by "good faith" that the owner must not have intended to make it impossible for the opponent to seize the ship.

And so, as Mr. Renault's report said, in order that they might have an unequivocal expression, because there were these two views of "good faith," they put in a rule which states in so many words the second view, according to Prof. von Ferneck, that "the owner must not have intended to make it impossible for the opponent to seize the ship." He proceeds:

By a remarkable argument, the American delegation controverted the idea that the shipowner could not protect himself against the prize law by transferring his ship to a neutral flag.

* * * * * * *

At the second session of the commission, the delegates were evidently eager to reach an agreement that would avoid the harshness of the consequent enforcement of a principle: The transfer of the flag effected before the outbreak of the war should be regarded as valid, the transfer after the outbreak of the war as invalid; in both cases the presumption might be refuted by counter evidence. In the course of the third meeting of the commission the question regarding the elaboration of "special rules regarding the transfer previous and the transfer subsequent to the opening of the hostilities" was referred to the investigating committee. This committee made its report at the ninth session of the commission. The rules which this committee had elaborated met the idea of the agreement, but did not meet with the full approval of the American delegation, for the reason that they did not take into account the thought developed in the declaration referred to above. In order to overcome this difficulty, the representatives of Great Britain proposed at the eleventh session of the commission "in the interest of neutral commerce" to add the following: * * * there shall be absolute presumption of validity, if the transfer was effected more than 30 days before the opening of the hostilities, provided it is in absolute and complete conformity with the laws of the countries interested, and has for its object that the control over the ship and over the earnings resulting from its use does not remain in the same hands that exercised this control before the transfer." To this the American delegation agreed; it yielded in principle, but obtained a practically important concession: The question of "good faith" might be raised only with regard to such ships as were transferred within the last 30 days before the outbreak of the war.

I find, Mr. President, that Italy upon two occasions since the Conference of London has applied the rule. In the Revue Générale de Droit International Public, of September–October, 1913, there is a report of the case of the sailing vessel *Vasilios* and of the sailing vessel *Aghios Georghios*, Greek ships, or ships flying the Greek flag, which had been Turkish vessels at the opening of the war between Italy and Turkey, and had been sold to a Greek citizen, admitted to Greek registry, and were flying the Greek flag. The ships were seized, condemned, and sold. So that we may add Italy to the powers which have adopted this rule of the Declaration of London.

Germany has put herself upon the same basis, in terms which leave no possible doubt. I read from Prize Ordinance of September 30, 1909, published in the Law Gazette of the Empire for 1914, No. 50:

I approve the accompanying prize ordinance, and direct that in the enforcement of the prize law my fleet commanders shall, during the war, proceed in accordance with the provisions of the prize ordinance. In so far as it may be necessary to make exception thereto in special cases, you shall make proposition to that end to me. I empower you to give such interpretation to this ordinance and to make such changes thereto as may be necessary, provided they are not of fundamental importance.

(Signed) WILHELM.

In the absence of the Imperial Counselor.

(Countersigned) v. TIRPITZ.

Dated September 30, 1909. Promulgated at Berlin, August 3, 1914, the date of the beginning of the war.

The ordinance, Section II, is as follows:

Enemy ships and their cargoes.—With the exceptions specified under 6—

Which are not relevant here; they relate to cartel ships, hospital ships, etc.—

With the exceptions specified under 6, enemy ships are subject to capture.

Ships are adjudged enemy or neutral ships by the flag they are entitled to carry.

The flag which a ship is entitled to carry is determined in accordance with the flag law of almost all maritime states from an official document that any merchant ship must have on board.

If the nationality of a ship can not be readily established, and especially if the document required in accordance with the flag law of the respective state is not in evidence, then the ship shall be considered as an enemy ship.

Ships that after the outbreak of the hostilities have been transferred from the enemy to the neutral flag are also to be considered as enemy ships—

(a) If the commander is not convinced that the transfer would have followed, even if war had not broken out, as, for instance, by succession, or by virtue of a construction contract.

(b), (c), and (d) pertain to matters which are not relevant.

That points to the German understanding of the rule; and I will say that in the final report of the London conference, which is printed in this document containing the solicitor's opinion, an illustration is given of the meaning of the rule—that is, for instance, "in case of inheritance."

Applying these illustrations, the rule becomes plain. The ordinary trade in ships is not to be prevented. Trade in the ordinary course of business is not to be prevented. The ordinary devolution of property is not to be interfered with. If the owner of a ship belonging to a belligerent dies, the property may devolve upon a neutral. The rule does not prevent it, and the neutral flag will protect it. If you or I have ordered a ship from a shipyard in Germany or Great Britain, and the ship is constructed, and we take it, if the ship was ordered before the war and the transfer was made after the war that transfer is manifestly in the ordinary course of business, as the German rule says, under a construction contract. But none of these great nations will permit a citizen of an enemy to rob it of its prize by transferring to a neutral the ships it is entitled to capture on the high seas.

Mr. President, we are not bound by that; but that is the state of the law of England, France, Germany, Russia, Italy, and I presume the allies of these countries, and that is what we have to run up against if we buy these belligerent ships; for of course no one will contend for a moment that the Hamburg-American Line or the North German Lloyd Line is selling its ships in the ordinary course of business, or for any reason other than that they can not go out on the ocean and carry on their business, and no one would doubt it if we were to buy a British ship and put it in the Bremen trade or the Hamburg trade. There can be no purchase now of ships that have been lying idle six months, under the conditions of this war, that is not stamped with a purpose that invalidates the transfer under the rule of the declaration of London equally with those old and more severe rules which were presented at the beginning of the conference.

But, Mr. President, I have been considering this subject as if an American citizen were to buy. I have said about that, that we are not bound by the rules of these countries. We are at liberty to say: "Our rule is different, and we insist upon its being applied." I have always believed in that rule, sir. I believe in it now. I instructed our delegates to the Second Hague Conference to urge upon the conference the immunity of all private property at sea in time of war. Our delegates fought loyally for the rule which our courts applied, and which is in furtherance of that beneficent and liberal rule. But there is the law of Europe, and against that we will come; and I repeat, it is their law that will be enforced in the treatment of this subject. We should be left to protest and attempt

to get them or some court of arbitration to abandon their rule and adopt ours. How easy it would be, sir, for us to bring that about through the voluntary action of any country or the action of any court of arbitration, in view of the fact that they have adopted the rule of the declaration of London to which our delegates finally agreed, to which our Government agreed in sending it to the Senate for ratification, and to which the Senate agreed by advising and consenting to the ratification, I shall not discuss.

But, says the Secretary of the Treasury, the Government of the United States could not be involved in any difficulty if it were to buy these ships—that is to say, if this proposed corporation were to buy the ships:

Some timid people have argued that if the Government is interested as a stockholder in a shipping company, and a ship of such company should be seized by a belligerent and brought into a prize court, the sovereignty of the Government would be involved. There is no ground whatever for this view.

I am sorry to write myself down in the category of timid people, but I must, for I do not agree with the Secretary of the Treasury in the idea that there is no ground whatever for this view, and I am filled with apprehension by the idea of putting these vast powers into the hands of a man who thinks there is no ground whatever for that view.

A question was put to the counselor of the State Department, Mr. Lansing, before the Committee on Naval Affairs of the House. I read from the hearings on Senate bill 5259 and H. R. 5980, dated August 20, 1914:

Mr. WILLIAMS. The first question that we want information on, as a legal proposition, is the liability that would attach to this Government if the Government itself was operating a line of steamships engaged in the transportation of goods to South America and to European countries compared with the liability of a steamship company or an individual engaged in the same business. Can you give us some information along these lines?

Mr. LANSING. I suppose you refer to neutrality and to the question of contraband?

Mr. WILLIAMS. Yes, sir.

Mr. LANSING. I think that the transportation of contraband to a belligerent port in a public ship of the United States would go much further than the mere matter of liability, and that it would be regarded as an unneutral act.

Mr. WILLIAMS. That the United States transporting goods to English, French, or German ports would be a violation of neutrality?

Mr. LANSING. I think it might be so regarded.

That is what we have to deal with. That is what the Secretary of the Treasury does deal with in the words I have read from him. He says:

If the Government operated ships outright, just as it operates the vessels of our Navy, an awkward situation of this character might arise; but where a nation is merely a stockholder, or the sole stockholder, in a private corporation, its sovereignty is not and can not be directly involved if the ships of such a corporation become the subjects of litigation in a prize court concerning any issue which does not involve the Government itself. The Government would stand in relation to such a corporation exactly as any individual stockholder does to a corporation in which he is interested. A suit against the corporation does not necessarily involve the shareholders.

Mr. President, that is not the law as it has been understood by the Government of the United States, or as it has been applied. In the Delagoa Bay case our Government went straight through the legal fiction of a Portuguese corporation and asserted and enforced the rights of American citizens who were stockholders of that corporation precisely as if they had been the owners themselves. The British Government did the same thing in the same case. Time and again the rule which was established in that case has been applied to the affairs of these legal fictions which give to the real owners of property the municipal right of succession and limitation of liability and the use of a corporate seal, etc. Of course, Mr. President, it stands to reason that a municipal statute giving to A and B and C rights to sue and be sued in corporate form and to have limitation of liability and to act through a seal are no concern of another Government if A and B and C, through that form, have injured or affected the rights of that other Government. The idea is idle and baseless that the Government of the United States, by the exercise of its vast national power, can wrest enormous funds from its people by taxation, can use those funds to withdraw from Germany's right of capture British ships and from France's and Great Britain's right of capture German ships, and say:

I can not be called to account because I have made a statute under which I protect myself by a legal fiction, calling myself a trading corporation.

Ah, no! the real and serious affairs of this world are not conducted in that way. Whatever we do through this corporation that we create and own, we do as a government, and are responsible for as a government.

In the case of the *Parlement Belge*, which was referred to the other day by the Senator from Massachusetts [Mr. LODGE], the courts of England were called upon to consider the effects of government ownership. The Government of Belgium owned a boat plying across the channel from Ostend to some British port, much like our municipal ferries, and the question was raised, that being a trading boat engaged solely in trading operations, whether it was to be treated as subject to the laws relating to trading ships or was to have the immunities which pertained to government ships. The court below held that it was subject to the laws relating to trading ships. The court above reversed the decision, and held that, being the property of the Government of Belgium, it was immune from the English laws relating to trading ships. The reality of things, sir, prevents us from escaping by any possibility from responsibility for the use of our national power to withdraw any belligerent ships that we may now purchase from the right of capture on the part of the other belligerents, whether we proceed by the fiction of a corporation or directly.

There is only one possible escape from the condemnation and forfeiture of a prize court for every ship of this kind that is purchased. That is the possible protection of the sovereignty of the United States, preferring to occupy the position of violating neutrality rather than to submit to condemnation.

What is the meaning, sir, of the violation of neutrality? It means taking sides in the controversy. It means helping one belligerent against another. It means that after all our proclamations and our efforts we abandon the attempt to be neutral, and we take sides in the great conflict; and we can not stop. We can not measure the number of steps. One unneutral act by us will lead to acts by others that will compel further acts by us, more acts by others and more by us and more by them, until we are in the thick of the controversy.

Remember, sir, the condition of the world to-day. I am arguing against the Government of the United States buying, not a ship, but an international quarrel with every ship. Somebody said to me: "It is buying a claim, not a ship." No. It is buying a quarrel, not a ship; and I say, remember the condition of the world. Recall to your minds all that you have read during the past six months of the condition of feeling on the part of the people in all these countries—England, Belgium, France, Germany, Russia, Servia, all of them—tense to the highest degree, in that condition of exaltation which holds prudence for naught.

Why, sir, we were ready to fight, from Mason and Dixon's line to Canada, on the instant, when Mason and Slidell were taken from the *Trent*, and Great Britain mobilized her fleet. It was ruin for the North if we fought—certain ruin. We could not stand against the gallant South and against mighty England. Our blockade would be gone; but we were ready to fight, because every heart of the North was full of emotion, and every nature was tense with feeling, and we cared naught for prudence. That is Europe to-day.

If we are going to maintain our neutrality we must hold close to it, and keep out of all needless causes of controversy. And let us remember ourselves. We have kept, hitherto, a united America. We have stood behind the President in his neutrality proclamations. Here and there fault has been found on one side or the other, but we have stood by him; but do not forget that there are here millions of Germans who love their fatherland, and I honor them for it. I should think less of them if their natures were not awakened by the peril and the stress of the land that gave birth to them and their fathers. They are alive and tense. There are millions of men of English blood, born and bred with a love for Anglo-Saxon liberty and the laws that we inherited from England. Do not imagine that they are not thinking and feeling, and if you precipitate this country into a controversy where Europe feels and acts upon the feeling that we have taken sides we will rend ourselves.

No; the only safe course is to keep out of unnecessary controversial questions with as great care and conservatism and caution as possible, for we never can tell where a controversy will lead us.

Mr. President, I deeply regret that any shade of party politics has fallen upon the consideration of this measure. We have in the Senate long felt that it was our duty to lay aside party when we reach the water's edge. We have considered the terms of treaties and advised the President, of whatever party, in accordance with the best of our judgment and our conscience. When we have reached the water's edge we have said we leave party.

This bill proposes a business which is all beyond the water's edge—international in its aspect and in its purpose. It is international at a time of intense emotion and certain controversy. I wish we could have considered it—I wish we could consider it now—as Americans earnest for the peace and prosperity of our country, forgetful of party.

Mr. President and Senators, there is no crime against our country so wicked as the crime of conducting our international relations with a view to party popularity. The two considerations are incompatible and can not exist at the same time in any mind. He who has charge of our foreign affairs must deal with them regardless of the effect upon his political future or his party's advantage or he can not deal with them as the public safety demands. The man who is considering his political future and his party's advantage should keep out of foreign relations. The two can not coexist.

One incident for which I impute blame to no one has recently happened which illustrates what I say. The note that was sent by our State Department to Great Britain a short time ago regarding the search for contraband, endeavoring to remedy serious evils of delay and perhaps indifference in making the search for contraband, which is admittedly the right of belligerents, was a moderate, a reasonable, and a proper note. No one in the world had a right to find fault with it. But before the note was delivered in Great Britain and before it was made public here the newspapers were filled by somebody, I do not know whom, with an account of it, far, far from the truth, with an account of it which pictured the administration as standing up against frightful odds and dreadful danger for a view of American rights which no serious student of international law ever thought of asserting and which the note did not assert. Both this country and England were filled with an erroneous view of that note and that erroneous view persists. It could have been given for no other purpose than a political purpose and it was a crime against the American people and against the peace of the world to misrepresent it.

I will not proceed. I will not specify or illustrate further. I will close what I have to say by expressing the most fervent hope that we may deal both in this great deliberative body and in the executive department of the Government with this serious, grave question as lovers of our country with all the wisdom and experience and ability that we can bring to our country's service.

Mr. WILLIAMS. Mr. President, it is seldom that the Senate of the United States listens to the Senator from New York [Mr. ROOT] without being instructed as well as pleased. I take it for granted, Mr. President, there are none of us here who do not want the Government of the United States to be absolutely and strictly neutral as regards the pending hostilities in Europe. I take it for granted that there is no good American who will not be neutral himself, and I apprehend, as the Senator from New York does, some danger of our being self-rent because of our various European derivations. Back in Washington's administration a traveler from Europe said he "could find no Americans, he found either Frenchmen or Englishmen"; but, notwithstanding that fact, Washington, as President, and Jefferson, as Secretary of State, held the helm firmly and this country escaped being mixed up with the European wars. Just so now, Woodrow Wilson and William J. Bryan will hold the helm of the ship of state steady and firm on an appointed American course and hold us free of European international entanglements.

I find to-day that there are in America so-called German-Americans who are very much more German than they are American, and some so-called French-Americans who are very much more French than they are American, and some American citizens of English and Scotch derivation who, although they do not hyphenate themselves, are yet behaving as though they were very much more English and Scotch than American. But all these do not amount to much. They are merely the negligible fringe. The great body of the people are Americans first, no matter what their original derivation was, and they are going to remain so, and they are going to remain in absolute sympathy with an administration which holds the helm down hard and prevents the American Republic from being mixed up with these troubles. Some of these people are trying to get us into war now. Several newspapers—and I might mention some which are not a thousand miles from here—are writing editorials every now and then in which there seems to be a purpose of dragging the United States Government into trouble with one or the other of the European powers.

All that is very true, Mr. President, but, upon the other hand, Americans have their rights. The rule is that a neutral has a right to trade. The exception is the belligerent's right to interfere. His right to interfere, luckily for us at this time, is based upon express law and agreement. It can not be said by the Senator from New York or by anybody else that if the Government of the United States proceeds to protect its commerce it is thereby unfriendly to anybody anywhere.

Mr. President, the Senator from New York says he is sorry to see, or he would be sorry to see, any partisanship injected into this discussion. In heaven's name, who injected it? The gentlemen upon the other side of the aisle did. The legislation had no sooner been broached than they proceeded to act almost as a solid party against it. Before there had been any discussion or any argument or anything else a little coterie on that side of the Chamber proceeded to declare that we would have to stay here until the 4th of March, or made a similar declaration, if we passed this legislation. It is not our fault. They declared war. They made this a partisan question. They did it in the interest of the present owners of ships.

The Senator from New York has erected a man of straw, as I shall proceed to show after a minute; but, first, before I go to that I want to say a few words about what the Senator said of personal import.

Mr. President, it is lucky that hard words do not break bones, even when the hard words are pronounced ex cathedra by men who are ex-Secretaries of various departments and ex-presidents of conventions, where the business of decreeing by the way of the voice of a so-called "brutal majority" seemed to strike no terror to them.

Ex cathedra, ex-Secretary, or ex-permanent or temporary convention chairman—it is all one—and all embodied in the Senator from New York. They are all exes. All have worked by "decree" of the majority. Witness the Republican convention of 1912.

But to come to the personal issue so unnecessarily raised by the Senator from New York. The Senator from New York accused me of being guilty of "effrontery." Consider that, now! In what consisted my effrontery? In denying and disproving the assertion of the Senator from Michigan that none on the other side of this Chamber had been filibustering, that none of them had been speaking merely to consume time. Of course, the Senator from New York, with all his ex cathedra utterances, knows that I was right and there was no "effrontery" in asserting the truth and in proving it. You have been filibustering. You are filibustering. You have been and are speaking to consume time and not in honest debate.

Besides that, I am not the sort of a man to be guilty of effrontery. It is a sort of thing that never occurs to my mind nor to any other sincere mind concerning me. What self-satisfied complacency of temperament it must take to accuse a man of being guilty of effrontery because he has asserted that you Republicans were filibustering. Not one of you on honor in private conversation will deny it.

Then the Senator from New York accuses me of disrespect to the Senator from Ohio [Mr. BURTON] and the Senator from Massachusetts [Mr. WEEKS] because he says I said "their speeches were not worth listening to." I did not say exactly that. My recollection is that the Senator from New York was not in front of me when I was speaking, anyhow. He is generally out of the Chamber. He was not paying any more attention than a good many of us who were discussing the issue had been paying attention to the speakers who afterwards or before were merely consuming time.

What I meant to say, and what I do say, is that no speech nine hours long is worth listening to, I do not care who made it.

Mr. RANSDELL. Thirteen hours long.

Mr. WILLIAMS. I am informed that one of them was 13 hours long. I thought it was 9 hours. It covers 65 pages of the RECORD. The man who would pretend that he was wise enough to speak intelligently enough to fill 65 pages of the RECORD, and that it was all worth while, would be getting a reputation under false pretenses, because God never made anybody that wise, and I do not suppose He ever will.

I have listened frequently with very much interest and attention to both those Senators. I served with them on the other side and on this side, and I have in my time obtained much information from them; but the minute I find a man piling a whole lot of books on his desk with the idea of taking up all the time he can, then I retreat to the cloakroom, and I have no apology to make for it. Life is too short and art is too long for me to be wasting even my insignificant attention upon perfunctory efforts of that sort.

The Senator from New York seems to be astonished at two things—the unprecedented character of this legislation, and the unprecedented methods to which we are resorting in order to carry it to its consummation. I do not remember whether the Senator from New York was Secretary of War at the time or not, but in an administration where he was in the Cabinet the United States Government proceeded to purchase and to operate a line of steamships between New York and Panama, and the Government of the United States is now operating it, just as we propose to operate these ships, under "the fiction of a corporation," as he calls it, the stock being voted by a man in the War Department. So the measure is not unprecedented.

I do not remember how the Senator from New York voted on the question; I remember how I did; but it has not been long since we authorized the United States Government to buy and operate a railroad up in Alaska—$30,000,000—for a few thousand people. Whether what we are doing is right or wrong it is not unprecedented therefore.

Now, as to the method of meeting your method over there. Is that unprecedented? We are meeting unprecedented talk by unprecedented silence. The Senator from New York quarrels with us because we do not talk. I have heard of men quarreling with others because they did not let them talk, but I never heard them quarrel with a man because he did not talk. If you can not win this debate and impress the country with the solidity of your arguments and the justness of your views when we keep quiet, what sort of fix would you be in if we talked? What would be your fate?

If all that gush by the Senator from New York had not been pronounced solemnly and in the ex cathedra, ex-Cabinet member style, people would have laughed at it; but I did not see a ripple of amusement on either side; I looked around at the time to see if I could. Such is the force of dignity! Such the force of a combinaiton of exes!

The Senator from New York said the Senator from Missouri [Mr. STONE] said, "We have the votes." Yes; but in Heaven's name what good would that do us if we fall into this trap you set of helping you to consume the time between now and the 4th of March? Shall we be forced by solemnity of utterance to be particeps criminis in that crime against time and American commerce!

Is this the first time in the Senate of the United States when the minority wanted to filibuster that the majority passed a self-denial ordinance and kept its month not altogether but comparatively closed? So there is nothing unprecedented in the method, either.

The truth is we on this side have made up our minds to put through certain legislation. Most of you on that side have made up your minds that we shall not do it if you can help it. All we are asking is a vote, and what you are doing is preventing a vote or trying to prevent it. We shall continue to try to force a vote. The Senator from Missouri was justified in saying, "We have the votes," but if you think we have not the votes—and some of your newspapers and treasonable Democratic papers say we have not; they say there is a great disintegration over here—then why not let us have a vote and beat us and be done with it and get through with it now?

I never received as high a compliment in my life, I never heard as high a compliment to this side, and I appreciate it, because I was one of them, as the pathetic appeal of the Senator from New York this morning that we should talk. It is the first time in my life I ever had anybody to indulge in pathos while begging me to talk, and I never heard Republicans pathetic before in my life while begging Democrats to talk.

You do not know what you are doing. We might take you at your word, and if we did, you would be as much punished as we have been here in the last three or four days by long-winded, senseless speeches, and most of you would defend yourselves in the same way that we did—by going into the cloakrooms or over into your offices to dictate letters or do something else, and I can not say that I would blame you very much.

Then the Senator from New York said that after we introduced this bill we brought in a substitute, as he called it, "an entirely new bill." Of course, the Senator from New York knew we had not done that. The Senator from New York took advantage of the letter. Of course, in a parliamentary sense, we did bring in a bill striking out all except the enacting clause, and substituting for it another bill, but of course the Senator from New York knew that the substitute was, nine-tenths of it, a repetition of the original bill, and only in a parliamentary sense could it be said to be a new bill. Yet the effect was sought to be made upon the country that we introduced an entirely new bill; that we knew so little about what we wanted that we introduced one bill, then threw it out—threw it in the wastebasket—and brought in another, a new and a different one. The old bill and the new bill are just as nearly one as the Senator here before me is the same that he was three weeks ago, although in the meantime certain changes have taken place in the color of his hair, his complexion, and the inside blood and muscles in him.

Now, Mr. President, the Senator makes use of a phrase. Those of you who know stupid human nature know how important phrases are in life. He accuses us over here of "a conspiracy of silence." Do you know what the American people would like above all things in the world? I will tell you: That the whole blessed Congress would enter into "a conspiracy of silence"; that is, if the Senator means by that a conspiracy to keep silent more than they do or have done.

But what is this "conspiracy of silence"? From the phraseology of the Senator from New York and from his manner of saying it you would imagine it was a crime of some sort. In other words, the man who does not speak—and, according to the Republican precedents and examples, 13 hours or 9 hours or 7 hours—is guilty of a crime against this august parliamentary body. This body has a reputation of being an exceedingly talkative body, but this is the first time I have ever heard that to keep silent in it was treason to it. But the Senator seems to think so. We are just simply trying to keep from participating, from being particeps criminis, in an attempt to obstruct and delay and hinder the business of this body.

But the Senator from New York is mistaken when he says that no argument has been made upon this side. The Senator in charge of this bill [Mr. FLETCHER] opened it with a statement—and a very clear and a very complete one—accompanied by a very good argument, and thus far it has not been replied to.

As I said the other day, "enough is as good as a feast." If a man could in 10 or 15 minutes make an argument that somebody else can not reply to in 13 hours, why should he consume even 10 or 15 minutes more? Why should his friends add perfume to the violet?

The Senator from New York this morning indulged in some real discussion himself. He says that discussion is "stimulating." Yes; discussion is, if it is real discussion; but discussion merely to consume time is not stimulating. It is sleepifying, somnolent. It is of exactly the opposite effect. No man can be safely stimulated for 13 or 9 or 7 hours without intermission. I have listened a hundred times to the Senators, whom I was not criticizing, but whose consumption of time merely I was criticizing, and have found what they said edifying, interesting, and to me, at any rate, very instructive and pleasing. Whenever they are in earnest they are all that; but a man who has such mental ability that he can handle a great subject in two hours with interest becomes uninteresting and an all-around bore when he occupies 13 hours or 9 hours. Daniel Webster, if he had tried speaking that long on a stretch, would. Patrick Henry could not have done it if he had tried.

Let us talk common sense. We have not deprived you of any opportunity over there. You can talk all you please; we could not keep you from it if we would, and we would not if we could. All we are doing is giving you an hour's extra time every day to talk. We are, indeed, giving you "the morning hour"—two hours nearly—and after a bit we will give you two hours more at night, and then maybe after a while we will give you from breakfast to breakfast; but we are not going to say at any time in this discussion that you shall not talk. On the contrary, the more you say you want to talk the more time we are going to give you to talk in. Nobody can be more indulgent than we. I can imagine nothing more kindly than that. Nobody, moreover, has deprived you of any right of offering any amendment to this bill, or of having it adopted, provided only you let the Senate vote on it and a majority of the Senate votes with you.

Now, Mr. President, to come to some points in the discussion of the question itself. The Senator from New York says that the Secretary of the Treasury "admits that this will be a losing business," if we go into it. The Secretary of the Treasury did say that upon some routes it would be during the period of organization, and for some time, a losing business. But a losing business, Mr. President, to whom? To the Government? Perhaps. To the people of the United States? No; for we are now paying $16,000,000 a month unnecessarily for ocean freight. In four months and seven days we would save enough to the American people upon ocean freights, as they are now, compared with what they formerly were, to pay every dollar of this $40,000,000 back if we lost it all; and nobody contends that we would lose it all. It is not a losing business, even for the Government, to that extent. If it were a losing business, I do not suppose we would lose over 10 per cent or 15 per cent in that time. There are two sorts of losing businesses; one is a loss to the Government and the other is a loss to the people. The idea of any Republican standing up here and talking about not taking over a losing business! There never was a protective tariff passed since the world began that was not predicated upon the assumption and assertion that without the assistance of the taxing power the business protected would be a losing business; and in that case, when it is protected, who loses after it is protected? The people. In this case, if anybody loses it will be the Government, while the people themselves gain manifold that much.

The Senator from New York said that our wheat was selling at such and such a price and our cotton at 8 cents, and when he said cotton was selling at 8 cents he looked as if he thought you

and I were getting rich. It costs about 10 cents to make cotton. The Senator from New York thinks we are getting awfully rich with cotton at 8 cents, and therefore he says all the legislation we try to pass upon this side has proven itself to have been unnecessary. What an encyclopedia of ignorance about cotton is he not the author of?

Mr. President, I will call attention in a few moments to a few things about freight rates; but to take cotton alone, where the freight rates upon cotton prior to the war were 30 and 35 cents a hundred, which would be from a dollar and a half to a dollar and seventy-five cents a bale, the freight rate now is from $13 to $17 a bale.

Yet the Senator from Ohio [Mr. BURTON] spent hours upon this floor trying to prove by affidavits and letters and certificates of interested persons that there was not a shortage of tonnage to carry our frieght. What could have accounted for this immense increase in freight rates except a shortage of tonnage? The very day that the Senator from Ohio was making that speech—the very day and the very day after he made a part of it—the Washington Post's news columns were full of statements of the fact that the railroads going into several ports in the United States had refused to receive any more grain or foodstuffs because the warehouses were full and there was no ocean tonnage to carry them abroad. That was another lesson in the futility of receiving the affidavits and certificates of interested persons, whose testimony can not be relied upon from the very nature of the case.

One thing I want to go into especially. The Senator from New York says that the only ships we can buy are German ships. Why, Mr. President, that is not correct. Norwegian, Swedish, Danish, Dutch ships, and ships from other places are for sale. That is not all. Ships adapted to the foreign trade now engaged in our coastwise trade are for sale. That is not all. Tramp ships are for sale.

The tramp ship is a peculiar thing and has a peculiar utility in the commerce of the world. The great steamship lines can enter into a combination, and sometimes attempt to do it, and approximate what we call a trust; but along comes a tramp ship and says: "I want to be loaded with wheat or cotton at this port." So there never has been an ocean transportation trust. The tramp ship kept it from coming into operation. But when great wars come and danger fields on the ocean come the tramp ship flees the danger zone. Why? Because if a vessel is a part of a great company and is carried into a prize court the company can afford to wait for an adjudication and is not ruined, or if damage occur from a war which has taken place the company can afford to wait until it is paid; but where a man owns a tramp ship, and his entire fortune is in it, holding him up for three months or six months will result in his ruin. So he gets out of that sort of trade as quickly as he can and gets into a trade where it is more safe—follows a safer route. So there are tramp ships for sale, tramp ships leaving our trade and gone to other—perhaps East Indian and Oriental—routes. I will show after a while more specifically where these ships are, or I will insert a list of them in the RECORD.

Mr. President, there is, however, this thought back of all this: In my opinion we shall not need to buy many ships to correct this exploitive oceanic freight-rate evil. The German and Austrian ships have disappeared from the sea; they are interned. Many of the British and French ships have been requisitioned or commandeered. Tramp ships have to a large extent disappeared from the north Atlantic trade, especially that part which goes into the North Sea or the English Channel. The consequence of that is that the great lines have been left in command of the situation. The consequence of that is that the great lines have proceeded to act in a piratical or in an exploitive way. I will take back the word "piratical," because it is but natural that they should take advantage of the situation; but they have proceeded to act in an exploitive way. They have raised freight rates up all the way from 300 per cent to 900 per cent, and in some cases, as I shall show after a while, 1,100 per cent. They know they can carry this trade for less, and they know that their pretense for charging all this high price is the fear of mines and the fear of capture is fictitious—a mere pretense. There is not a mine between us and Liverpool; there is not a mine between us and the west coast of South America or the east coast of South America, either; there is not a mine between San Francisco and the Orient. There is no occasion in the world why either the marine insurance or the freight rates should be enlarged upon any of those routes. There is some occasion why it should be enlarged to Scandinavian ports and the ports reached by going through the English Channel or the North Sea, but they have raised freight rates everywhere; they have taken advantage of the situation; they are cutting the throat of American commerce, not alone in the war zone, but south of us and east of us and southwest of us.

What difference does it make that oats should be selling as high as they now are, for example, when freight rates here are 6 shillings 6 pence per bushel, as one man writes to the Secretary of the Treasury he must agree to pay if he ships at all. That is not a freight rate to Hamburg or Bremen, mind you, but a freight rate to Liverpool. It is prohibitive. Of course the man is not going to ship at all. Besides that, the steamship companies tell him that they do not think they can give him tonnage anywhere, because they are carrying other things which are more profitable to themselves.

This being the situation, it is my opinion that the moment the United States Government steps into this arena, panoplied and armed and ready for war—"red-eyed," as a Senator said here the other day—that that moment the major part of this evil, which makes such an emergency, will disappear. How? These people will voluntarily reduce their freight rates in order to keep the United States Government from continuing permanently a line of business which they think would result in great damage to them.

Mr. WEEKS. Mr. President——

Mr. WILLIAMS. One moment. They will not wait for the actual competition, but they will reduce their rates because of the anticipated competition. Whether I am wrong in that or not is debatable, of course. It is a mere matter of speculation and opinion as to the future, but, at any rate, it is my judgment, or the result of my judgment.

Mr. WEEKS. Mr. President, I understood the Senator from Mississippi to say just now that the rates charged for carrying grain were prohibitive. I should like to know how he sustains that contention?

Mr. WILLIAMS. I did not say that. I said that certain rates here referred to from certain ports to Europe were prohibitive. There are other ports. One of the curious things about this situation is that rates are not the same from different ports.

Mr. WEEKS. I agree with the Senator from Mississippi that the rate on a bushel of oats of 6 shillings and sixpense is prohibitive, but there have been 54,000,000 bushels of grain shipped up to the 15th day of January this year more than were shipped last year. Does not that indicate that there is a considerable amount of shipping available for that purpose?

Mr. WILLIAMS. Yes; it does.

Mr. WEEKS. An ample amount?

Mr. WILLIAMS. No; it does not. If I understood the Senator, he asked me if there was an ample amount of tonnage for grain.

Mr. WEEKS. That was part of the question.

Mr. WILLIAMS. Evidently there is not, or the warehouses and elevators in our cities would not be standing to-day chock full of grain and the railroads would not be giving notice that they did not want to carry any more to certain ports.

Mr. WEEKS. Mr. President, does not the Senator from Mississippi know that the difficulty is that of unloading on the other side of the ocean; that the foreign ports are crowded with shipping and that a great number of ships are waiting to discharge their cargoes in foreign ports, and that that is the reason for the shortage of tonnage?

Mr. WILLIAMS. No; I do not. I yielded for a question. I do not care to argue that. I merely made the statement that they could not get the tonnage and that they are not getting it now.

Mr. MARTINE of New Jersey. Mr. President, will the Senator from Mississippi yield to me for a moment?

The PRESIDING OFFICER (Mr. HUGHES in the chair). Does the Senator from Mississippi yield to the Senator from New Jersey?

Mr. WILLIAMS. No; I can not yield. I will yield to the Senator for a question, but not for anything else.

Mr. MARTINE of New Jersey. I only wanted to assure my friend the Senator from Mississippi that the freight rates were not only high, but——

Mr. WILLIAMS. I beg the Senator's pardon, but if I yield to him except for a question I shall lose the floor, and I do not wish to do that.

Mr. MARTINE of New Jersey. I do not wish to take the Senator off the floor.

Mr. WILLIAMS. Mr. President, the Senator from New York and others have taken the position that about the only ships we could purchase were German ships, and then they have taken the position that we can not purchase German ships. Mr. President, so far as the law is concerned, the Senator from New York need not have taken so long as he did to explain it, because the plain law is in the declaration of London. I differ from the Senator from New York about this. He says the declaration of London is not binding upon us. I

say that it is. I say that it is binding upon us for two reasons: First, because we agreed to it, although the mere formality of the exchange of ratifications had not taken place prior to the war. We are, therefore, morally bound by it.

Then I say that the declaration of London is binding upon us for another reason. Russia, France, and England, all three, have declared it to be the rule by which they shall be guided during this war; and the Senator from New York knows that it is a principle of international law that the captor's law is the law of the war, subject only to a trial in a prize court after seizure, and to such treaties as may exist between the two countries submitting such questions to arbitration.

Mr. SMOOT. Mr. President——

Mr. WILLIAMS. One moment. In this particular case the declaration of London is binding upon us, subject only to differences about the interpretation of it—the construction of it.

Mr. SMOOT. I want simply to say to the Senator from Mississippi that, as I understood the Senator from New York [Mr. ROOT], he said that technically people might say that we were not bound by the London convention or treaty; but I do not think the Senator from New York took the position that morally we were not so bound, for his whole argument was based upon that idea.

Mr. WILLIAMS. I do not know what the Senator from New York *meant*, but he *said* we were not bound by it. He is not here; he is pursuing the advice which I gave to Senators the other day—when they did not expect to be entertained to absent themselves from the Chamber, and he is probably right in that. He left immediately after he concluded his speech.

Mr. SMOOT. I think the Senator is probably at luncheon.

Mr. WILLIAMS. I do not know where he is nor what he meant; I only know what he said; and he said that we were not bound by the treaty of London. It is rather late for luncheon.

Mr. President, the law of the case is very clearly expressed; in brief it is this: That as to the purchase of ships taking place over 30 days before the outbreak of hostilities such purchase is absolutely valid; as to the purchase taking place within 30 days before the outbreak of hostilities it is presumed to be valid, but proof can be introduced by the captors to show that the sale was not to avoid the consequences of war, that is not valid; in other words, the burden of proof is then upon the captor; as to the purchase of ships belonging to belligerents by neutral powers, taking place after the outbreak of hostilities, they are invalid; but that, again, is subject to rebuttal by proof, the burden of proof this time being upon the owner of the ship to prove that the sale was not made to avoid the consequences of war. That, in short, is the entire law; and it is contained in articles 55 and 56 and the first part of article 57 of the declaration of London; and any Senator who will read it will find it there as clearly as if he listened to somebody spend three hours trying to explain what it means. I shall put it in the RECORD right here as a part of my remarks. I do not want to detain the Senate by reading it.

The PRESIDING OFFICER. Without objection, permission is granted.

The matter referred to is as follows:

CHAPTER 5.—TRANSFER TO A NEUTRAL FLAG.

ART. 55. The transfer of an enemy vessel to a neutral flag, effected before the outbreak of hostilities, is valid, unless it is proved that such transfer was made in order to evade the consequences to which an enemy vessel, as such, is exposed. There is, however, a presumption, if the bill of sale is not on board a vessel which has lost her belligerent nationality less than 60 days before the outbreak of hostilities, that the transfer is void. This presumption may be rebutted.

Where the transfer was effected more than 30 days before the outbreak of hostilities there is an absolute presumption that it is valid if it is unconditional, complete, and in conformity with the laws of the countries concerned and if its effect is such that neither the control of nor the profits arising from the employment of the vessel remain in the same hands as before the transfer. If, however, the vessel lost her belligerent nationality less than 60 days before the outbreak of hostilities and if the bill of sale is not on board, the capture of the vessel gives no right to damages.

ART. 56. The transfer of any enemy vessel to a neutral flag, effected after the outbreak of hostilities, is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

There, however, is an absolute presumption that a transfer is void:

(1) If the transfer has been made during a voyage or in a blockaded port.

(2) If a right to repurchase or recover the vessel is reserved to the vendor.

(3) If the requirements of the municipal law governing the right to fly the flag under which the vessel is sailing have not been fulfilled.

CHAPTER 6.—ENEMY CHARACTER.

ART. 57. Subject to the provisions respecting transfer to another flag, the neutral or enemy character of a vessel is determined by the flag which she is entitled to fly.

Mr. REED. Mr. President——

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

Mr. REED. In the light of the speech of the Senator from New York this morning——

Mr. WILLIAMS. I yield for a question, Mr. President.

The PRESIDING OFFICER. The Senator from Missouri understands——

Mr. REED. I am going to ask a question. In the light of the speech of the Senator from New York this morning, in which he intimated that the Senate could not deliberate when its Members are absent, I desire to ask the Senator from Mississippi whether, in view of the fact that on the Republican side of this Chamber there are just 8 Republicans present and 35 absent, he regards the 35 as deliberating within the definition of the Senator from New York?

Mr. WILLIAMS. Oh, yes——

Mr. SMOOT rose.

Mr. WILLIAMS. I will answer the question. I think they are deliberating; I think they are very sensibly deliberating besides, and I would not have them put to the trouble of being here for $10, and I am a poor man. [Laughter.] I would rather they were absent, or at least those of them who do not wish to listen; and I realize that they are not absent out of any disrespect for me, but because they are tired of this whole business, as most of us are.

Mr. SMOOT. Mr. President, in that connection I should like to suggest to the Senator that he count the number on the Democratic side, and he will find about 12 out of 52. [Laughter.]

Mr. REED. Mr. President, that is very true; but it is also true that we have not been letting out a wail like the one that went up from Jericho because Senators are occasionally out of the Chamber.

Mr. WILLIAMS. Mr. President, as a Member of Congress by the name, I believe, of Cobb, from Alabama, once remarked, I have a little trouble finding "where I am at," these interruptions are so irrelevant; but having discovered it, I go on.

The truth is—dwelling for one moment upon the issue which has been precipitated into the argument of the merits of this case—that Senators could not attend to their business at all if they remained in this Chamber all the time while the Senate was in session to listen to the speeches made. As a consequence, when Senators are interested in a given subject, when they are interested in the manner of handling it, and when they are not bored to death by a filibuster like this or something else, remain in a majority in the Senate, although not altogether; but when a filibuster like this or something else of the long-winded character is boring them to death—tired—they leave, and, heaven knows, I do not blame them. The only men who have been solicitous of their attendance on the floor during this debate have been the men who have been speaking—some of them for 13 hours or 9 hours or 7 hours at a time—and I notice that as soon as even they get through, although they are clamoring for somebody to listen to their discussion, they leave the Senate Chamber to a man, as the Senator from New York, lately clamoring, has lately left.

I myself am willing to listen only to myself now and then, but these gentlemen seem to have adopted that as a usual practice, so that when they themselves are not talking they think it well enough to be absent. I am not quarreling with them; it is perhaps a very wise thing to do.

Now, to get back to the question. The Senator from New York says that he is "filled," "appalled," "with apprehension" lest the sovereignty of the United States shall be brought into question by some capture or international dispute concerning one of the ships contemplated to be operated under this bill. Why, how could it be? The ships are to be the ships of a corporation of the District of Columbia. The Government is not seeking to hide behind the corporate name at all, but, on the contrary, by the very fact that it does incorporate the company, is announcing to the belligerents that the vessels belonging to the proposed corporation will be subject to all the rules and regulations of international law that affect any other vessels belonging to any other corporation or to any private citizen. Yet the Senator from New York went on and spent quite a good deal of time in talking about our "withdrawing ourselves" behind "the fiction of a corporation" and in warning us that we could not withdraw these vessels from international law because of the fact that the corporation contains three Cabinet officers. Whoever thought we could? The very object of incorporating was that we should not do so.

About three or four days after the outbreak of the European war I introduced a bill here for the Government itself to buy ships and to operate them or to charter or to lease them. This

bill is better than the one which I introduced, for the reason that it avoids the very rock upon which we might have split and against whose presence the Senator from New York warns us. This is a very much better bill. The only quarrel I have is that we have waited so long for the relief. We might have had this law five months ago; and if we had had it five months ago we would have saved during that five months up to this good hour $80,000,000 in freights to the American people—twice all the money that is called for under this bill—and now Senators are going on and filibustering against it and delaying it, when it is costing about $16,000,000 a month to the American people. Every day that you delay it you are costing the American commerce one-thirtieth of that amount—about half a million dollars a day. Is your love of talk worth that? Is there a man in the Senate who does not know how he is going to vote on this bill? Is there a man here who has not to his own satisfaction studied it from every facet which it can present or which it has presented to him? What right have you to fine the American people this amount of money—about half a million dollars a day—while you are talking about whether or not I have "effrontery," or whether somebody else ought to talk who has not talked, or consuming time to deny that you are filibustering when you know you are?

Now, one other thing, Mr. President, and I shall sit down, because I do not want to take up much time. Senators who have considered the question as to whether we have a right to buy the ships of belligerents have considered it entirely from the standpoint of law. We have no right to buy ships of belligerents after hostilities wherever those ships are sold for the purpose of evading or escaping the natural consequences of war. There is no more doubt about that than there is doubt about the first elementary definition of what constitutes murder in the statute of any State in the Union, but there might arise a question as to what constituted this evasion—whether sale of interned vessels did.

The Senator from New York says that the belligerent nations are not going to consent that they should not "swoop down upon their prey." That is very true; but a German ship interned in an American port within the 3-mile limit or within the port is not subject to become "the prey" of any belligerent power. What is the consequence of that? Great Britain, the chief maritime power, and France, her ally, if they have anything at heart next to whipping their enemy in this war, have at heart the destruction of the merchant marine of their enemies. Suppose that merchant marine is kept in our ports until the end of the war. What then becomes of it? Why, it goes right back to its German owners, does it not? Or suppose a French ship or a Russian ship is interned here. It would go right back to its French or Russian owners. Suppose in the meanwhile it is sold to us, especially when about a third, maybe, of its value has already been taken up in port and harbor and demurrage charges that must be paid at our ports.

It is not a mere question of law; it is a question of diplomacy as well. Knowing, as I think I do, the wisdom of the Government of Great Britain—and it has been a very wise Government, whatever else may be said of it during all the ages—it seems to me that if proper diplomatic efforts were used, both Great Britain and France would consent, and gladly consent, for us to purchase all the German merchant marine that exists on the earth. So it is not a question merely of law.

Mr. President, in connection with the assertions made by me with regard to freight rates, I wish to insert in the RECORD as part of my remarks a tabulation of letters written to the Secretary of Commerce and to the Secretary of the Treasury by shippers and merchants all over the United States, giving the amount that freight has risen. I do not want to read the whole tabulation, but I want to read a few things from it merely to justify what I have said before.

Mr. NORRIS. Mr. President——

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

Mr. WILLIAMS. I do.

Mr. NORRIS. I want to ask the Senator a question before he leaves the subject of the purchase of ships that might be interned in American ports. I want to say to the Senator that that is one thing that, to me, has been a very serious proposition. I believe that it is one of the serious things to be considered, and I am asking the question not in an unfriendly spirit. Does the Senator believe that any of the belligerent nations would consider it to their advantage if some interned ship of their enemy were sold to the corporation to be created by the pending bill?

Mr. WILLIAMS. I have just dwelt upon that a little. If I were an Englishman and sat in the English cabinet—and you can only judge what other people think by what you would think if you were in their place—I should be very glad to see the entire German merchant marine transferred to American citizens; and if I were a German I would be very glad to see the entire British merchant marine transferred to American citizens, provided only they were transferred when they were interned and could not be captured and when, under these circumstances, at the end of the war they would, if not sold, go back to their original owners. Of course, that does not involve their sale on the high seas, where they might be captured.

Mr. NORRIS. Well, it would involve, as I look at it, the question as to whether they would be captured or not. Of course, they might engage in carrying contraband, when they would be subject, like any other ship, to capture; but I am not speaking of that.

Mr. WILLIAMS. I am not, either.

Mr. NORRIS. I want to take it on this ground alone, whether the Senator thinks the interned ships, if purchased by Americans, if they went out on the sea would not be captured by the enemy of the country under whose flag they had formerly sailed?

Mr. WILLIAMS. Why, Mr. Preisdent, in answer to the Senator's question, just what Washington and Jefferson did to maintain neutrality during the French Republic and Napoleonic eras Wilson and Bryan are doing to maintain neutrality now, and I have no idea that this administration and this corporation acting under its tutelage would be stupid or foolish enough to buy a single interned ship of a single belligerent without previously by diplomacy settling the question that the other belligerent would not object.

Mr. NORRIS. Then, if that is the Senator's idea, would the Senator favor an amendment to the bill that would practically put that statement in the act?

Mr. WILLIAMS. There is no use in it. I would not favor an amendment to the bill saying that we should not buy the ships of any belligerent, because I think by diplomatic procedure we can buy them without any probability of trouble.

Now, let me say another thing while we are upon that subject. So far from endangering our neutrality, this passage of this bill is going to help to maintain it. Now, why? Because it is unthinkable that this corporation will ever carry any contraband, and there will be a certificate, under section 12 of the act, stating just exactly what is loaded upon the ship, and her cargo will not be concealed with that certificate carried by the captain.

Mr. NORRIS. Yes; I understand that; but that is not my question.

Mr. WILLIAMS. The sole reason why our commerce has been bothered so much lately is because some ships will try to carry contraband, and some of them will, even worse, try to carry contraband concealed. It is unthinkable that this corporation, with the Secretary of Commerce and the Secretary of the Treasury a part of it and largely controlling it, would permit anything of that kind.

Mr. NORRIS. I agree with the Senator on that point; but I do not think that has anything to do with the question I propounded. Now, I wish to ask the Senator another question.

Mr. WILLIAMS. I answered the other question. I do not think we are going to buy them unless it is agreeable.

Mr. NORRIS. Yes; I understand. If it is the theory of this legislation, however, that we believe our Government should not buy unless it is agreeable to the other belligerents, it seems to me the way to make it safe is to put it in the law itself.

Mr. WILLIAMS. Oh, I should think not, because——

Mr. NORRIS. But there might be a difference of opinion on that point. Now, I wish to ask the Senator another question.

Mr. WILLIAMS. Let me tell the Senator why I think not—because if you set two people to trading—and diplomacy is international trading—and if in advance you tell one party just how far he can go, there is not much room for him to trade in.

Mr. NORRIS. That is true; but the Senator announces publicly that in his judgment they would not under any circumstances do it unless it was agreeable to the other party. I do not see any difference between having that understanding, if that is to be known, and putting it in the law itself.

Mr. WILLIAMS. There is a very plain difference between expressing my opinion here and putting it in the law and saying to all those countries that unless they consent this can not be done.

Mr. NORRIS. The Senator himself says he believes it would be true.

Mr. WILLIAMS. I do not think it necessary to consult all the belligerents. Of course, in theory, they would all be concerned, but the Senator knows that in practice the only ships involved here are the German ships that are interned.

Mr. NORRIS. I presume that is true.

Mr. WILLIAMS. If Great Britain and France do not object, we can purchase them, and there will be no trouble. Germany could not object.

Mr. NORRIS. Germany could not object. Now, I want to ask the Senator another question. Suppose this bill is passed, and an interned ship is purchased without getting the consent of the other belligerents. Is it not true, as a matter of international law, that that ship is subject to seizure?

Mr. WILLIAMS. Absolutely; and the seizure itself is subject again to a hearing in a prize court.

Mr. NORRIS. Exactly; yes.

Mr. WILLIAMS. Or, if there is a question between the two countries that exceeds that in importance, to the decision of an arbitration commission.

Mr. NORRIS. Still, if any arbitration should come out of it, the arbitration commission probably would not pass on it until after the war was over.

Mr. WILLIAMS. No.

Mr. NORRIS. That would come later.

Mr. WILLIAMS. That is very true. Now, if the Senator will permit me, I should like to proceed.

Mr. NORRIS. I wanted to get the Senator's idea of the legal question involved here.

Mr. WILLIAMS. I have given that.

Mr. NORRIS. The Senator says the matter would go to a prize court.

Mr. WILLIAMS. Yes.

Mr. NORRIS. Of course, in a prize court the very legal question itself would be involved.

Mr. WILLIAMS. That and the construction.

Mr. NORRIS. Yes. In the prize court would not the fact that the ship was interned and the fact that it was purchased after hostilities began be conclusive in favor of the right to seize the ship?

Mr. WILLIAMS. No; it would not.

Mr. NORRIS. Would it not always follow?

Mr. WILLIAMS. I will read to the Senator the exact language of the law:

> The transfer of an enemy vessel to a neutral flag, effected after the outbreak of hostilities, is void unless it is proved—

Now, that is, of course, proved by the owner. The burden of proof is upon him.

Mr. NORRIS. Yes.

Mr. WILLIAMS (reading)—

> Unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

The interesting question arises right there, when a vessel which is interned, and therefore not liable to capture as long as it remains interned, is sold by its owner, a citizen of a belligerent country, to a corporation or citizen of a neutral country, whether it can be said that is was sold to evade the consequences of capture, because, per contra, it was not liable to capture as long as it lay interned. To give my opinion on that interesting question, if I were a part of the court, I would decide that whether it was interned or not they had to prove more than the fact that it was interned in order to escape this declaration that that transfer was void.

Now, it goes on:

> There, however, is an absolute presumption that a transfer is void in these following three cases:
> (1) If the transfer has been made during a voyage or in a blockaded port.

That is self-evident.

> (2) If a right to repurchase or recover the vessel is reserved to the vendor.

That is self-evident. Of course that would not be in good faith.

> (3) If the requirements of the municipal law governing the right to fly the flag under which the vessel is sailing have not been fulfilled.

Those are the exceptions, and that is the law.

Mr. NORRIS. Those are not the exceptions. Those are the cases where there would not be any proof admitted.

Mr. WILLIAMS. They are the exceptions to the right and scope of rebuttal. Now, then, to go ahead, in further reply to the question of the Senator: These vessels are the vessels of a corporation. There is no intent, nor could there possibly be any effect, of withdrawing them in part or in whole from the operation of every principle of international law. They will be just as much subject to condemnation and seizure, and to the same extent subject to it, as a vessel owned by the Senator from Nebraska sailing the high seas or a vessel owned by a corporation doing business from New Orleans to Liverpool. No question of sovereignty of the United States is involved in it to the slightest extent.

In the bill which I introduced I made the United States buy the ships; and I expressed in the bill, first, the pledge of the United States that they would not carry contraband of war, and, secondly, a declaration that the United States would "regard it as an unfriendly act" for any nation to touch one of them. This is wiser legislation, and better in every sense than that proposed by my bill. The very reason why this is a corporation is to escape that very difficulty, which, I frankly confess, I myself at first did not guard against.

When the Senator asks me whether or not these ships would be subject to seizure, of course my reply is that it depends upon what they are doing. If they are doing anything that would subject any other ship to seizure, they will be subject to seizure, and they will have exactly the same right of appeal to a prize court or to arbitration that any other ship would have.

Mr. NORRIS. Now, I should like to ask the Senator if he can give an instance where one of these ships, interned during the war so far, could be sold by its owner with any other object in view than to avoid seizure. The fact that it is interned and that the owner does not take his ship out on the high seas is the best evidence in the world, although it may not be conclusive, that he is afraid of seizure. That is especially true when there is such a demand for ships.

Mr. WILLIAMS. I have already given the Senator my opinion for what little it is worth.

Mr. NORRIS. I wanted the Senator to give me a case, if he could. I am not saying that he could not.

Mr. WILLIAMS. I have already given the Senator my opinion to the best of my ability, which is that if the question were put before me as a judge as to whether the fact that a vessel was interned relieved it from the exemption, I would rule that it did not.

Mr. NORRIS. I think any of us would.

Mr. WILLIAMS. Because, although it could not be seized in a port or within the 3-mile limit, the motive underlying the sale in the mind of the vendor would be to get the use of his ship.

Mr. NORRIS. Yes.

Mr. WILLIAMS. And he could not get the use of his ship on the high seas without the danger of capture. I have stated that twice.

Mr. NORRIS. He has interned his ship with the very object of escaping capture.

Mr. WILLIAMS. I know. I have stated that twice.

Mr. NORRIS. If this bill were passed, and the Senator were in charge of this corporation, and he had the buying of ships by virtue of this law, would he feel that he was justified in buying one of these interned ships without getting in advance the consent of the other belligerents?

Mr. WILLIAMS. I would not.

Mr. NORRIS. That answers it.

Mr. WILLIAMS. In justice to myself, not to be dogmatic about it, I will say that my opinion is worth no more than that of any other lawyer of equal ability, and the opinion of the Solicitor for the State Department seems to be to the contrary; but, as the Senator from New York [Mr. ROOT] showed this morning, I think the solicitor did not have before him a part of these transactions, and I have thought that all the time. But, Mr. President, I have been drawn away from the point somewhat——

Mr. SUTHERLAND. Mr. President——

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

Mr. WILLIAMS. Just one thing further, please. There is one other point I desire to make, and then I will submit to another interrogation.

The Senator from New York said this morning that where the Government owned stock in a corporation a foreign country would hold that corporation to be the Government. That not only is not justified by the history of the world, but it is denied by it. For example, when the Germans took Paris in the war of 1870–71, they had at their disposal the entire assets of the Bank of France, in which the French Government had more stock and more interest than anybody else in the world; and yet even Bismarck, the very apostle of the doctrine that "might makes right," the man who went further than almost any man ever did in identifying national assets with a government and seizing them when he could, held that the German Government had no right to seize the assets of the Bank of France, and the German Government did not do it, and it was put distinctly upon the ground that it was a private corporation, although the president and the principal officers of the Bank of France were the appointees of the French Government.

Now I yield to the Senator from Utah.

Mr. SUTHERLAND. I wanted to ask the Senator a question in connection with his discussion of article 56 of the Declaration of London, which reads as follows. The Senator has already read it, but I read it again in order to point my question:

The transfer of an enemy vessel to a neutral flag, effected after the outbreak of hostilities, is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

If I understand the Senator correctly, he interprets that as though the only consequence to which such a vessel would be exposed would be that of capture.

Mr. WILLIAMS. No; the Senator misunderstood me. I considered that consequence as sufficient in answering the question. Of course, there are other consequences as well.

Mr. SUTHERLAND. Then the Senator concedes what would seem to be the obvious construction of the language, that such a vessel may be exposed to a variety of consequences?

Mr. WILLIAMS. One of which is the consequence of being interned itself.

Mr. SUTHERLAND. Exactly. That is what I was going to ask the Senator.

Mr. WILLIAMS. That is the very reason why, if it were left to my judgment, I would hold that the fact that the ship was interned had nothing to do with it; that it was, notwithstanding that fact, being sold to evade the consequences of being an enemy ship; but better lawyers than I hold to the contrary.

Mr. SUTHERLAND. Then, I will ask the Senator whether, if a vessel is interned in one of our ports, one of the consequences avoided by the sale of that vessel would not be that of having the vessel remain idle in the port, or of going out and being subject to capture?

Mr. WILLIAMS. That is what I say. One of the consequences would be its being interned itself; and of course it follows from that that being interned it can not be earning anything while it is lying idle at the port.

Mr. SUTHERLAND. Then, the transfer of such a vessel, according to the Senator's own view, if I understand it, the mere transfer of such a vessel which has been interned——

Mr. WILLIAMS. Mr. President, I have answered the question which the Senator put to me. Of course I do not think the Senator is asking me the question merely to make me keep the floor, but I have answered that question several times.

Mr. SUTHERLAND. No; I am not doing that.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Mississippi further yield to the Senator from Utah?

Mr. WILLIAMS. Yes; I yield further.

Mr. SUTHERLAND. What I wanted to know—and I am asking the question in perfect good faith—is whether or not it is the view of the Senator, under this language of article 56, that if a vessel belonging to a citizen of a belligerent country is interned, the transfer of that vessel under such circumstances would be in itself a void transfer under the language of article 56?

Mr. WILLIAMS. It would be if the prize court held that such a transfer of an interned vessel of itself constituted "a transfer" for the purpose of "evading the consequences" which would naturally come to it as a vessel of a belligerent country. I have said that if I were on this court and were called upon to decide the question I would hold in the affirmative.

Mr. SMOOT. Mr. President——

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

Mr. WILLIAMS. I am ready to yield the floor.

Mr. SMOOT. I wish to ask just one question before the Senator yields the floor.

Mr. WILLIAMS. I have some things here I want to read, and then I want to insert something. Now the Senator can go ahead.

Mr. SMOOT. I was just going to ask a question as to a statement that I understood the Senator to make, namely, that in the war of 1870 the deposits of the Bank of France were held not to be the property of France itself, because it was a corporation. Did I understand the Senator to say that?

Mr. WILLIAMS. Not only the deposits, but all of its assets.

Mr. SMOOT. As I remember, it was held that the deposits did not belong to France; that they belonged to the depositors, and therefore France was not to be held for those deposits. I never heard it stated before, nor did I understand, that it was so held because of the fact that it was a corporation.

Mr. WILLIAMS. Yes; it was held to be a private and not a public concern because it was a corporation.

Mr. SMOOT. That was not what I understood.

Mr. WILLIAMS. The Bank of the United States, in which the Federal Government had a very large share of the stock—I have forgotten how much now—was held to be subject to the private corporation laws of the country.

Mr. President, I do not want to take up the time of the Senate in reading the statements about freight rates, to which I referred a moment ago, to justify or to prove the statements I made. I did intend to read a few of them, but I have been detained upon the floor so long by questions that I shall ask to include them as a part of my remarks.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. JONES. I rise simply in response to the request of the Senator. I think that information ought to be given to us here in the Senate, and I object to printing it in the RECORD.

Mr. WILLIAMS. Mr. President, I find here a letter from the Garcia & Maggini Co., general commission merchants, San Francisco, Cal., in which they say:

To a great extent these goods have been in New York for a long time, for the reason that our forwarding agents, Messrs. C. B. Richards & Co., could not get any space.

Besides, freight rates have advanced over 300 per cent since the war broke out, and lately, and within 15 days, freights have advanced fully 100 per cent.

This is dated January 5.

I have a letter from William Haas & Sons, who manufacture shovel handles. These other people dealt in dried friuits. William Haas & Sons, manufacturers of shovel handles, say:

For years our entire output has been disposed of abroad, but owing to the present prohibitive tariff in ocean transportation we are unable to deliver our goods; consequently our plant will remain closed down until such rates are established as will enable us to market our goods.

Charles E. Moore, president of the Leaf Tobacco Association, of Baltimore, in a letter of December 28, says:

Some of our exporting members shipping to Holland points have signed contracts with this company, expiring December 31, 1914, for a rate of $3.50 per hogshead of tobacco. This contract has been disregarded entirely, and the rate increased, first, to $5.25; then to $6.85; and to-day a notice that it will be $7.50 until further notice. This, I repeat, in the face of the written contract for $3.50 per hogshead.

Here is a letter from Gano, Moore & Co., who deal in coal, coke, iron, steel, and ores. They say:

The shortage of vessels is so serious now that it is practically stopping the exportation of coal. We have several orders for coal, principally to South American ports, and it is impossible to secure vessels.

Then the Coplay Cement Manufacturing Co., of New York, say:

Before the month of July, 1914, shipments of Portland cement to the Argentine Republic and Uruguay were possible at $2.45 per ton; to Rio de Janeiro, Brazil, $3.60 per ton. These rates were advanced the early part of August 50 per cent, were subsequently reduced so that the advance was equivalent to 25 per cent for the July rates, and these rates have advanced since the latter part of September until now they are $6 per ton to Rio by some lines and $8.50 per ton by other lines; $6 per ton to the Argentine Republic. And notwithstanding these high rates, there is no possibility of obtaining ships, transportation, or accommodation for our product. * * *

Now, remember, this is in the South American trade. There are no mines, no anything else, no question of contraband that can arise at all—no war risk of any description.

Then here is the American Tripoli Co., manufacturers of Tripoli flour. They say:

We have an offer of some orders from Barcelona, Spain, and the first two of the attached letters refer to our efforts to get quoted us a rate from New Orleans to Barcelona; and you will see that the steamship company operating steamers to Barcelona refuse to quote rates at all. In the first letter, the reason given was that other commodities which permit of a higher rate are being carried, so that our material, which must have a lower rate, is not at all desirable, and they even refuse to quote rates at all.

That is on a line between New Orleans and Barcelona, away south of the theater of war. That is the route traveled by those ships.

Here is one from W. B. Cooper & Co., cotton merchants:

Please allow us to indorse the action of the administration in trying to secure boats for the movement of American products.

We are frank to say that as a general proposition we are not anxious to see the United States Government get into too many lines of business, but when 3 cents per pound or more is to be paid freight on cotton across the water against 35 cents per 100 pounds six months ago, it is time something should be done, in our opinion.

Three cents per pound is $15 per bale; 35 cents per hundred pounds, the old rate, is $1.75 per bale. This new rate is $15 per bale, and this is not to a German port but to British ports; Great Britain has control of the sea, and there is no danger of capture.

Then, here is one from Frank F. Fee, president of the Fee-Crayton Hardwood Lumber Co., in which he says:

It is now a serious menace to our business by reason of our inability to get reasonable and in some cases our inability to get any ocean rates on our production of hardwood lumber. We usually ship through the

port of New Orleans to British and continental ports. The writer has been to New Orleans personally and is informed by the steamship agents that they are receiving a tonnage of cotton and wheat and other commodities for the belligerents at such high rates and at such easier loading and unloading that they make tremendous profits for their vessels, and they do not want to take lumber tonnage—

That ought to interest the Senator from Washington, who comes from a lumber State—

We can say that we have before us inquiries for many carloads of lumber which could be shipped immediately, provided reasonable rates could be had. * * * Further, one of the steamship agent's commission for a single month was $25,000.

That is the agent's commission. That shows you what money they are making.

Here is one from M. B. Nelson, general sales manager of the Long-Bell Lumber Co.:

I inclose a quotation from ship brokers issued under date of December 26, showing rates have advanced more than 300 per cent.

Here is one from a provision and packing company:

We are exporters of provisions, etc., to Hamburg, Germany; Rotterdam, Holland; London and Liverpool, England.

Now, mind you—

Early in 1914 we signed contracts covering rates on export freight to London and Liverpool via Atlantic Transport Line and White Star Line from New York, with J. D. Roth, general western freight agent of the above-named lines, in which we are named ocean rate of 20.5 per cent per gross ton. These rates have been raised 10 per cent per gross ton since the beginning of the war.

That is with regard to shipments to Liverpool and London—no German cruisers at sea; no mines on that route.

The Chattanooga Wheelbarrow Co. writes to the same effect.

H. F. Heilman, treasurer of the Levi Smith Co. [Ltd.], lubricating-oil manufacturers at Clarendon, Pa., writes as follows:

Our export business with foreign countries has been quite heavy in past years, and Rotterdam was one of our principal ports and generally made contracts with the Holland-American Line at Baltimore to cover all our shipments to this port during the year. When our contract expired in 1913, we did not think it wise to renew the same at the then high rates, and held back, preferring to ship on the open market; but in March the Holland-American Line insisted on us closing a contract for the year 1914 or else pay the highest open-market rate, making a difference of about 4 cents per hundredweight at that time, and with great reluctance we finally consented to cover our shipments to this port by another contract for the year. * * * Also, inclosed copy herewith of their letter to us dated November 4, notifying us of disregarding that contract and asking an advance of 50 per cent. * * * This contract rate was 22 cents per hundredweight for the year, whereas their latest advice (a few days ago) the rate had advanced for shipments of this commodity to Rotterdam to 70 cents per hundredweight, which is simply outrageous.

Here is one from Brown & Adams, wool commission merchants. They say that the increase has been 150 per cent.

Here is one from Ike Manheimer, engaged in dealing in green and dried apples. He says that they are having much trouble in securing space at all, and that the freight on fresh apples in barrels is equal to the value of the apples.

Here is a letter from the American Vulcanized Fiber Co. That does not make any difference, because that enters into contraband business, I suppose.

Here is one about glue. There is the same complaint there.

Here is one from E. P. McBurney, vice president of the Empire Cotton Oil Co., in which he says that they are experiencing trouble in booking shipments and that inquiries develop that shipowners have restricted their vessels almost exclusively to cotton by charter or at very high rates, because they are getting $15 and $17 a bale. Hereafter you will see that where they ship to Germany they are getting $17.50, and $15 to Great Britain.

The Phoenix Iron & Steel Co., of Galveston, Tex., writes to the same effect.

Stengel & Rothschild, tanners and manufacturers of patent leather, make their shipments to Italy. They say:

We are experiencing considerable difficulties with shipments of our goods to Italy. The normal freight rate for patent leather in cases has been 50s. per ton, with possibly 5 per cent primage, but we have just been asked a rate of 120s. plus 5 per cent for the same class of freight.

That is nearly 150 per cent increase.

L. & E. Frenkel, importers of electrical specialties, write along the same lines.

J. D. Kremelberg & Co., of Baltimore, say that the freight rate on tobacco has been raised from $4 per hogshead to about $27, or nearly 3½ cents a pound, so that tobacco shipments have become out of the question.

R. M. Bryan, eastern manager of the Black Diamond, New York, N. Y., December 30, 1914:

This business—the coal industry—has been almost prostrated by the inability of shippers to secure vessels and upon terms that will permit them to make shipments.

McEwan Lumber Co., Azalea, N. C., December 29, 1914:

Would say that for our part the present rates are practically prohibitive, as they have advanced 10 cents and 15 cents per hundredweight, and in many cases even these rates are not protected except for immediate acceptance and subject to confirmation by steamship lines. * * * It is our information that the steamship companies are giving other tonnage carrying higher freight rates preference, and in some instances are limiting their boats to a certain small amount of lumber tonnage.

Another from Henry Lauts & Co., Baltimore, Md., December 29, 1914:

The present rates charged by this line—the Holland-American Line—are almost prohibitive, and are a decided menace to the tobacco export industry of this country.

V. F. Holmes, estate of Victor Holmes, deceased, exporter of zinc oxide, Boston, Mass., December 28, 1914:

Since the European-war situation developed this business has been very considerably hampered by a number of conditions, among them the scarcity of freight vessels, exceedingly high rates of exchange, and, what is more important, the freight outlook for 1915.

R. R. Dancy & Co. (cotton), Houston, Tex., December 26, 1914:

Last week brokers asked $17 per bale freight to Germany—Bremen. Now $14.

I said a moment ago it was $17.50, I believe; but I was mistaken, it was $17.

Here is a letter from Danforth Geer, president Walter A. Wood Mowing & Reaping Machine Co., Hoosick Falls, N. Y., January 9, 1915, containing a statement that it is very difficult to get tonnage at all, and expressing the hope that some measure may be enacted or some policy created which will relieve the present situation in time to affect their business interests this year.

Here is one from Meyer Hecht, a dealer in skins and hides in New York, who says:

I, too, want to protest that the steamship lines are charging me two or three times as much as formerly and then do not give me room for my shipments.

Dumee, Son & Co., cotton, Philadelphia, Pa., December 29, 1914:

We wish to enter strenuous protest against the prohibitive freight rates being charged by the trans-Atlantic lines on cotton and cotton linters to European ports. * * * One year ago we paid a rate of 45 cents and 50 cents per hundred pounds on compressed and uncompressed cotton linters, respectively, from New York to Rotterdam. To-day we are asked $2.50 and $3 per 100 pounds.

This is a very low quality of cotton, taken off the seed after the cotton is ginned on the plantation. It is taken off at the cotton-oil mill and is worth 2 to 4 cents a pound. Note the freight rate is 2½ to 3 cents a pound—almost fully the value of the product.

Gabriel Nachman, wool stock, New York, N. Y., December 28, 1914:

We are large shippers of woolen rags. * * * Steamship companies have advanced their freight rates from one-fourth cent per pound to $1.10 per hundred pounds, and even at that rate they refuse to take rags; therefore have not been able to ship any for export in over four weeks.

Here is one from C. Stallings & Co., Lynchburg, Va., tobacco exporters.

Here is another from A. P. Husband, secretary Millers' National Federation, Chicago, Ill.

There is attached a tabulated statement of ocean freight rates on flour published by the International Mercantile Marine from several American ports to London, Aberdeen, and Liverpool. You will note that it gives the general freight rates from the named American ports to ports in the United Kingdom—mind you not to Germany or Austria—advanced 100 per cent; not a German cruiser to capture it and not a mine to bother them.

Panama Railroad Co., January 15, 1915. A Government concern, which must have coal to defend the canal and to keep up construction and repair work.

Our stock of coal has been reduced from 90,000 to 40,000 tons, and both the Earn Line and our company are scouring the charter market in the effort to secure sufficient tonnage to carry to the Isthmus the amount of coal it is imperative we should keep there.

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

Mr. WILLIAMS. Yes.

Mr. GALLINGER. I have not seen the last draft of the bill—the third edition, I believe it is—but I read that the proposition is that an additional $10,000,000 may be issued, making $30,000,000 in all.

Mr. WILLIAMS. It was unlimited in the first draft. It is limited to $10,000,000 now.

Mr. GALLINGER. Inasmuch as there are hundreds and hundreds of steamships plying the Atlantic, does the Senator think that 25 or 30 steamships would very materially change the rates of transportation?

Mr. WILLIAMS. Yes; I do; but, in addition to that answer, our bill would give many more than 30 ships. Freight ships do not cost a million and a quarter of dollars apiece.

Mr. GALLINGER. England has 12,000 cargo ships, I believe; so the number we propose is negligible.

Mr. WILLIAMS. I have known one tramp steamer that went into the ports of New Orleans and Savannah and lowered the rate of freight on cotton immediately.

Mr. GALLINGER. For the moment.

Mr. WILLIAMS. And then another thing: Do not forget, the shipowners, although in temporary combination, are pretty well frightened by the idea of the United States going into this sort of policy permanently. As far as I am concerned, I hope to heaven it never will; but they are afraid the United States will go into it, and they are going to reduce freight rates and try to prevent it and make the venture upon the part of the Government a losing venture, and, if they do make it a losing venture, then the people will profit by the Government's loss.

Mr. GALLINGER. I have noticed it is the opinion of a distinguished expert that to have ships enough to transport our products to foreign countries and bring back our imports it would take at least $600,000,000 to purchase the ships.

Mr. WILLIAMS. I do not know about that. I have not looked into it satisfactorily, but I have looked into it far enough to be able to state, I think, that it will not take that much. But that has nothing to do with this measure. It would take a large amount of money in comparison with $40,000,000, but not that much. That was one of the statements made by interested parties hostile to this legislation, like a statement made on the same authority by a Senator here on the floor that there was a surplus of tonnage lying all around, from which he inferred that we did not need this legislation. But, Mr. President, I have quoted most of those freight rates, and I have here a summary of the most striking increases which I think would abbreviate the thing very much in the RECORD, and I shall now, if the Senate agrees, insert the summary instead of these items.

Mr. JONES. I would like very much to hear that. This has been very valuable information.

Mr. WILLIAMS. The Senator is not going to hear it at this time. It is a mere matter whether the Senator desires it to go in the RECORD instead of the freight rates which I read, or whether he would rather the longer citation of items I have read should go into the RECORD.

Mr. JONES. I have no objection to whatever the Senator has read going into the RECORD.

Mr. WILLIAMS. I can not read the short one, too.

Mr. JONES. I object to anything being put into the RECORD without reading, because I do not have time to read the RECORD now, with what I have to do, and so I like to hear it on the floor.

Mr. WILLIAMS. All right.

Mr. STONE. Mr. President, it is not my purpose to discuss the merits of the shipping bill. I am assembling some data and authorities upon which I mean to predicate and support some remarks I purpose to make on the bill at an early day. I arise now merely to correct a statement made more than once by the senior Senator from New York [Mr. ROOT], and which he repeated to-day, as to some remarks I made about forcing this bill so as to prevent a fair discussion of it, boasting that we had or thought we had votes enough to pass the bill. The statement as made by the Senator from New York was not in any sense warranted by anything I said, either by the text of what I said or by any construction of it that would not be strained and extremely remote from the facts.

Mr. President, there is not now and there has not been, so far as I know or believe, any purpose on the part of any Senator on this side to restrict a fair, sensible, and even ample discussion of the pending bill. I readily concede that a measure of this importance should be discussed until the attitudes of Senators who are for it and who are against it have been sufficiently made known. But, Mr. President, when we are confronted by a situation clearly showing an organized purpose on the part of Senators on the other side to go much further than is necessary in all reason to amply debate the measure and to carry on a studied course of obstruction under the guise of debate, with the ultimate view of defeating a vote, then I do not hesitate to say that Senators are abusing the privilege they are allowed for freedom of debate under the rules of the Senate.

The Senator from New York [Mr. ROOT] read us, as he is accustomed to do, a lecture on absenteeism, inattention, lack of interest in the debate. Mr. President, I am in sympathy with what the Senator said in that behalf. I wish he could castigate Senators severely enough, particularly Senators on this side of the Chamber, to make them out of a sense of shame, if not of duty, remain here in the Chamber while the public business is being transacted, or at least remain within the immediate call of the Senate.

But I question, Mr. President, whether the Senator from New York would undertake the task of inducing Senators to stay here if he thought he could succeed. I doubt whether he would be delighted if he saw every Democratic Senator in his seat throughout each day, for if that were so less opportunity would be given to filibustering Senators on the other side to take advantage of their absence.

The Senator from New York has not honored his colleagues with his presence overmuch. He complains of the absence of Senators, but he does not set them a good example by being present. He teaches by precept, not by example. Scarcely had he closed his address this morning until he fled the Chamber. His beatific countenance has not beamed upon us since, and probably will not during the remaining tedious hours of this session. Where is he? I can not answer that question. It may be that he is enjoying a well-earned leisure, reflecting upon the honors he won here this morning by his great oratorical outburst. He may have left for New York. He may be now flying to the metropolis to hold discreet converse with some of his constituents, to devise new methods of embarrassing the progress of this legislation. I do not know where he is; perhaps his immediate whereabouts is not a matter of impressive importance.

The senior Senator from Massachusetts [Mr. LODGE] indulged in a like tirade a day or two ago, upbraiding Senators upon this side who did not sit here to listen to the addresses delivered by distinguished Senators such as Senators ROOT, WEEKS, and others he named. Since the 4th day of January the RECORD shows that numerous roll calls have been had.

Mr. REED. Fifty-five.

Mr. STONE. My colleague says 55. The Senator from Massachusetts [Mr. LODGE] voted or was present 36 times and was absent or not voting 19 times. The Senator from New York [Mr. ROOT] was present, as shown by these roll calls, 28 times and away 27 times. The junior Senator from Massachusetts [Mr. WEEKS] was present 27 times and away 28 times; and yet from these sources we hear complaints that we do not sit here to listen to these debates and participate by our presence in the current business of the Senate. That record, Mr. President, shows the utter emptiness and insincerity of these criticisms.

Mr. President, I now come directly to the matter to which I arose to address myself. It will take but a few moments to dispose of it. On the 4th day of January the Senator from New York [Mr. ROOT] said:

> Sir, there has been no discussion here since I have been in this body so imperative in its demands upon the Members of the Senate as the discussion of this bill. There has been no measure going so deep to the basis of our institutions as this bill. It comes here, sir, under circumstances which are repugnant. There was no hearing before the committee of the House on such a measure as we have before us. There was no hearing before the committee of the Senate. The demand for a hearing was refused, and the bill was reported speedily, peremptorily, with but slight opportunity for discussion; and now, sir, the Senator from Missouri [Mr. STONE], in advance, with some show of feeling, which I know was evanescent and which, I trust, does not even now continue, has stigmatized all discussion of this bill on the part of the minority as—what were the words?—"improper and unjustifiable."
>
> The Senator from Florida [Mr. FLETCHER], with that kindliness and fairness which always characterize him, has told us that there was no disposition to interfere with the debate on this bill, but the Senator from Missouri [Mr. STONE] in advance gives notice to the country that the debate on this bill is to be regarded as obstructive, improper, and unjustifiable.

Now, let us see what foundation there is for that. Whatever of foundation there is for it is to be found in a colloquy in which I participated, recorded in the second column of the CONGRESSIONAL RECORD of January 4, at page 906. This colloquy occurred just before the Senator from New York made the speech from which I have quoted. The Senator from New Hampshire [Mr. GALLINGER] had the floor when the Senator from Washington [Mr. JONES] arose and asked recognition. I now quote the colloquy.

> Mr. GALLINGER. I yield the floor.
>
> Mr. JONES. I wish to suggest to the Senator from New Hampshire something of which he is probably aware as indicating the character of argument and the means the other side intend to use to put this bill through. The majority leader of the Senate was quoted as having said immediately after the President's message with reference to this bill, "We have the votes to put it through."
>
> Mr. GALLINGER. I observed that, and I have had it whispered in an ear that always serves me well that, assuming they have the votes, they are going to resort to tactics which will be opposed as strenuously as possible, so far as a few of us are concerned, at least.
>
> Mr. STONE. Mr. President, we have the votes to put it through if ever we can get a chance to vote. Unless Senators on the other side adopt some plan or scheme of inexcusable and unpardonable obstruction we will get to a vote, and we have the votes to pass the bill.
>
> Mr. GALLINGER. If the Senators on this side should resort to the same tactics that the Senator's colleague resorted to on the immigration bill, would he think that that was very much to be condemned?
>
> Mr. STONE. Mr. President, I am not discussing what occurred on other bills or what individual Senators have done. It is rather an impertinent

question for the Senator to propound, and I think an improper one, to ask me to animadvert upon the conduct of any Senator, and particularly on that of my own colleague. I am speaking as to this bill. I am answering the statements made in the form of criticism by the Senator from Washington and the Senator from New Hampshire.

Mr. GALLINGER. The Senator is oversensitive.

Mr. STONE. No; I am not at all.

Mr. GALLINGER. The Senator has on more than one occasion, with a great deal of earnestness and with some acerbity, during the past few months charged this side of the Chamber with unduly and improperly obstructing legislation. Now, Mr. President, for one, I propose to be the judge of my own conduct in this matter, and I shall pursue such a course in the debate on this bill as I think the importance of the measure demands at my hands.

Now, what is there in any statement that I made—and I have read it all—that justifies the Senator from New York or any other Senator asserting and reasserting that I had stated "with some show of feeling" that "the discussion of this bill on the part of the minority would be improper and unjustifiable," or to justify the Senator in saying that I had declared in advance that debate on this bill is to be regarded as obstructive, improper, and unjustifiable? I said no such thing, and I had no such idea in mind when I made the declaration which the Senator misquoted and criticized.

I meant to say then, and I assert now, that I am in favor of full, fair, and free discussion; but when Senators conduct an organized, determined, and practically admitted filibuster to prevent a vote, then I do say that such so-called debate is unjustifiable and improper.

If this be treason, make the most of it.

Mr. President, if there be no particular reason to the contrary, I move that the Senate now proceed to the consideration of executive business.

Mr. SIMMONS. Mr. President——

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

Mr. STONE. I withhold the motion for a moment, in accordance with the wishes of the Senator from North Carolina.

Mr. SIMMONS. Mr. President, I want to make a few observations and a suggestion. I do not wish to unnecessarily delay the motion of the Senator from Missouri, but if I should not do what I have in mind now at this time probably it would be inopportune at some other time.

I want to call the attention not only of the Senate—and that is unnecessary—but I want to call the attention of the country to the fact that when the Senator from New York [Mr. ROOT] rose to address the Senate this morning, and during the entire time that he occupied the floor in addressing the Senate, he had the attention of a full house, both on this side of the Chamber and on the other side of the Chamber. I want to say that, as is known to the Members of the Senate, the Senator from New York never indulges in dilatory discussion; and whenever the Senator from New York or any other Senator on either side of the Chamber on this question or any other question rises here for the purpose of real, genuine, honest discussion he is very apt to get serious attention from both sides of the Chamber. Certainly nothing has developed in this debate that indicates that when a Senator is really discussing a question with the purpose of enlightening the Senate and not for the purpose of consuming time he has not had as good attention on this subject as he had ordinarily upon other questions.

Mr. SMOOT. Mr. President——

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

Mr. SIMMONS. If the Senator will pardon me, I am trenching a little upon the purpose of the Senator from Missouri [Mr. STONE], and I would rather not yield.

Mr. SMOOT. I simply rose to ask a question, and perhaps the Senator would like to correct his statement after I have asked it.

Mr. SIMMONS. Probably.

Mr. SMOOT. I simply wanted to ask the Senator if he believes the Senator from Iowa [Mr. CUMMINS] was discussing this question with any intention whatever of a filibuster?

Mr. SIMMONS. The Senator from Iowa had just as good attention in the discussion of this subject as he would have had if he had been discussing any other subject before the Senate.

Mr. SMOOT. That, of course, is another question, Mr. President; but I wanted to say to the Senator——

Mr. SIMMONS. That is the proposition that I laid down—that nothing has occurred in connection with this debate that indicates that a Senator who is engaged in honest discussion will not get as good a hearing upon this question as he ordinarily gets upon any other question.

Mr. SMOOT. I simply want to say that the Senator from Iowa discussed this question for over a couple of hours, and for the greater part of that time there was not to exceed two Senators upon the other side of the Chamber.

Mr. SIMMONS. That does not militate at all against the proposition that I laid down. The suggestion of the Senator from New York was that this side of the Chamber had refused to give a hearing to discussion from the other side of the Chamber; that there was on this side of the Chamber an organized conspiracy of silence; and I am saying now only that when a Senator on the other side rises to discuss this question in the way of honest and fair debate he will get just as good and fair a hearing from this side on this question as he would on any other important question; but on this question or any other question that may come before the Senate, speaking out of my experience since I have been a Member of the Senate—and that has been for 14 years—when it is thoroughly understood in the Chamber that a Senator is speaking merely for the purpose of consuming time, for the purpose of obstructing legislation, Senators on both sides of the Chamber have generally retired to the cloakrooms.

Mr. President, we have had some speeches here from Senators after they had been advertised in the press of the country, after it had been proclaimed in a leading newspaper published in this city that we were to have speeches from certain Senators who had won a reputation for filibustering legislation to death. When those speeches were being made they did not have any greater audience on the other side or on this side than has heretofore been accorded men who it was known were engaged in the purpose and work of obstructing legislation.

The Senator from New York has complained of what he calls the "fiction of the legislative day." He has charged that it has been inaugurated for the purpose of forcing through this legislation by brute force. Why, Mr. President, this is not the first time the Senate has pursued that course of procedure. Repeatedly in recent years, both this side of the Chamber when it was responsible for legislation and the other side of the Chamber when it was responsible for legislation which for any reason it was sought to facilitate or which was threatened with defeat by obstructive tactics have, for the purpose of promoting legislation and securing a vote upon a measure, adopted this legislative-day fiction for the purpose of getting rid of the morning business and saving two hours daily in the discussion.

The Senator says we have adopted this fiction for the purpose of forcing through this legislation by brute force. I want to say to Senators on the other side of the Chamber that I could say with as much plausibility and with as much justification that the course which they are now pursuing has been adopted for the purpose of defeating this legislation by brute force.

Mr. MARTINE of New Jersey. Mr. President——

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

Mr. SIMMONS. I want to make a suggestion in connection with that, and I wish the Senator would let me do that, and then I will yield to him.

Mr. MARTINE of New Jersey. Very well.

Mr. SIMMONS. If the Senators on the other side agree with the Senator from New York that we have a "conspiracy of silence" on this side of the Chamber, and that that conspiracy of silence grows out of the fact that we are unwilling to debate this question, to meet the arguments made upon the other side—if the Senator has that idea, and if, on the other hand, it is not the purpose of the Senators on that side of the Chamber to filibuster this measure to death, I have a proposition to make to them. It has been stated in the press that it is the deliberate purpose of Senators on the other side of the Chamber to debate this question until the 4th day of March rather than to permit a vote upon it. It has been stated in the press that you have held a caucus and that you have selected 25 Senators on that side who are to keep the floor, if necessary, until this measure is defeated, if it takes until the expiration of the session under the Constitution.

Mr. GALLINGER. Mr. President——

Mr. SIMMONS. Just a minute; let me make my proposition. If that is not the purpose of Senators, if it is not their purpose to filibuster this legislation to death, if Senators want honest debate on this side of the Chamber as well as on that side of the Chamber, I make this proposition to the Senator from New Hampshire, the leader of the other side, and I think it will be acquiesced in by my colleagues:

We will agree right now, if that side of the Chamber will consent, to a rule that this debate shall be continued for 10 calendar days; that the time of debate shall be divided equally between that side of the Chamber and this side of the Chamber, and that we will occupy our part of the time, if you will enter into a unanimous-consent agreement that at the end of that 10 days we may vote upon this measure. We have 7 hours of session each day under the plan we are operating upon.

That will amount to 70 hours of debate, or an hour apiece for 70 speeches or 2 hours apiece for 35 speeches. That ought to be enough for honest and fair and legitimate debate.

Will the Senator agree to that? Or is it the Senator's purpose and the purpose of his party to continue this debate, if it is necessary to prevent a vote, until the 4th day of March next?

Mr. GALLINGER. Before responding to that question I want to ask the Senator what reckless newspaper it was that said that the minority had held a caucus and had selected 25 Senators to make speeches?

Mr. SIMMONS. Probably I should have said that with reference to the first statement I made. If I said a newspaper published the other statement, probably I was mistaken. I have heard that around the Chamber.

Mr. GALLINGER. Mr. President, the majority side of this Chamber has held caucuses day and night. The minority had a little conference, covering about half an hour on one day.

Mr. SIMMONS. I am not objecting to your conference.

Mr. GALLINGER. And they made no such arrangement as the Senator suggests.

Mr. SIMMONS. I am glad to hear the Senator say they have not.

Mr. GALLINGER. They have not.

Mr. SIMMONS. Will the Senator answer me with equal frankness as to whether it is the purpose of himself and his colleagues to continue this debate until the 4th of March, if it is necessary, to prevent a vote upon this question?

Mr. GALLINGER. Mr. President, I hope the majority will see the propriety of taking up the great supply bills of the Government and passing them first.

Mr. SIMMONS. Does the Senator decline to answer that question?

Mr. GALLINGER. No, Mr. President; I never decline to answer questions. I will say to the Senator that I have not occupied any time in this debate. I propose to occupy such time as I think is proper. I shall discuss the question of Government ownership. I shall discuss the question of the merchant marine. I shall discuss the new question that has been projected into this debate by the majority side of invading the domestic commerce of the United States with these foreign ships—a matter that we voted against 2 to 1 at the last session of Congress. I shall discuss those questions in my own time and in my own way and take as much time as I think is proper to present them adequately. I do not speak for any other man on this side of the Chamber.

Mr. SIMMONS. I shall hear the Senator with great pleasure, and as I think probably he will indulge only in honest discussion, I think he will have a pretty good audience; but that does not answer the question I asked.

Mr. GALLINGER. I do not expect an audience; and now, in answer to the Senator's question, I shall object to closing this debate in 10 days.

Mr. SIMMONS. Does the Senator mean by that that it is the purpose of his side of the Chamber to continue this discussion until the 4th of March, if it is necessary, to prevent a vote on this measure?

Mr. GALLINGER. I do not say that, because I do not know it to be the purpose.

Mr. SIMMONS. Does not the Senator think that is the purpose? Has not the Senator reason to believe that that purpose has been agreed upon?

Mr. GALLINGER. I know that it has not been agreed upon.

Mr. SIMMONS. Has not the Senator reason to believe that that is the fixed purpose of that side of the Chamber?

Mr. GALLINGER. I am not a mind reader, and I am not going to judge what my colleagues think about it.

Mr. SIMMONS. The Senator evidently does not desire to answer that question.

Mr. President, I think nobody in the country seriously doubts that it is the purpose of the other side to continue this discussion until the 4th of March if that is necessary to prevent a vote. In those conditions, Mr. President, I hope and I trust that this side of the Chamber will not aid them in that filibuster. If they think 10 days is not enough, then I think we will enlarge that and make it 15 days. If they will agree to that, Mr. President, then we will join in the discussion with them; but as long as the discussion is for the purpose of filibustering this legislation to death, and nothing else, we are not going to help them any further than is necessary in order to put our side of this controversy before the country.

Now, Mr. President, one other matter. The Senator from New York [Mr. ROOT] sought to create the impression that this legislation was for the purpose of enabling the Government to buy these belligerent vessels that are interned in our waters; and in order to support that argument he made the point that contemporaneously, either immediately before or immediately after the introduction of this bill, there was presented to the Senate of the United States a written opinion of the Solicitor for the State Department, Mr. Cone Johnson; that these two documents, so far as concerned ascertaining the purpose of the Senate committee with reference to confining these purchases to interned vessels, were to be read together and the Cone Johnson document taken as a part of the res gestae.

Mr. President, I have taken the pains to look up that matter. I find, as a matter of fact, that this opinion of Mr. Cone Johnson was prepared on the 7th day of August. On the 11th day of August, while we had up for consideration in the Senate what is known as the ship-registry bill, in connection with which a discussion of these questions had been had in the Senate, I presented to the Senate this opinion of Mr. Cone Johnson and had it read into the RECORD. The bill that the Senate now has under consideration was not introduced in the House until the 4th day of September, or nearly a month after Mr. Johnson's opinion was presented to the Senate, and was not introduced in this Chamber until the 9th day of December, as I now recall; so that the two have no relation whatsoever.

Mr. President, the opinion of Mr. Cone Johnson has been assailed. I am not undertaking to say that Mr. Cone Johnson has interpreted the law with absolute accuracy, but I do mean to say, upon the point raised by the Senator from New York, that Mr. Cone Johnson's opinion was only to the point that the London conference had simply changed the former rule so as to throw the burden of proof upon the purchaser in certain cases, whereas theretofore it had been upon the captor. In certain conditions under the old law there was a presumption in favor of the purchaser, but it was a rebuttable presumption. The burden was upon the captor to rebut that presumption. The London conference changed it so as to make it a presumption against the purchaser in certain cases, but only a presumption, and the only change in the rule was that the burden of rebutting the presumption was thrown upon the purchaser instead of upon the captor, as theretofore.

Mr. President, it is attempted in the discussion to-day to get away from the real merits of this controversy, by trying to focus the minds of the Senate and of the country upon the idea that we are seeking to buy interned ships; that the purpose of the Government in presenting this legislation is to get these ships, because possibly they can be purchased at this time at a low price, and that that is the main moving purpose with reference to this legislation.

I wholly repudiate that suggestion. We are not limited to interned ships. We may build ships. We may buy ships from others than the Germans or the Austrians. I think I can say, and I think I can say it truthfully, and I think the country will bear me out in the statement, that when the Senator from New York says that the effect of this legislation will be, not to buy ships, but to buy a quarrel, he impugns the high standards as a friend of peace—peace upon this continent and peace throughout the world—of the man who sits in the White House, and who will have control of this business. He has not received any Nobel prizes as a friend of peace, but his record during the last few months, his record since trouble broke out across the border to the south of us, his record since the Old World was engulfed in war, has been a record of peace, a record of conciliation, the record of a man who so longed to see his countrymen and his country at peace with the world that he would submit to what possibly others not so inclined toward peace would not have submitted to. I am sure no man who is familiar with this man's record, no man who appreciates his purpose and his efforts in behalf of peace, will impute to him any purpose to secure or desire to secure legislation that might result in the purchase of a quarrel. No one will impute to him the purpose, if he has the power to prevent it—and he has the power, under this bill—to do anything in the execution of the powers conferred upon him by this measure that in his judgment would result in embroiling us in war with another country.

No, Mr. President! I join the Senator from Mississippi [Mr. WILLIAMS] in the statement—and the country will believe that statement, because they know who Woodrow Wilson is, because they know his record and his history and his feelings upon this subject—that if this legislation passes, none of those interned vessels will be purchased until it has been first ascertained, in the proper way and through the proper channels, that the purchase of the vessel will not lead to war or to entanglements out of which war might be evolved.

Mr. MARTINE of New Jersey. Mr. President, I feel that the Senator from New York [Mr. ROOT] was rather unfortunate and ungenerous, too, in his charge of absenteeism upon the part

of the Democratic side of the Senate during the discussions of this ship-building bill.

It has been my honor and privilege on a number of occasions, through the graciousness and courtesy of the Vice President, to occupy the Presiding Officer's chair. I will say that I have been quite assiduous in my attendance upon the sessions of the Senate, and I think that will be agreed to by the Senators on the other side, and I believe justly by the Senator from New York. It has been my habit, I will say, while I was occupying that chair, sometimes to jot down various thoughts on various subjects; and this happened on January 20, 1915, during the discussion of the ship-building bill:

Senator BURTON now speaking on the ship-building bill. At this time, 1.45 p. m., there are in the Chamber two Republican Senators and five Democrats. BURTON has now spoken over 3 hours to-day. Yesterday he spoke 6. He seems as fresh as when he started.

[Laughter.]

So, I say to my Republican friends, the archives—the records—will deny your statement. The facts are that the Democrats have been in attendance quite as assiduously as have the Republicans during this debate. I have felt sometimes that the discussion was worthy of a little more liberal attendance, but we were thankful for what we got.

I want to say for myself at this time that I have no particular desire to air my views on this question again, but I hail a ship-building bill with the greatest delight. I have been an advocate of Government transportation for many years of my life, and I hail with delight this opportunity to vote for a ship-building bill. There were many features in the bill originally that I did not like. Thank heaven, they have been eliminated. One of them was the feature that we were to blaze the way and finally transfer these ships to some private corporation. Then, too, I wish, instead of the shipping board, the Government might deal directly with this controversy and buy ships or build ships and run them or sell them.

The Senator from New York this morning made some reference to the matter of profit. It is a horrible thought that the only way to bring a matter home to the Government is through dollar bills and coin. To me it is repulsive. I can not imagine a system whereby the Government should go in it to make money out of the people. I would that the blessings of the Government through transportation as well as in many other channels might be handled by the Government. I believe it would be to the advantage and to the well-being of our whole land.

I believe that this bill is a popular measure and one much needed at this particular time, and I might hope that we may so intrench and establish ourselves that the thought of ever eliminating this from the matters of Government may be in the vague and distant future. I shall vote for this bill with a great deal of relish, hoping that some day the shipping-board feature of it may be eliminated. My friends, I say to you, Republicans and Democrats, this will be one of the most popular measures that has ever been placed on the statute books and future generations will rise up and bless you for this beneficent piece of legislation.

While I am on my feet I will say that I have in my hand an address delivered by Mr. George W. Norris in Philadelphia, December 29, 1914, touching this question, that to me is unanswerable, and I ask without reading that I may have the privilege of presenting it as a part of my remarks in the RECORD.

The VICE PRESIDENT. Is there any objection?

Mr. JONES. Is it an address by our colleague from Nebraska?

Mr. MARTINE of New Jersey. It is not.

Mr. NORRIS. I have just come into the Chamber, and I understood the Senator from Washington to ask a question.

Mr. JONES. I merely wanted to know whether the address referred to by the Senator from New Jersey was delivered by the senior Senator from Nebraska.

Mr. NORRIS. No.

Mr. MARTINE of New Jersey. It is by another gentleman named Norris.

Mr. JONES. Then I object.

Mr. MARTINE of New Jersey. I would be proud if it had been delivered by the senior Senator from Nebraska, but when the time comes and he may have had an opportunity to express himself as the gentleman from Philadelphia did express himself I trust and hope he will do it in more potent terms and make a more indelible impression by voting for the measure.

Mr. JONES. I would be glad to hear the address read, but I do object to having it printed without reading.

Mr. MARTINE of New Jersey. All right; let it go.

The VICE PRESIDENT. There is objection.

Mr. FLETCHER. The Senator from New Hampshire [Mr. GALLINGER], I believe, desires to proceed. I inquire of him whether he would prefer to begin to-morrow morning? I believe there is some executive business that is quite important, and it can be attended to this evening. If the Senator would like, we can postpone hearing him until to-morrow morning.

Mr. GALLINGER. It is quite agreeable to me to have the executive business transacted. I think it is as important.

Mr. FLETCHER. I will say further that it is my purpose to ask this evening that we adjourn to allow a reasonable time to-morrow morning for morning business. I want to go on with this bill just as fast as we can, and unless there is too much time being consumed I probably will not ask to have the Senate take up the bill at once, but will allow some reasonable time for morning business to-morrow morning before making that motion.

Mr. CLARK of Wyoming. I suppose if we adjourn the regular business hour will occur?

Mr. FLETCHER. I know, but it would be in order for me to move to take up the bill before the expiration of the morning hour.

Mr. CLARK of Wyoming. Surely.

Mr. FLETCHER. I think it important to do so with a view of facilitating the public business and accommodating the Senator from New Hampshire.

DISTRICT EXCISE BOARD.

Mr. JONES. Mr. President, in the discussion of the District of Columbia appropriation bill, on page 1700 of the RECORD of January 16, this occurred:

Mr. GALLINGER. Mr. President, with the Senator's permission, I will ask if the President did not appoint two members of that board, and when their characters were called to his attention were the names not withdrawn?

Mr. JONES. He did so very promptly, and I wish he had withdrawn the others. I should say that one of the names was withdrawn not because of the character of the appointee, but because he had been a most open and determined opponent of the law.

That refers, of course, to the members of the excise board. I do not want any injustice done to anyone, and while I would rather not by giving the name of one of the parties, thereby possibly reflect to a certain extent upon the others, I do feel that in justice to one of the gentlemen against whom no charges as to his character were made that his name should be put in the RECORD so as to make that fact clear. The one against whose character no charges were made was Mr. John B. Colpoys.

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 1 hour and 25 minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 19422) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PAGE of North Carolina, Mr. SISSON, and Mr. DAVIS managers at the conference on the part of the House.

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 19076) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The message further announced that the House had passed a bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916, in which it requested the concurrence of the Senate.

The message also transmitted to the Senate resolutions of the House on the life, character, and public services of the Hon. ROBERT G. BREMNER, late a Representative from the State of New Jersey.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills:

S. 6121. An act to authorize the construction of a bridge across the Niagara River, in the town of Lewiston, in the county of Niagara and State of New York; and

H. R. 19076. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

PETITIONS AND MEMORIALS.

Mr. ROBINSON presented petitions of sundry citizens of Batesville, Ark., praying that an appropriation be made for the construction of seven locks and dams on the upper White River above Batesville, Ark., which were referred to the Committee on Commerce.

Mr. PERKINS presented petitions of sundry citizens of Los Angeles and Fresno, in the State of California, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for an investigation by the United States Reclamation Service of the irrigation project of the Victor Malley Mutual Water & Power Co., which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of the Board of Supervisors of Solano County, Cal., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented resolutions adopted at the Thirty-fourth Annual Convention of the American Federation of Labor, in Philadelphia, Pa., praying for the enactment of legislation to extend the boiler-inspection laws, which were referred to the Committee on Interstate Commerce.

Mr. WARREN presented a petition of sundry citizens of Burns, Wyo., praying for the enactment of legislation to enable the President to levy an embargo on exports of war materials, which was referred to the Committee on Foreign Relations.

Mr. BRISTOW presented petitions of sundry citizens of Canada, Garden City, Gaylord, Hoxie, White City, Logan, Herington, Stuttgart, Russell, Deerfield, Herkimer, Kansas City, Inman, Lincolnville, Alma, Clay Center, Bremen, Barnes, Hanover, Waterville, Linsborg, Seguin, Linn, Arkansas City, Garden Plain, and Cheney, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Baldwin, Webster, and Webber, all in the State of Kansas, praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquor in the Philippine Islands, which were referred to the Committee on the Philippines.

He also presented petitions of sundry citizens of Lawrence, Topeka, and Newton, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Kansas City, Kans., praying for the enactment of legislation to grant pensions to civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of sundry citizens of Galena, Kans., remonstrating against the exclusion of anti-Catholic publications from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented sundry papers to accompany the bill (S. 5818) granting a pension to William H. Hayes, which were referred to the Committee on Pensions.

Mr. SHIVELY presented petitions of the Typographical Union of Richmond, the Typographical Union of Elkhart, and the Central Labor Union of Elkhart, all in the State of Indiana, praying for the enactment of legislation to limit the effect of the regulation of interstate commerce between the States in convict-made goods, which were ordered to lie on the table.

He also presented memorials of O. B. Sandifer, G. T. Werner, Lee N. Fanning, and sundry other citizens of North Manchester, Ind., remonstrating against the adoption of a proposed amendment to the Post Office appropriation bill relative to the transmission of obscene matter through the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of the Woman's Foreign Missionary Society of the Trinity Methodist Episcopal Church, the South Side Chapel of the Evangelical Church, the Standard Bearers of Trinity Methodist Episcopal Church, the Young People's Association of the South Side Evangelical Church, the Young Woman's Christian Association, the Riverside Christian Church, the Riverside Club, the Thursday Club, the Woman's Franchise League, the Woman's Missionary Society of the First Evangelical Church, and the Missionary Society of the First Congregational Church, all of Elkhart, in the State of Indiana, praying for Federal censorship of motion-picture films, which were referred to the Committee on Education and Labor.

BILLS INTRODUCED.

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

By Mr. CLARK of Wyoming:

A bill (S. 7363) granting an increase of pension to Arthur Mahar; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7364) granting an increase of pension to Katherine R. Doolittle;

A bill (S. 7365) granting an increase of pension to Thomas O. Oliver (with accompanying papers);

A bill (S. 7366) granting an increase of pension to James A. Snodgrass (with accompanying papers); and

A bill (S. 7367) granting an increase of pension to Zeruah A. Newell (with accompanying papers); to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 7368) granting an increase of pension to Hamilton Rogers (with accompanying papers); and

A bill (S. 7369) granting an increase of pension to Morgan W. Jones (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER (for Mr. PENROSE):

A bill (S. 7370) granting an increase of pension to Henry Vanderpool (with accompanying papers);

A bill (S. 7371) granting an increase of pension to Charles H. Kirk (with accompanying papers);

A bill (S. 7372) granting an increase of pension to Edward J. Simmons (with accompanying papers);

A bill (S. 7373) granting a pension to John W. Detwiler (with accompanying papers);

A bill (S. 7374) granting an increase of pension to Uriah Fisher (with accompanying papers);

A bill (S. 7375) granting an increase of pension to Philena Harmer (with accompanying papers);

A bill (S. 7376) granting a pension to Elmer Harry Martin;

A bill (S. 7377) granting a pension to Mary Weber;

A bill (S. 7378) granting a pension to Uain A. Bigler;

A bill (S. 7379) granting a pension to Harry L. Wilson;

A bill (S. 7380) granting an increase of pension to Catherine M. Peck;

A bill (S. 7381) granting a pension to George W. Shearer;

A bill (S. 7382) granting a pension to John Williams;

A bill (S. 7383) granting an increase of pension to Alpheus Johnstonbaugh;

A bill (S. 7384) granting an increase of pension to George Weidner;

A bill (S. 7385) granting an increase of pension to George Miller;

A bill (S. 7386) granting a pension to Martha J. Miller;

A bill (S. 7387) granting an increase of pension to Henry M. Means;

A bill (S. 7388) granting an increase of pension to Martin O'Laughlin;

A bill (S. 7389) granting a pension to G. M. Richart;

A bill (S. 7390) granting a pension to Elizabeth Reese;

A bill (S. 7391) granting a pension to Frank E. Lawrence;

A bill (S. 7392) granting a pension to Caroline E. Pahl;

A bill (S. 7393) granting an increase of pension to J. A. Farnham;

A bill (S. 7394) granting an increase of pension to George W. Rauch;

A bill (S. 7395) granting an increase of pension to Harrison Carson;

A bill (S. 7396) granting an increase of pension to M. P. Holter; and

A bill (S. 7397) granting a pension to Alice J. Harris; to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 7398) granting an increase of pension to William H. Terwilliger (with accompanying papers); and

A bill (S. 7399) granting an increase of pension to Joseph Zeimer (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 7400) granting a pension to William Manley; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 7401) for the relief of Frank H. Walker and Frank E. Smith; to the Committee on Claims.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. WARREN submitted an amendment proposing to appropriate $45,000 for the extension, enlargement, and construction

of the Le Clair and Riverton ditches for the irrigation of Indian allotments on the north side of the Big Wind River, Wind River Reservation, Wyo., 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.

PUBLIC PRINTING AND BINDING.

Mr. OLIVER (for Mr. PENROSE) submitted an amendment intended to be proposed to the bill (H. R. 15902) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications, which was ordered to lie on the table and be printed.

HOUSE BILL REFERRED.

H. R. 20347. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1916, was read twice by its title and referred to the Committee on Military Affairs.

Mr. FLETCHER. I move that the Senate adjourn until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 6 o'clock and 30 minutes p. m., Monday, January 25, 1915) the Senate adjourned until to-morrow, Tuesday, January 26, 1915, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate January 25 (legislative day of January 15), 1915.

REGISTER OF THE LAND OFFICE.

Frank P. Wheeler, of Blue Lake, Cal., to be register of the land office at Eureka, Cal., vice David J. Girard, whose term will expire February 7, 1915.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Robert Emmett Jeffery, of Newport, Ark., to be envoy extraordinary and minister plenipotentiary of the United States of America to Uruguay, vice John L. de Saulles, declined.

POSTMASTERS.

ALABAMA.

C. L. Cleveland to be postmaster at Centerville, Ala., in place of Nelson C. Fuller. Incumbent's commission expires February 1, 1915.

ARKANSAS.

M. E. Sherland to be postmaster at McGehee, Ark., in place of M. A. Tucker. Incumbent's commission expires March 2, 1915.

CALIFORNIA.

Fred M. Kelly to be postmaster at Needles, Cal., in place of Fred M. Kelly. Incumbent's commission expires March 3, 1915.

COLORADO.

Robert E. Norvell to be postmaster at Hayden, Colo., in place of Clayton Whiteman. Incumbent's commission expires February 16, 1915.

Sarah J. O'Connell to be postmaster at Georgetown, Colo., in place of H. T. Hamill. Incumbent's commission expires February 23, 1915.

CONNECTICUT.

Edward M. O'Brien to be postmaster at Waterbury, Conn., in place of James M. Pilling. Incumbent's commission expires January 26, 1915.

DELAWARE.

Edwin V. Ocheltree to be postmaster at Greenwood, Del. Office became presidential January 1, 1915.

J. Frank Starling to be postmaster at Dover, Del., in place of James A. Hirons. Incumbent's commission expired January 10, 1915.

FLORIDA.

Thomas E. Blackburn to be postmaster at Bowling Green, Fla. Office became presidential January 1, 1915.

James F. McKinstry to be postmaster at Gainesville, Fla., in place of Louis C. Lynch. Incumbent's commission expired December 14, 1914.

GEORGIA.

Albert S. J. McRae to be postmaster at McRae, Ga., in place of Albert S. J. McRae. Incumbent's commission expired January 11, 1915.

IDAHO.

Emily B. Davis to be postmaster at Milner, Idaho, in place of E. C. Davis, resigned.

ILLINOIS.

W. B. Barnum to be postmaster at Ridgway, Ill., in place of Robert J. Hemphill. Incumbent's commission expires February 23, 1915.

Fred Beehn, sr., to be postmaster at West Salem, Ill., in place of G. C. Walser. Incumbent's commission expired January 16, 1915.

Hazel L. Garvey to be postmaster at Blandinsville, Ill., in place of Charles L. Blandin. Incumbent's commission expires February 14, 1915.

Solomon H. Handy to be postmaster at Marshall, Ill., in place of Edith Cole. Incumbent's commission expired January 9, 1915.

Helen G. Longenbaugh to be postmaster at Moweaqua, Ill., in place of J. E. Longenbaugh, deceased.

J. C. Neal to be postmaster at Neoga, Ill., in place of Edmund E. Dow. Incumbent's commission expired January 9, 1915.

INDIANA.

John A. Cody to be postmaster at New Albany, Ind., in place of M. Bert Thurman. Incumbent's commission expires February 16, 1915.

Theodore Hoss to be postmaster at Fowler, Ind., in place of Charles E. Hampton, resigned.

Henry E. Snyder to be postmaster at Atlanta, Ind., in place of Eli T. Steckel. Incumbent's commission expires February 16, 1915.

J. Bruce Pessell to be postmaster at Butler, Ind., in place of Thomas Rudd. Incumbent's commission expires February 6, 1915.

Lewis Phillippe to be postmaster at Bicknell, Ind., in place of William V. Barr. Incumbent's commission expires February 16, 1915.

Charles Van Arsdall to be postmaster at Hymera, Ind., in place of Cary J. McAnally. Incumbent's commission expires February 16, 1915.

IOWA.

Cary C. Beggs to be postmaster at Moulton, Iowa, in place of Charles M. Marshall. Incumbent's commission expired December 20, 1914.

Charles A. Britch to be postmaster at Ida Grove, Iowa, in place of William J. Scott. Incumbent's commission expired January 18, 1915.

Peter J. Cool to be postmaster at Baxter, Iowa. Office became presidential January 1, 1915.

Madge Fell to be postmaster at Fremont, Iowa. Office became presidential January 1, 1915.

Carl L. Little to be postmaster at Ames, Iowa, in place of L. M. Bosworth. Incumbent's commission expired December 20, 1914.

Max Mayer to be postmaster at Iowa City, Iowa, in place of Henry G. Walker. Incumbent's commission expires January 26, 1915.

William F. Oehmke to be postmaster at Larchwood, Iowa, in place of James J. Pruitt. Incumbent's commission expired December 13, 1914.

Frank B. Wilson to be postmaster at Greenfield, Iowa, in place of Robert B. Oldham. Incumbent's commission expired December 14, 1914.

KANSAS.

Wilford B. Flaugher to be postmaster at Cimarron, Kans., in place of Lissie H. Shoup. Incumbent's commission expires February 8, 1915.

Carl E. Hallberg to be postmaster at Courtland, Kans., in place of William Freeburg. Incumbent's commission expired January 19, 1915.

Arthur C. Inlow to be postmaster at Hill City, Kans., in place of Harry C. Smith. Incumbent's commission expired December 16, 1914.

W. E. Mattison to be postmaster at Mount Hope, Kans., in place of Philip B. Dick. Incumbent's commission expired January 13, 1915.

Frank E. Munger to be postmaster at Atwood, Kans., in place of Jonah E. Nickols. Incumbent's commission expired January 13, 1915.

Thomas Pore to be postmaster at Cedar Vale, Kans., in place of Austin Brown. Incumbent's commission expires February 1, 1915.

Isaac N. Richardson to be postmaster at Delphos, Kans., in place of A. J. Scranton. Incumbent's commission expired December 13, 1914.

William L. Scott to be postmaster at Sharon Springs, Kans., in place of George E. Ward, resigned.

KENTUCKY.

C. E. Beeler to be postmaster at Calhoun, Ky., in place of Ellsworth McEuen. Incumbent's commission expires March 2, 1915.

L. T. Doty to be postmaster at Owenton, Ky., in place of James P. Hutcheson, removed.

B. M. Powell to be postmaster at Corydon, Ky., in place of Smith Rogers. Incumbent's commission expired January 19, 1915.

MARYLAND.

Samuel A. Wyvill to be postmaster at Upper Marlboro, Md., in place of Fred W. Wilson. Incumbent's commission expires February 17, 1915.

MASSACHUSETTS.

Bernard Campbell to be postmaster at Millville, Mass. Office became presidential January 1, 1915.

Marianna J. Cooke to be postmaster at Milford, Mass., in place of George P. Cooke, deceased.

Thomas F. Donahue, jr., to be postmaster at Groton, Mass., in place of Fred H. Torrey. Incumbent's commission expired January 16, 1915.

Benjamin P. Edwards to be postmaster at Topsfield, Mass., in place of Benjamin P. Edwards. Incumbent's commission expired December 13, 1914.

Edward Gilmore to be postmaster at Brockton, Mass., in place of Joseph M. Hollywood. Incumbent's commission expired April 1, 1914.

Sydney Harrocks to be postmaster at Westminster, Mass. Office became presidential October 1, 1913.

Thomas F. Hederman to be postmaster at Webster, Mass., in place of W. I. Marble. Incumbent's commission expired December 13, 1913.

Aloysius B. Kennedy to be postmaster at Rochdale, Mass. Office became presidential January 1, 1915.

William B. Mahoney to be postmaster at Westfield, Mass., in place of William H. Foote. Incumbent's commission expired June 10, 1914.

MICHIGAN.

James Fraser to be postmaster at Webberville, Mich. Office became presidential January 1, 1915.

MINNESOTA.

Clarence O. Madson to be postmaster at Halstad, Minn. Office became presidential January 1, 1915.

Sophus A. Nebel to be postmaster at Braham, Minn., in place of Severin Mattson. Incumbent's commission expired January 11, 1915.

George Neumann to be postmaster at Osseo, Minn., in place of Stella M. Owen. Incumbent's commission expires March 2, 1915.

Alvin A. Ogren to be postmaster at New London, Minn. Office became presidential January 1, 1915.

O. P. Oseth to be postmaster at Oslo, Minn. Office became presidential October 1, 1914.

Nels J. Thysell to be postmaster at Hawley, Minn., in place of Fred Herring. Incumbent's commission expired December 13, 1914.

MISSISSIPPI.

Walter E. Dreaden to be postmaster at Lambert, Miss. Office became presidential January 1, 1915.

Susette E. McAlpin to be postmaster at Bolton, Miss. Office became presidential January 1, 1915.

MISSOURI.

John R. Blackwood to be postmaster at Hannibal, Mo., in place of Thomas B. Morris. Incumbent's commission expires February 1, 1915.

William H. Farris to be postmaster at Houston, Mo., in place of William T. Elliott. Incumbent's commission expires February 8, 1915.

John T. Haley to be postmaster at Steelville, Mo., in place of John C. Lark. Incumbent's commission expires February 1, 1915.

George H. King to be postmaster at Birch Tree, Mo. Office become presidential January 1, 1915.

Edward F. Layne to be postmaster at Center, Mo. Office became presidential January 1, 1915.

MONTANA.

Jefferson D. English to be postmaster at Big Sandy, Mont., in place of Harry S. Green, resigned.

I. T. Whistler to be postmaster at Browning, Mont. Office became presidential July 1, 1914.

NEW JERSEY.

Richard J. Fox to be postmaster at Grantwood, N. J., in place of Patrick J. Carney, resigned.

Isaac Klein to be postmaster at Salem, N. J., in place of Joseph Miller. Incumbent's commission expires February 6, 1915.

Louis J. Langham to be postmaster at Hammonton, N. J., in place of Thomas C. Elvins. Incumbent's commission expires March 2, 1915.

Charles C. Stewart to be postmaster at Mays Landing, N. J., in place of L. W. Cramer. Incumbent's commission expired January 11, 1915.

NEW YORK.

James R. Mapes to be postmaster at Canaseraga, N. Y., in place of Adolph Bluestone, removed.

James R. Mayne to be postmaster at Heuvelton, N. Y. Office became presidential October 1, 1913.

NORTH DAKOTA.

Frank E. Ellickson to be postmaster at Regent, N. Dak. Office became presidential January 1, 1915.

Waldo Leonhardy to be postmaster at Williston, N. Dak., in place of Gustave B. Metzger. Incumbent's commission expires March 3, 1915.

Henry W. O'Dell to be postmaster at Reeder, N. Dak., in place of Henry W. O'Dell. Incumbent's commission expired July 20, 1913.

F. W. Peterson to be postmaster at Sentinel Butte, N. Dak., in place of Walter A. Shear. Incumbent's commission expires February 23, 1915.

OHIO.

Samuel R. Coates to be postmaster at Maynard, Ohio. Office became presidential October 1, 1914.

Henry C. Fox to be postmaster at Coldwater, Ohio, in place of C. F. Morvilius. Incumbent's commission expires February 1, 1915.

Louis N. Gerber to be postmaster at Middleport, Ohio, in place of F. G. Hunker. Incumbent's commission expired January 23, 1915.

J. E. Halliday to be postmaster at Gallipolis, Ohio, in place of Earl W. Mauck, resigned.

Grover Cleveland H. Hipp to be postmaster at Grover Hill, Ohio, in place of Bruce E. McClure. Incumbent's commission expires February 1, 1915.

Charles J. Kessler to be postmaster at New Lexington, Ohio, in place of Joseph A. Donnelly. Incumbent's commission expires February 23, 1915.

Charles A. Lamberson to be postmaster at Coshocton, Ohio, in place of Seth M. Snyder. Incumbent's commission expired January 23, 1915.

Grover C. Naragon to be postmaster at Amsterdam, Ohio. Office became presidential October 1, 1914.

Robert T. Spratt to be postmaster at Malvern, Ohio. Office became presidential October 1, 1914.

L. K. Thompson to be postmaster at Uhrichsville, Ohio, in place of George W. White. Incumbent's commission expired January 23, 1915.

Henry W. Streb to be postmaster at Canal Dover, Ohio, in place of John J. Roderick. Incumbent's commission expired January 23, 1915.

OKLAHOMA.

Dorothy L. Avant to be postmaster at Avant, Okla., in place of J. O. Parker, deceased.

OREGON.

W. R. Cook to be postmaster at Madras, Oreg., in place of Fred Davis, resigned.

Gaphart D. Ebner to be postmaster at Mount Angel, Oreg., in place of Thomas L. Embler. Incumbent's commission expired January 16, 1915.

Mary E. Fitzpatrick to be postmaster at Beaverton, Oreg., in place of Fred W. Cady. Incumbent's commission expired January 16, 1915.

J. J. Gaither to be postmaster at Toledo, Oreg., in place of Renns A. Arnold. Incumbent's commission expired January 10, 1915.

Charles O. Henry to be postmaster at Athena, Oreg., in place of Hugh O. Worthington. Incumbent's commission expired January 16, 1915.

John W. Hughes to be postmaster at Fossil, Oreg. Office became presidential January 1, 1915.

Mary T. Mangold to be postmaster at Gervais, Oreg. Office became presidential October 1, 1914.

George C. Mason to be postmaster at Jefferson, Oreg., in place of Charles M. Smith. Incumbent's commission expired January 16, 1915.

Lovie R. Watt to be postmaster at Amity, Oreg., in place of Arlington B. Watt. Incumbent's commission expired January 16, 1915.

W. C. Wilson to be postmaster at Joseph, Oreg., in place of Polk E. Mays. Incumbent's commission expired January 10, 1915.

PENNSYLVANIA.

James F. Drake to be postmaster at Hawley, Pa., in place of D. James Colgate. Incumbent's commission expired January 20, 1915.

B. Stiles Duncan to be postmaster at Duncannon, Pa., in place of William H. Pennell. Incumbent's commission expired January 11, 1915.

Winifred Hughes to be postmaster at Tioga, Pa., in place of G. Gillette Saxton. Incumbent's commission expired December 13, 1914.

John B. Shea to be postmaster at Eldred, Pa., in place of Claude H. Heath. Incumbent's commission expired December 15, 1914.

RHODE ISLAND.

Francis Fagan to be postmaster at Pascoag, R. I., in place of Warren W. Logee. Incumbent's commission expired January 11, 1915.

J. Elmer Thewlis to be postmaster at Wakefield, R. I., in place of Arthur W. Stedman. Incumbent's commission expired January 10, 1915.

SOUTH CAROLINA.

Dana T. Crosland to be postmaster at Bennettsville, S. C., in place of Thomas B. McLaurin. Incumbent's commission expired January 13, 1915.

SOUTH DAKOTA.

James M. Holm to be postmaster at Pierre, S. Dak., in place of Joseph B. Binder. Incumbent's commission expired June 20, 1914.

A. J. Johnson to be postmaster at Murdo, S. Dak., in place of William B. Yarosh. Incumbent's commission expired January 20, 1915.

TENNESSEE.

John L. Nowlin to be postmaster at Sparta, Tenn., in place of Samuel L. Parker. Incumbent's commission expires February 16, 1915.

TEXAS.

Horace C. Blalock to be postmaster at Marshall, Tex., in place of Henry O. Wilson. Incumbent's commission expires February 23, 1915.

Robert G. Branson to be postmaster at Burleson, Tex., in place of William P. Lace. Incumbent's commission expires February 6, 1915.

Joe H. Campbell to be postmaster at Matador, Tex. Office became presidential January 1, 1915.

Hugo J. Letzerich to be postmaster at Harlingen, Tex., in place of Hugo J. Letzerich. Incumbent's commission expires February 16, 1915.

Joseph W. Singleton to be postmaster at Waxahachie, Tex., in place of W. G. McClain. Incumbent's commission expires February 6, 1915.

UTAH.

T. L. Sullivan to be postmaster at Eureka, Utah, in place of E. W. Redmond, resigned.

VERMONT.

James E. Burke to be postmaster at Burlington, Vt., in place of Buel J. Derby. Incumbent's commission expires March 3, 1915.

George W. Gorman to be postmaster at Barre, Vt., in place of Edward B. Bisbee. Incumbent's commission expires March 2, 1915.

VIRGINIA.

William A. Byerly to be postmaster at Bridgewater, Va., in place of J. A. Riddel. Incumbent's commission expires March 3, 1915.

Crandal Mackey, jr., to be postmaster at Rosslyn, Va. Office became presidential January 1, 1915.

WASHINGTON.

John L. Field to be postmaster at Quincy, Wash., in place of Carey W. Stewart, deceased.

WEST VIRGINIA.

Fred S. Hathaway to be postmaster at Grantsville, W. Va. Office became presidential January 1, 1915.

WISCONSIN.

Philip B. Bartlett to be postmaster at Melrose, Wis. Office became presidential January 1, 1915.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 25 (legislative day of January 15), 1915.

REGISTER OF THE LAND OFFICE.

Joseph T. Carruth to be register of the land office at Blackfoot, Idaho.

RECEIVER OF PUBLIC MONEYS.

Frank F. Steele to be receiver of public moneys at Helena, Mont.

APPOINTMENT IN THE ARMY.

GENERAL OFFICER.

Col. William A. Mann to be brigadier general.

PROMOTIONS IN THE ARMY.

FIELD ARTILLERY ARM.

First Lieut. William Bryden to be captain.
Second Lieut. Leo J. Ahern to be first lieutenant.
Second Lieut. Donald M. Beere to be first lieutenant.

CAVALRY ARM.

Capt. Ervin L. Phillips to be major.
First Lieut. Douglas H. Jacobs to be captain.

INFANTRY ARM.

Second Lieut. George C. Bowen to be first lieutenant.
Second Lieut. John H. Hester to be first lieutenant.
Second Lieut. Franklin L. Whitley to be first lieutenant.
Second Lieut. Alfred H. Hobley to be first lieutenant.
Second Lieut. Arthur J. Hanlon to be first lieutenant.
Second Lieut. Olin O. Ellis to be first lieutenant.
Second Lieut. Elmer C. Desobry to be first lieutenant.
Second Lieut. Emile V. Cutrer to be first lieutenant.

POSTMASTERS.

ARKANSAS.

Bessie Devill, Kensett.
Mary G. Clark, Bald Knob.
William K. Estes, Calico Rock.
Robert H. Harrison, Tuckerman.
Sylvester K. Hohes, Murfreesboro.
Jesse C. Latta, Piggott.
Noble J. Nixon, Mulberry.
Joe J. Shaddock, Thornton.
Benjamin W. Thomasson, Rison.
Philip J. Smith, Dumas.

CALIFORNIA.

L. F. Kuhn, Stockton.

MINNESOTA.

C. S. Dougherty, Northfield.

NEW YORK.

Edward T. Cole, Garrison.
Gregory Dillon, New Rochelle.
Charles R. Flanly, Babylon.
John W. McKnight, Castleton.
Maud Rogers, Bridgehampton.
John W. Salisbury, Hamburg.
James J. Smith, Fleischmanns (late Griffin Corners).

OHIO.

William Alexander, Miamisburg.
Thomas O. Armstrong, Middle Point.
E. W. Fisher, Sugarcreek.
John E. Robbins, Jeffersonville.

PENNSYLVANIA.

William A. Ketterer, Rochester.
P. F. Leininger, Myerstown.
Walter James McBeth, Braddock.
Robert McCalmont, Franklin.
J. Edwin McCanna, Paoli.
Thomas J. McClelland, Boswell.
Edward L. Mifflin, sr., Ridley Park.
John A. Robinson, Brownsville.
Jesse S. Stambaugh, Spring Grove.
Frank T. Stiner, Moylan.
R. Morgan Root, Pottstown.
Ralph S. Wagner, New Florence.

SOUTH DAKOTA.

H. J. Hobart, Woonsocket.
Linville Miles, Langford.

TENNESSEE.

Jesse F. Jones, Loudon.
William D. Kyle, Kingsport.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 25, 1915.*

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

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

We bless Thee, Infinite Spirit, our heavenly Father, for Thy continued care in the manifold blessings Thou are daily bestowing upon us, especially for every great thought, noble impulse, and high aspiration which lifts us into the higher realms of the intellectual, moral, and spiritual life. Continue, we beseech Thee, Thy care, and thus lead us on our way rejoicing to the larger life in Christ Jesus our Lord. Amen.

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

W. R. ELLIS.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a very brief clipping from a newspaper article upon the late W. R. Ellis, formerly a Member of this House. He had a long and honorable service in responsible positions in Indiana, as well as a Representative from Oregon.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD on the late W. R. Ellis. Is there objection?

There was no objection.

PRINTING SPEECHES IN THE RECORD.

Mr. SAMUEL W. SMITH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAMUEL W. SMITH. When a Member gets permission to print in the RECORD the speech of another than his own, is it optional with him to print the whole or a part of the speech?

The SPEAKER. That is owing to the permission he asks for.

Mr. SAMUEL W. SMITH. He asks to print the speech.

The SPEAKER. The Chair thinks that that is within the discretion of the Member.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20415, the Agricultural appropriation bill.

Mr. JOHNSON of Kentucky. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of Kentucky. Do I understand that there was an agreement reached on Saturday last to set aside District day?

The SPEAKER. No; when unanimous consent was asked to come in at 11 o'clock to-day the gentleman from Illinois [Mr. MANN] objected to meeting at 11 o'clock unless we took up the Agricultural appropriation bill, and the gentleman from South Carolina agreed to make the motion to go into Committee of the Whole House on the state of the Union. The Chair thinks the general idea was to go into Committee of the Whole on that bill. The question is on the motion of the gentleman from South Carolina.

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

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAMLIN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

For studying methods of clearing off "logged-off" lands with a view to their utilization for agricultural and dairying purposes; for their irrigation; for testing powders in clearing them; and for the utilization of by-products arising in the process of clearing; in cooperation with the States, companies, or individuals, or otherwise, $5,000.

Mr. BOOHER. Mr. Chairman, I move to strike out the last word. I would like to ask if this is not new legislation?

Mr. FOWLER. I reserve a point of order against the paragraph.

Mr. LEVER. The gentleman's inquiry goes to the last paragraph just read?

Mr. BOOHER. Yes.

Mr. LEVER. That paragraph has been carried in the Bureau of Plant Industry, and has been transferred to this place in the bill by the Secretary of Agriculture.

Mr. BOOHER. Last year there was a provision carried for the same thing of $5,000?

Mr. LEVER. There was.

Mr. BOOHER. What section of the country is this logged-off land in?

Mr. LEVER. It is in the extreme western part of the country on the Pacific coast, and the most of the work is done in Oregon. If the gentleman wants more information on the subject, I will yield to the gentleman from Oregon [Mr. HAWLEY].

Mr. BOOHER. I want to ask the gentleman one or two questions first. How many different kinds of powder are there in the country that needs testing by the Agricultural Department, and how long does it take?

Mr. LEVER. The test is to find the best powder adapted to clearing this logged-off land——

Mr. BOOHER. Blowing out stumps?

Mr. LEVER. Yes.

Mr. BOOHER. Does it require an expert to know how much dynamite to put under a stump, or what kind of powder?

Mr. LEVER. The department thinks so, the committee thinks so, and Congress thought so.

Mr. BOOHER. How many tests have been made?

Mr. LEVER. I think this is the third time the item is in the bill.

Mr. BOOHER. Have they not found out of the few kinds of powder we have which is the best?

Mr. LEVER. I will ask the gentleman from Oregon to answer the question.

Mr. BOOHER. One more question first. They also want to know about the utilization of the by-products in the process of clearing. What is the by-product, cordwood?

Mr. LEVER. The stumps and limbs, and in my country the sawdust is a by-product, and we are making a good deal of alcohol out of it.

Mr. BOOHER. In our country we do not need an expert to tell us what to do with sawdust; we pack ice in it and it answers the purpose first-rate.

Mr. LEVER. We do not need an expert to tell us how to pack ice in sawdust.

Mr. BOOHER. Well, you had a great deal of expert assistance in making up the bill.

Mr. LEVER. We did.

Mr. BOOHER. And I think you needed it, too. I would like to have the gentleman tell me why it is that we have to have an expert to go around and tell a man that a limb of a tree will make wood and how we ought to dig the stumps out and plow the land.

Mr. HAWLEY. Will the gentleman from Missouri yield?

Mr. BOOHER. Yes.

Mr. HAWLEY. The purpose of the item is to aid the farmers in sections formerly covered by trees which have been cut over and logged and show how to clear the land up at the least possible expense. The item is made broad enough to cover all possible investigation. I think there will be no further tests of powder except it may be for some incidental purpose. Most of the work will be done in the problem of getting rid of the stumps as they stand in the ground. I have had inquiries from all parts of the United States. A gentleman from North Carolina came to see me and I gave him some information which I derived, in part, from the department, and he said it was just what he desired; he and others had acquired logged-off lands and desired to make them into farms. It is designed to investigate the method of removing the stumps with the least possible expense, which has been a very troublesome problem.

Mr. BOOHER. The gentleman who bought this large body of logged-off lands wants the Government now to tell him how he can clear it of stumps in the cheapest way, so that he can get a big profit out of the men to whom he sells the land, does he not?

Mr. HAWLEY. I do not know whether he wants the Government to tell him, only I think he wants it to be able to tell other people as well as himself how they can clear off their land at the least possible expense, just the same as we tell the farmers in the southern part of this country how they can best rid their lands and their cattle of the cattle tick.

As to the by-products, out in the western section of the country there are thousands of acres of land being logged over every year by the logging corporations, and the lands are left with the tops and the stumps upon them.

Mr. BOOHER. To whom does that land belong?

Mr. HAWLEY. The land that has been logged over belongs to the logging corporations and to individual owners.

Mr. BOOHER. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAWLEY. I ask unanimous consent that the gentleman from Missouri have five minutes more.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent that the gentleman from Missouri have five minutes more. Is there objection?

There was no objection.

Mr. HAWLEY. There are a number of by-products from the removal of these stumps. The Douglas fir has great branching roots, and when stumps are properly blown out, if powder is used, they make good ships' knees, the very best that can be obtained, much better than can be made by taking a straight stick and bending it.

Mr. BOOHER. I remember when I was a boy my father cleared a lot of pine land at one time, and we pulled the stumps and made stump fences out of them. We did not need an expert to tell us how to do that. I presume on the old farm where I was raised they have some of the stump fences that they had when I was a boy. We did not need anybody to tell us what to do or how to remove stumps.

Mr. HAWLEY. If the gentleman will yield—such stumps were probably 24 to 30 inches in diameter.

Mr. BOOHER. Yes; and some of them larger.

Mr. HAWLEY. Out in our country we have the problem of removing stumps which are from 7 to 14 feet in diameter, and a stump fence made out of such stumps would be some fence.

Mr. BOOHER. Are there not men in your State and in every community who can blow out stumps, and who know just how much dynamite it takes to blow out a stump without any expert from the Agricultural Department to tell them?

Mr. HAWLEY. Mr. Chairman, when the gentleman has completed his question, I should like to take the floor for two or three minutes to make a statement.

Mr. BOOHER. I just want to know why it is necessary to have a Government expert to tell people, especially large corporations, which the gentleman says are logging off their lands, the best way to remove the stumps. Why should the Government go to the expense of sending an expert there to tell them how to do it for the least expense? I do not believe they are doing it for the farmers anywhere. The farmer does not need it. When he wants to blow his stumps out, he buys some dynamite and hires a man at $2 a day to do it.

Mr. COX. Or else does it himself.

Mr. BOOHER. Yes; or else does it himself.

Mr. HAWLEY. The gentleman is proceeding on the theory that this money is to be used for the investigation of powders to be used in blowing out stumps, and probably none of it will be used for that purpose.

Mr. BOOHER. Well, now——

Mr. HAWLEY. If I can get a moment when the gentleman has completed his question, I will tell him.

Mr. BOOHER. What business has the Agricultural Department to be testing powder if it is not to be used for agricultural purposes?

Mr. HAWLEY. Certainly they can make these tests for agricultural purposes, but I say they are not doing it under this item. They have done that. That has been practically determined, as far as that is concerned.

Mr. BOOHER. Then why make another appropriation?

Mr. HAWLEY. The appropriation is to cover all possible questions arising in the removal of stumps, but it was not thought advisable to limit it in any particular, but to make it so general that they could resort to all methods and all investigations, because it is a very great problem. A man goes out and buys 160 acres of the finest kind of land, in the bottoms along the rivers, in the Olympic Peninsula, or elsewhere, where the trees were once 300 feet high and left stumps 10 to 14 feet in diameter. Such lands are found all along the coast and in the alluvial plains of the river valleys. They are the richest lands we have and they grew the finest trees. The trees have been removed and the stumps remain. Now, to blow out one of these stumps by the ordinary method with powder is too expensive. The farmer can not afford it. But there are other methods of removing stumps, and while the work has been done mostly in the State of Washington and not very much of it in my State, I have had information from those who have investigated it so far, and from farmers who have actually seen the work in operation, and they are very enthusiastic about the results.

Mr. BOOHER. Are they using dynamite?

Mr. HAWLEY. If the gentleman will permit me. When they use powder to blow out the stump, if it is good for ships' knees, they can sell it if there is an available market; but if they blow out the stump and leave it on the ground, in two or three great pieces, it takes a donkey engine to handle them. It tears up the ground, and they are in worse condition than they were before, so far as cultivating the land is concerned. Now, there have been several methods devised of burning the stumps in place. The old method of char-pitting will do for small stumps, but not for the large ones. There have been methods devised, one of which is to bore a hole down through the stump to the ground, and then another at an angle, and by that means burn the stump in place. They are working on that problem now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOOHER. I ask unanimous consent that the gentleman from Oregon have five minutes.

Mr. HAWLEY. I will move to strike out the last word.

The CHAIRMAN. The gentleman from Oregon moves to strike out the last word and is recognized for five minutes.

Mr. HAWLEY. There are other methods—of boring holes in the stump just above the ground and then extending them at an angle down beneath the surface of the ground and putting in hot coals or red-hot pieces of iron, and by a blast of air forcing the draft down into the holes, and by that means they burn out the stump entirely and get rid of it in place.

There is no great hole blown out in the ground. It is burned out and they then proceed——

Mr. BOOHER. Will the gentleman permit right there?

Mr. HAWLEY. Yes.

Mr. BOOHER. Now, are not people all over the country boring into stumps and filling them with coal oil, boring several holes, saturating them, and then setting them on fire, burning them out and clearing it off down to the ground? They have been practicing that for years.

Mr. HAWLEY. They have on small stumps; yes.

Mr. BOOHER. They have no large stumps out in my country. Now, it does not take quite an expert—it is not necessary, the way I look at this, to have an expert come and tell him that if he bores several holes in a stump and fill it in with coal oil, or kerosene as it is called, it can be saturated, and it then can be set afire and burned out. They do not need to have $5,000 for that.

Mr. HAWLEY. The gentleman from Idaho [Mr. SMITH] calls attention to the other provision here in regard to the several by-products. They can recover turpentine and various other by-products from the stumps when it is possible to do so. There are probably millions of acres now covered with logged-off lands in the West that would make as good lands for farming as there are in that section of the country. They are covered with these stumps. There are plenty of people who want to get them, who are ready to buy them. I know of a colony of 50 or 60 people who have gone into one section, and they are asking for this very information. They do not come from a country where they have stumps, and they do not know how to get them out. Now, there are people in all the Southern States who know how to rid their land of the Texas cattle tick, and if you say because some of them do know, let us not appropriate any more money for the eradication of the cattle tick; there are some people who know about how to get rid of the boll weevil and to circumvent it by raising other crops; we ought not to say because there are some who do, therefore let us not make any appropriation for it. That would cut out a million or more dollars from this bill. But there are problems in this matter of stump eradication that we have not yet solved in great communities. This is a very modest sum and will do an immense amount of good.

Mr. BOOHER. Let me ask the gentleman, Who gets the by-products from these stumps on these logged-off lands? To whom does it belong?

Mr. HAWLEY. To the men who own the land.

Mr. BOOHER. Why do not they take out these stumps and get this by-product without calling on the Government to do it for them?

Mr. HAWLEY. They want the Government to find out what the by-products are now, how they can be saved, and how the stumps can be burned out in place, and there are thousands of other instances in the gentleman's own district and all parts of the United States——

Mr. BOOHER. Not in my district.

Mr. HAWLEY. Where such problems are attempted to be solved.

Mr. BOOHER. Will the gentleman permit another question?

Mr. HAWLEY. I will.

Mr. BOOHER. If you are going to appropriate this money for this purpose, why not appropriate enough so that we can publish a bulletin and send one to every one of these men who want this information? It is now published in a bulletin; all

this information the gentleman is seeking to get here now is published in a bulletin by the Agriculture Department.

Mr. HAWLEY. I beg the gentleman's pardon. There is information we desire in the use of burning machines that is not published in any bulletin that I have seen, and it seems to me that the investigation can be very profitably continued.

Mr. BOOHER. I have read very carefully recently, since this bill was brought in, the bulletin on logged-off land, and it seems to me that that gives all the information that a man could desire if he wanted to read; but if it is necessary for some fellow to tell him, of course he will not read; but perhaps when the immigration bill becomes the law everybody will be able to read the bulletins, and this character of appropriations will cease.

Mr. GORDON. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. A point of order was reserved against it.

Mr. LEVER. Mr. Chairman, I am ready to have the Chair rule upon the point of order, although what the point of order is I have not heard.

The CHAIRMAN. The Chair does not know what the point of order was.

Mr. LEVER. The gentleman reserved it. May I ask the gentleman what the point of order is?

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. FOWLER. Mr. Chairman, I do not think there is any authorization for this item at all. It is true it is carried in the bill of last year, but that is no authorization. It is a private matter, devoted to private property and private benefit. There is no authorization in the general law giving the right to appropriate money for private purposes or benefit of private individuals.

Mr. HAWLEY. Will the gentleman yield? He is entirely in error in the assumption that any of this money goes to private individuals. Not a dollar of it goes to a private individual, any more than an appropriation for the boll weevil or the cattle tick or the hog cholera.

The CHAIRMAN. Let the Chair understand. Does the gentleman from Illinois make the point of order?

Mr. FOWLER. Mr. Chairman, certainly. The gentleman from Oregon has just said that the benefit of this $5,000 goes to the corporations practically within his territory for the purpose of handling big stumps.

Mr. HAWLEY. Oh, Mr. Chairman, if the gentleman will permit——

Mr. FOWLER. I yield to the gentleman.

Mr. HAWLEY. I think the gentleman misunderstood what I said. I said that there would be people benefited by it in North Carolina, in all sections of the United States, individual farmers, and also those who own large bodies of land.

Mr. FOWLER. Yes; but the gentleman did say that the logged-off land belonged to corporations.

Mr. HAWLEY. Yes; in part.

Mr. FOWLER. And, of course, the corporations would get the benefit of the use of this $5,000.

The CHAIRMAN. If the gentleman will allow the Chair to suggest, the question now before the Chair is the question of the point of order.

Mr. FOWLER. I am aware of that fact.

The CHAIRMAN. And that it might benefit only a few people does not affect the point of order, as the Chair sees it. The Chair will be glad to hear suggestions on the point of order.

Mr. FOWLER. My objection to the paragraph, Mr. Chairman, is that it is not authorized.

The CHAIRMAN. Has the gentleman in charge of the bill anything to say?

Mr. LEVER. Mr. Chairman, I desire to call the attention of the Chair to the fact that the language of the act creating the Department of Agriculture is exceedingly broad, and if the Chair can make any connection between the clearing off of a piece of land and the effect it may have upon its development for agriculture and dairy purposes, then the Chair must hold this proposition in order. You certainly can not cultivate land at all without clearing it. If the Chair does not have the language at hand, I will read it. It is as follows:

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

Now, it seems to me that when the Chair can make a connection between the purposes of an item in this bill and its relationship to agriculture, in the broadest and most comprehensive sense of that word, the item is bound to be held in order, and the Chair has heretofore ruled that uniformly.

Mr. FOWLER. Mr. Chairman, I beg leave to differ with the distinguished chairman. If this point has ever been ruled upon since its insertion into the Agricultural appropriation bill, I am not aware of it.

Mr. LEVER. If the gentleman will permit, I did not make that statement. I said items of a similar character have been ruled upon.

Mr. FOWLER. I did not so understand the gentleman.

Mr. LEVER. Then I was mistaken in what I said.

Mr. FOWLER. If this paragraph has ever been passed upon by a point of order heretofore, Mr. Chairman, I say that I am not aware of it. Now, certainly, if the language creating the Department of Agriculture is to be construed as broadly as the chairman of this committee intimates, then there would be no end to it—no limitation whatever. He intimates that that which is connected with agriculture, wherever it may be, is a subject for legislation by the Congress. The grinding of an ax is connected with agriculture. We may just as well appropriate $5,000 for expert information for grinding axes, because an ax is one of the most useful instruments in clearing off ground. Mr. Chairman, if we extend this question of the authority of Congress to look into agriculture and legislate for it to the extent that is indicated by the chairman of this committee, then I repeat, Mr. Chairman, there is no limitation on this committee whatever. It might bring in a bill for sharpening axes, or they might bring in a bill for the purpose of inventing a new auger or any other implement that is used on the farm.

Mr. PAGE of North Carolina. Will the gentleman from Illinois allow a suggestion?

Mr. FOWLER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from North Carolina?

Mr. FOWLER. I yield to him for a question only.

Mr. PAGE of North Carolina. I will put my suggestion in the form of a question if the gentleman insists upon my putting it that way. Is it not possible that the gentleman is using an illustration that is very apt in connection with this appropriation? May it not be that in this appropriation somebody has an "ax to grind"?

Mr. FOWLER. Indeed, Mr. Chairman, I did not desire to go to the extent of impugning the motives of any gentleman on this committee, because in my opinion they are honorable gentlemen, of such high character that it would be very unbecoming in me to make any reflection whatever. But these gentlemen are human; and if there are certain interests in their districts by their constituents, they will work for them, just as I did to get an appropriation to protect Shawneetown and that territory. This is of a character, Mr. Chairman, in my opinion, that leads into endless machinations of any man who might want to get some benefit for his own people.

Mr. Chairman, I do not desire to take up the time of the committee, but I insist on the point of order, and I insist that there is no authorization for this.

Mr. MANN. Mr. Chairman, the point of order raised by my colleague goes practically to almost every item in this bill, and if sustained will probably result in cutting out most of the provisions in the bill. For instance, there is no specific authority for investigation of plant diseases or for the control of diseases of orchards or for the controlling of diseases of forest and ornamental trees and shrubs. I simply read three items in less than one-half page of the bill.

Mr. LEVER. If the gentleman will permit——

Mr. MANN. There is no distinction in principle between studying the diseases of forest trees and studying the methods of removal of forest stumps in order to make the land suitable for agricultural purposes. I yield to the gentleman.

Mr. LEVER. I was about to call the gentleman's attention to the fact that there is no specific authority for the creation of the office of markets. There is no specific authority for the creation of the office of public roads. Practically every item in this bill will go out on the point of order if the Chair sustains this point of order.

Mr. MANN. Every year, I think, since I have been a Member of the House, at the beginning of the consideration of the appropriation bill some man who is opposed to the consideration of the Agricultural appropriation bill, some man who is opposed to the development of the Agricultural Department, like my friend from Illinois [Mr. FOWLER], makes some point of order on some item, denying authority to make an appropriation. Every year we go over the same discussion, gentlemen insisting there is no authority to make these appropriations under the organic act creating the department, and other gentlemen insisting that there is. And every year, in my recollection, the Chair has

overruled the point of order on the strength of this general authority. The organic act creating the Department of Agriculture is in general terms and practically authorizes an appropriation for anything in the way of acquiring or diffusing information for agricultural purposes, considered in their broadest sense.

Now, what is the item? I read:

For studying methods of clearing off "logged-off" lands with a view to their utilization for agricultural and dairying purposes; for their irrigation; for testing powders in clearing them; and for the utilization of by-products arising in the process of clearing.

That is in connection with agriculture and forestry. Those are all the items that are included in this paragraph, and certainly they come within the terms of agriculture in its broadest and most comprehensive sense, because in its broadest and most comprehensive sense the term "agriculture" includes not only agriculture but horticulture, floriculture, forestry, dairying, irrigation, marketing, and all the other terms which come into this bill.

It is true that occasionally a term comes into the bill which is subject to a point of order, where there is no authority. I doubt very much whether the provision in reference to good roads is included in the term "agriculture," even in its broadest sense. I do not recall now whether or not there has been a ruling on that, but if you can provide for methods of constructing roads running through agricultural districts, which certainly are not very closely connected with agriculture, you can provide for preparing the ground for cultivation. That is all this item does.

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

Mr. MANN. Yes.

Mr. GORDON. Is there any provision in this bill appropriating money for good roads?

Mr. MANN. Undoubtedly there is, and there is every year.

Mr. GORDON. Whereabouts?

Mr. MANN. Under the roads provision.

The CHAIRMAN. The Chair is ready to rule. The act creating the Department of Agriculture in its first section is as follows:

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

It does not seem to the Chair that it could have been framed in broader and more extensive language, and the Chair is of opinion that, after all is said and done, the Department of Agriculture is largely a department of investigation and experimentation and demonstration.

This provision against which a point of order is made provides for the study of "methods of clearing off logged-off lands with a view to their utilization for agricultural and dairying purposes; for their irrigation; for testing powders in clearing them; and for the utilization of by-products arising in the process of clearing," and so forth. It is pretty clear to the mind of the present occupant of the chair that this has to do with agriculture, and I think the Chair is not without precedents. On April 29, 1902, when the Agricultural appropriation bill was up for consideration, the Hon. Joseph G. Cannon, of Illinois, made a point of order against this provision:

To enable the Secretary of Agriculture to investigate the character of proposed food preservatives and coloring matters, to determine their relation to digestion and to health, and to establish the principles which should guide their use; to enable the Secretary of Agriculture to investigate the character of the chemical and physical tests which are applied to American food products—

And so forth. A point of order was made against that provision, and the then occupant of the chair, quoting the organic act which is above quoted, said:

Now, while this may not be free from some doubt, yet as food products are closely connected with agriculture "in the most comprehensive use of the word," and as this provision in the bill simply permits the Secretary of Agriculture to carry out a regulation having this end in view, the Chair is inclined to believe, and will so rule, that it is not subject to the point of order made by the gentleman from Illinois.

Now, undoubtedly, if the preparation for food of the products of the soil, such as was carried in that bill, was not subject to a point of order by reason of the comprehensiveness of the organic act, the preparation of the land for the growing of these products could not be held to be foreign to the subject of agriculture, and the Chair thinks that the point of order is not well taken, and it is therefore overruled.

Mr. BOOHER. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Missouri moves to strike out the paragraph.

Mr. LEVER. Mr. Chairman, pending that, I ask unanimous consent that all debate on this paragraph and amendments thereto close in six minutes.

Mr. GORDON. I will have to object. I would like to have five minutes.

Mr. LEVER. Make it 17 minutes. I ask unanimous consent, Mr. Chairman, that debate on this paragraph and amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on this paragraph and amendments thereto close in 20 minutes. Is there objection?

Mr. CARLIN. Mr. Chairman, in view of the fact that so many gentlemen want to speak, I will object at this time.

Mr. BOOHER. Mr. Chairman, I would not move to strike out this paragraph if this was the first time it had appeared in this bill, but it is the third time that we are asked to make an appropriation of $5,000 for this identical purpose.

Now, if the experts of the Department of Agriculture in two years can not determine the strength of powder, can not determine how much it will take to blow out a 9-foot stump or a 6-foot stump or a stump of any other dimensions; if they can not in two years tell what the by-product is good for; if they can not tell a farmer that the limbs will make wood, and that they might sell the stumps for something, in two years' time, they will never get to the point where they will determine it.

Now, they have published an extensive bulletin on logged-off land and its uses; if the people will not get those pamphlets and study them, I do not think this Congress ought year after year to appropriate money to tell people what to do. We are doing it all over the country—instead of letting people support the Government we are trying all we can to have the Government support the people.

Now, why should we continue this appropriation? I can not understand, when people know, or could know from reading a bulletin published at public expense how to do these things, and still refuse to do it, why you should send the experts of the Government around to teach a man how to do that thing. I hope this provision will be stricken out, along with a good many others in this bill.

Mr. GORDON. Mr. Chairman, it seems to me the observations of the gentleman from Missouri [Mr. BOOHER] ought to be conclusive with this committee, for they show the utter foolishness of continuing an appropriation of this sort from year to year. So long as Congress continues to appropriate money the Agricultural Department will continue to take it.

I arose primarily for the purpose of making an observation on the arguments presented by the gentleman from Oregon [Mr. HAWLEY] and the gentleman from Illinois [Mr. MANN], to the effect that this appropriation is analogous to one made for the extermination of hog cholera or pests that infest agriculture. In my judgment, Mr. Chairman, there is absolutely no analogy between the two. The idea of authorizing money year after year in order to instruct the logging companies how they can best log and clear their lands and then compare an appropriation of that sort with an appropriation to exterminate the pests or contagious or infectious diseases among farm animals or among people is to my mind rather far-fetched. If they have to go back to such an appropriation as that to obtain a precedent for the appropriation of this $5,000, it seems to me they are hard put for argument. I submit to the membership of this House that there is absolutely no analogy between the appropriations made to exterminate diseases and such an appropriation as this—absolutely none. To make use of arguments adduced for the purpose of defending laws appropriating money to combat contagious, infectious diseases to support an appropriation for money for such a purpose as this, especially in view of the fact, as stated by the gentleman from Missouri, that for two years in succession the Agricultural Department has received $5,000 for this specific purpose and has thoroughly investigated and published in Farmers' Bulletins its findings and conclusions as to the best methods of exterminating stumps, it seems to me it is time to stop the appropriation, and I think the item should be stricken out.

Mr. HAWLEY. Mr. Chairman, I only want to say a word. I made some remarks a moment ago when the point of order was up. This item is for the benefit of every wooded section of the country. A gentleman from North Carolina, as I stated, came to my office, and others have come from the eastern section, and asked information about clearing up land, because they knew that I had been giving the matter some attention. There are in the Middle West large sections of the country where land has been logged over and left covered with stumps. In our country some of the best of our lands have once grown large timber—large forests—and I have seen them, after re-

duced to cultivation, yield 50 to 70 bushels of wheat to the acre and from 80 to 90 bushels of oats to the acre. This is to cover the entire subject, including their clearing and use for agricultural and dairy purposes.

Mr. GOULDEN. Will the gentleman yield?

Mr. HAWLEY. Certainly.

Mr. GOULDEN. What percentage of land in your section of the country is owned by individual settlers?

Mr. HAWLEY. That I could not tell the gentleman. The lands are cut over by settlers or by companies who own the timber, but the timber companies have little use for the lands after they are cut over, and they offer them for sale in the community at reasonable prices. Sometimes bodies of men form little colonies, buy the land, and work on it together clearing the land. I know of 50 or 60 families going in to work together clearing up land, and they have told me that the stumps are very large and hard to take out; and they want me to tell them of some method of getting rid of them instead of blowing them out—by burning them. The lands are fine agricultural lands.

Mr. GOULDEN. Does the gentleman think that 25 per cent of the lands are owned by individual settlers?

Mr. HAWLEY. Of the lands to be benefited by this investigation, a great deal more than that. I think all the benefit of this appropriation would go to the individual settlers. There might occasionally be a body of men who would get together and clear up land, but it will largely be done by the individual settler who uses his spare time in the winter that otherwise would be lost in clearing the land. I hope, for the benefit of the large body of these men, it will be allowed to remain in the bill.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. HAWLEY. With pleasure.

Mr. PAGE of North Carolina. The gentleman has said that somebody in North Carolina who is interested in this matter came to him for information. Will the gentleman state his name?

Mr. HAWLEY. I wish I could remember the gentleman's name, but I can not.

Mr. PAGE of North Carolina. It was not this gentleman of North Carolina.

Mr. HAWLEY. Oh, no; it was not a Member of the House. It was some man who was interested with others in the clearing up of logged-over lands.

Mr. HULINGS. Will the gentleman yield?

Mr. HAWLEY. Certainly.

Mr. HULINGS. It has been stated here that former appropriations for this purpose have resulted in investigations and a conclusive report on this subject. If this is so, there would not seem to be any need of an additional appropriation. What is the fact about it?

Mr. HAWLEY. That is a mistake. The former appropriations of $5,000 have been used, information has been gathered and disseminated, but there are still other problems like removing the big stumps by the burning process. This is to enable the department to get other information. From what I know it has not solved this problem fully. They ought to complete the work already started and they have not done very much in the way of the by-products problem. There will be a use for the $5,000 in completing the work, in carrying out the work already undertaken, and some new phases of the work.

Mr. FOWLER. Mr. Chairman, twice the Agricultural appropriation bill has carried a provision for this purpose, and, as I understand, all that money has been used in the West. Apparently it has been used for the purpose of teaching the people how to clear up logged-off land. In this discussion it has developed that some trees that have been felled are 10 or 15 feet in diameter. These mammoth denizens of the forest require correspondingly large foundations in order that they may maintain themselves. Consequently, immense roots have been sent out into the ground, and it has been learned, through the ingenuity of ship men, that these big roots make fine ship knees; and inasmuch as these large forests are under the domination of the Lumber Trust, it is a very nice proposition to get the United States to blow out these roots for the purpose of making ship knees; and after they are blown out it is a nice thing to make a contract with the shipbuilding company to furnish these big, fine ship knees at a large price. Mr. Chairman, I would not have referred to this had it not come out in the discussion from the gentleman who undoubtedly is the author of this provision of the bill. The sequel of this appropriation is covered up under the guise of preparing land for grazing purposes, in order that milk and butter may be produced in quantities and in order that the Government may examine into powder to see whether powder is explosive or not, and to find out whether, if explosive, it can be exploded in connection with the removal of stumps in the western part of the United States.

The CHAIRMAN. The gentleman has used three minutes. The gentleman from South Carolina is recognized for two minutes.

Mr. LEVER. Mr. Chairman, the main purpose of this item is to study the utilization of by-products of logged-off land. Gentlemen may regard this as a very unimportant little item, but I desire to call attention to some facts. When I was a boy my father burned cotton seed. It was an encumbrance to the farm. We did not know what to do with it. The experts of the country began to study the problem, just as they are studying this problem, with the result that they found that cotton seed contains very valuable food and fertilizer products, which are now valued in the South at nearly $275,000,000 a year. When I was a boy we regarded the sawdust in the lumber yard as an absolute handicap to the work. Scientists and experts, studying from day to day and hour to hour, discovered that out of sawdust you could make alcohol.

Mr. FOWLER. People have known about wood alcohol a long time.

Mr. LEVER. Will the gentleman allow me to proceed? The result is that we have invested in that business hundreds and thousands of dollars. When I was a boy and when the chairman was a boy we did not know that there could be any utilization of pine stumps. The gentleman from North Carolina knows that to-day they are producing hundreds of thousands of dollars worth of turpentine out of pine stumps, all because somebody somewhere was given the authority to investigate these by-products. That is all there is in this item. I hope it will remain in the bill.

The CHAIRMAN. The question is on the motion of the gentleman from Ohio [Mr. GORDON] to strike out the paragraph.

The question being taken, on a division (demanded by Mr. GORDON) there were—ayes 16, noes 42.

Accordingly the motion was rejected.

The Clerk read as follows:

In all, for general expenses, $235,000.

Mr. PAGE of North Carolina. Mr. Chairman, I offer an amendment.

Mr. MANN. Is it an amendment to this paragraph?

Mr. PAGE of North Carolina. Yes; an amendment to this paragraph.

The Clerk read as follows:

At end of line 20, page 4, insert:

"For the fiscal year 1917, and annually thereafter, specific estimates shall be submitted for salaries for all personal services required in the Department of Agriculture at Washington, D. C., and except as specific appropriations may be made thereunder, personal services shall not be employed in that department at Washington, D. C."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from South Carolina reserves a point of order.

Mr. PAGE of North Carolina. Will the gentleman be kind enough to state his point of order?

Mr. MANN. I will make the point of order that it is legislation on an appropriation bill.

Mr. LEVER. There is no doubt that it is legislation.

The CHAIRMAN. There is no doubt about that.

Mr. LEVER. If the Chair will withhold his ruling for a moment, I want to make a statement.

The CHAIRMAN. Will the gentleman withhold his point of order?

Mr. MANN. Yes; I will reserve it.

Mr. LEVER. The matter of these statutory salaries and lump-sum salaries took the committee by surprise on Saturday. We think we gave the real fundamental reasons in the discussion on Saturday, but since that time I have had prepared for me a memorandum for the Secretary of Agriculture himself, sustaining the viewpoint of the committee; but I feel this way about it: If Congress desires this segregation, in the face of the opinion of the best experts of the country to the contrary, the Committee on Agriculture is no more and no less than the servant of the House; and I will suggest to my friend from North Carolina that if he will reserve this amendment and offer it under the miscellaneous items of the bill, near the end of it, I shall be very glad indeed not to make the point of order, so far as I am concerned, and will debate the question thoroughly and let the committee decide it.

Mr. PAGE of North Carolina. In offering the amendment I recognize, of course, that it is legislation and subject to a point of order, and it will be legislation and subject to a point of order at the place he suggests; and, of course, the gentleman can not pledge other Members of the House.

Mr. LEVER. I said to the gentleman that I would not make it if offered at the place in the bill further on. I will make it here, however.

Mr. PAGE of North Carolina. I readily concede the point of order, and I offer another amendment.

The CHAIRMAN. The point of order is sustained, and the gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

At the end of line 20, on page 4, insert the following:
"No money appropriated by this act in any lump sum shall be used to pay for any service or class of work in the Department of Agriculture during the fiscal year 1916 in excess of the rate of compensation paid for such service or work in the department December 31, 1914.

Mr. LEVER. I make the point of order on that that it is legislation.

Mr. PAGE of North Carolina. With respect to the point of order, I submit, respectfully, that it is merely a limitation on the appropriation and is not subject to the point of order. I do not care to argue so simple a matter as that to the present occupant of the chair. I think it is clearly in order for that reason and also because of the Holman rule.

Mr. LEVER. It does not on its face show a reduction.

Mr. PAGE of North Carolina. There is a pretty clear inference; but I submit that it is a limitation on the appropriation, and that such an amendment has time and again been held to be in order.

The CHAIRMAN. May the Chair ask the gentleman by what authority has the department been paying salaries out of the lump-sum appropriation?

Mr. PAGE of North Carolina. No; absolutely without authorization of law, as I understand it.

Mr. LEVER. On the contrary, Mr. Chairman, they have been paying salaries in accordance with section 169 of the Revised Statutes.

Mr. PAGE of North Carolina. However that may be, Mr. Chairman, however they have been fixed or paid, this amendment which has just been read from the desk is nothing more or less than a limitation, so far as the rules of the House are concerned, upon the appropriations carried in this bill.

The CHAIRMAN. The Chair will hear the gentleman from South Carolina, if he desires to be heard.

Mr. LEVER. Mr. Chairman, the Secretary of Agriculture under section 169 of the Revised Statutes, which I will read, is authorized to make such employment of clerks and other officials and employees as he desires. The section reads:

Each head of a department is authorized to employ in his department such number of clerks of the several classes recognized by law and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

Mr. PAGE of North Carolina. But, if the gentleman will permit, such salaries as are fixed by law and carried in the appropriations.

Mr. LEVER. The statute says "at such rate of compensation, respectively, as may be appropriated for by Congress from year to year."

Mr. PAGE of North Carolina. Of course; but they are not appropriated for except in the lump sum. My amendment seeks to place a limitation upon the salaries, that they shall not be in excess of those sums.

The CHAIRMAN. The Chair is of the opinion that the amendment is clearly a limitation. It provides that no part of this lump-sum appropriation shall be used in the payment of the salaries in excess of the salaries paid during the present current fiscal year. It seems to the Chair that is a limitation on the use of that lump-sum appropriation and is in order. The Chair overrules the point of order.

Mr. PAGE of North Carolina. Mr. Chairman, I want to preface what I desire to say as to the advisability of adopting this amendment by assuring the chairman of the Committee on Agriculture and Members of the Committee of the Whole House on the state of the Union that I have no spirit of antagonism toward the bill or toward the Department of Agriculture. On the other hand, I am entirely friendly to the appropriations carried in this bill for the purpose of investigations by the Agricultural Department, and there is every reason why I should be; but, as I stated here on Saturday in the Committee of the Whole House on the state of the Union, I believe that it is not good practice or that it is not good policy or in the interest of the proper expenditure of our money to appropriate lump sums for the payment of salaries in the executive departments of the Government, and particularly I think it is not wise that these lump sums should go on interminably. The purpose of the amendment I have offered is to give the House, from year to year in the making up of this appropriation and others, some knowledge of the salaries that are paid to the men who are employed other than by the specific direction of Congress and whose salaries are fixed other than by law. I believe it is in the interest not only of good legislation, but I believe it is in the interest of good administration of the Department of Agriculture, and if I did not think so I would not have offered the amendment. I hope it will be adopted.

Mr. LEVER. Mr. Chairman, the proposition proposed by the gentleman from North Carolina has been debated by both officials of the Department of Agriculture and by members of the Committee of Agriculture for 15 years, and we have been trying to work out the best method of handling the scientific force in the Department of Agriculture. The policy of the committee has been to transfer as rapidly as possible to the statutory roll, where we can have our eyes on them, from year to year, such employees as are strictly clerical and as are not merely temporary. I hold in my hand a memorandum furnished me by the Secretary of Agriculture this morning which clearly defines the position of the Department of Agriculture. Not only that, but it clearly defines the position of probably every agricultural thinker in the United States in reference to this matter. I am going to ask that this memorandum be printed in full, but I desire to read only briefly from it at this juncture:

STATEMENT SHOWING THE INADVISABILITY OF MAKING SCIENTIFIC AND TECHNICAL POSITIONS IN THE DEPARTMENT OF AGRICULTURE STATUTORY.

In the light of experience and as the result of extended investigation it is believed that the effect of lump-sum appropriations for salaries for investigational, experimental, and extension work has been to enlarge the scope and usefulness of the Department of Agriculture by enabling the department to undertake new lines of work as authorized and to handle effectively the natural increase of business, and that the effect of prescribing fixed salaries by statutory provision would undoubtedly be to arrest progress by limiting the usefulness and efficiency of the service. In many branches of the Department of Agriculture the volume of business fluctuates greatly during certain seasons, and a force which is sufficient to handle the normal or average amount of work for the year is insufficient to handle it promptly during seasons of great activity.

A system of statutory salaries wherein employees and rates of compensation are definitely fixed by law is workable only in branches of the service whose work is uniform in volume and character and where the force required to handle the work can be estimated a year or more in advance. Obviously such conditions do not obtain in the Department of Agriculture, whose field is steadily extending and diversifying as Congress authorizes and whose work is largely of an investigational or experimental nature.

The experience of the various research institutions throughout the country, including the universities and agricultural experiment stations, shows that work of this character can be most effectively conducted when there is possible a flexibility of compensation sufficient to allow an immediate readjustment of salaries when necessary to meet changed conditions of the work itself or changes in the personnel of the staff.

It is necessary for the head of the Department of Agriculture to have authority to take immediate action to meet efforts which are continuously being made to get investigators to leave the department. In very few cases of this kind is it necessary for the department to pay its employees the amount tendered them by the institutions or commercial organizations, they being willing usualy to remain with the department for much less money than is offered them elsewhere. It is thought that the Secretary ought to have sufficient latitude to handle such cases when they arise and the needs of the service require, otherwise frequently the department would lose the benefit of years of service of an investigator who had not completed the project upon which he was engaged. In a department where the work is largely administrative, regulatory, or routine employees are paid for work completed from day to day, while in the Department of Agriculture a man might not complete a task for a number of years; and if after a service of, say, four or five years, the investigator should receive a tempting offer from an educational institution or a commercial organization it is believed that the department should be in a position to meet the outside offer rather than lose the uncompleted work of such an investigator, for which the department has been paying during the life of the project.

The unavoidable delays in securing specific legislation for employing the technical specialists who may be necessary in the prosecution of work authorized by Congress, or for changing the compensation of those employed, are certain to result in making the work that is of an investigational rather than a regulatory nature more and more stereotyped in character and therefore less useful.

The principal disadvantage in a statutory roll for a scientific force is the lack of flexibility compelling the department to pay higher salaries than is necessary in some cases and preventing it from promptly recognizing its efficient and valuable employees for meritorious service, making it impossible to enlarge the force to meet changing conditions brought about by increased business and new responsibilities, and making it impracticable promptly to take up new lines of agricultural investigation as authorized. The principal advantage of the lump-sum system is that of elasticity, permitting the department to adjust its force to meet the exigencies of the work and to pay such rates of compensaion, within the limit fixed by Congress, as may be necessary to retain the services of efficient employees.

No particular advantage is seen in prescribing by law the number of investigators and experimenters of each grade and class so long as there is a maximum salary limit beyond which the department can not go; on the other hand, it would be a distinct disadvantage and a detriment to the work should Congress prescribe many months in advance a fixed number of employees at specified salaries for each type of investigational work. On some of the projects of the department for a certain period an agronomist would be required, and six or nine months later, in lieu of an agronomist, a pathologist might be needed. Should Congress make a statutory provision for an agronomist the department would be unable to put in that statutory place a pathologist, there being no elasticity to a statutory position.

In the conduct of certain lines of the work of the Department of Agriculture, such as the farmers' cooperative demonstration work, as well as many lines of the investigational and experimental work, the department receives cooperative aid from States, counties, crop-improvement associations, colleges and schools, and various other organizations outside the Federal service, such cooperative aid being applied largely toward the salaries and traveling expenses of the employees engaged in carrying on the work. This cooperative aid, while it amounts to hundreds of thousands of dollars annually, sometimes comes at irregular intervals, the department at times being required to pay the entire salaries of employees engaged on cooperative work, at other times paying part of their salaries only. The work of such employees is at all times under the supervision of officials of the department. To fix by law the salaries of the employees engaged on investigational, experimental, or extension work would render the administration of such work very cumbersome and extravagantly expensive to the Federal Government.

The operation of a statutory system would result in increased cost from lack of flexibility, in that when a vacancy occurred in a higher grade it would likely be filled by promotion from a lower grade, though there might be no one in a lower grade whose services were fully worth the higher salary, or by the appointment of a new man to whom it would not be good policy to pay the higher salary until he had fully demonstrated his value for the work in question.

Some time ago one of the pathologists left the department to go to Cornell University at a greatly increased salary. There was no one available to take his place in the department, and the work was therefore divided among a number of men, his salary being simply credited to the lump-fund appropriation. If his salary had been fixed by law, it would have been thought practically necessary to employ some one who had not yet reached a point where he could earn the salary paid to the gentleman who left the service. The present crop technologist in charge of grain standardization investigations of the department had charge of the work for four years before he reached the salary received by his predecessor in charge of the work. The former plant pathologist in chage of orchard-spraying demonstrations in the Bureau of Plant Industry resigned on January 31, 1912, at which time he received a salary of $2,760 per annum. His successor in charge of orchard-spraying demonstrations, a well-qualified but much younger man, has not yet reached as high a salary, he now receiving but $2,280 per annum. The physiologist formerly in charge of soil bacteriology investigations was receiving a salary of $3,000 per annum when he left our service, and it was six years before his successor reached that salary. The State agent having charge of the farmers' cooperative demonstration work in the State of North Carolina, until a few months ago received a salary of $2,500 per annum, paid entirely by the department, but half his salary, $1,250 per annum, is now paid by a cooperating agency.

The scientific and technical employees in the Government service are paid from lump-sum appropriations in a number of departments, among them being the following: The Reclamation Service, the Geological Survey, the Smithsonian Institution, and the Public Health Service.

The entire funds of the Reclamation Service, Department of the Interior, estimated for the current fiscal year at $9,000,000, out of which all salaries are paid, are lump sum, the salaries being fixed by the Secretary of the Interior.

In the Geological Survey there is appropriated for statutory salaries but $65,240, while in the sundry civil act approved August 1, 1914, there is appropriated for every requisite expense for and incident to the authorized work of the Geological Survey, including, among other things, "personal services within the District of Columbia and in the field," to be expended under the regulations from time to time prescribed by the Secretary of the Interior, $1,240,280. For a tabulated statement showing these several appropriations see attached table. In addition there was appropriated for the Geological Survey, in the deficiency act approved April 6, 1914, $100,000 in lump sum available for the payment of personal services.

An officer who is deemed sufficiently competent and trustworthy to be placed in charge of the Department of Agriculture, or any bureau of it, should not only be held responsible for its proper administration, for the proper expenditure of the appropriations made by Congress, but for securing adequate results as well. In this connection it might be said that while the appropriation act of the Department of Agriculture authorizes lump-sum salaries as high as $4,500 per annum, yet in that department there is not a salary paid from a lump sum that reaches that amount within $500.

The marked efficiency in investigational and demonstrational work which the Department of Agriculture has developed in recent years has been largely due to the fact that as soon as the consideration of a problem has disclosed the lines along which it could most effectively be attacked the department has been able to concentrate all the available funds and efforts upon the problem in the most effective way. It is believed that any serious restriction of its freedom of action in this respect would be distinctly harmful and that it would lessen the efficiency and usefulness of the department.

For every expenditure requisite for and incident to the authorized work of the Geological Survey, including the purchase for field use only of not exceeding four motor-propelled vehicles at a total cost not exceeding $2,800, and not exceeding 16 horse-drawn vehicles at a total cost not exceeding $2,400, and personal services in the District of Columbia and in the field, to be expended under the regulations from time to time prescribed by the Secretary of the Interior and under the following heads:

For pay of skilled laborers and various temporary employees	$20,000
For topographic surveys in various portions of the United States	350,000
For geologic surveys in various portions of the United States	400,000
For chemical and physical researches relating to the geology of the United States, including researches with a view of determining geological conditions favorable to the presence of deposits of potash salts	40,000
For preparation of the illustrations of the Geological Survey	18,280
For preparation of the report of the mineral resources of the United States	75,000
For gauging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources	150,000
For purchase of necessary books for the library, including directories and professional and scientific periodicals needed for statistical purposes, including payment in advance for subscriptions to publications	2,000
For engraving and printing geologic maps	$110,000
For continuation of topographic surveys of the public lands that have been or may hereafter be designated as national forests	75,000
Total	1,240,280

Let me give you a specific instance. We have an outbreak of the foot-and-mouth disease in this country, which threatens the cattle industry. If we did not have the flexibility of a lump-sum appropriation, if we provide for an inflexible, inelastic, unbending statutory roll that would enable the Department of Agriculture to employ only sufficient veterinarians to do the work, the country would be utterly at the mercy of this disease, and the Department of Agriculture would be bound hand and foot, and could not move a peg in arresting it.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. LEVER. I will yield.

Mr. PAGE of North Carolina. I would like to ask the gentleman to point out how in the slightest degree the amendment which I have offered would affect the number of people employed?

Mr. LEVER. The amendment pending as proposed, if it is passed, would be one step further in the direction of the adoption of the amendment the gentleman from North Carolina just introduced, and which went out on the point of order. Now, then, you may have a virulent outbreak of cholera among the hogs in a section of the country. We are carrying $350,000 here in a lump sum to cover such a contingency. We believe it is sufficient, but the disease may be of such a violent nature, and may spread so rapidly, that we would have to call upon the lump sums contained in the bill for the Bureau of Animal Industry for additional sums and make a deficit, as we did with the foot-and-mouth disease, to meet the situation. We need veterinarians, experts to control that disease. Suppose we had written into this bill that you could have only 200 experts engaged in that line of work, and it was found, in order to make it effective, we needed 500 to do it. Do you think it is a good policy, gentlemen, to tie the department up in any such fashion? I want to say to my friend from North Carolina that he and I and other Members of this House must learn to trust the good judgment and the discretion and honesty of the head of this great Department of Agriculture.

This department differs in its work, differs in its manner of conduct, from any other department of the Government.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. LEVER. Mr. Chairman, I ask unanimous consent for three minutes more.

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

Mr. LEVER. The work of the Department of Agriculture is in nowise similar to the work in the Post Office Department, for instance. The officials of the Post Office Department can estimate within 10 men the number of postal clerks they will need a year in advance. But the Secretary of Agriculture must be given some discretion, some leeway, some latitude in meeting emergencies and exigencies which arise and which threaten the very life of some of our greatest industries. As far as I am concerned, I am willing to trust the men who for years and years have been studying this question—consecrated, honest, honorable men, men of wise judgment. I am willing to trust their integrity in the enforcement of the law and in the expenditure of these lump-sum appropriations.

I very much hope the amendment will be voted down overwhelmingly. [Applause.]

Mr. McLAUGHLIN. Mr. Chairman, I hope the amendment will not be agreed to. I may not fully understand it, but I do not remember it just exactly as the gentleman from South Carolina [Mr. LEVER] evidently does. I understand that it does not forbid the employment of more men in any line of work. It would forbid the increase of pay to any man whose salary is now fixed by the department or by law.

Mr. MANN. Will the gentleman yield?

Mr. McLAUGHLIN. I will.

Mr. MANN. Did the gentleman carefully scan the amendment?

Mr. McLAUGHLIN. I only heard it read. I have not taken it from the desk to read it myself.

Mr. MANN. It is certainly susceptible to the construction that no more money shall be spent for the work next year than was being spent on December 31.

Mr. LEVER. No matter what the exigency might be.

Mr. PAGE of North Carolina. I beg the gentleman's pardon. If the gentleman will allow——

Mr. McLAUGHLIN. I decline to yield further now. I think if that is true, and I admit it is from the statement made by

the gentleman from Illinois [Mr. MANN] and the gentleman from South Carolina [Mr. LEVER], it is further reason for rejecting the amendment. Now, as to the increase of salaries of men now employed therein, the total number of employees in the Department of Agriculture to-day is at least 14,000, and many of them are paid from the lump sum. A part of them only have their salaries fixed by law and are on what we call the statutory roll. I think it would be unwise for Congress to say by the adoption of this amendment that the Secretary of Agriculture, nor any of the other officials of the department, shall have authority during the year under any circumstances to increase the pay of any man on the lump-sum roll. It would be unwise, it seems to me. Now, certainly, if the amendment is as broad as is suggested, and would forbid the employment of an extra number of men regardless of the emergency or contingency for extra work that might arise, then this amendment ought not to be adopted.

Mr. CANDLER of Mississippi. Mr. Chairman, just a moment.

Mr. GORDON. Does the Chair wish to recognize anyone in favor of the amendment?

The CHAIRMAN. The Chair is only seeking to carry out the usual practice.

Mr. STAFFORD. Mr. Chairman, I would like to inform the Chair that I would like to speak in favor of the amendment.

Mr. GORDON. I am in favor of the amendment. The last two speakers were against it.

The CHAIRMAN. The Chair will recognize the gentleman from Ohio.

Mr. STAFFORD. I wish to be recognized in favor of the amendment.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 40 minutes. That will give us ample time. Then I hope we will go ahead with the reading of the bill.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this amendment and all amendments thereto close in 40 minutes. Is there objection?

There was no objection.

Mr. CULLOP. Mr. Chairman, I desire to be recognized in support of the amendment.

The CHAIRMAN. The Chair will bear that in mind, but the Chair was proceeding to recognize the gentleman from Ohio [Mr. GORDON].

Mr. STAFFORD. I ask unanimous consent that the amendment be again read for the information of the committee.

The amendment was again reported.

Mr. GORDON. Mr. Chairman, I think the reading of this amendment clearly refutes the contention of the gentleman from Illinois [Mr. MANN] and of the last gentleman who spoke, that the purpose of this amendment is to limit the number of employees. It simply limits the salary. In other words, it attempts to restrict the Department of Agriculture to its constitutional duty and function.

Mr. MANN. Will the gentleman yield for a question?

Mr. GORDON. Yes.

Mr. MANN. Does not the amendment say it restricts the compensation for a class of work?

Mr. GORDON. No; it does not. No official shall receive more than he received on December 31.

Mr. MANN. The gentleman is not as acute as he usually is.

Mr. CANDLER of Mississippi. It says service or class of work.

Mr. GORDON. It certainly does. I think I understand the English language and know what the amendment means.

But so far as I am concerned, I am not especially inclined to delegate to any Secretary of Agriculture or anybody else the constitutional duties imposed upon Congress. If we are not fit to perform these duties, let us amend the Constitution and authorize the Secretary of Agriculture to fix salaries. The Constitution, which we all swore to support here, without equivocation or evasion, provides that no appropriation except for the Army and Navy shall be made for a longer period than one year, I thinks it is.

Now, of course, this is just an indirect way—this thing of appropriating lump sums to some head of a department, and letting him go out and hire people and fix salaries—an indirect way of Congress delegating its functions to some member of the executive department. I am very much surprised that the amendment offered by the gentleman from North Carolina [Mr. PAGE] has not been adopted heretofore. It seems to me clear that it ought to be done.

The last gentleman who spoke, the gentleman from Michigan [Mr. MCLAUGHLIN], seems very willing to concede that the Secretary of Agriculture is very much better qualified than he is to fix these salaries. Well, if he thinks he is not qualified on that subject he ought to resign from the Committee on Agriculture and let somebody be appointed who is willing to take the responsibility.

This appropriation of lump sums to be disbursed at the discretion of executive officers ought not, it seems to me, to be tolerated by Congress. It appears to me, although I am a new Member here, that it is a system of evading responsibility on the part of this House that ought not to be tolerated.

Now, I speak in no spirit of hostility to the distinguished gentleman who is occupying the position of Secretary of Agriculture. But he has not been elected to Congress yet, and this thing of making lump-sum appropriations and allowing the head of a department to raise salaries to suit his own sweet will is, it seems to me, a thing that Congress, when it understands it, ought not to tolerate, and I think the amendment offered by the gentleman from North Carolina is appropriate, necessary, and proper and ought to be adopted. [Applause.]

Mr. STAFFORD rose.

The CHAIRMAN. Is the gentleman from Wisconsin for or against the amendment?

Mr. STAFFORD. I am for the amendment.

The CHAIRMAN. Perhaps the Chair ought to recognize some one who is against it.

Mr. MANN rose.

The CHAIRMAN. Is the gentleman from Illinois opposed to the amendment?

Mr. MANN. Yes; I am opposed to the amendment.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. MANN. Mr. Chairman, I am not going to take up the time in arguing whether this amendment prevents an increase in the amount appropriated or the amount expended for different classes of work, although that is clearly what the amendment says. However, I do not suppose that is the intention of the author of the amendment. It illustrates, however, the difficulty of preparing an amendment on the floor of the House which will take all the work out of a great department of the Government.

For me, I am in favor of the Department of Agriculture and the development of the work in the Department of Agriculture. I am sorry that so many gentlemen of the House, whenever an agricultural bill comes before the House, make carping criticism of the methods of appropriations for that department, which they forget when appropriations for other departments are up for consideration. First, I believe in making appropriations specifically, and not in lump sums, so far as is possible; but I notice that the great Committee on Appropriations, which holds a membership which can not be excelled or probably equalled in this House, and which very readily criticizes the agricultural bill, which carries a total in the neighborhood of $20,000,000 or $25,000,000—that great committee brings in the sundry civil bill and the legislative bill with lump appropriations galore. Here is a lump-sum appropriation in the sundry civil bill of this year, $2,110,000 in one lump for the Life-Saving Service; $2,350,000 in one lump for the Revenue-Cutter Service; $1,300,000 for salaries, and so forth, in the Bureau of Engraving and Printing; $1,625,000 in a lump sum for the wages of plate printers, and so forth, in the Bureau of Engraving and Printing; $10,150,000 in a lump sum, in a short paragraph, for defraying the expenses of the collection of customs; $2,275,000 in a lump for the Lighthouse Service; $2,649,500 in a lump, in a short paragraph, for the Immigration Service. Why, if such appropriations as those had been included in lump sums by the Committee on Agriculture, not only the gentlemen on the Committee on Appropriations but all the rest of the House would have thrown a fit. But they condone great appropriations in lumps, which ought to be segregated in their own committee, and then they find grievous fault with the Committee on Agriculture.

Mr. Chairman, if this amendment should prevail, it would paralyze the Department of Agriculture. Even if it goes only to the extent that the author desires, what is the situation? The Department of Agriculture picks up young men who wish to take up scientific work. They start them at low salaries and develop them until they become great scientists. It is idle to suppose that you can start a young scientist at a salary of a thousand dollars or twelve hundred and expect him as he remains in the service, developing and growing, to retain that salary, and everyone knows it. These other departments have regular promotions provided by law, but the Department of Agriculture under these lump-sum appropriations does not have the regular promotions provided by law; and if the purpose of the gentleman was to keep from increasing salaries, we all know that it would paralyze the Department of Agriculture; and for me, I am for that department and its great work. [Applause.]

Mr. CULLOP and Mr. STAFFORD rose.

The CHAIRMAN. Is the gentleman from Indiana for or against the amendment?

Mr. CULLOP. I am for the amendment.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. CULLOP. Mr. Chairman, in order that we may have a clear understanding of the amendment I am going to read it to the committee again. It provides:

No money appropriated by this act in any lump sum shall be used to pay for any service or class of work in the Department of Agriculture during the fiscal year 1916 in excess of the rates of compensation paid for such service or work in the department December 31, 1914.

The amendment does not limit the number of employees, but it does limit the compensation of employees in the class of work for which they are employed and provides that they shall not be paid in excess of the pay they have received this last year. I do not think it is contemplated by the chairman of the committee that the rate of compensation shall be increased, nor would it be necessary under the conditions that it should be; but it is wise legislation to provide now, in the passage of this appropriation bill, that the men who are to be employed in this department for the coming year shall know what the salaries are to be in the class of work or service they are to render. The Secretary of Agriculture, as the head of that department, ought to ask that it be done. Gentlemen say they are for this kind of a law and that this limitation should be fixed by statute. If so, why do they oppose this amendment? That is exactly what it does. Now, I want to say to the distinguished gentleman from South Carolina [Mr. LEVER], the chairman of this committee, that the work done in the foot-and-mouth disease was not satisfactory to the people of this country, especially in the State of Indiana, where this disease existed in some localities; but it was done in such a way as to impose hardship, and in many instances serious charges have been made against the character of work done. The people of that great State sustained great losses because, as some of them assert, of the unfair, unjust, or incompetent handling of this matter. Hardships were imposed on stock feeders and shippers which produced severe and serious criticism and aroused much antipathy against the officials having it in charge.

Mr. LEVER. Will the gentleman yield?

Mr. CULLOP. Certainly.

Mr. LEVER. Did the gentleman vote for the $2,500,000 appropriation carried in the deficiency bill the other day for this work?

Mr. CULLOP. I did; and I advocated the passage of it; but in my judgment the careless work done in this department cost the cattle producers of Indiana twice that sum, a thing which could have been avoided and ought to have been avoided if proper regulations or orders had been promulgated by the department or the official in charge. Stock was jockeyed at stockyards at Indianapolis when there was no reason on earth for it, as well-informed persons assert. If the man in charge of this business from the department had done his duty to the people and the public, it is charged, much would have been saved to stock raisers, and the severe criticisms made in this regard by people who were in position to know would have been avoided; and the stock shippers and the stock producers would not have suffered the loss they have sustained because of the character of work that was performed in this regard in Indiana.

Mr. Chairman, it can not be denied that the manner in which the foot-and-mouth disease has been handled by those in charge of that work has been not only very expensive to the Government but far more so to the farmers in the several States infected. It broke out in a herd of cattle near Niles, Mich., and an official was detailed to examine the herd. He did so, and surely he did not diagnose the disease properly, either because of his incompetency or disregard of duty, because he did not prevent shipments from this herd to be made to different parts of the country, scattering the disease over several States and infecting different sections of the country. It was a serious blunder on some person's part and could have only been the result of either incompetency on his part or a willful neglect of public duty. His conduct in this matter deserves attention from the department he represented, as his acts in this matter were costly and dangerous.

But, sir, it is not only his handling of the disease at Niles, Mich., that deserves criticism, but also in Indiana. The people of that State have suffered immensely because either of his incompetency or his utter disregard of duty. The toll levied upon the stock shippers there because of his want of proper regard for the rights of shippers deserves the severest criticism, they assert, and is receiving it. Because of his failure or inability to properly regulate the matter, stock shippers were "docked" unreasonably in the sale of their stock. He could, if he had been competent and attended properly to his duty, they claim, have prevented this "docking" process in the sale of their stock and prevented the enormous losses many of them sustained. It could have been avoided if he had done his duty in this particular, but it was not done, and whether this failure was the result of incompetency or some other cause I am not advised. It worked a great hardship as well as injustice upon innocent persons, who were in no manner responsible for it or his official position. One thing is clear, however, if he had been competent and done his duty this disease would have been confined to the herd at Niles, Mich., where it first appeared, and would not have been scattered over the country, entailing great loss to both the Government and many cattle producers in several of the States in this Union. That he is receiving public censure does not make reparation to the injured or restore the losses incurred. He deserves further attention, and I hope will receive it. One thing sure, it would seem better attention should be given work of this far-reaching importance in order that a repetition may not occur. Personally I do not know who is to blame, but one thing is apparent, some one is, and whoever it is he should be held responsible.

Mr. Chairman, the amendment does not apply to the class of service or limit the number to be employed in any class or service in the department, but it does limit the compensation of the employees who are to be employed in that service, and provides that it shall not in the coming year exceed what has been paid in the year just closed. I hope the amendment will be adopted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman——

The CHAIRMAN. Is the gentleman from Wisconsin opposed to the amendment?

Mr. STAFFORD. I advised the Chair several times that I am in favor of it, and I have not changed my views.

The CHAIRMAN. The Chair is seeking to divide the time equally between those in favor of the amendment and those opposed to it.

Mr. GORDON. The Chair recognized two gentlemen who were opposed to it.

The CHAIRMAN. The Chair is simply seeking to divide the time equally. The Chair recognizes the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, the only effect of this amendment is to provide that the salaries now paid to employees of any class who are paid out of lump-sum appropriations shall not be increased during the next fiscal year. In private employment to-day it is the policy of every business man, recognizing the business depression that is so general throughout the country, not to increase salaries. From a governmental standpoint where we are paying salaries much in excess of those being paid for similar employment in the world outside, especially in the Agriculture Department, we can well afford, with a deficit facing us for the next fiscal year, to have this restriction placed upon the discretion of the department heads, so that at least for one year the rate of compensation shall not be increased over that paid on December 31, 1914.

It is no new argument for the chairman of this committee to say that the heads of the departments do not wish to be restricted in the expenditure of lump-sum appropriations, as it is invariably true that every head wishes to have free rein in the disbursement of moneys for their bureaus, and from the legislative standpoint this is highly objectionable. There is no bill that so offends in the number of lump-sum appropriations as the Agricultural appropriation bill.

When the Post Office Committee established that great business adjunct of the department, the postal savings bank, did the House grant them unlimited time in which to adjust their salaries? No. Study the legislative appropriation bill and you will find that the salaries of all of these experts are fixed. When we organized the business adjunct of the parcel post, did we place a restriction as to the salaries that we fixed? You will find that we limited the salaries. And that is a business establishment that it might well be argued needed some leeway.

It is for the purpose of placing restrictions upon their discretion, so that they will not waste these moneys that are carried in this bill, that this amendment is offered. Here we have an item carrying $230,000 for farm management. Of that $230,000 the sum of $110,000 is paid for salaries in Washington alone and only $35,000 for salaries without, and the balance for field service. We have another item in this bill for the field investigation of crop estimates. Where in 1914 there were but 15 men receiving salaries of $1,500, in the present estimate they ask for 43 men with salaries of $1,500, another instance of the abuse of lump-sum appropriations. And when we come here trying to restrict the extravagance of this department we are

told that it will interfere with the commendable work that this department is doing in the foot-and-mouth disease and the hog-cholera investigation. We know that that is without merit, for the reason that there will be no salary affected so far as those respective appropriations are concerned. This amendment only provides that the rate of compensation for each individual shall not be increased during the next fiscal year. It places some limitation on increases for the next fiscal year, and I call upon Democrats and Republicans alike who are in favor of retrenchment and the restriction of extravagant appropriations to vote for this commendable amendment.

Mr. CANDLER of Mississippi. Mr. Chairman, this amendment provides that no money shall be used from this lump sum to pay for any service or class of work in the Department of Agriculture during the fiscal year of 1916 in excess of the rate of compensation paid for such service or work in the department December 31, 1914.

Now, it seems that there can be no question as to what construction will be placed on that language. It not only puts a limitation on the amount to be expended for service, but it puts a limitation on the amount to be expended for work, because it says "service or work." The gentleman from Indiana [Mr. CULLOP] says that the amendment proposes to limit the compensation, and nothing else. If it proposes to limit the compensation and nothing else, you will have to change the language of the amendment. I say it is not wise and not best to limit the compensation even, for the reason, as suggested by the gentleman from Illinois [Mr. MANN] a moment ago, that this department employs young men, and having developed them in a line of work of this department, as they grow more useful to the Government of the United States and more beneficial to the people of the United States, it is necessary to pay them an adequate compensation in accordance with their increased efficiency in the labor which they perform. Unless you do pay them adequate compensation private interests will reach out and pluck them from the service in which they have been developed at the expense of the Government and utilize them for their own personal advantage.

Mr. STAFFORD. Will the gentleman yield?

Mr. CANDLER of Mississippi. Yes.

Mr. STAFFORD. Is it not a fact that in the practice of the Agricultural Department, as far as scientific men are employed, when they graduate to a higher class of work they are put to a different class of work and receive a higher compensation, and this amendment does not affect that?

Mr. CANDLER of Mississippi. That is sometimes done where they can be transferred to a higher class of work for which they have been developed by reason of the knowledge that they have acquired in the service that they have performed. Now, the gentleman from Wisconsin [Mr. STAFFORD] says that they fix the salaries in the Post Office Department. There is a wide difference between the services rendered in the Post Office Department and that rendered in the Agricultural Department. The Post Office Department salaries are definitely defined, and the employee works eight hours a day, no more. A scientist in the Agricultural Department is not limited to hours of work, but frequently works all day and oftentimes into the wee small hours of the night.

As I said a moment ago, they are oftentimes taken from the Department of Agriculture and carried out into private enterprises to serve persons in private business. A few years ago, in order to prevent that taking place, Congress authorized, if necessary, a raise in salaries that might be paid to scientists from $4,000 to $4,500. It was necessary to give the department that leeway in order to retain these men in the service. To show that the department is not abusing this discretion that was conferred, they have not raised a single salary above $4,000. That was given as a discretionary power that they might use it when it became necessary, but as it has not become necessary it has not been used. Now, the gentleman stated that private enterprises and business were holding down salaries. Yes; and in the public departments, in the Department of Agriculture we are holding down salaries, because we have not increased salaries in this bill except a few, and they are unimportant and inferior positions, where it was necessary to increase them in order to do justice to the employees who are performing the service. [Applause.]

Mr. PAGE of North Carolina. Mr. Chairman, I regret extremely that a Member of this House in an effort to discharge what he conceives to be his legislative duty can not do so without being held up by members of the Committee on Agriculture and other Members of the House as antagonistic to the Agricultural Department. I also regret extremely that I am censured because I happen to be a member of the Appropriations Committee when I undertake to criticize what I regard to be an unwise legislative practice, or departmental practice, in the bill presented to the House by my friend from South Carolina [Mr. LEVER], and in doing that I regret that I subject to criticism the committee upon which I serve because possibly the same evil has not been corrected in some bills which it handles. Now, I have no antagonism to the Agricultural Department. On the contrary, I am in favor of its encouragement and of making appropriations for the extension of the work that is legitimate. But, on the other hand, I have an abiding conviction that as long as the Congress of the United States, in the Agricultural bill or any other appropriation bill, appropriates money in a lump sum for the payment of personal employment—and without charging anyone who administers that fund with corruption or even with maladministration—it is inevitable that the appropriations will not be used as wisely or salaries fixed as economically as if there was a supervision outside of the Agricultural Department.

I want to call the attention of the committee to the fact that section 5 of the legislative, executive, and judicial appropriation act making appropriations for the fiscal year ending June 30, 1913, reads as follows:

SEC. 5. That any person violating section 4 of the legislative, executive, and judicial appropriation act approved August 5, 1882 (Stat. L., vol. 22, p. 255), shall be summarily removed from office, and may also upon conviction thereof be punished by a fine of not more than $1,000 or by imprisonment for not more than one year.

Now, the statute which that refers to is as follows:

That no civil officer, clerk, draftsman, copyist, messenger, assistant messenger, mechanic, watchman, laborer, or other employee shall after the 1st day of October next be employed in any of the executive departments, or subordinate bureaus or offices thereof at the seat of government, except only at such rates and in such numbers, respectively, as may be specifically appropriated for by Congress for such clerical and other personal services for each fiscal year; and no civil officer, clerk, draftsman, copyist, messenger, assistant messenger, mechanic, watchman, laborer, or other employee shall hereafter be employed at the seat of government in any executive department or subordinate bureau or office thereof or be paid from any appropriation made for contingent expenses, or for any specific or general purpose, unless such employment is authorized and payment therefor specifically provided in the law granting the appropriations, and then only for services actually rendered in connection with and for the purposes of the appropriation from which payment is made, and at the rate of compensation usual and proper for such services; and after the 1st day of October next section 172 of the Revised Statutes, and all other laws and parts of laws inconsistent with the provisions of this act, and all laws and parts of laws authorizing the employment of officers, clerks, draftsmen, copyists, messengers, assistant messengers, mechanics, watchmen, laborers, or other employees at a different rate of pay or in excess of the numbers authorized by appropriations made by Congress, be, and they are hereby, repealed; and thereafter all details of civil officers, clerks, or other subordinate employees from places outside of the District of Columbia for duty within the District of Columbia, except temporary details for duty connected with their respective offices, be, and are hereby, prohibited; and thereafter all moneys accruing from lapsed salaries, or from unused appropriations for salaries, shall be covered into the Treasury.

Mr. Chairman, I do not agree with the contention made by the gentleman from Illinois [Mr. MANN] and the gentleman from Mississippi [Mr. CANDLER] that the language of the amendment that I have offered will in the slightest degree affect the amount of money appropriated. It would be asinine, in my judgment, for anybody to pass on it and make such a construction. It says "for compensation or work," the work meaning the service performed, and that construction, I think, would be placed upon it.

I believe it would not do anything except place a limitation on the expenditure of the lump sum for personal employment. It would prevent the lump sums in this act from being used to increase the pay of persons paid from those lump sums over and above the amount paid them on December 31 last.

I ask leave to extend my remarks in the RECORD for the purpose of inserting the remainder of what I read.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina to extend his remarks in the RECORD? [After a pause.] The Chair hears none.

Mr. COOPER. Mr. Chairman, I think that this amendment ought to be adopted. In my judgment, it is susceptible only of the interpretation put upon it by the gentleman who presented it. Fairly interpreted it means that out of this lump-sum appropriation no employee shall receive more compensation for his services than he received last year. I think also that it is extremely unjust to the friends of the amendment to intimate that they are hostile to the Department of Agriculture. I doubt if there be in the House any gentleman more willing to vote reasonable appropriations for the department than I have been. I have always voted for such appropriations and have done my best in every legitimate way to foster the interests of that department. And I consider also that it was very extravagant to say, as was said by a gentleman a few minutes ago, that the adoption of this amendment would paralyze the Department of Agriculture. "Paralyze" was the word he used.

Mr. MOORE. Will the gentleman yield?

Mr. COOPER. I have but a short time, if the gentleman will pardon me.

Mr. MOORE. I desire to ask if the gentleman can tell us whether these employees are continued in the service from year to year or is it a temporary service?

Mr. COOPER. It is my understanding that all of them are regularly in the service from year to year.

The Department of Agriculture sent to the committee which prepared this bill a book of estimates. Here is a copy of that book. It contains a statement—a statement made, remember, by the department itself—showing in detail the number and kind of employees which it desired to have in the bureau and what compensation it proposed that each employee should receive. Why, then, did not this bill make specific, detailed appropriations to cover these specific, detailed estimates for salaries, or for such of them as the committee might deem meritorious? But no; the bill contains nothing of the kind. On the contrary, it puts almost a quarter of a million of dollars into the hands of a bureau chief and tells him to hire men and pay salaries in his discretion.

Now, there is not any use in saying to us who are opposed to lump-sum appropriations based, as this appropriation is based, upon detailed estimates that we are undertaking to paralyze the Department of Agriculture. I know some of these bureau chiefs. All are fine men. But no man ought to be authorized to take $230,000 or more out of the Treasury of the United States and expend it as may please him in paying salaries for employees of the sort listed in this book of estimates. Not even the President of the United States ought to be empowered to expend such a sum in his discretion except to meet a great public emergency.

The gentleman from Illinois said that we ought to make this lump-sum appropriation because, he said, there are young men employed in the department, worthy young men, who must from time to time be promoted and receive more pay or the department can not keep them. Now, if there be any such necessity as this, why did not the book of estimates make reference to this alleged fact and contain an estimate of the amount probably necessary to meet the requirements of the case? The department could easily have told the Committee on Agriculture that there were a certain number of young men in the employ of the department, some of whom were exhibiting much ability, and that it would like so much margin for them. But there is no suggestion of this kind in the estimates. The $230,000 is to be a lump sum for one man to spend in his discretion. The department estimates are not in the slightest degree to bind him. Now, there is no use in attempting to evade the issue. Lump-sum appropriations are bad. The fact strongly urged by the gentleman from Illinois that other bills have contained lump-sum appropriations does not at all justify us in making the lump-sum appropriation in this bill. We ought from session to session of Congress put a stop to such appropriations of the public funds. That previous Congresses have made them affords no reason why we should continue the wrongful practice now. Lump-sum appropriations based on detailed estimates ought to be done away with. [Applause.]

Mr. LEVER. Mr. Chairman, the gentleman from Illinois, who is an exceedingly able lawyer, places upon this amendment one construction. The gentleman from North Carolina [Mr. PAGE], an equally able lawyer, places upon this amendment another construction. My amiable and charming friend, the gentleman from Milwaukee [Mr. STAFFORD], another able lawyer, places upon this amendment one construction. My violent friend from Indiana [Mr. CULLOP], another of the very ablest lawyers in this House, puts upon this amendment another construction. It seems to me that when lawyers differ so radically about the construction of a simple 10-line amendment that it is well for the friends of agriculture to stick to the old line of doing business.

Mr. PAGE of North Carolina. Will the gentleman yield for just one moment in order that I may correct the gentleman? I do not care to be rated in this House as an eminent lawyer when I am not a lawyer at all, and I am the only man who is not a lawyer who has passed upon it.

Mr. LEVER. Well, the gentleman ought to be. The gentleman talks and acts like one. [Laughter.] This proposition to amend and the different constructions that these lawyers place upon it this morning illustrate how dangerous it is to pass a hurriedly drawn amendment which goes to the very vitals of a system that has been growing up for 25 years. I offered this morning, to the gentleman from North Carolina, not to make the point of order on a proposition similar to this if he would offer it at the close of this bill, when we could debate it out, and he would not accept it. I had in my mind a carefully drawn amendment which might do the work so that the committee could pass upon it without any doubt. I intended to oppose my own amendment, but I wanted to know what the committee thought about it.

But the gentleman would not submit to it, and then asked us to pass an amendment upon which no two lawyers in this House can agree. Now, gentlemen, my friend from Wisconsin [Mr. COOPER], who is one of the fairest men in this body, complains because the gentleman from Illinois [Mr. MANN] said that this amendment would paralyze the usefulness and in a measure restrict the activities of the Department of Agriculture. The gentleman from Illinois is absolutely right. I read you from the statement of the distinguished Secretary of Agriculture furnished me this morning:

> The marked efficiency in investigational and demonstrational work which the Department of Agriculture has developed in recent years has been largely due to the fact that as soon as the consideration of a problem has disclosed the lines along which it could most effectively be attacked the department has been able to concentrate all the available funds and efforts upon the problem in the most effective way. It is believed that any serious restriction of its freedom of action in this respect would be distinctly harmful and that it would lessen the efficiency and usefulness of the department.

That is the statement of the head of this department. While I do not and would not accuse the gentleman supporting this amendment of any desire to cripple the Department of Agriculture, I do not hesitate to say that, in my judgment, based upon 12 years of experience on the Agricultural Committee, the adoption of this amendment would work an absolute harmful revolution in the methods of the Department of Agriculture and its great work would suffer immensely. I feel that I have been bred and born, as it were, in the Department of Agriculture. As a Democrat I stood faithfully by that great man, James Wilson, who is so much responsible for building up the department. He stood by this system. I am standing by the distinguished man who is at the head of it now, a learned man, an economist, and a student. He stands by this system, and says that the adoption of an amendment of this character would seriously retard his work. I ask the friends of agriculture to vote down this amendment. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The question is on the adoption of the amendment offered by the gentleman from North Carolina [Mr. PAGE].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. PAGE of North Carolina. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 18, noes 68.

So the amendment was rejected.

The Clerk read as follows:

Total for office of the Secretary of Agriculture, $623,360.

Mr. BOOHER. Mr. Chairman, I move to strike out the last word. I would like to call the attention of the chairman of the committee to the fact that there is an apparent increase in the expense of the office of the Secretary of $283,480 as compared with the bill of last year. I would like to ask the gentleman to explain to the committee why that is.

Mr. LEVER. Twenty-three thousand dollars of the apparent increase is the natural increase carried in the item to investigate and encourage the adoption of new methods of farm practice and farm management, and the other is an increase by way of transfers.

Mr. BOOHER. The balance of that increase, then, is brought about by the rearrangement of the office of the Secretary?

Mr. LEVER. Yes.

Mr. TRIBBLE. Mr. Chairman, I desire to say I followed the chairman of this committee as a friend of agriculture on the question now before the House, and I want to congratulate this House on having the services of such a distinguished and able man, as well as his associates on the committee, Mr. LEE of Georgia and others. But, Mr. Chairman, I want to challenge one statement made by the chairman when he suggested that we should accept the views of the Secretary on agricultural questions.

While I am willing to follow him as a friend of agriculture when he is right and feel that his advice should be sought, still I reserve the right to differ with him when I think he is wrong.

Mr. Chairman, I do not rise to make a lengthy argument at this time on rural credits, but for the purpose of urging immediate action on this the most important economic question now before the American people. When the bill is up for consideration I hope to discuss the issues involved in detail. I have studied the question with much interest, and while I have introduced a bill myself I have no personal ambition to serve and truthfully say what I want is action on rural-credit legislation and the passage of a bill that will add more profit to the farmer and thereby contribute to the happiness of the people on the farm and make more attractive farm life. The Member of this

House who aids in checking the depopulation of the rural districts and stops the overcrowding of towns and cities serves his country well. Let us broaden the field of opportunity of the farmer by giving him long-term loans at reasonable interest rates.

Mr. Chairman, permit me to remind the Democratic Members of the platform pledges at Baltimore to give the farmers rural-credit legislation. The end of this session is near. The needs of a rural-credit banking system in this country are urgent. The commercial banks do short-term business, and in order to meet present-day conditions on the farm and reduce interest on farm loans it is proposed to make farm loans for the purpose of farm improvement. The money advanced by the rural-credit bank must be applied on the farm in such manner as to improve the farm and make farming more profitable. The local associations, being responsible for the return of loans contracted and being the trustees of funds, see that money loaned for farm improvement is properly applied by the person securing the money; and these trustees are personally interested in making no loans to persons who would not take pride in the upbuilding of his farm and community.

There are two schools of thought on farm loans in this House. One favors Government financial aid to the proposed rural-credit banks, while the other is opposed to Government aid, either by the Government loaning directly out of the Treasury or by purchase of stock or bonds of the rural-credit banks. It is generally admitted that the rural-credit banks are a success in European countries without Government aid. There is ready sale for the rural-credit bonds. It is also admitted by both sides that when the various European Governments first established the rural-credit banks the Government gave them financial aid until the bonds were thoroughly established as high-class bonds for investment in the money markets.

Mr. Chairman, the rural banking system has been in operation in some European countries several hundred years, and yet the conditions prevailing in the United States are so different that we can not take the European systems as a safe criterion to follow when enacting legislation to meet our needs. Under European laws it is nearly impossible to sustain loss by a loan should a borrower undertake to default in payment.

Owing to conditions prevailing in Europe the farmers were not dilatory about organizing associations and giving their individual, collective, and mutual obligation to pay all bonds issued; but in this large country of 48 States, with 48 different kinds of collection laws and with our exemption laws and various other laws favorable to borrowers, the environments present difficulties to be overcome. I have seen agricultural financial enterprises operated by farmers for the common good succeed, and I have also seen farmers sustain serious loss by having to assume obligations contracted for the benefit of community participants in financial enterprises promoted for the community uplift.

If we pass a rural credit bill authorizing the organization of rural banks, and call for subscription from the farmer and require his obligation as a member of a rural credit association to guarantee individually, collectively, and mutually the payment of a loan maturing from 5 to 30 years in the future, in my opinion many years will pass before the farmers feel the good effects of such a rural credit bill. The financial gain of those nonborrowing farmers will not be sufficient to induce them readily to guarantee the payment of bonds issued by the association to secure cheap money for a borrowing member of such association. They will hesitate before entering into a surety obligation. The bill I introduced provided that the Government should purchase enough stock to perfect the organization and issue rural credit Government bonds for the purpose of purchasing the bonds issued by the rural credit local banks in sufficient quantity to guarantee the success of the rural credit bank, and as soon as capital seeks these bonds as an investment the Government shall withdraw aid to such banks. If the Government does nothing more than provide a rural credit system and furnishes no Government aid, it will be many years before the farmer receives the much-needed relief. The financial aid of the Government, in my opinion, is absolutely necessary to give confidence in the rural credit banks and assure success to the rural credit system proposed. When the safety as an investment of the rural credit association bonds is established these bonds can be sold as cheaply as Government bonds and funds secured to loan farmers at or near 4 per cent on long-term loans. [Applause.]

Mr. MANN. Mr. Chairman, I want to make an inquiry of the gentleman from South Carolina [Mr. LEVER] in reference to the expense of the office of farm management. Where is the appropriation for the carrying out of the Lever Act?

Mr. LEVER. It is in the State relations service, which you will come to later on in the bill.

Mr. MANN. There is nothing in here that says anything about the Lever Act?

Mr. LEVER. Yes; there is. I will give the gentleman the page in a moment. It is in the State relations service, further on in the bill, and set out specifically.

The Clerk read as follows:

WEATHER BUREAU.

Salaries, Weather Bureau: One chief of bureau, $5,000; 1 assistant chief of bureau, $3,250; 1 chief clerk and executive assistant, $3,000; 1 chief of division of stations and accounts, $2,750; 1 chief of printing division, $2,500; 3 chiefs of division, at $2,000 each; 8 clerks, class 4; 11 clerks, class 3; 23 clerks, class 2; 30 clerks, class 1; 22 clerks, at $1,000 each; 10 clerks, at $900 each; 1 telegraph operator, $1,200; 1 assistant foreman of division, $1,600; 1 chief compositor, $1,400; 1 lithographer, $1,500; 2 lithographers, at $1,200 each; 1 pressman, $1,200; 5 compositors, at $1,250 each; 14 printers, at $1,200 each; 11 printers, at $1,000 each; 4 folders and feeders, at $720 each; 1 chief instrument maker, $1,400; 3 instrument makers, at $1,200 each; 2 skilled mechanics, at $1,200 each; 7 skilled mechanics, at $1,000 each; 1 skilled mechanic, $840; 1 skilled mechanic, $720; 6 skilled artisans, at $840 each; 1 engineer, $1,300; 1 fireman and steam fitter, $840; 4 firemen, at $720 each; 1 captain of the watch, $1,000; 1 electrician, $1,200; 1 gardener, $1,000; 4 repairmen, at $840 each; 6 repairmen, at $720 each; 4 watchmen, at $720 each; 17 messengers, messenger boys, or laborers, at $720 each; 6 messengers, messenger boys, or laborers, at $660 each; 31 messengers, messenger boys, or laborers, at $600 each; 88 messengers, messenger boys, or laborers, at $480 each; 5 messengers, messenger boys, or laborers, at $450 each; 37 messenger boys, at $360 each; 1 charwoman, $360; 3 charwomen, at $240 each; in all, $333,400.

Mr. FOWLER and Mr. PAGE of North Carolina rose.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] is recognized.

Mr. FOWLER. Mr. Chairman, I make the point of order against the provision in line 24, on page 4, "one assistant chief of bureau, $3,250."

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] makes a point of order against the item on line 24, page 4, which reads, "one assistant chief of bureau, $3,250."

Mr. FOWLER. Yes, sir. There is no authorization for this place, Mr. Chairman.

Mr. LEVER. Mr. Chairman, I submit to the Chair that this language from the statute transferring the Weather Bureau Service from the Signal Corps to the Department of Agriculture, section 4, says:

The Weather Bureau shall hereafter consist of one Chief of Weather Bureau and such civilian employees as Congress may annually provide for and as may be necessary to properly perform the duty devolving on said bureau by law.

Mr. FOWLER. Yes; but Congress has not provided for this place.

Mr. LEVER. Congress is doing it now.

Mr. FOWLER. That is my objection.

Mr. LEVER. That is your objection?

Mr. HAWLEY. Will the gentleman from Illinois yield?

Mr. FOWLER. Yes.

Mr. HAWLEY. As I understand the gentleman from Illinois [Mr. FOWLER], he desires to make these salaries specific instead of having them included in the lump-sum appropriation. This assistant chief of the bureau is on the lump-sum roll, and he is paid out of that. If he is transferred, as this proposes to transfer him, it will take him out of the lump-sum and put him on the statutory roll.

Mr. FOWLER. He is the very man that was in league with Willis L. Moore——

Mr. LEVER. Mr. Chairman, I make the point of order that that is not in order.

Mr. FOWLER. The gentleman can not escape the reply——

The CHAIRMAN. The Chair will suggest to the gentleman that he will hear an argument on the point of order.

Mr. FOWLER. I yielded to the gentleman, and he raised the question that the office was an office which was provided for in the lump-sum appropriation. I say, that in the lump sum there is no office provided for, and that is the onus of the lump-sum provision.

Mr. Chairman, the bill did carry some time ago a provision for an assistant, but after the scandalous condition was shown up in the Weather Bureau, when the Executive was compelled to reach out his strong arm in order to stop and cleanse it, this man and this position were dropped.

Mr. LEVER. Mr. Chairman, I would say to the gentleman from Illinois that the provision has not been dropped. The gentleman from Oregon [Mr. HAWLEY] is absolutely right. It has been carried heretofore in the lump sum, and the gentleman whom the gentleman from Illinois is attacking has been in this service for 30 years, and I have no doubt is as honest as the gentleman from Illinois ever had time to be.

Mr. FOWLER. Mr. Chairman, it is queer to me how gentlemen will stand up for men who were turned out of this service——

Mr. LEVER. I do not know the man at all——

Mr. FOWLER. Turned out by the executive department.

Mr. LEVER. The gentleman is absolutely wrong again.

Mr. FOWLER. I repeat, Mr. Chairman, that this provision was carried in the bill some time ago, but after the scandalous conduct in the Weather Bureau and after the President of the United States, with his clean hands, brushed out of this service the unholy and unclean, then this position was dropped, and the man who once held it was taken out of the service. But sometime afterwards he was placed back in the service on the lump-sum cart, and that cart has been hauling him around in the Weather Bureau from time to time for the last year or more.

Now, Mr. Chairman, the appropriation bill for the Department of Agriculture for the year ending June 30, 1914, among other things, provided—and that was when I was making war on the immense increase not only in the number of employees but against the unwarranted increase in the salaries—this provision was adopted and placed practically at the end of that bill, and it reads as follows:

And hereafter every officer and employee of the Department of Agriculture whose rate of compensation is specified herein shall receive compensation at the rate so specified.

The CHAIRMAN. The Chair will state to the gentleman that he is ready to rule, but he will hear the gentleman longer if he has anything more to say.

Mr. FOWLER. At that time, Mr. Chairman—and I hold before me a copy of the law—the provision for the Weather Bureau carried with it a provision for a salary of $6,000 for the chief, and for the assistant $3,250. At the last session of Congress—the last general session of Congress—this position was dropped, and it was dropped because of the fact that there was, as I recollect, such a strong opposition to the man who held that position that he had to be dropped out of the service, and hence the office was discontinued.

Now, Mr. Chairman, there is an effort on the part of the Committee on Agriculture to revive this place for the sole purpose of placing back this discredited man, who ought to have forever forfeited his right to any service in any department of this great Government.

The CHAIRMAN. The Chair will state to the gentleman that there is ample authority for the appointment by the Chief of the Weather Bureau of this assistant. It also appears that it is only a transfer from the lump sum to the statutory roll. The Chair has no knowledge of the man who is to fill the position, and if he had it would not affect the position of the Chair.

Mr. FOWLER. Mr. Chairman, will the Chair permit an interruption?

The CHAIRMAN. Yes.

Mr. FOWLER. There is no transfer of this position from the lump sum, because it was once provided for regularly in the bill and was dropped entirely.

The CHAIRMAN. The Chair has already ruled, and the Clerk will read.

Mr. FOWLER. Mr. Chairman, I desire to be placed on record correctly in the matter.

The CHAIRMAN. The Chair will make this statement—if he is correctly informed on that subject, he will make this suggestion to the gentleman from Illinois: If the item was not in the law for a few years, it would not affect the law now, and it is in order to appropriate.

Mr. FOWLER. It was not affected by the organic law, except by the general law of appropriation.

The CHAIRMAN. The point of order is overruled.

Mr. FOWLER. The rule is that where it is carried the salary of the last appropriation is the correct salary.

The CHAIRMAN. The point of order is overruled.

Mr. PAGE of North Carolina. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Carolina [Mr. PAGE] moves to strike out the last word.

Mr. PAGE of North Carolina. I do it for the purpose of asking the chairman of the committee for information. On line 25, at the bottom of page 5, the bill last year carried 27 messenger boys, at $360 each, and I notice this bill carries 37. What is the reason for this increase of 10?

Mr. LEVER. Ten messenger boys last year were carried under the lump-sum appropriation, and that appropriation has been reduced, and they have been transferred here.

Mr. PAGE of North Carolina. That is satisfactory, Mr. Chairman.

While I have a moment remaining, I want to make a little clearer my position and that of my committee when attacked, or when reference was made by the gentleman from Illinois [Mr. MANN] to our carrying lump-sum appropriations from which personal compensation was paid. I desire to call the attention of the committee and of the House to the fact that in the act making appropriations to supply deficiencies in the appropriations for the fiscal year 1912 and for prior years this language occurs in section 7:

SEC. 7. That no part of any money contained herein or hereafter appropriated in lump sum shall be available for the payment of personal services at a rate of compensation in excess of that paid for the same or similar services during the fiscal year 1912; nor shall any person employed at a specific salary be hereafter transferred and hereafter paid from a lump-sum appropriation a rate of compensation greater than such specific salary, and the heads of departments shall cause this provision to be enforced.

Now, Mr. Chairman, in the legislative act for the fiscal year 1913 that section 7 was amended to read as follows:

SEC. 7. That no part of any money contained herein or hereafter appropriated in lump-sum shall be available for the payment of personal services at a rate of compensation in excess of that paid for the same or similar services during the preceding fiscal year; nor shall any person employed at a specific salary be hereafter transferred and hereafter paid from a lump-sum appropriation a rate of compensation greater than such specific salary, and the heads of departments shall cause this provision to be enforced: *Provided*, That this section shall not apply to mechanics, artisans, their helpers and assistants, laborers, or any other employees whose duties are of similar character and required in carrying on the various manufacturing or constructing operations of the Government.

Mr. Chairman, that law applies to every single department of this Government except the Agricultural Department, and the salaries carried in lump sums in other bills, in the sundry civil bill, for instance, for various departments of the Government, are controlled absolutely by the language I have read from the law. In the Agricultural appropriation bill enacted for the year ending June 30, 1914, a specific exception is made to these two provisions of law as they touch the Agricultural Department.

I felt, Mr. Chairman, that I should say this much and place this statement in the RECORD in reply to the statement made by the gentleman from Illinois that the amendment I have offered to this bill might apply to other bills that come from the committee on which I serve. I want to say to him and to the committee that the language I have read, limiting this matter, applies to all those bills except the Agricultural appropriation bill.

Mr. MOORE. Will the gentleman yield for a question?

Mr. PAGE of North Carolina. I yield to the gentleman.

Mr. MOORE. I want to ask the gentleman if this provision that he refers to as being in the legislative, executive, and judicial appropriation bill is not now in force with regard to arsenals, navy yards, and other institutions of that kind where Federal employees are engaged at yearly stipends?

Mr. PAGE of North Carolina. It applies, with the exception made in that later law which I read, which exempts certain classes of employees.

Mr. MOORE. Since that provision is being applied in that way, and is being complained of by those who think it works hardship in certain arsenals, and so forth, why should an exception be made in the Agricultural Department, where they are still permitted, at discretion, to give increased salaries or to pay special compensation?

Mr. PAGE of North Carolina. I do not know how the gentleman from Pennsylvania voted on my amendment awhile ago.

Mr. MOORE. I voted for the gentleman's amendment, for the reason that while I believe in paying fair compensation I do not believe an exception should be made against those who work in the industries and in favor of those who work in the Agricultural Department. It seems to me that they should be treated alike.

Mr. PAGE of North Carolina. My position has been stated in reference to the gentleman's question.

Mr. MANN. Will the gentleman yield for a question?

Mr. PAGE of North Carolina. Certainly.

Mr. MANN. Where is that exception carried for the Agricultural Department?

Mr. PAGE of North Carolina. That exception is carried in the Agricultural bill for the fiscal year ending June 30, 1914.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE of North Carolina. I ask for two minutes more to answer this question.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. PAGE of North Carolina. In reply to the question of the gentleman from Illinois, I will state that the paragraph making an exception of the Agricultural Department from the operation of the provisions that I read from the deficiency and

legislative acts is carried in the Agricultural appropriation act approved March 4, 1913, on page 20, in the last paragraph of that page.

Mr. MANN. I remember it. I just wanted to get it in the RECORD; that is all.

Mr. PAGE of North Carolina. Mr. Chairman, that is all I desire to say. I wanted merely to let the Committee of the Whole know that there was a provision of law applicable to every other appropriation bill except the one now under consideration. Therefore, what the gentleman has to say about the application of this to the sundry civil bill, which comes from the Appropriations Committee, does not hold, because there is this limitation placed upon it, the exact limitation that I was endeavoring to place upon the Agricultural bill.

Mr. MANN. Mr. Chairman, I move to strike out the last word. The gentleman from North Carolina [Mr. PAGE] and myself are quite in accord in theory upon the subject of lump-sum appropriations. The real distinction between us is that the gentleman from North Carolina opposes lump-sum appropriations in the Agricultural bill, but encourages them in the bills which come from his own committee. I oppose them in both places, and seek to have specific appropriations made in both cases as far as possible, whether it is in the Agricultural bill or the sundry civil bill that comes from the Committee on Appropriations, or the legislative bill that comes from the Committee on Appropriations, or any other bills that come from the committee of which my friend from North Carolina [Mr. PAGE] is an honored and distinguished member. Now, it is no criticism of the gentleman from North Carolina that these items are carried in the sundry civil bill. He has been overpowered in that committee in the past. He went on the committee some years ago, and is growing up nearer to the head of the committee, and doubtless will soon have his way in the committee, when these $10,000,000 lump-sum appropriations and $2,000,000 lump-sum appropriations now carried in the sundry civil bill will disappear. I cordially join with him in the effort to segregate them into separate items.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. MANN. I yield to the gentleman.

Mr. PAGE of North Carolina. I think the gentleman ought, at any rate, to accord to me the credit for the effort that has been made, which has been effective so far as the other bills are concerned.

Mr. MANN. I am coming to that. It seems that I can not quite please the gentleman from North Carolina. In the midst of a commendation of the gentleman for his effort he still insists that I am criticizing him. I am not. I am commending him. I want to join with him to abolish these abominable lump-sum appropriations reported from the Committee on Appropriations right along, while they are criticizing such things if any other committee does them.

My friend from North Carolina refers to a provision in the old legislative bill which was repealed, so far as the Agricultural Department was concerned, by a deliberate act of Congress for reasons which seem sufficient to Congress. The Committee on Appropriations, seeing the abuses growing out of lump-sum appropriations, have on several occasions endeavored to correct some of those abuses by legislation, and the provisions in the two laws to which the gentleman has referred were two efforts made by the Committee on Appropriations. But my friend from North Carolina did not cite the last effort made by the Committee on Appropriations, which does not apply to the Agricultural Department. The Committee on Appropriations have three times, by legislation, endeavored to correct these abuses, and each time they admit their efforts are in vain, that they have not learned how, or if they have learned how they have not acted upon the information, to prepare the necessary form of language to cover the case. And yet my distinguished and beloved friend from North Carolina attempted a little while ago to do it on the floor in pencil in a sentence, without a moment's warning, and thought he could accomplish it. In the last sundry civil appropriation bill which was approved last August only the Committee on Appropriations tried its hand again.

[The time of Mr. MANN having expired, by unanimous consent it was extended five minutes.]

This act was passed after the Agriculture Department had been excepted from the provisions of the previous act. This act was designed by the Committee on Appropriations to be put into law without the knowledge of the members of the Committee on Agriculture in order to overcome the exception which members of the Committee on Agriculture had put into the law without the knowledge of the Committee on Appropriations. [Laughter.]

Section 12 provides:

SEC. 12. That it shall not be lawful hereafter to pay to any person, employed in the service of the United States under any general or lump-sum appropriation, any sum additional to the regular compensation received for or attached to any employment held prior to an appointment or designation as acting for or instead of an occupant of any other office or employment. This provision shall not be construed as prohibiting regular and permanent appointments by promotion from lower to higher grades of employments.

This provision put into the law covering the Agricultural Department was designed to accomplish the purpose which the amendment offered by the gentleman from North Carolina this morning was designed to accomplish, according to his statement. But this provision was so clumsily drawn, notwithstanding it passed in both Houses of Congress, that it would take my friend from Philadelphia or some Philadelphia lawyer to unravel it and tell what its effect was. It covered the Agricultural Department. It is a little plainer, in my judgment, than the amendment offered this morning by my friend from North Carolina. Very likely, before the present Agricultural bill becomes a law, there will be a provision inserted excepting the Department of Agriculture from the provisions of this law, and the committee will put into the sundry civil bill another provision covering the Department of Agriculture, and so on ad infinitum.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. MANN. Yes.

Mr. PAGE of North Carolina. The gentleman very rarely needs any information as to what has taken place, but as far as my recollection goes the provision in the sundry civil bill was offered from the floor by the gentleman from Massachusetts [Mr. GILLETT].

Mr. MANN. He is a member of the Committee on Appropriations; it came from the Committee on Appropriations. I remember when it was offered that it had the approval of the Committee on Appropriations, who had not dared to report it in the bill for fear that the members of the Committee on Agriculture would discover it, and hence it was offered from the floor when they were not paying attention. I did not object.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee a few questions. On page 5, line 19, it says, "17 messengers, messenger boys, or laborers, at $720 each; 6 messengers, messenger boys, or laborers, at $660 each," and then it goes on and designates in like language—184 messengers, messenger boys, or laborers, in all. What I want to ask is, why can not you separate those and let us know who are the laborers, the messengers, and who are the messenger boys; and, in the second place, why you have so many in the Weather Bureau?

Mr. LEVER. Let me say to the gentleman, first, of course there is employed in the central office at Washington a number of messengers, which will be found in other items in the bill. In addition, we appropriate for 206 Weather Bureau stations in different parts of the country, in which there are a great many messenger boys, who handle messages and the business of the station.

Mr. GOULDEN. What would be the particular duty of a messenger boy in an outlying station?

Mr. LEVER. If a telegram comes in showing an observation or forecast and that forecast is to be sent to the bulletin boards in a city, like the great city of New York, on exchange, the messenger boy would handle that as a part of his duty. Another part of his duty is to learn to be an observer himself. He grows up in the service, as it were, and these messenger boys are really students of meteorology.

Mr. GOULDEN. Have you increased the salaries of these boys from year to year as they grow older in the service and in usefulness? I see that they run all the way from $360 to $720 per year.

Mr. LEVER. We have not increased the salaries this year, but they are graded. Now, as to why we call the messenger boy a laborer. It sometimes happens that one of these boys may be desired not only to do messenger service, but to do a laborer's service as well. The Civil Service Commission has held that in order that that may be done the title shall be such as to permit it, and so the title conforms to the civil-service regulation.

Mr. GOULDEN. Would it be possible to separate this item into so many messengers and so many laborers?

Mr. LEVER. It would be possible, but it would make the service more expensive. Here is a boy acting as a messenger for two or three hours in the day and the balance of the day he is needed as a laborer.

Mr. GOULDEN. What struck me was the large number, and I wanted to know their use and why they could not be

segregated. Mr. Chairman, I withdraw the pro forma amendment.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. LINTHICUM having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and resolutions of the following titles:

December 28, 1914:

H. R. 6867. An act to increase and fix the compensation of the collector of customs for the customs collection district of Omaha.

January 7, 1915:

H. R. 6939. An act to reimburse Edward B. Kelley for moneys expended while superintendent of the Rosebud Indian Agency in South Dakota.

January 11, 1915:

H. R. 13698. An act for the relief of Charles A. Coulson.

January 14, 1915:

H. J. Res. 257. Joint resolution authorizing the Commissioner of Patents to exchange printed copies of United States patents with the Dominion of Canada.

January 16, 1915:

H. R. 13815. An act to increase the limit of cost for the construction of a public building at Marlin, Tex.

January 21, 1915:

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade.

January 25, 1915.

H. R. 5195. An act for the relief of the Atlantic Canning Co.; and

H. R. 20241. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For necessary expenses outside of the city of Washington incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, evaporation, and aerology, $1,185,150, including not to exceed $599,660 for salaries, $122,170 for special observations and reports, $279,000 for telegraphing and telephoning.

Mr. LEVER. Mr. Chairman, I offer a committee amendment to correct a typographical error.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 12, on page 8, after the comma, following the word "reports," insert the word "and."

The amendment was agreed to.

Mr. POWERS. Mr. Chairman, I move to strike out the last word. I would like to inquire of the chairman of the committee about this $279,000 for telegraphing and telephoning. It seems like an enormous sum of money for that purpose.

Mr. LEVER. It is a large sum of money, as a matter of fact. I will say to the gentleman from Kentucky, but the gentleman must keep in mind that the Weather Bureau service extends to almost every hamlet in this broad land of ours, the West Indies and the like of that. A few years ago this whole question of telephone and telegraph service in the Weather Bureau was investigated by a subcommittee of the Committee on Agriculture, and that subcommittee was very much pleased with the situation as they found it. It is a large sum of money, but it is necessary in promoting the service.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. STAFFORD. The Committee on the Post Office and Post Roads has recently had some hearings on the postalization of the telegraph and telephone service of the country, and I rise to inquire whether the chairman can inform the committee what rate the Government pays for the very liberal use of the telegraph system by the Weather Bureau.

Mr. LEVER. I am sorry to say I do not have that information right at hand. It is in the committee room, but I do not happen to have it among my papers; but, as I say in answer to the gentleman from Kentucky, this matter was looked into pretty thoroughly by a subcommittee of the Committee on Agriculture several years ago, before I was chairman of the committee, and they felt satisfied with the service.

Mr. STAFFORD. There is a general impression that the Government has a special rate of 1 cent a word, and I was wondering whether that rate applies or whether there were lower terms than that, even when a department or bureau uses it in such a large way.

Mr. LEVER. I see that my data shows that they pay the Government rate for miscellaneous messages, namely, administrative and other telegrams from Washington. This rate is 20 cents for 20 words, and so forth, as fixed by the Postmaster General. Circuit weather reports are sent at special rates fixed by the Secretary of Agriculture by agreement with the companies performing the services. All forecasts, and so forth, for distribution to the public are paid for at Weather Bureau special rates.

Mr. POWERS. I would like to inquire of the gentleman if this is about the usual amount carried in the Agricultural bill for this purpose?

Mr. LEVER. Yes; there is no change in it whatever.

Mr. MANN. There is a $4,000 increase.

Mr. LEVER. That is not an actual increase; it is an apparent increase.

Mr. MANN. Yes; it is increased in this item.

Mr. MOORE. Is this telephoning and telegraphing what is known as official work altogether, or does it go to private concerns?

Mr. LEVER. Oh, no; it is entirely official, as I take it.

Mr. MOORE. There are certain institutions of a private nature that are very much interested in having this kind of information. Do they pay the telephone and telegraph charges when they get the information from the bureau?

Mr. LEVER. I should think so; yes. I think so, although that question has never occurred to me before.

Mr. MOORE. There are certain experimental stations conducted by private individuals, large concerns, and I would like to know whether they pay for information they receive by telephone and telegraph. It is important for them to receive it immediately, of course.

Mr. LEVER. I take it, of course, if they are receiving telegrams for their own private information, they would have to pay for the telegrams. This covers the official telegrams of the Weather Bureau Service.

Mr. MOORE. The Department of Commerce has recently required all those who ask for consular reports to pay for them, and has generally begun a system of economizing with regard to all publications. It seems to me if this information which costs the Government $279,000 is sent to private individuals, the question of making them pay for it ought to be considered.

Mr. LEVER. I am satisfied that is what is done now.

Mr. MADDEN. Will the gentleman yield to me right there? Why should any private individual pay for it when it is a public service?

Mr. LEVER. The gentleman from Pennsylvania has in mind some corporation or some big concern that desires it for its own information, and they pay their own telegrams. I rather think that is likely, but I am not sure.

Mr. MADDEN. They would not pay the reply.

Mr. LEVER. I rather think they pay for the reply, but I am not sure.

Mr. MOORE. That is what I wanted to find out, whether in the event a man wants to know about the weather in order to properly protect his cranberry crop or to cover certain orange trees or take care of potato plants—whether in the event of his seeking that information the Government would pay the expense of advising him. Here is a large item and——

Mr. LEVER. That may be proper; but I do not happen to have the information, because I did not anticipate the question, but I will get it for the gentleman to-morrow if he desires.

Mr. MOORE. I will put it this way, so it can be understood readily: I am conducting a large farm, and it is necessary for me to have certain information quickly in order that I may protect my crops or otherwise safeguard my property. I ask the bureau what the condition of the weather is likely to be to-morrow or the next day. Does the bureau furnish that information for nothing?

Mr. LEVER. I would think not, because I do not think they should do it. If a request comes upon the Weather Bureau to furnish the information to a private individual or private individuals in a community, I think they should pay for it.

Mr. MOORE. I asked the question particularly because——

Mr. LEVER. I think that is the rule, although I am not posted on that, because I did not anticipate the question.

Mr. MOORE. I am asking the question particularly because the Department of Commerce—and I did not care to drag that in now—has insisted that those seeking consular reports shall pay for them, and it is a fair question, in view of the large item of $279,000 for telephone and telegraph.

Mr. LEVER. I will get the information and put it in the RECORD if the gentleman desires it.

Mr. MOORE. I will be very much obliged to the gentleman if he will do so.

Mr. LEVER. I will put it in to-morrow.

Where forecasts are requested for private persons, same must be paid for by the party asking for them. Such reports are never furnished at Government expense. The Weather Bureau maintains in operation 443 miles of telegraph and telephone lines in various sections of the country. Of course all weather information passing over such lines is a free service for the general benefit of the public.

Mr. GOULDEN. Will the gentleman yield?

Mr. LEVER. I yield to the gentleman.

Mr. GOULDEN. On page 6, line 19, it says:

For subsistence, care, and purchase of horses and vehicles, the purchase and repair of harness, for official purposes only.

I want to ask what those horses are used for. What particular use would an official have for them in Washington or elsewhere?

Mr. LEVER. We have two horses out at Mount Weather which they are going to dispose of as quickly as they can, and they have a horse and wagon at the central station in this city.

Mr. GOULDEN. My idea was that the bureau ought to be up to date and not use horses and vehicles, but automobiles, and save time and money in the end, besides being more comfortable.

Mr. LEVER. Well, we will come to that automobile item later.

Mr. GOULDEN. Thank you.

Mr. FOWLER. Mr. Chairman, I move to strike out the last two words.

I find that this bill carries in the Weather Bureau a lump sum of $599,660, a very substantial increase in the lump sum over that carried in the last bill, which was $590,000, in round numbers, and which was carried in the previous bill. Lump-sum provisions in appropriation bills have become very numerous in some of the appropriation bills in the House, while in other departments they are scarcely known. For instance, the Post Office Department has provided for the salary of practically all the servants in that department, so that there is no mistake whatever of the amount to be received. I venture to say, Mr. Chairman, that there is not a department, either in this Government or any other, where there is a greater work carried on with more success and satisfaction than is carried on in the Post Office Department. I take it that it is because of the definiteness which surrounds all of the work, and because of the carrying into effect the vast divisions of this work, according to the law which governs it.

Now, we find in this service under the lump-sum proposition men who get $300 a year for their services, and other men getting the large salary of $3,500 a year, with no system, with no regulation, nothing except the opinion of one man.

It is to be regretted that a former Chief of the Weather Bureau so abused this lump sum that it brought disgrace upon the Department of Agriculture. Not only did he bring disgrace upon the Department of Agriculture, but he forfeited the position which he held by his conduct. Not only that, but he carried with him a large number of employees in the service of this bureau down to disgrace. In order to carry out his scheme and plan to be appointed Secretary of Agriculture, he had automatically, if you choose to call it that way, increased the salaries of a large number of employees under him. These men were to become his henchmen in spreading the news throughout the land at the expense of the United States that he, the Chief of the Weather Bureau, was of such superior quality in his make-up of mind and soul, and his knowledge of the Weather Bureau and the Department of Agriculture, that he alone was the only man fit for the duties of that great position. Mr. Chairman, not only that, but he sent these men broadcast throughout the country to work up sentiment, and they held great banquets at certain places for the purpose of getting certain men and organizations, like the Typographical Union, wedded to his cause. Such are the evils of the lump sum, Mr. Chairman, and such will be an opportunity for like evils whenever a lump sum of any magnitude is placed at the disposal of any one man.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. MOORE. Mr. Chairman, I rise to oppose the motion of the gentleman from Illinois [Mr. FOWLER].

The CHAIRMAN (Mr. SLAYDEN). The gentleman from Pennsylvania is recognized.

Mr. MOORE. Mr. Chairman, on two occasions the gentleman from Illinois, who is soon, I regret to say, to leave the House, has taken occasion to find fault with a former officer of the Government—the Chief of the Weather Bureau. I have no particular reason to defend this officer, although he was a personal friend of mine, but I feel that when a man is not on the floor and has no opportunity to speak in his own behalf it is only fair that one who does know him should at least say a word for him when he is attacked and can not defend himself. Just what the grievance of the gentleman from Illinois [Mr. FOWLER] is I do not know.

Mr. FOWLER. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. FOWLER. I have no grievance, except that he threatened me at one time if I did not withdraw a point of order against his salary when it was sought to increase it from $4,500 to $6,000 without any legal authority.

Mr. MOORE. The gentleman has always tried to be fair in the House with regard to the treatment of laboring men, and, so far as the gentleman whom he criticizes is concerned, and whom he now says threatened him on one occasion, I will say that he made it a rule also to be the friend of the laboring men.

Mr. FOWLER. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. FOWLER. I desire to say to the gentleman that personally I never knew the Chief of the Weather Bureau until he called me out in a council some two years ago after I had made a point of order against the increase of his salary. Personally I have nothing against him, but I resent anything that is done for the purpose of trying to influence Members of Congress in their conduct here on the floor of this House.

Mr. MOORE. But the gentleman——

Mr. FOWLER. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Illinois yield?

Mr. FOWLER. I desire to say, further, to the gentleman that I have no disposition to rehearse these grievances, except in connection with the appropriation of lump sums, and had it not been for the lump-sum question I would not have raised this question here.

Mr. MOORE. I think I begin to understand the gentleman from Illinois. If I do understand, the gentleman was called out of the House on one occasion by this Chief of the Weather Bureau, and was threatened?

Mr. FOWLER. Yes.

Mr. MOORE. May I inquire in what way the gentleman from Illinois was threatened?

Mr. FOWLER. Well, as the gentleman from Pennsylvania has well said, it is not very proper to make statements in the absence of other men, and I always feel that that is true. Yet I put it to him, if he was going to punish my constituents if I did not come in and withdraw the point of order against the increase of his salary; and he said: "Most certainly I will. That is the most natural thing to do."

Mr. MOORE. Now, Mr. Chairman, I think I understand the gentleman to say that he did not intend to make a personal assault——

Mr. FOWLER. No; I did not——

Mr. MOORE. Upon this former officer of the Government, and he makes that statement. That I understand to be the gentleman's position?

Mr. FOWLER. Well, in so far as the conduct of the late Chief of the Weather Bureau is concerned, prior to my meeting him I know nothing, but since that time I know a great deal that I have not time to relate.

Mr. MOORE. That is an indefinite sort of statement; but the gentleman agrees as to this, that it is not altogether fair to a man who is not present and who has no right to speak on this floor to attack him in his absence.

Mr. FOWLER. It is an unfortunate thing that sometimes such must be the case. It is the only way we can reach matters, and had his case not been made a matter of record by his removal, then probably I would not have said anything about it.

Mr. MOORE. I have always understood the gentleman to be the friend of the downtrodden, the friend of the poor, the friend of the laboring man, particularly the man who worked on the farm, and his purpose has been rather to aid and uplift than——

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

Mr. FOWLER. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes.

Mr. LEVER. Let it be two minutes.

Mr. MOORE. Two minutes will be sufficient.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may be permitted to proceed for two minutes. Is there objection?

There was no objection.

Mr. MOORE. Now, if the gentleman will not interrupt me, I shall try to conclude in those two minutes. I think the gentleman and I agree that it is not fair, even though we have the privilege as Members of the House under the Constitution, to say what we please about men who are not here. I think the gentleman agrees with me as to that. Now, as to the former bureau chief, Mr. Willis Moore, my information is that he was a very good sort of a Democrat. I do not mean to say that that would influence the gentleman from Illinois in his criticism. But Mr. Moore was a very earnest officer of the Government, and so far as we know was a very efficient one. I think no finger of criticism can be leveled against him in the matter of integrity. I think it will be found that his record was clean so far as the conduct of the business of his bureau was concerned; a very earnest and a very energetic man. Some may think that at times he was ambitious in that he was extremely anxious to make a good record.

If he threatened the gentleman from Illinois in the manner indicated by the gentleman, I would be very much surprised, because the gentleman from Illinois is an able-bodied man, vigorous and strong in body as well as in intellect.

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

Mr. MOORE. Pardon me for a moment. The gentleman is strong in body as well as in intellect, and I am amazed that he should worry over anyone calling him to the door and making any insinuation that he would do him any harm whatever. In such an emergency the gentleman should have notified his friends in the House. I am sure if such a threat was made, and the gentleman had indicated it to us, some of us would have gone out to help him. [Laughter.]

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

Mr. FOWLER. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The debate on this amendment has been exhausted.

Mr. MANN. Let the amendment be reported.

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

The Clerk read as follows:

Page 8, line 14, strike out line 14.

Mr. FOWLER. Mr. Chairman, I desire to say that I would not have the gentleman from Pennsylvania or any other gentleman on the floor of the House misunderstand me with reference to the late Chief of the Weather Bureau. He never threatened to inflict any violence upon my person, but his threat was to inflict punishment upon my constituency, by virtue of his office, if I did not withdraw the point of order against the increase of his salary. I do not want the RECORD to go out without being complete, because it is just to the gentleman that I should state the matter perfectly fairly and right, because he is not present to give his version on the matter.

I withdraw the pro forma amendment, Mr. Chairman.

Mr. MANN. Mr. Chairman, the gentleman can not withdraw the amendment to strike out the paragraph without unanimous consent.

The CHAIRMAN. The question is on the motion of the gentleman from Illinois to strike out line 14 of page 8 of the bill.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF ANIMAL INDUSTRY.

Salaries, Bureau of Animal Industry: One chief of bureau, $5,000; 1 chief clerk, $2,500; 1 editor and compiler, $2,250; 6 clerks, class 4; 1 clerk, $1,680; 13 clerks, class 3; 2 clerks, at $1,500 each; 23 clerks, class 2; 2 clerks, at $1,380 each; 3 clerks, at $1,320 each; 1 clerk, $1,300; 1 clerk, $1,260; 42 clerks, class 1; 1 clerk, $1,100; 1 clerk, $1,080; 50 clerks, at $1,000 each; 2 clerks, at $960 each; 65 clerks, at $900 each; 1 architect, $2,000; 1 architect, $900; 1 illustrator, $1,400; 1 laboratory helper, $1,200; 1 laboratory helper, $1,020; 2 laboratory helpers, at $840 each; 1 laboratory helper, $720; 1 laboratory helper, $600; 1 laboratory helper, $480; 1 instrument maker, $1,200; 1 carpenter, $1,100; 2 carpenters, at $1,000 each; 1 messenger and custodian, $1,200; 1 messenger and custodian, $1,000; 1 skilled laborer, $1,000; 32 skilled laborers, at $900 each; 11 messengers, skilled laborers, or laborers, at $840 each; 13 messengers, skilled laborers, or laborers, at $720 each; 4 laborers, messengers, or messenger boys, at $660 each; 11 laborers, messengers, or messenger boys, at $600 each; 3 laborers, messengers, or messenger boys, at $540 each; 33 laborers, messengers, or messenger boys, at $480 each; 6 laborers, messengers, or messenger boys, at $360 each; 1 watchman, $720; 1 charwoman, $600; 1 charwoman, $540; 11 charwomen, at $480 each; 4 charwomen, at $360 each; 1 charwoman, $300; 2 charwomen, at $240 each; in all, $353,630.

Mr. BARTLETT. Mr. Chairman, I move to amend, on page 9, line 8, by striking out "$1,000," after the word "custodian," and inserting "$1,200."

Mr. LEVER. I reserve a point of order on that, Mr. Chairman.

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

The Clerk read as follows:

Amend, page 9, line 8, by striking out "$1,000," after the word "custodian," and inserting in lieu thereof the figures "$1,200."

Mr. BARTLETT. Mr. Chairman, I do not know whether this employee is on the statutory roll or paid from the lump sum. If he is on the statutory roll, my friend's point of order would be good; but if it is paid from the lump sum, it would not be good. I hope my friend will not insist upon his point of order.

There are two men in this particular service. They do exactly the same kind of work. I have seen the Chief of the Bureau of Animal Industry, and I believe that but for the action of some one above him this increase would have been recommended as being deserved by this employee, but on account of the condition of the Treasury no recommendation for increase in salaries have been made by anyone. These two parties—the one who gets $1,200 and the one who gets $1,000—do exactly the same service. The one who gets the $1,000 resides in my district. He was appointed under a civil-service examination, and because of his merit and worth has been advanced from $600 in the Forestry Service and transferred to the Bureau of Animal Industry until now he is paid $1,000. As I say, he is doing the same identical work, in the same room, in the same service, as the man who is paid the $1,200. He is a competent, efficient, and worthy man, has a good record, and does his work well.

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

Mr. BARTLETT. Certainly.

Mr. MANN. This is for one messenger and custodian?

Mr. BARTLETT. Yes.

Mr. MANN. How is it possible to tell whether the two messengers perform the same service?

Mr. BARTLETT. They are in the same room, right together, and work together at the same kind of work.

Mr. MANN. What do they do?

Mr. BARTLETT. I will read to the gentleman a statement prepared for me, which shows what the duties are:

CUSTODIAN OF SUPPLIES, BUREAU OF ANIMAL INDUSTRY.

In addition to the supervision of the supply room, the custodian is called upon to perform other duties, so that the work of the office of custodian of supplies may be reported in two groups; i. e., office work and outside work.

Office work. Supervision of the supply room constitutes the major portion of the duties of the custodian. The various divisions and field stations of the bureau receive their expendable property and such nonexpendable property not ordered direct from manufacturers through this office. During the fiscal year ending June 30, 1914, 5,335 requisitions for supplies were received and purchases aggregating $26,711.03 made. There remained on hand at the close of the fiscal year stock valued at approximately $25,000. Due to the recent epidemic of foot-and-mouth disease throughout the country, the volume of business has been increased very materially, necessitating much overtime work and an increase in the purchase of supplies.

After examination to see that they have been duly approved by the chief of the division and chief clerk of the bureau, supply requisitions are given to the mailing clerks, who carefully fill each item. Should there be any items on a requisition that can not be filled (due to delays in receipt of supplies from contractors), back orders are made and filled upon receipt of such items in stock. Requisitions are invoiced as soon after being filled as practicable and receipts for nonexpendable properties secured from all divisions and field stations.

Bills of lading for all freight shipments are caused to be made, and all express, incoming and outgoing, and foreign-mail shipments are handled through this office. To minimize loss and breakage, thermometers, inspection-service badges, syringes, brass bands, and special supplies for hog-cholera work are sent by registered mail. Our daily outgoing mail approximates 1½ tons.

Records are kept of all serially numbered supplies, including stamps, certificates, and forms used in the meat inspection and quarantine services, padlocks, seals, metal tags, etc. Detailed records are kept of all supplies received and dispensed, which have a twofold purpose. First, the amount of supplies furnished and used by each division and field station may be ascertained, and, second, the amount of stock on hand at any time may be determined at once. It is the duty of the clerk of this office to see that sufficient stock of all supplies is kept on hand and to cause to be ordered all necessary supplies.

Outside work. Charwomen and laborers come under the supervision of the custodian, and a high efficiency of work is always required. Orders for ice for laboratories are made and accounts kept of towels furnished offices and laboratories and those sent laundries.

This man is as much entitled to the $1,200 as the man who works right by him and with him. They perform the same, identical service; both are faithful and efficient, and both have good records in the service.

Mr. McLAUGHLIN. How long has the young man, in whom the gentleman is interested, been employed in the service?

Mr. BARTLETT. I think he has been there for probably six years.

Mr. McLAUGHLIN. Does the gentleman know how long the other man who gets $1,200 has been employed there?

Mr. BARTLETT. I think about the same length of time or longer. I am not positive about that. I would not say for certain.

Mr. McLAUGHLIN. Has the gentleman any information as to the relative efficiency of these two men?

Mr. BARTLETT. I did have a letter from the chief of the bureau on the subject during the last session, which I have not at hand.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I ask for one minute more.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. BARTLETT. I have seen Dr. Melvin with reference to both these men, and he says they are both very efficient. I have no question that if the matter was left to him this increase would not be objected to.

Mr. McLAUGHLIN. Has any recommendation been made for an increase?

Mr. BARTLETT. Not by the Secretary of Agriculture. My information is that a recommendation has been made by the chief of the division, but not by the Secretary.

Mr. McLAUGHLIN. I presume the gentleman knows that on account of the condition of the Democratic Treasury at this time, very few, if any, salaries are being increased.

Mr. BARTLETT. I understand the condition of the Treasury.

Mr. McLAUGHLIN. I might say on account of the Democratic condition of the Treasury.

Mr. BARTLETT. That condition has not been caused, however, by increasing the salaries of men who do work like this.

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

Mr. BARTLETT. If I have time, I will yield with pleasure.

Mr. MANN. Does the gentleman know this man who is performing this service?

Mr. BARTLETT. I know him personally and well.

Mr. MANN. Is he from the gentleman's district?

Mr. BARTLETT. He is.

Mr. MANN. Is he a good man?

Mr. BARTLETT. He is.

Mr. MANN. The gentleman from Georgia has made out a pretty good case. He is one of the oldest Members in this House and one of the ablest Members of the House.

Mr. FORDNEY. And one of the nicest Members of the House. [Applause.]

Mr. MANN. He is going out of the House, much to the regret of the House. I hope the gentleman from South Carolina will withhold his point of order and let the House vote on this proposition.

Mr. BARTLETT. Mr. Chairman, I want to thank my friend.

Mr. MANN. It is not much, and the case seems to be a reasonably fair one.

Mr. LEVER. Mr. Chairman, I dislike very much, of course——

Mr. MANN. Let the House settle it.

Mr. BUTLER. Let the House vote on it.

Mr. LEVER. As the gentleman from Illinois says, the gentleman from Georgia [Mr. BARTLETT] is one of the oldest and most honored Members of this House, and is about to quit its service voluntarily. If the House desires to vote this amendment up, I shall not interpose a technical way of preventing it, although I should like to say to the House that the committee reporting this bill has been exceedingly careful to hold down increases in salaries, and I should hate very much to see a precedent set here.

Mr. MANN. This is no precedent.

Mr. LEVER. I should hate to see a precedent established that other gentlemen would endeavor to take advantage of. With the understanding that this is not to be a precedent, I shall let the House vote upon it, although I myself shall vote against it. I withdraw the point of order.

Mr. FOWLER. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. FOWLER. According to the authorization of the Department of Agriculture and the rulings of the Chair heretofore, I do not think it is subject to a point of order.

Mr. LEVER. The gentleman is absolutely mistaken. This is a statutory provision, and the salary was fixed in the bill of 1914. I withdraw the point of order and ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. BARTLETT].

The amendment was agreed to.

Mr. TRIBBLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, the gentleman from Washington has called my attention to a provision in the preceding section, page 9, lines 7 and 8, that instead of having 1 messenger and custodian, at $1,200, and 1 messenger and custodian, at $1,200, they should be put in one clause.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to page 9, lines 7 and 8.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to return to page 9, lines 7 and 8. Is there objection?

There was no objection.

Mr. LEVER. Now, Mr. Chairman, I move to amend, on page 9, lines 7 and 8, by striking out the words "1 messenger and custodian, at $1,200; 1 messenger and custodian, at $1,200," and insert "2 messengers and custodians, at $1,200 each."

The CHAIRMAN. The clerk will report the amendment.

The Clerk read as follows:

Strike out, in lines 7 and 8, page 9, the following language: "One messenger and custodian, at $1,200; 1 messenger and custodian, at $1,200," and insert in lieu thereof "2 messengers and custodians, at $1,200 each."

The amendment was agreed to.

Mr. FOWLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FOWLER. How will the remainder of this section be read, by paragraphs, or will we wait until the section is concluded?

The CHAIRMAN. The gentleman can offer a motion at the end of any paragraph.

The Clerk read as follows:

For all necessary expenses for the eradication of southern cattle ticks, $398,800, of which sum $50,000 may be used for live-stock demonstration work, in cooperation with the Bureau of Plant Industry, in areas freed of ticks, and of this amount no part shall be used in the purchase of animals for breeding purposes: *Provided, however*, That no part of this appropriation shall be used in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

Mr. LEVER. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Amend, in line 6, page 12, by striking out the words "Bureau of Plant Industry" and inserting "States Relations Service."

The amendment was agreed to.

The Clerk read as follows:

For all necessary expenses for the investigation, treatment, and eradication of hog cholera and dourine, $235,000: *Provided*, That of said sum not less than $50,000 shall be available for expenditure in carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: *And provided further*, That not more than $75,000 of said sum shall be used for the investigation, treatment, and eradication of the disease known as dourine, and of which sum of $75,000 which is hereby appropriated for the investigation, treatment, and eradication of dourine, $25,000 shall be immediately available: *And it is further provided*, That this appropriation of the sum of $235,000 for the investigation, treatment, and eradication of hog cholera and dourine shall not be construed as preventing the expenditure of any unexpended balances from appropriations heretofore made for the same purpose.

Mr. PAGE of North Carolina. Mr. Chairman, I reserve a point of order against the paragraph. I do so for the purpose of getting some information.

Mr. HAUGEN. Mr. Chairman, I have a committee amendment.

Mr. PAGE of North Carolina. Mr. Chairman, I think an amendment can not be offered to a paragraph against which a point of order is reserved.

The CHAIRMAN. Not if the point of order is made.

Mr. PAGE of North Carolina. I do not want to be forced to make the point of order.

Mr. MANN. I am going to make it if the gentleman does not.

Mr. PAGE of North Carolina. I will let the gentleman from Illinois make it. All I wanted was information.

Mr. MANN. I make the point of order against the last proviso.

Mr. PAGE of North Carolina. My purpose was to find out from the chairman whether the paragraph appropriates $235,000 or $470,000.

Mr. LEVER. The paragraph appropriates $235,000, as shown on the face of the bill, and approximately an additional sum of $140,000, which is an unexpended balance from a former appropriation.

Mr. PAGE of North Carolina. That is, $140,000 out of the $235,000?

Mr. LEVER. No; we passed a separate act last session appropriating $600,000 to be used for hog cholera and dourine, $500,000 to be used for hog cholera. We are informed by the department that of that sum we will have on hand the 1st of July $140,000 unexpended, so that the total appropriation by this act will be $235,000 and the unexpended balance of $140,000, making $375,000.

Mr. PAGE of North Carolina. Mr. Chairman, my objection to this is largely what the gentleman from South Carolina has just stated. Here is a reappropriation of an unexpended balance, and while I raised some objection to appropriating a lump sum to pay employees, it seems to me that this reappropriation indirectly of unexpended balances instead of allowing them to go into the Treasury as miscellaneous receipts is a worse practice than the other.

Mr. LEVER. The estimate, I will say to the gentleman, of the department was for $375,000, but the committee thought that it would be better to appropriate $235,000 and let them expend the unexpended balance.

Mr. PAGE of North Carolina. Then there was an estimate submitted for this amount?

Mr. LEVER. There was a supplemental estimate. It was not in the Book of Estimates.

Mr. PAGE of North Carolina. I would like to say, further, that in the second proviso in regard to the $75,000 for the eradication of dourine, you provide that $25,000 of that shall be immediately available. Now, that is a deficiency, and the appropriation should not be carried in this bill.

Mr. LEVER. It is true it is a deficiency. The hog cholera and dourine were not estimated for in the Book of Estimates, because, I assume, that it was understood by the officials of the department that the committee would take the same action this year as it did last, and report a separate bill; but the committee concluded that it would be hard to get a separate bill through on account of the press of business, and hence, put it in this bill, considering that the work was so important that no objection would be raised to it.

Mr. PAGE of North Carolina. At that point I want to ask the gentleman if he does not think it would be better to appropriate directly the amount they ask for than to put in a reappropriation of an unexpended balance?

Mr. LEVER. That might have been wiser, but it seems to me it is the difference between tweedledee and tweedledum.

Mr. PAGE of North Carolina. That is exactly the lesson I am trying to impress upon the chairman of the Committee on Agriculture, that it is not the difference between tweedledee and tweedledum, that there is a great difference in directly appropriating money for an object and this indirect way of reappropriating money that should, under good legislative procedure, be turned back into the Treasury.

Mr. LEVER. The gentleman from South Carolina is a pretty good learner and he is very glad to have these teachings.

Mr. PAGE of North Carolina. Mr. Chairman, I shall not make the point of order.

Mr. MANN. Mr. Chairman, I make the point of order.

Mr. LEVER. Does the gentleman make it on the entire paragraph, or just on the proviso?

Mr. MANN. To the last proviso.

Mr. LEVER. It is subject to a point of order, of course.

Mr. MANN. It is clearly subject to a point of order, and I would like to get some information. It does not mean anything. What does the gentleman hope to accomplish if this stays in the law? What is the purpose of this proviso?

Mr. LEVER. The purpose in the mind of the committee—I do not know that it would accomplish it—was to reappropriate $140,000 of the $600,000 which we appropriated this year for this work.

Mr. MANN. An item to that effect would be in order and would certainly do something, but the item that is in the bill is not in order; and if enacted into law, would not accomplish that purpose. What is the language of it? You first make an appropriation of $235,000 and then say in the proviso:

> That this appropriation of the sum of $235,000 for the investigation, treatment, and eradication of hog cholera and dourine will not be construed as preventing the expenditure of any unexpended balances from appropriations heretofore made for the same purpose.

Well, now, it would not be so construed if this was not in the law; and if this is in the law, it is not a reappropriation of the sum that has already been appropriated; so it does not mean anything. If the gentleman wants to appropriate the unexpended balance of the appropriations, that is in order, and a proper amendment can be made to do it; but this language enacted into law would make a man who looked at it laugh, if it did not hurt him so that he cried, and would not accomplish anything.

Mr. LEVER. I would say to the gentleman that this language was drawn by the Department of Agriculture; and really I do not think the committee gave very much attention to it.

Mr. MANN. And I have no doubt that the clerk who drew this did not give much attention to it.

Mr. LEVER. Does the gentleman have an amendment to suggest in place of that? I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. I do not think I could suggest an amendment offhand that would probably accomplish it.

Mr. LEVER. I suggest to the gentleman from Illinois that we pass it over temporarily.

Mr. MANN. I am perfectly willing.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to pass over this item temporarily without prejudice.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to pass over this last proviso without prejudice.

Mr. MANN. Ask leave to return to this proviso and offer the amendment later in reference to hog-cholera items.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to this item at a later time for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to return to page 14 for the purpose of offering an amendment at a later period. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Amendment by Mr. HAUGEN: Page 14, in line 2, after the word "animals," strike out "*And provided further*" and insert "that $150,000 of the sum appropriated shall be set aside and used for the production of antihog cholera serum to be sold and distributed at its approximate cost."

Mr. LEVER. Mr. Chairman, the Chair understood that this was offered as a committee amendment. The Chair misunderstood the gentleman from Iowa.

The CHAIRMAN. The Chair understood it was a committee amendment.

Mr. HAUGEN. Mr. Chairman, it is not offered as a committee amendment. I offered it on my own responsibility, and in support of the amendment, Mr. Chairman, I wish to say that Congress is confronted with a proposition which seems to me is unwise. The proposition is that Congress shall appropriate $235,000, and of that amount $185,000 shall be available for the eradication of hog cholera. The practice of the department is to manufacture or purchase antihog-cholera serum, go into the several counties—I believe 17—in the various States of the Union to furnish the serum, and to administer it without any expense to the people of those various localities. Upon investigation we find that 17 counties are being supplied with this serum and veterinary service without expense, and, of course, at the expense of the 2,483 counties outside. It does not seem to me that it is just to tax the people of the 2,483 counties for the benefit of people in 17 counties, and probably, as suggested by the distinguished gentleman from Kentucky [Mr. SHERLEY] last year, in response to the greatest pull. But be that as it may; besides, according to the statement of the chief of bureau, Dr. Melvin, foot-and-mouth disease is spread through hog-cholera serum manufactured and sold. I read to you from the hearings, so that there may be no mistake about it. I refer you to page 238:

> Mr. MOSS. Is it not true, Dr. Melvin, that the foot-and-mouth disease was sent into Indiana through hog-cholera serum shipped in from Chicago?
>
> Dr. MELVIN. It was shipped in with virus, not serum. There was a plant located adjacent to the stockyards in Chicago which sent out at least one batch of virus quite extensively in Indiana and Ohio and some in Illinois. Of course this virus—not the serum, but the virus—is obtained from hogs that are sick with cholera, and we know now that in this case these hogs were also sick with the foot-and-mouth disease. The hogs did, of course, manifest hog-cholera lesions, but the foot-and-mouth lesions were not noticed, and the virus caused several outbreaks of foot-and-mouth disease. But the virus was traced as quickly as we learned of this, and a great deal of it was obtained and destroyed.

Now, Mr. Chairman, it does not seem right to me that the Federal Government should inspect these factories and O. K. the serum sent out and in that way spread the foot-and-mouth disease in this country.

I believe that we should act upon the suggestion of Dr. Melvin that a certain amount of money be made available for a laboratory that would enable the department to manufacture the serum; at least what it uses in its operations. My amendment is simply to set aside $150,000 of the $235,000 for the production of this serum.

Mr. MOSS of Indiana. Mr. Chairman, while I am in sympathy, in the main, with the position assumed by the gentleman from Iowa [Mr. HAUGEN], yet I should not want his amendment to prevail. I attach considerable importance to my own activities in securing the inauguration of the work of the department in regard to hog-cholera control. Now, this work comprises really two different activities—one is the manufacture of serum and its practical application, to prove that the hog cholera can be controlled by that method; and, second, the question of supervision by the department of private plants that are engaged in the manufacture of serum and the sale of it to the people of this country.

It must be apparent to everyone that we should have pure virus and pure serum if this method of control is to become successful. The department recognizes just as clearly as the gentleman from Iowa does the truth of that proposition; and all over the United States there are springing up private plants to engage in the manufacture and sale of serum to supply the demand which the successful experimentation by the department has created.

The gentleman from Iowa [Mr. HAUGEN] has called attention of the House to the fact that one plant out of this number sold impure virus; but the Department of Agriculture is now undertaking a strict supervision of all these plants so as to make it impossible that there shall be a repetition of this sale of impure serum, and to develop, if possible, through the supervision of the Government and by private initiative, private energy, and private capital, an ample supply of pure serum for all the people of the United States who may desire to employ this method of hog-cholera control.

It should be remembered that this is only the second year in which the Department of Agriculture has attempted a general demonstration in the field to prove the efficacy of the serum treatment. The gentleman's amendment will lessen the ability of the department to go out on the farms of our country and demonstrate under actual farm conditions the efficacy of the serum treatment, and it would at the same time not give to the department the machinery sufficient to supply serum to all the farmers of the United States. It would cripple the present activities without creating effective effort in the new field suggested by his amendment.

Mr. POWERS. Will the gentleman yield?

Mr. MOSS of Indiana. Not at present, please. I will yield in a moment.

Let us carry out this work as it was originally planned. Let us first demonstrate to the farmers of the United States that hog cholera can be controlled by the serum treatment; that it is entirely possible to make the method a commercial sucess. At the same time let us continue this new field of activity—that of supervision over the private manufacturers—and see if it is not possible to supply serum that is reliable to every farmer in the United States by commercial methods of manufacture and sale. I will concede the fact that if supervision fails, if it becomes apparent that it is impossible for pure and potent serum to be sold to the people of the United States by private manufacture, under the supervision of the Government of the United States, there will be no alternative than for the Government to undertake its manufacture and sale. But I submit that in advance of such demonstration there is no necessity for the United States to begin the commercial manufacture and sale of serum. Considering the shortness of time in which this method of control has been brought prominently before the people of the United States—which is only about two years—and that private manufacturers are just entering the field, I think we ought not to make a radical change in the method of dealing with this most important problem. We have a rational method, it seems to me. First, the United States Government is manufacturing a limited amount of serum, and by sending its experts into representative areas and inoculating exposed hogs it is effectively demonstrating both the method and the value of the treatment. At the same time the manufacture of this serum is being engaged in by private manufacturers in all parts of the United States under Government supervision and control. We have here a sure foundation for broad, rational success.

Mr. POWERS. I would like to ask the gentleman the number of manufacturers engaged in the manufacture of serum?

Mr. MOSS of Indiana. I do not know the exact number; I am told there are about 80. I know there are at least 4 or 5 in my own State, and I think you will find them in all the important hog-raising States of the Union. They are springing up very rapidly.

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

Mr. MOSS of Indiana. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. POWERS. Then, if the gentleman's amendment is adopted it would put the Government of the United States in competition with these private manufacturers of serum?

Mr. HAUGEN. I would like to answer the question.

Mr. MOSS of Indiana. I yield to the gentleman.

Mr. HAUGEN. The proposition is this: Dr. Melvin came before the committee a year ago. He asked for $100,000 for a laboratory, and the committee denied it. They have been asking now for this $100,000 appropriation to enable the department to make serum for its own use, and Dr. Melvin says it is not right to expect them to use the potent serum.

The department says that it gave to 17 counties the foot-and-mouth disease. Are you going to appropriate $185,000 to spread the foot-and-mouth disease? Here is the committee proposing to appropriate $2,500,000 to stamp out the foot-and-mouth disease, and are we to appropriate $185,000 for the purpose of spreading a disease which we are trying to eradicate from the country? That is the proposition, gentlemen.

Mr. MOSS of Indiana. Mr. Chairman, now, referring to the inquiry of my friend from Kentucky [Mr. POWERS] and also to the remarks of my friend from Iowa [Mr. HAUGEN], of course it would place the Government in competition with these private manufacturers, but in such a small way that I do not think that would be the most objectionable feature. In fact, the amount of money proposed to be devoted to the manufacture of serum would produce so small an amount when measured by the total demand as to suggest the utter inadequacy of the gentleman's proposal, if viewed from a friendly viewpoint. The gentleman from Iowa is too well informed on this subject even to contend seriously that the adoption of his amendment would largely increase the output of serum.

The first objection I urge to the amendment is that, having started out on an experiment along lines which everyone must concede are the very best which can be chosen, we have not followed out that work long enough to bring about definite results, and now it is proposed to change this plan radically. It was only the purpose for the Government to manufacture in a limited way, for purposes of demonstration. It was then proposed to make field demonstrations, to show that serum could be applied successfully under actual farm conditions. Having done this, the Government could withdraw from this field and leave it wholly to private initiative and enterprise. In order to make it possible for the Government to retire it is proposed to take supervisory control of private manufacturing operations to insure purity and strength of their output. This is a rational program, and should have the support of this body, as it has been given that of our committee.

Mr. J. M. C. SMITH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Michigan?

Mr. MOSS of Indiana. In a moment. Now, in regard to this unfortunate occurrence that there was some impure virus disseminated. Let me call your attention to the fact that impure virus has in times past been disseminated for the cure of smallpox in human beings, so that it is not an unknown occurrence. It is to be remembered that this impure virus was sent out under unusual circumstances and conditions which will probably never again be present. Besides, the work of supervisory control on the part of the Government had just been inaugurated.

Recognizing these facts, the present bill appropriates money to make this supervision by the Government effective, to extend such control over every manufactory in the United States so that it may be demonstrated that it will be possible to manufacture pure virus in private laboratories.

Mr. J. M. C. SMITH. I would like to inquire if the manufacture of serum is in an experimental stage, or if there is any question but that it can be manufactured successfully?

Mr. MOSS of Indiana. I do not wish to pose as an expert in this matter, but I will say that the manufacture has passed entirely beyond the experimental stage; but it is a fact that in order to keep the serum up to its proper standard of potency it requires careful testing and absolute integrity on the part of the manufacturer.

The demand varies widely in different seasons, so that much loss may be sustained by deterioration of product after manufacture which may not be sold. It may therefore develop that its manufacture can not be done on a profitable basis by private capital. That question is yet to be determined. In fact, the

temptation to hold the product too long is one of the main evils to be overcome.

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

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Pennsylvania?

Mr. MOSS of Indiana. I do.

Mr. MOORE. Is it not a fact that in these large establishments for the manufacture of serum the Government has an inspection system?

Mr. MOSS of Indiana. That is true.

Mr. MOORE. And you say this bill proposes to improve upon that inspection?

Mr. MOSS of Indiana. It proposes to appropriate more money for that purpose.

Mr. MOORE. So that if impure serum has at any time gone out on the market it is owing to the lack of proper administrative control?

Mr. MOSS of Indiana. That was brought out in the hearings. They said that the supervision over the manufacture of serum is a question that will require experience and perhaps a greater degree of thoroughness than they have given it in the past, but the department recognizes that condition and proposes to meet it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I would like just in a moment to answer the question propounded by the gentleman from Pennsylvania [Mr. MOORE].

Mr. LEVER. Mr. Chairman, will the gentleman yield for a moment?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from South Carolina?

Mr. HAUGEN. Just in a moment. I would like to proceed for one minute.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HAUGEN. The amendment proposed does not in any way interfere with the inspection of the present plants. The bill provides for $235,000, and $50,000 is set aside for inspection, which leaves $185,000 for the eradication of hog cholera. I propose to set aside $150,000 of the $185,000, which will give the department $150,000 for the production of the serum and $35,000 for eradication, educational, and demonstration work.

Mr. MOORE. Would not the gentleman's amendment put the Government in competition with these manufacturing establishments that are now under Government inspection?

Mr. HAUGEN. Not at all. There are hundreds of thousands of dollars' worth of this serum turned out each year. One hundred and fifty thousand dollars—that is not a drop in the bucket.

Mr. LEVER. I understand, Mr. Chairman, that several gentlemen may desire to speak on this amendment, and I therefore ask unanimous consent that all debate on this paragraph and amendments thereto close in 15 minutes. I do not think that much time will be taken.

The CHAIRMAN. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent that all debate on this paragraph and amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. McLAUGHLIN. Mr. Chairman, the Committee on Agriculture has given a good deal of attention to this matter in the effort to learn what the department has been doing in the effort to control and eradicate hog cholera, and I am sure I am stating the situation correctly when I say that the committee is convinced that the work so far done by the department is not very satisfactory.

I believe the committee could report, also, that the chief difficulty with the entire proposition is in getting potent, pure serum. An appropriation of $50,000 has been made for the purpose of paying the expense of inspection of privately conducted factories where virus and serum are made, but there is nothing clearer in the world than that with such a sum of money this work can not be carried on properly. Inspectors, if they are to inspect factories so critically as to be sure that the serum is proper in every respect, must inspect more closely than is reasonably possible and must put in more time than they can possibly put in, and the employment of more men than such appropriation as we have made will provide for will be necessary.

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

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Missouri?

Mr. McLAUGHLIN. Yes.

Mr. BOOHER. I would like to ask the gentleman if he does not think that instead of using any portion of this money for actual demonstration work it ought all to be used in inspection work? I make the inquiry for this reason——

Mr. McLAUGHLIN. You mean the inspection of factories?

Mr. BOOHER. Yes; of factories—the serum.

Mr. McLAUGHLIN. Oh, we shall have to have money for demonstration work, and we shall have to have money for the production of potent, pure serum.

Now, the Department of Agriculture is suspicious of all serum made in this country except that which it makes itself, or serum made at the laboratories in some of the agricultural colleges of the country. Notwithstanding all the inspection that officials of the Bureau of Animal Industry have been able to carry on at these privately conducted and privately owned laboratories, in no case that I remember have they been willing to use serum from such factories. In no case will it recommend its use. In no case will it guarantee the results of its use. In no case will it undertake the work of inspection or assist in the eradication or control of the disease where serum from these private factories is used. That all being true we are brought down to this one proposition, that pure and potent serum must be supplied, and it seems to me it is up to the Federal Government to make some provision for manufacturing it. It will take a lot of money, but that is a work that must be done.

Mr. MOSS of Indiana. The gentleman does not wish his words to be interpreted as saying that none of the serums manufactured by private plants are effective, or that they will not be potent if used?

Mr. McLAUGHLIN. I state that the testimony of the officials from the Department of Agriculture is to the effect that they themselves are unwilling to use any of the serums from private factories; that they are unwilling to recommend serum from private factories; that they are unwilling to work with it; that they are unwilling to recognize the work done by that serum; that they are unwilling to guarantee a cure, or that preventive measures will be effective if serums from the private factories are used.

Mr. MOORE. Does the gentleman mean to say that the Government does not take any of this serum that is privately manufactured?

Mr. McLAUGHLIN. I will not say that they do not take any, but I will say they do not like to take it. They take very little of it. They do not take it unless they are compelled to, and they have very little confidence in it.

Mr. MOORE. If there is an epidemic of some disease amongst the cattle and serum is needed, where does the Government get it?

Mr. McLAUGHLIN. They are making some of it, and they get the rest of it, when they can, from the laboratories of State agricultural colleges, and the serums made by the Government and by the agricultural colleges are the only serums worth using.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The time has been limited by unanimous consent.

Mr. BOOHER. Mr. Chairman, I can not agree with all that the gentleman from Michigan [Mr. McLAUGHLIN] says about the privately manufactured serums. If the Government does not use any of them and does not recommend their use, why do we spend so much money in inspecting these plants and inspecting the serums? If they are not good for anything, why do you spend any money on them? I do not know why just as good serum can not be manufactured at the stock yards in this country as can be manufactured at any place by the Government. I can not understand why men who go into the business as a private enterprise can not manufacture serum of just as good quality as can be manufactured at the agricultural colleges. At all the great stock centers in this country they have plants manufacturing this serum. The Government sends inspectors there. They almost take charge of these establishments, and if their inspection is not good for anything, why do we appropriate money for it?

Mr. McLAUGHLIN. Does the gentleman know that from one of these very factories, inspected by the Government, serum was sent out that when used spread broadcast the foot-and-mouth disease over the country and cost this country millions of dollars?

Mr. BOOHER. If they went and inspected that plant and inspected that serum and permitted it to be sent out, and it spread the foot-and-mouth disease, it is a great pity that the inspectors themselves did not get the foot-and-mouth disease, for their inspection must have been absolutely worthless.

Mr. RUBEY. Mr. Chairman, I desire to correct the statement made by the gentleman from Michigan in this, that it was not

serum which was sent out, but virus which was sent out, which caused the spread of the disease.

Mr. BOOHER. There have been epidemics of other diseases affecting animals, and the Government was not so terribly anxious about the serum used. Take the blackleg, which was very prevalent in the West, and very contagious, and killed all the animals infected. A virus was manufactured that was used by the farmers and veterinary surgeons. They applied it, and they got along very well, and it cured that disease and stamped it out entirely. Now, I believe a virus can be found that will relieve the hog-cholera situation. They have not found anything yet that will cure it, but they do prevent it, if used in proper time. I object more to the appropriation here for the experimental work with this serum than to anything else. We are spending too much money for experimental work. Take the States of Iowa, Missouri, Kansas, and Nebraska, from which most of the hogs in this country come. In those great States in one county they have a man doing experimental work with this serum. The farmers living three or four hundred miles away, or even 50 miles away, get no advantage from that experimental work. They can not go there and wait until some man's hogs are attacked with cholera in order to get some advantage of the experimental work.

In every community all over our country there are veterinary surgeons. They know how to administer this serum, and if the Government, by its inspection service, will provide a good serum, something that will do the work it is intended to do, it will be administered by the people themselves. I remember one year ago, when we had the Agricultural bill up for consideration, I read to the committee a statement from a farmer in my district who had vaccinated his own hogs—242 head of them. It cost him a dollar a head. He got proper serum that prevented hog cholera among his hogs, and some of his neighbors also vaccinated their hogs with the same serum. Not one of the vaccinated hogs died, while those who did not use it lost all their hogs. That was good serum, and it was made in the district in which I live. There are four plants in that district, two of them recently established. I do not know whether they have been inspected yet by the Government, but I do know that the serum of the other two has been approved and sold under Government inspection, and I believe it is inspection that we need, rather than so much experimental work.

Mr. LEVER. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. Five minutes.

Mr. LEVER. Do gentlemen on the other side desire any further time?

Mr. HAUGEN. I would like two or three minutes and my colleague three or four minutes. I suggest the gentleman ask unanimous consent to extend the time.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the time be extended 15 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate be extended 15 minutes. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, I think this is a very important amendment. The great loss our farmers have sustained not only by hog cholera but through foot-and-mouth disease where that disease has been spread by the use of virus, it seems to me, should caution us to be very careful about voting down an amendment of this kind. In Cedar County, in my district, a veterinary surgeon used virus in the vaccination of hogs afflicted with cholera, and that virus afterwards, it turned out, was made from hogs taken from Chicago that had been infected not only with cholera but also with foot-and-mouth disease. And every place that that veterinary surgeon vaccinated hogs with that virus there developed on that farm a case of foot-and-mouth disease. On the Matthews farm in that county the Government will pay about $8,000 for one-half the value of the cattle and hogs destroyed on that farm because of foot-and-mouth disease.

Dr. Melvin at the hearings has asked that at least $100,000 be appropriated for the purpose suggested by the amendment. In this connection we must remember that the other outbreak of foot-and-mouth disease in the United States originated by importing into this country vaccine for the purpose of vaccinating for smallpox. It is very important that the virus and the serum that we use for the control of hog cholera should be absolutely pure if they are to serve the purpose for which they are intended. The Agricultural Department says that they can not recommend virus or serum that is being used and manufactured by private concerns. In the case of the manufacture of virus it is necessary to use a hog that has hog cholera. At the same time it is important to determine also whether that hog has the foot-and-mouth disease. If it has both, then the use of the virus will communicate the foot-and-mouth disease to the animals, not alone to those that have been vaccinated but also to the rest of the animals on the farm.

It only requires about $100,000 to equip a plant and perform this service, and if the Government is to undertake this work it seems to me that a part of this appropriation could be spent just as Dr. Melvin asks that it be spent, to equip a Government plant that will be adequate for the purpose of educating other manufacturers to do their work and turn out a pure serum and a virus in a scientific way. I hope the amendment may prevail. It does not increase the appropriation, and I believe that a good deal of good will result from it.

Mr. BOOHER. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BOOHER. Can not all that be accomplished by a thorough system of Government inspection?

Mr. GOOD. We have spent a good deal of money this year in inspection, and yet as many cases of the foot-and-mouth disease originated this year in the United States by the use of hog cholera serum as originated in any other way.

Mr. LEVER. The gentleman from Iowa does not want to make a misstatement. The facts are that the shipment of the virus was from 1 establishment out of 81.

Mr. GOOD. I understand; there was only one factory that made a shipment of that kind, but it was this shipment that started the spread of the foot-and-mouth disease to a large extent, at least this is true so far as Iowa was concerned. We would not have had foot-and-mouth disease in the district I represent but for this kind of virus.

Mr. MANN. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. MANN. What is the distinction between virus, serum, and antitoxin?

Mr. GOOD. I do not know that I can give the gentleman the chemical analysis. I only know that as far as serum is concerned it is used to prevent hog cholera. The virus is used for vaccination after the animal is afflicted with hog cholera, and for the cure of the same. I do not know what the antitoxin is used for.

Mr. POWERS. Mr. Chairman, I have not given the same study to this matter as perhaps have the members of the Committee on Agriculture, but it seems, from the arguments on this floor, that the main objection to the use of the serum coming from the private manufacturers' establishments is that they are impure, and that the Government will neither use them nor recommend their use.

If this argument is carried to its logical conclusion, the Government would therefore say to the people all over the United States that no serum can be depended upon except that which the Government itself deals out. Carrying it further, the Government would usurp the power and authority of manufacturing and selling all the serum that is used over the entire country, because it says, both by its words and conduct, that it deals in the only serum that is reliable or can be depended upon.

It has developed that out of 81 private manufacturing establishments engaged in the manufacture of serum only one of the entire number has put out serum that has been detrimental when used. I shall have to oppose the amendment offered by the gentleman from Iowa. I do not believe this Government should enter into the manufacture and exclusive sale and use of the serums to be used by the people in the United States.

Mr. MOSS of Indiana. Mr. Chairman, do not let us make a mistake in regard to this most important matter. There have been several contentions, and we should not become confused regarding them. First, I want to call attention to the claims that impure virus was disseminated from one private plant in Chicago. That is true; but let me call your attention to the fact that the hog must be sick before the virus can be taken from him. It is a fact that impure virus was sent out, but the hog was supposed to be sick from cholera alone. There was no knowledge that foot-and-mouth disease was prevalent in the United States, and hence it was not even suspected that they were afflicted with the foot-and-mouth disease. It happened, however, that the hogs were sick with cholera and afflicted with the foot-and-mouth disease at the same time. It is a condition which can not arise again, and doubtless it is the last time that such unfortunate results will be experienced. This should not cause Congress to make a radical change of policy in dealing with the plague of hog cholera. Let us keep that in our minds. Now, in regard to the Government not using serum from private plants. The Government plans a certain amount of demonstration work. At the same time the Government manufactures a certain amount of serum at their own plant. They so plan it that they will have enough serum from their own plant to do all the demonstration work they are planning,

and naturally prefer to use serum from their own plant. The reputation of the United States Government is way and above that of any private manufacturer in the United States; the department, in their demonstration work, uses every prevention against failure, and that is the reason they prefer to use serum from their own plant. The Government was charged with the duty of making successful demonstrations, and the department is to be commended for taking every precaution, because its failure would mean the abandonment of this method of hog-cholera control. The fact that its methods are successful is the reason that private laboratories are being built and operated. I want to say that serum manufactured in private laboratories has given the best of results in hundreds of instances. There is absolutely no warrant to charge that the manufacture of serum in private laboratories is a failure. I can give the names of hog raisers in my own district whose herds have been saved by such serum.

This result has been achieved not alone in my State but in many other States, as my friend from Missouri [Mr. BOOHER] has said. The manufacture of serum by private plants all over the United States is due to the fact that the United States Government, first by manufacturing serum and then by actual demonstration, has proven that this method of control is absolutely successful.

Mr. STAFFORD. Will the gentleman yield?

Mr. MOSS of Indiana. I will.

Mr. STAFFORD. The gentleman distinguishes between the word "serum" and the word "virus."

Mr. MOSS of Indiana. Yes, sir.

Mr. STAFFORD. Will the gentleman kindly inform the committee what the distinction is?

Mr. MOSS of Indiana. I do not wish to be considered as a scientific expert——

Mr. STAFFORD. But the gentleman is.

Mr. MOSS of Indiana. Thank you. As I understand the terms "virus" and "serum," there is this distinction to be made: Virus is a living microbe which has the power to perpetuate itself or to reproduce itself when injected in the healthy blood of a suitable host. Virus when introduced in the blood of a healthy hog will produce hog cholera. Standing by itself it has no power to give immunity to hogs, but is a destructive agent. It is used in two ways in hog cholera control work. One is to give hogs acute cholera, so as to use them both in testing the potency of serum and to perpetuate the manufacture of serum; it is also used in the "simultaneous" process of immunizing hogs, which I will describe in a moment.

Serum is rather an antitoxin, and has the power to combat and perhaps to destroy—at least to give limited immunity from the microbes of the hog-cholera virus. Serum as used in this control work is secured by selecting a hog which is immune from hog cholera and injecting into its blood a large portion or "dose" of virus. The blood of such a hog is then drawn and constitutes "serum" as we are using the term. This serum when injected into the blood of a healthy hog gives to the animal a large power of resistance or immunity for a limited period. When complete immunity is desired the "simultaneous" treatment is resorted to. This consists in injecting a small portion of virus and also a full portion of serum. Thus the hog is practically given the cholera by the virus and is made immune by the serum. Through this method full immunity is imparted to the treated animal.

Mr. STAFFORD. And what is "toxin"?

Mr. MOSS of Indiana. A toxin is a poison which does not have the power to reproduce itself. It is a destructive agent; but one more word. The Government now is not only demonstrating to the farmers and others that this method of control can be successfully used, but they are in helpful cooperation with private manufacturers in the United States—a friendly cooperation by supervision so as to make their work equally successful. The Department of Agriculture, through cooperation, through demonstration, hopes to make it possible for every hog grower in the United States to gain an accurate knowledge about the serum method of control and to accomplish the equally important achievement of bringing such serum within the reach of every farmer in the United States. This is the first regular Agricultural appropriation bill which has carried an appropriation for this work. This fact emphasizes how new it is, and I do not want this great cooperative experiment that we have started—an experiment designed to demonstrate the efficacy of potent serum when properly used to protect hogs against exposure of hog cholera, and by means of helpful supervision by the United States Government to enable private manufacturers to perfect their methods so as to supply pure serum and virus to farmers, and thereby proving that both the manufacture and the use of serum are successful and profitable—to fail. I do not want it to be possible to break it down in the very first appropriation bill that comes before the United States Congress.

Mr. LEVER. How much time remains?

The CHAIRMAN. Four minutes.

Mr. HAUGEN. I suggest that the gentleman from South Carolina use his time first. I understood gentlemen on the other side had 5 minutes remaining, and that the time was extended for 15 minutes, which would give 10 minutes to me and 10 minutes to the gentleman from South Carolina. Five minutes has been used on this side and 5 on that side, and there now remains 5 minutes to each side.

The CHAIRMAN. The Chair is inclined to think the gentleman is right. The Chair was calculating 15 minutes in all.

Mr. LEVER. I will ask the gentleman to let me conclude.

The CHAIRMAN. There are 9 minutes remaining.

Mr. LEVER. The gentleman from Iowa has 5 minutes and I will have 4.

Mr. HAUGEN. Mr. Chairman, some gentlemen here seem to be much concerned about competition—that the Government is going into the business of producing the serum and selling it in competition with private concerns. There is no such thought. The $150,000 worth of serum is not as much as a drop in the bucket. There are hundreds of thousands of dollars' worth of this serum sold annually. There are about 81 factories in the country, and in offering this amendment I have no intention of interfering with the manufacture of it; nor do I find fault with the inspection of these factories. I believe they are doing the very best they can do. I want to encourage them in every way I can; but here comes the Chief of Bureau of Animal Industry who has this matter in charge, and he asked the Committee on Agriculture to give $100,000 for a plant. In order that there may be no mistake as to the present plant, I read for the information of the House:

> Dr. MELVIN. As it is, our original plant was a very small affair—put up match boards. The floor space was not half the size of this room—

Referring to the committee room—

> To provide for this work, we bought some of these portable houses, put them up, and made them into a laboratory.

That is the recommendation and statement of Dr. Melvin, the chief of the bureau. Will we take the advice of the man in charge, the one who discovered this cure or serum, or will we take the suggestion of somebody else? My amendment is simply to set aside $150,000 so that the department may have a suitable place to prepare the serum, and if there is any surplus that it may be sold at its approximate cost. The department will still be left with $35,000 for the eradication of hog cholera and enough money to carry on experiments in, say, two or three counties. I believe that is all I care to say.

Mr. MOORE. Will the gentleman yield if he has the time?

Mr. HAUGEN. Certainly.

Mr. MOORE. I happen to know of a certain establishment, that I know to be well conducted, and which is subject to Government inspection, and the question with me is—the gentleman has answered the question in the matter of competition—whether, when we have these plants inspected by the Government, it is necessary for the Government to engage in the business itself?

Mr. HAUGEN. I will read to the gentleman from the hearings:

> Dr. MELVIN. I do not think we ought to be expected to use serum except that which we feel fully satisfied is all right.
> Mr. HAUGEN. But you have a way of testing it, have you not?
> Dr. MELVIN. Well, it has to be tested in batches.
> Mr. HAUGEN. Yes.
> Dr. MELVIN. And that requires a good deal of work.
> Mr. HAUGEN. Is it not safe to assume that the States will furnish a serum that is properly made?
> Dr. MELVIN. Most of them would. I would be afraid to trust all of them.

They are not buying serum from the private concerns. They buy from the States. I have said at various times I have faith in it. I believe it has some merit. If you will refer to the hearings, you will find that Dr. Dorset, in charge of this work, represented to the committee that in the county of Dallas, in my own State, out of 118,000 hogs Dallas County lost only 9,182. The reports made to some 1,150 bankers in my State show that Dallas County lost 15,954. The assessor's return of that county reports 16,124 hogs lost during the year 1913.

Mr. LEVER. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Iowa [Mr. HAUGEN]. Three years ago we began the work of undertaking to find a plan for the eradication of hog cholera, or its control, in this country by an appropriation of $75,000. Last year we appropriated

$500,000 for that purpose, and the department expended it upon plans which they themselves drew. I believe they have demonstrated that the control of hog cholera in this country is a possibility. At the same time Dr. Dorset, in immediate charge of the work, before the committee this year convinced me, and I think a majority of the committee, that the department itself had not as yet concluded what the best method of control was. And this item in this bill is inserted for the purpose of permitting the department to continue its investigational work along such lines as will develop a positive and definite plan of control. I will read to you from the hearings:

The CHAIRMAN. Dr. Dorset, let us see if we can not summarize this thing: Your experience has demonstrated, first, that, if you have a potent serum, you can very largely retard the progress of this disease among the hogs. That is the first proposition your experience brings out?

Dr. DORSET. That we can save the hogs from death from the cholera.

The CHAIRMAN. That you can save them from death from hog cholera if you have a potent serum?

Dr. DORSET. Yes, sir.

The CHAIRMAN. The next proposition is that, if you had plenty of money and plenty of potent serum, you could go into a definite area and eradicate hog cholera. Are you willing to say that?

Dr. DORSET. No, sir.

The CHAIRMAN. You are not willing to say that yet? Your experience also has brought you to the conclusion that the projects outlined by the department and adopted by this committee and by the House probably do not indicate the best way of handling this situation?

Dr. DORSET. No, sir; I will not say that.

The CHAIRMAN. You will not say that?

Dr. DORSET. I think that at the present time it is the best. I think we should continue essentially as we have done, with this fund as an appropriation here in such shape that we can use the larger portion of it for one purpose or another, as may be necessary. For instance, we say in this suggested amendment that not less than $50,000 shall be used for inspecting serum plants.

Mr. HAUGEN. Let me interrupt you just there. You have tried this plan for years. What progress have you made? You discovered the serum nine years ago, and you have been working on it and experimenting with it for nine years. How much more do you know now than you did nine years ago? You have followed this plan. I have read the bulletins issued—I think more than nine years ago; but as you say it was 9 years ago, we will accept that; it seems to me that it was 15 years ago. Whenever it was, they said at that time that this whole problem was solved. Now, what progress have you made? I agree that if you have a potent serum it is an absolute preventive. But you have not the potent serum, and you will not get it if you have to depend on the present system of inspection, and the only way you can furnish it is for the States or the Federal Government to do it. In my opinion, the department never can superintend a hundred factories by any means and get potent serum in that way.

The CHAIRMAN. That is just what we are trying to get an opinion from Dr. Dorset about. In your judgment, out of the experience that you have had, do you believe it is possible to control the hog cholera?

Dr. DORSET. I believe, Mr. Chairman, that it is possible to control the losses from the disease. By that I do not mean at present its eradication.

Mr. HAWLEY. May I ask a question there, Mr. Chairman?

The CHAIRMAN. Yes, certainly.

Mr. HAWLEY. Is this a correct statement, Dr. Dorset: That, with your experience and what you believe can be done, the production of hogs in this country can be safely carried on with a certainty of profit to the farmer?

Dr. DORSET. Yes, sir.

The CHAIRMAN. And the production of hogs increased?

Dr. DORSET. Undoubtedly.

Dr. MELVIN. I think these charts show that.

Mr. MOSS. Do you believe, from your experience, that this present work ought to be carried on by the Government, instead of being dropped?

Dr. DORSET. I believe this work should go on. I believe, Mr. Chairman, that we are just beginning to know what we can do, and we do not yet know the best way to accomplish what we have finally in view—the cheapest and most economical way to do the work efficiently.

Now, the Government is conducting a serum plant at Ames, Iowa. Therefore the Government has the means to demonstrate what potent serum means in the control of hog cholera as against an impotent serum. So it is not necessary to go into the building of a large manufacturing plant to give them the means to investigate that phase of the subject. However, the theory of the committee is that inasmuch as the men in charge of this work admit that they have not come to a definite conclusion, that they have not arrived at a state of mind where they can say that any one plan is feasible, so that some conclusion can be reached, the committee thought it wise to give them this appropriation to continue their investigational work, without any regard to the establishment of a manufacturing plant. We think it would be exceedingly unwise at this time to burden ourselves with a big establishment, which we would have trouble in getting rid of in the future.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. HAUGEN].

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

Mr. LEVER. Mr. Chairman, a parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. LEVER. A moment ago I reserved the right, with the consent of the committee, to return to this item. I find in looking over the act appropriating $600,000 for the control of hog cholera and duorine that it is a continuing appropriation, and that the language to which the gentleman from Illinois made the point of order and which the Chair sustained was not at all necessary. Therefore it is not necessary for us to return to it. I just wanted to bring it to the attention of the Chair.

The CHAIRMAN. Without objection, the unanimous-consent agreement to return to the point indicated will be canceled and the Clerk will read.

The Clerk read as follows:

Meat inspection, Bureau of Animal Industry: For additional expenses in carrying out the provisions of the meat-inspection act of June 30, 1906 (34 Stat. L., p. 674), there is hereby appropriated for the fiscal year ending June 30, 1916, the sum of $375,000: *Provided*, That the provisions of the meat-inspection law may be extended to the inspection of reindeer.

Mr. MANN. Mr. Speaker, I make the point of order against the proviso.

Mr. LEVER. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

Mr. CANDLER of Mississippi. Mr. Chairman, I move to strike out the last word for the purpose of putting in the RECORD statistics showing the value of farm animals in this country. These figures show the importance of this industry. I ask unanimous consent to extend my remarks in the RECORD by printing them.

The CHAIRMAN. Is there objection?

There was no objection.

Following is the article referred to:

VALUE OF FARM ANIMALS—ESTIMATED TO BE WORTH $5,969,253,000, SHOWING LARGE INCREASE.

An increase in farm animals in the United States is shown by statistics given out by the Department of Agriculture. January 1 the animals were valued at $5,969,253,000, an increase of $78,024,000, or 1.3 per cent over their value January 1, 1914.

Horses numbered 21,195,000, an increase of 1.1 per cent over last year; were valued at $103.33 per head, and their aggregate value was $2,190,102,000.

Mules numbered 4,479,000, an increase of 0.7 per cent; were valued at $112.36 per head, and aggregated $503,271,000 in value.

Milch cows numbered 21,262,000, an increase of 2.5 per cent; were valued at $55.33 per head, with an aggregate value of $1,176,838,000.

Other cattle numbered 37,067,000, an increase of 3.4 per cent; were valued at $33.38 per head, with an aggregate value of $1,237,376,000.

Sheep numbered 49,956,000, an increase of 0.5 per cent; were valued at $4.50 per head, with an aggregate value of $224,687,000.

Swine numbered 64,618,000, an increase of 9.6 per cent; were valued at $9.87 per head, with an aggregate value of $637,479,000.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF PLANT INDUSTRY.

Salaries, Bureau of Plant Industry: One physiologist and pathologist, who shall be chief of bureau, $5,000; 1 chief clerk, $3,000; 1 executive assistant in seed distribution, $2,500; 1 officer in charge of publications, $2,250; 1 landscape gardener, $1,800; 1 officer in charge of records, $2,250; 1 superintendent of seed weighing and mailing, $2,000; 1 executive clerk, $2,250; 3 executive clerks, at $1,980 each; 1 assistant superintendent of seed warehouse, $1,400; 1 seed inspector, $1,000; 1 seed warehouseman, $1,400; 1 seed warehouseman, $1,020; 1 seed warehouseman, $1,000; 1 seed warehouseman, $840; 6 clerks, class 4; 12 clerks, class 3; 2 clerks, at $1,500 each; 21 clerks, class 2; 48 clerks, class 1; 1 clerk or draftsman, $1,200; 1 clerk, $1,080; 8 clerks, at $1,020 each; 23 clerks, at $1,000 each; 45 clerks, at $900 each; 1 clerk or draftsman, $900; 21 clerks, at $840 each; 2 clerks, at $720 each; 1 laborer, $780; 42 messengers or laborers, at $720 each; 11 messengers, messenger boys, or laborers, at $660 each; 26 messengers, messenger boys, or laborers, at $600 each; 1 artist, $1,620; 1 clerk or artist, $1,200; 1 photographer, $1,200; 1 photographer, $840; 1 laboratory aid, $1,440; 1 laboratory aid, $1,380; 3 laboratory aids or clerks, at $1,200 each; 1 laboratory aid or clerk, $1,080; 2 laboratory aids or clerks, at $1,020 each; 1 laboratory aid, $900; 5 laboratory aids, at $840 each; 7 laboratory aids, at $720 each; 4 laboratory aids, at $600 each; 1 laboratory apprentice, $720; 1 map tracer, $600; 2 gardeners, at $1,440 each; 4 gardeners, at $1,200 each; 8 gardeners, at $1,100 each; 15 gardeners, at $900 each; 19 gardeners, at $780 each; two skilled laborers, at $960 each; 2 skilled laborers, at $900 each; 3 skilled laborers, at $840 each; 1 assistant in technology, $1,400; 1 assistant in technology, $1,380; 1 mechanical assistant, $1,200; 1 blacksmith, $900; 1 carpenter, $900; 1 painter, $900; 1 teamster, $840; 1 teamster, $600; 21 laborers, at $540 each; 24 laborers, messengers, or messenger boys, at $480 each; 3 laborers or charwomen, at $480 each; 2 laborers or charwomen, at $360 each; 3 laborers or messenger boys, at $420 each; 16 charwomen, at $240 each; 11 messenger boys, at $360 each; 4 messengers boys, at $300 each; in all, $424,150.

Mr. LEVER. Mr. Chairman, I offer a committee amendment to correct a typographical error.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Line 20, on page 15, after the word "clerk," insert a comma.

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

The amendment was agreed to.

Mr. PAGE of North Carolina. Mr. Chairman, I move to strike out the last word, for the purpose of asking a question of the chairman.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the last word.

Mr. PAGE of North Carolina. There seems to be a very considerable difference in the number of employees carried in this item from the current law, and I merely wanted to ask the chairman of the committee if all these were transfers of employees formerly paid from the lump-sum appropriation, or are they new employees?

Mr. LEVER. There are absolutely no new employees on this statutory roll. Some of them have been transferred here from the Bureau of Farm Management; others have been transferred from other bureaus here; but there are absolutely no new places.

Mr. PAGE of North Carolina. Many of these were formerly paid from lump-sum appropriations?

Mr. LEVER. Yes; that is correct.

Mr. PAGE of North Carolina. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the amendment. I wish to inquire of the chairman of the committee, so far as salaries for administrative work here in Washington are concerned, whether they are all now provided for on the statutory roll or whether any salaries are being paid from the lump-sum appropriation?

Mr. LEVER. I will say to the gentleman that probably, with one or two exceptions, all of the assistant chiefs are carried in the lump-sum appropriation, and they are in a large measure administrative officers. They are a combination of scientific men and administrative officers. Beyond that I think all of the administrative officers are carried on the statutory roll so far as I know.

Mr. STAFFORD. For the fiscal year ending June 30, 1914, there was expended here in Washington out of lump-sum appropriations for administrative work in the Forest Service the amount of $154,000. Has the expense for that administrative work been carried to the statutory roll?

Mr. LEVER. I would prefer, if the gentleman would allow me, to wait until we get to the Forest Service to discuss that particular point, because I do not have my hand on the papers here. But I will explain that fully. It is due to the rearrangement of the Forest Service and a repeal of the 15 per cent provision and the general reorganization of the salary roll of that bureau. The gentleman knows that I can not carry all these things in my mind.

Mr. STAFFORD. Yes; I know that that would be impossible, but I was trying to find out once for all what is the policy of the committee, so far as transferring from the lump-sum appropriation to the statutory roll is concerned, the salaries of officials or employees who are engaged in administrative work here in Washington.

The statement of the expenditures for the fiscal year 1914 shows that here in Washington, in the Bureau of Animal Industry, $12,000 and more was paid for that character of work out of lump-sum appropriations; in the Plant Industry Bureau, $23,000; in the Forest Service, $154,000; in the Bureau of Chemistry, $12,000, and so on.

Now, I would like to inquire if it is the purpose of the committee to eliminate employees from the lump-sum appropriation and carry in the bill proper the salaries of all the employees who are engaged in administrative work or are you going to leave some still in the lump-sum appropriation and carry others on the statutory roll?

Mr. LEVER. I will say to the gentleman from Wisconsin that the policy of the committee—and I will say it again, because I have said it two or three times already—the policy of the committee is to transfer, so far as we know and as far as it is possible for us to do it, all administrative officers from the lump-sum appropriation to the statutory roll; all clerical positions pure and simple, and all positions which in their very nature have become permanent instead of temporary.

That is the general policy on which the committee worked. For instance, a man may be employed for six months in some bureau and at the end of six months he goes out, but it is found subsequently that they need him back, and he comes back, and they employ him for a year. When it is evident to the department that he is needed permanently, we transfer him to the statutory roll.

Mr. STAFFORD. In some cases men may perform administrative work, although it may be of a scientific character, and in such cases they will still be paid out of the lump-sum appropriation?

Mr. LEVER. I say that probably most of the assistant chiefs are carried on the lump-sum roll. Personally, I will say to the gentleman that it is probably better that these men should be carried on the statutory roll. I see no reason why they should not be.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the control of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease, the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control, and by putting into application methods of control already discovered, $47,350.

Mr. LEVER. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 22, page 17, strike out the word "control." In lines 2, 3, and 4, page 18, strike out the words "and by putting into application methods of control already discovered." In line 4, page 18, strike out "$47,350" and in lieu thereof insert "$57,175."

Mr. LEVER. Mr. Chairman, I desire to call attention to that amendment on line 22, page 17. It should read, "For the investigation." Strike out the word "control" and insert the word "investigation."

The CHAIRMAN. Without objection, the amendment will be modified in accordance with the suggestion of the gentleman from South Carolina.

There was no objection.

Mr. LEVER. Mr. Chairman, I see the gentleman from Illinois [Mr. MANN] wants to know why this ought to be done, as I presume.

Mr. MANN. Of course this very much changes the scope of this appropriation. I would like to know what the reason is for that.

Mr. LEVER. Mr. Chairman, I may say that it was discovered by the committee that in doing chestnut-blight disease work the funds were being used in the work of eradicating the disease—that is, used by plans which involved the cutting down of the trees and the burning of them—and the committee came to the conclusion that this disease, being such a contagious one, easily carried on the feet of birds and in almost any other way, and by the wind, it was foolish to continue that kind of work, and we thought it better to make this language express plainly on its face what the committee expected of that work in the future, namely, that it should be investigational work. That is the view of the committee.

Mr. MANN. Then it is not intended any longer to have the Government go into the forests and destroy the trees?

Mr. LEVER. Not at all.

Mr. MANN. How about the gypsy moth? This was a companion piece to the gypsy-moth item in the first place.

Mr. LEVER. I think, Mr. Chairman, there is a distinct difference between those two items.

Mr. MANN. I was just asking for information, because I did not recollect.

Mr. LEVER. We have not changed our policy in that respect. I think the two propositions are entirely different. The chestnut blight has practically spread all over the country, and I see no hope of ever controlling it unless we discover some resistant varieties of chestnuts; on the other hand, I believe there is a possibility of controlling the browntail and gypsy moths.

Mr. MOORE. Does the gentleman indicate that the department will cease its work of cutting down the trees?

Mr. LEVER. The department will cease its work of cutting down chestnut trees.

Mr. MOORE. That is the purpose of the amendment?

Mr. LEVER. That is the purpose of the amendment.

Mr. MOORE. What success has the department had in its effort to stop the spread of the chestnut blight?

Mr. LEVER. None, I think. The disease is continuing to spread, and I think it will continue to spread. As the gentleman knows, his own State of Pennsylvania appropriated a considerable sum of money at one time to cooperate with the department.

Mr. MOORE. That is correct.

Mr. LEVER. I believe the last item of this kind in the Pennsylvania appropriation was vetoed by the governor of that State, and the State has ceased to appropriate for that purpose.

Mr. MOORE. There was a very large appropriation originally?

Mr. LEVER. Yes.

Mr. MOORE. And I wanted to find out if other States have ceased making appropriations.

Mr. LEVER. The State of Virginia has appropiated $2,500, the State of West Virginia $5,000, the State of North Carolina $500, and the State of Ohio $1,500.

Mr. MOORE. So that the States have practically ceased appropriating for this purpose.

Mr. LEVER. Yes.

Mr. MOORE. Unless the States continue their appropriations for stopping the disease by cutting down and destroying the trees, there will be nothing for the Government to do hereafter, except investigation.

Mr. LEVER. That is all; and I am sure that the experts agree that the idea of trying to stop a disease which has been spread all over the country and which can be carried on the feet of birds is a foolish proposition.

Mr. MOORE. There is no doubt that it spreads very rapidly.

Mr. LEVER. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. In the current law, for this year, the appropriation for this purpose was $69,510.

Mr. LEVER. Yes.

Mr. MANN. In the bill as reported by the committee they reduced that to $47,350.

Mr. LEVER. Yes.

Mr. MANN. Now you have offered an amendment which eliminates the destruction of the trees and provides only for investigation, but at the same time you propose to increase the appropriation considerably.

Mr. LEVER. Yes.

Mr. MANN. I really can not understand the philosophy or logic of that.

Mr. LEVER. I will explain that to the gentleman. We found that of the $20,000 which the department was estimating for this work of endeavoring to control the chestnut blight, approximaely $10,000 was to be used for eradication work, and the other $10,000 was to be used for investigational work. The committee, not knowing the exact situation at the time, inadvertently struck out the entire $20,000. We felt, however, after examining more thoroughly into the question, that it would be well to continue the investigational work, and hence we restore the $10,000.

Mr. MANN. There is no increase in the work, then?

Mr. LEVER. No increase at all.

Mr. MOORE. May I inquire of the gentleman whether, in the event of the disease appearing in Ohio, where, I am just informed, it has appeared, the Government would be in a position, by reason of this appropriation, to cooperate with the State of Ohio?

Mr. LEVER. Yes; if Ohio desired to cooperate.

Mr. MOORE. In furnishing information and such aid as might be given?

Mr. LEVER. Undoubtedly; yes; but the Government would not be in a position to go into the woods and cooperate with the State of Ohio in cutting down the trees and burning them.

Mr. MOORE. I will say that in Pennsylvania the disease has done about the worst it could do. It has swept the State.

Mr. LEVER. Yes.

Mr. SLOAN. Can the gentleman state whether out of this appropriation money is provided for the inspection of chestnut trees which are shipped from the eastern part of the United States to other parts of the United States to discover whether or not they are infected with this chestnut blight?

Mr. LEVER. No; this item does not carry that appropriation, but there is an appropriation in the bill for that purpose. The gentleman remembers the quarantine act which we passed several years ago?

Mr. SLOAN. Yes.

Mr. LEVER. In that item we have an appropriation for that purpose.

Mr. SLOAN. There are ample funds, then, to continue that work?

Mr. LEVER. Ample funds; all that the department asked for.

Mr. SLOAN. I will say to the gentleman that there are numerous cases where chestnut trees are being transplanted throughout the West, being shipped there from the Eastern States, and our people are concerned in maintaining pure and healthy chestnut trees. Of course, out in that country we sometimes deal in chestnuts and sometimes bring them back to Washington. [Laughter.]

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

The Clerk read as follows:

For the control of diseases of cotton, potatoes, truck crops, forage crops, drug and related plants, $56,000.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. This item—"for the control of diseases of cotton, potatoes, truck crops, forage crops, drug and related plants, $56,000"—induces me to say a word about the potato crop of Maine, which I observe from the report is intended to be covered in part by the appropriation. In Maine they have what is known as the powdery scab.

Mr. LEVER. I will say that the $5,000 increase allowed by the committee is to be used in the study of the potato scab, which is found largely in Maine, but has gone to New York and threatens the potato industry of the whole country. Further on we carry an appropriation of $50,000 for quarantine work.

Mr. MOORE. I was about to ask of that. My information is that the quarantine has been established as against the potatoes of Canada as well as the potatoes from Maine, and that the inspection is in force as against the exportation of poatoes from Maine. That is to say, the Department of Agriculture has agents in the State of Maine, and potatoes are not permitted to go out of the State unless they are entirely free of the powdery scab or wart, or whatever it may be; that they are subject to inspection by the agents of the Department of Agriculture.

Mr. LEVER. That is true of the rest of the districts in which it occurs.

Mr. MOORE. I am informed that the department has allowed for the purpose of inspection $50,000, and that if the shipper desires to get his potatoes out of Maine he can not do so except on the Government's approval. What I want to find out is where the $50,000 to pay for the inspection of potatoes in Maine comes from.

Mr. LEVER. It is carried in an item under the head of "Domestic potato quarantine," in "Miscellaneous expenses," on page 74 of the bill.

Mr. MOORE. Subject to the discretion of the department.

Mr. LEVER. Yes.

Mr. MOORE. The Secretary has the power to take money out of a lump sum to make an inspection in the State of Maine.

Mr. LEVER. On page 74 of the bill the gentleman will find, under the head of "Domestic potato quarantine," an appropriation of $50,000 to enable the Secretary of Agriculture to cooperate with those States in the inspection of Irish potatoes where a quarantine has been or hereafter shall be established by the Secretary of Agriculture prohibiting the movement of such potatoes from any State into any other State, and so forth.

Mr. MOORE. I thank the gentleman for the information, which in part covers my inquiry, but apparently the whole of the $50,000 was used in Maine last year.

Mr. LEVER. I think that is true except the least bit in the State of New York, where this disease recently has appeared.

Mr. MOORE. My information further is that the $50,000 was not sufficient to pay for the inspection in Maine, and it was necessary to make some arrangement with the potato growers by which an additional $50,000 was contributed by them for the purpose of making up a fund of $100,000 in order to get the crop to market. I want to know whether the department stands sponsor for that contribution of what might be a demand for an additional $50,000 on pain of not getting the potatoes out of the State.

Mr. LEVER. The gentleman will recollect that the powdery-scab outbreak occurred late last year. The department then estimated in a Senate amendment for $100,000 for this work. It passed the Senate, and $50,000 was agreed to in conference. The department this year gives us an estimate of $100,000 for the work, but the committee, in its judgment, thought $50,000 adequate. I may say in that connection that when this item was in conference in the Senate there came to the conferees a kind of understanding that the State of Maine would handle a part of this work. The Legislature, however, of the State of Maine has not met since that time, and no arrangement has been made. The shippers have voluntarily agreed to a tax of $2 a carload of potatoes upon themselves to supplement the fund of the Federal department. We think we are contributing amply to this work, which is confined very largely to a comparatively small area.

Mr. MOORE. Mr. Chairman, I am obliged to the chairman of the committee for giving us the information, but it seems to me this is an unusual situation, and one to which the committee ought to give careful attention. Here are farmers, as much so as in any other State in the Union, men who have made a specialty of raising potatoes, and who raise the most wonderful crops to be found anywhere in the country—single tracts of 100 acres of living green. These men have had their difficulties as farmers, and they have to get to market. They must get the potatoes out of the ground, but the department levies upon them a quarantine and tells them that they can not get the product to market unless it meets the Government inspection. This is the product of the soil; it is the result of toil of the man on the farm. The Government appropriates $50,000 for the Secretary of Agriculture to pay the inspectors to say whether the

potatoes, the product of the farmer, shall go to the market; but this is not sufficient to enable them to get the crops out. They must not only stand the espionage or the inspection, but, in addition, they must put their hands into their own pockets and put up an additional sum of $2 per carload in order to take away from the farm the products they have raised by their own toil.

Mr. LEVER. I do not think the gentleman wants to refer to this as espionage. The item in this bill comes at the urgent request of the delegation from Maine, both in the House and the Senate.

Mr. MOORE. If the word is too harsh, and maybe it is, I will retract it, because I do not want to do anything to injure the prospect of the Maine farmer selling this product. But the fact is that the Government has said to the potato raisers of Maine that before they can sell their potatoes they must be inspected. That is a condition that is not imposed against the apple raiser of Arkansas or the cotton grower of any State. That condition is not levied against farmers throughout the country. It applies to the farmer in Maine, who lives up in the extreme northeastern part of the country, where it is harder to get to market than it is for many other farmers. The Maine potato farmer must not only bear his proportion of the expenses of the taxpayer, but he must put his hand in his own pocket and match dollar for dollar the appropriation of the Federal Government in order to get his potatoes out to market. It is an unusual condition.

Mr. ANDERSON. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. ANDERSON. The gentleman overlooks the fact that this potato disease is very infectious, while the diseases of apples and one thing and another are not infectious at all.

Mr. MOORE. We have the chestnut blight, and there are apples which rot in places, as the gentleman well knows.

Mr. ANDERSON. But that does not scatter all over the country as the potato rot does.

Mr. MOORE. But there is a scale that strikes the apple tree and others and passes along just the same. Does the gentleman from Colorado desire to ask me a question? If not, I merely want to say, Mr. Chairman, that it seems to me that it is rather an unfair handicap against the farmers of Maine to compel them to keep their patotoes under control until the Government inspects them and then make them pay for the inspection.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARTIN. Mr. Chairman, I would like to ask the Chairman upon the item that has been referred to by the gentleman from Pennsylvania. What is done with the money contributed by the farmers in connection with this inspection?

Mr. LEVER. That money is used as a cooperative fund with which to carry on the work provided in this item.

Mr. MARTIN. It does not go into the Federal Treasury?

Mr. LEVER. No; it does not, as I understand it.

Mr. MARTIN. Who expends it, who disburses it, who has charge of it?

Mr. LEVER. There is evidently a cooperative arrangement between the State of Maine, the people in this infected district, and the Federal Government.

Mr. MARTIN. Is that cooperation in the State of Maine a cooperation by the farmer who has a carload of potatoes he wants to sell?

Mr. LEVER. It is a cooperative arrangement, I am pretty sure, though I am not positive, between the Federal Government and the individuals concerned in the area in which the infection occurs. I may be wrong in that statement, but I think not.

Mr. ANDERSON. As I understand it is merely a temporary arrangement to be continued until an appropriation can be made by the State legislature, the intention being later on for the State to cooperate with the Federal Government for maintaining the quarantine.

Mr. LEVER. It is temporary, I am sure.

Mr. MARTIN. I was about to say it seems to me that a system of that sort would be subject to many objections. Of course, if there is to be real cooperation between the Federal Government and the State authorities in connection with the inspection that might be quite permissible, but to allow individuals to cooperate, whose property is to be inspected, to contribute is——

Mr. LEVER. That system would be wrong generally, but the gentleman knows this was a sudden emergency and the department had to do the best it could under the circumstances until the Legislature of Maine met.

Mr. MARTIN. Then the chairman does not understand it is intended to make this system continuing?

Mr. LEVER. Not at all.

Mr. MARTIN. I think there is very serious objection to it.

Mr. LEVER. I agree with the gentleman.

Mr. MOORE. The gentleman understands that there was a contribution made to make up this fund to match the Government fund in order to complete the inspection.

Mr. MARTIN. So I gathered from what has been said.

Mr. MOORE. That is a fact that has not been denied.

Mr. MARTIN. I understand; but I understood the chairman to say that this is but a temporary means to get along until the State of Maine shall make some provision by the State.

Mr. MOORE. The question is, Why should the State of Maine do it?

Mr. MARTIN. Well, it is not unusual that the State and Federal authorities unite in their efforts to suppress any matter of plant disease; but it is extremely unusual that individuals who have property to be inspected should be permitted to contribute to pay the cost of inspection services.

Mr. MOORE. It seemed to me so, and that was the reason I brought it up.

Mr. LEVER. I would like to say the suggestion of cooperation between the State of Maine and the Federal Government came as a suggestion from the people of Maine.

Mr. ANDERSON. The hearings show that.

Mr. SELDOMRIDGE. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, in Weld County, where the potato blight has been raging for the past five years or more, the Government has recently entered into an agreement with an association of farmers in that county to erect an experimental station for the purpose of discovering the causes of the blight and the possible means of prevention. They have not only contributed land, but they have also contributed cash to pay for the construction of the necessary equipment.

Mr. MADDEN. Is that the State government?

Mr. SELDOMRIDGE. The State government not as yet, but the individuals there have contributed in a joint project for the construction and maintenance and operation of this experimental station and the Government is to contribute so much during this fiscal year or during the next fiscal year for its operation.

Mr. MADDEN. Has there been any law passed authorizing that?

Mr. LEVER. I do not know that there is any law; I do not know that there is any law against it.

Mr. SELDOMRIDGE. It is in line with the policy of the Government to investigate these plant diseases and the farmers of that district welcome that opportunity to work together with the Government for a solution of this trouble that has been raging so disastrously and so harmfully there for several years past.

Mr. MARTIN. I would like to ask the gentleman, if he will yield, whether there is not a United States statute prohibiting the acceptance of contributions toward the inspection services of the country, contributions from individuals?

Mr. LEVER. I am not able to inform the gentleman on that. I am no lawyer, as the gentleman knows. I am a farmer.

Mr. ANDERSON. According to my recollection, this bill specifically authorizes that very thing.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Total for Bureau of Animal Industry, $2,545,336.

Mr. SLOAN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Nebraska moves to strike out the last two words.

Mr. SLOAN. I do so for the purpose of saying a few things about a matter of some interest to the House that I was not able to say by reason of being called from the Chamber when we were discussing the Bureau of Animal Industry a while ago in relation to the expenditures made by the department in eradicating the foot-and-mouth disease.

Criticisms were presented on the floor of the House this afternoon upon the Bureau of Animal Industry and the method of treating that subject, and inasmuch as the Committee on Expenditures in the Department of Agriculture has recently been conducting hearings on that subject, at which the head of the Bureau of Animal Industry appeared and submitted evidence as to what the Government had done and accomplished, I thought it was no more than due to the House that a few facts should be given to show what the department has been doing.

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

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Iowa?

Mr. HAUGEN. I suggest that possibly the gentleman has been misinformed as to any criticism of the department. I certainly made none.

Mr. SLOAN. No. They were made by the gentleman from Indiana [Mr. CULLOP] stating that the department had not conducted that matter properly in the State of Indiana.

Now, this disease broke out in southern Michigan and northern Indiana. I do not think that Representatives of any of those States where it originated should seriously criticize the Government for immediately taking hold of that matter and going to the expense it has gone in eradicating that disease in a very large part of the infected districts of the United States. It broke out in 20 States of the Union, breaking out originally, as I said, in southern Michigan and spreading immediately to northern Indiana. It broke out at a time, early in the fall, when cattle were being shipped from one part of the country to another quite generally, just at a time when it would make conditions very favorable for its general distribution throughout the United States. It demanded drastic and almost heroic action on the part of the Department of Agriculture, and it was taken. This disease was a menace not only to the cattle, sheep, and hogs of this country, but the disease is transmissible to human beings. Prompt and courageous action was entitled to commendation instead of criticism. Nearly all of the States in the Union cooperated with the Department of Agriculture under their several quarantine laws and regulations.

The head of the Bureau of Animal Industry, appearing before the committee I have named, was able to state that in nearly all of the States of the Union it had been reduced to a very limited area, and had been absolutely done away with in a number of the States; that the States generally met the Government on the basis of one-half of the expenditures; met the Government cheerfully, and met the demands of the Government, as the Government met the demands of the States, so that in only very small areas is the disease a matter of great menace at this time.

I make this statement as due to a public official, Dr. Melvin, who for a great many years has been at the head of the Bureau of Animal Industry and has distinguished himself in meeting large and important problems arising under his particular bureau's jurisdiction, and meeting them successfully.

I am satisfied that the great State of Indiana is not seriously criticizing the Bureau of Animal Industry or the department for the manner in which it conducted that work in that State in the eradication of the foot-and-mouth disease. With the permission of the House, I shall present and have extended in the RECORD a statement of expenditures and work done by the Bureau of Animal Industry in this behalf—a statement which has been presented to the Committee on Expenditures in the Department of Agriculture. [Applause.]

The CHAIRMAN. The gentleman from Nebraska [Mr. SLOAN] asks unanimous consent to extend his remarks in the RECORD by the insertion of the statement referred to. Is there objection?

There was no objection.

Statement showing number and kind of animals slaughtered and the cost of animals, burial, property destroyed, disinfection, and miscellaneous supplies in the various States on account of the foot-and-mouth disease to Dec. 31, 1914, inclusive.

State.	Counties.	Herds.	Cattle.	Sheep.	Swine.	Goats.	Total number animals.
Connecticut	2	24	538	.....	105	.....	643
Delaware	1	12	152	.....	49	.....	201
District of Columbia	1	2	23	.....	5	.....	28
Illinois	50	484	14,653	507	21,587	11	36,758
Indiana	18	94	2,172	615	3,340	.....	6,127
Iowa	6	32	979	32	1,581	.....	2,592
Kentucky	9	39	817	.....	308	.....	1,125
Maryland	10	39	744	197	531	.....	1,472
Massachusetts	9	50	1,109	9	3,471	4	4,593
Michigan	15	236	2,922	802	4,004	.....	7,728
Montana	3	32	1,408	237	11	.....	1,656
New Hampshire	1	3	78	.....	26	.....	104
New Jersey	5	23	743	6	212	.....	961
New York	11	85	3,570	60	267	2	3,899
Ohio	31	169	3,204	2,652	4,254	1	10,111
Pennsylvania	25	654	11,059	269	6,565	3	17,896
Rhode Island	3	36	721	1	135	.....	857
Virginia	1	1	19	.....	15	.....	34
Washington	1	1	102	.....	.....	.....	102
Wisconsin	10	31	1,255	1,764	1,269	1	4,289
Total	212	2,046	46,268	7,151	47,735	22	101,176

State.	50 per cent appraisal animals slaughtered.	50 per cent cost burial of animals.	50 per cent appraisal property destroyed.	Miscellaneous expenses.	Total amount.
Connecticut	$17,893.55	$289.87	$900.43	$913.20	$19,997.05
Delaware	4,033.88	248.00	669.30	594.39	5,545.57
District of Columbia	1,447.00	28.00	2.00	.....	1,477.00
Illinois	573,492.60	.....	24,200.00	28,000.00	625,692.60
Indiana	80,211.93	1,535.53	1,731.93	2,141.50	85,620.94
Iowa	39,806.47	321.33	1,082.46	862.61	42,072.92
Kentucky	19,859.70	300.62	696.77	1,504.42	22,361.51
Maryland	21,270.00	1,500.00	1,745.00	2,000.00	26,515.00
Massachusetts	58,682.37	2,250.00	2,000.00	5,000.00	67,932.37
Michigan	103,966.38	3,568.85	2,490.69	5,376.50	115,402.42
Montana	33,530.10	77.50	547.14	204.58	34,359.32
New Hampshire	2,479.75	95.00	.....	505.38	3,080.13
New Jersey	31,771.62	1,353.75	354.97	419.30	33,899.64
New York	140,771.25	2,176.43	1,513.64	6,093.23	150,554.55
Ohio	133,559.79	3,510.64	3,756.61	1,464.76	142,291.80
Pennsylvania	360,809.65	3,802.95	8,470.57	7,520.45	380,603.62
Rhode Island	23,228.25	.....	1,031.58	2,296.19	26,556.02
Virginia	588.92	20.00	26.38	.....	635.30
Washington	2,025.00	.....	.....	.....	2,025.00
Wisconsin	49,626.92	3,036.47	2,486.39	2,556.45	57,706.23
Total	1,699,055.13	24,115.04	53,705.86	67,452.96	1,844,328.99

State.	Employees engaged in work.		Salaries.	Subsistence and transportation.	Total expense.
	Veterinarians.	Lay inspectors.			
Connecticut	7	2	$2,052.50	$1,343.18	$23,392.73
Delaware	3	6	3,079.17	1,711.94	10,336.68
District of Columbia	4	8	385.68	1,054.63	2,917.31
Illinois	110	48	30,224.14	24,428.35	680,345.09
Indiana	25	18	11,946.99	8,541.62	106,109.55
Iowa	13	10	5,578.29	4,625.78	52,276.99
Kentucky	22	4	3,136.34	2,513.88	28,011.73
Maryland	22	11	8,135.43	5,866.29	40,516.72
Massachusetts	17	14	7,658.87	4,317.24	79,908.48
Michigan	35	23	16,181.38	11,461.04	143,044.84
Montana	17	6	6,000.74	5,545.65	45,905.71
New Hampshire	3	2	350.00	200.75	3,630.88
New Jersey	10	.....	2,746.43	4,608.05	41,254.12
New York	35	51	12,067.14	7,210.17	169,831.86
Ohio	38	20	13,124.44	14,062.94	169,479.18
Pennsylvania	60	31	23,335.83	18,195.42	422,134.87
Rhode Island	6	16	3,862.70	2,302.42	32,721.14
Virginia	3	.....	.....	.....	635.30
Washington	3	.....	159.45	78.90	2,263.35
Wisconsin	21	10	5,853.36	6,102.76	69,662.35
Total	454	280	155,878.88	124,171.01	2,124,378.88
Additional miscellaneous supplies	.....	.....	.....	.....	3,260.16
Advertising	.....	.....	.....	.....	1,500.00
Total	.....	.....	.....	.....	2,129,138.04

Mr. MOSS of Indiana. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Indiana [Mr. Moss] moves to strike out the last word.

Mr. MOSS of Indiana. Referring to the remarks of my friend from Nebraska [Mr. SLOAN], I am very glad to say that the State of Indiana has cooperated cordially, and I think effectively, with the Department of Agriculture in the work of maintaining a quarantine in our State against the foot-and-mouth disease.

At the outbreak of the disease in our State we did not happen to have any appropriation available for defense purposes. The Department of Agriculture was generous enough to accept the word of the governor of the State to the effect that when our legislature met he would recommend an appropriation to pay one-half of whatever expense might be incurred in combating the disease. The Department of Agriculture for the time being took over the whole expense of protecting the live-stock interests of the State, and thus prevented the convening of a special session of the Indiana Legislature, which would have been otherwise absolutely necessary. We have a State quarantine division, with Dr. Nelson at the head, which acted in full sympathy with the Department of Agriculture. The governor of our State has given the Department of Agriculture cordial support, and I am confident that the great mass of the farmers of the State of Indiana are feeling that they have received great benefit and prompt protection. The whole live-stock industry of the State of Indiana was for the moment at risk, and only the fact that we have had an effective quarantine has made it possible to continue animal husbandry as a profitable branch of industry.

Doubtless there have been criticisms by individuals; in this free American country of ours all restrictive measures are apt

to meet with some opposition. It is a tendency of the American people to criticize restrictive measures, and it is therefore a difficult task for the Government to deal with such a situation as comes up in a quarantine. A portion of my district was in the quarantined area, and it had not a single case of foot-and-mouth disease; yet I feel that the Department of Agriculture was fully and wholly justified in taking the precautionary measures that it did to protect the live-stock industry of our State.

Mr. COX. Mr. Chairman, will my colleague yield there?

Mr. MOSS of Indiana. Certainly.

Mr. COX. How much money will it take to compensate for the loss of cattle killed out in Indiana as the result of this work?

Mr. MOSS of Indiana. I can not say exactly, but I should think it would approach $100,000, or go beyond that.

Mr. COX. Can the gentleman give the committee any idea as to the total value of the cattle in Indiana that would have been affected if this emergency had not been met and this action had not been taken?

Mr. MOSS of Indiana. In 1910 the aggregate value of our cattle approximated $40,000,000; at the present moment I should place the value close to $50,000,000.

Mr. SLOAN. Will the gentleman yield?

Mr. MOSS of Indiana. Certainly.

Mr. SLOAN. Answering the inquiry of the gentleman from Indiana, I will say that the figures were $80,000 up to the first of this year.

Mr. MOSS of Indiana. There have been some additional losses since then, so that my approximation of $100,000 is very nearly correct. Now, I want to call the attention of the House to the fact that in Indiana the cattle industry has been one of our disappearing industries. We have a million more hogs in Indiana now than we had 10 years ago. We have 12,000 more dairy cattle than we had 10 years ago, but during the last five years our beef cattle have declined in numbers from 729,000 in 1910 to 693,000 in 1915. We can not afford to lose any more ground in this direction. We must exert every effort to replace our former splendid herds of beef cattle and to fill our half empty feed lots. For this reason I desire to go on record that I not only approve heartily of what the Department of Agriculture has done in Indiana to meet this supreme crisis, but I believe that the Indiana farmers owe it a great debt of gratitude. Indeed, I may go further and say that the citizenship of our State, without regard to occupation, are under obligations to the Department of Agriculture for the way they came to the relief of the live-stock industry in the State of Indiana, and I feel perfectly confident that this feeling generally prevails throughout the State.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For soil-bacteriology and plant-nutrition investigations, including the testing of samples, procured in the open market, of cultures for inoculating legumes, and hereafter if any such samples are found to be impure, nonviable, or misbranded, the results of the tests may be published, together with the names of the manufacturers and of the persons by whom the cultures were offered for sale, $42,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I notice the committee has introduced some new phraseology in the paragraph, from line 9 to 15, inclusive. I wish to inquire what is the special work that is intended to be performed by the department, particularly as to the investigation of private establishments and the publication of those investigations with the names of the manufacturers when they are proven not to be up to the standard?

Mr. LEVER. The gentleman knows, of course, that in recent years a great many companies are manufacturing various kinds of inoculating cultures for leguminous plants; that many soils require this bacteria before leguminous plants can grow at all. It has been discovered that a great deal of misbranded and impure inoculating material is being sent out, and the department requires authority here to do with this as we do with misbranded and mixed seeds, publish the name of the party, so that we can get a better brand.

Mr. STAFFORD. Is the private manufacturer, who is engaged in the manufacture of these legumes, to have no voice whatever in determining whether his product is up to the standard as prescribed by the Agricultural Department?

Mr. LEVER. Well, they would not publish anything against the private manufacturer without a hearing.

Mr. STAFFORD. This phraseology gives the department absolute authority to ruin the established business of a manufacturer without even a hearing.

Mr. LEVER. This language is identical with the language carried as to misbranded seed. The department does not publish the names of the parties handling misbranded seeds without first giving them an opportunity to be heard. It is a very bad thing to have a farmer send and get some of this inoculating material for clover, for instance, and then find it does not do the work. And we are trying to stop this abuse, and we thought it was the quickest way to do it, by providing for it in this appropriation bill.

Mr. STAFFORD. I quite agree with the purpose of the provision. However, I can see how this might work in the hands of some subordinate official to the great detriment of some manufacturer who may not have been granted a hearing, and just because his manufactured output might not conform to the standard set up by one of these subordinate officials. We want to throw safeguards around the consumers of this country, but we also want to take into consideration not to surrender the rights of private manufacturers in the disposal of their own products.

Mr. LEVER. I will say to the gentleman that we have not heard of any protest in regard to misbranded seed distributers being published without notice to them, and I think we can trust to the good discretion and judgment of the department in this matter. It is a small matter, and yet it is a large matter, and I think the quicker we get it into the law the better.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent for three minutes more.

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

Mr. STAFFORD. The chairman just proposed that if this is found not to be workable, it might be open to amendment next year. I call attention to the fact that we are now amending the law, which becomes a permanent law by the very phraseology here carried, without any consideration of its effect by the committee. The hearings do not contain a line as to the protection of the public or protection to the manufacturer.

Mr. LEVER. The committee did not need any consideration of this. It was such a small matter that——

Mr. STAFFORD. Will the gentleman be willing to eliminate the word "hereafter"?

Mr. LEVER. I was about to suggest that.

Mr. STAFFORD. I withdraw the reservation of the point of order.

Mr. LEVER. Mr. Chairman, I move to amend that item, on page 18, line 11, after the word "and," by striking out the word "hereafter."

The CHAIRMAN. The gentleman from Wisconsin withdraws the point of order, and the gentleman from South Carolina [Mr. LEVER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 18, line 11, strike out the word "hereafter."

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

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

The Clerk read as follows:

For crop technological and fiber plan investigations, $19,770.

Mr. LEVER. Mr. Chairman, I offer an amendment correcting a typographical error.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 5, strike out the word "plan" and in lieu thereof insert the word "plant."

The amendment was agreed to.

The Clerk read as follows:

For investigating the handling, grading, and transportation of grain, and the fixing of definite grades thereof, $72,920.

Mr. MOORE. Mr. Chairman, I move to strike out the paragraph—lines 7, 8, and 9. This appears to be a new item.

Mr. HAUGEN. Oh, no.

Mr. LEVER. This item has been carried in the bill for 10 years, I presume.

Mr. MOORE. Then I withdraw the motion and move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word, and is recognized for five minutes.

Mr. MOORE. Mr. Chairman, on January 4 the House passed a bill known as the grain grades bill. We have had considerable grain legislation, and in each instance appropriations have been provided; but the bill passed on January 4 carried an appropriation of $125,000 for a purpose which seems to be entirely analogous to this. If this item of $72,920 stands, I would like to know why we are to appropriate $125,000 in the grain grades act.

Mr. LEVER. If the gentleman from Pennsylvania will permit me, I think I can answer that very quickly, and get along with the bill.

Mr. MOORE. I do not rise for the purpose of delay. I want the gentleman to understand that.

Mr. LEVER. I thoroughly understand that the gentleman is seeking information. The committee discussed the very matter which the gentleman is speaking about, and I think if the Moss bill had become a law when this bill was being framed, probably there would have been some change in this item; but the Moss bill has not yet become a law, and it is very necessary that we carry on this work of standardization until we know that it is provided for somewhere else. And I will say to the gentleman from Pennsylvania that we reduced the appropriation in the Moss bill considerably.

Mr. MOORE. The gentleman from South Carolina [Mr. LEVER] or the gentleman from Iowa [Mr. HAUGEN] may answer the question which I wish to ask. Why should we anticipate the passage of the law proposed in the Moss bill, which is the grain-grades act, providing for $125,000, by making an appropriation to accomplish the same thing in this bill at the sum of $72,920?

Mr. LEVER. My answer to that is this: The department has been endeavoring for a good many years—6 or 8 or 10 years probably—to establish grain grades. There has been no effort made until recently to make these grain grades compulsory when established. The original theory of this item was to establish the grades, and if the trade desired to accept them, very good; if not, there was no compulsion about it. We have not as yet completed the work covered by this item. The corn grades have been promulgated. Now we are working on wheat and oats and other grain, and we hope to have the wheat grades promulgated, as suggested by the gentleman from Missouri [Mr. RUBEY], in time for the next wheat crop.

Mr. MOORE. If it is to be done at all, I rather hope that will be the case.

Mr. LEVER. But that leaves considerable work to be done still under this item.

Mr. MOORE. But the very purpose of the Moss grain-grades bill was to consolidate the powers of the Secretary of Agriculture with regard to grain inspection, grain grading, standardization, and so forth, so that he might then proceed without question under the law.

Mr. LEVER. The gentleman from Indiana [Mr. Moss] will answer for himself on that proposition.

Mr. MOORE. Now, before the law is passed you are apparently making provision to enable the Secretary to go ahead, anyhow. That is what I am trying to find out about.

Mr. MOSS of Indiana. Mr. Chairman, I move to strike out the last two words; and in reply to the gentleman from Pennsylvania [Mr. MOORE] I should like to say that this item has been carried in the Agricultural appropriation bill for the last 8 or 10 years at the express request of the grain men themselves. There has been a voluntary effort by the grain people themselves to come to uniform grain standardization by resolution and concerted action. They have asked the Government to assist them in this work, the various grain organizations and farmers' organizations all recognizing the fact that it was desirable to have uniform standards, and that before uniform standards are possible there must be certain scientific information gathered. The Government undertook to gather that information, and the various organizations by coordinate action undertook to place this standardization into effect. Now, these various organizations admit that, while the desirability of this action is just as great as it ever was, they have not been able by voluntary action to secure the universal adoption of uniform grades or standards. So the grain-grades bill goes a little further than this appropriation and aims to make the standards compulsory when they shall have been promulgated by the department. This is one step which this provision does not contain, but the cooperation between the Government and these various organizations will proceed under this item.

Mr. MOORE. Will the gentleman tell us whether we are making two appropriations here for the same purpose? I do not want to discuss the merits of the grain inspection or standardization bill, but I want to know whether we are appropriating two sums of money for one purpose—$72,920 for investigating the handling, grading, and transportation of grain, and in the Moss bill $125,000 for the same purpose.

Mr. MOSS of Indiana. No, Mr. Chairman, we are not. The estimate that the Department of Agriculture furnished to the Committee on Agriculture for the grain grades act was $375,000, which sum would be necessary in order to carry out the work that was contemplated in the grain grades act. But out of that sum they suggested that there should be deducted the amount carried in this bill. We passed the warehouse act, carrying an appropriation of $100,000, and that is a part of the work which was comprehended in the original scope of the grain act; we therefore reduced the amount appropriated for grain standardization to $125,000. All this work will be correlated and bring about a common result.

Mr. MOORE. The gentleman mentions $375,000. The grading act appropriated $125,000.

Mr. MOSS of Indiana. That was as it passed the House; but the estimates were for $375,000.

Mr. MOORE. But the $375,000 has nothing to do with the present discussion.

Mr. MOSS of Indiana. It had something to do with the question that the gentleman asked.

Mr. MOORE. Then that would make a third item of expense.

Mr. MOSS of Indiana. With this appropriation it is proposed to carry on the voluntary cooperative work between the Government and the various grain organizations in the United States and to complete at an early day the work of establishing definite and uniform commercial grades for the principal grains of the United States.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For testing and breeding fibrous plants, including the the testing of flax straw, in cooperation with the North Dakota Agricultural College, which may be used for paper making, $10,840.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 20, line 5, after the word "including," strike out the word "the."

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from South Carolina what progress has been made in the matter of developing paper-making qualities of the fibrous plants for which this experimental appropriation of $10,840 is made. It has been carried in the bill for a long time.

Mr. LEVER. If the gentleman will give me one moment to put my hand on the facts, I think I can give him an intelligible answer. But, in a general way, I can say to the gentleman from Illinois that as far as my information goes, and I made some inquiry about it in the hearings last year, although I have not this year, they are still studying and considering questions as to whether or not they can ever develop a plan by which we can manufacture paper out of flax straw. I understand that flax straw is a great by-product in the northwest country, and while the item has been in the bill a long time and perhaps money has been wasted, counting in dollars and cents, the committee feels that although they might spend a million dollars, apparently wasted, if we finally reach the discovery that solves it, we have not in fact wasted any money.

Mr. MADDEN. The bill has in the past carried appropriations for experimenting as to whether or not cornstalks could be used for making paper. What progress has been made in that direction?

Mr. LEVER. The department finally abandoned that item, and although it is studying it some under other items it is not extensive.

Mr. MADDEN. So they have concluded that paper can not be made of cornstalks?

Mr. LEVER. They can make paper from cornstalks, but the assembling of the cornstalks is so expensive as to make it prohibitive as a commercial proposition.

Mr. MADDEN. How much more costly is it to assemble cornstalks than flax straw? Is there a greater area of flax straw in the United States than cornstalks?

Mr. LEVER. Oh, of course not.

Mr. MADDEN. Is it more economical to assemble flax straw?

Mr. LEVER. I do not know; I never saw any flax straw in my life.

Mr. MANN. Flax straw makes a higher grade of paper.

Mr. MARTIN. And it costs less to assemble it.

Mr. MADDEN. I am asking entirely for information. The query occurred to me whether, if the department has found it unwise to continue the experiments in the cornstalk paper, they still believed it was wise to continue the experiments in the flax-straw proposition for paper making.

Mr. LEVER. The best answer to the gentleman's question is that the department has ceased to estimate for cornstalk work, but it has continued to estimate for flax-straw work.

Mr. BARTLETT. What do the gentlemen from the flax-straw country say as to the wisdom of continuing this appropriation?

Mr. MARTIN. Mr. Chairman, I am not posing as an expert on the question of flax straw, but on the question of assembling it, it is almost unnecessary to say that it is cheaper to assemble it than it is cornstalks. It is unnecessary to assemble, so far as a particular field is concerned, for it is assembled when it is thrashed, whereas corn is used in the field. If you had to assemble the cornstalks at the factory it would be very expensive.

Mr. MADDEN. The same thing would be true of cornstalks; you can husk it by machinery and shred it by machinery, and when you are shredding it you can make a stack of it as easily as you could of flax straw.

Mr. MARTIN. Well, it is not the usual method at all, and probably very expensive to adopt. On the other hand, every field of flax is all thrashed in a body, and the straw remains all close together, assembled; but, of course, it would have to find its way to market for manufacture.

Mr. MANN. If the gentleman will permit me to suggest, neither flax straw nor cornstalks are assembled so as to be enabled to run a paper mill without very great expense.

Mr. MARTIN. I think that is correct.

Mr. MANN. They are only assembled at the thrashing machine now, and it takes a great deal of flax straw to run a paper mill during the course of a year.

Mr. McLAUGHLIN. Mr. Chairman, I will say to the gentleman the last report made to the committee from the officials of the department having charge of these matters——

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN. Mr. Chairman, I move to strike out the last word. The last report was to the effect that paper can be made from cornstalks—can be made successfully as a commercial proposition. That was their report, and they ceased their investigation for that reason. Now, whether their reason was right or not, or whether the conclusions they reached were right or not, I do not know. That came in in connection with the proposition offered by the gentleman from Kentucky [Mr. STANLEY], when he was a member of the committee, for a considerable appropriation for the construction of an experimental mill in his district in Kentucky, and the department made an unfavorable report on his suggestion, and the appropriation was not made, the department justifying its position on the ground that it had completed its investigation and found that paper can be made from cornstalks and that it can be made successfully and profitably as a commercial proposition.

Mr. MANN. Well, you can make paper out of any plant that has fiber.

Mr. McLAUGHLIN. You can make it out of anything that has fiber, but their conclusion was it can be made successfully and the business can be carried on successfully as a commercial proposition.

Mr. LEVER. I am not sure the gentleman is quite right in reference to that, but I will put in the RECORD the answer of Dr. Taylor on this proposition. Dr. Taylor, in the hearings last year, said:

Dr. TAYLOR. It has been found possible to make excellent paper from several crop products, especially from cornstalks, but in competition with wood-pulp paper stock, as now available, the department is not able to hold out hope, under present economic conditions, of the profitable production of paper from any of these crop plants.

Mr. MANN. Now, flax makes a high-grade paper. Cornstalks make a low-grade paper and comes in competition with the paper made from wood pulp. The cost of assembling cornstalks is more than the cost of making paper other than paper out of wood pulp.

Mr. McLAUGHLIN. Several of these propositions last year came up together. The bill had carried an appropriation for investigating the making of paper out of cornstalks, had carried an appropriation for the investigation of making paper out of flax, had carried an appropriation for investigating the diseases of the sugar beet. The department made several recommendations; one that the appropriation for the investigation of the making of paper out of cornstalks be abandoned, another that the appropriation for the testing of the value of flax for paper be eliminated, because, by the change in the tariff law, paper was to be admitted free, and still another the elimination of the appropriation for investigating diseases of the sugar beet, because the duty on sugar was to be taken off and sugar was later to come in free. And then there followed the recommendation that $50,000 be appropriated for work in Louisiana, where the manufacturers of sugar cane will be impoverished by the removal of the tariff and they must be taught other lines of industry, other lines of agriculture.

Mr. MADDEN. That was $100,000.

Mr. McLAUGHLIN. Well, it was made $100,000 by the Senate, and by a compromise with the House the amount was fixed at $60,000; a similar amount is carried in this bill. The Democrats told us that the people were to be saved an immense amount of money by the taking off of the duty on sugar; but sugar has not been reduced in price, and the entire sugar industry of the country has been destroyed, and it is necessary for the department to ask for an appropriation, and an appropriation is carried in this bill for establishing an experimental farm in Louisiana to provide and encourage lines of agriculture different from the cane-sugar industry, so as to give the people down there something to do and to save them from poverty as a result of the tariff legislation of this Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, the gentleman from Michigan, as usual, has injected into this bill a discussion of the tariff for political purposes. Although I have been a member of the committee for 12 years I have never done so, because of all things on earth we want to do it is to keep the Agricultural Department of this Government nonpartisan and nonpolitical. [Applause.]

Now, the gentleman from Michigan asserts as a positive statement that in the last year's estimates this item for breeding fibrous plants, including flax straw, in cooperation with the North Dakota agricultural college, which may be used for making paper, and so on, was dropped because the officials of the department said that on account of the duty being taken off paper that none of these plants could compete with foreign importation.

Now, the facts are—and I am sure the gentleman from Michigan will admit it when his memory is refreshed—that Dr. Taylor testified before the committee last year:

The CHAIRMAN. Let me ask you, Dr. Taylor, if you please, has anybody been growing flax in North Dakota for the purpose of making paper out of it?

Dr. TAYLOR. The flax straw, Mr. Chairman, is a by-product—flax is grown for seed. It has been utilized as paper stock, but there are manufacturing difficulties which have not been overcome and which we do not see a reasonable prospect of overcoming on an economic basis.

So that the impression sought to be created by the gentleman in this regard is not borne out by the testimony before the committee. The gentleman has harped upon the Louisiana item in this bill in season and almost out of season, saying it is the result of the Democratic tariff act. I want to say to the gentleman that if the Democratic tariff act destroyed the cane-sugar industry, the cane-growing industry of Louisiana, if that industry did not have a right to exist, if it was necessary to hothouse it, if it was necessary to feed it out on a silver spoon, all the time out of the pockets of the taxpayers, then I, as one Democrat, have no apology for the result of that tariff act. The Democratic Party stands against the special privileges which have grown up under the Republican tariff system. You had as well, according to the statements of experts, attempt to grow sugar cane in Louisiana in competition with the world—it will cost as much to do it—as, to quote a distinguished ex-Member of this body, to grow oranges in competition with the world in the State of Maine. And I want to say to the gentleman once and for all on this one item that if all these facts are true, and the country knows the facts as they are in reference to the growing of sugar cane in Louisiana in competition with the world, I am satisfied the people will realize that they are being taxed to hothouse an industry which has no legitimate right for existence in this country, and will not blame the Democratic Party for anything that may happen to it.

Mr. McLAUGHLIN. Mr. Chairman, I move to strike out the paragraph.

I have made no charges against these appropriations. I was simply offering to explain some of them, an explanation requested by other gentlemen on the floor, and I thought it was due to them that some member of the committee make such explanation as can be made. Now, it is a fact, whether the chairman of the committee is willing to admit it or not, that these changes in appropriations were suggested to the committee, and as it appears in the Book of Estimates and as it appears by the statement of the officials of the department who appeared before the committee, on account of changed economic conditions. When we asked officials of the department who appeared before us to tell what those changed economic conditions were they were loath to do it, and the truth was drawn from them as with a corkscrew, that the changed conditions grew out of the Underwood tariff law and the conditions resulting from tariff legislation by this Democratic Congress. So, if there is an question about the effect of the tariff legislation on the cane-growing industry in the South, we can justify the charge against that tariff law by statements of the men from that very section of the country, because the men who are the most insistent upon the appropriation for the benefit of those engaged in the sugar-cane industry in the South are the men from Louisiana.

The distinguished gentleman from Louisiana [Mr. BROUSSARD] appeared before our committee several times and told us that the people down there are to be impoverished, that the sugar factories are abandoned and are falling into decay, and that something must be done for the relief of the people and to help them to engage in some other line of work; and it was on his insistent demand, supported by the gentlemen from the Agricultural Department themselves, a part of the administration

that had framed and put through Congress that very tariff law, that these appropriations were made. We have not talked very much politics in the Committee on Agriculture, but when the Book of Estimates contains a statement that a number of these appropriations are to be made and a number of the appropriations formerly carried are to be dropped on account of changed economic conditions, it is perfectly proper, it seems to me, for us to inquire what those economic conditions are and whether or not the officials making those suggestions are ready with the correct answer. And when gentlemen arise in their places on this floor and ask the real reason or true inwardness of items appearing in this bill, and why certain of them have been eliminated, it seems to me it is perfectly proper for us to give the real facts, even if they do involve some partisan politics.

In regard to calling the sugar industry a hothouse industry, if there had been a reasonable protection to the domestic production of beet sugar, if there could have been protection or assurance to those who were inclined to engage in that industry, that there would be protection for a reasonable time, free from the constant threat of unfriendly Democratic legislation, the increase in the production of sugar by the cane-sugar manufacturers and the beet-sugar manufacturers in this country would to-day very nearly supply the sugar consumed by our people.

The former Secretary of Agriculture, Hon. James Wilson, reported only a few years ago that there is, as far as he had investigated, land enough in this country suitable for the growing of sugar beets so that one year's production of sugar, at the rate it is now produced in this country, would supply sugar enough "to meet the demands of the entire world from the birth of Christ to the present time." [Applause on the Republican side.] And now to call it a "hothouse industry" is ridiculous.

Mr. LEVER. Mr. Chairman, the gentleman is mistaken in saying that I said the sugar-beet industry. I said the cane-sugar industry.

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

Mr. LEVER. Mr. Chairman, there is a motion pending to strike out.

Mr. McLAUGHLIN. Mr. Chairman, I withdraw the pro forma amendment unless some gentleman desires to speak to it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. MANN. I move to strike out the last two words, Mr. Chairman.

Mr. LEVER. A motion to strike out is already pending. Did the gentleman from Michigan [Mr. McLAUGHLIN] withdraw it?

Mr. McLAUGHLIN. Yes; I withdrew it unless somebody wanted to speak to it.

Mr. MANN. I understood the Chair as saying the gentleman withdrew it.

Mr. FOWLER. Mr. Chairman, a gentleman can not withdraw an amendment here without unanimous consent.

Mr. MANN. The Chairman said without objection it would be withdrawn.

Mr. FOWLER. Then I object.

The CHAIRMAN. The question is on the motion of the gentleman from Michigan to strike out the last word of the paragraph.

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. MANN. Mr. Chairman, the very able and genial gentleman from South Carolina [Mr. LEVER], whom we all respect and love, referred just now to the tariff as a matter of special privilege. The question of special privilege is not always easy to define. The whole Agricultural appropriation bill, in the main, is a matter of granting special privilege to some one. I notice that in the last monthly report of the publications issued by the Department of Agriculture, under date of December 31, 1914, they have a list of special circulars. It is stated, "By direction of the Secretary the following 'Special Circulars' have been prepared in certain bureaus for distribution among farmers in the cotton belt who desire to diversify their farming operations." At least this goes to the extent of being special. It is quite a special circular. Here is the list of special bulletins issued for the benefit of special portions of the country. I do not criticize it. I read:

By the Bureau of Animal Industry:
- Feeding Farm Cows in the South.
- Advantages of Dairying in the South.
- The Feeding and Care of Dairy Calves.
- Marketing Butter and Cream in the South.
- How Southern Farmers May Get a Start in Pig Raising.
- Horse and Mule Raising in the South.
- Producing Sheep on Southern Farms.
- Suggestions on Poultry Raising for the Southern Farmer.
- Making Farm Butter in the South.
- Shall Southern Farmers Build Creameries?
- Do You Keep a Cow?
- The Production and Care of Milk and Cream.
- Conveniences for Handling the Farm Cow and Her Products.

By the Bureau of Plant Industry:
- Permanent Pastures for the Cotton Belt.
- Sorghum for Forage in the Cotton Belt.
- Rye in the Cotton Belt.
- Winter Wheat in the Cotton Belt.
- Winter Oats in the Cotton Belt.
- Rape as a Forage Crop in the Cotton Belt.
- Hairy Vetch for the Cotton Belt.
- Soy Bean in the Cotton Belt.

I suppose no one would charge that these should be discontinued because they are matters of special privilege. I commend the Department of Agriculture for issuing these special circulars, all described in one bulletin as being publications for a special purpose, that of giving special consideration to farmers in the cotton belt in the South. I would not say that because it is special privilege it ought to be discontinued. But when this morning I noticed so many gentlemen voting against a mild appropriation of $5,000 for the Northwest, I wondered whether they differentiated between the North and the South, and thought that a whole lot of special work for the South was in order but that a little work for the Northwest was improper.

Mr. LEVER. Mr. Chairman, will the gentleman yield for one question?

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. MANN. Yes.

Mr. LEVER. The statement has been made several times on the floor of the House carrying inferences that there was some sectionalism in this bill in the expenditure of the money carried by it. In order that the country may have the facts, I want to ask unanimous consent in this connection to publish some figures issued by the Department of Agriculture showing the expenditure of funds by sections (see p. 2266). I would not have done this except for the fact that the gentleman from Illinois [Mr. MANN], who is usually so broad-minded and so liberal to me and my people, too, has rather intimated that there might be something in that proposition.

Mr. MANN. I have not intimated anything of the kind. I commended the Department of Agriculture. My criticism is leveled against gentlemen who take these things for themselves and then complain because somebody else, with a proposition equally meritorious, tries to get something for his section. I have no criticism for the department for doing this. I am glad they are trying to help the farmers in the cotton belt. I believe it is the right thing to do.

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

Mr. LEVER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LEVER. Some one has said that there is a special order of the House to rise at 5 o'clock until 8.

Mr. MANN. There is.

Mr. LEVER. That being true, we are within a few minutes of the time.

Mr. MANN. We had better rise.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

Mr. STAFFORD. Will the gentleman withhold that motion a moment?

Mr. LEVER. Certainly.

Mr. STAFFORD. Did the gentleman obtain unanimous consent to print the data that he said he wished to print, showing the distribution of these various appropriations?

The CHAIRMAN. The Chair did not understand the gentleman to ask unanimous consent.

Mr. LEVER. I beg the pardon of the Chair. I did ask it.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to print certain data which he mentions. Is there objection?

Mr. MADDEN. Reserving the right to object, Mr. Chairman, I want to ask the gentleman from South Carolina how the divisions referred to, in which this money is to be distributed, will be made.

Mr. LEVER. They are divided by sections of the country, groups of States.

Mr. MADDEN. Not by States?

Mr. LEVER. No; not by States. I think the information is very valuable.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from South Carolina moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, 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. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916, and had come to no resolution thereon.

Statement showing geographic distribution of funds expended by the Department of Agriculture during the fiscal year 1914.

Bureau, division, or office.	New England Division—Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.	Middle Atlantic Division—New York, New Jersey, Pennsylvania.	East North Central Division—Ohio, Indiana, Illinois, Michigan, Wisconsin.	West North Central Division—Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.	South Atlantic Division—(excepting Washington, D. C.), Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida.	East South Central—Kentucky, Tennessee, Alabama, Mississippi.	West South Central—Arkansas, Louisiana, Oklahoma, Texas.
Office of the Secretary		$6,150.00	$1,500.00				$20,000.00
Weather Bureau	$62,485.99	141,230.80	231,558.04	$153,545.01	$172,424.46	$81,716.30	106,829.08
Bureau of Animal Industry	222,191.65	603,429.73	1,079,405.87	1,158,279.42	388,898.33	175,986.37	348,994.28
Bureau of Plant Industry	82,137.92	122,024.24	166,486.62	255,084.57	364,777.68	163,934.58	306,406.63
Forest Service	(1)						
Bureau of Chemistry	36,450.00	175,452.00	81,008.00	60,356.00	55,288.00	24,198.00	23,906.00
Bureau of Soils	453.30	11,764.32	16,002.31	24,105.90	42,297.01	16,430.21	32,408.03
Bureau of Entomology	279,953.70	24,157.75	20,171.41	14,084.00	43,407.13	24,700.00	35,471.50
Bureau of Biological Survey	421.37	2,873.60	2,793.69	11,842.19	6,874.51	3,864.76	1,961.48
Bureau of Statistics	6,655.57	4,687.69	9,690.41	17,925.39	15,701.85	10,979.89	13,615.75
Office of Experiment Stations	180,000.00	92,892.79	151,396.90	219,255.17	263,792.29	138,019.60	132,058.55
Office of Public Roads	9,008.10	2,282.49	7,667.16	21,357.19	79,747.52	35,814.18	12,478.29
Insecticide and Fungicide Board	498.00	3,316.68	2,090.75	892.78	13,115.83	639.15	771.48
Federal Horticultural Board	2,785.46	2,222.06	830.39	1,685.70	1,348.44	629.33	556.24
Office of Markets	1,651.82	1,529.45	1,352.23	1,116.41	2,708.64	778.67	2,020.40
Total, exclusive of Forest Service	885,692.88	1,194,013.60	1,771,953.78	1,939,529.63	1,450,381.69	677,691.04	1,037,477.71
Forest Service[1]	34,613.00	81770.00	151,045.00	152,509.00	72,733.00	12,382.00	84,089.00
Weeks law	588,050.93				208,289.52	36,275.44	
Total, inclusive of Forest Service and Weeks law	1,508,356.81	1,202,783.60	1,922,998.78	2,092,038.63	1,731,404.21	726,348.48	1,121,566.71

Bureau, division, or office.	Mountain Division—Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada.	Pacific Division—Washington, Oregon, California.	Territories and insular possessions—Alaska, Hawaii, Porto Rico, Guam.	Total (excepting Washington, D. C.).	Washington, D. C.	Total (including Washington, D. C.).	Southern States—Virginia, West Virginia, Maryland, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Louisiana, Arkansas, Oklahoma, Texas.
Office of the Secretary				$27,650.00	$656,104.00	$683,754.00	
Weather Bureau	$100,371.72	$131,061.41	$9,735.10	1,191,957.91	324,116.21	1,516,074.12	$361,329.84
Bureau of Animal Industry	333,589.39	197,743.94		4,508,518.98	537,418.35	5,045,937.33	907,693.45
Bureau of Plant Industry	170,907.34	156,359.61		1,788,119.19	949,875.81	2,737,995.00	834,818.89
Forest Service	(1)						
Bureau of Chemistry	23,790.00	64,952.00	9,600.00	555,000.00	440,000.00	995,000.00	91,105.00
Bureau of Soils	11,084.70	18,597.84	7,401.09	180,544.71	147,151.29	327,696.00	90,698.20
Bureau of Entomology	78,098.64	56,573.74		576,617.87	128,214.00	704,831.87	114,717.12
Bureau of Biological Survey	39,895.21	23,139.99		93,666.80	69,009.71	162,676.51	12,636.68
Division of Publications					182,341.43	182,341.43	
Division of Accounts	8,000.00	4,000.00		12,000.00	90,645.26	102,645.26	
Bureau of Statistics	14,820.99	6,813.63		100,891.17	136,221.82	237,112.99	39,715.49
Library					43,149.48	43,149.48	
Office of Experiment Stations	308,945.45	112,903.23	105,000.00	1,704,263.88	169,163.17	1,873,427.05	503,226.84
Office of Public Roads	16,962.09	18,092.17		203,409.19	120,872.92	324,282.11	127,485.85
Insecticide and Fungicide Board	200.15	318.62		21,843.44	63,263.71	85,107.15	12,175.73
Federal Horticultural Board	1,047.23	2,585.74		13,690.59	19,815.64	33,506.23	2,523.01
Office of Markets	1,978.12	215.00		13,350.74	34,209.74	47,560.48	5,262.90
Total, exclusive of Forest Service	1,109,691.03	793,356.92	131,736.19	10,991,524.47	4,111,572.54	15,103,097.01	3,103,389.00
Forest Service[1]	3,046,572.00	1,709,880.00	48,895.00	5,321,488.00	443,715.00	5,765,203.00	169,204.00
Weeks law				832,615.89		832,615.89	244,564.96
Total, inclusive of Forest Service and Weeks law	4,156,263.03	2,503,236.92	180,631.19	17,145,628.36	4,555,287.54	21,700,915.90	3,517,157.96

Statement showing geographic distribution of funds proposed to be expended by the Department of Agriculture during the fiscal year 1915.

Bureau, division, or office.	New England Division—Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.	Middle Atlantic Division—New York, New Jersey, Pennsylvania.	East North Central Division—Ohio, Indiana, Illinois, Michigan, Wisconsin.	West North Central Division—Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.	South Atlantic Division (excepting Washington, D. C.)—Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida.	East South Central Division—Kentucky, Tennessee, Alabama, Mississippi.	West South Central Division—Arkansas, Louisiana, Oklahoma, Texas.
Office of the Secretary				$20,000.00			
Weather Bureau	$65,810.00	$148,440.00	$256,690.00	177,350.00	$158,850.00	$83,750.00	$122,680.00
Bureau of Animal Industry	237,191.65	643,429.73	1,266,333.60	1,345,207.15	459,731.23	244,811.46	392,800.97
Bureau of Plant Industry	138,763.82	177,496.25	234,816.94	331,824.26	589,801.60	259,367.73	419,922.29
Bureau of Chemistry	40,920.00	197,860.00	91,875.00	68,951.00	62,140.00	27,145.00	27,096.00
Bureau of Soils	453.30	11,764.32	16,002.31	24,105.90	42,297.01	16,430.21	32,408.03

Statement showing geographic distribution of funds proposed to be expended by the Department of Agriculture during the fiscal year 1915—Continued.

Bureau, division, or office.	New England Division—Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.	Middle Atlantic Division—New York, New Jersey, Pennsylvania.	East North Central Division—Ohio, Indiana, Illinois, Michigan, Wisconsin.	West North Central Division—Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.	South Atlantic Division (excepting Washington, D. C.)—Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida.	East South Central Division—Kentucky, Tennessee, Alabama, Mississippi.	West South Central Division—Arkansas, Louisiana, Oklahoma, Texas.
Bureau of Entomology	$315,781.00	$23,785.00	$22,900.00	$18,500.00	$70,462.00	$32,700.00	$51,530.00
Bureau of Biological Survey	3,700.00	6,000.00	10,800.00	39,600.00	16,300.00	7,800.00	21,100.00
Bureau of Statistics	6,318.00	6,063.00	17,772.00	24,456.00	21,368.00	12,852.00	15,114.00
Office of Experiment Stations	240,500.00	123,590.00	201,500.00	289,500.00	345,000.00	174,000.00	186,000.00
Office of Public Roads	80,000.00	15,000.00	137,000.00	48,500.00	174,139.55	104,493.93	90,125.00
Insecticide and Fungicide Board	674.93	1,989.54	1,879.82	1,198.71	15,131.20	866.22	904.81
Federal Horticultural Board	56,000.00	3,000.00	1,000.00	2,000.00	1,500.00	750.00	750.00
Office of Markets	4,300.00	3,600.00	3,100.00	4,300.00	6,500.00	2,900.00	3,800.00
Total, exclusive of Forest Service	1,190,412.70	1,361,927.84	2,261,669.67	2,395,493.02	1,963,220.59	967,866.55	1,364,231.20
Forest Service	47,090.00	7,787.00	159,009.00	155,788.00	92,213.00	18,511.00	85,278.00
Weeks law	188,741.00				2,504,426.00	979,676.00	
Total, inclusive of Forest Service and Weeks law	1,426,243.70	1,369,714.84	2,420,678.67	2,551,281.02	4,559,859.59	1,966,053.55	1,449,509.2

Bureau, division, or office.	Mountain Division—Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada.	Pacific Division—Washington, Oregon, California.	Territories and insular possessions—Alaska, Hawaii, Porto Rico, Guam.	Total (excepting Washington, D. C.).	Washington, D. C.	Total (including Washington, D. C.).	Southern States—Virginia, West Virginia, Maryland, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Louisiana, Arkansas, Oklahoma, Texas.
Office of the Secretary				$20,000.00	$649,889.00	$669,889.00	
Weather Bureau	$118,960.00	$160,610.00	$8,740.00	1,301,880.00	365,390.00	1,667,270.00	$365,280.00
Bureau of Animal Industry	383,589.39	222,743.94		5,195,839.12	574,000.00	5,769,839.12	1,071,978.45
Bureau of Plant Industry	226,424.39	226,528.81		2,604,946.19	1,011,098.81	3,616,045.00	1,267,639.75
Bureau of Chemistry	27,000.00	73,994.00	10,600.00	627,581.00	450,000.00	1,077,581.00	102,569.00
Bureau of Soils	11,084.70	18,597.84	7,401.09	180,544.71	147,151.29	327,696.00	90,698.20
Bureau of Entomology	83,449.00	74,609.00		693,116.00	136,304.00	829,420.00	231,920.00
Bureau of Biological Survey	105,900.00	33,400.00		244,600.00	92,090.00	336,690.00	45,200.00
Division of Accounts					46,320.00	46,320.00	
Division of Publications					189,500.00	189,500.00	
Bureau of Statistics	20,670.00	10,832.00		135,445.00	140,135.00	275,580.00	49,000.00
Library					45,300.00	45,300.00	
Office of Experiment Stations	394,000.00	144,000.00	120,000.00	2,218,000.00	192,780.00	2,410,780.00	663,000.00
Office of Public Roads	14,000.00	18,186.96		681,445.44	124,560.00	806,005.44	306,938.48
Insecticide and Fungicide Board	271.25	431.81		23,348.29	71,651.71	95,000.00	17,972.16
Federal Horticultural Board	1,500.00	3,500.00		70,000.00	25,000.00	95,000.00	3,000.00
Office of Markets	3,300.00	2,400.00	500.00	34,700.00	205,300.00	240,000.00	8,100.00
Total, exclusive of Forest Service	1,390,148.73	989,234.36	147,241.09	14,031,445.75	4,466,469.81	18,497,915.56	4,223,316.04
Forest Service	3,149,727.00	1,712,295.00	49,377.00	5,477,075.00	465,108.00	5,942,183.00	225,678.00
Weeks law				3,672,843.00		3,672,843.00	3,484,102.00
Total, inclusive of Forest Service and Weeks law	4,539,875.73	2,701,529.36	196,618.09	23,181,363.75	4,931,577.81	28,112,941.56	7,933,096.04

SUMMARY.

Division.	1914 (excepting Forest Service and Weeks law).	1915 (excepting Forest Service and Weeks law).	1914 (including Forest Service and Weeks law).	1915 (including Forest Service and Weeks law).
New England	$885,692.88	$1,190,412.70	$1,508,356.81	$1,426,243.70
Middle Atlantic	1,194,013.60	1,361,927.84	1,202,783.60	1,369,714.84
East North Central	1,771,953.78	2,261,669.67	1,922,998.78	2,420,678.67
West North Central	1,939,529.63	2,395,493.02	2,092,038.63	2,551,281.02
South Atlantic (excepting Washington, D. C.)	1,450,381.69	1,963,220.59	1,731,404.21	4,559,859.59
East South Central	677,691.04	967,866.55	726,348.48	1,966,053.55
West South Central	1,037,477.71	1,364,231.20	1,121,566.71	1,449,509.20
Mountain	1,109,691.03	1,390,148.73	4,156,263.03	4,539,875.73
Pacific	793,356.92	989,234.36	2,503,236.92	2,701,529.36
Territorial and insular possessions	131,736.19	147,241.09	180,631.19	196,618.09
Total (excluding Washington, D. C.)	10,991,524.47	14,031,445.75	17,145,628.36	23,181,363.75
Washington, D. C.	4,111,572.54	4,466,469.81	4,555,287.54	4,931,577.81
Total (including Washington, D. C.)	15,103,097.01	18,497,915.56	21,700,915.90	28,112,941.56
Southern States	3,103,389.00	4,223,316.04	3,517,157.96	7,933,096.04

ORDER OF BUSINESS.

Mr. MANN. Mr. Speaker, there is an order to take a recess at 5 o'clock until 8 o'clock. I ask unanimous consent that that order be vacated, and that it be in order now to proceed with the consideration of the two pension bills which were made in order for to-night.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the order for a session to-night be vacated, and that the pension bills be taken up and considered now. Is there objection?

Mr. HAMLIN. Mr. Speaker, reserving the right to object, I want to say that the possibilities are that it will require a quorum to pass those bills. I just want to give notice of the fact that I am inclined to think it will require a quorum.

The SPEAKER. To pass what bills?

Mr. HAMLIN. The pension bills.

Mr. COOPER. Reserving the right to object, I want to say that, in my judgment, after an order has been made, that there shall be a recess from 5 o'clock until 8, of which order practically a majority of the House are aware, many Members having gone home with the understanding that that is to be the order of business, it may be that some of them have objections to some features of the bill, and to take up the bill now instead

of at 8 o'clock would be unjust to them; and for that reason I object.

The SPEAKER. The gentleman from Wisconsin objects.

PENSION APPROPRIATIONS.

Mr. BARTLETT, by direction of the Committee on Appropriations, reported a bill (H. R. 21161) making appropriations for the payment of invalid and other pensions of the United States 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. 1320), ordered to be printed.

Mr. MANN. I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois [Mr. MANN] reserves all points of order on the bill.

Mr. BARTLETT. Mr. Speaker, I desire to give notice that I shall call up this bill at the first opportunity, following the Agricultural appropriation bill if possible.

PANAMA RAILROAD CO. (H. DOC. NO. 1520).

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying documents, was ordered to be printed and referred to the Committee on Interstate and Foreign Commerce:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the Sixty-fifth Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1914.

WOODROW WILSON.

THE WHITE HOUSE, *January 25, 1915.*

LEAVE TO EXTEND REMARKS.

Mr. DIES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an excerpt from the recent message of Gov. Ferguson to the Texas Legislature.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks by inserting an excerpt from the first message of Gov. Ferguson to the Texas Legislature. Is there objection?

There was no objection.

SPEAKER PRO TEMPORE AT EVENING SESSION.

The SPEAKER. The Chair designates the gentleman from Oklahoma [Mr. MURRAY] to preside at the session to-night.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2337. An act to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service.

HOUR OF MEETING TO-MORROW.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet to-morrow morning at 11 o'clock.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-night it adjourn to meet to-morrow at 11 o'clock a. m. Is there objection?

There was no objection.

RECESS.

The SPEAKER. Under the order the House stands in recess until 8 o'clock to-night.

Accordingly (at 5 o'clock p. m.) the House took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, at 8 o'clock p. m. the House resumed its session, with Mr. MURRAY in the chair as Speaker pro tempore.

Mr. BURKE of Wisconsin. Mr. Speaker, under the previous unanimous-consent agreement this evening session was set aside for the consideration of pension bills, and I ask unanimous consent that the bill H. R. 21037 may be considered in the House as in Committee of the Whole.

Mr. CALLAWAY. Mr. Speaker, I object.

Mr. BURKE of Wisconsin. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21037.

Mr. CALLAWAY. I make the point of no quorum.

The SPEAKER pro tempore. Evidently there is no quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. All those in favor of the motion of the gentleman from Wisconsin will answer "aye" and those opposed will answer "no."

The question was taken; and there were—yeas 192, nays 3, answered "present" 1, not voting 229, as follows:

YEAS—192.

Abercrombie	Dickinson	Hill	Platt
Adair	Dillon	Hinds	Porter
Adamson	Dixon	Houston	Powers
Alexander	Donovan	Hughes, Ga.	Quin
Allen	Doolittle	Hulings	Raker
Anthony	Doremus	Humphreys, Miss.	Rauch
Ashbrook	Doughton	Igoe	Reilly, Conn.
Aswell	Dupré	Jacoway	Rogers
Bailey	Eagle	Johnson, S. C.	Rothermel
Baker	Edmonds	Johnson, Wash.	Rubey
Baltz	Esch	Keating	Rucker
Barnhart	Fess	Kennedy, Conn.	Rupley
Barton	Finley	Kettner	Saunders
Bathrick	Fitzgerald	Key, Ohio	Shackleford
Beakes	FitzHenry	Kirkpatrick	Sherwood
Beall, Tex.	Flood, Va.	Kitchin	Smith, Idaho
Bell, Ga.	Fordney	Lafferty	Smith, J. M. C.
Booher	Foster	Langley	Smith, Minn.
Borchers	French	Lee, Pa.	Smith, N. Y.
Brockson	Gallagher	Lever	Stafford
Brodbeck	Gallivan	Lieb	Stedman
Broussard	Garner	Lindbergh	Stephens, Miss.
Brown, N. Y.	Garrett, Tenn.	Lloyd	Stephens, Tex.
Browne, Wis.	Gill	Lobeck	Stone
Browning	Gilmore	Logue	Stringer
Buchanan, Ill.	Gittins	Lonergan	Sumners
Buchanan, Tex.	Goeke	McAndrews	Sutherland
Burgess	Goodwin, Ark.	McGillicuddy	Switzer
Burke, S. Dak.	Gordon	McGuire, Okla.	Taggart
Burke, Wis.	Gorman	McKenzie	Talcott, N. Y.
Burnett	Goulden	McLaughlin	Taylor, Ark.
Byrnes, S. C.	Graham, Ill.	Maguire, Nebr.	Temple
Byrns, Tenn.	Gray	Mann	Ten Eyck
Calder	Greene, Mass.	Mapes	Thomas
Candler, Miss.	Greene, Vt.	Mitchell	Thompson, Okla.
Caraway	Guernsey	Moore	Tribble
Casey	Hamilton, N. Y.	Morgan, Okla.	Vare
Church	Hamlin	Moss, Ind.	Vaughan
Clark, Fla.	Harris	Mott	Vinson
Cline	Hart	Murray	Vollmer
Connelly, Kans.	Haugen	Neeley, Kans.	Walters
Connolly, Iowa	Hawley	Neely, W. Va.	Watkins
Cox	Hayden	Nolan, J. I.	Watson
Cramton	Hayes	Norton	Weaver
Crisp	Heflin	Oglesby	Whitacre
Curry	Helm	Park	Williams
Decker	Helvering	Parker, N. Y.	Wingo
Dershem	Hensley	Phelan	Young, N. Dak.

NAYS—3.

Callaway	Kindel	Rayburn

ANSWERED "PRESENT"—1.

The Speaker

NOT VOTING—229.

Aiken	Deitrick	Hardy	Loft
Ainey	Dent	Harrison	McClellan
Anderson	Dies	Hay	McKellar
Austin	Difenderfer	Helgesen	MacDonald
Avis	Donohoe	Henry	Madden
Barchfeld	Dooling	Hinebaugh	Mahan
Barkley	Driscoll	Hobson	Maher
Bartholdt	Drukker	Holland	Manahan
Bartlett	Dunn	Howard	Martin
Bell, Cal.	Eagan	Howell	Metz
Blackmon	Edwards	Hoxworth	Miller
Borland	Elder	Hughes, W. Va.	Mondell
Bowdle	Estopinal	Hull	Montague
Britten	Evans	Humphrey, Wash.	Moon
Brown, W. Va.	Fairchild	Johnson, Ky.	Morgan, La.
Bruckner	Faison	Johnson, Utah	Morin
Brumbaugh	Falconer	Jones	Morrison
Bryan	Farr	Kahn	Moss, W. Va.
Bulkley	Fergusson	Keister	Mulkey
Burke, Pa.	Ferris	Kelley, Mich.	Murdock
Butler	Fields	Kelly, Pa.	Nelson
Campbell	Floyd, Ark.	Kennedy, Iowa	O'Brien
Cantor	Fowler	Kennedy, R. I.	O'Hair
Cantrill	Francis	Kent	Oldfield
Carew	Frear	Kiess, Pa.	O'Shaunessy
Carlin	Gard	Kinkaid, Nebr.	Padgett
Carr	Gardner	Kinkead, N. J.	Page, N. C.
Carter	Garrett, Tex.	Knowland, J. R.	Paige, Mass.
Cary	George	Konop	Palmer
Chandler, N. Y.	Gerry	Korbly	Parker, N. J.
Clancy	Gillett	Kreider	Patten, N. Y.
Claypool	Glass	La Follette	Patton, Pa.
Coady	Godwin, N. C.	Langham	Peters
Collier	Goldfogle	Lazaro	Peterson
Conry	Good	Lee, Ga.	Plumley
Cooper	Graham, Pa.	L'Engle	Post
Copley	Green, Iowa	Lenroot	Pou
Crosser	Gregg	Lesher	Price
Cullop	Griest	Levy	Prouty
Dale	Griffin	Lewis, Md.	Ragsdale
Danforth	Gudger	Lewis, Pa.	Rainey
Davenport	Hamill	Lindquist	Reed
Davis	Hamilton, Mich.	Linthicum	Reilly, Wis.

Riordan	Slayden	Talbott, Md.	Wallin
Roberts, Mass.	Slemp	Tavenner	Walsh
Roberts, Nev.	Sloan	Taylor, Ala.	Webb
Rouse	Small	Taylor, Colo.	Whaley
Russell	Smith, Md.	Taylor, N. Y.	White
Sabath	Smith, Saml. W.	Thacher	Wilson, Fla.
Scott	Smith, Tex.	Thomson, Ill.	Wilson, N. Y.
Scully	Sparkman	Towner	Winslow
Seldomridge	Stanley	Townsend	Witherspoon
Sells	Steenerson	Treadway	Woodruff
Sherley	Stephens, Cal.	Tuttle	Woods
Shreve	Stephens, Nebr.	Underhill	Young, Tex.
Sims	Stevens, Minn.	Underwood	
Sinnott	Stevens, N. H.	Volstead	
Sisson	Stout	Walker	

During the calling of the roll the following occurred:

Mr. CALLAWAY. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Texas rise?

Mr. CALLAWAY. Mr. Speaker, I move to adjourn.

The SPEAKER pro tempore. That motion requires a second of a majority of those present. As many as favor seconding the motion will rise and stand until they are counted. Evidently not a sufficient number.

Mr. CALLAWAY. The other side, Mr. Speaker.

The SPEAKER pro tempore. There is no other side.

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he answered "Present." as above recorded.

Mr. BURKE of Wisconsin. Mr. Speaker, I understand that the roll call discloses that we are nearly 60 short of a quorum. I therefore move you that the necessary warrants be issued and the absentee Members be arrested and brought before the House.

Mr. CALLAWAY. Mr. Speaker, I make the point of order of no quorum on that.

The SPEAKER pro tempore. What is the inquiry of the gentleman from Texas?

Mr. LANGLEY. The gentleman made an untenable point of order, Mr. Speaker.

Mr. CALLAWAY. I made a point of order of no quorum.

The SPEAKER pro tempore. The Constitution fixes that, and the point is overruled.

The motion was agreed to.

ADJOURNMENT.

Mr. BURKE of Wisconsin. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Wisconsin moves that the House adjourn. Those in favor of seconding the motion to adjourn will rise and stand until the Chair can count them. [After counting.] Seventy-five gentlemen have risen to second the motion, and there are 140 Members present. Those in favor of adjournment will say "aye"; those opposed will say "no."

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

Accordingly (at 10 o'clock and 6 minutes p. m.) the House adjourned, pursuant to the order previously made, until tomorrow, Tuesday, January 26, 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 Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting an estimate of deficiency in the appropriation for public printing and binding for the Patent Office for the service of the fiscal year ending June 30, 1915 (H. Doc. No. 1516); to the Committee on Appropriations and ordered to be printed.

2. Letter from the Secretary of War, transmitting an item of legislation suggesting that it be inserted in the sundry civil appropriation bill for 1916 under the headings "Arsenal" and "Rock Island Arsenal, Rock Island, Ill." (H. Doc. No. 1517); to the Committee on Appropriations and ordered to be printed.

3. Letter from the Secretary of War, transmitting letter from the Chief of Engineers, with a statement prepared from data received from officers in charge of the different engineering districts, showing the name of each civilian engineer employed between July 1, 1913, and June 30, 1914, in the work of improving rivers and harbors, the term so employed, the compensation, and the place at which employed (H. Doc. No. 1518); to the Committee on Rivers and Harbors and ordered to be printed.

4. Letter from the Secretary of Commerce, transmitting communication from the Commissioner of Fisheries submitting a report on the otter trawl fishery, in compliance with items in the sundry civil appropriation acts, approved August 24, 1912, and June 23, 1913 (H. Doc. No. 1519); to the Committee on the Merchant Marine and Fisheries and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. OLDFIELD, from the Committee on Patents, to which was referred the bill (H. R. 21137) to amend section 23 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, reported the same without amendment, accompanied by a report (No. 1314), which said bill and report were referred to the House Calendar.

Mr. MILLER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 20193) providing for the payment of assessments on Indian allotments benefited by the construction of State rural highways in the State of Minnesota, reported the same without amendment, accompanied by a report (No. 1319), 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, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DIES, from the Committee on Claims, to which was referred the bill (H. R. 15168) for the relief of Lyman D. Drake, jr., reported the same with amendment, accompanied by a report (No. 1315), which said bill and report were referred to the Private Calendar.

Mr. POU, from the Committee on Claims, to which was referred the bill (S. 926) for the relief of the Georgia Railroad & Banking Co., reported the same without amendment, accompanied by a report (No. 1316), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 5695) for the relief of the Southern Transportation Co., reported the same without amendment, accompanied by a report (No. 1317), which said bill and report were referred to the Private Calendar.

Mr. DIES, from the Committee on Claims, to which was referred the bill (S. 3525) for the relief of Pay Inspector F. T. Arms, United States Navy, reported the same without amendment, accompanied by a report (No. 1318), 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. 21133) granting a pension to Ryan V. Eichelberger; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 21134) granting an increase of pension to John Campbell; Committee on Invalid Pensions discharged, and referred to the Committee on 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. TALCOTT of New York: A bill (H. R. 21156) to increase the number of the corps of cadets at the Military Academy; to the Committee on Military Affairs.

By Mr. PARK: A bill (H. R. 21157) to place Thomas County, Ga., in the southwestern division of the southern district of Georgia; to the Committee on the Judiciary.

By Mr. BRITTEN: A bill (H. R. 21158) to repeal the act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914; to the Committee on Ways and Means.

By Mr. PALMER: A bill (H. R. 21159) to amend section 4 of the act of April 21, 1910, entitled "An act to protect the seal fisheries of Alaska, and for other purposes"; to the Committee on Ways and Means.

By Mr. HELM: A bill (H. R. 21160) to incorporate the Pan-American Bank; to the Committee on Banking and Currency.

By Mr. BARTLETT: A bill (H. R. 21161) making appropriations for the payment of invalid and other pensions of the

United States for the fiscal year ending June 30, 1916, and for other purposes; to the Committee on the Whole House on the state of the Union.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 21162) granting an increase of pension to Edwin C. Beall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21163) granting a pension to Peter Francesco; to the Committee on Pensions.

Also, a bill (H. R. 21164) granting an increase of pension to Brinkley Trout; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 21165) granting an increase of pension to Lodemia E. Kingsley; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 21166) granting an increase of pension to John P. Jackson; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 21167) granting a pension to Mary B. Cooley; to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 21168) granting an increase of pension to Emily Thorn; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 21169) granting a pension to Lydia B. Coover; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 21170) for the relief of William H. Hackett; to the Committee on Military Affairs.

Also, a bill (H. R. 21171) for the relief of Revilow N. Spohn; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 21172) granting an increase of pension to Abraham Gibbs; to the Committee on Invalid Pensions.

By Mr. MAHAN: A bill (H. R. 21173) granting a pension to Charles C. Dougherty; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 21174) granting an increase of pension to A. T. Kreps; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 21175) for the relief of William F. Still; to the Committee on War Claims.

Also, a bill (H. R. 21176) for the relief of the legal representatives of William Vantreese, deceased; to the Committee on War Claims.

Also, a bill (H. R. 21177) for the relief of the legal representatives of O. F. Hendrick, deceased; to the Committee on War Claims.

Also, a bill (H. R. 21178) for the relief of the legal representatives of Nathaniel T. Newbill, deceased; to the Committee on War Claims.

Also, a bill (H. R. 21179) for the relief of the legal representatives of William Goad, deceased; to the Committee on War Claims.

Also, a bill (H. R. 21180) for the relief of the legal representatives of A. Meeks, deceased; to the Committee on War Claims.

By Mr. TOWNSEND: A bill (H. R. 21181) for the relief of the Twelfth Ward Building & Loan Association, of Newark, N. J.; to the Committee on Claims.

By Mr. YOUNG of North Dakota: A bill (H. R. 21182) granting a pension to George W. Widener; 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 New Melle, Mo., favoring bill to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. ADAMSON: Petition of sundry citizens of Troup County, Ga., protesting against the passage of House bill 20644, relative to curtailing the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. BAILEY: Memorial of 500 members of Patriotic Order Sons of America of Altoona, Pa., favoring passage of the Vollmer-Bartholdt resolution relative to export of war material; to the Committee on Foreign Affairs.

Also, petitions of D. J. Bolger, of Barnesboro; Rev. F. P. Corcoran, John S. Douglass, V. J. Kirkpatrick, F. C. Lantzy, Pius A. Lantzy, William Meehan, Henry Nagle, R. S. Sharbaugh, J. E. Weakland, Leo Whalan, John J. Whalan, Thomas Whalan, Richard Wilkins, Michael Byrne, and Albert P. Whyland, of Spangler, all in the State of Pennsylvania, protesting against the circulation through the mails of certain slanderous and defamatory publications relating to the Catholic Church; to the Committee on the Post Office and Post Roads.

By Mr. BALTZ: Petition of sundry citizens of St. Clair County, Ill., protesting against the passage of Senate bill No. 6865, for prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BELL of California: Petitions of Gustav Brandt, of Pasadena, and 633 citizens of Alhambra, South Pasadena, Vernon, San Gabriel, Los Angeles, Huntington Park, Glendale, El Monte, Long Beach, Eagle Rock, and San Pedro, all of California, favoring the passage of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war from the territory or any seaport of the United States; to the Committee on Foreign Affairs.

Also petition of Seventy-ninth and Castro Gymnasium Club (100 members), of San Francisco, Cal.; Pacific Association of Amateur Athletic Union of California and Nevada; board of supervisors of Solano County, Cal., favoring Hamill civil-service bill; to the Committee on Reform in the Civil Service.

Also, petition of citizens of Pasadena (Cal.) Audubon Society, against shipment of American horses to Europe for use in war; to the Committee on Foreign Affairs.

By Mr. BORCHERS: Petition of citizens of Decatur, Ill., favoring passage of House joint resolution 377, prohibiting export of war material; to the Committee on Foreign Affairs.

By Mr. BURGESS: Memorial of citizens of De Witt County and of Victoria, Tex., relative to strict neutrality of the United States; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Petition of Rev. Edmund Huebner and 132 other citizens of Random Lake and vicinity, and 22 other citizens of Mayville, Wis., asking for the passage of S. 6688, or any similar measure to levy an embargo on all material useful in war, save foodstuffs and wearing apparel and surgical supplies; to the Committee on Foreign Affairs.

By Mr. CARR: Resolutions adopted by Elenander Stokoski, Boswell; F. Mikoloyek, Everson; Antoni Tiolkowski, Boswell; and St. Michaels Society, of Connellsville, Pa., protesting against the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Italian Protective Association of Greensburg, Westmoreland County, Pa., protesting against the enactment of the proposed immigration restrictions requiring educations tests; to the Committee on Immigration and Naturalization.

By Mr. CARY: Petition of Jacob Jaky, Rev. M. Plass, John A. Davitz, and 10 others, all residents of Oakwood, Wis., urging the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. COPLEY: Memorial of German Athletic Society of Elgin and citizens of Mankato, Ill., and vicinity, favoring passage of bill to prohibit export of war material; to the Committee on Foreign Affairs.

Also, memorial of the Polish Alma Mater of Joliet, Ill., protesting against literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. CRAMTON: Memorial of Joint Penology Commission of Michigan, protesting against passage of the proposed law as to interstate shipment of prison-made goods; to the Committee on Interstate and Foreign Commerce.

By Mr. DALE: Memorial of the American Mining Congress, favoring the passage of H. R. 15869; to the Committee on Mines and Mining.

Also, memorial of St. John the Baptist Polish Society of New York City, protesting against the literacy test in the immigration bill; to the Committee on Immigration and Naturalization.

Also, memorial of the National Association of Vicksburg Veterans, relative to an appropriation for celebration of veterans at Vicksburg, Miss.; to the Committee on Appropriations.

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.

By Mr. EVANS: Petition of citizens of Deer Lodge, Mont., favoring increase in railroad rates; to the Committee on Interstate and Foreign Commerce.

By Mr. GILMORE: Memorial of citizens of Mankato and vicinity, favoring passage of bill to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GOEKE: Petitions of John H. Holsapple and 65 other citizens and D. O. Heeter and 13 other citizens of Darke County, Ohio, favoring passage of House joint resolution 377, to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GORMAN: Memorial of St. Joseph's Men's Society, of St. Martin's Parish, and 19 other societies of the third congressional district of Illinois, favoring passage of bill to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of the Chicago (Ill.) Teachers' Choir and Rev. M. P. F. Dovermann and 36 others, citizens of the third congressional district of Illinois, favoring passage of House joint resolution 377, to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Pennsylvania: Memorial of Italian Protective Association of Westmoreland County, Pa., protesting against the immigration bill in its present form; to the Committee on Immigration and Naturalization.

Also, memorial of citizens of Mankato and vicinity, favoring bill to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GRAY: Petition of Thomas L. Walker and 107 others, of Hancock County, Ind., relative to the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. HENSLEY: Petitions of sundry citizens of Longtown, and J. L. Diffenbaugh and others, of Chilton, Mo., favoring passage of bill to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. IGOE: Petitions and letters filed by George M. Burkarth, Gerhard Wellman, John Hofses, B. Fahrenhorst, Henry Lorenz, Joseph Reb, John Ollinger, Dr. G. L. Mueller, Dr. G. Moser, the German Theater Society, and others, favoring the Vollmer and all similar resolutions which would prohibit the exportation of arms and munitions of war to belligerent nations during the pending and future wars; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania: Petition of citizens of Allegheny County, Pa., protesting against interference with freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petitions of Joseph E. Donahoe and James R. Walsh, of Providence, R. I., protesting against the treatment of Catholics in Mexico; to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Petition of Charles E. Everett and 65 others, protesting against exportation of war material from United States; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petitions of citizens of Norwich, Conn., and vicinity, favoring passage of bill to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MOORE: Memorial of Italian Protective Association, of Westmoreland County, Pa., protesting against the Burnett-Dillingham immigration bill (H. R. 6060); to the Committee on Immigration and Naturalization.

By Mr. PAIGE of Massachusetts: Evidence in support of House bill 21135, for the relief of Sarah A. Foss Farnsworth; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: Memorial of St. Kazimiers Society, No. 389, of Meriden, Conn., protesting against the passage of the immigration bill in its present form; to the Committee on Immigration and Naturalization.

Also, petitions of Lyric Singing Society and German-American Alliance, of Meriden, Conn., favoring passage of bill to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. SABATH: Memorial of Polish National Alliance Associations of Chicago, Ill., protesting against the passage of the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. J. M. C. SMITH: Protest of L. C. Cutler and 224 citizens of Bloomingdale, Mich., against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, protest of George H. Abell and 19 citizens of Battle Creek; Charles R. Gorman, of Kinderhook; Mrs. Golda F. Hume, of Eaton Rapids; S. H. Dolph, of Litchfield; Elmer Losey, of Waldron; J. F. Bradley, of Hillsdale; E. E. Baughman, of Vicksburg; Nelson H. Barber and 61 citizens of Kalamazoo, all in the State of Michigan, against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. VOLLMER: Petitions of 1,224 American citizens, favoring House joint resolution 377, to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petitions of Staatsverbund, of Schenectady, and citizens of Amsterdam, N. Y., favoring bill to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. YOUNG of North Dakota: Petition of St. John's Benevolent Society, of Wahpeton, N. Dak., against export of arms; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *January 26, 1915.*

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

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

Almighty God, Thou are the one God whose glory filleth all the earth. Thou dost from Thy throne behold all the dwellers upon earth. Thou dost fashion their hearts alike. We thank Thee that beneath all the storm and stress of time there is in the great human heart the common interest and passion of the common brotherhood, for Thou dost link us all together by the common interests of life. Thou dost speak to us not only from sea to sea but through all the spaces of all the ages. Through all the immense range of God's eternal kingdom Thou dost speak to Thy children upon earth. Thou dost bid us come into harmony with Thyself. Thou dost covenant with us and lead into peace and into eternal happiness.

Grant us grace to follow Thy divine commandments. May Thy presence go up with us this day into the duties that are before us. May Thy blessing abide with us and with all the people. For Christ's sake. Amen.

Mr. CLAPP. 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:

Ashurst	Gronna	Norris	Smith, Ga.
Borah	Hardwick	O'Gorman	Smoot
Brady	Hitchcock	Oliver	Stephenson
Bristow	Hollis	Overman	Sterling
Bryan	James	Page	Stone
Burleigh	Johnson	Perkins	Sutherland
Burton	Jones	Pomerene	Swanson
Catron	Kenyon	Ransdell	Thomas
Chamberlain	Kern	Reed	Thompson
Chilton	La Follette	Robinson	Thornton
Clapp	Lee, Md.	Saulsbury	Tillman
Clark, Wyo.	Lodge	Shafroth	Townsend
Culberson	McCumber	Sheppard	Vardaman
Cummins	McLean	Sherman	Walsh
Dillingham	Martin, Va.	Shields	Weeks
du Pont	Martine, N. J.	Shively	White
Fletcher	Myers	Simmons	Williams
Gallinger	Nelson	Smith, Ariz.	Works

Mr. CHILTON. I wish to announce that the Senator from New Mexico [Mr. FALL] is detained by serious illness in his family. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy-two Senators have answered to the roll call. There is a quorum present. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (S. 2337) to create the Coast Guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service, and it was thereupon signed by the Vice President.

THE JOURNAL.

The VICE PRESIDENT. The Secretary will read the Journal of the proceedings of the preceding session.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, January 15, 1915.

Mr. FLETCHER. I ask unanimous consent that the reading of the Journal be dispensed with.

Mr. GALLINGER. I object.

The VICE PRESIDENT. There is objection. The Secretary will read the Journal.

The Secretary resumed the reading of the Journal, and after having read for some time,

Mr. LODGE. Let the Journal be read. I ask that the Journal be read.

The VICE PRESIDENT. The Chair supposed the Secretary was reading the Journal.

The Secretary resumed the reading of the Journal, and after having read for some time,

Mr. STONE. Mr. President, if it is in order, to avoid further waste of the valuable time of the Senate, when it is especially desired to transact morning business, I ask that the further reading of the Journal be dispensed with.

Mr. GALLINGER. This is formal morning business, and I object.

Mr. STONE. I simply wanted to test the filibustering spirit of the other side.

The Secretary resumed and concluded the reading of the Journal, and it was approved.