

SENATE.

THURSDAY, June 29, 1916.

The Senate met at 10.30 o'clock a. m.

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

Almighty God, God of all nations, Thou dost look with infinite tenderness and love upon all the children of men. We come before Thee with the interests of this great Nation in our hearts and invoke Thy divine blessing. Thou dost rule Thy children on the earth by the revelations of Thy will. In the midst of all the stream of human life there is that current which makes for righteousness and which tells the presence of the divine power and the Divine Spirit. That which is in our own hearts, love to mankind, sympathy for the suffering, desire to uplift, to refine, to perfect, we recognize as coming out of Thine own ministry to us and as the working out of the divine program in human life. Do Thou create in us more and more a spirit of fellowship and of good will toward men. May all the influence of our lives and all the ministry of our work go for the establishment of the universal brotherhood. Guide us to this end, for Christ's sake. Amen.

THE JOURNAL.

The Journal of the proceedings of the legislative day of Monday, June 26, 1916, was read and approved.

ESTIMATES OF APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting supplemental estimates of appropriations required by the War Department for the service of the fiscal year ending June 30, 1917, and necessary for the proper equipment of the National Guard called into the service of the United States, etc., \$88,495,525.78, which, with the accompanying papers, was referred to the Committee on Appropriations. (S. Doc. No. 482.)

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting supplemental estimate of appropriation in the sum of \$28,000 required for the service of the fiscal year ending June 30, 1917, for seacoast defenses, Philippine Islands and Hawaii, for the construction of four gasoline storage tanks at Fort Shafter, Hawaii, which, with the accompanying papers, was referred to the Committee on Appropriations. (S. Doc. No. 483.)

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting supplemental estimate of appropriation in the sum of \$25,000 required for the service of the fiscal year ending June 30, 1917, under the appropriation for regular supplies, Quartermaster Corps, for a six months' supply of gasoline, lubricants, and waste for the fortification plants at Hawaii, which, with the accompanying papers, was referred to the Committee on Appropriations. (S. Doc. No. 481.)

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 242) to authorize the President to draft members of the National Guard and of the Organized Militia of the several States, Territories, and the District of Columbia and members of the National Guard and Militia Reserves into the military service of the United States under certain conditions, and for other purposes, further insists upon its disagreement to the amendments of the Senate, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HAY, Mr. DENT, and Mr. ANTHONY managers at the further conference on the part of the House.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7617) to provide that in order to promote agriculture, afford better facilities for rural transportation and marketing farm products, and encourage the development of a general system of improved highways, the Secretary of Agriculture, on behalf of the United States, shall in certain cases aid the States in the construction, improvement, and maintenance of roads, which may be used in the transportation of interstate commerce, military supplies, or postal matter.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes

of the two Houses on the amendments of the Senate to the bill (H. R. 13486) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14484) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 242) to authorize the President to draft members of the National Guard and of the Organized Militia of the several States, Territories, and the District of Columbia and members of the National Guard and Militia Reserves into the military service of the United States under certain conditions, and for other purposes.

The message also announced that the House had passed a bill (H. R. 16678) making appropriations to supply urgent deficiencies in appropriations for the Military and Naval Establishments for the fiscal year ending June 30, 1916, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution providing that in the enrolling of the bill (H. R. 14484) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war the Clerk be authorized and directed to restore lines 22, 23, and 24, on page 11, and lines 1 and 2, on page 12, with an amendment to strike out "\$20" and insert "\$12", in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

H. R. 16678. An act making appropriations to supply urgent deficiencies in appropriations for the Military and Naval Establishments for the fiscal year ending June 30, 1916, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 43) of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 14484) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," the Clerk be, and he is hereby, authorized and directed to restore, on page 11 of the engrossed bill, lines 22, 23, and 24, and lines 1 and 2 on page 12, with an amendment as follows: Page 12, line 2, strike out "\$20" and insert "\$12"; the same being for the purpose of carrying out the agreement of the conferees.

Mr. SMOOT. I move that the request of the House of Representatives be complied with.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. SHEPPARD presented a petition of sundry citizens of Terrell, Tex., praying for the enactment of legislation to amend the interstate-commerce act so as to secure State control of rates on hauls entirely within a State, which was referred to the Committee on Interstate Commerce.

Mr. GRONNA presented a memorial of sundry citizens of Carpio, N. Dak., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of Mrs. William H. Stokes, of Ackworth, N. Dak., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

Mr. ASHURST. I present resolutions unanimously adopted at a mass meeting of American citizens of Irish extraction held in the city of Prescott, Ariz., June 20, 1916. I ask that the resolutions be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

RESOLUTIONS UNANIMOUSLY ADOPTED BY MASS MEETING OF AMERICAN CITIZENS OF IRISH EXTRACTION HELD IN THE CITY OF PRESCOTT, ARIZ., JUNE 20, 1916.

Thus her chains as they rankle her blood as it runs
But make her more painfully dear to her sons,
Whose heart, like the young of the desert bird's nest,
Drinks love in each life drop that flows from her breast.

We are assembled here as American citizens of Irish birth or extraction to render financial aid to the oppressed people of Ireland and to make known and voice our solemn protest against the recent atrocious and barbarous murder of 16 Irish patriots by perfidious and tyrannical England, who for more than seven centuries has been the constant despoiler of helpless Ireland.

We are proud to announce that we are in full and complete accord with the aims of the Irish revolutionary brotherhood, which has for its object and purpose the final emancipation of Ireland from the intolerable thralldom and tyranny of England and the establishment of an Irish republic modeled after that of the United States. To the brave and ever-honored Irish revolutionists who captured four-fifths of the city of Dublin in the face of tremendous odds we extend our sincerest admiration. Though temporarily defeated by overwhelming numbers of English soldiers, they maintained to the last hour the most heroic traditions of our race and kept the flag of the Irish republic waving in defiance, unstained by any act of dishonor. The cause for which they fought and bled is as sacred as any ever waged by a downtrodden people for liberty and independence, and that cause must be nurtured and sustained until despotic England is humbled in the dust of defeat and the green flag of Erin waves over Innisfail.

The diabolical murder of 16 Irish revolutionary soldiers after their surrender as prisoners of war has no parallel for baseness and perfidy in the annals of modern warfare. As prisoners of war they were entitled to the same consideration given to other soldiers under like circumstances, but notwithstanding this they were foully murdered by orders from England. Three of them were shot without even the pretense of a drumhead court-martial, and at least one of them who had been grievously wounded at the battle of Dublin, and who by reason thereof could not stand on his feet, was dragged from his prison cot, propped up by English ghouls, while the British firing squad riddled his already wounded body with a fusillade of bullets. Thus we behold the dark and bloody deeds of the Turk and the Mexican doubly discounted in ferociousness by English tyrants, who "gladly feed with Ireland's blood the cannibal appetite" of their savage and revolting natures.

We point to Pablo Lopez, one of Villa's bandits, who was given a month for his wounds to heal by Carranza before being shot. Not so with Connolly, one of the signers of the Irish declaration of independence, who, in his wounded condition, was bolstered up and immediately shot like a wild beast by so-called Anglo-Saxon civilization.

As another instance of British Anglo-Saxon civilization, we point to the Revolutionary War of this American Republic, when England hired the savage Indians to massacre and scalp Americans at so much per head, the amount of reward being determined by the number of American scalps delivered by the red men.

We also point to the War of 1812, when the same despotic power wantonly and maliciously burned the Capitol Building at Washington and sought by every possible means to again enslave the American people, until Gen. Andrew Jackson, at the Battle of New Orleans, with his Kentucky and Tennessee riflemen, delivered this country for all time to come from British aggression and despotism. Therefore, be it

Resolved, That we urge all men and women of the Irish race to contribute liberally at this crucial time to alleviate the distress of our kindred in the old land;

Resolved further, That we are in full accord with the attitude of the Irish race toward the oppressor of Ireland, as expressed at mass meetings recently held in New York, Philadelphia, Boston, Baltimore, Washington, Chicago, San Francisco, Los Angeles, and other places in the United States. In conjunction with our kindred all over the world, we denounce English misrule in Ireland as the most despotic exercised in this day and age by any civilized power of the earth. We call upon Irishmen and descendants of Irishmen everywhere to arouse and bestir themselves in behalf of prostrate Ireland and to oppose English tyranny with might and main, to the end that this modern Babylon who ruthlessly shot and killed 16 Irish prisoners of war in the year of our Lord 1916 may be driven forever from the land of the shamrock.

Resolved, That a copy of these resolutions be published in the local papers, in the Leader, of San Francisco, the Los Angeles Examiner, and the Irish World and Gaelic American, of New York, and that a copy thereof be forwarded to Hon. HENRY F. ASHURST, United States Senator, Washington, D. C.

Witness our hands at Prescott, Ariz., this 20th day of June, A. D. 1916.

P. W. O'SULLIVAN,
J. B. McNALLY,
ROBERT E. MORRISON,
PAUDRIG O'FAIRREILIGH,
JOHN J. SWEENEY,
Committee.

Mr. SHAFROTH presented memorials of sundry citizens of Colorado, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Colorado, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

Mr. KENYON presented a petition of General Fitzhugh Lee Camp, United Spanish War Veterans, of Dubuque, Iowa, praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish-American War, which was ordered to lie on the table.

He also presented a petition of the Commercial Club of Grinnell, Iowa, praying for the enactment of legislation to fix standard prices for patented and trade-marked articles, which was referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the American Reformed Church, of Maurice, Iowa, praying for the enactment of legislation to prohibit appropriations for sectarian purposes, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Thornburg, Iowa, remonstrating against the enactment of legislation to limit

the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Linn County, Iowa, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. PHELAN presented a petition of the Foothill Study Club, of Saratoga, Cal., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was ordered to lie on the table.

He also presented a memorial of the Board of Supervisors of Mendocino County, Cal., remonstrating against the imposition of a Federal inheritance tax, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Los Angeles, Cal., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

Mr. COLT. I present resolutions adopted by the House of Representatives of the State of Rhode Island favoring legislation for the prevention of floods. I ask that the resolutions be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Resolution adopted by the House of Representatives of the State of Rhode Island for the prevention of floods.

Whereas the frequent floods of the Mississippi River, caused by waters from 31 States, embracing more than 41 per cent of the total area of the United States, result in great loss of human lives in portions of the States of Illinois, Tennessee, Kentucky, Mississippi, Missouri, Arkansas, and Louisiana, and large money losses not only in such afflicted territory but in other portions of the Nation; and

Whereas it has been declared by every member of the Engineer Corps of the United States Army who has dealt with such floods, by the Mississippi River Commission, and by other commissions appointed by Congress, that such floods can be prevented at a reasonable cost; and

Whereas the work of such flood prevention has been going on for many years in the least economical way and over two-thirds of its cost has been borne by the damaged sections, who can no longer cope with this giant problem without effective aid from the National Government; and

Whereas all political parties have declared in their campaign platforms that flood control of the Mississippi River is a national duty: Therefore be it

Resolved by the House of Representatives of the State of Rhode Island, That the Congress of the United States be, and is hereby, requested to fulfill this national duty at its next session, and to enact such legislation as shall provide a separate and comprehensive plan for the prevention of such floods without delay; be it further

Resolved, That copies of this resolution be sent to the Speaker of the House of Representatives, to the President of the Senate of the Congress of the United States, and to each Member of the Senate and House of Representatives of this State in Congress.

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

He also presented a memorial of the Lodge of Elks of Woonsocket, R. I., remonstrating against the United States becoming involved in the European war, which was ordered to lie on the table.

He also presented a petition of the State Council of Women of Rhode Island, praying for the establishment of a national leprosarium, which was referred to the Committee on Public Health and National Quarantine.

Mr. HUSTING. I present resolutions signed by about 500 citizens of the city of Ripon, in my State, whose sons enlisted in Company D, Wisconsin National Guard, now encamped at Camp Douglas, heartily approving the policy of adequate national preparedness and requesting that the appropriation of \$75,000 for the erection of a Federal building in the city of Ripon, Wis., be diverted from its original purpose and applied to the national defense. Accompanying the resolutions are resolutions adopted by the Common Council of the City of Ripon and also by the Commercial Club of that city. I ask that the resolutions may be printed in the RECORD without the signatures and referred to the Committee on Public Buildings and Grounds.

There being no objection, the resolutions were referred to the Committee on Public Buildings and Grounds and ordered to be printed in the RECORD, as follows:

Whereas the National Congress has made an appropriation of \$75,000 for the erection of a Federal building at Ripon, Wis.; and

Whereas it is the belief of the citizens and taxpayers of this community, as expressed by resolutions circulated and signed by them, that in the present emergency the money so appropriated can serve a greater public good by being used for the national defense and that it is the duty of every community to assist so far as possible in every way within its power: Be it

Resolved, That the Common Council of the city of Ripon hereby indorses the resolutions so circulated and signed, and that it adds its earnest request to its Representatives in Congress to immediately introduce and strive to secure the passage of an act diverting the said

\$75,000 appropriation from its original purpose and applying it to the national defense.

Resolved further, That a copy of these resolutions be sent to the Representative from this district and to the two Senators from the State of Wisconsin.

Passed this 24th day of June, 1916.

CITY OF RIPON,
L. W. THAYER, Mayor.
C. W. STEWART, City Clerk.

The Commercial Club of the city of Ripon heartily indorses the movement to cause the Federal appropriation of \$75,000 which was to have been used for a Federal building in this city to be diverted to the equipment of our National Army.

RIPON COMMERCIAL CLUB,
SYDNEY S. HALL, President.
A. H. FISCHER, Secretary.

Whereas an appropriation of \$75,000 for the erection of a Federal building at Ripon, Wis., has been made by the National Congress; and

Whereas the people of this community heartily believe in and approve of a policy of adequate national preparedness; and

Whereas we believe that private and local gain and enhancement should always be subservient to the common good: Therefore be it

Resolved, That the citizens of Ripon whose sons enlisted in Company D, Wisconsin National Guards, are now encamped at Camp Douglas, in response to the summons of President Wilson; whose boys of others days were among the first to answer the call of their country in the Spanish and Civil Wars; whose patriotism and loyalty have ever been unbowed and unstinted; with the tearful farewells of mothers, wives, sisters, and sweethearts of soldiers fresh in their memory; with the echoes of the footsteps of the Grand Army of the Republic in State encampment assembled still lingering in their ears, earnestly request their Representatives in Congress to immediately introduce and strive to secure the passage of an act diverting the appropriation made for a Federal building in Ripon from its original purpose and applying it specifically to the equipment of the National Army, preferably in the perfection of the aviation service.

REPORTS OF COMMITTEES.

Mr. CULBERSON, from the Committee on the Judiciary, to which was referred the bill (H. R. 11623) to amend section 4472 of the Revised Statutes, asked to be discharged from its further consideration and that it be referred to the Committee on Commerce, which was agreed to.

He also, from the same committee, to which was referred the bill (H. R. 9542) to amend the second paragraph of section 3264 of the Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879, and as further amended by the act of Congress approved June 22, 1910, asked to be discharged from its further consideration and that it be referred to the Committee on Finance, which was agreed to.

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (S. 6484) making appropriation for the improvement of Marine Avenue, in the city of St. Louis, Mo., asked to be discharged from its further consideration and that it be referred to the Committee on Appropriations, which was agreed to.

He also, from the same committee, to which was referred the amendment submitted by Mr. MARTINE of New Jersey on the 24th instant, intended to be proposed to the bill (H. R. 1528) for the relief of Martin Huhn, asked to be discharged from its further consideration and that it be referred to the Committee on Post Offices and Post Roads, which was agreed to.

Mr. BROUSSARD, from the Committee on Military Affairs, to which was referred the bill (S. 1691) for the relief of Edward S. Farrow, reported it with amendments and submitted a report (No. 561) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 650. A bill to correct the military record of Wallace Metcalf (Rept. No. 559); and

S. 1361. A bill to correct the military record of Thomas Smart (Rept. No. 560).

Mr. WALSH, from the Committee on the Judiciary, to which was referred the bill (S. 789) providing for an additional judge for the district of Montana, reported it with amendments and submitted a report (No. 556) thereon.

He also, from the same committee, to which were referred the bill to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported it without amendment and submitted a report (No. 557) thereon.

He also, for the Committee on Indian Affairs, to which was referred the bill (S. 5912) to authorize the Secretary of the Interior to acquire certain Indian lands necessary for reservoir purposes in connection with the Blackfeet Indian reclamation projects, reported it without amendment and substituted a report (No. 558) thereon.

Mr. HUGHES (for Mr. JOHNSON of Maine), from the Committee on Pensions, to which was referred the bill (H. R. 15494) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 562) thereon.

He also (for Mr. JOHNSON of Maine), from the same committee, to which was referred the bill (H. R. 15957) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 563) thereon.

LAND IN CRAIGHEAD COUNTY, ARK.

Mr. MYERS. From the Committee on Public Lands I report back favorably the bill (H. R. 14630) to quiet title in certain citizens to certain lands lying within the meander line on the St. Francis River, and being parts of lots and tracts of land lying in Craighead County, Ark., and I submit a report (No. 549) thereon. I call the attention of the Senator from Arkansas [Mr. CLARKE] to the report.

Mr. CLARKE of Arkansas. Mr. President, this is a House bill which has been favorably recommended by the department. It proposes to quiet the title of certain occupants of land in the district that has recently come under the control of the Government by reason of changes in the land policy of the country with reference to ancient surveys. It meets the equities of the case, and the department recommends it. I therefore ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

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

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

M'CABE, MONT.

Mr. MYERS. From the Committee on Public Lands I report back favorably with an amendment the bill (H. R. 600) to validate title to the town site of McCabe, in the State of Montana, and I submit a report (No. 547) thereon. I will state that it is a very short bill, which simply quiet title to lots in a town in Montana. It is of no interest to anybody except the occupants of the lots. It is a House bill, and I ask unanimous consent for its immediate consideration.

Mr. SMOOT. I should like to have the Senator from Montana explain to the Senate the real reasons for this legislation.

Mr. MYERS. I will do so, with pleasure, so far as I can.

This is a bill which came from the House, and was introduced in the House by Representative SPOUR, of the Public Lands Committee. It is to validate, as I recollect—the bill will show—a Santa Fe lieu-land selection on which a little town site was started. The party who sold lots has been unable to give complete title, and the people have bought a number of lots from him, and are lacking in their title.

I will say to the Senator that the bill was very thoroughly considered yesterday by the Public Lands Committee, in the absence of the Senator from Utah, and very thoroughly discussed. The amendment which was offered and adopted was offered by the Senator from Wyoming [Mr. CLARK]. It was the unanimous consensus of opinion of the committee that with the amendment the bill was entirely just and proper, and it was unanimously ordered favorably reported. My only reason for asking its passage at this time is that it is a remedial measure, and unless it goes through Congress at this session very serious results will occur to the people who have invested their money there.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment was, on page 1, line 10, after the word "thereto," to insert "to John Lundquist, trustee, for the original purchasers of town lots of the town site of McCabe, in the State of Montana," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to accept for limited patent only Santa Fe Pacific lieu-land selection heretofore made and designated as Glasgow, Mont., land office serial No. 015766, for the following-described land: Southwest quarter of the southeast quarter of section 4, in township 29 north, range 56 east, Montana meridian; and issue patent thereto to John Lundquist, trustee for the original purchasers of town lots of the town site of McCabe, in the State of Montana, which patent shall contain a reservation to the United States of all coal, oil, or other mineral deposits in the land, and the right of the United States, its grantees or lessees, to mine and remove same.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WILLIAM FOGLEO.

Mr. MYERS. I present another report from the Committee on Public Lands, and at the risk of trespassing upon the gen-

erosity of the Senate, I ask that it may be acted upon immediately. I will state now that it is simply a bill to confirm title upon a poor cripple who has suffered from fire and disease and has lived on the land more than the required length of time, but on account of his pitiable condition he has not been able to cultivate the quantity of land the law requires. The action of the committee was unanimous.

I therefore report back favorably without amendment the bill (H. R. 7430) for the relief of William Foglio, and I submit a report (No. 548) thereon. I ask for the present consideration of the bill.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue patent to William Foglio for the southwest quarter section 23, and the northwest quarter section 26, township 29 north, range 30 east, Montana: *Provided*, That no adverse right had accrued to said tract prior to January 1, 1915.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

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

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

SALE OF MAGAZINE RIFLES.

Mr. WEEKS. I present a unanimous report from the Committee on Military Affairs and ask for the immediate consideration of the bill. It is the bill (S. 6212) authorizing the Secretary of War to sell certain magazine rifles, and I submit a report (No. 555) thereon. I will say in explanation that it involves the Government in no expenditure whatever. The Ancient and Honorable Artillery Company of Massachusetts wishes to purchase these rifles for practice purposes, and the bill authorizes the Secretary of War to sell them.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of War to sell, at the prices at which they are listed for the Army, such United States caliber .30, model 1903, magazine rifles, with slings, bayonets, bayonet scabbards, field belts with suspenders and case containing thong and brush, as the governor of the Commonwealth of Massachusetts may order for issue to the Ancient and Honorable Artillery Company of Massachusetts.

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

URGENT DEFICIENCY APPROPRIATIONS.

Mr. MARTIN of Virginia. From the Committee on Appropriations I report back favorably without amendment the bill (H. R. 16678) making appropriations to supply urgent deficiencies in appropriations for the Military and Naval Establishments for the fiscal year ending June 30, 1916, and for other purposes. The bill simply provides for the equipment of the Regulars and the National Guard on the frontier. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in appropriations for the Military and Naval Establishments for the fiscal year ending June 30, 1916, and for other purposes, namely:

MILITARY ESTABLISHMENT.

For the following to meet expenses on account of the Military Establishment, incurred and to be incurred during the fiscal years 1916 and 1917, because of, or incident to, an emergency demanding the use of troops in addition to the Regular Army, namely:

OFFICE OF THE CHIEF SIGNAL OFFICER.

Signal Service of the Army: For expenses of the Signal Service of the Army, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, and for radio installations, motorcycles, and motor-driven vehicles used for technical purposes, \$250,000.

Radio installations on the Mexican border: For the purchase and installation of radio stations on the Mexican border, including the necessary buildings and other accessories, to be erected on the military reservations at Fort Huachuca, Ariz., Fort McIntosh, Tex., and Fort Bliss, Tex., \$60,000.

QUARTERMASTER CORPS.

Pay of the Army: For pay of officers and enlisted men of the National Guard who were ordered into the service of the United States by the President, from the date of their arrival at their company rendezvous to June 30, 1916, \$1,648,000.

Mileage: For mileage to officers of the Regular Army for travel incident to the examination and mustering into the service of the United States of the National Guard, \$50,000.

Subsistence: For subsistence of the Army, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$623,700.

Regular supplies: For regular supplies, Quartermaster Corps, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$105,410.

Incidental expenses, Quartermaster Corps: For incidental expenses, Quartermaster Corps, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$57,620.

Horses for Cavalry, Artillery, Engineers, etc.: For the purchase of horses for Cavalry, Artillery, Engineers, etc., including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$8,025,965.

Barracks and quarters: For barracks and quarters, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$35,000.

Transportation: For transportation of the Army and its supplies, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$9,983,213.83.

Water and sewers at military posts: For water and sewers at military posts, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$70,000.

Clothing and camp and garrison equipage: For clothing and camp and garrison equipage, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$3,791,160.

Construction and repair of hospitals: For construction and repair of hospitals, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$100,000.

Provided, That all the money hereinbefore appropriated under the titles Subsistence of the Army; Regular supplies, Quartermaster Corps; Incidental expenses, Quartermaster Corps; Transportation of the Army and its supplies; Water and sewers at military posts; and Clothing and camp and garrison equipage, shall be disbursed and accounted for by officers and agents of the Quartermaster Corps as "Supplies, services, and transportation, Quartermaster Corps," and for that purpose shall constitute one fund.

MEDICAL DEPARTMENT.

Medical and Hospital Department: For Medical and Hospital Department, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$1,584,000.

ENGINEER DEPARTMENT.

Engineer depots: For incidental expenses for the depots, including the same objects specified under this head in the Army appropriation act for the fiscal year 1916, \$10,000.

Engineer equipment of troops: For pontoon material, tools, instruments, supplies, and appliances required for use in the engineer equipment of troops, for military surveys, and for engineer operations in the field, including the purchase and preparation of engineer manuals and procurement of special paper for same, \$200,000.

Civilian assistants to Engineer officers: For services of surveyors, survey parties, draftsmen, photographers, master laborers, and clerks to Engineer officers on the staffs of division, corps, and department commanders, \$10,000.

Engineer operations in the field: For expenses incident to military engineer operations in the field, including the purchase of material and such expenses as are ordinarily provided for under appropriations for "Engineer depots," "Civilian assistants to Engineer officers," and "Maps, War Department," and including temporary rental of storehouse in the District of Columbia, \$600,000.

WAR DEPARTMENT.

SIGNAL OFFICE.

The limitation on the services of skilled draftsmen and such other services as the Secretary of War may deem necessary to be employed in the Signal Office, contained in the legislative, executive, and judicial appropriation act for the fiscal year 1917, is increased from \$30,000 to \$53,280.

ADJUTANT GENERAL'S OFFICE.

To reimburse the Bureau of Engraving and Printing for material and labor used in furnishing such commissions as are required by the War Department for officers of the Army under the act approved June 3, 1916, "For making further and more effectual provision for the national defense, and for other purposes," including cost of engraving and printing same, \$6,000, to remain available during the fiscal year 1917.

NAVAL ESTABLISHMENT.

BUREAU OF MEDICINE AND SURGERY.

Medical Department: For surgeons' necessities for vessels in commission, navy yards, naval stations, Marine Corps, and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Naval Medical School, Washington, and Naval Academy, \$55,000.

Transportation of remains: For transportation of remains, including the same objects specified under this head in the naval appropriation act for the fiscal year 1916, \$6,000.

MARINE CORPS.

Provisions, Marine Corps: For provisions, including the same objects specified under this head in the naval appropriation act for the fiscal year 1916, \$100,000.

Military Stores, Marine Corps: For military stores, including the same objects specified under this head in the naval appropriation act for the fiscal year 1916, \$105,000.

Contingent, Marine Corps: For contingent expenses, including the same objects specified under this head in the naval appropriation act for the fiscal year 1916, \$60,000.

Mr. BRANDEGEE. I merely wish to ask the chairman of the committee what is the total amount carried by the bill?

Mr. MARTIN of Virginia. It is about \$26,000,000.

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

LITTLE RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6923) authorizing the construction, maintenance, and operation of a bridge across the Little River at a point where the line between townships 12 and 13 north, range 8 east, crosses said river, and I submit a report (No. 551) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

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

BAYOU BARTHOLOMEW BRIDGES.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 10849) granting the consent of Congress to Ashley County, Ark., to construct a bridge across Bayou Bartholomew, and I submit a report (No. 552) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

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

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 10925) authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew, and I submit a report (No. 553) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

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

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 12197) authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew, and I submit a report (No. 554) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

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

REIMBURSEMENT TO INDIANS IN STATE OF WASHINGTON.

Mr. CLAPP. From the Committee on Indian Affairs I report back favorably without amendment the bill (H. R. 9615) to reimburse certain Indians for labor done in building a schoolhouse at Queets River, Quinalt Indian Reservation, in the State of Washington, and I submit a report (No. 550) thereon. I call the attention of the senior Senator from Washington to the bill.

Mr. JONES. The title discloses the purpose of the bill. It passed the House, having been reported upon by the department favorably, and I ask for its present consideration.

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

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

THE NATIONAL DEFENSE.

Mr. CHAMBERLAIN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 242) to authorize the President to draft members of the National Guard and of the Organized Militia of the several States, Territories, and the District of Columbia, and members of the National Guard and Militia Reserves into the military service of the United States under certain conditions, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

That the House recede from its disagreement to the amendments of the Senate numbered 4 and 6, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and change the section numbers in the bill as follows: On page 2, line 23, strike out "3" and insert "2"; on page 3, line 3, strike out "4" and insert "3"; on page 3, line 18, strike out "5" and insert "4"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In line 3 of said amendment strike out the word "drafted," and after the word "forces" insert the following: "drafted for this emergency"; and the Senate agree to the same.

GEORGE E. CHAMBERLAIN,
LUKE LEA,
F. E. WARREN,

Managers on the part of the Senate.

JAMES HAY,
S. H. DENT, Jr.,
D. R. ANTHONY, Jr.,

Managers on the part of the House.

Mr. LA FOLLETTE. Mr. President, the attendance is very light this morning. The conference report disposes of matters that were controverted sharply in the Senate when the joint resolution was before the Senate. I think it ought to be printed and go over for the day.

Mr. CHAMBERLAIN. If the Senator insists upon that it will go over as a matter of course, but I should like very much to have it acted on to-day if it is possible. There is only one change really of practical moment in the joint resolution, and that is the elimination of section 2 as it was passed by the House originally and the proposed substitute offered by the Senate. That is practically the only change.

Mr. LA FOLLETTE. I ask to have the report go over for the day.

Mr. DU PONT. 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	Gallinger	Nelson	Stone
Beckham	Gronna	Norris	Taggart
Borah	Hardwick	Page	Thompson
Brady	Hollis	Pittman	Townsend
Brandegee	Husting	Ransdell	Vardaman
Broussard	James	Shafroth	Walsh
Bryan	Jones	Sheppard	Warren
Chamberlain	Kenyon	Sherman	Weeks
Clarke, Ark.	La Follette	Simmons	Williams
Culberson	Lane	Smith, Ga.	Works
Curtis	Lea, Tenn.	Smith, Md.	
du Pont	Martine, N. J.	Smoot	
Fletcher	Myers	Sterling	

Mr. MARTINE of New Jersey. I have been requested to announce the absence of the Senator from South Dakota [Mr. JOHNSON] on public business.

I have also been requested to announce that the Senator from West Virginia [Mr. CHILTON] is detained on a matter of public business.

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

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of the conference report submitted by me awhile ago.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon, that the Senate proceed to the consideration of the conference report on House joint resolution 242.

The motion was agreed to.

The VICE PRESIDENT. The Chair lays before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 242) to authorize the President to draft members of the National Guard and of the Organized Militia of the several States, Territories, and the District of Columbia and members of the National Guard and Militia Reserves into the military service of the United States under certain conditions, and for other purposes. The question is on agreeing to the conference report.

Mr. BORAH. Mr. President, I desire to ask the Senator from Oregon a question. As I understand from the public prints this morning and as I understood the statement of the Senator, the only vital change is in eliminating the two matters over which we were contesting in the Senate, to wit, section 2 of the House provision and the substitute for it adopted by the Senate?

Mr. CHAMBERLAIN. That is all; the elimination of section 2 as passed by the House and the substitute proposed by the Senate Committee on Military Affairs.

Mr. BORAH. And both of those go out?

Mr. CHAMBERLAIN. Both go out.

Mr. BORAH. With the contemplation that they may come in as a separate measure?

Mr. CHAMBERLAIN. I understand that that is the promise made in the other House; that the matter will come in as a separate measure, and that it has been practically agreed to submit a bill covering the disputed provision by unanimous consent early this week or next week.

Mr. LA FOLLETTE. Mr. President, my purpose in asking for a delay in this matter was just this: I do not see on the floor of the Senate at this time any one of the Senators who took part in the debate in support of the House proposition, and I thought it but just that they should have some notice of the fact that this conference report was to be considered, which was regarded as a matter of very great importance and debated at great length. That was my reason for asking that the report go over for a day; but I understand perfectly well that under the rules the chairman of the committee can move to force its consideration at this time. I do not desire to debate

it, but I wanted to give opportunity for those who had debated it to be present when it was considered.

Mr. CHAMBERLAIN. I desire to say to the Senator that it is never my intention to shut off any discussion of any of these matters. All of the Senators—in fact, the whole Senate and the whole Congress—have been advised of the urgency of this measure and the desire to put it through as quickly as possible.

Mr. LA FOLLETTE. But Senators have not been advised that it was to come up this morning. Another appropriation bill was under consideration when we adjourned last night, and it was expected that there would be a morning hour to-day for the introduction of bills, and we adjourned for that purpose.

Mr. CHAMBERLAIN. I will say to the Senator, further, that a number of us waited here to have this report sent in from the House last night. If there was anything that could be discussed with reference to this particular report or if it could be amended in any way, I would have no objection, so far as I am individually concerned, to have it postponed; but an emergency exists, and they have been very anxious at the War Department, in order to avail the Government of the services of the National Guard, to have the joint resolution acted on and passed at once. That is my only reason for urging its present consideration.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. CHAMBERLAIN. Mr. President, in connection with the report and for future reference—I am sure the Senate would like to have it—I have had prepared by the Legislative Reference Bureau of the Library of Congress a table showing the allowances to the soldiers of European countries. It is translated from the French. It also gives the allowances to the dependent families of soldiers of all of the armies of Europe, and I think of some other countries. There has been more or less conjecture as to what these amounts were; and this, I conceive to be, an authentic publication upon the subject. I ask to have it printed in the RECORD for the convenience of Senators; and, in addition to that, I ask to have printed in the RECORD the pay of the various foreign armies, officers and privates, so that the Senate will have for convenience in reference the pay of the armies of practically the whole civilized world—or what was formerly the civilized world, for it is not so any more—and the amounts paid to the families of soldiers in those countries.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

LIBRARY OF CONGRESS,
Washington.

Allowances to the families of soldiers in European countries.

(Translated from Bulletin de la Statistique générale de la France, T. IV, 1914-15, pp. 237-241, 365-367.)

AUSTRIA-HUNGARY.

I. AUSTRIA.

Under the act of December 26, 1912, the parents and relatives (wife, legitimate children, father, mother, father and mother in law, brothers and sisters, illegitimate mother and children) of a soldier called to the colors in case of mobilization are entitled to an allowance, provided they are dependent for their living on the soldier's work. The rate of such allowance is fixed and announced every year in advance.

In time of peace the parents and relatives (wife, legitimate and illegitimate children, father, mother, brothers, and sisters) of a soldier recalled to the colors for a drill period are entitled, if they are dependent for their living on the soldier's work, to an allowance, which is fixed for all the parents and relatives together at 50 per cent of the ordinary pay of a day laborer in the place of residence of the soldier.

II. HUNGARY.

The granting of allowances to the destitute families of soldiers recalled to the colors is governed by the act of June 10, 1882. A law similar to the Austrian law of December 26, 1912, was contemplated in 1913.

BELGIUM.

I. IN TIME OF PEACE.

Under the act of March 21, 1902, personal service as militiaman entitled one to a monthly allowance of 25 francs in the infantry, 30 francs in the cavalry; the allowance is 30 francs for all short-term volunteers and 35 francs for long-term volunteers. Fifteen francs a month is deducted from this allowance, if necessary, to be paid to the father and mother (or grandparents, as the case may be); to the wife, if the soldier is married; to the person who cares for the children, if the soldier is a widower with children.

II. IN CASE OF MOBILIZATION.

Soldiers recalled to the colors under mobilization orders receive the allowance which was granted to them for effective service. When the mobilized soldier is the head of a family he receives 0.50 franc a day for one child and 1 franc for several children. Such allowance is paid to his wife or to the person who cares for the children.

FRANCE.

I. IN TIME OF PEACE.

Under section 12 of the act of August 7, 1912, the families of persons serving either with the army or the navy who before being called were actually the indispensable breadwinners of their families are upon application entitled to a daily State allowance of 1.25 francs a day, in-

creased by 0.50 franc for every child under the age of 16 years who is dependent on the breadwinner of the family.

II. IN TIME OF WAR.

According to the act of August 5, 1914, such allowance shall be paid out by the State for the whole duration of the war, irrespective of the position of the person called or recalled to the colors.

GERMANY.

I. IN TIME OF PEACE.

Under the act of May 10, 1892, assistance is granted upon application to the families of soldiers called to the colors for a period of instruction, as follows:

a. For the wives, 30 per cent of the local salary of the male adult workmen at the place of residence of the men called. Such local salary is officially determined with a view to insurance against accident.

b. For each of the other persons entitled to assistance (children, parents and grandparents, brothers and sisters, if dependent on the man called), 10 per cent of such salary.

In addition, a special allowance is granted to the families having or having had three sons in the army or in the navy; these families receive an allowance of 240 marks a year every time a new son is called to active service.

II. IN TIME OF WAR.

The act of February 28, 1888, as amended August 4, 1914, governs allowances to the destitute families of the men of the reserve, of the landwehr, of the esatzreserve, of the reserve of the navy and of the landsturm.

The following persons are entitled to allowances:

a. The wife of a soldier, and his children under 15 years of age.

b. His children above 15, his parents, brothers, and sisters; but only if dependent on the soldier and destitute as a result of his incorporation.

c. His illegitimate children, if the soldier is under the acknowledged obligation, as his father, to provide for them. Subject to the conditions stated under letter b, the parents of the wife, as well as her children from a former marriage, may be granted assistance. More distant relatives and wives separated from their husbands are not entitled to allowances.

The minimum allowance is:

For the wife, 9 marks a month from May to October; 12 marks a month from November to April.

For each child or person designated above, letters b and c, 6 marks a month.

For the money allowance may be substituted in part a supply of breadstuffs, potatoes, fuel, etc., which is payable in advance semi-monthly. Payments are made by the Lieferungsverbande (combiner for furnishing provisions), created in pursuance of the act of June 13, 1873, on military requisitions, which are refunded out of the imperial treasury. The minimum allowance above determined is granted regardless of the relief which may be extended by private associations or persons.

The minimum allowance paid by local administrations and refunded by the empire has been increased and completed by rent allowances, relief in kind, etc., in certain cities.

III. MATERNITY BENEFIT.

The ordinance of December 3, 1914, grants for the duration of the war a maternity benefit to any woman whose husband—

1. Performs military, sanitary, or other analogous service or is prevented by death, injury, sickness, or captivity from continuing to render such service or from exercising a profession;

2. Was insured against sickness, under the imperial insurance code, or through a miners' sick fund, for at least 26 weeks during the 12 months preceding his departure to the colors or for at least 6 weeks immediately preceding such departure.

The maternity benefit consists of:

1. A cash payment of 25 marks to cover the expenses of the confinement.

2. An allowance of 1 mark a day, including Sundays and holidays, for a period of eight weeks, not less than six of which shall fall after delivery.

3. A sum of 10 marks for the services of a midwife, or for medical attendance, should such be necessitated by pregnancy troubles.

4. In the case of women who nurse their infants a nursing allowance of one-half mark a day, including Sundays and holidays, for a period of 12 weeks after delivery.

The ordinance of April 23, 1915, has extended the maternity benefit to women in destitute circumstances. Women shall be considered as such—

1. If during the year or tax assessment year preceding the entry into the service the combined incomes of the woman and her husband did not exceed 2,500 marks;

2. If the income remaining to the woman after the husband's departure does not exceed 1,500 marks for her own benefit, nor 250 marks for the benefit of each child under the age of 15 years.

GREAT BRITAIN.

I. ARMY.

The "allowance of the army" comprises "separation allowances to families" in time of peace as in time of war.

The rates have been so increased, beginning with October 1, 1914, that the total weekly income from such allowance and from the minimum allotment which the married soldier must make from his pay is as follows:

(a) For the wife of a private or corporal, 12 shillings and 6 pence, and 2 shillings and 6 pence for each of the three first children and 2 shillings for each other child.

(b) For the wife of a noncommissioned officer, the weekly allowance varying according to the grade, from 15 to 23 shillings, and 3 shillings for each of three first children and 2 shillings for each other child.

The extra 3 shillings and 6 pence a week is issuable to London families and the special compensation allowance granted to families on the married establishment will continue to be paid as heretofore.

The separation allowance for motherless children will be at the rate of 3 shillings a week for each child, with the regulated allotment from the soldier in addition.

II. NAVY.

According to the royal ordinance of October 20, 1914, the weekly separation allowances to families of sailors and marines are:

1. For the wife, 6, 8, or 9 shillings, according to the husband's grade.

2. Two shillings for each of the two first children.

3. One shilling for each of the other children.

4. Motherless children, 3 shillings each.

The payment in respect of children will be made to boys under 14 and girls under 16 years of age. Families residing within London are

entitled to an additional allowance of 3 shillings and 6 pence per week. No separation allowance is paid unless an allotment of at least 20 shillings a month is declared by the husband.

ITALY.

I. IN TIME OF PEACE.

By virtue of a ministerial order of 1899, modified in 1907 (Atto No. 118 del 3 luglio 1907, Giornale militare ufficiale), relief is extended to the destitute families of soldiers recalled to the colors for drilling, the restoration of public order, or any other cause.

The following persons are entitled to relief: The wife and the legitimate or recognized children, under 12 years of age, or the children above that age whose incapacity to do any profitable work is evidenced by a medical certificate.

The daily allowance is 0.50 franc for the mother, 0.25 franc for each child in the capitals of Provinces or districts, and is reduced, respectively, to 0.40 franc and 0.20 franc in other communes.

As regards the destitute families of men called to the colors under conscription, the ministerial circular of November 8, 1911, No. 1340, grants, subject to certain conditions, a monthly allowance of 15 lire to the family of a married soldier.

For these two categories of allowances the appropriation asked for under item 80 of the army budget for 1913-14 was 800,000 lire.

II. IN TIME OF WAR OR MOBILIZATION.

Prior to 1914 there existed no special provisions, and the rules applicable to the soldiers recalled to the colors had necessarily to be applied. At the time of the war with Turkey the council of ministers decided on January 10, 1912, to double the amount of the daily allowances to the destitute families of recalled soldiers (classes of 1888 and 1889), and that in cases particularly worthy of interest a daily allowance of 1 lire could be granted to the father and mother of the unmarried recalled soldiers. (War ministry circular of Jan. 19.)

The royal decree of September 20, 1914, determines the daily allowance to be granted to the destitute families of soldiers recalled to the colors as follows:

(a) 1.70 lire for the wife and 1.35 lire for each child under 12 years of age (or above 12, if unable to work), residing in the capital of a Province or district.

(b) 1.60 lire and 1.30 lire if they reside elsewhere.

(c) The destitute father and mother, over 60 years of age, dependent on an unmarried soldier recalled to the colors receive the same allowance as the wife when one parent only is concerned. The father and mother, who both fulfill the aforesaid conditions, receive in all 1.10 lire in the capital of a Province or district, 1 lire elsewhere.

ROUMANIA.

The act of December 23, 1914 (Jan. 5, 1915), authorizing the adoption of exceptional measures, provides for an allowance to families of mobilized soldiers.

Under section 22 the State grants to the families of mobilized soldiers (privates or noncommissioned officers), from the day of mobilization to the fifteenth day following the declaration of a state of peace, an allowance of 15 francs a month per family in rural communes and 20 francs a month per family in urban communes.

In addition, families may receive assistance in the form of work to perform, issues of food and other articles of first necessity, medical relief, care of children in homes and infant asylums; they may even obtain a supplementary money allowance. There is created for this purpose a foundation called the "Fighters' family," with the privileges of a corporation, managed by a central committee established at Bucharest, and by departmental and communal committees.

Under section 20 of the act merchants and manufacturers whose establishments remain open during mobilization, who employ more than five workmen or clerks, either married or having a family dependent on them, who have been not less than two years in their service, are obliged to pay to such workmen or clerks, as long as mobilization lasts, one-half of their salary as assistance extended to the family of the mobilized soldier. Such workmen or clerks have necessarily no right to an allowance from the Government.

Other sections deal with the assignments of pay to the families of officers and reenlisted men of the active army, officers of the reserve, and functionaries entitled to their salaries during mobilization.

RUSSIA.

The ordinance of June 25 (July 8) 1912, governs the conditions under which allowances are granted to soldiers of inferior rank and to their families (pensions to soldiers, widows, and orphans, relief, etc.).

An allowance is granted to the wife and children of a soldier of inferior rank in active service in the army or navy, in the first or second reserve, to his parents, grandparents, brothers, and sisters, if they are dependent upon his work.

Such persons are entitled to a maintenance grant in kind corresponding to at least 1 pood, and 28 pounds of flour, 10 pounds of groats, 4 pounds of salt, and 1 pound of hemp-seed oil per month and per person.

Children below 15 years of age are entitled to one-half of such grant; children above 17 years of age are not entitled to an allowance unless incapable of work; married daughters are likewise excluded therefrom.

The value of the provisions comprised in the food allowances is fixed by the competent provincial authorities after the commencement of hostilities, and is revised on the 1st of September of each year and whenever there occurs a notable change in the prices of provisions.

According to an ordinance of the council of ministers of August 9 (22), 1914, the families of salaried persons called to the colors receive the whole salary for the wife and more than five children, three-fourths of the salary for the wife and four or five children, two-thirds of the salary for the wife and no more than three children, one-half of the salary for the wife and no more than three children, and one-fourth of the salary for the wife alone.

In both cases when in addition to the mobilized soldier's wife and own children the family includes also parents or grandparents or brothers and sisters each one of them is considered as a child.

SWEDEN.

I. IN TIME OF PEACE.

Assistance to the destitute families of soldiers called to the colors is governed by the royal ordinance of June 1, 1912, as amended September 17, 1914.

The amount of the allowance is fixed as follows for each day of service:

	Ore.
For the wife able to work and 1 child	75
For the wife able to work and no more than 2 children	100
For the wife whose capacity for work is limited	75
For the wife whose capacity for work is limited and 1 child	100
For the wife whose capacity for work is limited and no more than 2 children	125
For 1 child whose father is divorced or is a widower	75
For 2 children or more, whose father is divorced or is a widower	100

Able-bodied wives without children receive no allowance.

The allowance is increased by 40 per cent when the soldier is on drilling periods of the reserve or of the landsturm.

Soldiers must contribute to the allowances to which their wives and children are entitled by paying such portion of their pay as exceeds 20 ore a day.

II. IN CASE OF MOBILIZATION.

The royal ordinance of August 13, 1914, governs the granting of allowances during all the time that a soldier is called in defense of the Kingdom or is retained for this purpose after his term of service in time of peace has expired. His family, in needy circumstances, receives from the Government an allowance of 1 crown per day, as well as an additional sum of 25 ore per day for each child under 15 years of age.

SWITZERLAND.

The ordinance of January 21, 1910, governs the granting of relief to families in destitute circumstances owing to their breadwinners serving in the army.

The wife and children of a soldier and the parents or relatives he supports or who are members of his household are entitled to allowances. They must be proportioned to the needs of the family and not exceed the average daily pay of the soldier, after deduction of an appropriate sum (1 franc, for instance) for his personal needs. For the purpose of determining such allowances, the social position, number, age, and earning capacity of the entitled persons must be taken into account.

The daily allowance can not exceed 2 francs for the wife and 0.70 franc per child, in cities; 1.50 francs for the wife and 0.50 franc per child, in the country.

The allowances are paid by the communes; the cost is borne for three-quarters by the Confederation and for one-quarter by the Canton.

RÉSUMÉ.

In Great Britain the Government allowance to families is added by right to the allotment which soldiers or sailors must make from their pay.

In Belgium the previous deduction from the pay of militiamen is paid to the parents, irrespective of their circumstances.

In other countries where military service is compulsory allowances are granted only to families in destitute circumstances.

(Translated from Bulletin de la Statistique générale de la France, T. IV, 1914-15, pp. 237-241, 305-307.)

A. BERNARD.

The following tables are furnished through the courtesy of the Army War College:

Pay of the various foreign armies.

	Yearly pay.
AUSTRIAN ARMY.	
Field marshal	\$4,800
General	3,300
Lieutenant general	2,803
Major general	2,280
Colonel	1,440
Lieutenant colonel	1,200
	1,080
Major	802
Captain	600
	480
First lieutenant	408
Lieutenant	336
Daily pay.	
Sergeant	\$0.14
Corporal	.06
Private (1-year volunteers)	.024
BELGIAN ARMY.	
Lieutenant general	\$3,700
Major general	2,540
Colonel	1,900
Lieutenant colonel	1,420
Major	1,260
Captain (first class)	920
Captain (second class)	740
Lieutenant (first class)	580
Lieutenant (second class)	500
Daily pay.	
Adjutant	\$0.54
Sergeant major	\$0.32-.43
Sergeant	.28
Corporal	.06-.20
Privates (first class)	.02-.07
Privates (second class)	.02-.06
BRAZILIAN ARMY.	
[Currency: Inconvertible paper; exchange rate figured at \$0.333.]	
Yearly pay.	
Marshal	\$11,200
Major general	9,400
Brigadier general	7,600
Colonel	5,800
Lieutenant colonel	4,800
Major	3,800
Captain	3,000
First lieutenant	2,300
Second lieutenant	1,800
Sergeant major	480
First sergeant	360
Second sergeant	288
Third sergeant	216
Corporal	144
Private	72

CHILEAN ARMY.

General of division	\$4,000
General of brigade	3,400
Colonels	2,800
Lieutenant colonels	2,400
Majors	2,000
Captains (after 6 years)	1,800
Captains (less than 4 years)	1,400
First lieutenants (after 5 years)	1,200
First lieutenants (less than 5 years)	1,000
Second lieutenants (after 2 years)	720
Second lieutenants (under 2 years)	600
First sergeants	480
Five first sergeants	360
Second sergeants	256
Corporals (first class)	216
Corporals (second class)	180
Soldiers	145
Conscripts	72

N. B.—Rate of exchange figured at \$0.20.

DANISH ARMY.

Grade.	Yearly pay.		Daily increase when traveling or on temporary duty not exceeding 30 days.
	From—	To—	
Generals		\$2,650.00	\$2.65
Lieutenant generals		2,650.00	2.65
Major generals		2,120.00	2.65
Colonels		1,802.00	2.65
Lieutenant colonels	\$1,431.00	1,606.50	2.65
Captains	795.00	1,113.00	2.65
First lieutenants	397.50	556.50	2.12
Second lieutenants		270.30	2.12
Staff sergeants	524.70	588.30	1.59
Oversergeants	429.30	492.90	1.06
Sergeants	270.30	413.40	1.06
Cornets		190.80	1.06
Corporals		159.00	0.795

Grade.	Daily pay.	
	During peace.	During war.
Life guard, under-corporals	\$0.278	\$0.318
Other under-corporals	.265	.318-\$0.397
Life guard, privates	.251	.281
Other privates	\$0.225-.238	.281

Reserve during peace.	Yearly pay.	Daily increase under orders.
Colonels	\$397.50	\$2.12
Lieutenant colonels	397.50	2.12
Captains	270.30	1.59
First lieutenants	53.00	1.06
Lieutenants	53.00	1.06
Staff sergeants	53.00	1.06
Oversergeants	53.00	.795
Sergeants	53.00	.795

During war: Lieutenants (one-half increase of minimum pay), \$477. When at a fortress, officers are allowed one-quarter increase of their pay.

During war line officers are allowed one-half increase of their pay, with the exception of the commanding general and the division generals, who are allowed, respectively, \$106 and \$53 per month.

Transportation furnished officers and men traveling under orders.

FRENCH ARMY.

Grade.	Active pay.	Retired pay.
Marshal of France	\$5,760	
Major general	3,780	\$1,562
Brigadier general	2,520	1,044
Colonel	1,627	677
Lieutenant colonel	1,317	547
Major	1,101	461
Captain, after 12 years as such and 30 years' service	1,073	446
Captain, after 8 years as such and 30 years' service	1,073	446
Captain, after 8 years as such and 25 years' service	930	389
Captain, after 4 years as such and 25 years' service	930	389
Captain, after 4 years as such and 20 years' service	830	345
Captain, after 4 years as such and less than 20 years' service	727	302
First lieutenant, after 8 years as such and 20 years' service	727	302
First lieutenant, after 8 years as such and 15 years' service	684	281
First lieutenant, after 4 years as such and 15 years' service	684	281
First lieutenant, after 4 years as such and 10 years' service	641	266
First lieutenant, less than 4 years as such	597	252
Second lieutenant, after 6 years' service	576	236
Second lieutenant, less than 6 years' service	482	201

The above figures vary for the following reasons: First, the grade; second, the employment; third, the station.

Grade.	Daily pay base.	Enlisted men after 5 years' service.	Algerian tirailleur.	Algerian spahi.
Adjutant	\$0.49	\$1.02	\$0.56	\$0.31
Sergeant major	.20	.74	.28	
Sergeant saddler	.15	.68		
Sergeant	.14	.68	.16	.14
Quartermaster corporal	.10½			
Corporal	.04½		.11	.09
Guns and artificers	.01½			
Privates	.01		.04½	.05

GERMAN ARMY.

	Yearly pay.
General and field marshal	\$3,495.00
Major general	3,888.50
Brigadier general	2,565.00
Colonel	2,193.00
Lieutenant colonel and major	1,638.00
Captain (first 4 years)	850.00
Captain (5 to 8 years)	920.00
Captain (after 9 years)	1,275.00
Lieutenant (first 3 years)	375.00
Lieutenant (3 to 6 years)	420.00
Lieutenant (7 to 9 years)	475.00
Lieutenant (10 to 12 years)	525.00
Lieutenant (after 13 years)	600.00
Sergeant	76.10
Sergeant (after 5½ years)	118.80
Sergeant (after 9 years)	141.30
Corporal (obergefreite)	37.80
Soldier	19.80

GREAT BRITAIN, ARMY.

[A pound figured as \$5.]

Grade.	Yearly pay.	
	When in quarters.	When not in quarters.
General	\$15,000.00	\$16,750.00
Lieutenant general	11,250.00	12,500.00
Major general	6,500.00	7,500.00
Brigadier general	4,400.00	5,000.00
Colonel or lieutenant colonel (commanding regiment of Infantry)	2,098.75	
Major	1,241.00	
Major (after 2 years' service)	1,401.60	
Captain	1,058.50	
Captain (having higher rank by brevet)	1,241.00	
First lieutenant	591.30	
First lieutenant (after 7 years' service as such)	682.55	
Second lieutenant	474.50	
Sergeant major (Infantry of the line)	456.25	
Sergeant (Infantry)	211.70	
Corporal (Infantry)	149.65	
Private (Infantry)	91.25	

GUATEMALAN ARMY.

Grade.	Annual pay.	
	Infantry.	Cavalry, Artillery, Engineers, and Staff.
Major general	\$3,600.00	
Brigadier general	3,000.00	
Colonel	1,920.00	\$2,040.00
Lieutenant colonel	1,680.00	1,800.00
Major	1,440.00	1,500.00
Captain	1,200.00	1,320.00
First lieutenant	960.00	1,080.00
Second lieutenant	720.00	840.00
First sergeant	547.50	
Second sergeant	456.25	
Corporal	365.00	
Private	273.75	

ITALIAN ARMY.

	Yearly pay.
General	\$3,000.00
Lieutenant general	2,400.00
Major general	1,800.00
Colonel	1,400.00
Colonel (after 6 years)	1,540.00
Lieutenant colonel (after 6 years)	1,145.00
Lieutenant colonel	1,040.00
Major (after 6 years)	968.00
Major	880.00
Captain (after 10 years)	800.00
Captain (after 5 years)	740.00
Captain	680.00
Lieutenant (after 10 years)	600.00
Lieutenant (after 5 years)	540.00
Lieutenant	480.00
Second lieutenant (after 10 years)	480.00
Second lieutenant (after 5 years)	460.00
Second lieutenant	420.00

	Daily pay. ¹
Sergeant major.....	\$0.50
Sergeant.....	.42
Corporal.....	.23
Private.....	.20

N. B.—For noncommissioned officers, pay increases every 3 years \$0.06 per day until 18 years of service (maximum \$0.36), when it remains fixed.

JAPANESE ARMY.		Yearly pay.
Generals.....		\$3,750.00
Lieutenant general.....		2,500.00
Major general.....		1,950.00
Colonel.....		1,470.00
Lieutenant colonel.....		1,090.00
Major.....		774.00
Captain (first class).....		630.00
Captain (second class).....		540.00
Captain (third class).....		450.00
First lieutenant (first class).....		342.00
First lieutenant (second class).....		276.00
Second lieutenants.....		240.00

	Monthly pay.
Sergeant majors.....	\$7.50 to \$9.90
Sergeant.....	3.90 to 6.45
Corporal.....	2.32 to 2.85

NORWEGIAN ARMY.		Annual pay. ²
Major general.....		\$2,120.00
General (garrisoned).....		1,908.00
Colonel.....		1,590.00
Lieutenant colonel.....		1,431.00
Major.....		1,272.00
Captain.....		\$922.20 to 975.20
First lieutenant.....		503.50 to 577.70
Second lieutenant.....		328.60 to 381.60
Sergeant major.....		168.54 to 387.96
Sergeants.....		117.66 to 337.08
Corporals.....		19.08

¹ Including allowance in kind, etc.

² This does not include commutation and service allowances.

³ Only during service.

SERBIAN ARMY.		Annual pay.
General.....		\$2,020.00
Colonel.....		1,440.00
Lieutenant colonel.....		1,100.00
Major.....		990.00
Captain (first class).....		630.00
Captain (second class).....		520.00
First lieutenant.....		440.00
Second lieutenant.....		360.00
Sergeant major.....		120.00
Sergeant.....		72.00
Corporal.....		12.00
Private.....		3.60

ROUMANIAN ARMY.		
Grade.	Annual pay.	Extra allowances.
Minister of war.....	\$2,880.00	\$1,920.00
Major general.....	3,120.00	600.00
Brigadier general.....	2,640.00	480.00
Colonel.....	1,920.00	360.00
Lieutenant colonel.....	1,560.00	240.00
Major.....	1,200.00	156.00
Captain.....	960.00	144.00
First lieutenant.....	720.00	120.00
Second lieutenant.....	624.00	.....
Sergeant major.....	324.00	.....
Sergeant.....	168.00	.....
Corporal.....	96.00	.....
Private.....	28.80	.....

SPANISH ARMY.		Annual pay.
General.....		\$5,454.48
Lieutenant general.....		4,545.36
Major general.....		2,727.24
Brigadier general.....		1,813.12
Colonel.....		1,454.52
Lieutenant colonel.....		1,187.76
Major.....		999.96
Captain.....		636.36
First lieutenant.....		454.56
Second lieutenant.....		384.60
Cadet.....		272.64
Sergeant major.....		\$272.76 to 490.80
Sergeant.....		180.80 to 272.76
Corporal.....		71.52 to 94.50
Soldier.....		53.04 to 55.20

SWEDISH ARMY.		
Grade.	Annual pay.	Annual pay with commutation and service allowances.
Generals.....	\$2,120.00	\$3,194.58
Colonels.....	1,590.00	2,488.35
Lieutenant colonels.....	1,192.50	1,941.13
Majors.....	1,060.00	1,808.63
Captains (first class).....	901.00	1,420.40
Captains (second class).....	636.00	1,155.40

SWEDISH ARMY—continued.

Grade.	Annual pay.	Annual pay with commutation and service allowance.
Lieutenants (first class).....	\$397.50	\$793.68
Lieutenants (second class).....	270.30	666.48
Second lieutenants.....	190.80	586.98
Corporals, cash.....	\$95.00-147.00	\$204.00-256.00
Volunteers.....	69.00	178.00
Privates.....	19.70-49.25	129.00-158.55

¹ Total cost.

SWISS ARMY.

Grade.	Annual pay.	
	Active service.	Instruction service.
Commander-in-chief.....	\$3,650.00	.....
Chief of general staff.....	2,920.00	.....
Paymaster general.....	1,825.00	.....
Colonel (commanding division).....	2,190.00	.....
Colonel (commanding brigade).....	1,825.00	.....
Colonel.....	1,460.00	\$1,241.00
Lieutenant colonel.....	1,095.00	940.00
Major.....	876.00	803.00
Captain (mounted).....	730.00	657.00
Captain (not mounted).....	730.00	584.00
First lieutenant (mounted).....	584.00	511.00
First lieutenant (not mounted).....	584.00	438.00
Second lieutenant (mounted).....	511.00	438.00
Second lieutenant (not mounted).....	511.00	365.00
Sergeant major.....	219.00	219.00
First sergeant.....	182.50	182.50
Sergeant (not mounted).....	109.50	109.50
Corporal (mounted).....	109.50	109.50
Corporal (not mounted).....	73.00	73.00
Private.....	58.40	58.40
Recruit.....	36.50	36.50

TURKISH ARMY.		Annual pay.
Lieutenant general.....		\$5,280.00
Major general.....		3,960.00
Brigadier general.....		2,640.00
Colonel.....		1,584.00
Lieutenant colonel.....		1,320.00
Major.....		1,056.00
Adjutant major.....		792.00
Captain.....		528.00
First lieutenant.....		422.40
Second lieutenant.....		369.60
Sergeant major (first sergeant) (when from noncommissioned officers' school).....		211.20
Assistant sergeant major (when from noncommissioned officers' school).....		179.52
Sergeant (when from noncommissioned officers' school).....		158.40
Sergeant major (when from ranks).....		26.40
Sergeant (when from ranks).....		21.12
Corporal.....		15.84
Private.....		10.56

UNITED STATES ARMY.		Annual pay.
Lieutenant general.....		\$11,000.00
Major general.....		8,000.00
Brigadier general.....		6,000.00
Colonel.....		4,000.00
Lieutenant colonel.....		3,500.00
Major.....		3,000.00
Captain.....		2,400.00
First lieutenant.....		2,000.00
Second lieutenant.....		1,700.00
Sergeant major.....		480.00
Sergeant.....		360.00
Corporal.....		252.00
Private.....		180.00

THE PANAMA CANAL.

Mr. BRANDEGEE. At the request of the senior Senator from New York [Mr. O'GORMAN] I report back favorably from the Committee on Inter-oceanic Canals the bill (S. 6447) to amend section 10 of an act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone," approved August 24, 1912, relating to immigration in the Canal Zone, and I ask for its present consideration. (S. Rept. 564.)

Mr. STONE. What is the bill?

Mr. BRANDEGEE. Let the bill be read. The reading will explain it.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 10 of the act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone," approved August 24, 1912, be amended to read as follows:

"Sec. 10. The governor of the Panama Canal is hereby authorized to make rules and regulations, subject to the approval of the President, and in like manner to alter or amend the same from time to time, touching the right of any person to enter or remain upon or pass over any

part of the Canal Zone; for the detention of any person entering the Canal Zone in violation of such rules and regulations, and return of such person to the country whence he or she came, on the vessel bringing such person to the Canal Zone, or any other vessel belonging to the same owner or interest, and at the expense of such owner or interest; and in addition to the punishment prescribed by this section for violation of any such rules and regulations, the authorities of the Canal Zone may withhold the clearance of such vessel from any port in the Canal Zone until any fine imposed and the cost of maintenance of such person are paid. Any person violating any of such rules or regulations shall be guilty of a misdemeanor, and on conviction in the District Court of the Canal Zone shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding a year, or both, in the discretion of the court. It shall be unlawful for any person, by any means or in any way, to injure or obstruct, or attempt to injure or obstruct, any part of the Panama Canal or the locks thereof or the approaches thereto. Any person violating this provision shall be guilty of a felony, and on conviction in the District Court of the Canal Zone shall be punished by a fine not exceeding \$10,000 or by imprisonment not exceeding 20 years, or both, in the discretion of the court. If the act shall cause the death of any person within a year and a day thereafter, the person so convicted shall be guilty of murder and shall be punished accordingly."

Mr. SMOOT. Mr. President—

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

Mr. BRANDEGEE. I was about to say a word in explanation of the request for the present consideration of the bill.

Mr. SMOOT. I was going to say to the Senator, because it is a very important measure, that it seems to me it ought to be explained before we vote on it.

Mr. BRANDEGEE. Of course, I would explain anything that was obscure in the bill. I will not enter into a lengthy explanation until I get unanimous consent for the consideration of the bill, of course, but in brief it is this:

The Senator from New York [Mr. O'GORMAN], who is chairman of the Committee on Inter-oceanic Canals, was called out of town. This is a department bill which originated in the Canal Zone, prepared by the law officer there. It was sent up here by Col. Goethals, governor of the Panama Canal, and has the indorsement of the Panama Canal official in charge of the office here and the indorsement of the Secretary of War. It was sent to our committee by the Secretary of War.

The Senator from New York prepared a written report, which I have here, which I will ask to have printed in the Record with the bill. It is the reenactment of section 10 of the Panama Canal act, and extends its provisions somewhat further in relation to the incursion of people on the Canal Zone than the authorities there think ought to be included.

The law at present allows the governor, subject to the approval of the President, to make rules and regulations and enforce them concerning residents upon the Canal Zone and passing across it, but it does not authorize the President to make regulations concerning the deportation of any person who may be there or the control of the vessels which bring them there and dump them upon the canal.

This amendment of the act also provides penalties for the attempt to injure the locks or blowing up the canal, or any such trespasses. It leaves the penalty for a violation as that the same as it was in the original act.

Until I get unanimous consent for the present consideration of the bill, I do not care to pursue the explanation further.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. LA FOLLETTE. Mr. President, I am going to reserve the right to object if the bill is to provoke extended debate. It has been some time since we have had a morning hour, and I think it ought not to be taken up with the discussion of one important measure.

The VICE PRESIDENT. At present there is no objection.

Mr. BRANDEGEE. I think the Senator will bear witness that I do not occupy more than my share of the morning hour usually.

Mr. LA FOLLETTE. But something the Senator may say may cause extended debate. That the Senator frequently does.

Mr. BRANDEGEE. While I may cause it, I do not participate in it myself to any unusual extent. The Senator, of course, has the right to interpose an objection at any time.

Mr. LA FOLLETTE. That has been held both ways.

Mr. NORRIS. May I ask the Senator a question?

Mr. BRANDEGEE. Certainly.

Mr. NORRIS. Is there any provision in the act to which this is amendatory of one section providing for the publication of these rules and regulations?

Mr. BRANDEGEE. That matter was called to my attention yesterday. There is no provision in the original Panama Canal act for the publication of any processes or legislative enactments or proceedings of courts or anything of that kind on the Canal Zone. I called up the department yesterday and talked with the Secretary over the telephone. I asked him if he would have any objection or if there was any reason why an

amendment should not be proposed to this bill which would provide, as to these rules and regulations which the President has authority to promulgate, how long in advance of its taking effect notice must be given to the world. I have here a letter from the department in relation to that, which I should like to have the Secretary read. It is very brief.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, June 28, 1916.

HON. FRANK B. BRANDEGEE,
United States Senate.

MY DEAR SENATOR: My private secretary communicated to me the message which he received from you over the telephone relative to the bill authorizing the governor of the Panama Canal to deport undesirable aliens, and also advised me of your desire to have a copy of the memorandum prepared by the chief of the Panama Canal office here, which was read to you over the telephone. I am inclosing a copy of that memorandum herewith.

Sincerely, yours,

NEWTON D. BAKER,
Secretary of War.

Mr. BRANDEGEE. The other paper is the one I want read, really.

The Secretary read as follows:

THE PANAMA CANAL,
WASHINGTON OFFICE,
Washington, June 28, 1916.

Memorandum for the Secretary of War.

Referring to the memorandum from your office of this date with reference to the publication of rules and regulations as proposed under Senate bill 6447, I beg to state that, so far as this office is advised, there would be no objections to the incorporation in the bill of some provision to publish such rules and regulations as might be promulgated pursuant thereto, so that general knowledge of same would be disseminated. It may be stated, however, that it is believed that present practice provides sufficient means for giving due publicity to such rules and regulations as would be promulgated pursuant to this bill. Rules and regulations which are promulgated by Executive order are printed in the usual manner for such orders and distributed by the State Department and are also printed in the Canal Record, which has a wide circulation.

As the rules and regulations to be promulgated under the authority of this bill would be prepared by the governor and submitted to the President for his approval, they would necessarily have to be published in Executive orders and in turn printed in the Canal Record. In this manner these rules would reach all diplomatic representatives of foreign Governments stationed in Washington and would also reach the consuls and diplomatic representatives of the United States in foreign countries. By means of the Canal Record they would reach all the large shipping concerns in addition to the diplomatic representatives and consuls.

EARL I. BROWN,
Major, Corps of Engineers, United States Army,
Chief of Office.

Mr. BRANDEGEE. It would appear from that that all these Executive orders of the President take the same course and that notice is published in the same manner. Of course, if that is done, that would seem to me to be sufficient notice. I think, however, it would be well for the Committee on Inter-oceanic Canals to take up that question, and also the question of establishing by law, not leaving it in the discretion of the President or the governor of the canal, what period of time should be given by way of notice, and all such matters of that kind.

Mr. NORRIS. Mr. President—

Mr. BRANDEGEE. I yield to the Senator.

Mr. NORRIS. Of course, these orders ought to be published and given wide circulation. At the same time it does seem to me there ought to be a requirement of law that some publication should be given, because these rules and regulations are often quite important, providing for penalties, and so forth, and it is within the power of the governor to inflict a hardship or do an injury if he exerted the power that he really possesses.

Mr. BRANDEGEE. I think not quite that way, Mr. President, if the statement made by the department officials is correct, because the publication of the rules is attended to by the executive department here, and it is done through the State Department. It is given to all diplomatic officers and consuls.

Mr. NORRIS. It is not required to be done, however, by law.

Mr. BRANDEGEE. No; apparently not as to any of the notices that are given through the State Department. I think the point made by the Senator is well taken; and, if I had time, if I could do so without a long correspondence with the officials of the canal as to how much would actually be necessary in view of the shipping necessities there, I should have no objection whatever to such an amendment; indeed, I should prepare one myself, if I could; but I hesitate to tamper with it now, with the slight knowledge I have upon the practical part of the matter to be attended to. I, of course, have no more interest in it than has any other Senator, but I know how anxious the Secretary of War is to have this matter attended to now in view of the world-wide conditions that exist.

The Panama Canal is, of course, a very vital and in some respects a vulnerable feature in our military defenses and in

our commercial activities; and I hope that this bill may be allowed to pass without bringing that subject up now or without delaying it perhaps for several weeks in order to get the necessary information.

I will say to the Senator that I have conferred with other members of the committee on the subject, and that as a member of the committee I will do the best I can to get the committee to take up the matter, investigate it, and bring in a bill which will properly provide for it.

Mr. President, I think I have said all I care to say. The measure is really in the interest of protecting a vital national channel of communication, one which is 3,000 miles away from us, and is more or less vulnerable in certain respects. I hope the bill may receive the favorable consideration of this body at this time.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

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

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

Mr. BRANDEGEE. I ask that the report (No. 564) submitted by me heretofore on the bill may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The report referred to is as follows:

The Committee on Inter-oceanic Canals, to which was referred the bill (S. 6447) to amend section 10 of an act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone," approved August 24, 1912, relating to immigration in the Canal Zone, having considered the same, report thereon with the recommendation that the bill do pass without amendment.

The purpose of this bill is to amend section 10 of the Panama Canal act, which has particular reference to the exclusion of undesirable aliens from the Canal Zone. In the opinion of your committee it is deemed better legislation to reenact the part proposed to be amended, which makes unnecessary the provision of section 2 as contained in the draft submitted by the War Department. Your committee appends hereto the entire section, showing the original statute in roman, the part proposed to be stricken out in brackets, and the new legislation proposed by this bill in italic.

"SEC. 10. [That after the Panama Canal shall have been completed and opened for operation the governor of the Panama Canal shall have the right to make such rules and regulations, subject to the approval of the President, touching the right of any person to remain upon or pass over any part of the Canal Zone as may be necessary.]

"The governor of the Panama Canal is hereby authorized to make rules and regulations, subject to the approval of the President, and in like manner to alter or amend the same from time to time, touching the right of any person to enter or remain upon or pass over any part of the Canal Zone; for the detention of any person entering the Canal Zone in violation of such rules and regulations, and return of such person to the country whence he or she came, on the vessel bringing such person to the Canal Zone, or any other vessel belonging to the same owner or interest, and at the expense of such owner or interest; and in addition to the punishment prescribed by this section for violation of any such rules and regulations, the authorities of the Canal Zone may withhold the clearance of such vessel from any port in the Canal Zone until any fine imposed and the cost of maintenance of such person are paid. Any person violating any of such rules or regulations shall be guilty of a misdemeanor, and on conviction in the District Court of the Canal Zone shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding a year, or both, in the discretion of the court. It shall be unlawful for any person, by any means or in any way, to injure or obstruct, or attempt to injure or obstruct, any part of the Panama Canal or the locks thereof or the approaches thereto. Any person violating this provision shall be guilty of a felony, and on conviction in the District Court of the Canal Zone shall be punished by a fine not exceeding \$10,000 or by imprisonment not exceeding 20 years, or both, in the discretion of the court. If the act shall cause the death of any person within a year and a day thereafter, the person so convicted shall be guilty of murder and shall be punished accordingly. Any person violating any of such rules or regulations shall be guilty of a misdemeanor, and on conviction in the District Court of the Canal Zone shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding a year, or both, in the discretion of the court. It shall be unlawful for any person, by any means or in any way, to injure or obstruct, or attempt to injure or obstruct, any part of the Panama Canal or the locks thereof or the approaches thereto. Any person violating this provision shall be guilty of a felony, and on conviction in the District Court of the Canal Zone shall be punished by a fine not exceeding \$10,000 or by imprisonment not exceeding 20 years, or both, in the discretion of the court. If the act shall cause the death of any person within a year and a day thereafter, the person so convicted shall be guilty of murder and shall be punished accordingly."

The bill is recommended by the War Department, as will be seen by the following letters:

WAR DEPARTMENT,
Washington, April 27, 1916.

Hon. JAMES A. O'GORMAN,
Chairman Committee on Inter-oceanic Canals,
United States Senate, Washington, D. C.

Sir: I am inclosing for your consideration a copy of a letter received from the governor of the Panama Canal, submitting a draft of a proposed act "To amend section 10 of the Panama Canal act, approved August 24, 1912," which has particular reference to the exclusion of undesirable aliens from the Canal Zone.

The governor has appointed a committee to consider this question, and the matter has also been investigated by the special attorney for the Canal Zone, who concurs in the recommendations.

The effect of the proposed amendment will be to put into immediate operation the provisions of section 10 of the Panama Canal act as

amended and provide authority for the governor to exclude undesirable aliens of all nationalities. It might be suggested that the desired results could be obtained under the provisions of section 10 of the Panama Canal act without modification, but it appears to be the opinion of the authorities on the Isthmus that as section 10 now stands it is not operative, because the canal has not been formally declared open.

I concur in the recommendations of Gen. Goethals and recommend your favorable consideration.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

THE PANAMA CANAL, CANAL ZONE, EXECUTIVE DEPARTMENT,
Balboa Heights, April 13, 1916.
CHIEF OF OFFICE, THE PANAMA CANAL,
Washington, D. C.

Sir: There is inclosed herewith draft of a proposed act "To amend section 10 of the Panama Canal act, approved August 24, 1912," having particular reference to the exclusion of undesirable aliens from the Canal Zone. There are also inclosed a report of the committee appointed to consider this question, and a copy of a letter from the special attorney, setting forth the existing conditions and the necessity for the proposed legislation.

Will you please submit the proposed act to Congress, through the Secretary of War, respectfully soliciting his favorable recommendation for its enactment into law?

Respectfully,

GEO. W. GOETHALS,
Governor.

ANCON, CANAL ZONE, April 11, 1916.

Gen. GEO. W. GOETHALS,
Governor of the Panama Canal, Balboa Heights, Canal Zone.

Sir: In addition to the explanation contained in the committee's report respecting the proposed amendment to section 10 of the Panama Canal act, I wish to add a few observations to show the necessity of the proposed legislation.

Chinese have been excluded from the Canal Zone heretofore under the provisions of law No. 6 of 1904 of the Republic of Panama, as construed by the decree of the President of Panama, issued on April 15, 1904. This Panamanian legislation was extended to the Canal Zone by the President's order of January 9, 1908.

The above-mentioned law and presidential decree of Panama required considerable administrative machinery, which could not be carried into execution in the Canal Zone, because municipalities had been abolished; and in consequence there were no alcaldes or similar officials in the Canal Zone to carry out the administrative provisions of the Panamanian law.

The Executive order above mentioned made it a penal offense for any ship's master to permit transient persons of the excluded classes to escape from the ship. The courts of the Canal Zone have included Chinese seamen within the meaning of the term "transient persons." I have not been in accord with this ruling, because the Panamanian law clearly indicates that a ship's crew does not come within the term "transient persons."

However, since law No. 6 of 1904 was enacted, the President of Panama has issued a number of decrees materially modifying the provisions of said law No. 6 and enacted new legislation in respect to the exclusion of Chinese and other Asiatics. This new legislation is quite different in many respects from the previous law. It will thus be seen that the Executive order of January 9, 1908, no longer serves the purpose for which it was enacted; that is to say, the enforcing of the provisions of law No. 6 of 1904.

Now that the canal is to be opened to ships of all nations it is my opinion that new rules and regulations should be established respecting the exclusion and deportation of undesirables. The new rules should accord to the shipping interests as liberal treatment as is consistent with the preservation of the best interests of the canal, and this should be so with special reference to ships' crews. While it is proper to prevent persons from using the Canal Zone as a means of violating the exclusion laws of Panama, the assistance rendered to Panama in this matter should not be carried to the extent of unreasonably hampering the ships that traffic with the canal.

The proposed bill, if enacted, will give the President ample authority to deal with the situation at all times, and consequently I hope that the bill will meet with the approval of Congress.

Respectfully,

FRANK FEUILLE, Special Attorney.

ANCON, CANAL ZONE, April 11, 1916.

Gen. GEO. W. GOETHALS,
Governor of the Panama Canal, Balboa Heights, Canal Zone.

Sir: The acting governor on March 23 last appointed the special attorney, marine superintendent, executive secretary, and the chief quarantine officer a committee to consider a proposed bill for submission to Congress relative to the exclusion of Chinese from the Canal Zone and the repeal of the Executive order of January 9, 1908, on that subject, and to render a report thereon. A copy of the proposed bill accompanies this report.

The committee has given the proposed bill full consideration, and they have reached the conclusion that the end sought by that bill could be best obtained by the enactment of an amendment to section 10 of the Panama Canal act of August 24, 1912, which gives to the Governor of the Panama Canal the right to make rules and regulations, subject to the approval of the President, to prohibit any person from remaining on or passing over any part of the Canal Zone. That section of the Panama Canal act is inoperative at present, because it will not become effective until the canal is officially opened. In addition, it does not seem broad enough to authorize the President to require a ship bringing an undesirable to the Canal Zone to return such undesirable to the place whence he came. Therefore the committee is submitting a draft of a proposed act amending the above-mentioned section 10, in lieu of the bill previously proposed and referred by the acting governor to this committee.

It will be noted that the amendment to section 10 now submitted by the committee is comprehensive enough to permit the governor to establish rules of exclusion and deportation against all persons, regardless of nationality, and in consequence Chinese and other Asiatics may be excluded under such rules. That part of the amendment which will authorize the governor to require ships bringing excluded persons to the Canal Zone to return such persons to the countries from whence they came will make the regulations more effective, especially that

provision which permits the authorities of the Canal Zone to withhold clearances from any vessel when the fine imposed and the costs of maintenance of the excluded persons are not paid.

The amendment relates only to the first sentence of section 10 of the Panama Canal act, leaving in full force and effect the subsequent provision under which punishments may be imposed for a violation of any of the rules and regulations.

Dr. Guthrie, the chief quarantine officer, one of the members of this committee, is absent on vacation, but the bill here submitted meets with his approval.

Respectfully submitted.

FRANK FEUILLE,
C. A. McILVAINE,
H. I. CONE,
Committee.

DRAFT.

An act to amend section 10 of the Panama Canal act approved August 24, 1912.

Be it enacted, etc., That the first sentence of section 10 of the Panama Canal act approved August 24, 1912, is hereby amended to read as follows:

"Sec. 10. The Governor of the Panama Canal is hereby authorized to make rules and regulations, subject to the approval of the President, and in like manner to alter or amend the same from time to time, touching the right of any person to enter or remain upon or pass over any part of the Canal Zone; for the detention of any person entering the Canal Zone in violation of such rules and regulations, and return of such person to the country whence he or she came, on the vessel bringing such person to the Canal Zone, or any other vessel belonging to the same owner or interest, and at the expense of such owner or interest; and in addition to the punishment prescribed by this section for violation of any such rules and regulations, the authorities of the Canal Zone may withhold the clearance of such vessel from any port in the Canal Zone until any fine imposed and the costs of maintenance of such person are paid."

Sec. 2. This act shall take effect from and after its passage, but it shall not be construed to alter or amend any portion of said section 10 of the Panama Canal act save and except the first sentence thereof.

SETTLERS ON UNSURVEYED RAILROAD LANDS IN WASHINGTON.

Mr. POINDEXTER. I ask for the present consideration of the bill (S. 1792) for the relief of settlers on unsurveyed railroad lands, a bill which relates entirely to lands located in the State of Washington, and is for the relief of homestead settlers on lands which have been in dispute as to conflicting rights of railroad companies. The matter has been under discussion in the Committee on Public Lands for a long time, and the passage of the bill is recommended by the Land Office and by the Secretary of the Interior. Memorials in behalf of it have been passed by the Legislature of the State of Washington, and I ask for the present consideration of the bill.

Mr. SMOOT. Mr. President, I am not going to object to the consideration of this bill at the present time, but I shall object to the consideration of any other bill unless we take up the calendar in order.

Mr. TOWNSEND. Mr. President, bills of serious importance or bills which have received early consideration by committees and have been placed upon the calendar are made to suffer, while later bills which are brought in are considered by unanimous consent in this way. I have no objection to the consideration of any worthy bill—and I am assuming that this is such a measure—but there is on the calendar a bill known by everybody in the Senate as Senate bill 392, providing for the retirement of volunteer officers of the Civil War. That bill is thoroughly understood; it will require no great discussion, unless Senators wish to talk it to death. I am going to object to the consideration of all measures by unanimous consent unless we can fix some time when we can have a vote upon the bill to which I refer. I do not wish to delay matters of importance, which ought to be considered at this time, but I repeat that this bill is such a bill as should require no discussion, unless there be an effort to defeat it by preventing a vote. I think we could dispose of it in a very few minutes if we could get to a vote. If the majority of the Senate does not want to pass the bill at this time, I should very much like to have that majority say so, and I should like to have an opportunity for the Senate to do that very thing.

Mr. POINDEXTER. Mr. President, I sympathize entirely with the interest that the Senator from Michigan [Mr. TOWNSEND] has in the volunteer officers' retirement bill. I have voted with him a large number of times to take it up and hope to have an opportunity to cooperate with him at any time to secure favorable action on the measure. I am sincerely in hopes that the Senator will not object to the consideration of the bill to which I have referred.

Mr. SMITH of Georgia. Mr. President, we can not hear the Senator from Washington on this side of the Chamber.

Mr. POINDEXTER. I will endeavor to make myself heard. I was simply appealing to the Senator from Michigan to allow me to dispose of this local matter, for which I have asked consideration. It will only take probably five minutes. I was stating to the Senator that I was in favor of the bill of which he has spoken.

Mr. TOWNSEND. Mr. President, I realize that situation, but I had not finished my sentence.

I wish to say further that I do not care to interpose an objection to this bill of the Senator from Washington or to any other bill that happened to be pending at the time I rose; but I wish to give notice now that I feel it will be absolutely necessary, if I am to secure consideration of the bill to which I have referred, that I shall insist upon the method of procedure which I have indicated. While I shall not object to the Senator's bill being now considered, I shall feel it my duty to object to other bills which are brought up, unless I am convinced they are matters of such immediate necessity that it would not be proper for me to interpose an objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington [Mr. POINDEXTER] for the consideration of the bill which he has named?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1792) for the relief of settlers on unsurveyed railroad lands, which had been reported from the Committee on Public Lands with amendments.

Mr. SMITH of Georgia. Mr. President, I wish to support the position of the Senator from Michigan [Mr. TOWNSEND], not with reference to the bill to which he refers but with reference to other bills. There are a number of bills on the calendar which are entitled to a hearing. The first bill on the calendar is entitled to a hearing; a little further down on the calendar is the vocational educational bill, that ought to have a hearing; and a little further down is a bill with reference to convict-made goods, which should be considered. There are a number of bills upon the calendar in which I am especially interested.

I think we are entitled to a morning hour every day to take up the calendar under the rule; and if we really wish to dispose of these bills I should be glad to see a 10-minutes' debate limit put on every one of them, although I could not finish what I should like to say in opposition to the bill mentioned by the Senator from Michigan in 10 minutes.

I think we ought to adjourn this evening until to-morrow morning; that we ought to give two hours of every morning to the consideration of bills on the calendar; and that we ought to take up those bills as they come in their order on the calendar. I am not going to object now to the consideration of the bill of the Senator from Washington, but I desired to make this statement.

The VICE PRESIDENT. The amendments proposed by the Committee on Public Lands to the pending bill will be stated.

The first amendment of the Committee on Public Lands was, on page 1, line 6, after the name "Northern Pacific Railway Co.," to insert "within the State of Washington," so as to read:

That where, prior to July 1, 1913, the whole or any part of an odd-numbered section within the primary limits of the land grant to the Northern Pacific Railway Co., within the State of Washington, to which the right of the grantee or its lawful successor is claimed to have attached by definite location, has been settled upon in good faith while unsurveyed, by any qualified settler, the same shall be subject to all the provisions of the act of July 1, 1898 (30 Stat. L., pp. 620-622), relating to lands in said primary limits so settled upon prior to January 1, 1898, and said act is hereby amended accordingly.

The amendment was agreed to.

The next amendment was, on page 2, to add to the bill the following proviso:

Provided That upon the relinquishment by said railway company of any of the lands so settled upon the selection of any lieu lands by said company shall be confined to the State of Washington.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JUDICIAL DISTRICT OF NORTH DAKOTA.

The VICE PRESIDENT. Are there further reports of committees?

Mr. GRONNA. Mr. President, during the proceedings of the last legislative day the senior Senator from Minnesota [Mr. NELSON] was kind enough to report a bill, purely of a local nature, affecting my State. I could not under the parliamentary condition ask for its immediate consideration at that time. I now send the bill to the desk and ask unanimous consent for its present consideration. I know that it will provoke no discussion, and that it will only take a minute or two to pass it. It is House bill 11878.

Mr. TOWNSEND. Mr. President, I shall have to object under the statement I made a while ago. I am sorry the Senator embarrasses me by that request, because I would not want to object to the consideration of a bill in which he is interested; but I made the statement, and I must object.

Mr. GRONNA. I trust the Senator will permit me to make a statement.

The VICE PRESIDENT. Objection has been made.

Mr. GRONNA. Does the Senator insist upon his objection?

Mr. TOWNSEND. I have no objection to the Senator making a statement, but I feel obliged to object to the consideration of the bill. I made a statement before the Senator rose, not anticipating that he was going to take the action that he has taken, and I can not, without stultifying myself, abandon the position I have assumed.

Mr. GRONNA. I heard the Senator's statement, and the Senator said, as I understood him, that if the bill was of such a nature that it would provoke no discussion and it was necessary to pass it he would not object.

Mr. TOWNSEND. Mr. President, the Senator must have misunderstood me. I did not refer to discussion. I recall the fact that we are now in the midst of preparedness, as we call it, and there are certain supply bills and certain measures of that kind that I regard of prime importance; but I do not consider that any one of these matters is of superior importance to the bill to which I have referred.

Mr. GRONNA. Mr. President, if the Senator will pardon me, I wish to state that this is a bill to subdivide the judicial district of the State of North Dakota. It is important that we should permit the people of that State to have court held at a certain place where it is not now held. The bill will simply facilitate the business of the people of that State. I do not see how there can be any possible objection to it.

Mr. STONE. Mr. President, if objection has been made, as I understand it has been, there is no need of consuming time in discussing it. Mr. President, I desire—

Mr. GRONNA. Mr. President—

The VICE PRESIDENT. The Senator from Missouri is recognized.

Mr. STONE. Mr. President, when the order under the head of resolutions, and so forth, was reached, I had been just called out of the Senate.

The VICE PRESIDENT. That order has not been reached yet. We are on reports of committees.

Mr. STONE. I was told that it had been reached.

The VICE PRESIDENT. No; the order now is reports of committees.

Mr. STONE. I beg pardon.

FORTIFICATIONS APPROPRIATIONS.

Mr. BRYAN. I move that the Senate proceed to the consideration of Calendar No. 493, House bill 14303, being the fortifications appropriation bill.

Mr. CUMMINS. I insist on the regular order.

Mr. WALSH. Will the Senator from Florida allow me to introduce a bill concerning which there is some urgency?

The VICE PRESIDENT. Just a moment. The Chair will consult the rules.

Mr. STONE. Mr. President, I think we ought to go on with morning business.

Mr. BRYAN. I think the motion is in order under Rule VII, Mr. President.

Mr. STONE. What is the motion?

Mr. BRYAN. To proceed with the consideration of the fortifications appropriation bill.

The VICE PRESIDENT. The Chair thinks the motion of the Senator from Florida is in order.

Mr. STONE. I think it is in order.

Mr. WALSH. I ask if the Senator from Florida will not allow me opportunity to introduce a bill concerning which there is some considerable urgency?

Mr. BRYAN. I should like to accommodate the Senator, but the appropriation bills must be gotten out of the way.

Mr. LA FOLLETTE. Mr. President, it seems to me that the Senator ought to have made his motion as against other bills; he ought to have objected to the time being taken up with debate on and passage of bills by unanimous consent, rather than to interpose his motion now, when we might dispose of routine business for which we have waited here for several days.

Mr. BRYAN. I made the motion at the first opportunity under the rules.

Mr. LA FOLLETTE. The Senator could have saved time by interposing an objection to the consideration of a number of private bills which have been considered.

Mr. BRYAN. If the Senate wants to take up time I can not help it. The Committee on Appropriations is very anxious that the fortifications appropriation bill be considered. I happen to be in charge of that bill, and I must insist on the motion.

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

Mr. STONE. Is that a debatable motion?

The VICE PRESIDENT. It is not debatable.

Mr. CUMMINS. I should like to have the motion stated. What is the motion?

The VICE PRESIDENT. The motion is not debatable.

Mr. CUMMINS. I have a right to know what the motion is.

The VICE PRESIDENT. The motion is to proceed to the consideration of the fortifications appropriation bill.

Mr. CUMMINS. I simply want to suggest to the Senator from Florida that some of us have bills that we want to introduce, and he will make no time by insisting on the motion he has made.

SEVERAL SENATORS. Question!

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

The motion was rejected.

The VICE PRESIDENT. Reports of committees are still in order. [A pause.] The introduction of bills and joint resolutions is in order.

BILLS AND A JOINT RESOLUTION INTRODUCED.

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

By Mr. WALSH:

A bill (S. 6492) to preserve the rights of homestead entrymen who are members of the National Guard or volunteer forces of the United States while in actual service.

Mr. WALSH. Mr. President, I feel justified in saying that I hope speedy consideration will be accorded to this bill. It simply provides that members of the National Guard who go into actual service shall not be subject to forfeiture of their homestead claims while they are in actual service. I trust the bill shall have speedy consideration, and I ask that it be referred to the Committee on Public Lands.

The VICE PRESIDENT. The bill will be referred to the Committee on Public Lands.

By Mr. SMITH of Georgia:

A bill (S. 6493) to provide for the installing of industries in the United States Penitentiary, Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes; and

A bill (S. 6494) to provide for the installing of industries in the United States Penitentiary, Leavenworth, Kans., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes; to the Committee on Education and Labor.

By Mr. KENYON:

A bill (S. 6495) authorizing the Secretary of War to donate to James B. Sample Post, No. 170, Grand Army of the Republic, Fort Madison, Iowa, two brass or bronze cannon or field pieces, with their carriages and a suitable outfit of cannon balls; and

A bill (S. 6496) authorizing the Secretary of War to donate to Alexander Hamilton Chapter, No. 7, Sons of the American Revolution, Sheldon, Iowa, two brass or bronze cannon or field pieces, with their carriages and a suitable outfit of cannon balls; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (S. 6497) for the relief of Oleanne Marie Zahl Branum; to the Committee on Public Lands.

By Mr. DU PONT:

A bill (S. 6498) for the relief of First Lieut. Albert K. C. Palmer, United States Army; to the Committee on Military Affairs.

A bill (S. 6499) granting an increase of pension to James Davis; to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 6500) granting an increase of pension to Ephriam J. Allen (with accompanying papers); and

A bill (S. 6501) granting a pension to Richard C. Spaulding (with accompanying papers); to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 6502) authorizing the commission of Elmer E. Adler as second lieutenant in the United States Army; to the Committee on Military Affairs.

By Mr. CUMMINS:

A bill (S. 6503) to make retired enlisted men and enlisted men of the Regular Army eligible for appointment as commissioned officers of Militia, National Guard, and Volunteers in the service of the United States; to the Committee on Military Affairs.

By Mr. CURTIS:

A bill (S. 6504) for the relief of Ira Strickland (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 6505) granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War;

A bill (S. 6506) granting an increase of pension to Joseph H. Alexander (with accompanying papers);

A bill (S. 6507) granting an increase of pension to Marion A. Babcock (with accompanying papers);

A bill (S. 6508) granting an increase of pension to John A. Bell (with accompanying papers);

A bill (S. 6509) granting a pension to Samiria H. M. Bryant (with accompanying papers);

A bill (S. 6510) granting an increase of pension to Walter J. Cripps (with accompanying papers);

A bill (S. 6511) granting a pension to Mary Calvert (with accompanying papers);

A bill (S. 6512) granting a pension to Emma A. Ellis (with accompanying papers);

A bill (S. 6513) granting an increase of pension to William P. Gilbert (with accompanying papers);

A bill (S. 6514) granting a pension to Charles Grunert (with accompanying papers);

A bill (S. 6515) granting a pension to Henry Johns (with accompanying papers);

A bill (S. 6516) granting an increase of pension to John W. Lesh (with accompanying papers);

A bill (S. 6517) granting an increase of pension to Charles W. Lathrop (with accompanying papers);

A bill (S. 6518) granting an increase of pension to Henry C. Linn (with accompanying papers);

A bill (S. 6519) granting an increase of pension to Lydia A. Logan (with accompanying papers);

A bill (S. 6520) granting an increase of pension to Francis Marsh (with accompanying papers);

A bill (S. 6521) granting a pension to Elizabeth M. Murphy (with accompanying papers);

A bill (S. 6522) granting an increase of pension to Thomas J. Stanfield (with accompanying papers);

A bill (S. 6523) granting a pension to Salona Patterson (with accompanying papers);

A bill (S. 6524) granting an increase of pension to Daniel Sheesly (with accompanying papers); and

A bill (S. 6525) granting an increase of pension to John M. Wandel (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 6526) authorizing the Shoshone Tribe of Indians residing on the Wind River Reservation in Wyoming to submit claims to the Court of Claims (with accompanying papers); to the Committee on Indian Affairs.

By Mr. MYERS:

A joint resolution (S. J. Res. 147) extending the provisions of the act approved June 16, 1898; to the Committee on Foreign Relations.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. KENYON submitted an amendment proposing to appropriate \$460 to pay William Welsh, of Council Bluffs, Iowa, for the storage of post-office furniture while the post office at that place was being remodeled, intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. BRYAN submitted an amendment proposing to appropriate \$100,000 toward the construction of a breakwater at the naval station, Key West, Fla., intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. BROUSSARD submitted an amendment proposing to appropriate \$100,000 for the extension of the wharf at the naval station, New Orleans, La., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. NEWLANDS submitted an amendment proposing to increase the salary of the principal assistant inspector of buildings in the District of Columbia from \$1,800 to \$2,300, intended to be proposed by him to the District of Columbia appropriation bill (H. R. 15774), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. BRADY submitted an amendment proposing to appropriate \$7,800 for the improvement of Van Ness Street from Connecticut Avenue to Idaho Avenue NW., etc., in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill (H. R. 15774), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SHAFROTH submitted an amendment proposing to appropriate \$15,000 for the improvement of Jewett Street from opposite the Zoological Park entrance to Woodley Road in the District of Columbia, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 15774), which

was referred to the Committee on Appropriations and ordered to be printed.

VOLUNTEER OFFICERS' RETIRED LIST.

Mr. DU PONT submitted an amendment, intended to be proposed by him to the bill (S. 392) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, which was referred to the Committee on Military Affairs and ordered to be printed.

THE NATIONAL GUARD.

Mr. LA FOLLETTE. I introduce a joint resolution and ask to have it printed in the Record without reading, and that it lie upon the table.

The VICE PRESIDENT. Without objection, that action will be taken.

The joint resolution (S. J. Res. 148) to amend section 27 and section 58 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, so as to require the consent of parents or guardians to the enlistment of persons under 21 years of age in the Regular Army and in the National Guard, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That section 27 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, be amended so as to read:

"SEC. 27. Enlistments in the Regular Army: On and after the 1st day of November, 1916, all enlistments in the Regular Army shall be for a term of seven years, the first three years to be in the active service with the organizations of which those enlisted form a part and, except as otherwise provided herein, the last four years in the Regular Army Reserve hereinafter provided for: *Provided*, That at the expiration of three years' continuous service with such organizations, either under a first or any subsequent enlistment, any soldier may be reenlisted for another period of seven years, as above provided for, in which event he shall receive his final discharge from his prior enlistment: *Provided further*, That after the expiration of one year's honorable service any enlisted man serving within the continental limits of the United States whose company, troop, battery, or detachment commander shall report him as proficient and sufficiently trained may, in the discretion of the Secretary of War, be furloughed to the Regular Army Reserve under such regulations as the Secretary of War may prescribe, but no man furloughed to the reserve shall be eligible to reenlist in the service until the expiration of his term of seven years: *Provided further*, That in all enlistments hereafter accomplished under the provisions of this act three years shall be counted as an enlistment period in computing continuous-service pay: *Provided further*, That any non-commissioned officer discharged with an excellent character shall be permitted, at the expiration of three years in the active service, to reenlist in the organization from which discharged with the rank and grade held by him at the time of his discharge if he reenlists within 20 days after the date of such discharge: *Provided further*, That no person under the age of 21 years shall be enlisted or mustered into the military service of the United States without the written consent of his parents or guardians, provided that such minor has such parents or guardians entitled to his custody and control, and this proviso shall be applicable to all minors enlisted or mustered into the military service of the United States on and after June 3, 1916: *And provided further*, That the President is authorized in his discretion to utilize the services of postmasters of the second, third, and fourth classes in procuring the enlistment of recruits for the Army, and for each recruit accepted for enlistment in the Army the postmaster procuring his enlistment shall receive the sum of \$5.

"In addition to military training, soldiers while in the active service shall hereafter be given the opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. Civilian teachers may be employed to aid the Army officers in giving such instruction, and part of this instruction may consist of vocational education either in agriculture or the mechanic arts. The Secretary of War, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for, and the Secretary of War shall have the power at all times to suspend, increase, or decrease the amount of such instruction offered as may in his judgment be consistent with the requirements of military instruction and service of the soldiers."

SEC. 2. That section 58 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, be, and the same is, amended to read as follows:

"SEC. 58. Composition of the National Guard: The National Guard shall consist of the regularly enlisted militia between the ages of 18 and 45 years, organized, armed, and equipped as hereinafter provided, and of commissioned officers between the ages of 21 and 64 years: *Provided*, No person under the age of 21 years shall be enlisted or mustered into the military service of the United States without the written consent of his parents or guardians: *Provided*, That such minor has such parents or guardians entitled to his custody and control, and this provision shall be applicable to all minors mustered into the military service of the United States on and after June 3, 1916."

AMENDMENT OF THE RULES.

Mr. GALLINGER. I desire to give notice that on to-morrow or some subsequent day I shall propose an amendment to Rule XL by adding to the rule the following words:

A two-thirds vote shall be required to suspend, modify, or amend any rule.

Mr. WILLIAMS. Pursuant to the notice which I gave on the 22d relative to a proposed amendment to the rules, I submit the

following resolution. I ask that it be referred to the Committee on Rules.

The resolution (S. Res. 221) was read and referred to the Committee on Rules, as follows:

Resolved, That Rule X, Special Orders, be amended after the second paragraph of clause 2 of Rule X by inserting the following:

"3. No Senator shall be permitted to give notice in advance that at a time named in the future he will address the Senate, and it shall be the duty of the Presiding Officer to enforce the provisions of this clause upon his own motion."

THE NATIONAL DEFENSE.

The VICE PRESIDENT. There is on the table a bill introduced by the Senator from Missouri [Mr. REED], which has been read the first time by its title. Without objection, the bill will receive a second reading and will be referred to the Committee on Military Affairs.

The bill (S. 6452) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, was read twice by its title and referred to the Committee on Military Affairs.

GOVERNMENT EMPLOYEES IN THE MILITARY SERVICE.

The VICE PRESIDENT. There is also a joint resolution introduced a few days ago by the Senator from New Jersey [Mr. MARTINE], which has been read the first time by its title. Without objection, the bill will be read the second time and referred to the Committee on Military Affairs.

Joint resolution (S. J. Res. 146) relative to compensation to be given employees of the Government who enlist in the military service of the United States was read twice by its title and referred to the Committee on Military Affairs.

ARTICLES BY JOHN S. PATTERSON AND PIERRE JAY (S. DOC. NO. 478).

Mr. SHEPPARD. On June 3 last I obtained permission of the Senate to have printed as a public document an article entitled "Six Years of the Guaranty Fund." At the same time the Senator from Oklahoma [Mr. OWEN] presented an article entitled "The Country Banker and the Federal Reserve System," and obtained permission to have his article published with the document I presented, being under the impression that they dealt with the same subject. It has since developed that the two pamphlets deal with entirely different matters. Therefore I ask that the order of the Senate of June 3 last be rescinded and that they be printed as separate documents.

Mr. SMOOT. I will ask the Senator if they have already been printed?

Mr. SHEPPARD. They have not been printed. The Senate directed the printing of them as one document. I discovered that they dealt with different subjects, and therefore I now ask that they be printed as separate documents.

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

BUSINESS STATISTICS (S. DOC. NO. 477).

Mr. SIMMONS. Mr. President, I have here certain statistical data prepared by the Department of Commerce, summarizing the business activity in the United States and in leading foreign countries, giving the imports and exports of merchandise of the United States during the fiscal years June 30, 1871, to June 30, 1915—the imports and exports of gold, receipts of railways, bank clearings, business failures, postal, telegraph, and telephone receipts, production of pig iron, and other indices for the United States. I think this would make a very valuable public document, and I ask that these statistics may be printed as a public document.

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

MEMORIAL ADDRESS ON THE LATE SENATOR BRADLEY.

Mr. SMOOT. I have been requested by a number of Senators to ask unanimous consent that an eulogy of the late Senator WILLIAM O. BRADLEY, by his lifelong friend, Mr. C. Lee Cook, be printed in the RECORD. It consists of only a very few pages, and if there is no objection I should like to have it printed.

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

The address is as follows:

EULOGY OF SENATOR WILLIAM O'CONNELL BRADLEY, BY HIS FRIEND, MR. C. LEE COOK.

"The death of Senator BRADLEY has removed from our midst a distinguished and picturesque man. He was among the last of that heroic type made by the destiny of the Civil War. Although but a boy when the conflict began, the fire of patriotism so burned in his young heart that he ran away from home to enlist, and served on the side of the Union through the war. In the trying days following the end of that strife he was always an ardent adherent of the justice of his country's cause; yet in the full maturity of his brilliant forensic ability, when the Union had no need of vindication, when the bristling armor of her military forces lay rusting beneath the work of peace,

he, with a love and loyalty not surpassed, raised his eloquence to heal the wounds of a prostrate South, to revive her broken spirit, and to help build back her system and her enterprise and reclaim the waste of her fields and the ruin of her cities. And, sir, what is more, he did a great work toward readjustment of public sentiment at the North toward, indeed, the true glory of a reunited country.

"Sir, he was well fitted for his course in life; God gave him great gifts: A superior and commanding intellect, a high resolve, an inflexible will, and an eloquence that has not often been surpassed in the forum of our country. This is the more extraordinary since he never received a collegiate training. All the formal instruction he ever had was in the country schools of Kentucky. Neither had he the privilege of the classroom in the study of law. Yet with this handicap he became the equal of most every lawyer of his State, and he had many an occasion to prove that eminence. His fidelity to a client, his recognition of the importance of thoroughly preparing a case, his knowledge of the law, his aptitude in applying the law to intricate circumstances, his adroitness in examining witnesses, his extraordinary powers of analysis in law and fact, his constructive attainments, and his brilliant appeal made him preeminent at the bar. He won a large fortune by his profession, but gave it away in the service of others.

"He was a man of very engaging personality. His spirit seemed to be a flame that lighted all around him, that gave him remarkable capacity for leadership among men. With this unusual qualification, he raised the Republican Party from a secondary place to a majority of the suffrage in Democratic Kentucky, and was thus elected governor in 1895.

"Though he was not in the strictest sense a scholar, for neither chance nor his rugged nature fitted him for that quiet eminence of the inner school, he had yet a fine regard for the refinements of scholarship. He was a man fully conscious of his great talents, yet he never insulted Providence by disdainful the mental limitations of any man. If though first one cast contempt upon him, his tongue became a Damascus blade that seldom met a conqueror. No one ever entertained a nobler view of the office of friendship than did Senator BRADLEY. When once he found in an acquaintance the acceptable virtues of manhood, neither race, religion, nor politics could assail in the feeblest voice a just estimation nor prevent the raising of the true spirit of fellowship toward such a one. His heart was as tender as that of a mother to her infant. His sympathies were as broad as life's field of hope, of joy, of misery, and of strife; worthily he did what he could to secure its happiness, brighten its shadows, assuage its pangs, and ameliorate its conditions.

"While Senator BRADLEY was not a close adherent to religious formalism, in his heart was a profound reverence for the infinite and divine. He was an intense and pious student of the Bible, and on one occasion when I called upon him unannounced I found him, with tears in his eyes, deep in the pages of that sacred book.

"Knowing as I did this great departed man, being honored by him with a most intimate relationship, and enjoying the inner privileges of confidence, though on most every political question our opinions differed, I can say that richly he deserved the tribute, 'His life was gentle, and the elements so mixed in him that Nature might stand up to all the world and say, "This was a man."'

"Sir, 'twill be some time before we shall see his like again."

THE MILITIAMAN AND HIS FAMILY.

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD, without reading, an editorial from yesterday's Philadelphia Inquirer. I merely wish to say that the editorial was written in an apparently sane, apparently rational, and apparently lucid interval, however fleeting and transient, and, in view of that encouraging symptom no one would be disposed, and I certainly should not be ill-natured enough, to say, to paraphrase the Inquirer's own classical language, that newspapers of the Inquirer kidney are a disgrace to the State in which they are published and to the distinguished profession of which they are festering members.

Mr. SMOOT. Mr. President, I should like to ask the Senator if the editorial has any reference whatever to legislation that is being now considered by Congress?

Mr. GORE. I will say to the Senator that it relates to an incident which occurred in the State with reference to a national guardsman being excused from service on account of the necessity of supporting his family.

Mr. VARDAMAN. Let it be read.

Mr. GORE. I have no objection to its being read.

The VICE PRESIDENT. The Chair will inquire which editorial it is the Senator has sent to the desk?

Mr. GORE. I think it is marked; it is in regard to the National Guard.

Mr. STONE. How long is the article?

Mr. GORE. It is very brief.

The VICE PRESIDENT. Is it the article about Mr. Ford or the one headed "The militiaman and his family"?

Mr. GORE. "The militiaman and his family."

The VICE PRESIDENT. Is there any objection?

Mr. OLIVER. I ask—

Mr. STONE. I want to ask the length of it.

Mr. OLIVER. I insist that it be referred to the Committee on Printing.

The VICE PRESIDENT. That can not be done. If there is any objection to the reading of the editorial, the Chair—

Mr. STONE. The request was to have it printed without reading.

The VICE PRESIDENT. Just a moment. The Chair is answering the Senator from Pennsylvania, who suggested that it be sent to the Committee on Printing. The Chair said that the rule is, when there is a request for the reading of anything in the Senate, that it does not go to the Committee on Printing if there is an objection, but the Chair is bound to put the question whether it shall or shall not be read. The inquiry of the Senator from Missouri, as the Chair understands, is as to the length of it.

Mr. STONE. I did ask as to the length of it, Mr. President, and the Senator who offered it asked that it might be printed without reading. In the pressure of time I can not see the need of reading a long editorial, or a communication, or whatever it is, printed in a newspaper, when the Senator himself does not ask to have it done, but merely asks that it may be printed in the Record. There are Senators here who have some business they wish to transact in the morning hour.

The VICE PRESIDENT. Is there any objection to its going into the Record without reading?

Mr. GORE. It merely relates to the excusing of a National Guardsman from service on account of being required to support his mother.

The VICE PRESIDENT. The Chair hears no objection to it. The editorial will be placed in the Record.

The matter referred to is as follows:

THE MILITIAMAN AND HIS FAMILY.

A story of the human interest sort comes from Mount Gretna. A member of the National Guard was torn by a conflict of emotions. He had gone to camp and he wanted, above all things, to accompany his companions to the Mexican border. But he was the sole support of an old mother. What should he do? Wherein lay his duty? Was it to go down to the international line and protect that line from invasion, or was it to protect his mother from starvation or from becoming a burden upon the community?

Mind you, there was nothing for the aged mother to fall back upon. Governments are not generous. She had her son—and nothing more. To abandon her was to hand her over to charity. And yet this man was a member of the National Guard and he had been summoned to the colors.

Reader, what would you have done in the circumstances?

This militiaman was in a quandary. He placed his case before his captain. And that captain did not hesitate. "The country can get soldiers," that officer is reported as saying, "but your mother has only one son. You stick to her."

And who shall say that that captain was not right? He was right. He was absolutely right. All praise be to him! And all praise to the militiaman who had the courage to do as he did! For it required courage.

If this country were menaced by a great power it would be required of every man that he should do his best and sacrifice his dependent wife, his dependent child, his dependent mother for the good of all. But there is no such menace. War with Mexico may be a long war, but there are men enough to fight it out—men who are not the solitary supports of families—and to such men the task should be given.

PROPOSED PROHIBITION LEGISLATION.

Mr. JONES. Mr. President, I desire to make a parliamentary inquiry.

As I understood the ruling of the Chair yesterday with reference to the notice I gave to suspend the rules in order to permit me to offer an amendment to the Post Office appropriation bill, it was that if a sufficient notice had been given to comply with the rule my motion at that time would have been in order in the consideration of the Post Office bill. I think the Chair was correct in that ruling; but some Senators have suggested that the proposition should be taken up and considered in the morning hour. Now, I do not want to take the time of the morning hour to do it if it is in order for me to offer it when the Post Office appropriation bill is up. I think it is in order then; but I want to submit to the Chair the parliamentary inquiry whether this motion should be called up in the morning hour or whether it would be in order during the consideration of the Post Office appropriation bill. If it should be brought up in the morning hour, of course I want to do it. I do not want to lose any rights.

The VICE PRESIDENT. The Chair is of the opinion that it is in order at either time now.

Mr. CLARKE of Arkansas. Is it not the pending question when we reach the consideration of the Post Office appropriation bill?

The VICE PRESIDENT. The Chair has no doubt of it.

Mr. CLARKE of Arkansas. The Chair has already ruled that the notice was sufficient and that the motion was in order, and we were debating it—

The VICE PRESIDENT. The Chair has no doubt about it.

Mr. CLARKE of Arkansas. Then it is not necessary to bring it up in the morning hour.

Mr. SMOOT. There is no question about it now, because we have had an adjournment.

Mr. GORE. The question has settled itself.

TRADE AGREEMENTS ABROAD.

The VICE PRESIDENT. Are there further resolutions to be offered?

Mr. STONE. Mr. President, under that head I desire to call up Senate resolution 220, which I presented yesterday morning and which was read, and at my request is lying on the table.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read Senate resolution 220, introduced by Mr. STONE on the calendar day of June 28, 1916, as follows:

Whereas it has been widely stated in the public press that a conference was recently held in Paris, France, by authorized representatives of several of the Governments of leading industrial and commercial nations of Europe, now engaged in the European war as allies of France, with the object and purpose of arriving at an agreement between them with respect to their future joint and several industrial and commercial interests; and

Whereas it is also similarly stated that a commercial treaty was entered into at said conference between France, Great Britain, and other allied countries, which treaty it is alleged is now being drafted and is to become operative after the end of said war, with the declared object and purpose of establishing a boycott against the enemies of the high contracting parties to said treaty, both during the war and after the war, and also to promote commercial independence from the central powers; and

Whereas in a statement relating to said treaty, issued by the British Board of Trade, published in the American press, it is stated, among other things, that "The allies declare their common determination to insure the reestablishment of countries suffering from acts of destruction, spoliation, and unjust requisition, and decide to join in devising means to secure the restoration of those countries by giving to them a prior claim on raw materials, industrial and agricultural plants and stock and mercantile fleets, or by assisting them in reequipping themselves in these respects"; * * * that "The allies are to conserve all their natural resources during the period of reconstruction after the war for common use"; that "In order to defend their commerce against economic aggression resulting from dumping or any other mode of unfair competition, the allies decide to fix by agreement a period during which the commerce of the enemy powers will be submitted to special treatment and the goods originating in their countries will be subjected to prohibition or to a special régime of an effective character"; * * * that "The allies' mutual trade is to be fostered in every possible way"; and that "The above steps are to be put into operation immediately"; Therefore be it

Resolved, That the President of the United States be, and hereby is, requested to ascertain and send to the Senate at the earliest practicable moment exact information, so far as that may be possible, as to the precise character, form, and full purpose of this agreement or treaty, especially with the view of disclosing to the Senate whether and to what extent neutral nations, especially the United States, may be affected thereby.

Mr. STONE. Mr. President, just a word.

The Congress has now under consideration measures for raising revenue for the support of the Government. That matter is before the House. It will soon come to the Senate. It seems to me that this conference, held in Paris recently, and the reputed treaty entered into at that conference, the general nature of which is set forth in the resolution, raise questions that are of interest to the United States. At least it may be said that the situation presents considerations that are possibly of interest—of great interest—to the United States; and it seems to me that when the Committee on Finance comes to consider revenue legislation, that committee ought to be informed, as far as that is possible, of the exact character of that conference and of the treaty said to have been entered into. The Senate and the House of Representatives especially ought likewise to know, as far as it is possible to know, what the terms of that agreement or treaty are. The resolution merely requests the President of the United States to obtain these facts, so far as he can, and report them to the Senate.

That is all I care to say. I ask that the resolution may be agreed to.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

The VICE PRESIDENT. The morning business is closed.

POST OFFICE APPROPRIATIONS.

Mr. HARDWICK. I ask that the Chair lay before the Senate the unfinished business, being the Post Office appropriation bill. There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes.

The VICE PRESIDENT. The question is, Shall the rules be suspended in order to enable the Senator from Washington [Mr. JONES] to introduce his amendment?

Mr. HARDWICK obtained the floor.

Mr. JONES. Mr. President, I desire to suggest that I had the floor upon that motion when the point of order was raised.

Mr. HARDWICK. The Senator does not hold it over an adjournment, though.

Mr. JONES. Well, probably not.

Mr. HARDWICK. As I understand, there is no question of order left.

Mr. JONES. That is correct; but I was discussing my motion when the point of order was made.

Mr. HARDWICK. But the Senator does not hold it over an adjournment.

Mr. JONES. I suppose not, but I merely wanted to suggest—

Mr. HARDWICK. Does the Senator prefer to proceed at this time?

Mr. JONES. I should like to do so. I will be through in five minutes.

Mr. HARDWICK. I will yield to the Senator.

Mr. JONES. Mr. President, I understand the motion to suspend the rule in order to offer the amendment which I have proposed is the question now before the Senate. I had nearly completed my remarks when the point of order was interposed by the Senator from Missouri [Mr. STONE], and I shall take but a very few moments now.

I want to refer to one or two suggestions made by the senior Senator from Missouri. He states that he is in favor of the matter of prohibition being taken care of by the States or the localities; that he thinks these questions should be left to the States. So far as that goes, I am in hearty sympathy with him, and I was feeling very much elated that he had come upon our side of this proposition, and felt that he was heartily in favor of the motion; but before he got through he took a position against this motion, which it seems to me is really inconsistent with that position.

My recollection is that the Senator supported the Webb-Kenyon law, and that he made a speech in favor of it. With that I was in hearty accord. It seems to me that the motion now before the Senate has in it exactly the same proposition as the Webb-Kenyon law, and is in line with the suggestion of the Senator that the States ought to be able to control in these matters.

Several of the States have passed laws prohibiting these advertisements. The United States mails are being used to nullify, in effect, those laws; and the only purpose of this amendment is to prevent that being done. It would not prevent the Senator from getting his St. Louis papers, so far as that is concerned, and I would not desire to do it. A good many of those papers do not desire to print these advertisements at all; but it would not be a very difficult matter for them to take care of that situation. What we do desire is that when the State of Washington and other States in the Union do not desire these advertisements to come into their families, to come before their people, and where the people themselves have declared by positive law that they do not want this done, we do not want the United States mails used for the purpose of nullifying those laws.

Mr. SUTHERLAND. Mr. President—

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

Mr. JONES. Certainly.

Mr. SUTHERLAND. I am quite in sympathy with the Senator's proposition, but I want to ask him if he can tell us what States have passed laws similar to that passed in Washington?

Mr. JONES. The State of Washington has passed such a law, the State of Alabama, and three or four more that I am not just sure of. I think Georgia has, and I am not sure but that North Carolina has.

Mr. SUTHERLAND. Some five or six States would be affected?

Mr. JONES. Yes.

Mr. SUTHERLAND. And, as I understand, it has already to some extent become the practice on the part of newspapers

which print these advertisements to blot them out before sending the papers to some of these States.

Mr. JONES. I am informed by some of the Senators from these States that that is true.

Mr. SUTHERLAND. That is already done?

Mr. JONES. Yes; they tell me that that is already done; that some of the papers are respecting the laws of those States, and I suppose they get out what might be called a special edition with those advertisements eliminated from the papers that go to those States.

Mr. SUTHERLAND. So that in the case of some great metropolitan paper, all that it would be necessary to do would be to blot out such advertisements as are printed in the edition which goes to those particular States?

Mr. JONES. Yes. It would not be a difficult matter. Some have suggested that it might work a hardship on the newspapers. It would not; and it would not be a difficult matter to take care of that, so far as they are concerned.

But what I wanted to call attention to more than anything else was the situation with reference to the great newspapers of the country. They are not really desirous of these advertisements. They are not opposing this legislation. Many of them are voluntarily dropping out these advertisements, leaving them out, even in territory where it is not unlawful to circulate them, so far as that is concerned.

I have here a statement to which I desire to call attention with reference to that matter. This is prepared by the same organization from which I got the information with reference to magazines which I submitted yesterday. They state:

The present attitude of the daily newspapers of the United States toward liquor advertising and prohibition as revealed by an inquiry of the temperance society of the Methodist Episcopal Church is inspiring. The investigation conducted by the temperance society was made on January 1, 1915, and reached every daily newspaper in the United States. Six hundred and seventy-nine replies were received to 2,160 letters. Five hundred and twenty of the daily newspapers replying reported that they accept no liquor advertising.

Five hundred and twenty out of 679 replying state that they accept no liquor advertisements.

Three hundred and sixty of them announced that they advocate national prohibition in their editorial columns, while of the remainder only 200 are willing—

That I do not care about. All I want to get at is with reference to the advertising.

Ten years ago no one could name a half dozen daily newspapers in the United States which favored national prohibition. To-day such great dailies as the Republican, of Springfield, Mass.; the Philadelphia North American; the Chicago Herald; the Tennessean and Banner, of Nashville; the Times, of Detroit; the Times, of Indianapolis; the Journal, of Lincoln; the Gazette-Times, of Pittsburgh; the Intelligencer, of Wheeling; and scores of other papers that are representative of power and influence absolutely decline liquor advertising on any terms.

The letters to the society contain some most interesting statements. One New York paper says:

We are constantly being offered liquor propaganda matter to be run as straight editorial or news stuff, but we always decline it.

The Grand Rapids Press declares:

There is an erroneous impression on the part of temperance people regarding the amount of money the newspapers receive for liquor advertisements. The total amount of money received by this paper for the year 1914 from all liquor advertisements was six-tenths of 1 per cent of the whole amount received for advertising.

The Press further says:

If the immediate monetary gain were the only consideration in accepting beer advertising, we would wipe out the whole business without a quail. Taken altogether, it does not represent the value to us of the advertising for one year of one good retail dry goods house. But if the Press were a prohibition organ, its standing and influence would be curtailed. In following the course that it believes to be fair and sane on the liquor problem its influence for good on all other questions is better than it would be otherwise.

Several of the other notices are with reference to the proposition as to prohibition, which I will not take the time to read, because I do not consider that that is the issue at this time. I just call attention to the fact that out of 679 replies from these daily papers, 520 of them do not now accept liquor advertisements. So that the newspapers of the country are not really interested one way or the other in this matter.

I want to call attention also to the fact that on January 1, 1916, all advertisements of liquor will be eliminated from the billboards of the United States and Canada. That is, all over the country, no matter whether it is contrary to law in a State or not, the company that posts the billboards all over this country and Canada is not going to put up these advertisements.

On January 1, 1916, all advertisements of liquor will be eliminated from the billboards of the United States and Canada. The board of directors of the Poster Advertising Association, which controls the boards in 4,000 towns, has so decided. No liquor contracts will be accepted after May 1, 1915, and all contracts now in existence must terminate by December 31, 1915.

Now, Mr. President, that is about all I am going to say at this time with reference to this amendment. I wish to summarize briefly what it is.

Mr. President, the amendment that I intend to offer, if the rules be suspended and I am permitted to do so, is simply and solely to protect the States in the enforcement of the laws which they have passed for the welfare of their own citizens. It does not attempt to regulate this matter in the States where they have not acted upon it at all. It is the principle of the Webb-Kenyon law which Congress passed over the veto of the President. It simply takes out of the situation as it now is the influence of the United States Government in carrying its mails to nullify the local laws passed by the different States in the Union for the protection of their own citizens, and that, in my judgment, is the sole issue raised with reference to this amendment. Whether I were for prohibition or against prohibition, it seems to me that I could very consistently vote for this amendment. The States have the right to pass those laws. They have passed them for the protection of their own citizens, and the United States Government should assist in every way that it legitimately can in carrying out the policy of those States. By allowing these advertisements and circulars and all that sort of thing to be sent through the mails of the United States we are overcoming the declared policy of those localities.

Some one raised the question as to whether a person ought not to have a right to write a letter to some dealer in intoxicating liquors and ask the purchase price. There is nothing in this amendment which prevents that from being done. The amendment simply prevents the use of the mails for doing what the local laws say can not be done there, and that is all there is to it; and there is nothing, I think, in those laws that prevents a man from writing a letter to some organization and asking for the prices. While the word "letter" is not mentioned in the amendment, it must be taken in connection with the other language of the amendment, which is as follows:

That no letter, postal card, etc., containing any advertisement, etc., or containing a solicitation of an order.

That would not prevent a person from writing a private letter and receiving an answer to that letter stating what they could sell. But those are matters which can be considered when the amendment is up for consideration. The only question now is whether we will consent to suspend the rules for the purpose of offering an amendment of this character to take the United States Government out of the business, I might say, of nullifying the laws of the different States which they have passed for the protection of their own people.

That, Mr. President, is all I care to submit at this time for consideration.

Mr. HARDWICK. Mr. President, the Senator from Washington has moved, under the provision of Rule XL, to suspend the rules of the Senate so that the Senate may consider as in order a proposition submitted by himself as an amendment to the Post Office appropriation bill. I regret, Mr. President, that the motion comes in this form. For weeks and months we have struggled in an effort to finish the Post Office appropriation bill and to get it enacted as soon as possible. We are facing what appear to be stubborn differences in conference. This question could well be brought up at any time by the action of the Senate committee to which bills of this nature have been referred in a proper way under the existing rules and without suspending the rules. It seems to me there is no more inopportune time than the present, with only a few hours left before the appropriations lapse for many departments of the Government, to burden the annual supply bills with the consideration and determination of such extraneous issue as this.

Of course, Mr. President, entertaining that view and therefore intending to oppose the motion of the Senator from Washington it will be necessary for me to do more than make an argument of that character, because back of the Senator's motion and behind it lie the merits of his proposition. Coming from a constituency which has determined upon the policy of State-wide prohibition, and which has enacted laws to which reference has been made on this floor, it would not be justice to myself if I did not undertake to give with some detail the reasons for my opposition to this proposition, and I must therefore consume more time than I like to consume at this stage of the proceedings.

Personally, Mr. President, during my entire life I have been a consistent local optionist. I have always believed that on sumptuary questions, where it is so difficult to enforce laws setting up standards of personal habits and individual conduct, the wisest and safest policy for any Commonwealth to adopt is the policy of making the unit of enactment the exact equivalent of the unit of enforcement. In other words, I have doubted whether in any Commonwealth of this Republic it were wise to

put on the statute books provisions of this character that might be popular in a great majority of the counties of that Commonwealth and yet might be difficult if not impossible of enforcement in some of the counties of that Commonwealth.

In reference to laws of this peculiar character it seems to me that the old-fashioned Democratic plan of letting the people of each locality, in the exercise of local self-government, determine what sort of laws they want to live under and what manner of laws they are prepared to enforce is the wisest and the best plan, and I have yet to change my mind on that question.

The people of Georgia have never voted on it. We have State-wide prohibition by statutory enactment, by action of the general assembly. But I am prepared to concede, because I believe it is the case, that the majority of our people favor State-wide prohibition, and I have no issue with them on that question. I have always thought it was far better for the people of any State to determine for themselves what their policies should be and what their laws should be upon this question, which is essentially and exclusively local in its nature.

I have therefore taken no issue with the law which is now written on our statute books. Since it is written there, I hope it will be enforced to its very letter and to the very limit. No Commonwealth can grow in greatness, in honor, and in real prosperity unless it enforces righteously the laws that its legislatures enact.

If the laws in question are bad laws, enforcement will soon operate to bring about a repeal. If they are good laws, of course, they ought to be enforced because it will be for the good of the people to have them enforced. In any event, respect for the law itself absolutely requires that whatever is written upon the statute books of any Commonwealth of this Republic shall be enforced by its executive and judicial officers.

Mr. President, I am a State-rights Democrat of an old-fashioned if not almost obsolete school. I believe in the absolute and exclusive right of every State in this Union to settle according to its own wishes, according to its own will, every domestic and local question that affects the lives and conduct of its people. For that reason I have always opposed nation-wide prohibition. The question as to what liquor laws or license laws or prohibition laws we shall have in Georgia is a question exclusively for the people of Georgia. My own belief about it is that the people of Georgia have a right to have whatever sort of laws they want on that question and to enforce those laws. In other words, I think the people of Georgia have a right to prohibit within the limits and borders of the Commonwealth of Georgia the sale of liquor even if all the 47 other American States want to permit its sale within their limits.

Mr. VARDAMAN. Will the Senator yield for a question.

Mr. HARDWICK. I do.

Mr. VARDAMAN. Does the Senator object to the Congress of the United States in the proper discharge of its functions helping Georgia to make Georgia's law effective?

Mr. HARDWICK. If the Senator will bear with me and listen to my argument as I develop it, he will see what I think about this entire question. I utterly repudiate the proposition laid down by the Senator from Mississippi and the Senator from Washington. There is no question of enforcing a State policy involved in this proposition when it is clearly understood and carefully analyzed. If so, then I would be persuaded, not unwillingly, either, to support the proposition advocated by the Senator.

But let us see now what sort of an argument is advanced on that question and what it is worth. When the Senator from Mississippi interrupted me I was saying that being a State-rights Democrat I believe that this and every other local question ought to be settled exclusively according to the will and desire of the people of each State. In the manner provided by law the people of my State have decided that they want State-wide prohibition, and I acquiesce in that result. I bow to that verdict, although I had no part in the decision of the question.

But the same legislation that ordained State-wide prohibition in my State, that ordained a prohibition against the circulation of newspapers within its borders containing liquor advertisements, also provided that every citizen in the State should be allowed to purchase, and of course that meant to purchase in any jurisdiction where its sale was lawful, a certain quantity of intoxicating liquor, 2 quarts I think it is, and a certain amount of beers and wines per month. Evidently the Legislature of Georgia was unwilling, without a popular referendum, to completely abolish, or even to attempt to abolish, the use of liquor in the State or to make the use of liquor in Georgia a crime. On the contrary, it expressly provided, whether wisely or not it is no business of mine, that every citizen of Georgia should have a right to purchase a certain quantity of intoxicat-

ing liquor per month and a certain amount of beers and wines and other liquors.

Of course, there may be a serious question raised as to whether or not, considering all three of these enactments of the General Assembly of Georgia, the policy of that State is that nobody shall be permitted to advertise from another State where the sale of liquor is lawful, the liquor that the people of Georgia are permitted by our State law to buy. If the policy of the general assembly of the State had been to completely abolish the manufacture and sale of liquor and to prescribe that no man might drink it without its being a crime and that no man could keep any quantity of it on hand, then probably the Senator from Washington might be right when he asserts that legislation of the kind he proposes ought to be enacted in order to carry out the State policy of such States as those which have taken action like Georgia.

But my understanding is that each one of these States, and I hope a Senator from any other State will correct me if I am in error about that, when they have passed these prohibition laws, have usually allowed a limited amount of liquor to be lawfully kept and consumed by its people. These States did not intend that their people should not be allowed to buy it in New York or in Pennsylvania or in Missouri or in any other locality where its sale is lawful. On the contrary, they did intend to provide that their people should be allowed to buy it in any such State, and they did so provide in my State, and I believe in every one of these other States.

Now, I understand the force of the argument, and it has appealed to me, that is made to the effect that the general assembly of these States having provided by statute that their own newspapers, those published within their borders, and possibly in some cases those circulated within their borders, shall not carry liquor advertisements, therefore it could be fairly contended that it was the purpose of these legislatures to go as far as they could to prevent the circulation of liquor advertisements within their limits. But, Senators, there is another side and an entirely different side to this question. This is a Federal question, and a Federal question exclusively. It can be made nothing else.

I want to say to the Senate there are no stouter upholders of Federal power when clearly given or necessarily implied in the grant than the old-fashioned State-rights Democrats. The necessary corollary to our proposition of local self-government on all local questions is that Federal power on all Federal questions is committed to the exclusive jurisdiction of the Federal Government. How can you contend that the question of what shall go into the mails of the United States is a question that ought to be determined according to the policy of the 48 different States that compose this Union? If that principle be once established, if it be once conceded, there may be 48 different policies not only on this question but on many other questions connected with the transportation and delivery of the United States mails.

So the question of what shall go into the mails of the United States, or what shall be excluded from them, is not a question of State law or policy, and can not possibly be made one. It is a question of Federal power and Federal policy, and nothing else can be made of it. We can not operate the Post Office Department one way in one-half of the country and another way in the other half. We can not have rules and regulations and laws that apply in one part of the country and do not apply in the other. We can not and ought not to make it a crime to put something in the mail in one State and not make it a crime to put that same thing in the mail in every other State of the Republic. So our policy with reference to the Post Office Department and to the mails of the United States is essentially, necessarily, and exclusively a national policy. It can not be modeled on State policies. Otherwise we should be in inextricable confusion; otherwise we would face innumerable contradictions.

The laws of the United States on a question committed to the Congress must be uniform in their operation throughout the Republic. The regulations of the Post Office Department must be as wide as the boundaries of the Republic. Talk about enforcing a State policy in connection with the United States mails! Ah, Senators, those of you who profess to be anxious to do something on this line have not yet proposed the real remedy. If you want to do something effectual and something that you can defend logically and consistently on this floor or anywhere else, what should you do? What could you do that would be a real remedy on this question? If you can procure from the Congress of the United States a ban on liquor, if you can classify it with the lottery ticket or with the dangerous explosive, you can not only exclude advertisements relating to it from the mails but you can exclude the liquor itself from the

channels of interstate commerce and you can absolutely stop its sale as a business in this country. There is not one of you but knows that. Why not take the real remedy, if you want to make a real fight on this question? When, however, you do it, when you act on it, when you accomplish this reform, you must do it just as it was done in the lottery case. You must make it uniform throughout the Republic and you must make your law applicable to every State in the Union. You must make your national policy, your Federal policy, as well as your Federal law, exactly the same in every State in this Republic.

Not only that, but consider the inconsistency of the position you occupy. You take intoxicating liquor, the sale of which is legalized under restrictions in most of the States of the Union; you take intoxicating liquor, the sale of which is taxed, except where prohibited by local law, by the Federal Government itself; and from the liquor taxes collected by this Government you derive the most considerable revenue that you derive from any other one item; and yet you propose to say to these people, "We will not outlaw you, because we want to tax you; we will not stamp you out, because we want to milk you; we will not put you out of business, because we want to profit by your being in the business." Ah, Senators, we must have a national policy if we are going to deal with this question as a national question, and we should adopt a consistent national policy.

If we are going to require these people to pay many millions into the Federal Treasury and are going to accept it from them, then we have no right to deny to them, as if they were criminals and outlaws, the agencies of the Federal Government for the transaction of a business we class as legitimate and which we heavily tax. We ought to do one thing or the other. We ought to treat whisky just as we treated the lottery tickets and forbid it the use of the mails of the United States or the agencies of interstate commerce in its transportation and quit taxing it, or we ought give it, as an interest that we recognize and tax, the use of all the agencies of the Government that are given to all citizens except criminals.

I did not intend to say quite so much, and I regret to say that I realize that the position I am taking on this floor this morning is one on which many warm and valued friends at home may differ with me; but it is one which I know is absolutely right; hence I must take it. I know, if I know anything, that we ought to do this thing in a frank, candid, uniform way, one way or the other.

I will tell you another thing. The legislatures of those States that are passing so-called prohibition laws, and at the same time permitting citizens to use enough liquor to keep them drunk throughout the year, have not, in my opinion, handled the question as skillfully as it might have been handled. They profess a desire to abolish the sale of liquor. Well, why not try to entirely prohibit its purchase, its sale, and its use, as far as it can be prohibited by law, instead of undertaking to give, on one hand, the prohibitionists just as radical and drastic a law as they want, and, on the other hand, to give to people who want to drink liquor just as much as they can consume without landing either in the grave or in a madhouse?

The State of Georgia has no law or policy, and can have none, with reference to what shall go in the United States mails. I say we can not deal with this question on any such basis. It is essentially and exclusively a national question. We can not run the Post Office Department as though it were a local institution. Its operations, its rules, and its regulations must be uniform throughout the Republic.

Mr. OLIVER. Mr. President, I am the owner of two papers which are published in the city of Pittsburgh, which for many years have been strong advocates of the principle of local option. Some years ago, after carefully considering the subject from all its aspects, both of those newspapers announced that from that time forward, in order to bring their advertising columns into harmony with their editorial policy, they would exclude liquor advertisements from their columns. I therefore feel a deep sympathy with the object of the legislation proposed by the Senator from Washington [Mr. JONES], and if it were proposed as a separate bill I would hesitate long before opposing it.

I am, however, opposed to suspending the rules of the Senate for the purpose of having the amendment considered, because I think that the rule which excludes general legislation from appropriation bills, except in cases of extreme urgency, and then only practically by unanimous consent of the Senate, is a wise one; and this is not a case where it should be departed from. I shall therefore vote against suspending the rules.

Upon the merits of this proposition, while, as I have said, I am in sympathy with its object, I would be very slow about voting for any proposition to increase the right of espionage on the part of the Post Office Department over private correspond-

ence; and, so far as it applies to letters and circulars, I do not think the legislation should be enacted under any circumstances.

With regard to the circulation of newspapers, the newspapers to which I have alluded have a large circulation in the neighboring State of West Virginia, in which an extremely stringent prohibitory law is in force. I do not know whether that law prohibits the circulation of liquor advertising within the State, but I have little doubt that it does, because if any means of preventing the citizens of West Virginia from obtaining liquor have been neglected by the authorities of that State it has been on account of an oversight on their part, for I think it is the most stringent law in force in any State of the Union.

There are other reputable newspapers published in the city of Pittsburgh, the owners of which have not seen fit to follow my example; and in so acting they are entirely within their rights. I think it would hardly be fair for me to vote for legislation that would enable my newspapers to be circulated within that State and would exclude theirs. They may in certain cases publish special editions, but a great many newspapers are circulated through the mails in such a manner that it would be impossible for the publishers of those papers to publish special editions for special localities. Take the great New York newspapers, for instance; they circulate all over the country, and it would be absolutely impossible for the publishers to so arrange their affairs as to furnish one edition of the paper to prohibition States and another edition to what may be called "wet States."

While, therefore, I sympathize, as I have stated, with the objects of this proposed legislation, I can not bring myself to advocate a policy that will enable the Post Office Department to adopt one system for one State and another system for another. It is a revolutionary proposition, and, while in these revolutionary times, we may eventually come to it, I for my part do not feel ready for it at this time. I, therefore, feel constrained to vote against suspending the rules, and if the rules are suspended I will, with considerable reluctance, vote against the proposition itself.

Mr. SUTHERLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Utah will state it.

Mr. SUTHERLAND. It was suggested yesterday during the debate that the rule which provides for the suspension of any rule of the Senate required a day's notice, and that that was a substitute for the ordinary provision which required a two-thirds vote. I inquire of the Chair whether or not it will require, in the opinion of the Chair, a two-thirds vote to suspend this rule?

The VICE PRESIDENT. The Chair so announced on yesterday. In the Senate of the United States, while the present occupant of the chair has been here, on a former occasion when there was a motion to suspend the rule, the Chair submitted the question to the Senate, and the Senate decided that general parliamentary procedure should be taken into consideration, and that it required a two-thirds vote of the Senate to suspend the rules. The Chair will, in the first instance, so decide; and then nobody knows what the Senate will do on an appeal from the decision of the Chair on that question; but the ruling of the Chair is that it takes a two-thirds vote.

Mr. SUTHERLAND. I have no doubt that the ruling of the Chair is correct and that the suspension does require a two-thirds vote.

Mr. President, on yesterday I interrupted the senior Senator from Missouri [Mr. STONE] to suggest to him that the legislation which is proposed by the amendment of the Senator from Washington was not different in principle from legislation already upon the statute books, particularly that with reference to lotteries. I have before me now the statute upon that subject, which I desire to read into the Record. Section 3894 of the Revised Statutes as amended in 1890 provides as follows:

SEC. 3894. No letter, postal card, or circular concerning any lottery, so-called gift concert, or other similar enterprise offering prizes dependent upon lot or chance, or concerning schemes devised for the purpose of obtaining money or property under false pretenses, and no list of the drawings at any lottery or similar scheme, and no lottery ticket or part thereof, and no check, draft, bill, money postal note, or money order for the purchase of any ticket, tickets, or part thereof, or of any share or any chance in any such lottery or gift enterprise, shall be carried in the mail or delivered at or through any post office or branch thereof, or by any letter carrier; nor shall any newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery or gift enterprise of any kind offering prizes dependent upon lot or chance, or containing any list of prizes awarded at the drawings of any such lottery or gift enterprise, whether said list is of any part or of all of the drawing, be carried in the mail or delivered by any postmaster or letter carrier.

Then follows the clause prescribing the penalty for a violation of those provisions, a fine of not more than \$500 or imprisonment for not more than one year, or both.

Mr. President, I personally can see no difference in principle between the law which I have just read and the proposition which is made by the Senator from Washington in this amendment. In the case of the lottery or the gift enterprise we have laws which have forbidden their existence and forbidden their being carried on. Therefore the lottery and the gift enterprise are outlawed things. There was a day when they were not, when the lottery was regarded as a legitimate enterprise; but the policy of the people has changed in recent years, and they have declared that enterprises of that character henceforth shall be outlawed.

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

Mr. SUTHERLAND. I yield to the Senator.

Mr. OLIVER. Mr. President, I will ask the Senator if he does not consider that there is this difference: That, in the first place, the law to which he refers is a means toward the enforcement of a Federal law, and, in the second place, it is nation wide in its application, whereas this proposed law is only to be applied in certain particular States?

Mr. SUTHERLAND. No, Mr. President; the statute which I have just read is not in aid of a Federal law. The Federal Government has no more power to forbid a lottery in a State than it has, under the existing Constitution, to forbid the sale of liquor. It has not undertaken to deal with it in that way. If the State of Louisiana chooses to have maintained within her limits a lottery, that State has absolute power to allow it; and I am not sure but that a lottery was maintained in Louisiana after these statutes were enacted. It was forbidden by the statutes of most of the States of the Union, and I think it is now forbidden by statute in Louisiana. But the power to forbid the existence of a lottery is a State power, not a Federal power. The State having forbidden it, the policy of the people of the State having developed to that degree where the lottery has become an outlawed thing, the Federal Government has stepped in and said: "You shall not utilize the mails for the purpose of promoting this unlawful and outlawed thing."

In many of the States of the Union, either by State statute directly prohibiting the sale of liquor in the State or under the operation of local-option laws, the sale of liquor has been forbidden, and to that extent that business has become outlawed. Moreover, many of the States—five or six of them, at any rate—have provided that no circular, no pamphlet, no newspaper containing an advertisement of the liquor business, or giving out information to the general public by means of which they can procure liquor, shall be circulated in those States or in those communities where the sale of liquor is forbidden. Therefore in those States the circularization of the liquor business, the advertisement of the liquor business, is just as much an outlawed thing as the carrying on of a lottery has become in substantially all, if not all, of the States of the Union; and I can see absolutely no difference in principle between the two things.

If it is unlawful in the State of Washington to circulate an advertisement of this character, then it seems to me to be a wholesome thing for the Government of the United States, which alone possesses the power to do it, to step in and say that the mails shall not be utilized for the purpose of carrying on the thing which the State law has forbidden.

Mr. STERLING. Mr. President, in expressing the hope that the motion of the Senator from Washington [Mr. JONES] will prevail, I express my sympathy with the amendment which he has offered to the Post Office appropriation bill.

In addition to the lottery statute cited by the Senator from Utah, I think yet other statutes may be cited which are exactly in line with the legislation proposed by way of amendment to this bill. I think there will be recalled by nearly all Senators here the famous case of *Leisy* against *Hardin*, known as the original-package case or decision, under which it was held that intoxicating liquors in the original package were not subject to seizure under State prohibition laws. Of course, the effect of that decision was to nullify to a great extent the prohibition laws of the States having such laws. Then, in order to prevent that condition of affairs, the Wilson Act of August 8, 1890, was passed by Congress. That act provided:

That all fermented, distilled, or other intoxicating liquors or liquids transported into any State or Territory or remaining therein for use, consumption, sale, or storage therein shall, upon arrival in such State or Territory, be subject to the operation and effect of the laws of such State or Territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such liquors or liquors had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

And the Wilson law has been sustained by the Supreme Court of the United States in more than one decision, although I do not now recall the titles of the cases.

Further, Mr. President, comes another piece of legislation in line with this same principle, and that is the Webb-Kenyon law, passed in March, 1913, by Congress, and over the veto of the President. That law prohibits the shipment into any State of the Union of intoxicating liquors where they are to be received, sold, or used—as I remember the substance of the law—in violation of the law of the State into which they are shipped.

Mr. HARDWICK. Mr. President, will the Senator yield?

Mr. STERLING. I yield to the Senator from Georgia.

Mr. HARDWICK. It is the fact, however, that that law is pending before the Supreme Court of the United States on the question of its constitutionality; and the whole court seems to be hopelessly and equally divided, so far as we can hear, on that question.

Mr. STERLING. But the matter involved here is quite another thing.

Mr. HARDWICK. Oh, I quite understand that; but the Senator is citing that as authority for this.

Mr. STERLING. Yes; and I cite that statute primarily for the purpose of showing the action of Congress in regard to this matter, and the view of Congress in regard to permitting the interstate-commerce clause of the Constitution, or that part of the Constitution in regard to post offices and post roads, to interfere with or prevent the operation of the laws enacted by the States by virtue of or under their police power.

Mr. KENYON. Mr. President—

Mr. STERLING. I yield to the Senator from Iowa.

Mr. KENYON. I want to say, in answer to the suggestion of the Senator from Georgia [Mr. HARDWICK], that while the constitutionality of that law has not been determined by the Supreme Court as yet, I think I am right in saying that every Federal court that has passed on that law has sustained it, and every State court except one. Has the Senator from Georgia any information to the contrary?

Mr. HARDWICK. The Senator may be right about that. Of course the main question and the controlling question is what the Supreme Court here finally decides, but that is not very pertinent. Of course there is no contention made by me or anybody else, so far as I know, that this provision would be unconstitutional if we put it in. I do not make that claim.

Mr. STERLING. So, Mr. President, there has been a marked disposition on the part of Congress, as shown by this legislation, to assist the States in the enforcement of the laws which they have enacted in the exercise of the police power of the States.

The Senator from Georgia seems to have based his argument largely upon the State-rights doctrine or principle, as though that doctrine were invaded or violated by this proposed legislation. Mr. President, instead of being a violation of any right of the States it is Federal legislation in aid of what the State has done already in the exercise of its rights, and the mailing or the shipment by mail of circulars or letters or newspapers or other matter containing advertisements of intoxicating liquors is only prohibited in those States which have laws prohibiting such advertisements. It seems to me that under the circumstances the invasion of a State right is the last thing of which the Senator from Georgia or anyone else ought to complain. This does not interfere with but aids in the exercise of the right of a State.

Mr. President, I think this is a sound and wise policy. The law is enacted in the State in the first instance in the interests of good health, the interests of good morals, subjects for which the police power of the State may be invoked; and when the General Government can aid the State in a purpose so great and so laudable as that by the enactment of a simple piece of legislation like this, I think it ought to do so.

[Mr. BORAH addressed the Senate. See Appendix.]

Mr. WORKS. Mr. President, my State is not a prohibition or a "dry" State. It would have been so long since, in my judgment, however, if it had not been for the fact that one of the great industries of the State is the manufacture of wines and brandies from grapes grown in the State. The question of prohibition has been submitted to the voters of the State, and prohibition has been voted down, largely for that reason.

In the State of California, its people having determined that traffic in intoxicating liquors is a legitimate traffic, it certainly would be an infringement upon the rights of the people of the State if the Government should deny to the mails advertisements of that trade. On the other hand, quite a number of the States of the Union have determined just to the contrary; they have voted in favor of prohibition, and have also by statute provided that advertisements of that kind shall not be allowed within the State. It seems to me in that case that the laws and the wishes of the State should be respected by the National Government,

and that it is the duty of the Government to do whatever it can to carry out the wishes of the States as declared by their statutory regulations; but the duty of the Government is to all of the States, not to one particular State. You can not separate the rights and obligations of an individual as a citizen of a State from the same rights and obligations as a citizen of the National Government. He is entitled to such protection of his rights as can be had by both the State and the National Governments.

It might be a very serious question which has been suggested by the inquiry of the Senator from Georgia [Mr. HARDWICK] as to whether, in case one State had declared it to be unlawful to advertise the sale of cigarettes, it would be the duty of the Government to withhold from that particular State the mails containing advertisements of that article. The Government must take the broad view of it, it seems to me, that it owes a duty to all of the States. It might be possible that under some circumstances to deny the mails to one of the States would be an injury to other States, and that, taking it as a whole, it is better that the rights of that State should be violated—if they are rights—than that injury should come to all of the other States.

It is not true, however, Mr. President, with respect to the traffic in intoxicating liquors. So great a number of the States have already determined against the traffic and have forbidden the advertisement of the trade that the Government may well say that its prime duty under those circumstances is to protect those States that have forbidden such advertisements and such traffic. That is necessarily so, because it could not, it seems to me, work any injury to the other States.

Mr. REED rose.

Mr. WORKS. It might work some injury to an individual publisher of a newspaper or magazine, but that is a matter that the Government need not take into consideration. It is the rights of the States the Government should protect in a matter of this kind. Now, I yield to the Senator from Missouri.

Mr. REED. Mr. President, can the Senator from California tell me how many States have passed laws prohibiting the advertisement of liquor in the newspapers of the State?

Mr. WORKS. No; I can not.

Mr. REED. Well, the Senator's statement a moment ago led me to believe that he thought a majority of the States had passed laws of that character. I asked the question because I really wanted to elicit the information. I do not pretend myself to know, and I was rather surprised on yesterday to hear the statement made that the State of Georgia had passed such a law, and that newspapers coming into Georgia from outside complied with the law by in some form obliterating such advertisements. Since the Senator from California thinks that there is so large a number of States that have passed such laws that no wrong would be done, although he admits the principle to be that the Government must legislate for all, it would be very interesting to know how many States have laws prohibiting the advertisement of the sale of liquor. I wish some one could give us that information.

Mr. WORKS. Well, Mr. President, I am not able to enlighten the Senator from Missouri on that subject, and I was not basing my position upon the ground that a majority of the States had passed such laws, because I think they have not. I have no idea that a majority or any great number of the States have so enacted; but I was trying to illustrate the idea that I was attempting to convey to the Senate, that Congress should determine what course is for the best interests of the States and for the people of the United States as a whole. If it be true that a half dozen States have enacted statutes of that kind and that mail of that sort could be excluded from those States without any injury to the States that have not enacted such statutes, then I think Congress ought to feel obligated to protect the laws of the States that have that kind of legislation. That is my position.

It has been said by the Senator from Georgia that the States have no rights respecting this matter; at least, they have no power to legislate with respect to it. It is very true, Mr. President, that a State has no power to legislate on the subject of carrying the mails, but it is not true by any means that the State has no right with respect to the carrying of the mails that the Government ought to respect. No State has the right to say to the Government, "You shall convey this kind of mail through or into the State," or "that you shall not carry certain other kinds of mail." It must be admitted that in that sense the States have no control over the situation; but certainly the State that has a law that prohibits the advertisement of the sale of liquor through the carrying of the mails has a moral right to say to the Government, "You should protect the laws of our State." That is all that is intended to be done by this amendment, as I understand; and I can not very well see what legitimate objection can be made to that kind of legislation as affecting the

rights of the States. It is for that reason that I am very earnestly in favor of this amendment.

There is another thing that appeals to me, Mr. President: It has been disclosed here—and it is a fact that all of us know—that a great many of the respectable publications of this country have refused to accept advertisements of this kind. I think that is a fortunate thing. Legislation of this character would tend to encourage just that sort of thing on the part of the magazines and newspapers of the country and to induce them to take the position which has already been taken voluntarily by some of the publications which are now being sent out, and in that way it would be helpful, not only to the State where such advertisements are forbidden to be published, but in all of the States all over the country. It would be a wholesome thing if advertising of that kind was absolutely prevented by the publications themselves, and I should like to see legislation of this kind for that reason, if for no other.

The PRESIDING OFFICER (Mr. WALSH in the chair). The question is on the motion of the Senator from Washington.

Mr. JONES. Mr. President, I will take just a minute. It was suggested by the Senator from Georgia [Mr. HARDWICK] that this was an inopportune time to take up a matter of this kind in connection with the Post Office appropriation bill, because the 1st of July is near at hand and the appropriations ought to take effect then. Of course, the 1st of July is near, but we have already taken care of that situation. It became perfectly plain that this bill could not become a law before the 1st of July; that the appropriations could not be made before that time; and so a bill has already passed Congress extending the appropriations of the present fiscal year for a certain period of time so as to give us an opportunity to consider these measures. So there is not now the great urgency for haste and early action upon this bill that there was a day or two ago and, therefore, I do not think that that objection as to the consideration of the amendment is now entitled to any particular weight.

The Senator also suggests that the laws of the various States where the selling of liquor has been prohibited, and also where liquor advertisements have been prohibited, permit the citizens of those States to purchase liquor from outside of the State, and therefore he argues that we should not adopt this amendment. It is true that in some, if not all—I do not know whether all, but in some—of the States where they prohibit the sale of liquor inside of the State they do permit the bringing in of liquor from outside into the State; but this amendment does not deal with that situation; it is not intended to deal with that situation. Some States have gone further and have prohibited such advertisements, circulars, and so on, within the State, and the purpose of this amendment is to prevent the circulation of such matter within the State contrary to the State laws.

It has been suggested by some that this would disorganize the Post Office Department and impose upon it additional burdens that would hamper the administration of that department. I can not see how that is true. The Senator from Idaho [Mr. BORAH] has answered that thoroughly. This amendment does not impose any additional burden upon the Post Office Department; this amendment makes certain acts a crime; and the enforcement of that criminal provision will rest upon the proper officers of the Government. That is all there is to it.

Mr. REED. Mr. President, I have not been here during much of this debate, and may therefore be going to ask a question which has already been answered. If so, I will not ask the Senator to answer it again. Let me say, so that my question may be plain, that, of course, if Congress enacts such a law as this, a law directly affecting the machinery of the Government, the duty will devolve upon it to see that the machinery is not employed so that a crime shall be committed through its instrumentality. It is a mere begging of the question to say that no duty will fall upon the Post Office Department when we enact a law declaring that the sending through the mails of a certain class of matter is a crime. As soon as we do that, it becomes our duty as a Government not to employ our agencies and instrumentalities in the actual perpetration of that crime. Now, assume that a man lives in the Senator's own State, that he is a subscriber, let me say, to the New York Times or the New York World, or any other great metropolitan periodical. That periodical carries a vast amount of news and it carries thousands of advertisements. Somewhere in the paper there is an advertisement of a wine or a liquor. How is that man to get his paper? It is inconceivable that that great paper is going to print a special edition in order to send into the State of Washington, the few copies that would be there read. So, in view of the fact that the paper does print such an advertise-

ment, which is perhaps one one-thousandth part of its business, does it not become the duty of the Postmaster General to have the packages containing the paper opened, to examine it and determine whether the governmental agency is being employed for the purpose of violating a solemn statute of the United States?

That is a somewhat involved and prolonged question, but the Senator catches the point, and I ask him how we are going to do this unless the results follow which I have indicated?

Mr. JONES. Mr. President, in the first place I am informed by some members of the Senate that many newspapers now send to the States where prohibition legislation is in force what might be called special editions of their papers with liquor advertisements cut out. They do that voluntarily, and I understand that it is not very much trouble, although I can see that it might involve some trouble, some inconvenience, and some expense, and some of the papers might not be willing to do it.

Now, as to the other point. I do not say that there would not be any duty upon the part of the Post Office Department, and yet there is nothing in this amendment that imposes upon the department any duty to make special investigations or employ any particular force in order to determine whether there are violations or not. The amendment simply says that certain things shall not be done. Then it says that whoever shall knowingly do those things shall be subject to a penalty. We have passed many laws declaring that certain offenses are crimes, and that whoever commits them shall be punished; but we do not hear of prosecuting officers going out generally for the purpose of seeing whether or not those laws are violated. They act whenever a complaint is made. Whenever somebody has reason to believe that the law has been violated and makes complaint, then the prosecuting officers act, and that would be very largely the policy under this amendment. I would expect, of course, that the inspectors of the department and the special officers of the department whom it sends about over the country would, so far as possible, see whether or not the law is being violated; but I do not believe that there would be any duties imposed upon the department under this provision that would especially disorganize it or especially burden it.

Mr. REED. Mr. President, if the Senator will pardon me, he is now putting up this remarkable argument for his amendment, that it ought to be adopted because it will not be enforced.

Mr. JONES. I did not yield to the Senator to misrepresent my position. I did not suggest anything of that sort.

Mr. REED. I did not mean to misrepresent the Senator's position, but is not that the fact?

Mr. JONES. No; it is not.

Mr. REED. Is this not the effect of the Senator's argument: Here is a law, drastic, far-reaching, and sweeping, which the Senator says will not interfere with the Post Office Department much because the Post Office Department will not have to enforce it.

Mr. JONES. No; the Senator from Washington did not say that at all.

Mr. WORKS. Mr. President, as I understand the provisions of this amendment, the offense which is proscribed may be prosecuted in the courts.

Mr. JONES. Certainly.

Mr. WORKS. And the newspaper publisher or the publisher of a magazine who violates the provision by sending this sort of matter into one of the States where it is prohibited is subject to prosecution, like any other criminal.

Mr. JONES. Certainly.

Mr. WORKS. It is not done through the Post Office Department, but through the courts of justice.

Mr. JONES. That is correct; and that is what I tried to say a moment ago.

Now, Mr. President, the Senator from Montana [Mr. WALSH] and some others have raised the inquiry as to why the necessity for making any motion to suspend the rule and place this general legislation upon a general appropriation bill. That would convey to anyone who is not familiar with our proceedings the idea that it is a very unusual thing to put general legislation upon appropriation bills; yet, Mr. President, we do it almost every time we pass an appropriation bill. There is hardly a general appropriation bill that goes through the Senate that does not contain general legislation. General legislation is put upon such bills without any question being raised, without any point of order being raised; it is put on, it might be said, by unanimous consent, when no special emergency is shown, or anything of that sort.

Now, why did we take this course in this case? We took it because we knew that the point of order would be raised the moment the amendment was offered. I do not question any-

body's motive in raising the point of order upon legislation of this kind; but we knew it would be done, and therefore we took the only course that we knew was open to get legislation of this character upon an appropriation bill.

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to interrupt him?

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

Mr. JONES. Certainly.

Mr. SMITH of Georgia. Is there any general bill covering this same subject pending before the Senate?

Mr. JONES. Mr. President, the amendment which I have offered was taken from a general bill introduced by the Senator from Alabama [Mr. BANKHEAD], who is chairman of the Committee on Post Offices and Post Roads. The bill was introduced February 12, 1916, and no action has been taken upon it.

Mr. SMITH of Georgia. Where is it pending?

Mr. JONES. Before the Post Office Committee, but no action has been taken on it for months.

Mr. BANKHEAD. Mr. President, I think I am called on to say a word.

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

Mr. JONES. Yes; I yield to the Senator.

Mr. BANKHEAD. When this bill was introduced and went to the committee, as usual we referred it to the Postmaster General for an expression of his opinion on the bill, as to the wisdom and propriety of enacting it, and as to how it would affect the Post Office Department. We have not heard from him on the subject—

Mr. JONES. I presume it was sent to him immediately upon its introduction.

Mr. BANKHEAD. So that the bill has not been considered by the committee.

Mr. JONES. The Post Office Department takes from February until nearly the 1st of July, and yet no report is made upon a measure of this character. It seems to me that shows some necessity for further action by Congress. I think that a similar bill was also introduced in the preceding Congress, but no action was taken upon it.

Mr. SMITH of Georgia. Mr. President, will the Senator yield?

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

Mr. JONES. Gladly.

Mr. SMITH of Georgia. Mr. President, I do not desire exactly to ask a question, but merely to say a word or two. I am very anxious to vote for such a measure as the amendment of the Senator from Washington. I wish to see it in effect in Georgia, where I live, and I believe the majority of my constituents likewise wish to see it in effect; but, whether they do or not, I do. I wish to help stop from the mails of my State the liquor advertisements which have poured in there from Chattanooga and other places. I am afraid, however, we are not going to get anywhere with the motion which the Senator has made. I am going to vote to suspend the rules, but I think it takes a two-thirds vote to suspend them. I wish to say, if we do not make any progress now, I will support a motion to discharge the Committee on Post Offices and Post Roads from the consideration of the bill to which the Senator has referred, and then I will support a motion to take it up at once and pass it.

Mr. JONES. Mr. President, I am not so hopeless as is the Senator with reference to the action of the Senate. I believe the Senate is going to suspend the rules and allow this amendment to be adopted.

Mr. SMITH of Georgia. I shall vote to suspend the rules, and I hope we will get a two-thirds vote to suspend them.

Mr. JONES. Furthermore, I do not believe it requires a two-thirds vote to suspend the rules. The Senate by a majority vote so decided a year or so ago, but the Senate by a majority vote can decide the other way, and that proposition will be put to the Senate if it should be held that it does require a two-thirds vote to suspend the rules.

Mr. GALLINGER. Mr. President—

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

Mr. JONES. I do.

Mr. GALLINGER. I have studied the rules a long time, and I have been utterly unable to discover any authority for the statement that it requires a two-thirds vote to suspend the rules. It is true that on a certain occasion, when the Senators were swayed by differing considerations, a majority vote was cast sustaining the point that was made that it required a

two-thirds vote; but that was only one instance. It will be used as a precedent, of course, but I am glad to hear the Senator say he is going to test the question again.

Mr. JONES. If necessary.

Mr. GALLINGER. If necessary. Let us have another vote on this proposition, and see whether the Senate thinks it takes a two-thirds vote to suspend the rules, so that we can have a better chance of passing this beneficent amendment. I am glad the Senator is going to make that issue, if necessary.

Mr. JONES. I am certainly going to do that, if it is necessary. I do not believe the Senate is going to refuse to give even a two-thirds vote upon a proposition of this character that looks toward assisting the States in carrying out the declared policies of the States with reference to a great question of this character and one of such great interest throughout all sections of the country.

In this connection I have here a telegram which I have been asked to present to the Senate, and I ask that it may be read.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The Secretary read as follows:

INDIANAPOLIS, IND., June 29, 1916.

Hon. W. L. JONES,

United States Senate, Washington, D. C.:

Representing unquestionably the known wishes of millions of voters who demand protection in prohibition States from mail solicitations to the violation of their laws, we beg the Congress to pass the pending legislation to close the mails of the Nation to advertisements of intoxicating liquors. Such advertisements sent into prohibition communities are a chief factor in nullifying local legislation and State statutes, are offensive to local self-government, and violative of reserved police powers of every State of the Union. Speaking for the constituency represented by thousands of delegates from all States, we plead for passage of this essential and urgent measure of home protection.

Luther B. Wilson, President; Purley A. Baker, General Superintendent; Edwin C. Dinwiddie, Legislative Superintendent; Ernest H. Cheerington, Manager Publishing Interests; Wayne B. Wheeler, General Counsel Anti-Saloon League of America.

Please present above memorial to Senate during discussion.

E. C. DINWIDDIE.

Mr. REED. Mr. President—

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

Mr. JONES. Yes; I yield.

Mr. REED. If the Senator had finished that branch of his discussion, I wanted to call his attention to another matter.

I ask the attention of my good friend from Georgia to this question. It does not relate to the general merits of the bill—that is, it does not relate to the general question as to whether or not liquor advertisements ought to be sent into "dry" territory. So far as I am concerned, I am prepared to do anything that is reasonable to protect "dry" territory against "wet" territory; but I call attention to this language, and I want to ask the Senator who is the author of this amendment if he thinks it can be justified in any law passed among free people:

Whoever shall knowingly deposit or cause to be deposited or shall knowingly send or cause to be sent * * * by mail anything herein forbidden to be carried by mail—

To wit, any document or paper containing a liquor advertisement—

shall be fined not more than \$1,000 or imprisoned not more than two years, or both.

Now—and I call the attention of the Senator from Georgia to this:

Any person violating any provision of this section may be tried and punished, either in the district in which the unlawful matter or publication was mailed or to which it was carried by mail for delivery, according to direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed.

Starting with that premise, I ask this question: Assume that a young lady residing in the State of Maine reads one of the popular magazines, and it contains an article or a story that is of interest to her sister or her relative residing in the State of Oregon, but it also contains a liquor advertisement, and she, in glancing through the magazine, observes and has knowledge of the fact that it does contain a liquor advertisement. She mails it to her sister in Oregon. Is it not possible, then, for some post-office inspector or somebody else to file in the State of Oregon a charge against that young lady who resides in Maine, and drag her 3,000 miles across the country to trial?

Mr. JONES. Why, Mr. President, of course it is possible. Almost anything is possible in the way of charging anybody with anything. I could go down here and charge the Senator from Missouri with almost anything now. It is possible.

Mr. REED. Is it not only possible to do that, but is it not expressly provided for in this law?

Mr. JONES. Oh, I do not think it probable; but that will come up when we consider the amendment upon its merits. The amendment itself will then be subject to amendment, and any proper amendment no doubt will be put in.

Mr. REED. I have heard little discussion here except upon the merits of this proposition.

Mr. JONES. I desire to say that most of my argument has been confined to the proposition to suspend the rules, and I have not gone very much into the other branch of the matter.

Mr. REED. Would the Senator be willing to answer the question just "Yes" or "No," whether it would not be entirely possible?

Mr. JONES. Why, I said it would be possible. Anything of that character would be possible.

Mr. REED. And would it not be possible not only to bring that charge but to convict her?

Mr. JONES. No; I do not think so.

Mr. REED. In the State of Oregon?

Mr. JONES. No; I do not think so.

Mr. REED. Why not? The Senator has provided for it.

Mr. JONES. I have answered the Senator's question. Of course that is an impossible suggestion.

Mr. REED. Now may I ask the Senator another question? Suppose this same young lady did not read the liquor advertisement and did not know that it was in the book, but that she sent the book containing the liquor advertisement, and thereupon some one—an inspector or somebody else—filed a charge against her in the State of Oregon. Would it not be possible and lawful to arrest her on that charge, carry her across the country, and compel her to go to trial 3,000 miles from her home? Is not that plainly written in the letter of the Senator's amendment?

Mr. JONES. Mr. President, of course that is possible, but the law says it must be done knowingly. Of course I can charge that somebody has done a thing knowingly if I see fit to do it.

Mr. REED. Does the Senator know of any other law that it has ever been undertaken to write upon the statute books of this country which proposes to give to the Government the right to try a man either in his home or in any other place that it wants to pick out? Does not this provision violate the very fundamental doctrine of Saxon civilization, that a man is entitled to a jury of his peers, summoned from the vicinage?

Mr. SMITH of Georgia. Mr. President—

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

Mr. JONES. I yield to the Senator; yes.

Mr. SMITH of Georgia. I wish to say to the Senator from Missouri that if he will help us suspend the rule so that we can get at this amendment, I am then perfectly willing to help him perfect it so that its application will be limited to the men engaged in the business who are trying to sell their intoxicating drinks by using the mails.

Mr. JONES. Yes; the Senator will have lots of assistance in getting this amendment in proper shape. As to the suggestion of the Senator with reference to the trial in these different places, I think there is room there for amendment; and I will cooperate very heartily with the Senator in getting a proper amendment, so that people will not be tried contrary to our general system of laws and Saxon jurisprudence. I might suggest that, while I do not remember the exact terms of the lottery law that we passed, I think, possibly, under its terms about the same things could be done that the Senator suggests could be done under this; but I do not know of any such thing having been done and I never have heard of any such attempt being made.

Mr. President, I would have been through by this time except for these interruptions. I am going to refer to just one matter that is not especially important, and that is the question of State rights. I want to say that I admire very greatly the junior Senator from Georgia [Mr. HARDWICK], not only for his steadfast adherence to the principles of State rights as he understands them but also for his courage in standing by his convictions with reference to these matters. I am satisfied that he is perfectly sincere in his views, and it simply increases my admiration for him that, notwithstanding the action of the people of his State, he stands by his convictions here. This question of State rights, however, is a rather peculiar one. Some of us are for State rights one day and then we do not pay much attention to them another day; and some of those who are supposed to know what State rights mean, and who have believed in that doctrine, are to-day the furthest, it seems to me, from the principles of the fathers who adopted the principle of State rights.

I have here volume 12, parts 1 and 2, of the Congressional Debates of the Twenty-fourth Congress, first session, 1835-36. I give this reference so that if anybody wants to look at the

matter more fully he can do so. I am not going to read everything that I have marked here, but it seems to me that we had up then—this was referred to by the Senator from Idaho [Mr. BORAH]—the very identical proposition that we have here; and I find that really the patron saint of State rights—Senator Calhoun—was the strong advocate of legislation of this kind. At page 1103 I find this:

The Senate proceeded to consider the bill prohibiting deputy postmasters from receiving or transmitting through the mail to any State, Territory, or District certain papers therein mentioned the circulation of which by the laws of said State, Territory, or District may be prohibited, and for other purposes.

That is very much like this. The purpose sought is substantially the same.

Mr. BORAH. Mr. President, will the Senator permit me to read a paragraph from Jackson's message?

Mr. JONES. Certainly.

Mr. BORAH. This is from the message of President Jackson of December 7, 1835. He says:

In connection with these provisions in relation to the Post Office Department I must also invite your attention to the painful excitement produced in the South by attempts to circulate through the mails inflammatory appeals addressed to the passions of the slaves in prints and in various sorts of publications calculated to stimulate them to insurrection and to produce all the horrors of a servile war. There is doubtless no respectable portion of our countrymen who can be so far misled as to feel any other sentiment than that of indignant regret at conduct so destructive of the harmony and peace of the country and so repugnant to the principles of our national compact and to the dictates of humanity and religion. Our happiness and prosperity essentially depend upon peace within our borders and peace depends upon the maintenance in good faith of those compromises of the Constitution upon which the Union is founded.

It is fortunate for the country that the good sense, the generous feeling, and the deep-rooted attachment of the people of the non-slaveholding States to the Union and to their fellow citizens of the same blood in the South have given so strong and impressive a tone to the sentiments entertained against the proceedings of the misguided persons who have engaged in these unconstitutional and wicked attempts and especially against the emissaries from foreign parts who have dared to interfere in this matter, as to authorize the hope that those attempts will no longer be persisted in. But if these expressions of the public will shall not be sufficient to effect so desirable a result not a doubt can be entertained that the non-slaveholding States, so far from countenancing the slightest interference with the constitutional rights of the South, will be prompt to exercise their authority in suppressing, so far as in them lies, whatever is calculated to produce this evil.

In leaving the care of other branches of this interesting subject to the State authorities, to whom they properly belong, it is nevertheless proper for Congress to take such measures as will prevent the Post Office Department, which was designed to foster an amicable intercourse and correspondence between all the members of the confederacy, from being used as an instrument of an opposite character. The General Government, to which the great trust is confided of preserving inviolate the relations created among the States by the Constitution, is especially bound to avoid in its own action anything that may disturb them. I would therefore call the special attention of Congress to the subject and respectfully suggest the propriety of passing such a law as will prohibit, under severe penalties, the circulation in the Southern States through the mail of incendiary publications intended to instigate the slaves to insurrection.

Mr. REED. What is that from?

Mr. BORAH. Jackson's message.

Mr. JONES. At page 1107 I find this:

Mr. Calhoun said that the Senator from Massachusetts had certainly raised a very important point, and he could not do justice to his argument and to himself without previously arranging the various points of it. The Senator, however, was mistaken in his view of the subject. It was because the subject particularly belonged to the States, and it was the duty of the General Government to aid and cooperate with them in carrying their laws into effect, that the bill was framed. He ventured to assert that not only did this duty result from the relations between the States and the Federal Government, but that it was an indispensable duty. The principle was not a new one; it had been applied more than once; but it was an old principle applied to a new case. He threw out these hints to prevent any erroneous impressions resulting from the remarks of the gentleman from Massachusetts.

And then, in part 2, at page 1730, Mr. Calhoun said this:

Mr. Calhoun could not concur with the views taken by the Senators from Massachusetts and Kentucky, that this bill would comprehend in its provisions all publications touching the subject of slavery. In order to bring any publication within the provisions of the bill, two qualifications were necessary. The first was that it must relate to the subject of slavery—

The first provision here is that it must relate to intoxicating liquors—

and the next was that it must be prohibited by the laws of the State to which it is transmitted. He thought that this was the view that would be taken of it by the courts.

I have marked here what I should like to put in my remarks, and I will not take the time of the Senate to read further at this point.

The PRESIDING OFFICER. Without objection, permission will be granted to insert the matter in the Record.

The matter referred to is as follows:

The object of this bill was to make it the duty of the postmasters in the States to conform to the laws of such States and not to deliver out papers in violation of their laws. The simple question was, Had this Government the power to say to its officers, "You shall not violate

the laws of the States in which you reside"? Could it go further and make it their duty to cooperate with the States in carrying their laws into effect? This was the simple question. Now, could any man doubt that Congress possessed the power to pass both measures, so that their officers might not come into conflict with the State laws? Indeed, he looked upon measures of this kind to prevent conflicts between the General and State Governments, which were likely to ensue, as essentially necessary, for it was evident that when such conflicts took place the States must have the ascendancy. Mr. C. then briefly recapitulated the principles on which this bill was founded, and contended that it was in aid of laws passed by the States as far as Congress had the power constitutionally to go, and assumed no power to prohibit or interfere with the publication or circulation of any paper whatever; it only declared that the officers of the Government should not make their official stations a shield for violating the State laws. Was there anyone there who would say that the States had not the power to pass laws prohibiting and making penal the circulation of papers calculated to incite insurrection among their slaves? It being admitted that they could, could not Congress order its officers to abstain from the violation of these laws? "We do not," said Mr. C., "pass a law to abridge the freedom of the press or to prohibit the publication and circulation of any paper whatever—this has been done by the States already." The inhibition of the Constitution was on Congress and not on the States, who possessed full power to pass any laws they thought proper. They knew that there were several precedents to sanction this bill. Congress had passed laws to abstain from the violation of the health laws of the States. Could anyone say that the Constitution gave to Congress the power to pass quarantine laws? He had not adverted to the message of the President on this subject, because he believed that the President acted from the best motives and that that part of the message was drawn up without sufficient reflection. He denied, however, that this message was in conformity with the Constitution. It would be directly abridging the liberty of the press for Congress to pass such laws as the President recommended.

Mr. JONES. Mr. President, this language of Senator Calhoun could well be applied to the bill that is now pending. It is exactly of the same character, the same in principle, and the same generally in public policy. I shall not take the time of the Senate further. I do not know whether or not the debate is over on this amendment, but I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

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

Bankhead	Gore	Lippitt	Sheppard
Beckham	Gronna	Lodge	Sherman
Brady	Hardwick	McLean	Smith, Ariz.
Brandegge	Hitchcock	Martine, N. J.	Smith, Mich.
Bryan	Hughes	Myers	Smoot
Chamberlain	Husting	Nelson	Sterling
Clark, Wyo.	James	Newlands	Stone
Clarke, Ark.	Johnson, Me.	Norris	Sutherland
Colt	Johnson, S. Dak.	Oliver	Thompson
Culberson	Jones	Overman	Tillman
Cummins	Kenyon	Page	Townsend
Curtis	Kern	Phelan	Warren
du Pont	La Follette	Pomerene	Weeks
Fletcher	Lane	Ransdell	Williams
Gallinger	Lea, Tenn.	Shafroth	Works

Mr. BECKHAM. I wish to announce that the junior Senator from Mississippi [Mr. VARDAMAN] is absent on official business.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] and to state that he is paired with the senior Senator from North Dakota [Mr. McCUMBER].

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from West Virginia [Mr. CHILTON]. This announcement may stand for the day.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). The Chair desires to announce that the junior Senator from Louisiana [Mr. BROUSSARD] is absent on public business. Sixty Senators have responded to their names. A quorum is present.

Mr. SMOOT. Mr. President, just a word in explanation of my vote upon this motion.

This question was before the Senate on January 13, 1915, upon a motion by the Senator from Texas [Mr. SHEPPARD]. At that time I announced my position on it, and I do not believe that I could explain my vote now in any better way than I did at that time.

I stated then that I thought the Senator from Texas was very unfortunate indeed in trying to suspend the rules for legislation upon an appropriation bill, and called the attention of the Senate to paragraph 3 of Rule XVI, which I shall not take the time to read. I also stated that it was unfortunate that the motion should be to amend an appropriation bill, because of the fact that it would establish a bad precedent, that it might be done at a time when there would be a greater issue involved than the one then presented. The result, if it became an established practice, might often be the defeat of an appropriation bill in a short session of Congress. That could be easily accomplished if this was made the practice of the Senate.

If I were interested in legislation that was of interest to my State, I would not undertake under the rules of the Senate to place it upon an appropriation bill by moving a suspension of the rules of the Senate.

I wish to say to the Senator making the motion that if the principle of the motion was embodied in a bill and was before the Senate for action, I would gladly vote for it, but I can not vote to suspend the rules for the purpose of putting legislation upon an appropriation bill. I believe that the precedent established by it would do a great deal more harm to the future practice of the Senate than the good that would come by adopting it upon the motion made by the Senator from Washington.

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

Mr. SMOOT. I yield to the Senator.

Mr. WORKS. Does the Senator think it would be worse to suspend the rules in order to legislate in this way than to violate the rules by doing it every day we are operating upon appropriation bills by incorporating that kind of legislation in the bill?

Mr. SMOOT. As I stated when that same question was asked me in January, 1915, it is not violating the rules of the Senate when legislation is put upon an appropriation bill by unanimous consent, because the rule specifically provides that it can be done by unanimous consent.

Mr. WORKS. The Senator sits by like the balance of us and sees the rule-violated day after day without making any objection.

Mr. SMOOT. If every Member of this body is in favor of the legislation and it goes upon an appropriation bill, and it can not go on in any other way, I do not think it is a violation of the rule. In fact, it is not a violation of the rules of the Senate.

Mr. JONES. Mr. President—

Mr. SMOOT. I yield to the Senator.

Mr. JONES. If the Senator will permit me, if we were to suspend the rule it is not a violation of the rule. We are acting now in accordance with the rules of the Senate. So there is no violation of the rules involved in the matter.

Mr. SMOOT. I agree with the Senator. The rule was adopted applying only to appropriation bills because of the fact that appropriation bills are necessary for the running of our Government, and generally they come before the Senate in the very closing days of the session. The rule was made to prevent just such motions being made as we are now considering. If we undertake to suspend the rule to adopt this particular legislation upon an appropriation bill, no matter how much we may be interested in it, unless there is unanimous consent given I believe that it would establish a precedent that would arise to plague us in the future. General legislation should not be put upon appropriation bills but should take the regular course that other bills take.

Mr. SHEPPARD. Mr. President—

Mr. SMOOT. I yield to the Senator.

Mr. SHEPPARD. Did the Senator vote to put the Jones-Works excise law on a general appropriation bill?

Mr. SMOOT. I did not vote to suspend any rule to put it on. If the pending motion was not objected to, I would not interpose an objection.

Mr. SHEPPARD. I asked the Senator if he voted to put that law on a general appropriation bill?

Mr. SMOOT. I think I did.

Mr. SHEPPARD. The Senator is inveighing against the practice of putting general legislation on an appropriation bill, a practice he has himself indorsed.

Mr. SMOOT. I object to suspending the rules to do so, as I have always done in the past. That is my position. When general legislation is proposed upon an appropriation bill and there is objection to it, and then it is undertaken to be placed upon the appropriation bill by suspending the rules of the Senate, I will not vote to suspend the rules. That was my position in 1915, and I so stated to the Senate. I voted against it at that time, and I shall do so now.

Mr. SHEPPARD. If the Senator from Utah will allow me, there was objection to that measure going on a general appropriation bill.

Mr. GALLINGER. That is about what I rose to say to the Senator from Utah. There was objection to putting the Jones amendment on the bill, but some of us voted to put it on, and it went on. It was not a unanimous agreement.

Mr. SMOOT. But there was no motion made to suspend the rules.

Mr. GALLINGER. That is immaterial.

Mr. SMOOT. With me that is very material, and is exactly what is undertaken now.

Mr. GALLINGER. That is leather and prunella.

Mr. SMOOT. It may be with the Senator, but it is not with me.

Mr. GALLINGER. We have a right to suspend the rules under the rule.

Mr. SMOOT. Certainly we have. I have not denied that fact. I know we have a right to suspend the rules under the rule, but I say it is not a wise thing to suspend the rule in order to place legislation upon an appropriation bill. That is my position, and is the position I stated to the Senate before, and I shall not change my attitude in relation to it, no matter what the question involved may be.

Mr. GALLINGER. The Senator bases his objection largely upon the ground that it takes time and may endanger the passage of the bill. The contest over placing the Jones amendment on the bill took time, but it did not defeat the bill. We have all summer to pass this bill.

Mr. SMOOT. I did not say that in this case time was the essence of my objection, but I did say that if we undertake to do this and establish the precedent time might become a very important question, particularly in a short session of Congress.

Mr. GALLINGER. A speech will accomplish the same purpose near the close of a session.

Mr. SMOOT. That may be true. This would add another way of accomplishing the defeat of appropriation bills in the closing days of a session.

Mr. GALLINGER. It is one way out of a hundred.

Mr. WORKS. I do not know that I understand the position of the Senator from Utah. I should like to ask him whether his objection is to placing general legislation on an appropriation bill or to the suspension of the rule for that purpose?

Mr. SMOOT. My objection is to suspending the rule for the purpose of placing legislation upon an appropriation bill.

Mr. WORKS. Then you object to the lawful way, the one provided by the rules of the Senate?

Mr. SMOOT. I did not hear the Senator.

Mr. WORKS. I say, then, you object to doing it in a lawful, legitimate way, as provided by the rules of the Senate.

Mr. SMOOT. No. I object to suspending the rules for the purpose of putting any kind of legislation on an appropriation bill. That is what I object to, and I think the objection is a wise one, when you take into consideration the fact that at a short session of Congress it could be used for defeating an appropriation bill. I wish to state frankly that I would vote with the Senator to discharge the Committee on Post Offices and Post Roads from further consideration of his bill having the same object in view as his intended amendment to this appropriation bill; I will vote for the same proposition if it comes before the Senate in the shape of a bill; I am in favor of the legislation, but I shall not vote to suspend the rules for the purpose of putting the legislation upon an appropriation bill.

Mr. SMITH of Arizona. Before the Senator takes his seat, let me state a difficulty which suggests itself to my mind. I express great sympathy with the position taken by the Senator from Utah. I think I see in this precedent an ability at any time when any Senator desires to put general legislation on an appropriation bill by which every appropriation bill will be subject to the assault on only one day's notice, and he will divert attention from the regular order of the Senate by his desire to take a vote on any item of general legislation obnoxious to the rule which he wishes to move as an amendment. That is, any Senator can by one day's notice load your appropriation bill from start to finish with every man's particular idea of general legislation that ought to go on it by merely giving a day's notice of the fact that you intend to do it. It seems to me it would absolutely break up the orderly proceedings of this body. I, for one, regardless of my opinion on the merits of the measure, will certainly vote now and at any other time against bringing in by one day's notice a vote on a question as to whether the appropriation bill shall be amended by general legislation. That ought to be done by the regular, orderly way of introducing a bill and referring it and reporting it and passing it.

Mr. JONES. Will the Senator permit me? I suggest that under the rule now, whether we adopt this motion or not, any Senator can give any notice that he wants about any amendment at any time, and then we can discuss it.

Mr. SMITH of Arizona. I do not think that is the purpose of the rule.

Mr. JONES. There is nothing in the rules to prevent giving notice.

Mr. SMITH of Arizona. There is a good deal in practical legislation and I will say there is common sense in every one of these legislative bodies.

The mere fact that you can amend the rules by giving a day's notice does not mean that that rule of this body can be changed by one day's notice at your own sweet pleasure. It means that in the orderly procedure of the Senate, if you want to change the rules, it must be done by giving due notice. When the notice is given, you can change the rules. It strikes me that such a practice as that proposed was never contemplated. I do not

know that anyone can interrupt any appropriation bill by giving one day's notice and then take a vote whether the Senate will place the item upon an appropriation bill.

Mr. GALLINGER. Mr. President, the Senator from Arizona said these matters ought to be governed by common sense. So far as I am concerned, I am governed by the rules of the Senate in this and all other matters, as I understand it. The rule is explicit and incapable of misunderstanding, that if a Senator gives one day's notice he can move to suspend the rules.

Mr. SMITH of Arizona. If the Senator will permit me right here, as suggested by the Senator from Nebraska [Mr. HITCHCOCK], do you not thereby give an advantage to that general legislation that has never had the sanction of a committee of this body? So you get absolutely undigested action on legislation that has never seen the committee, that has never been before the committee for consideration, when the Senate at its own sweet will on a day's notice can suspend the rules to amend an appropriation bill.

Mr. GALLINGER. We do not suspend the rule at my sweet will, but at the sweet will of the Senate of the United States, of two-thirds; it has been claimed, I think, one-half. If the Senator is so distressed about general legislation I will refer him to bills that have been passed.

Mr. SMITH of Arizona. I was not much distressed about anything.

Mr. GALLINGER. The Senator will please get permission to interrupt me. The Senator may well go to bills that have been passed at this session or bills that are to be passed at this session, and he will see a number of undigested matters in those bills. I refer him to the naval appropriation bill which will soon come before this body, and he will find in it general legislation which never had the sanction of a committee of this body. However that may be, the Senator from Washington was proceeding under the rules of the Senate, and no Senator has a right to criticize him for exercising his right under the rules of the Senate.

Mr. SMITH of Arizona. The Senator does not presume that I was criticizing the Senator from Washington purposely?

Mr. GALLINGER. Oh, no.

Now, one other point. The Senator from Utah is greatly distressed, apparently, that some legislation may be defeated at the close of a session by a motion of this kind. The Senator from Utah knows that this body always gives way to a speech. It may be that if we were about to declare war and a Senator had given notice that he would make a speech he would give way to a declaration of war. That might be so, but it is about the only thing I can conceive of that will take a Senator off his feet in this body; and his speech might defeat an appropriation bill at the close of a short session. A Senator can offer an amendment and debate it at the close of a session. I see no more danger in a motion to suspend the rules leading to the defeat of an appropriation bill at the close of a short session than any other legislative procedure that might take place. So I think there is very little potency in the argument made by the Senator from Utah, so far as that is concerned.

But, Mr. President, the gist of this matter lies in the fact that the rules provide that upon a day's notice a Senator can move to suspend the rules. The Senator from Washington has conformed to that rule. He has given notice. He has made a motion to amend, and now let us vote. I have no disposition to discuss it, but let us vote on it and see how the Senate feels about it.

Mr. CLARKE of Arkansas. Mr. President, this hobgoblin of general legislation on appropriation bills is magnified, I think, unduly on this occasion. For the first 90 years of the history of the United States Senate there was not any prohibition against putting anything on an appropriation bill or any other kind of a bill. About 1879 the Democrats in one branch of Congress annexed a condition in an appropriation bill to an appropriation of certain moneys to employ United States marshals that no part of it should be paid for deputies to appear at the polls, and held up the appropriation bill until that became the law and broke up what was deemed to be a very nefarious practice. Subsequently, those in charge of the Senate concluded that they would render it impossible to repeat that performance, and they adopted this rule, which has been more honored in the breach than in the performance. Daily, I might almost say, at certain periods in the history of the sessions of the Senate hourly it is violated, and to the very great improvement of the legislation of the country.

It is not an absolute rule. It is within the discretion of the presiding officer to refuse to enforce it and submit the matter to the Senate, when the Senate habitually disposes of the question upon its merits, or I should say just as individual Senators care to vote on the ultimate question submitted,

So I find no difficulty about voting to suspend the rule, not only because I am in favor of doing the thing we are trying to do in the end, but because it is an entirely proper procedure under our rules. It is absurd to say that it is an innovation upon anything or anybody, and say we could not suspend the rule for a day, whereas by some procedure and by a majority vote you can repeal the rule entirely and wipe entirely off the book the whole system. As it is a mathematical axiom, that the greater includes all smaller elements, and we could repeal this rule on the notice given by the Senator from Washington, I do not think we offend very greatly when we modify it for a single day.

Mr. BRANDEGEE. Mr. President, one of the strongest reasons underlying the rule is that appropriation bills are necessary for the conduct of the Government, and they are not supposed to be legislative bills. The reason why general legislation should not be permitted on appropriation bills any more than is absolutely necessary is this, that it compels the President, who has the veto power, to veto the whole appropriation bill if he does not approve the legislation that is put upon the appropriation bill as a rider. I think it is a very poor way to legislate. Everybody knows that an appropriation bill has got to go through or the Government has to be held up for its running expenses. Therefore there is an unnatural and abnormal desire to get legislation on appropriation bills in spite of the rule.

The fact that we frequently violate the rule is itself no reason why we should violate the rule. The rule provides for its suspension by unanimous consent. Every time a piece of legislation goes on an appropriation bill it goes on by unanimous consent because it is subject to the point of order under the rule, and if a Senator does not raise the point of order he gives his consent that the rule should be violated.

The only other time a piece of legislation goes on an appropriation bill is when a point of order is made and the Chair submits the question to the Senate. Then the Senate decides whether it is in order or not or whether it is legislation or not. It can do that by a majority vote. But that is not per se a violation of the rule or the judgment of the Senate as to whether it does violate the rule. The fact that the Senate frequently does not vote upon the question but votes upon its desires does not alter that argument at all.

I repeat, the main reason why it is unwise policy to put all sorts of legislative measures on appropriation bills is that it puts the President in a position in which he ought not to be placed until we give him at least authority to veto particular items on an appropriation bill.

Mr. SHEPPARD. Mr. President, I wish to observe here that many of the fundamental rights of the people have been preserved through the power of parliaments to exact conditions in connection with appropriation bills. The right of the English Parliament to attach conditions to supply bills, or to refuse supplies to the Crown unless the people's rights were respected, has been one of the chief safeguards of English freedom. Senators who stand out here against the right to attach conditions to appropriation bills are standing against what has been one of the greatest safeguards of freedom throughout English history.

The VICE PRESIDENT. The question is, Shall the rule be suspended for which the Senator from Washington has given notice?

Mr. CLARKE of Arkansas and Mr. JONES called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. JONES (when his name was called). I have a pair for the week with the junior Senator from Virginia [Mr. SWANSON]. If permitted to vote on this motion, I would vote "yea."

Mr. OLIVER (when his name was called). On this vote I am paired with the junior Senator from Mississippi [Mr. VARDAMAN], who has been called from the Chamber on official business. If that Senator were present, he would vote "yea" and I would vote "nay."

Mr. KERN (when Mr. WILLIAMS's name was called). I desire to announce the absence of the Senator from Mississippi [Mr. WILLIAMS] on official business. He is paired with the Senator from Pennsylvania [Mr. PENROSE].

The roll call was concluded.

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to my colleague [Mr. SMITH of South Carolina] and vote "nay."

Mr. COLT (after having voted in the affirmative). Has the junior Senator from Delaware [Mr. SAULSBURY] voted?

The VICE PRESIDENT. He has not.

Mr. COLT. As I have a general pair with that Senator, I withdraw my vote.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] and to state that he

is paired with the senior Senator from North Dakota [Mr. McCUMBER].

Mr. BECKHAM (after having voted in the affirmative). I observe that the junior Senator from Delaware [Mr. DU PONT], with whom I am paired, has not voted. I transfer my pair with that Senator to the Senator from Maryland [Mr. LEE], and allow my vote to stand.

Mr. MARTINE of New Jersey. I desire to announce the unavoidable absence of the Senator from Louisiana [Mr. BROUSSARD] on public business. He would vote "nay" if he were present.

I am also authorized to announce the pair of the Senator from Maryland [Mr. SMITH] with the Senator from Vermont [Mr. DILLINGHAM].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS]; and

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD].

The result was announced—yeas 36, nays 28, as follows:

YEAS—36.

Ashurst	Curtis	Lodge	Sheppard
Beckham	Gallinger	McLean	Sherman
Borah	Gore	Myers	Smith, Ga.
Brady	Gronna	Nelson	Sterling
Chamberlain	Jones	Norris	Sutherland
Clapp	Kenyon	Overman	Thompson
Clark, Wyo.	La Follette	Page	Townsend
Clarke, Ark.	Lane	Poindexter	Weeks
Cummins	Lea, Tenn.	Shafroth	Works

NAYS—28.

Bankhead	Hughes	Lippitt	Reed
Brandeggee	Husting	Martine, N. J.	Smith, Ariz.
Bryan	James	Newlands	Smoot
Culberson	Johnson, Me.	Phelan	Stone
Fletcher	Johnson, S. Dak.	Pittman	Tillman
Hardwick	Kern	Pomerene	Walsh
Hitchcock	Lewis	Ransdell	Warren

NOT VOTING—31.

Broussard	Harding	Penrose	Swanson
Catron	Hollis	Robinson	Taggart
Chilton	Lee, Md.	Saulsbury	Thomas
Colt	McCumber	Shields	Underwood
Dillingham	Martin, Va.	Simmons	Vardaman
du Pont	O'Gorman	Smith, Md.	Wadsworth
Fall	Oliver	Smith, Mich.	Williams
Goff	Owen	Smith, S. C.	

The VICE PRESIDENT. In accordance with the former ruling of the Senate that it requires a two-thirds vote to suspend the rule, the Chair decides that the rule is not suspended.

Mr. JONES. Mr. President, I desire to appeal from the decision of the Chair holding that a two-thirds vote is necessary to suspend the rules.

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

Mr. HARDWICK. On that question, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. JONES (when his name was called). While I have a pair with the junior Senator from Virginia [Mr. SWANSON] for the week, I understand that upon this question I am at liberty to vote, so I do so. I vote "nay."

Mr. OLIVER (when his name was called). I had a pair on the last vote with the junior Senator from Mississippi [Mr. VARDAMAN]. I have some doubt, however, as to whether or not that pair would apply on a vote of this kind. In order to be on the safe side, however, I refrain from voting.

Mr. SMITH of Maryland. I have a pair with the Senator from Vermont [Mr. DILLINGHAM]. I transfer that pair to the Senator from Indiana [Mr. TAGGART] and vote "yea."

Mr. SHAFROTH (when the name of Mr. THOMAS was called). I desire to announce the unavoidable absence of my colleague [Mr. THOMAS], and to state that he is paired with the senior Senator from North Dakota [Mr. McCUMBER].

The roll call was concluded.

Mr. OLIVER. I transfer my pair with the Senator from Mississippi [Mr. VARDAMAN] to the Senator from Louisiana [Mr. BROUSSARD] and vote. I vote "yea."

Mr. KERN. I again desire to announce the unavoidable absence on official business of the senior Senator from Mississippi [Mr. WILLIAMS]. He is paired with the senior Senator from Pennsylvania [Mr. PENROSE].

Mr. BECKHAM (after having voted in the negative). I transfer my pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Maryland [Mr. LEE] and will let my vote stand.

Mr. CURTIS. Mr. President, I am requested to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS].

The result was announced—yeas 42, nays 25, as follows:

YEAS—42.

Ashurst	James	Oliver	Smith, Md.
Bankhead	Johnson, Me.	Overman	Smith, Mich.
Borah	Johnson, S. D.	Page	Smoot
Brandegee	Kern	Phelan	Sterling
Bryan	Lewis	Pittman	Stone
Culberson	Lippitt	Pomerene	Sutherland
Fletcher	Lodge	Ransdell	Townsend
Hardwick	McLean	Reed	Warren
Hitchcock	Martin, Va.	Shafroth	Weeks
Hughes	Martine, N. J.	Smith, Ariz.	
Husting	Newlands	Smith, Ga.	

NAYS—25.

Beckham	Curtis	Lane	Sherman
Brady	Gallinger	Lea, Tenn.	Thompson
Chamberlain	Gore	Myers	Walsh
Clapp	Gronna	Neison	Works
Clark, Wyo.	Jones	Norris	
Clarke, Ark.	Kenyon	Polindexter	
Cummins	La Follette	Sheppard	

NOT VOTING—28.

Bronssard	Goff	Penrose	Taggart
Catron	Harding	Robinson	Thomas
Chilton	Hollis	Saulsbury	Tillman
Colt	Lee, Md.	Shields	Underwood
Dillingham	McCumber	Simmons	Vardaman
du Pont	O'Gorman	Smith, S. C.	Wadsworth
Fall	Owen	Swanson	Williams

So the ruling of the Chair was sustained.

Mr. HARDWICK. Mr. President, I now ask to return to page 42, at which I desire to offer the amendment which I send to the desk. I offer this amendment for the purpose of perfecting a number of committee amendments in connection with the provision.

The VICE PRESIDENT. The amendment proposed by the Senator from Georgia will be stated.

The SECRETARY. On page 42, beginning in line 21, after the language "Sec. 16," it is proposed to strike out:

That the Postmaster General is authorized and directed.

The amendment was agreed to.

Mr. HARDWICK. Now, I propose another amendment, which I send to the desk and desire the Secretary to state.

The VICE PRESIDENT. The amendment proposed by the Senator from Georgia will be stated.

The SECRETARY. It is proposed to strike out all of page 55, as the bill now stands, from line 6 to line 24.

Mr. HARDWICK. That is the provision in reference to annual weighing of the railway mails. The committee will have a substitute to offer for that, which I shall submit as soon as the motion to strike out is agreed to.

The VICE PRESIDENT. The committee amendment at that point has been agreed to, and in order for the Senator to offer his amendment it will be necessary to reconsider the vote by which it was agreed to.

Mr. HARDWICK. Then I move to reconsider the action of the Senate in agreeing to the committee amendment.

The motion was agreed to.

Mr. HARDWICK. Now, I move to amend by striking out the language which I have indicated.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from Georgia will be stated.

The SECRETARY. It is proposed to strike out, on page 55, from line 6 to line 24, inclusive, as follows:

From and after the passage of this act and not less frequently than once every year to cause the United States mails to be weighed simultaneously on all railroad mail routes for a period of 30 successive working days, and when such annual weighing is completed he shall readjust the annual compensation of railway mail pay on the basis of the average daily weight of all the mail carried on each route as ascertained by the actual weight taken, as herein provided, which readjustment shall be effective on and after the 1st day of July following such weighing: *Provided*, That such annual weighing shall only be had in those cases in which railroad companies carrying the mails shall perform the work of weighing the mails under the supervision and direction of the Postmaster General and without expense to the Government: *Provided further*, That in case any contractor for a railway mail route shall

refuse or fail to perform the work of weighing without expense to the Government, then the mails on such route shall be weighed quadrennially in the manner above provided.

The amendment was agreed to.

Mr. HARDWICK. I now offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Georgia will be stated.

The SECRETARY. In the amendment offered by the Senator from Iowa [Mr. CUMMINS] and agreed to by the Senate, after the word "applicable" it is proposed to insert the following:

Pending such hearings and the final determination of the question the existing law in reference to the weighing of the mails shall remain in force, except that if the Interstate Commerce Commission shall determine that it is necessary or advisable in order to carry out the provisions of this act to have additional and more frequent weighing of the mail, the Postmaster General, upon request of the commission, shall provide therefor in the manner now prescribed by law and under the terms of existing law.

Mr. HARDWICK. Mr. President, just a moment in explanation of this amendment. When this provision of the bill was previously under consideration in the Senate I made the statement to the Senate that the provisions for the details and manner of weighing the mails were in the terms of existing law, and I made that statement on information that I had received in the committee room, which I have since discovered to be inaccurate. I now make whatever apology is necessary to the Senator from Wisconsin for the inaccuracy. I am glad to acknowledge a mistake when I have made one; I am sorry I have made this one, and I desire to correct it.

The existing law is that the weighing of the mails shall be made under the supervision and direction of the Postmaster General, but by the postal employees. That was the part of it that I was mistaken about. I thought that the provision of existing law was that the weighing be made under the supervision and direction of the Postmaster General. I find the existing law further provides that the weighing shall be made by the postal employees, as was contended by the Senator. The committee thinks, on reflection, that this annual weighing ought not to be provided in view of the fact that the Interstate Commerce Commission, if the Senate provision prevails—and we hope it will—have the final disposition and control of this matter. There is no need for annual weighing pending final action by that body. We have, therefore, provided that the existing law with reference to the weighing shall continue in force pending the investigation and completion of the matter by the Interstate Commerce Commission. We have provided, however, that if the Interstate Commerce Commission while it is investigating the subject finds it necessary, in order to know what is right and just to the Government and to the railroads, to have more frequent weighings or weighings anywhere, if they want to have them, upon request the Postmaster General shall have such weighings made for their information.

So long as the Interstate Commerce Commission is to dispose of this matter, and is directed to give it precedence over all other business and to bring it to a speedy conclusion, we have, on reflection and on further consideration, concluded that there is no need for any change of existing law about weighing, except to provide that, if the Interstate Commerce Commission needs any weighing done in order to facilitate its investigation and to add to the thoroughness of it, it shall be done by the Postmaster General under existing law and at their request. I ask for a vote on the amendment, Mr. President.

The VICE PRESIDENT. Just a word for the purpose of getting the record straight. The amendment now submitted by the Senator from Georgia, as the Chair understands, is to come in after the word "applicable." Neither the Chair nor the Secretary is able to find that word.

Mr. HARDWICK. It is on page 3 of the Cummins amendment as originally printed. It is numbered 3, and is on page 3, line 3, of that amendment. It is so indicated in the text of the bill, and ought therefore to be very easy to discover. My amendment comes in at that point.

The VICE PRESIDENT. The Senator's amendment is an amendment to an amendment which was adopted by the Senate as in Committee of the Whole. It will therefore be necessary to reconsider the vote by which the amendment was adopted.

Mr. HARDWICK. Then I move to reconsider the vote by which the amendment was adopted.

The motion was agreed to.

The VICE PRESIDENT. Now the question comes on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HARDWICK. On behalf of the committee I offer two more amendments, which I will ask to have voted on separately, and then I think we are through.

The VICE PRESIDENT. The first amendment offered by the Senator from Georgia will be stated.

The SECRETARY. On page 56, after the word "inquiry," it is proposed to insert:

The Postmaster General is authorized to employ such clerical and other assistance as shall be necessary to carry out the provisions of this section, and to rent quarters in Washington, D. C., if necessary, for the clerical force engaged thereon.

The VICE PRESIDENT. That seems to be again an amendment to an amendment.

Mr. HARDWICK. It is. I had overlooked the fact that this amendment applied to that section. I will therefore move again to reconsider the vote by which the amendment of the Senator from Iowa [Mr. CUMMINS] as amended was agreed to.

The VICE PRESIDENT. The question is on the motion of the Senator from Georgia to reconsider the vote whereby the amendment of the Senator from Iowa as amended was agreed to.

The motion was agreed to.

Mr. HARDWICK. Now I move the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Georgia to the amendment, the amendment to the amendment having been stated.

The amendment to the amendment was agreed to.

Mr. HARDWICK. I now ask that the second amendment offered by me be stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. At the end of the amendment of the Senator from Iowa, it is proposed to insert the following:

That the appropriations for inland transportation by railroad routes and for railway post-office car service for the fiscal year ending June 30, 1917, are hereby made available for the purposes of this section.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. JONES. Mr. President, I offer an amendment to come in as a new section.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to insert as a new section the following:

That no part of the appropriations made in this act shall be used for carrying any letter, postal card, circular, newspaper, pamphlet, or publication of any kind, containing any advertisement of any spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind, or containing a solicitation of an order or orders for said liquors, or any of them, by the mails of the United States, when addressed or directed to any person, firm, corporation, or association or other addressee, at any place or point in any State or Territory of the United States at which it is by law in force in the State or Territory at that time unlawful to advertise or solicit orders for such liquors, or any of them, respectively, and the Postmaster General is directed to make rules and regulations to enforce and carry out this limitation.

Mr. HARDWICK. Mr. President, against the amendment of the Senator from Washington I make the point of order that it is general legislation in connection with an appropriation bill, and therefore in violation of cause 3 of Rule XVI. The mere fact that words of limitation are used does not alter the rule, nor relieve the proposition from the rigor of the rule, if, in point of fact, under the guise of a limitation a change of existing law is made, as would be the case under the amendment proposed.

Mr. JONES. Mr. President, this amendment only applies to this particular appropriation bill and the moneys to be expended under it, and it simply provides that no part of this money shall be spent to carry these different enumerated articles. I understand the amendment is in accord with the rulings of the Chair heretofore on appropriation bills. I can not cite the rulings at the present time, for I have not them before me; but this amendment only applies to this particular appropriation bill and to moneys appropriated in this bill, and it only applies to this one year. It is not general legislation in any sense of the term.

The VICE PRESIDENT. The Chair has heretofore ruled that when there is a limitation upon the expenditure of an appropriation for a given purpose, it is not general legislation; but there must be some exception to every rule, and the effect of this amendment is just the same as that of the amendment which the Senate has refused to consider so far as its practical workings are concerned.

Mr. JONES. I beg to differ with the Vice President in regard to that. It is entirely different from the amendment which I have heretofore proposed.

The VICE PRESIDENT. The Chair has not any question of doubt at all that it is the same amendment, and would accomplish the same purpose in a different way. The Chair rules it is general legislation.

Mr. JONES. I respectfully appeal from the decision of the Chair.

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

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

Mr. LEWIS. 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	Lewis	Sheppard
Bankhead	Hardwick	Lippitt	Sherman
Beckham	Hitchcock	Martin, Va.	Smith, Md.
Brady	Hughes	Martine, N. J.	Smoot
Bryan	Husting	Myers	Sterling
Chamberlain	James	Newlands	Stone
Clapp	Johnson, Me.	Norris	Taggart
Clark, Wyo.	Johnson, S. Dak.	Oliver	Thompson
Cummins	Jones	Overman	Townsend
Curtis	Kern	Page	Warren
Dillingham	La Follette	Pittman	Weeks
Gallinger	Lane	Reed	
Gore	Lea, Tenn.	Shafroth	

Mr. KERN. I wish again to announce the unavoidable absence of the Senator from Mississippi [Mr. WILLIAMS]. He is paired with the Senator from Pennsylvania [Mr. PENROSE]. This announcement may stand for the day.

Mr. BECKHAM. I wish to announce the absence on official business of the Senator from Mississippi [Mr. VARDAMAN].

Mr. MARTINE of New Jersey. I desire to announce the unavoidable absence of the Senator from Louisiana [Mr. BROUSARD] on official business.

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

For more than a day the Senate of the United States has been engaged in a discussion of the question of setting aside the rules of the Senate to enable the Senator from Washington to introduce an amendment which was general legislation in its character. The Senate sustained the ruling of the Chair that it took a two-thirds majority to set aside the ruling, although a majority of the Senate voted to suspend the rules. The Senator from Washington now submits the following amendment:

That no part of the appropriations made in this act shall be used for carrying any letter, postal card, circular, newspaper, pamphlet, or publications of any kind containing any advertisement of any spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind, or containing a solicitation of an order or orders for said liquors, or any of them, by the mails of the United States, when addressed or directed to any person, firm, corporation, or association or other addressee, at any place or point in any State or Territory of the United States at which it is by law in force in the State or Territory at that time unlawful to advertise or solicit orders for such liquors, or any of them, respectively, and the Postmaster General is directed to make rules and regulations to enforce and carry out this limitation.

The Chair has never had any doubt at all about a limitation on an appropriation bill not constituting general legislation, but the Chair also believes that there is another principle, both of the rules of the Senate and of the law in general, that what a man can not do directly he can not do indirectly; that the Senate has once settled this question, and, in addition to that, the fact that the Postmaster General is instructed to make rules and regulations now constitutes in substance out of this amendment general legislation. From that decision of the Chair the Senator from Washington appeals, and the question is, Shall the ruling of the Chair stand as the ruling of the Senate?

Mr. JONES. Mr. President—

Mr. REED. Mr. President, I make the point of order that the question is not debatable.

The VICE PRESIDENT. These questions, under the rules, are not debatable.

Mr. JONES. Mr. President, I will withdraw the appeal; but I desire to offer another amendment, leaving out the clause with respect to the Postmaster General.

Mr. HARDWICK. And as to the amendment now offered I renew the point of order, because it is general legislation, no matter how it is couched. I want to say a word on that subject, Mr. President. The fact that the proposition is put in the words of a limitation is not necessarily controlling. If, in point of fact, even a proposed limitation either creates new law or changes existing law, it is still subject to the rule just the same, although it be stated in the words of a limitation.

The VICE PRESIDENT. Let the Chair understand: Is there a general law with reference to the carrying of letters, postal cards, circulars, newspapers, pamphlets, and so forth, in force and effect in the United States?

Mr. HARDWICK. Yes, sir. All those things are regulated by existing statutes.

The VICE PRESIDENT. By a statute?

Mr. HARDWICK. Yes, sir.

The VICE PRESIDENT. Does the Senator from Washington admit that?

Mr. JONES. No; I do not, Mr. President.

Mr. HARDWICK. There are whole chapters of the Revised Statutes devoted to that subject.

Mr. JONES. Yes; in general appropriation bills, providing appropriations for carrying the mails.

Mr. HARDWICK. Oh, no; there are statutes of the United States which regulate those things.

Mr. JONES. I do not know that they regulate them. I do not think—

Mr. HARDWICK. Oh, there are statutes regulating the carrying of letters and circulars.

The VICE PRESIDENT. It ought to be easy to ascertain the fact in regard to this. If there is a law of that kind, the Chair will sustain the point of order. If there is not, the Chair will not do so.

Mr. JONES. Mr. President, I want to make a suggestion. I do not know that there is any law of the kind which the Chair has in mind; but I desire to suggest that this is an appropriation bill which appropriates money for certain purposes. The amendment simply proposes that no part of that money shall be spent for a certain purpose during this year; that is all. The fact that the Senate has spent a day or has spent two days or four days or six months in the consideration of a motion to suspend the rules of this body in order to permit the offering of an entirely different amendment has no bearing at all upon this proposition. That is a matter for the Senate to determine, and it is a matter that we have a right to determine under the rules of the Senate; so that has no bearing upon the amendment that is now proposed.

This amendment says that no part of the moneys appropriated in this act shall be used for the purpose of doing certain specific, named things; that is, carrying certain articles into certain territory. It only lasts for the year, and it only applies to this bill. It comes clearly within the limitation that has been followed in ruling heretofore with respect to amendments to appropriation bills.

Of course I am not going to take the time of the Senate further. I think we ought to be permitted to vote on it. I think it is clearly in order as far as that is concerned. Whether it is wise or not is a matter, of course, for the Senate to determine; but I certainly think it is in order.

The VICE PRESIDENT. The Chair can not rule unless the Chair knows whether or not there is a law on this subject. Having stricken out the clause directing the Postmaster General to make rules and regulations, this now stands, upon the face of it, as a limitation; but what stands on the face of it does not always control. The question is whether it does or does not change a law of the United States. If it does, the Chair is going to hold that it is general legislation.

Mr. JONES. Mr. President, it does not apply to any law of the United States. It simply applies to this appropriation bill. That is not yet a law. That is all it applies to. It can not change any law. It is not proposed to change any law.

Mr. REED. I should like to ask the Senator if he means to tell the Senate that there are no laws of the United States which provide now that the mails shall be divided into classes, that regulate the matter of carrying the mails, and—

Mr. JONES. Why, there is a law that says that certain classifications of mail shall pay certain postage. I am not interfering with that. I am simply saying that no money appropriated by this bill shall be spent for a certain purpose; that is all.

Mr. REED. I wish to ask the Senator a question.

Mr. JONES. I am ready to permit the Senate to act upon it.

Mr. REED. There ought not to be any necessity to go and hunt up statutes in a matter of this kind.

Mr. JONES. I think that is true.

Mr. REED. I wish to ask if under existing law these newspapers, pamphlets, and periodicals are not mailable?

Mr. BANKHEAD. Of course they are.

Mr. JONES. They are mailable, but this is not going to make them unmailable.

Mr. REED. Then, although they are mailable under existing law, they will not be mailable under the proposed amendment.

Mr. JONES. Yes; they will.

Mr. REED. Therefore the Senator proposes to change existing law.

Mr. JONES. No, Mr. President; the amendment does not say anything about their not being mailable. It simply says that no part of this money shall be used for doing certain things. That is all there is to it.

Mr. HARDWICK. Mr. President, if the Senator will yield to me for just a minute, I find that in the act of March 3, 1879, it is provided that mailable matter of the first class shall embrace letters, post cards, and all matter wholly or partly in writing, except as thereafter provided. Then that whole chapter goes on to provide as to what the rates of postage shall be, and that matters that come within these classes shall be accepted for the mail. The Senator proposes to change existing law by this proposition of his.

The VICE PRESIDENT. No doubt we can reach a conclusion as quickly by the Chair ruling as in any other way. The Chair rules that it is general legislation.

Mr. JONES. I respectfully appeal from the decision of the Chair.

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

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

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. JONES. I ask the Chair to state the proposition.

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

The Secretary proceeded to call the roll.

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. Not being advised on this vote, as I was on the former vote, as to his attitude, I am constrained to withhold my vote. If at liberty to vote, I would vote "nay."

Mr. JONES (when his name was called). I have a pair for this week with the junior Senator from Virginia [Mr. SWANSON]. Not knowing how he would vote on this proposition, and not having secured any release, I withhold my vote. If at liberty to vote, I would vote "nay."

Mr. OLIVER (when his name was called). Again announcing the transfer of my pair with the Senator from Mississippi [Mr. VARDAMAN] to the Senator from Louisiana [Mr. BROUSSARD], I vote "yea."

The roll call was concluded.

Mr. BECKHAM. I transfer my pair with the senior Senator from Delaware [Mr. DU PONT] to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "nay."

Mr. CLAPP. I transfer my pair with the senior Senator from North Carolina [Mr. SIMMONS] to the junior Senator from Washington [Mr. POINDEXTER] and will vote. I vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD];

The Senator from North Dakota [Mr. McCUMBER] with the Senator from Colorado [Mr. THOMAS];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY]; and

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE].

Mr. POINDEXTER entered the Chamber and voted "nay."

Mr. CLAPP. In view of the entrance of the Senator from Washington [Mr. POINDEXTER], to whom I had transferred my pair, I must withdraw the transfer, and, consequently, withdraw my vote.

The result was announced—yeas 36, nays 22, as follows:

YEAS—36.

Ashurst	Hughes	Lippitt	Reed
Bankhead	Husting	McLean	Shafroth
Borah	James	Martin, Va.	Smith, Ariz.
Bryan	Johnson, Me.	Martine, N. J.	Smith, Ga.
Chamberlain	Johnson, S. Dak.	Newlands	Smith, Md.
Culberson	Kern	Oliver	Stone
Fletcher	La Follette	Overman	Taggart
Hardwick	Lane	Pittman	Walsh
Hitchcock	Lewis	Pomerene	Warren

NAYS—22.

Beckham	Gallinger	Norris	Smoot
Brady	Gore	Page	Sterling
Brandegge	Gronna	Poindexter	Townsend
Clark, Wyo.	Kenyon	Sheppard	Weeks
Curtis	Lea, Tenn.	Sherman	
Dillingham	Myers	Shields	

NOT VOTING—37.

Broussard	Harding	Phelan	Thompson
Catron	Hollis	Ransdell	Tillman
Chilton	Jones	Robinson	Underwood
Clapp	Lee, Md.	Saulsbury	Vardaman
Clarke, Ark.	Lodge	Simmons	Wadsworth
Colt	McCumber	Smith, Mich.	Williams
Cummins	Nelson	Smith, S. C.	Works
du Pont	O'Gorman	Sutherland	
Fall	Owen	Swanson	
Goff	Penrose	Thomas	

So the ruling of the Chair was sustained.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add, after the word "hearing" in line 4, page 2, of the amendment of the Senator from Iowa [Mr. CUMMINS], the following:

In fixing and determining what are fair and reasonable rates for such service the commission shall consider the relation existing between the railroads, as public-service corporations, and the Government, and the nature of such service, as distinguished, if there be a distinction, from the ordinary transportation business of the railroads.

The VICE PRESIDENT. It will be necessary to reconsider the Cummins amendment again.

Mr. STERLING. I move that the vote by which the amendment of the Senator from Iowa was agreed to be reconsidered.

The VICE PRESIDENT. The question is on the reconsideration of what is known as the Cummins amendment.

The motion to reconsider was agreed to.

The VICE PRESIDENT. Now the question is on the amendment of the Senator from South Dakota to the amendment of the Senator from Iowa.

Mr. SMOOT. Let the amendment to the amendment be stated.

The VICE PRESIDENT. The Secretary will state it.

The SECRETARY. After the word "hearing" in the amendment offered by the Senator from Iowa [Mr. CUMMINS], and agreed to, near the beginning of said amendment, it is proposed to insert the following words:

In fixing and determining what are fair and reasonable rates for such service the commission shall consider the relation existing between the railroads, as public-service corporations, and the Government, and the nature of such service, as distinguished, if there be a distinction, from the ordinary transportation business of the railroads.

Mr. CLAPP. Mr. President, what is the pending question?

The VICE PRESIDENT. The adoption of this amendment is the pending question.

Mr. CLAPP. I should like to have a word from the Senator from South Dakota as to what is meant by "taking into account the relation"?

Mr. STERLING. Mr. President, there is nothing whatever in the bill as it stands, or any amendment to the bill, calling the attention of the Interstate Commerce Commission to the relation between the railroads, as public-service corporations, and the Government. There is nothing whatever which refers to the particular nature of the service of carrying the mails, as distinguished from ordinary transportation service for shippers. I think in the view of very many, anyhow, there is a marked distinction, and I think it is something that the Interstate Commerce Commission should take into consideration. It is simply for the purpose of inviting the attention of the Interstate Commerce Commission to those facts.

Mr. CLAPP obtained the floor.

Mr. CUMMINS. Mr. President, I should like to say a word here, if the Senator from Minnesota will permit me.

Mr. CLAPP. I yield.

Mr. CUMMINS. I do not think there is any necessity whatever for this amendment, but I think it simply declares what the commission would be bound to take into consideration if it were not in the bill. I do not intend to oppose it, for the reason that I look upon it as simply declaratory of the law as it is. I am hoping that we may get through with this matter. This amendment has been reconsidered about three times already.

Mr. CLAPP. Mr. President, I will go a step further than the Senator from Iowa. Of course the Senator from Iowa knows that there is a very broad insistence to-day—it has not yet been recognized, of course—that the relation of the carrier to the public is such that there should be taken into account in fixing rates, not alone the effect of the rate upon the business of the carrier but the effect of the prosperity of the carrier upon the business of the country. Now, I fear that there may be the suggestion made, and some day urged, that this proposed amendment suggests a relationship there between the carrier and the public that I for one do not feel we have yet reached such a point that we should recognize. For that reason, I think, for one that I would oppose the amendment.

Mr. STERLING. Mr. President, just one word. I had not expected, of course, that the offer of this amendment would lead to any particular discussion. I had conferred somewhat with the Senator from Iowa in regard to it. The very principle is embodied in the original bill, as reported to the Senate, in this language:

The commission in making such investigation shall consider efficiency and economy in service, both from the standpoint of the Government and the railroads, and shall also consider the relations existing between the railroads as public-service corporations and the Government.

Now, it is a question as to whether or not the regularity of the service, the certainty of the service, the certainty of the

pay, and all such factors, including the protection afforded the railroads by the Government on account of the railroads carrying the mail, should be taken into consideration by the Interstate Commerce Commission. I think they should, Mr. President, and I think the attention of the commission might well be invited to them.

Mr. REED. Mr. President, I want to ask the Senator if he will not cut out the words "if any"? It seems to me utterly absurd to lay down the rule—

Mr. STERLING. "The distinction, if there be any"?

Mr. REED. Yes; "the distinction, if there be any." If Congress is willing to assume that there is a distinction, but leaves the question as to whether or not there is a distinction to the commission, it seems to me this does not give them any rule to act upon.

Mr. STERLING. Let me say to the Senator that so far as I am personally concerned I would gladly eliminate those words, but there are some Senators who insist that there is no distinction, and at their suggestion I inserted the words "if there be a distinction."

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota to the amendment of the Senator from Iowa.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. Has any other Senator an amendment to offer to the Cummins amendment?

Mr. GORE. Mr. President, on line 22, I believe, page 2 of the print of the amendment, after the word "commission," I move to insert the words "not later than 30 days after the expiration of the notice herein required."

Mr. CUMMINS. I should like to know just where that is to be inserted.

Mr. GORE. I think it is after the word "commission," on line 22, page 2.

Mr. HARDWICK. I will ask the Senator what is the effect of it?

Mr. GORE. It requires the railroads to answer within 30 days after the expiration of the notice. The amendment allows the Government three months in which to file a statement of the rates, and this says that the railroads are allowed 30 days. It is to make it entirely definite.

Mr. CUMMINS. I should like to have the Secretary state it as it would read with the amendment.

The SECRETARY. After the word "commission," near the beginning of the amendment, or in line 22, page 2, of the amendment as printed separately, the Senator from Oklahoma proposes to insert the following words:

Not later than 30 days after the expiration of the notice herein required.

So that if amended the sentence will read:

Thereupon the commission shall give notice of not less than 30 days to each carrier so required to transport mail and render service, and upon a day to be fixed by the commission, not later than 30 days after the expiration of the notice herein required, each of said carriers shall make answer—

Mr. CUMMINS. Mr. President, I have no objection whatever to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. Are there further amendments to the Cummins amendment?

Mr. GORE. Mr. President, I desire to move to strike out the proviso on line 24, page 57. While I am on my feet I will say that it seems to me that the presumption ought to be indulged in favor of the department, in favor of the Government, when these changes are made. This allows the railroads to prosecute their case before the commission if they desire. They may not wish to have a hearing upon it. This assumes that in every case a hearing before the commission will be necessary, and it makes necessary such a hearing, whereas the railroads might not desire to present the matter to the commission. I think this would remove a serious handicap.

The VICE PRESIDENT. That does not seem to be in the Cummins amendment.

Mr. GORE. It is not in the Cummins amendment.

The VICE PRESIDENT. The Chair will request the Senator to allow the Chair and the Secretary to dispose of the Cummins amendment. Are there any further amendments to it? If not, the question is on agreeing to the Cummins amendment as amended.

The amendment as amended was agreed to.

Mr. GORE. Now I renew my motion.

The VICE PRESIDENT. That is also an amendment to an amendment that has been agreed to as in Committee of the Whole.

Mr. GORE. Then, I will reserve the motion until the bill reaches the Senate.

Mr. LA FOLLETTE. Mr. President, I move to reconsider the vote by which an amendment which I offered to section 7 was adopted. I wish to make a slight change in it.

The VICE PRESIDENT. The question is on the motion of the Senator from Wisconsin to reconsider the vote by which the amendment indicated by him was adopted.

The motion to reconsider was agreed to.

Mr. LA FOLLETTE. I have not the amendment before me, Mr. President; but the amendment provides that when an order of the Post Office Department adverse to the interests of a publisher, in the opinion of the publisher, has been made after a hearing the publisher may within 10 days appeal from that order to the Court of Appeals. I move to strike out "10" and insert "20." It has been suggested to me that if the publisher lived at some distance from Washington 10 days would not perhaps be sufficient time in which to perfect his appeal.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In the sentence—

That upon such hearing, if the Post Office Department decides adversely to the contention of the publisher, such publisher shall have the right within the period of 10 days after the date of the order—

And so forth, the Senator from Wisconsin proposes to strike out the word "ten" before the word "days" and to insert in lieu thereof the word "twenty."

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LA FOLLETTE. Mr. President, for the reason that some Senators seem to have misapprehended my position in regard to the so-called Jones amendment, if I may be permitted, I want to say just one word about the vote which I cast in favor of suspending the rules and providing for the consideration of that amendment.

I was not in favor of the amendment proposed by the Senator from Washington. If the rules had been suspended so that a vote could have been had directly upon the Jones amendment, I would have voted against it.

I voted in favor of suspending the rules because it is repugnant to me to defeat an amendment by an indirect vote. I preferred that the amendment should come before the Senate and a record vote be had upon it. I would have recorded my vote against it. But as the motion to suspend the rules was defeated, and as my vote upon that motion caused some misapprehension in regard to my attitude toward the main question, I make this statement in order that the RECORD may correctly show where I stand upon the question.

Mr. WEEKS. Mr. President, I send to the Secretary's desk an amendment, which I ask to have read.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 5, after line 18, it is proposed to insert the following as a new paragraph:

That the Postmaster General shall have full authority to grant to any employee in the Railway Mail Service, in first and second class post offices, or in the City Free Delivery Service not to exceed two weeks' sick leave in any one year with pay, and shall not approve or continue any rule or regulation which terminates the employment of any employee by reason of absence on account of illness for a period of less than one year.

Mr. WEEKS. Mr. President, that amendment was offered by the junior Senator from New York [Mr. WADSWORTH], who is very much interested in it. As he is unable to be present, I have sent it to the desk, and I make the suggestion that it seems to me to have much merit. I understand that the department has communicated to the committee on the subject of this amendment, and I suggest that that communication be read before the vote is taken on the amendment.

Mr. BRYAN. Let me ask the Senator from Massachusetts what is the provision of law now with reference to these leaves of absence?

Mr. WEEKS. I think the time is six months instead of one year.

Mr. BRYAN. Mr. President, I know that the representatives of these men claim that they have been satisfied with the legislation which has been adopted. This is an extension of a leave of absence from 6 months to 12 months.

Mr. WEEKS. I suggest that the department comment on the amendment be read before the vote is taken.

Mr. BANKHEAD. This proposed amendment was before the Committee on Post Offices and Post Roads and was referred to the Post Office Department. I desire to present the letter of the Postmaster General in explanation of it.

The VICE PRESIDENT. The letter will be read.

The Secretary read as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., May 18, 1916.

HON. J. H. BANKHEAD,
Chairman Committee on Post Offices and Post Roads,
United States Senate.

MY DEAR SENATOR BANKHEAD: I have the honor to submit to you the opinion of the department with respect to the amendment intended to be proposed by Senator WADSWORTH to the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917.

Senator WADSWORTH'S amendment would provide—

"That the Postmaster General shall have full authority to grant to any employee not to exceed two weeks' sick leave in any one year with pay, and shall not approve or continue any rule or regulation automatically terminating the employment of any such employee by reason of absence, when ill, for a fixed number of days."

The employees of the executive departments in the District of Columbia, and certain employees of the Federal Government outside of the District of Columbia as well, are entitled, under the law, to leave of absence with pay on account of sickness in addition to the leave of absence with pay authorized for the purpose of vacation. In the case of the employees of the executive departments within the District of Columbia, the law authorizes 30 days' leave of absence with pay for vacation and a maximum of 30 days with pay, in addition, on account of sickness. The different treatment of the two classes of employees has no basis of logic or reason, except that in conferring additional benefits and privileges to the employees of the Federal Government Congress is guided by the condition of the Public Treasury. With particular reference to the employees of the Postal Service, new benefits and privileges in the way of increased compensation and improved conditions of employment have been authorized by Congress gradually during recent years in accordance with the same principles and tendencies which have governed the improvement of working conditions in private employment, and these additional benefits and privileges have been accorded in proportion as the condition of the postal finances and the increasing efficiency of the postal organization would permit.

It seems to me that, although the provisions for leave of absence with pay on account of illness, as provided for in Senator WADSWORTH'S proposed amendment, is sound in principle, it would be inexpedient at this time for Congress to give favorable consideration to it because of the condition of the Public Treasury.

The provision "that the Postmaster General . . . shall not approve or continue any rule or regulation automatically terminating the employment of any such employee by reason of absence, when ill, for a fixed number of days," would have the effect of nullifying sections 306, 397, and 733, Postal Laws and Regulations, which provide that:

"Postmasters may, in addition to the leave of absence with pay provided by law, grant leave of absence without pay to carriers (clerks in first and second class post offices and city and rural letter carriers), such leave not to exceed 30 days in any one fiscal year. Applications for leave of absence to cover a longer period in cases of illness or disability received in the service must be submitted by the postmaster to the First Assistant Postmaster General, with a full statement of the facts, but leave of absence for more than 150 days in one fiscal year will not be granted in any such case. Carriers who desire to be absent for longer periods will be dropped from the rolls without prejudice."

These regulations were adopted and promulgated after very careful consideration, and are believed to be proper and in the interest of both the employees and the service, and they should not be abrogated. The principle on which these regulations rest is that to carry on the rolls a regular employee absent from duty without pay and whose return to duty is problematical works an unreasonable hardship on the substitute force. Substitutes are required to perform irregular service for many years before receiving regular appointments, and their earnings consequently are uncertain. It is essential to the best interests of the service that desirable persons be encouraged to enter and remain in the substitute force, so that the regular force may consist of the best men obtainable. It is therefore necessary that every effort be made to promote the interests of this class of employees whenever this can be done consistently with the interests of the other employees. The resignation or dropping from the rolls of a regular employee, absent without pay, creates a vacancy in the regular force to which the substitute may be advanced. His earnings immediately become regular, he receives vacation with pay, and he is entitled to the benefits of the law granting compensation for injuries received while in the performance of duty. Should the employee who resigned on account of illness be reinstated in the service, the newly appointed employee is relegated to the substitute roll, but he is credited with the period served by him temporarily as a regular employee, so that when he is eventually appointed permanently to the regular force this time is considered in computing the dates on which his annual promotions are authorized. The law governing the promotion of clerks and carriers requires that the advancement from one grade to another shall be made after the completion of one year's service in the lower grade. Consequently the promotion of the newly appointed employee is hastened by the credit he receives for the time previously served by him as a regular employee during the absence of the man who left the service on account of illness. The latter is restored to duty at the salary he received when he resigned.

Although the regulation above quoted provides that employees who desire to be absent for a longer period than 150 days in any fiscal year will be dropped from the rolls without prejudice, and "without prejudice" means that they will be eligible for reinstatement at any time within one year, the practice of the department, in order to reassure the men whose absence is made necessary by sickness, gives such employees the privilege of submitting their resignations, with the distinct understanding in writing that they will be reinstated at any time within one year from the date of their resignation upon the recovery of their health, without any change in their salary status. The object of this practice is to secure to the employee the benefit to his health which will flow from the knowledge that his sickness will not cause his total disbarment from the service.

It should be clear from the foregoing that the regulation works no hardship on the employee whose name is taken from the rolls during his period of absence beyond 150 days, and that it does work a material benefit to the substitute who occupies the regular place during the absence of the disabled employee.

For the reasons above set forth it is the opinion of the department that the provision for leave of absence with pay on account of sick-

ness for employees of the Postal Service is inexpedient, and that the provision abrogating sections 306, 697, and 733, Postal Laws and Regulations, is unwise and detrimental to the interests of the service. Accordingly I recommend that favorable consideration be not given to the amendment intended to be proposed by Senator WADSWORTH.

Very sincerely, yours,

A. S. BURLESON,
Postmaster General.

Mr. BANKHEAD. I am inclined to consent, as far as I can give the consent of the committee, that the amendment shall go to conference and there we will be given an opportunity to investigate it.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. WEEKS].

The amendment was agreed to.

Mr. LEWIS. Mr. President, I tender an amendment relative to what is known as the Cummins amendment.

The VICE PRESIDENT. It will be necessary to reconsider the vote again.

Mr. LEWIS. Then I tender the amendment to be put wherever is appropriate.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. It is proposed to insert the following:

That it shall be unlawful for any railroad company to refuse to perform mail service at the rates or method of compensation provided for in this act when required by the Postmaster General so to do, and upon conviction for such offense there shall be a fine of \$1,000. Each day of refusal shall constitute a separate offense.

Mr. LEWIS. Mr. President, allow me indulgence for a moment. It is reported to me from the State where I live that a railroad—I do not wish to mention their names here as if making a charge against railroads specifically—that a railroad in my State has declined to carry any mail, and 15 towns from the middle of the State to the city of Chicago are threatened with having their mail left upon the roadside to be carried by wagons, the road contending, as we understand, that such contract as was heretofore made with the Government is not satisfactory, and reserving the right promptly or within a short length of time to abandon its contract and therefore declining to resume the contract or to carry the mails by the road.

I think, sir, that such is the offense that it ought not to be permitted, having obtained the contract and assumed to enter upon service for the Government.

I ask to have this amendment adopted that we may have no such ill treatment of the public and that it may serve as a lesson and example to others.

Mr. BANKHEAD. Mr. President, I think it is a proper amendment. There was a provision of this character in the bill as it came from the House, but it was stricken out by the amendment agreed to. If necessary I will move to reconsider the vote by which the Cummins amendment was adopted and allow this amendment to be attached to it.

The VICE PRESIDENT. It can go in as a separate amendment.

Mr. HARDWICK. Let it go in separately.

Mr. LEWIS. I adopt the suggestion of the chairman and his able assistant. It may follow the Cummins amendment as a separate paragraph.

Mr. JONES. Mr. President—

The VICE PRESIDENT. Let us understand. The Cummins amendment is causing the Chair some trouble and the Secretary is trying to find out if that amendment is to be reconsidered and this amendment is to be adopted as a part of it.

Mr. HARDWICK. No; if the Chair will pardon me, that will not be necessary at all. Let it be made a separate paragraph.

The VICE PRESIDENT. It is to be inserted separately in the bill following the Cummins amendment.

Mr. LEWIS. Very well.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. JONES. Before the amendment is adopted I wish to say that I do not want to oppose the amendment or anything of that kind, but I want to call the attention of the Senate to the very interesting action it has taken in the adoption of an amendment a moment ago that is clearly general legislation upon an appropriation bill and that no objection was raised by any Member of the Senate to it; that, as a matter of fact, nobody in the Senate knew what it was or that the department had reported against it, and yet it was put in and adopted as an amendment to this general appropriation bill.

This was done by the general consent of the Senate under one of the rules of the Senate which provides that it can be done. I make no objection to it at all. I simply wanted to call attention to the different action of the Senate with reference to its strictness in excluding general legislation from general appropriation bills.

The VICE PRESIDENT. If there be no point of order raised, the Chair declares the amendment adopted.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

The bill was read the third time and passed.

Mr. BANKHEAD. I move that the Senate request a conference with the House of Representatives on the bill and amendments and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BANKHEAD, Mr. HARDWICK, and Mr. TOWNSEND conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 5425) to standardize lime barrels, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1388. An act to authorize the Secretary of the Interior to furnish hot water from the hot springs on the Hot Springs Reservation for drinking and bathing purposes free of cost to the Leo N. Levi Memorial Hospital Association;

S. 1843. An act to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex.;

H. R. 228. An act to amend the United States homestead law in its application to Alaska, and for other purposes;

H. R. 13383. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1917; and

H. R. 15775. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1917, and for other purposes.

STANDARDIZATION OF LIME BARRELS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5425) to standardize lime barrels.

Mr. CLAPP. I move that the Senate disagree to the amendments of the House and request a conference, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. CLAPP, Mr. SHIELDS, and Mr. BANKHEAD conferees on the part of the Senate.

SUNDRY CIVIL APPROPRIATIONS.

Mr. MARTIN of Virginia submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15836) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 6, 13, 18, 19, 20, 23, 32, 34, 35, 36, 38, 40, 41, 45, 47, 51, 54, 57, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 80, 81, 82, 83, 84, 85, 86, 87, 96, 97, and 98.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 9, 10, 11, 12, 17, 22, 24, 25, 27, 29, 30, 31, 33, 37, 39, 42, 44, 46, 48, 49, 53, 55, 56, 58, 59, 60, 61, 62, 78, 79, 88, 89, 90, 91, 92, 93, and 94, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For the construction of a permanent wagon and foot bridge across the creek at Inter-nation Avenue, at Nogales, Ariz., on land reserved by the United States for customs purposes, \$7,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "\$25,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "\$1,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "\$2,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "\$154,580"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Frankford Arsenal, Philadelphia, Pa. ;
 "For a general shop building, \$106,800;
 "For extension of artillery ammunition storehouse, \$33,000;
 "For extension of instrument department building, \$22,920;
 "For extension of fuse shop building, \$132,300;
 "For extension of artillery case shop building, \$42,000;
 "For extension of lead shop building, \$12,000;
 "For metal storehouse, \$25,800;
 "For a storehouse for current manufactures, \$54,000;
 "For purchase of additional land, \$125,000;
 "For one sewer and connections, \$9,000;
 "For garage for motor trucks, \$12,000;
 "For construction or repair of roads, walks, and sea wall, \$11,600;
 "For increasing facilities for fire protection, \$24,000;
 "For increasing the facilities of the arsenal for the manufacture of field artillery ammunition, \$183,750;
 "For five magazine buildings, including necessary barriers and fences about the buildings, railroad connections, sewer lines, lighting mains, etc., \$90,900;
 "In all, \$885,070."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "on a site owned by the Government or to be procured by purchase or condemnation, or in the discretion of the Secretary of War, on any suitable site that may be tendered without cost to the United States which he is authorized to accept"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$1,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "During the fiscal year 1917 there shall be covered into the appropriation established from time to time under the act approved March 12, 1914, entitled 'An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes,' the proceeds of the sale of material utilized for temporary work and structures in connection with the operations under said act, as well as the sales of all other condemned property which has been purchased or constructed under the provisions thereof; also any moneys refunded in connection with the construction and operations under said act, and a report hereunder shall be made to Congress at the beginning of its next session"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For the purchase of such private holdings in the Sequoia National Park as in the judgment of the Secretary of the Interior are desirable for the better administration of the reservation, \$50,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "The Secretary of the Interior is authorized to employ in the District of Columbia and elsewhere, and pay, during the fiscal year 1917, out of the several appropriations for protection, improvement, and management of the various national parks, including the Hot Springs Reservation, and out of the revenues from rentals and privileges derived therefrom, a superintendent of national parks and to assist him such clerical or other services, not exceeding four persons, as the Secretary shall determine, and also to pay from said funds all necessary expenses of subsistence and travel of said superintendent when absent on duty outside of the District of Columbia. A detailed statement of all expenditures hereunder shall be made to Congress at its next session"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with

an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Public Buildings Commission: With a view to ultimately providing permanent quarters for all the governmental activities in the District of Columbia in buildings owned by the Government, a commission is created to be composed of the chairman of the Committee on Appropriations of the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Appropriations of the House of Representatives and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the House of Representatives and two other members of said committee, to be appointed by said chairman, all of whom shall serve thereon only so long as they are Members of Congress, and the Superintendent of the Capitol Building and Grounds, the officer in charge of public buildings and grounds, and the Supervising Architect or the Acting Supervising Architect of the Treasury during any vacancy in said office.

"The said commission shall elect one of its members as chairman of the commission and is authorized to employ such expert clerical or other services as it may deem necessary, and shall avail itself of the advice of the Commission of Fine Arts.

"The said commission shall investigate and ascertain what public buildings are needed in the District of Columbia to provide suitable and adequate accommodations, with allowances for future expansion, for all of the offices, establishments, and public services of the Government in the District of Columbia, the proper location of such buildings, the probable cost thereof, and the probable cost of such new sites as they may deem it necessary for the Government to acquire.

"Any vacancies in said commission shall be filled in the same manner as the original appointments were made.

"For expenses of said commission, \$10,000, to remain available until expended and to be paid out on vouchers signed by the chairman of said commission.

"Said commission shall make final report to Congress not later than January 1, 1918."

And the Senate agree to the same.

THOMAS S. MARTIN,
 LEE S. OVERMAN,
 F. E. WARREN,

Managers on the part of the Senate.

JOHN J. FITZGERALD,
 SWAGAR SHERLEY,
 FREDK. H. GILLET,

Managers on the part of the House.

Mr. MARTINE of New Jersey. Mr. President, I move that that portion of the conference report which proposes to strike from the bill Senate amendment No. 98, which was offered by myself, be disagreed to, and that the conferees be instructed to insist upon the adoption and maintenance of that amendment.

Mr. MARTIN of Virginia. Mr. President, I raise the point of order that the conference report must be adopted or rejected as a whole.

The VICE PRESIDENT. There can be no question but that the report must be agreed to as a whole or rejected as a whole.

Mr. MARTINE of New Jersey. Then, Mr. President, I move that the conference report be rejected. I realize the importance of this report, but I realize as well the manifest injustice done by the rejection of the amendment which I offered. My amendment was in the interest of the cause of labor; hence, it may be flippantly set aside; but these thoughts have occurred to me very strongly: My proposition was that the wages of the employees of the Canal Zone should not be diminished, and that was the clear and distinct understanding when the amendment was adopted. While wages and the cost of living have both been increasing in the States, in the Canal Zone since 1906 wages have stood still. The fact is that the general cost of living of the employees has increased from 25 to 100 per cent.

The proposition affecting these employees does not involve a direct reduction of the wage, but they have been receiving their homes or the rent from their homes; they have been receiving electric current for light and for other purposes of utilization; and they have been receiving such fuel as they require there free of cost. Now comes the proposition that these three features, which are primarily necessary to the well-being of every household and to the maintenance of living, are to be stricken from the bill.

My proposition was that their wage should not be diminished by any measure or provision of the bill. I feel that my amendment was manifestly just to those who have spent their lives on

the Canal Zone, who have in many instances sacrificed their health in the process of becoming acclimated to that tropic zone, who have worked out with their zeal, their industry, their labor, and their genius the great project of which we are all so proud—this great Isthmian Canal that startles the nations. By the rejection of my amendment we are doing an act of unfairness and injustice to those employees.

Therefore, serious as this matter is and serious as my motion is—though I have no hope that it will be adopted—but realizing the full consequences should it be adopted, I move that the report be rejected, because our conferees have receded from the amendment which I proposed and which I have been discussing.

Mr. SMOOT. Mr. President, from the mere reading of the conference report it is impossible for Senators to be informed of what changes have been made in the bill since it was passed by the Senate. There are about a hundred amendments which have been passed upon by the conferees, and I certainly could not from the reading ascertain the action of the conference committee. I wish to ask the Senator having the bill in charge if he will not allow the report to be printed and have it taken up the first thing to-morrow morning?

Mr. MARTIN of Virginia. Mr. President, the Senator from Utah knows that a forfeiture of \$650,000 is imminent. It will take the utmost diligence to prevent it, if we proceed immediately, and I am not myself willing to take that responsibility. I think this report should be acted on before the Senate adjourns to-day. If it is not, the responsibility for the forfeiture must be with the Senate and not with me.

Mr. SMOOT. Mr. President, I will say to the Senator from Virginia that he has reference, as I presume, to the payment to be made to the railroad in Alaska?

Mr. MARTIN of Virginia. That is what I refer to.

Mr. SMOOT. I do not think there is any question but that the railroad would be delighted to receive their money, even if it was a few days late.

Mr. MARTIN of Virginia. That may be; but I am not willing to take the risk by affording the railroad the temptation of seizing this \$650,000. The Interior Department is very much exercised about it. The Secretary of the Interior has called me over the telephone once and has also written me a letter.

The engineer, Mr. Edes, has also written me a letter—which I have just received, and it is here on my table—urging that there shall not be any delay. Even after the bill is passed it will take some days to perfect this payment.

I think this report ought to be disposed of to-night. I am not willing to take the hazard of that forfeiture; and, if it is taken, it must be the Senate's responsibility and not mine. Therefore, if the Senator from Utah is going to insist on delay, I shall be compelled to move that the Senate proceed to the consideration of the conference report.

Mr. SMOOT. Mr. President, of course the Senator from Virginia knows that I have no desire whatever to delay the consideration of the conference report; but there are a hundred amendments which have been passed upon, and even the numbers of the amendments were not named when the report was read. I have not any question but what the report could be considered in time if we should recess until 10.30 o'clock to-morrow morning.

Mr. MARTIN of Virginia. Does not the Senator from Utah think that, if this matter goes back to conference, it will be impossible to perfect the bill in time to avoid this forfeiture?

Mr. SMOOT. I do not know that.

Mr. MARTIN of Virginia. I know it very well.

Mr. SMOOT. I thought the Senator was perfectly willing to have the report go over. But what about the amendments?

Mr. OVERMAN. If the Senator from Utah is interested in any particular amendment upon which he desires information, why not have it read from the desk?

Mr. SMOOT. I can do that, Mr. President.

Mr. MARTIN of Virginia. I will explain any amendment, so far as I can. What I insist on is that, in the interest of the Government and in order to avoid the forfeiture of this \$650,000, the Senate should complete this conference report this afternoon.

Mr. SMOOT. I will state to the Senator from Virginia that I was not thinking of any amendment in which I was interested. What I had in mind was amendments generally to the bill.

Mr. MARTIN of Virginia. To save time, while I am on my feet, I wish to say for the information of the Senate that, being under duress for want of time, the conferees on the part of the Senate did proceed more hastily than was agreeable to us. I should certainly have persisted and continued this conference much longer, with the hope of maintaining some of the positions of the Senate which have now been abandoned, but I did not feel justified in persisting any longer. We sat up nearly all night last night and took the bill up again this morn-

ing. The conferees on the part of the Senate have done the very best they could under the circumstances without jeopardizing the interests of the Government.

Mr. GALLINGER. Mr. President, will the Senator from Virginia permit me to make a suggestion?

Mr. MARTIN of Virginia. Certainly.

Mr. GALLINGER. If the Senator from Virginia had not felt under duress, he would not have asked the committee to have worked all day Sunday, would he?

Mr. MARTIN of Virginia. That is certainly true. We worked the entire day on Sunday from 9 o'clock in the morning until 6 o'clock in the evening in order to perfect this bill.

Mr. CUMMINS. Mr. President—

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

Mr. MARTIN of Virginia. I do.

Mr. CUMMINS. I think it was in the highest degree negligent for the department to depend upon an appropriation of \$650,000 in the sundry civil bill, with the consequences which are pointed out by the Senator from Virginia. That payment should have been provided for in a separate and independent bill, and it could have been done long ago without any difficulty whatever.

Mr. MARTIN of Virginia. If the Senator will yield to me right there to make a single remark, I wish to say that I not only agree with what he says, but I consider it most inexplicable that such a clause should ever have been inserted in a contract to be executed by the Government of the United States. The Government of the United States should not have been put under a penalty of \$650,000 to comply with this contract. It is able to make its contracts good, and always does make them good, but the fact is it was done, and we have to meet that condition.

Mr. CUMMINS. It was done, and, so far as I am concerned, I would a great deal rather that the United States should lose the \$650,000, or whatever else it may lose on account of the forfeiture, than enact legislation which is radically wrong or omit proper legislation which is radically right. So far as I look at it, I am not willing to be coerced into action upon the conference report on account of the alleged forfeiture; but I rose to ask the Senator from Virginia concerning the fate of certain amendments. It may be that I will have no objection whatever to the adoption of the conference report. What disposition was made of the amendment relating to the Federal Trade Commission?

Mr. MARTIN of Virginia. Some of the amendments concerning the Federal Trade Commission were allowed and some were rejected. The conference report allows the commission a chief clerk and it allows secretaries for each member, but reduces the salaries of the secretaries to \$1,500 instead of \$1,800 as was desired.

Mr. WARREN. Twelve hundred dollars was provided in the House bill.

Mr. MARTIN of Virginia. The House bill provided \$1,200, which the Senate increased to \$1,800. The House took the ground that the secretaries of Members of Congress receive only \$1,500, and the conferees on the part of the House thought that the secretaries of the members of the Trade Commission ought to get along with the same amount. I tried my best to secure \$1,800, feeling that the commission ought to have high-class men to aid them in their work.

Mr. CUMMINS. What was done with the provision in regard to rent?

Mr. MARTIN of Virginia. The rent was left at \$15,000.

Mr. LEWIS. Mr. President, may I venture to inquire, if the Senator will be so kind as to give me the information, what was the disposition of the provision in bulk to allow the Trade Commission to continue the work of prosecuting its investigations of trade monopoly and the employment of legal assistance.

Mr. CUMMINS. I think that was not involved.

Mr. MARTIN of Virginia. I think we gave all that was desired.

Mr. CUMMINS. What was the fate of the amendment which I offered and which the Senate very gladly accepted, unanimously, I think, appropriating \$150,000 to enable the survivors of the battle or siege of Vicksburg to participate in a celebration or memorial in 1917?

Mr. MARTIN of Virginia. I will say to the Senator that the conferees on the part of the House took a peremptory stand and said that they would not under any circumstances agree to that amendment; and we were put to the alternative either of abandoning that or losing the bill. I will say, furthermore, they said they expected that to be provided for in a separate law and not under an appropriation bill.

Mr. CUMMINS. I know that certain Members of the House suggested that it be put in the sundry civil appropriation bill

instead of being passed as an independent measure. It did pass through the Senate as an independent measure and went to the House, and I have been informed that certain Members of the House who had to do with the subject matter suggested that the course be taken that was afterwards taken. If we do not make this appropriation now, we will never be able to make it so as to be effectual; and I do not believe that the Congress of the United States wants to render it impossible for the survivors of one of the most vital struggles of the Civil War to be given the opportunity which this amendment sought to give them.

Mr. OVERMAN. Mr. President, I want to assure the Senator that before we yielded we had assurances from the chairman of the committee which has control of the bill to which the Senator has referred that the bill would be reported out of committee. His idea was that the item did not belong on the sundry civil bill; but, as I recollect—and I think the other conferees will bear me out—he has the matter in his own hands and will report out the bill which has passed the Senate.

Mr. WARREN. Mr. President, with the permission of the Senator, I desire to say a word. As he knows, the measure to which he has referred was passed upon by the Committee on Military Affairs of this body, was reported from that committee as a separate measure, and was passed by the Senate. The chairman of the Committee on Appropriations of the other House took the ground that there was legislation in the original bill that ought to accompany the appropriation. It was talked over by the conference committee in regard to putting that legislation in the appropriation bill. However, we received assurances from the House conferees, after a long discussion over it, that they would call up the separate bill to which the Senator has referred, report it, and undertake to secure its passage. They claim to be as much interested as we are in the final passage of the measure.

Mr. CUMMINS. Mr. President, while I regret very much that it did not remain in the bill, with these assurances, which I accept unqualifiedly, I do not want to interpose any objection.

Mr. MARTIN of Virginia. I will assure the Senator he is not any more earnest about this matter than I am and as are the other Senate conferees.

Mr. VARDAMAN. Mr. President, I should like to ask the Senator from Wyoming a question. I did not hear what he said about the assurances that a separate and independent bill would be passed.

Mr. WARREN. I asked where the bill was, thinking it was with the House Military Committee. While we were insisting upon this item, I assumed that the separate bill had been referred in the other body to the Military Affairs Committee, but the chairman of the Committee on Appropriations of the House assured us that it was in his committee; that the committee would report it favorably and would attempt to secure action upon it at an early date.

Mr. VARDAMAN. I sincerely hope that he may keep that promise.

Mr. WARREN. I want it to be understood that he did not intend to promise that the House would agree to it, but he gave it as his opinion that the bill would be passed there, as it did here, without serious opposition.

Mr. VARDAMAN. I do not think that there will be any trouble aside from the opposition of the leaders over there, or a few of them.

Mr. President, may I ask the chairman of the committee a question regarding another item? I spoke to the chairman concerning it this morning, but he was not positive concerning it. To what amount was the appropriation for rural sanitation reduced?

Mr. MARTIN of Virginia. It was reduced to \$25,000.

Mr. VARDAMAN. From \$75,000?

Mr. MARTIN of Virginia. It was. That is a matter in which I am deeply interested and for which I entertain the very highest opinion as a public necessity. We did our best to maintain it at \$75,000, but we could not legislate without the concurrence of the House, and they refused that concurrence. So, under the circumstances, we yielded and accepted the \$25,000.

Mr. VARDAMAN. It is certainly unfortunate, Mr. President, that the appropriation has been reduced. There is no matter of more vital concern to the American people than the work among the farmers of the country, tending to improve the health and prevent the spread of disease. It is almost a crime of omission for Congress to treat the question as it has in this instance.

Mr. CLARK of Wyoming. Mr. President, I desire to ask a question of the chairman of the committee, with his permission. He has referred—and the same matter has often been referred to as a reason for hastening this conference report—to a certain contract in regard to the purchase of a railroad in Alaska. I should like to ask the Senator, if he can do so, to give us the

terms of that contract and that portion which has reference to the forfeiture?

Mr. MARTIN of Virginia. It is a plain forfeiture; and it is most extraordinary that it should be found in a paper signed by an officer of the Government of the United States.

Mr. CLARK of Wyoming. I wanted the terms of it, so that it might be a matter of record.

Mr. MARTIN of Virginia. The forfeiture provision reads as follows:

Tenth. In case the vendee shall make default in payment of said final installment within the time aforesaid, the vendors for their risk and loss in the premises shall be entitled to retain as and for liquidated and ascertained damages the said first payment and the benefit of any expenditure made by the vendee or by the United States on the property of the railway or otherwise connected therewith.

Mr. CLARK of Wyoming. Now, two other questions. When is the payment due upon the failure on which the forfeiture depends?

Mr. MARTIN of Virginia. I have a letter—

Mr. CLARK of Wyoming. But the document itself must show that.

Mr. MARTIN of Virginia. I was going to say that I have had several letters in which the 1st day of July is given as the date.

Mr. CLARK of Wyoming. But can not the Senator tell from the contract itself?

Mr. MARTIN of Virginia. I am going to come to that. I have an uncertified copy, but I have no doubt an accurate copy—I suppose it is an accurate copy—which says the "5th of July." Letters have been written to me, stating that it is the 1st of July, but the copy of the contract which I have says the 5th of July.

Mr. CLARK of Wyoming. By what officer is the contract signed?

Mr. MARTIN of Virginia. The copy I have is not signed at all. I presume it was signed by the Secretary of the Interior, as he would be the proper officer to sign it. It is a long contract, and the copy sent to me is without signature. It was sent to me as a true copy of the contract executed on the part of the Government, and was sent to me by special messenger from the Interior Department on my request.

Mr. CLARK of Wyoming. But the Senator is not informed as to what officer of the Government made the contract?

Mr. MARTIN of Virginia. I do not know; but it must have been signed by Secretary Lane; and I notice it is marked on the outside "Approved, Woodrow Wilson."

Mr. SHAFROTH. Mr. President, I have no doubt that a great many of us have lost appropriations in this bill which we think are meritorious. I know that I have, and I know the conferees have been compelled to recede from the amendments which were offered in the Senate and approved by the Senate. It seems to me, even if the forfeiture will not take effect until the 5th day of July, it will be difficult, indeed, to get the payment made before that time—

Mr. MARTIN of Virginia. It will take the utmost diligence to do it by that time.

Mr. SHAFROTH. And, therefore, under the circumstances, I think the conference report ought to be approved.

Mr. WEEKS. Mr. President, there is one question I wanted to ask the chairman of the committee about the Alaska Railroad. Was the total payment to the railroad company \$1,300,000?

Mr. MARTIN of Virginia. So I understand. Half was paid in cash, and the other half is due on either the 4th or 5th of July.

Mr. WEEKS. When was the first payment made?

Mr. MARTIN of Virginia. I forget the date; about a year ago.

Mr. WEEKS. And that was to be forfeited, according to the terms of the contract?

Mr. MARTIN of Virginia. That was to be forfeited if the last half was not punctually paid—forfeited as fixed and liquidated damages. Those are the terms of the contract.

Mr. WEEKS. I want to ask the chairman of the committee if he does not think it is possible to find out who is responsible for that, and suitably punish any official of the Government who would make a contract of that kind?

Mr. MARTIN of Virginia. Of course it is possible to find out, but I hardly think it would justify the trouble of an investigation. It will not help the present situation, in any event.

Mr. WEEKS. If the chairman of the Committee on Appropriations were in a place of responsibility, and a subordinate of his made a contract of that kind, I am pretty sure the subordinate would lose his head.

Mr. MARTIN of Virginia. That has not yet transpired, and I hope it never will.

Mr. GORE. Mr. President, according to the statement of the chairman of the committee, the appropriation of \$75,000 for rural sanitation has been reduced to \$25,000 by the conference committee.

Mr. President, this Congress has appropriated \$25,000,000 for the improvement of our coast defenses—

Mr. OVERMAN. Mr. President, before the Senator goes further, I think I should state that we held out as long as we could, of course, for the \$75,000. We found, however, upon the assurance of the chairman, that this specific appropriation was made \$25,000 to require them to do the work, but that they had a large lump sum which they would use for this purpose, and that is the reason the House did not put it in; but we put it in, and they insisted that it go out, because they had provided for it in a lump sum?

Mr. GORE. How much is the lump sum?

Mr. OVERMAN. I will ask the chairman of the committee how much is the lump sum given to the Bureau of Health?

Mr. MARTIN of Virginia. I do not recall the amount at this moment.

Mr. OVERMAN. We insisted on its going in.

Mr. GORE. Mr. President, I am not commenting on the appropriation for the Bureau of Health. It is apart from this particular proposition.

Mr. OVERMAN. I want to say that we insisted on it, and they agreed then to \$25,000, upon our suggestion that they must be required to go on with this sanitary work.

Mr. GORE. Why, Mr. President, I did not allude to the appropriation made for the Bureau of Health. I understand that carries a considerable appropriation. What I wish to emphasize is that this bill now carries an appropriation of only \$25,000 for rural sanitation. This Congress is appropriating \$25,000,000 for our coast fortifications. This Congress is appropriating \$180,000,000 upon the Army. This Congress is appropriating more than \$300,000,000 upon the Navy. This Congress will appropriate \$530,000,000 in preparing to slay our enemies, and \$25,000 upon rural sanitation to assist in minimizing human suffering and saving human life!

Mr. OVERMAN. Mr. President—

Mr. GORE. Mr. President, I do not yield.

I believe in industrial preparation; I believe in agricultural preparation; I believe in sanitary preparation. These services are beneficial whether we have peace or whether we have war. And yet more than a half billion dollars is being appropriated by this Congress upon purposes of war and \$25,000 appropriated for and in the name of rural sanitation; and that, too, Mr. President, notwithstanding experts estimate that tuberculosis entails an annual loss in the United States of more than \$300,000,000; that notwithstanding experts estimate that typhoid and malaria alone entail an annual loss in the United States of \$1,000,000,000. Yet we have a half billion for war, and we have the miserable sum of \$25,000 for the splendid purpose of rural sanitation!

In Rome it was esteemed as great an honor to save the life of a Roman citizen as to take the life of an adversary of Rome. I trust that this ancient standard of honor may one day be introduced among our standards of modern civilization.

Mr. OVERMAN. Mr. President, I want to say in answer to the Senator that the Bureau of Health gets about \$19,000,000. I want to say, in a few words, that the only estimate made by the department is of \$75,000; and upon the representation that this work was included in the \$250,000 item on page 50; here it is—

Field investigations, . . . including sanitation.

We agreed to reduce it from \$75,000 to \$25,000, because they had all the money that even they had asked for, according to the representations made to us.

Mr. VARDAMAN. Mr. President, does the Senator announce upon the floor of the Senate that the Department of Health carrying on this work stated to the committee that they had all the money that they needed?

Mr. OVERMAN. No; I say that the chairman of the committee of the House said they had this question before them, and they did not allow it because they had given \$250,000 for field work, including rural sanitation.

Mr. VARDAMAN. I had a talk last evening with the chief of that bureau, Gen. Blue, and he was very urgent; and I urged him to bring all the influence he could to bear upon the conferees on the part of the House and the Senate, and he told me that he hoped very much they would be able to retain the \$75,000.

Mr. OVERMAN. Dr. Blue knows he need not have brought any influence to bear upon us for this item.

Mr. VARDAMAN. It seems to me it needed to be brought to bear somewhere, because they have lost \$50,000. The \$25,000 is not enough to go anywhere.

Mr. OVERMAN. I might also state that in the legislative bill, besides that, he has \$250,000 to expend for that purpose.

Mr. GORE. Mr. President, I was not reflecting on the committee. I assumed they were overpowered by the conferees with

whom they were in session; but I do say that \$25,000 merely mocks the hopes of the friends of rural sanitation. In my judgment, it would be better to appropriate nothing than to make such a miserable appropriation as that. It can be of no substantial service. It can serve no other purpose than to deceive those who have their hearts fixed upon this service.

Mr. WARREN. Mr. President, I do not wonder at the irritation of Senators on the outcome of this conference. I have seldom submitted to a conference where I felt more irritation myself. Nothing except the forfeiture of a contract that was in plain sight caused us to agree to and sign this conference report.

I desire to say, however, concerning the chairman of our conference committee and his able associate, the Senator from North Carolina, that in the long service I have had here and in the many conferences of which I have been a member I have never seen a stronger, more vigorous resistance, or a more zealous endeavor to maintain what was put in by the Senate than was manifested throughout the struggle last night until nearly 12 o'clock and again this morning from 9 o'clock until the hour that the report came in. Every inch of it was struggled for over and over. Every moment was occupied, and every point was gained that it was possible to gain. But I say again that I do not feel that we ought again ever to be caught in that kind of a situation. In the first place, I do not believe any officer of the Government ever ought to again expose the Government to the kind of a risk as that to which we have been exposed in this instance by reason of a forfeiture of contract; and the Senate, if it should ever learn of a thing of that kind again, ought to take measures to protect the Government in some other way than to force through, roughshod, Sunday and Monday and Tuesday, a bill that carries \$160,000,000 or \$170,000,000, where very many of the items have to be in amount something that must be determined upon after mature reflection and judgment of the committee having the bill in charge, and afterwards the approval of the Senate.

Mr. CLARK of Wyoming. Mr. President, in view of the situation and the conditions under which this conference report presents itself, and having been handed a photographic copy of the contract which gives rise to certain of the difficulties, I ask that this contract may be printed in the RECORD in connection with the conference report.

Mr. MARTIN of Virginia. I have no objection to that, but I think the original ought to come back to the committee as soon as possible. They just sent it up for my use.

Mr. CLARK of Wyoming. This is only a photographic copy. It can be returned, anyway.

Mr. MARTIN of Virginia. I want it returned to me. I ask the Secretary to see that it is returned to me, because it was sent to me for my use.

Mr. CLARK of Wyoming. I want an accurate copy of it in the RECORD. I think there are some things in that contract to which the attention of the country ought to be called.

Mr. SHAFROTH. I should think it would be better if it were printed as a Senate document, rather than in the fine type of the CONGRESSIONAL RECORD.

The VICE PRESIDENT. The Chair will instruct the official reporters to make a copy of the contract, and return the original to the Senator from Virginia.

The contract referred to is as follows:

W. E. STAVERT ET AL., SYNDICATE COMMITTEE, AND FRANKLIN K. LANE, SECRETARY OF THE INTERIOR—AGREEMENT OF SALE OF ALASKA NORTHERN RAILWAY.

This agreement, made in triplicate this 6th day of April, 1915, between W. E. Stavert, F. G. Jemmett, and W. J. Boland, as a committee for the management of the Alaska Central Railway Syndicate, under an agreement dated September 14, 1909, herein called the vendors; Franklin K. Lane, as Secretary of the Interior of the United States, acting by the authority of the President of the United States, under an act of the Congress of the United States entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, herein called the vendee; International Assets Limited, a corporation organized under the laws of the Province of Ontario, Canada, holder of a charge against the deposited securities herein described, herein called the Assets Co.; Geoffrey T. Clarkson, holder of a charge against the deposited securities herein described and as trustee under a deed of trust and mortgage dated August 1, 1911, between the Assets Co. and said Clarkson; the Canadian Bank of Commerce, herein called the Canadian depositary; and American Security & Trust Co., a corporation organized under the laws of the District of Columbia, herein called the Washington depositary.

Whereas the vendee desires to acquire complete control and a clear title to all the assets and franchises of the Alaska Northern Railway Co., herein called the railway; and

Whereas the vendors represent that they are, subject to the charges thereon in favor of said Clarkson and the Assets Co. and one O. G. Laberee, hereinafter referred to, the owners of all the issued bonds and capital stock of the railway; that is to say, \$5,000,000 first-mortgage bonds and \$5,000,000 fully paid stock; and

Whereas it has been agreed that subject to the terms hereinafter stated the vendor shall sell and the vendee shall purchase said bonds and stock and that the vendors shall procure and deposit the transfers, releases, and other documents hereinafter mentioned, all of which

are herein referred to as the deposited securities, and shall enter into the covenants and agreements herein contained, the intention being that the sale hereby agreed upon shall be conditional upon the vendee through the transfer of said bonds and stock, the delivery of the deposited securities and the covenants and provisions herein contained becoming the owner of the assets and franchises of the railway free to his reasonable satisfaction of all liens, debts, and claims other than any possible claim, right, or demand of the United States.

Therefore, for valuable consideration and in consideration of their mutual promises the parties agree as follows:

First. The vendors agree that they will forthwith upon the execution hereof deposit with the Washington depository, to be held by it hereunder, the following securities and documents, that is to say:

The temporary first-mortgage 30-year 5 per cent gold bond of the railway for \$5,000,000, dated as of May 1, 1910;

Stock certificates for fully paid-up capital stock of the railway to the amount of \$5,000,000, with transfers of same in blank duly executed;

Agreements between the railway and the Alaska Northern Construction Corporation and between the railway and the Alaska Northern Express Co. in forms hereto annexed marked "A" and "B," respectively, to become effective only on the final consummation of the sale; and

Resignations by every trustee and every officer of the railway and of all permanent employees—that is to say, of employees other than those subject to dismissal on notice of one month or less.

Second. The assets of the railway are agreed to include those set out in the list hereto annexed marked "C," and as supplementing same the vendors agree to deliver to the vendee on or before June 1, 1915, an inventory in reasonable detail setting forth the rolling stock and other personal property of the railway. It is, however, expressly understood that the sale is not intended to include claims of the railway or of the vendors against any person or persons whomsoever with reference to the title to the Seward town site, otherwise known as United States surveys 726 north and south, other than the lands in said town site set out in said annexed list "C"; and should the vendee or the railway at any time recover any moneys or any lands in respect of any such claims, the same shall be paid over or conveyed to the vendors after deduction of the actual expenses incurred by the vendee or the railway in connection with such recovery; and the vendee shall cause such proceeds to be released from the lien of the mortgage securing the bonds of the railway: *Provided, however,* That the vendee or the railway shall be under no obligation to prosecute same, and that they shall have the right at any time they see fit to compromise said claims on any terms deemed proper.

Third. The vendee shall proceed forthwith to investigate the title to the said securities and assets with a view to the acceptance or refusal thereof before July 1, 1915, but if he shall find that it will be impracticable to accept or refuse the title before that date and shall so notify said Boland and said Clarkson not less than 10 days before that date he shall be entitled to such further time for such investigation as shall be specified in such notice not exceeding two months from said July 1, 1915, which further time is herein referred to as "the extended period."

Fourth. If the vendee shall decide before July 1, 1915, or before the expiration of the extended period, as the case may be, to accept such title he shall thereupon make to the Canadian depository the first payment hereunder which, in case time shall not be extended as aforesaid, shall be the sum of \$500,000, which shall be paid on or before July 5, 1915; and in case time shall be extended as aforesaid shall be the said sum of \$500,000 together with interest thereon at 6 per cent per annum from July 1, 1915, until payment, and shall be made before the expiration of the extended period, time being agreed in both the said cases to be strictly of the essence of the contract. Payments shall be made to the Canadian depository, either in New York or Toronto at the option of the said Clarkson. On receipt of such first payment, the Canadian depository shall forthwith pay \$225,000 thereof to said Clarkson for distribution among parties entitled thereto, and shall hold the balance thereof until it shall have received the consent of O. G. Laberee, the holder of a charge against the deposited securities in form hereto annexed marked "D." On receipt of such consent the Canadian depository shall forthwith transmit same to the vendee, and shall then pay the balance of said first payment to said Clarkson for distribution as aforesaid. In case said consent of Laberee shall not be delivered as aforesaid the Canadian depository shall continue to hold said balance until the vendors shall have discharged and paid the lien of said Laberee and shall have delivered to the vendee satisfactory evidence of having done so. On making such payment the vendee shall be assumed to have accepted title to said securities and assets subject only to the covenant with reference to debts of the railway herein contained. If the vendee shall fail to make the first payment within the time above limited, or shall, before the expiration of the time allowed for investigation of the title, notify said Boland and said Clarkson of his rejection of said title, this agreement shall be deemed to be absolutely canceled and the Washington depository shall thereupon deliver to the said Clarkson all the securities and documents referred to in article 1; and in case such notice shall not be given prior to said July 1, 1915, the vendee shall forthwith, upon giving such notice, pay to the said Clarkson a sum equal to interest at 6 per cent per annum on said \$500,000 from said July 1, 1915, until payment.

Fifth. On the making of the first payment as aforesaid the vendee, subject to the provisions hereof, including the provision for forfeiture in case of future default, shall be deemed to be the owner of all the deposited securities, subject only to the obligation to make further payment as herein set forth, and on the making of such first payment the Washington depository shall thereupon, if so requested by the vendee, deliver to the vendee or on his order the said stock certificates, it being understood that such first payment is part payment of the purchase price of all the deposited securities and not for such stock merely.

Sixth. If at any time after the making of the said first payment the vendee shall give notice to the Washington depository and the said Boland and said Clarkson that it desires to assume control of the railway, the Washington depository shall thereupon deliver to the vendee the resignations mentioned in article 1, and, if so requested by the vendee, shall forthwith cause the shares of stock so deposited to be transferred to such name or names as the vendee may instruct. From the time of giving the notice described in this article until the termination of this agreement, the vendee shall have complete operating and financial control of the railway, and all the other parties to this agreement shall take all steps that may be necessary or convenient to that end that the vendee may from time to time reasonably require: *Provided, however,* That if the vendee shall thus withdraw the resignations he shall forthwith deposit with the Canadian depository like resignations of the successor trustees selected by him and of every officer and

permanent employee of the railway appointed by the said trustees, and if he thus withdraws and transfers the stock he shall forthwith deposit with the Canadian depository certificates for all such stock, with duly executed powers of attorney in blank for the transfer thereof, and the Canadian depository shall hold the same, and on default hereunder by the vendee shall deliver same to said Clarkson or his order, and on complete performance of this agreement shall deliver the same to the vendee.

Seventh. From the time the vendee takes over the control of the railway it is agreed that such control until default in payment of the final installment shall be absolute. The vendee shall from time to time take and hold all the receipts of the railway; may operate, may extend, change, or alter its lines, plant, and equipment, or any of them, and use all of its assets.

Eighth. The second and final payment shall be the sum of \$650,000, without interest, and shall be paid by the vendee to the Canadian depository in New York or Toronto, at the option of the said Clarkson, and shall be made, in any event, on or before July 5, 1916; time being agreed to be strictly of the essence of this provision; and in case, by appropriation of the Congress of the United States for that purpose, such sum shall be available to the vendee before that date it shall be paid as soon as it becomes thus available. Upon such payment the vendee shall become the absolute owner of all the deposited securities and the Washington depository shall forthwith deliver the same to him.

Ninth. The vendors and the Assets Co., with the assent of said Clarkson, trustee for bondholders of Assets Co. as aforesaid, out of and to the extent of the proceeds that shall be received by them, respectively, hereunder, agree to indemnify the railway and the vendee against and to hold them harmless from all debts of the railway now existing of which the vendee shall have given notice to the Canadian depository prior to the making of the final payment hereunder. If any such debt shall arise or be discovered, the vendee may give notice thereof in writing to the Canadian depository, requiring it to withhold from the said final payment made hereunder a sum to be stated in such instruction, which, in the judgment of the vendee, shall be adequate to protect the vendee from such debt; and in that event the amount so to be deducted shall not be paid to said Clarkson for distribution until such debt is paid, settled, or discharged, but shall be held by the Canadian depository for the satisfaction and discharge of such debt. The vendors and the Assets Co. shall have the right, in case any such debt is disputed, at their own expense, to intervene in any legal proceedings brought against the railway.

Tenth. In case the vendee shall make default in payment of said final installment within the time aforesaid, the vendors, for their risk and loss in the premises, shall be entitled to retain as and for liquidated and ascertained damages the said first payment and the benefit of any expenditure made by the vendee or by the United States on the property of the railway or otherwise connected therewith, and both the said depositories shall forthwith deliver to said Clarkson all the said securities, transfers, and documents in their hands, respectively, and the Canadian depository shall forthwith pay over to said Clarkson for distribution as aforesaid any balance in its hands of said \$500,000, irrespective of whether said O. G. Laberee shall or shall not have given the consent aforesaid; and the vendors shall be entitled to be restored to their rights as of the date when the vendee shall have assumed control of the railway, free from any debt, lien, or obligation created or suffered by the vendee. There shall, however, be no obligation on the vendee or on the United States to restore the physical condition of any of said assets in any respect in which the same shall have been altered during such control or operation; nor shall the vendee or the United States be bound to account for any moneys collected, received, or payable in connection with the operation of the railway while under the control of the vendee as aforesaid. The vendee expressly agrees not to do any act while in control as aforesaid which shall cause any surrender, abandonment, or impairment of any of the rights or franchises of the railway.

Eleventh. The vendors, the Assets Co., and the said Clarkson shall from and after the execution of this agreement furnish to the vendee all information as to title and as to the rights and assets of the railway in their possession or control, respectively, that the vendee may reasonably require and shall afford the vendee and its agents an opportunity to examine all documents and records with regard thereto in their possession, custody, or control, respectively.

Twelfth. Neither depository shall be liable for any action hereunder in good faith nor for anything except its own fraud or gross negligence. Neither shall be liable for the acts of its respective agents or subordinates hereunder, provided the same shall have been selected with reasonable care.

Thirteenth. The charges of the Canadian depository shall be paid by the vendors and the charges of the Washington depository by the vendee.

Fourteenth. Assets Co. and said Clarkson, respectively, as holders of charges upon the deposited securities, consent to the execution and performance of this agreement and to the sale and delivery of the deposited securities to the vendee on the terms hereof. The sale shall be free from said charges or claims and from any other charges or claims in favor of them or any of them; and the said parties agree that they will look solely to the purchase price paid hereunder for the satisfaction of said charges or claims.

Fifteenth. The vendee shall be under no obligation in respect of the application of any payment hereunder by the Canadian depository or by the said Clarkson.

Sixteenth. Notices to be given hereunder shall be sufficient, if deposited in the usual manner in the United States mail, addressed as follows: In the case of the Washington depository, addressed to such depository, Washington, D. C.; in the case of the Canadian depository, addressed to such depository at 23 King Street West, Toronto, Canada; in the case of the said Boland, addressed W. J. Boland, 2 Toronto Street, Toronto, Canada; and in the case of the said Clarkson, addressed G. T. Clarkson, 15 Wellington Street West, Toronto, Canada.

Seventeenth. It is expressly agreed that the covenants of the vendors and of the Assets Co. are limited to the proceeds of said sale which shall come to their hands and will not involve any further or other liability.

Eighteenth. This agreement shall be binding up the successors and legal representatives of the parties hereto. The vendee executes this agreement in his official capacity as the representative of the President of the United States as aforesaid; and the agreement shall be enforceable by his successor in authority. The powers and duties of each other party hereto shall devolve upon the successors of each of them in their respective capacities. Either depository may be changed at any time by the consent in writing of the vendee and the said Clarkson.

In witness whereof the Assets Co. has caused these presents to be executed under its corporate seal and under the hands of the proper

officers in that behalf, and the vendors, vendee, and said Clarkson have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered in the presence of—
(Signed) W. E. STAVERT.

As to signature of W. E. Stavert,
(Signed) G. E. DUERN.

Signature of F. G. Jemmett witnessed by—
(Signed) F. G. JEMMETT.

(Signed) W. J. BOYD.

Signature of Franklin K. Lane,
(Signed) FRANKLIN K. LANE.

(Signed) H. A. MEYER, Witness.

Signature of W. J. Boland,
(Signed) W. J. BOLAND.

(Signed) B. F. WOODHOUSE.

As to signature of G. T. Clarkson,
(Signed) G. T. CLARKSON.

(Signed) H. M. DETTMAN.

INTERNATIONAL ASSETS (LTD.),
(Signed) W. J. BOLAND, Vice President.

(Signed) W. J. BOYD, Secretary.

Witness to signatures for International Assets (LTD.),
(Signed) B. F. WOODHOUSE.

AMERICAN SECURITY & TRUST CO.,

(Signed) CHARLES J. BELL, President,

(Signed) JAMES F. HOOD, Secretary.

For THE CANADIAN BANK OF COMMERCE,

(Signed) T. A. LASH, Vice President.

(Signed) JOHN C. LIND, Assistant General Manager.

"A."

This agreement made the 14th day of April, A. D. 1915, between Alaska Northern Railway Co., herein called the Railway, and Alaska Construction Corporation, herein called the Construction Co.; witnesseth that by mutual consent a certain agreement between the parties dated 13th day of April, A. D. 1910, is hereby absolutely canceled and the parties mutually release each other of and from all the covenants, terms, and provisions of the said contract; and it is hereby witnessed and agreed that there is no other executory contract between the parties in existence and that the Railway is not indebted directly or indirectly to the Construction Co. nor under any obligation of any sort thereto, and that the Construction Co. is not indebted directly or indirectly to the Railway nor under any obligation of any sort thereto; and the Construction Co. hereby disclaims all right, title, and interest in or to any of the rolling stock, plant, equipment, or other personal property now held or at any time held or enjoyed in connection with either the construction or operation of the line or any of the other works of the Railway and doth hereby release and quitclaim to the Railway all right, title, and interest in or to all the property, rights, and assets included or intended to be included in the sale of the Railway to Franklin K. Lane, Secretary of the Interior of the United States, representing the President of the United States, or set out in any list of property furnished or to be furnished in connection with such sale.

In witness whereof said Railway has, pursuant to resolution of its board of trustees, caused these presents to be signed in its name and on its behalf by _____, president, and its corporate seal to be hereto attached; and the Construction Co. has, pursuant to resolution of its trustees, caused these presents to be signed in its name and on its behalf by Walter J. Boland, its president, and its corporate seal to be hereto attached, all on the day and year first above written.

(Copy of circular seals.)

Alaska Northern
Railway Company,
Incorporated,
SEAL,
1909,
Seattle, Wash.

Alaska Construction
Corporation,
Incorporated 1910,
Seattle, Wash.

ALASKA NORTHERN RAILWAY CO.,
By (Signed) J. C. WILLIAMS, its Vice President.
Attest: JAMES A. HAIGHT,
Secretary of Alaska Northern Railway Co.

ALASKA CONSTRUCTION CORPORATION,
(Signed) W. J. BOLAND, President.
Attest: (Signed) JAMES A. HAIGHT,
Secretary of Alaska Construction Corporation.

"B."

This agreement made the 17th day of April, A. D. 1915, between Alaska Northern Railway Co., herein called the railway, and Alaska Northern Express Co., herein called the express company, witnesseth that by mutual consent a certain agreement between the parties, dated 6th day of May, A. D. 1912, is hereby absolutely canceled and the parties mutually release each other of and from all covenants, terms, and provisions of the said contract, and it is hereby witnessed and agreed that there is no other executory contract between the parties in existence and that the railway is not indebted directly or indirectly to the express company nor under any obligation of any sort thereto; and that the express company is not indebted directly or indirectly to the railway nor under any obligation of any sort thereto; and the express company hereby disclaims all right, title, and interest in or to any of the rolling stock, plant, equipment, or other personal property now held or at any time held or enjoyed in connection with either the construction or operation of the line or any of the other works of the railway, and doth hereby release and quitclaim to the railway all right, title, and interest in or to all the property, rights, and assets included or intended to be included in the sale of the railway to Franklin K. Lane, Secretary of the Interior of the United States, representing the President of the United States, or set out in any list of property furnished or to be furnished in connection with such sale.

In witness whereof said railway has, pursuant to resolution of its board of trustees, caused these presents to be signed in its name and on its behalf by J. C. Williams, its vice president, and its corporate seal to be hereto attached; and the express company has, pursuant to resolution of its trustees, caused these presents to be signed in its name and on its behalf by S. O. Morford, its president, and its corporate seal to be hereto attached, all on the day and year first above written.

(Copy of circular seal.)

Alaska Northern Express
Company,
Alaska,
SEAL,
Incorporated, 1912.

ALASKA NORTHERN EXPRESS CO.,
By (Signed) S. O. MORFORD, President.

(Copy of circular seal.)

Alaska Northern Railway
Company,
Seattle, Wash.
SEAL,
Incorporated, 1909.

ALASKA NORTHERN RAILWAY CO.,

By (Signed)

J. C. WILLIAMS, its Vice President.

Attest: (Signed)

JAMES A. HAIGHT,

Secretary of Alaska Northern Railway Co.

Attest: (Signed)

CHARLES R. MORFORD,

Assistant Secretary.

(Copy of circular seal.)

HERRERT TOZIER,
Notary Public,
Territory of Alaska.

"C"

A line of railroad commencing at the southern boundary line of United States survey No. 726 south, otherwise the town of Seward to Kern, Alaska, a distance of 71.6 miles, to which the same has been completed, and extending thence in a partially completed condition toward a point on the Yukon River to which projected and all the branches, extensions, easements, rights, liberties, and franchises thereof, and all the railroad tracks, rights of way, depot houses, stations, and terminal grounds, side-tracks, bridges, viaducts, culverts, fences, tunnels, and other structures, docks, ditches, stations, elevators, engine houses, car houses, coal houses, wood houses, warehouses, machine shops, telegraph and telephone lines, superstructures, water tanks, switch tracks, switches, gravel pits; also all equipment, machinery, instruments, tools, implements, ties, iron, rails, furniture, and other chattels; all wood, coal, oil, fuel, and other supplies; all engines, locomotives, tenders, cars, motor cars and other rolling stock, equipment, and furniture of every description; all books of account, maps, inventories, and other documents; all property or interests, legal or equitable, real, personal, or mixed; all privileges and immunities; all the tenements, hereditaments, appurtenances, reversions, remainder, or remainders; all the estate, right, title, interest, claim, possession, and demand whatsoever, as well in law as in equity in any way connected with the said line of railway.

The lands, easements, leases, and locations of the railway, including the following:

Right of way for two railroad tracks over and across lands described as beginning at the southwest corner of United States survey No. 726 south; thence north on the west boundary line of said survey No. 726 south 730 feet; thence east 99 feet; thence south 140 feet to the meander line; thence south 17° 15' west on the meander line of said survey No. 726 south 321 feet, more or less, to the point of beginning; granted by deed of Frank L. Ballaine to the Alaska Central Railway Co., recorded in Book I of deed, pages 383 and 384 of the records of said precincts and Territory.

Seven and seven-tenths acres of land, more or less, in Seward town site conveyed by deed from Frank L. Ballaine and wife to the Alaska Central Railway Co., dated June 15, 1905, recorded in Book I of deeds, pages 389, 390, 391, and 392 of the records of said precincts and Territory.

Lease of right of way, dated May 6, 1905, covering the location now occupied by the railroad track over the land embraced in United States survey No. 726 south, town of Seward, which lease is recorded in book 1 of leases, pages 6 and 7 of the records of said precincts and Territory, being that portion of the railway track on Railway Avenue, alongside blocks 6 and 7, town of Seward.

The tract of land in Seward, known and described as United States survey No. 605, containing 1.40 acres as surveyed by Charles S. Hubbell, United States deputy surveyor, November 29 and 30, 1910, as terminal tract of Alaska Northern Railway under act of Congress approved June 30, 1906, according to the plat and field notes thereof approved July 10, 1911, filed and of record in the United States General Land Office, Washington, D. C.

Tract of land in Seward known and described as United States survey No. 606, containing 0.28 acre as surveyed by Charles S. Hubbell, United States deputy surveyor, May 31 and June 1, 1910, as terminal tract of Alaska Northern Railway Co. under act of Congress approved June 30, 1906, according to the plat and field notes thereof approved January 10, 1911, and filed and of record in the United States General Land Office, Washington, D. C.

Tract of land known as Alaska Central Terminal Grounds, containing 60 acres more or less, according to the map thereof, as surveyed by William J. Boland, chief engineer Alaska Central Railway Co., April 20, 21, and 22, 1905, being the land embraced in United States survey No. 607, and being immediately north of and bounded on the south by United States survey No. 726; bounded on the north by United States survey No. 243; and on the east by the high-tide line of Resurrection Bay from the south line of said survey No. 243 to the north line of said survey No. 726.

Lots 16, 17, 18, 19, and 20, in block 16, of the town of Seward, conveyed by warranty deed from Frank L. Ballaine to the Alaska Central Railway Co., dated June 15, 1905, recorded June 15, 1905, in Book 2 of Deeds, pages 25 and 26.

Tract of land known and described as United States survey No. 608, containing 19.45 acres, as surveyed by Charles S. Hubbell, June 6-8, 1908, as terminal tract under act of Congress approved June 30, 1906, of the Alaska Northern Railway, situate on the east side of Kenai Bay, according to the plat and field notes thereof, approved February 8, 1911, and filed and of record in the United States General Land Office, Washington, D. C.

Mr. MARTIN of Virginia. In that same connection, there is a letter from the engineer that I should like to have go in the RECORD.

The VICE PRESIDENT. In the absence of objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
ALASKAN ENGINEERING COMMISSION,
Washington, D. C., May 6, 1916.

Hon. THOMAS S. MARTIN,

Chairman Committee on Appropriations,
United States Senate.

DEAR SENATOR MARTIN: In connection with the detailed estimates of the appropriation required by this commission for the construction of the Government railroad in Alaska for the fiscal year 1917, your attention is respectfully called to the item for the "final payment to be made for the Alaska Northern Railway, July, 1916, \$650,000."

The contract of purchase of the Alaska Northern Railway, section 5, reads as follows:

"Fifth. The second and final payment shall be made by the vendee to the depository for account of Geoffrey T. Clarkson, trustee, and shall be the sum of \$650,000, without interest. This payment shall be made in any event on or before July 1, 1916, and in case by appropriation of the Congress of the United States for that purpose such sum shall be available to the vendee before that date, it shall be paid as soon as it becomes thus available.

"On such payment made to the depository the vendee shall become the absolute owner of all the deposited securities."

In the event that the sundry civil appropriation bill is not approved before July 1, 1916, is there some way that money may be made available for this payment?

Respectfully,

WM. C. EDES, Chairman.

Mr. PITTMAN. Mr. President, the other day I offered an amendment at page 168, line 14, increasing the appropriation for the Department of Labor by the sum of \$200,000. The House placed the appropriation at \$2,450,000. The estimate of the department was \$2,650,000; in other words, \$200,000 greater. I was then informed that the senior Senator from Massachusetts [Mr. LODGE] while I was at lunch had offered the same amendment. I have looked up the matter since that time. I find that the Senator from Massachusetts stated some of the grounds urged by the Department of Labor for the necessity of this additional \$200,000. The amendment was accepted by the chairman of the committee. It went to the conference. I am now informed, although I have not read the conference report, that the Senate conferees have receded from the Senate amendment with regard to this \$200,000 and have accepted the House amendment.

If this were just some ordinary little amendment of local benefit in some State, if it smelt of "pork barrel," I do not conceive that under the emergency we would have any right to examine into it. But here one of the great departments of the Government, that since its organization has been doing more good work than nearly any other department of the Government, is denied its modest estimate, in the face of a hearing before the House committee, and without any excuse being offered by members of either committee of either branch of Congress.

Now, why? I have in my hand a report, made out at my request by the Department of Labor, in which it is stated that this \$200,000 is absolutely necessary for the proper conduct of the work of that department. I find by an examination of this report that the other departments of the Government have had their estimates nearly all carried out, or at least the House provisions as to them have been increased. I do not know whether the members of the conference realize the importance of the work of this department, or whether they take the same interest in the work of this department that I do.

I want to say that I believe the Department of Labor to-day is doing more actual internal good for this country than any other department of the Government. It has had additional work thrown on it. It is mediating in these great strike disturbances that naturally arise throughout the country, and there is no reason to expect that those disturbances will decrease. The country is not only prosperous but, as is natural in prosperous times, the cost of living is increasing and has increased, as it always has in prosperous times. That is natural. It is natural, then, that labor should strive to increase the profits of its only product, the same as everyone else is striving to increase his profit. That causes these disturbances throughout the country; and this great labor body that we have here, this department of our Government that we have recently created, has mediated, according to the report of the Secretary of Labor, in something like 150 or 200 of these unfortunate disturbances during the last two years. It has done more to bring about amicable agreements between employer and employee than has been accomplished before by anybody in this country. The report stands here, and shows that nearly one-third of these disturbances were settled through the mediation of this department.

That is not the only work the department is doing, either. There were idle men in one section of this country, and there was a tremendous demand for labor in another section of this country. This department has reached out and has found employees for the congested business in one section of the country, while it has found work for these idle men in other sections of the country.

Now, I want to know if any greater or better work can be accomplished for the people of this country than bringing idle men to work that is waiting for them? That is another great work that has been imposed upon this department. They are carrying it out, and extremely successfully; and I insist that it is not a matter of slight importance.

Let me read to you just a few brief statements from the Department of Labor with regard to this \$200,000 appropriation:

It is absolutely necessary that the \$200,000 which has been cut out be restored for the following reasons:

(1) Immigration via the Atlantic ports, which are the most affected by the European war, is on the increase and the prospects are that the total for the next fiscal year will be materially in excess of that of the fiscal year 1915; from present indications it may double in volume.

(2) There has been an increased immigration at all Pacific coast ports.

(3) Canadian border: Since the outbreak of the European war, thousands of aliens in Canada, who were subjects of Governments with which Great Britain is now at war, have been seeking to cross the border into the United States, in most cases surreptitiously. The smuggling of contraband Chinese is also active. The registered immigration over the Canadian border line in the last fiscal year was 90,000 in round numbers, and rate of increase for the first 10 months of this year indicates that the increase will bring the figures above the 100,000 limit.

(4) Mexican border: In view of the Mexican situation, additional officers and guards are necessary to handle the cases of diseased aliens and refugees, many of whom are entering the United States surreptitiously, the present force being insufficient to properly look after the work.

In this connection, as we all have seen in the papers during the last few days, hundreds of these Mexicans have been flying across the American border into this country to avoid, as they believe, what will be the horrors of a war between the United States and Mexico. Those men will continue to fly to this country unless we patrol that border with sufficient troops to prevent them from entering.

(5) There has been no cessation of work at the interior stations, as warrant proceedings have been instituted in the cases of several thousand aliens who can not now be deported because of war conditions, and their cases are being placed in shape for final action so that deportation may be made effective as soon as conditions permit.

(6) Employment work: There has been increased activity in connection with the employment work authorized by section 40 of the immigration act, and this must be curtailed and perhaps abandoned altogether unless additional funds can be obtained.

Does Congress desire that important work abandoned? I do not think it does.

(7) Furloughs: During the first four months of the present fiscal year it was necessary to furlough a large number of employees in the Immigration Service in order to prevent a deficiency, and it is obvious that unless the additional \$200,000 for which request is made is restored it will become necessary early during the coming fiscal year to resume furloughs. It is apparent that to do so will have a very destructive effect on the morale of the service and prove extremely embarrassing. Not only that, but the effect of furloughing resulted in the loss of some of the best immigration officers because they were able to get steady employment either in civil life or in other departments of the Government at the compensation they were then receiving from the Immigration Service, and in some instances more.

(8) The Immigration Service, except during the European war, has been self-supporting, but when considered in connection with the service commencing at the time of the inauguration of the per capita tax on immigrants it has yielded a net surplus revenue over all expenses of \$10,000,000, in round numbers.

And yet this is the service that Congress intends to cripple; this is the service that Congress likely intends to abandon. They do not conceive that the work of this department is of any importance whatever. They tell us that the Government is liable to lose \$650,000 of forfeit by reason of the purchase of some railroad in Alaska. I do not believe they will do anything of the kind. I took a big interest in the building of the railroad in Alaska. I know that railroad company could not sell to anybody on earth except the Government, and I know that the Government could parallel that line and the line would be absolutely worthless. There was no necessity for any such clause in the contract, and whether it is there or whether it is not there, do not think for one moment that those people would not be delighted to accept that money. That does not count, either.

I do not care whether we lose the \$650,000 if it is to be at the cost of crippling one of the best departments of this Government. I would rather lose \$650,000 on behalf of the Government than put out of business the great employment bureau that is finding labor for the laboring men in this country. I would rather lose \$650,000 than to have hordes of diseased and ignorant and criminal aliens forcing themselves across the line on the north and on the south. I will not be frightened into this rush by the unfounded fear that \$650,000 may be lost.

Again, it seems of interest to the members of this body to know whether the Senate is participating in legislation. If there is no more importance to be attached to an amendment or a bill in this body than simply the pleasure of submitting it to some other branch of Congress for their consideration and approval, I feel that we are wasting our time here in adopting amendments, aye, we are wasting our time in appointing conferees.

Have the conferees on the part of this body the sole responsibility for that \$650,000? Have not the conferees of the other branch of Congress any responsibility with regard to the \$650,000? Can the conferees of the other body hold that \$650,000 proposition as a club over the conferees of the Senate and compel the Senate conferees to agree to anything that the conferees of the other branch want?

Are they not interested in protecting the United States Government against loss? Are they not willing to come to a reason-

able conference, to a fair conference? Are they not willing to concede as well as to demand? Yet so far we have heard nothing from the conferees on our side except that they were compelled to do something they did not want to do because of the insistent demands of the conferees on the part of the other branch of Congress.

If we have got to submit to their insistent demands, if a fair and free conference is going to cease to be a part of the parliamentary situation of these two bodies, then I think the sooner we cease to have conferences the better off we will be; the sooner we find that legislation in this body amounts to nothing, the better off we will be.

That is all I have to say on this matter. Those are my views. I sincerely hope that this conference report will not be agreed to and that our conferees will be permitted to go back and in a fair and free conference with the representatives of the other body, and at least express to those conferees the views of the Senate with regard to some of the amendments we have adopted here after debate. I hope that will be permitted. I hope that this report will not be agreed to. It can not be said that this matter was not brought to the attention of the conferees because there was a hearing in the House of Representatives, which hearing is a public document which announced the facts that I have read to this body.

Mr. MARTIN of Virginia. Mr. President, it is true that this matter was called to the attention of the conferees. The Senator from Nevada seems to think that he is the only man who knows anything about it, and he can get up here and assail and attack and impeach the conferees because we could not succeed in making the House people agree with him about every matter in the bill. He even charges the conferees with not having made an attempt to present it to the House conferees.

Mr. PITTMAN. Just a moment. I do not remember having charged the conferees with not having made an attempt to present it.

Mr. MARTIN of Virginia. The Senator did not use that language, but he did it substantially time and again during his speech.

Mr. PITTMAN. I do not know how much attempt the Senate conferees made. The chairman knows better than I what attempt was made and the responsibility for the failure to retain the amendment.

Mr. MARTIN of Virginia. The Senator has a very vivid imagination. He talks about Congress attempting to destroy the Immigration Service, and yet the bill as now reported appropriates \$2,450,000 for the Immigration Service alone. I forget the amount for the entire Labor Department but for the Immigration Service alone it appropriates \$2,450,000.

Mr. HUGHES. With no immigration.

Mr. MARTIN of Virginia. The Senator from New Jersey says there is no immigration. There is not any more immigration perhaps than can be cared for with \$2,400,000; but if more is required they can do as they always do, make a deficiency and Congress never has failed to meet it. There has been no injustice done to the Immigration Service. No injustice is intended to be done to the Immigration Service, and the attack of the Senator is gratuitous, unauthorized, and unwarranted.

I wish Senators such as the Senator from Nevada would tell us how we can make other people agree with us. By our Constitution it takes the concurrence of both Houses to legislate. We argued this matter as earnestly and as persistently as we were capable of doing. It is true we have not the ability and ingenuity which the Senator from Nevada imagines he has. He thinks it would have been easy enough; and I wish to God he had been on the conference committee and tried his wonderful ability and genius. Then we would have seen what he could do.

At any rate, Mr. President, the conferees appointed by the Senate did the very best they could possibly do. They worked day and night and they believe they worked out a fairly successful result? They held about one-half the amendments which were put on by the Senate, and everybody on the floor of the Senate knows that a great many amendments were put on which while meritorious perhaps were irregular and difficult to sustain. We were unable to sustain them. We sustained half, I think, less than half counting them numerically, but \$800,000 in money which was added by the Senate amendments remained in the bill as reported from the conference. We have made reasonable provision for all the services of the Government. While many things have been omitted from the bill which we desired to keep in it, there were none omitted of serious and vital importance, the omission of which would jeopardize the successful administration of the laws of the country and the protection of the rights and interests of the people.

It is perfectly useless for Senators because they have been disappointed about some pet scheme which they are enamored of to come here and assail the conference committee because the Senate conferees were unable to accomplish all they wanted. We made an earnest and persistent and prolonged fight to maintain every proposition which the Senate asked us to maintain, and we think that under the circumstances we met with fair and reasonable success. We would undoubtedly have retained some other items if we had had time, but we did not feel justified in jeopardizing the appropriation of \$650,000, and we obtained what we consider is a fairly reasonable bill. The exigencies of the situation required us to hurry. We held on as long as we could reasonably hold on, and we present the result of our work to the Senate and ask the Senate to adopt this conference report, believing the best interests of the country will be subserved thereby.

Mr. JONES. I wish to ask the Senator from Virginia about one or two amendments. I could not ascertain from hearing the conference report what was done with them. One is an amendment involving an appropriation for the medical relief of natives of Alaska. Can the Senator tell me what was done with the amendment?

Mr. MARTIN of Virginia. It was not put in the bill. The House conferees would not agree to it, and it was eliminated. My friend, the Senator from Wyoming [Mr. WARREN], calls attention to the fact that the House has already adopted the conference report, and did it immediately upon its submission this morning, realizing that the exigencies exist and that immediate action was necessary for the preservation of the rights of the Government.

Mr. JONES. The Senator from Wyoming confirms the statement that the chairman of the committee made that the Senate conferees had to recede from that amendment.

I want to ask the Senator also about an amendment which was put on providing for an additional ship for the Pacific coast to be used by the Coast and Geodetic Survey. What became of that amendment?

Mr. MARTIN of Virginia. The Senate conferees receded from that. We secured an amendment for the repair of three ships now in service. We tried our best to keep the fourth, but I am satisfied no serious injury will result if that is delayed for a year. We tried our best to retain it.

Mr. JONES. I am satisfied the conferees did the very best they could under the circumstances, and I have no criticism to make of them. I regret very much that the situation in reference to this bill and this conference report is such as it is. My recollection is that the bill came from another body on Saturday and the committee met on Sunday and on Monday the bill was reported to the Senate. What I think is a subject of just criticism is the delay in bringing this bill to the Senate—in getting it over here. Those in control knew of the situation—what seems to me an inexcusable situation—in reference to the contract in Alaska and what we were likely to forfeit unless the bill was passed, and it should have been gotten sooner to the Senate, so as to give us some time to consider the bill properly, and also the amendments that were to be presented.

If the mere fact that the bill is delayed for only a day or two forces the Senate to give up what it considers important amendments, the Senate might as well abdicate with reference to appropriation bills. That is simply notice to those elsewhere that all they have to do is to delay the appropriation bills until the stress of the 1st of July, and then they can force the Senate to accept the bill practically as they passed it.

I am not going to delay the bill. I regret very much that these amendments, together with others, were not put in the bill. I think the Government is really neglecting its duty with reference to the Indians of Alaska, who are the wards of the Government, and they are almost helpless without the Government's help and care. The commerce between this country and Alaska is very greatly endangered by the failure of the Government to provide the necessary ships to carry on the work of the Coast and Geodetic Survey and conduct the parties that ought to be conducted in order to discover the great dangers to commerce not only in those waters, but in waters elsewhere.

As I said, I am satisfied the conferees on the part of the Senate under these circumstances did the very best they could. I regret very much that the conditions were such that the conferees could not have more time to consider the amendments, but as far as I am concerned I shall not attempt to defeat the conference report.

Mr. STONE. Mr. President, I desire to ask the chairman of the committee a question. I offered an amendment to the sundry civil bill when it was pending in the Senate, which was

agreed to and made a part of the bill. The amendment proposed to appropriate in round numbers \$196,000 to purchase a strip of land lying between Connecticut Avenue and the Zoological Park and add the same to the park.

I understand that the Senate conferees were not able to bring the House conferees to agree to that amendment. I do not know the attitude of the House conferees or the House Committee on Appropriations or the House itself with respect to the merits of the amendment I offered. I am assured that every member of the Senate Committee on Appropriations believed, for I took the matter before that committee, that the strip of land to which I refer should be purchased by the Government and added to the Zoo Park, and that it will be almost necessary that it shall be done, if not now, at some early future time.

I am impressed from what I have heard with the notion that the amendment was not agreed to because of the unusual exigencies of this time and the unusual demands upon the Treasury, the very great addition to appropriations because of the Army and Navy, and other like things, and that it does not concern the merits of the proposition. I should like to ask the Senator if this statement is in accordance with his understanding?

Mr. MARTIN of Virginia. That is my understanding. In fact, the distinct statement made by the House conferees was that they did not question the merits of the proposition. There were two arguments that they made. One was that the cost was unreasonable. The second was that it was not urgent; that it could wait a while. The ultimate acquisition of this ground, they conceded, would be very desirable, if not absolutely necessary. They were not opposed to it on principle or on its merits, but they objected to the expenditure of that amount of money at this particular time. Those were the reasons given.

Mr. STONE. Mr. President, I agree that, in view of the unusual conditions at the present time, the Appropriations Committees of the two Houses, in the exercise of their powers, and keeping those conditions in view, should eliminate and exclude from appropriation bills almost everything that is not now absolutely necessary.

We are going to add hundreds of millions of dollars because of the things with which we are all familiar, and to which I have partly alluded, to our appropriations this year, and we shall have to add hundreds of millions of dollars in the form of additional taxation to the burdens of the people. I myself believe, however meritorious individual propositions may be, it would be a wise thing to put them aside for a while and to await a more opportune time to appropriate for them.

Mr. SMOOT. Mr. President, I recognize the fact that the fiscal year will close within a couple of days, and that this great appropriation bill should become a law before that time. I sympathize with the conferees on the part of the Senate. Ordinarily our conferees have a very difficult task to maintain the amendments adopted by the Senate against the House conferees. From what I can learn the Senate amendments in this particular bill have not been considered upon their merits by the conferees of the House, but brushed aside in an autocratic way that was anything but gentlemanly.

I am not going to delay the adoption of the report by discussing the amendments of the Senate lost in conference. I am quite content to say that though amendments which it seems to me are just and agreed to by the Senate have been eliminated by the conference report. For all this I believe the conferees on the part of the Senate have done the best they could under the existing conditions. When I first examined the conference report and noted the important amendments of the Senate which had been receded from—in fact, I may say they consist of the most important amendments agreed to by the Senate—I felt that perhaps there was a yielding on the part of the Senate conferees that could not be justified; but after talking with the members of the conference committee I believe that they did everything in their power to retain the amendments adopted by the Senate.

I had hoped, Mr. President, that the amendment which I offered providing that the plat of ground west of Ashmead Place, and between it and Rock Creek, and the plat of ground west of Twentieth Street NW., and between it and Rock Creek, would be agreed to in conference. It should have been.

Mr. STONE. Yes; it should have been.

Mr. SMOOT. There is not a question of doubt about it. I understand that the conferees on the part of the House took the position that because four small houses had been built upon the ground it was too expensive to include the ground in the parkway that is to connect Rock Creek Park with Potomac Park.

I care not if a commission did decide that the elimination of the land provided for in my amendment would not in any way affect the beauty of the parkway. I believe that if it is elimi-

nated the people of Washington will never cease to regret the elimination and that small houses should have been built upon land that was originally part of the parkway plan. I believe a mistake was made when it was eliminated. The back yards of those small houses will ever be an unsightly view for the people using the driveway between the parks named and those crossing the beautiful bridge on Connecticut Avenue crossing Rock Creek.

To me, Mr. President, even if the land costs what it is said it will cost—nearly \$200,000—it is a mere bagatelle when you take into consideration the detriment to the parkway by allowing the back doors and back yards of a lot of small houses to butt up against the parkway. On March 4, 1913, Congress undertook to provide a parkway to connect the two beautiful parks named. There was a plan agreed upon beforehand, which was submitted to Congress, showing exactly the land that would be necessary to carry the plan to a successful conclusion; but upon investigation it was found that the plan included properties near the Potomac Park, at the mouth of the Chesapeake & Ohio Canal; that it included the Chesapeake & Ohio Canal property, and also included the Washington Gaslight Co. For that reason there was a commission appointed to reexamine the lands to ascertain what lands could be eliminated from the original plan. The commission made the examination and submitted a new plan, excluding the Chesapeake & Ohio Canal property and also the property of the Washington Gaslight Co. and the little strip of property between Twentieth Street and the Connecticut Avenue Bridge. The exclusion of the latter was a mistake, and the amendment which I offered, and which was accepted by the Senate, was to reinstate that small plot of land in the plan.

Mr. President, I am sorry that the amendment was not agreed to. I suppose the chairman of the committee did everything he could do to have it remain in the bill. He so states. I hope that at an early date, upon some other bill, this amendment will be agreed to, and that it will become a law. If it were not for the fact that the fiscal year ends in a couple of days, and if it were not for the further fact that this unfortunate contract entered into with the Secretary of the Interior relative to the next payment for the railroad purchased by the Government in Alaska is involved, I should insist that the conference report be disagreed to, that the Senate ask for a further conference with the House, and that the conferees upon the part of the Senate insist not only upon this amendment but upon a number of other Senate amendments. I wish to say, however, that, under the present conditions and circumstances, realizing the position of our conferees, and believing that they have done the very best they could, I shall not insist upon any further consideration of the items in which the Senate is so deeply interested.

Mr. HUGHES. Mr. President, I do not feel that our action with reference to this conference report should be in any way controlled by the terms of the contract which has been referred to in the debate this afternoon. I doubt if anybody has ever set about purchasing a railroad on the installment plan without entering into some such contract; but I question very much if any attempt would ever be made to enforce such a provision in such a contract against the Government of the United States. Those who have been here any length of time know that Uncle Sam is about as cold-blooded a creditor as exists on the surface of the earth, certainly on this side of the water; and if the other parties to the contract should attempt to enforce the penalty clause of the agreement they would probably be knocking around the Halls of Congress for the next 25 years trying to get committees to listen to their complaints.

We have got possession of this railroad; we have paid part of the money, and whether we pay the balance of it on the 1st of July or the 5th of July or in 15 years, they will be glad to get it. There need be no difficulty, so far as that is concerned; and we can send this report back to conference if we want to do so, in spite of the apprehensions regarding the contract.

If the Senator from Nevada [Mr. PITTMAN] thinks that the matter in which he is interested—and it is a matter in which I am also interested—is of sufficient importance, I think he is fully justified in voting to reject this conference report.

I am deeply interested in the amendment adopted on motion of my colleague [Mr. MARTINE of New Jersey]. That amendment provided for a continuation of the present practice in the Panama Canal Zone of furnishing to employees rent and according them various other privileges.

Mr. MARTINE of New Jersey. Rent, fuel, and electric current.

Mr. HUGHES. The Senate unanimously accepted that amendment; and I feel that, while the Senate conferees in this instance, as they have always done, so far as my knowledge goes, truly represented their associates in the Senate on this matter, they may have been somewhat under duress on account of the hobgoblin made out of this clause of the con-

tract which, it is alleged, is going to work so much injury to the United States. I can say to Senators that there is no court in the world that would enforce that contract against an individual, much less against the Government of the United States. There is not a State in the Union the courts of which would not take equitable cognizance of the rights of the parties to a contract of that kind and do equity between them. That would be so as between citizens, and the United States Government occupies a more favorable position in case of a controversy of that kind than would a citizen.

So far as I am concerned, I am going to vote to send this report back to conference. I am going to strengthen the arm of the chairman of the Committee on Appropriations with a vote of the Senate, if I can, and send him back to conference, and have him tell the gentlemen representing the other House that we are deeply and sincerely interested in the amendments which the Senate has added to this bill, and that we are willing to go just as far toward bringing on a controversy between an individual and the United States Government over the purchase of a railroad as they are.

Mr. MARTIN of Virginia. Mr. President, if the Senator will excuse me for a moment, he will have to find some other language stronger than the English language if he can tell the House conferees those things any more emphatically than they have already been told to them by the conferees on the part of the Senate, and repeated and reiterated by them for about 36 hours.

Mr. HUGHES. I am satisfied that if the chairman of the committee was as vigorous toward the conferees on the part of the House as he is toward Members of the Senate who object to the position taken by the Senate conferees, then no Senator can have any fault to find.

Mr. MARTIN of Virginia. I think if the Senator had been in that conference room, so as to see what transpired and hear what was said, he would never make an intimation of that sort. If I ever violated the proprieties in my life in the discussion of a question, I violated them in the conference with the House conferees.

Mr. SHAFROTH. Mr. President, if the Senator knows the conferees on the part of the House, he will understand that some of them are pretty firm.

Mr. HUGHES. I know some of them.

Mr. SHAFROTH. I went to one of them with regard to an amendment which was inserted in the bill on my motion, and used my best endeavors to get favorable consideration of the amendment, but I could not get any consolation from him at all, although it was a most excellent and meritorious provision.

Mr. HUGHES. I know the conferees on the part of the House. While I have not acted on conference committees with them, I have been engaged in transactions with them where the same qualifications are necessary as are necessary to bring about a successful agreement of a conference committee; but I think if the Senate wants amendments in which it is interested written upon the statute books, it can send this conference report back to the conference committee, and it can get them inside of 24 hours.

All I have to say is that I think it is a public scandal that two or three hidebound gentlemen, who have preconceived notions with reference to certain things, should put the United States Government in the position of being the only employer in the United States that voluntarily and without reason cuts down the wages of its employees at this time. That is what a rejection of the amendment offered by my colleague affecting the employees of the Panama Canal Zone amounts to. I think it is an outrage. I do not think the House will vote to sustain the position of their conferees, and I know the Senate will not vote for that position. Why should two or three gentlemen be able to ram this matter down the throats of Congress?

Mr. SMITH of Georgia. Mr. President, if the Senator will allow me, what is the amount we have paid on the railroad in Alaska and how much more is to be paid?

Mr. HUGHES. So far as the railroad is concerned, we have paid something like \$600,000; there is something like \$700,000 more to be paid, and it must be paid by the 1st of July. If so, it is practically forfeited now; but I want to say that at any time the United States Government pays the amount the other parties will be glad to get it.

Mr. SMITH of Georgia. I merely wanted to express my agreement with the views of the Senator from New Jersey that they can not take the railroad from us; that they will not do so, and they will no doubt be glad to have the balance of the payment anyhow.

Mr. HUGHES. You could not get even a law student to take the opposite position. I think this is just a chimera, a will-o'-the-

wisp, and amounts to nothing. I am against the conference report and will ask for an opportunity to vote against it.

The VICE PRESIDENT. The question is on agreeing to the conference report.

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

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

Mr. GALLINGER (when his name was called). I have a very liberal pair with the senior Senator from New York [Mr. O'GORMAN]. He has given me permission to vote on appropriation bills, and therefore I will vote. I vote "yea."

Mr. JONES (when his name was called). I have a pair for the week with the junior Senator from Virginia [Mr. SWANSON]. His colleague, however, advises me that if he were present he would vote as I shall vote. I therefore vote "yea."

Mr. SHAFROTH (when Mr. THOMAS's name was called). I wish to announce the unavoidable absence of my colleague [Mr. THOMAS] and to state that he is paired with the senior Senator from North Dakota [Mr. McCUMBER].

Mr. TILLMAN (when his name was called). Repeating the transfer I made a few moments ago, I vote "yea."

The roll call was concluded.

Mr. DU PONT. Has the junior Senator from Kentucky [Mr. BECKHAM] voted?

The VICE PRESIDENT. He has not.

Mr. DU PONT. I have a general pair with that Senator. I transfer that pair to the senior Senator from California [Mr. WORKS] and will vote. I vote "yea."

Mr. WALSH. I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT], who, I am told, has not voted. Is that correct?

The VICE PRESIDENT. That Senator has not voted.

Mr. WALSH. I transfer that pair to the senior Senator from New York [Mr. O'GORMAN] and vote "yea."

Mr. LEWIS. I desire to announce the absence of the senior Senator from Arizona [Mr. ASHURST], who has been called to the War Department on official business.

The result was announced—yeas 35, nays 18, as follows:

YEAS—35.

Bankhead	Dillingham	Overman	Smoot
Brady	du Pont	Page	Sterling
Brandegee	Fletcher	Phelan	Stone
Broussard	Gallinger	Poinexter	Tillman
Bryan	Jones	Shafroth	Townsend
Chamberlain	Lea, Tenn.	Sherman	Walsh
Clark, Wyo.	Martin, Va.	Simmons	Warren
Cummins	Nelson	Smith, Ariz.	Weeks
Curtis	Oliver	Smith, Md.	

NAYS—18.

Clapp	James	Lane	Sheppard
Gore	Johnson, Me.	Lewis	Thompson
Gronna	Kenyon	Martine, N. J.	Vardaman
Hughes	Kern	Newlands	
Husting	La Follette	Pittman	

NOT VOTING—42.

Ashurst	Hardwick	O'Gorman	Smith, S. C.
Beckham	Hitchcock	Owen	Sutherland
Borah	Hollis	Penrose	Swanson
Catron	Johnson, S. Dak.	Pomerene	Taggart
Chilton	Lee, Md.	Ransdell	Thomas
Clarke, Ark.	Lippitt	Reed	Underwood
Colt	Lodge	Robinson	Wadsworth
Culberson	McCumber	Saulsbury	Williams
Fall	McLean	Shields	Works
Goff	Myers	Smith, Ga.	
Harding	Norris	Smith, Mich.	

So the conference report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by E. T. Taylor, jr., one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15836) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House has signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 16677. An act extending appropriations for the necessary operations of the Government and of the District of Columbia, and for the payment of pensions under certain contingencies; and

H. J. Res. 242. Joint resolution to authorize the President to draft members of the National Guard and of the Organized Militia of the several States, Territories, and the District of Columbia, and members of the National Guard and Militia

Reserves into the military service of the United States under certain conditions, and for other purposes.

AGRICULTURAL APPROPRIATIONS.

Mr. GORE. I move that the Senate proceed to the consideration of House bill 12717, being the Agricultural appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. GORE. I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for committee amendments.

Mr. MARTIN of Virginia. Mr. President, will the Senator yield to me for just a moment?

Mr. GORE. I will.

Mr. MARTIN of Virginia. I simply wish to move that when the Senate adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

Mr. GORE. Let us take a recess.

Mr. MARTIN of Virginia. I preferred that, but so many Senators objected to it that I did not feel justified in making the motion. They desire to have some morning business transacted.

Mr. GORE. I suggest to the Senator that to-morrow will be the last day of the fiscal year. I have asked to have the first reading of the bill dispensed with, and then my purpose was to move a recess until to-morrow morning, with a view of yielding to the Senator from Florida [Mr. BRYAN], so that he could secure the passage of the fortifications appropriation bill. It seems to me that as to-morrow will be the last day of the fiscal year we ought to rush these appropriation bills and let the morning hour go until the next day.

Mr. SMOOT. Mr. President, I want to say to the Senator that our experience is that when we recess it takes longer to allow Senators to come in the Chamber at all times of the day and introduce their bills at different times than it would if we had a morning hour and had the morning business attended to, and then went right on with the appropriation bills.

Mr. GORE. My observation has been the contrary; but if this recessing policy is a failure, of course I have no objection to the Senator's motion.

The VICE PRESIDENT. The Senator from Virginia moves that when the Senate adjourns to-day it stand adjourned until 11 o'clock to-morrow morning.

Mr. STONE. The Senator from Oklahoma offers an amendment to that, as I understand.

Mr. MARTIN of Virginia. The motion is not subject to amendment.

The VICE PRESIDENT. The motion is not amendable. The question is on the motion of the Senator from Virginia.

The motion was agreed to.

The VICE PRESIDENT. The Senator from Oklahoma asks unanimous consent that the first reading of the bill be dispensed with and that the bill be read for committee amendments. Is there any objection? The Chair hears none, and it is so ordered.

Mr. SMOOT. Mr. President, there is no intention on the part of the Senator, I assume, to take up the bill to-night for consideration.

Mr. GORE. Mr. President, personally I should be very glad to proceed with it now.

Mr. SMOOT. It is now 10 minutes to 6 o'clock.

Mr. GORE. I think, however, that Senators would prefer that the bill go over, so I shall not attempt to proceed with it at this time.

Mr. STONE. Then I suggest to the Senator that he ask to have the bill laid aside.

Mr. GORE. I ask that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. In the absence of objection, the bill will be temporarily laid aside.

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 three minutes spent in executive session the doors were reopened, and (at 5 o'clock and 53 minutes p. m.) the Senate, under the order previously made, adjourned until to-morrow, Friday, June 30, 1916, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 29, 1916.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Lieut. Col. William P. Kendall to be colonel.
Maj. Deane C. Howard to be lieutenant colonel.
Capt. Nelson Gapen to be major.

To be captains.

First Lieut. Benjamin B. Warriner.
First Lieut. William D. Herbert.
First Lieut. Stephen H. Smith.
First Lieut. George F. Lull.
First Lieut. Charles C. Hillman.
First Lieut. Sidney L. Chappell.
First Lieut. Fletcher O. McFarland.

CAVALRY ARM.

First Lieut. Robert F. Tate to be captain.
First Lieut. Sebring C. Megill to be captain.
Second Lieut. Robert S. Donaldson to be first lieutenant.

COAST ARTILLERY CORPS.

Capt. Edward Kimmel to be major.
Capt. John R. Proctor to be major.
First Lieut. Clifford L. Corbin to be captain.
First Lieut. Lloyd P. Horsfall to be captain.
First Lieut. Charles G. Mettler to be captain.
First Lieut. Charles B. Gatewood to be captain.
First Lieut. Joseph H. Pelot to be captain.
First Lieut. Morgan L. Brett to be captain.
First Lieut. Forrest E. Willford to be captain.
Second Lieut. Charles N. Wilson to be first lieutenant.
Second Lieut. Austin G. Frick to be first lieutenant.
Second Lieut. Sydney S. Winslow to be first lieutenant.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants.

Frederic Hagler.
Ingvald Martinius Josephson Hotvedt.
Hugo Francis Mehl.
Roy Herndon Cox.
Lawrence Howard Robles.
Magnus Jacob Myers.
Edward Percy Eglee.
Charles Mallory Williams.
Archie Ewing Gordin.
Arthur Ward Cutler.
Abram Schuyler Clark.
Charles H. Merrill.
James Edwin Dewey.
John Wesley Long.
George Irvine McKelway.
Albert Sparr Rider.
William Launcelot Brown.
John Francis Ranken.
Clarence McClellan.
Perry C. Traver.
Austin Charles Wright.
Frank Farrow Simpson.
Clarence Oscar Christian Max.
Charles Hubart Lovewell.
George James Haslam.
Emil Sebastian Geist.
George Clymer.
Joel Ernest Goldthwait.
John Morris Dodd.
James Le Roy Campbell.
Edward Bates Block.
Edward Campbell Davis.
William Lee Wilkinson.
Kendall Emerson.
Dennis Francis O'Connor.
Somers Fraser.
John Lewis Bremer.
George Cheever Shattuck.
Francis William Anderson.
Edwin Bruce Rhea.
Willard Samuel Howard.
Barzilla Milton Hutchinson.
Curtis Alban Evans.
Albert Martin Farrell.
Alford Edward Budde.
Charles Henry Lawrence.
George Sherwin Clarke Badger.

Walter Asbury Newman.
Lee Walton Verdery.
Arthur Morris Zinkhan.
Orville Titus Manley.
Augustus Ravogli.

MEDICAL CORPS.

First Lieut. Frank Wiley Wilson to be first lieutenant.

PORTO RICO REGIMENT OF INFANTRY.

Arturo Moreno to be second lieutenant.

The pay clerks herein named to be second lieutenants in the Quartermaster Corps:

Selden B. Armat.
Francis J. Baker.
Wallace F. Baker.
Stephen R. Beard.
Orva E. Beezley.
John Q. A. Brett.
George C. Brigham.
Dudley M. Brown.
Richard L. Cave.
Jerome Clark.
Eugene Coffin.
Lute E. Collier.
Edward T. Comegys.
Walter D. Dabney.
William F. Daughton.
William M. Dixon.
Guy R. Doane.
Charles B. Eckels.
George Z. Eckels.
Charles F. Eddy.
Edwin F. Ely.
Ed. N. Enders.
Clarence M. Exley.
Horace G. Foster.
Seymour H. Francis.
Otto W. Gralund.
Carl Halla.
James R. Hezmalhalch.
Joseph A. Hill.
Ernest P. Hoff.
Eugene O. Hopkins.
Henry S. Hostetter.
Percy G. Hoyt.
Charles R. Insley.
Franklin C. Kearns.
Montgomery T. Legg.
Claude J. Liebert.
William J. Lisle.
Elmer E. Lockard.
George F. Lovell.
James MacKay.
Alexander C. McKelvey.
William A. MacNicholl.
Herbert A. Main.
Frederick A. Markey.
James A. Marmon.
Alfred J. Maxwell.
Dana W. Morey.
Emmett C. Morton.
Frank T. Neely.
Erskine Neide.
David Nicholson.
Robert G. Nunan.
Arthur A. Padmore.
Frank E. Parker.
Thomas S. Pugh.
Horace G. Rice.
Frank H. Richey.
Harold G. Salmon.
Jerome F. Sears.
Frank B. Shelly.
Harrison W. Smith.
Hastie A. Stuart.
Will T. Taber.
Louis M. Thibadeau.
William W. Thrall.
Walter S. Vidor.
Hardie A. Violland.
Wilhelm P. A. T. Von Hartung.
George N. Watson.
Archie H. Willis.
Horace E. Wilson.
Samuel C. Wilson.

CHAPLAIN.

Rev. Edmond J. Griffin to be chaplain, with the rank of first lieutenant.

REAPPOINTMENT IN THE ARMY.

QUARTERMASTER CORPS.

Maj. Gen. James B. Aleshire to be Quartermaster General, with the rank of major general.

APPOINTMENT BY TRANSFER IN THE ARMY.

Second Lieut. Louis A. Craig to be second lieutenant of Field Artillery.

Second Lieut. Charles L. Kilburn to be second lieutenant in the Coast Artillery Corps.

POSTMASTERS.

ARKANSAS.

E. J. Cook, Marmaduke.

FLORIDA.

T. J. Hammond, Hawthorn.

IOWA.

O. S. Barber, Creston.

Arthur A. Dingman, Aurelia.

J. W. Dole, Fairfield.

Harry C. Graves, Madrid.

Paul Krueger, Jesup.

Bert McKinley, Morning Sun.

Thomas J. Snodgrass, New Market.

MISSISSIPPI.

J. O. Bennett, Louisville.

Samuel H. Jones, Como.

John C. King, Senatobia.

OKLAHOMA.

Herman J. Fleming, Canton.

Roy Tennison, Commerce.

OREGON.

E. D. Alexander, Stayton.

PENNSYLVANIA.

Percy Brewington, Benton.

Daniel Lennon, Galetton.

John D. Moore, Bridgeville.

VIRGINIA.

Gabriella R. Cochran, The Plains.

Milton E. Gee, Meherrin.

Burns N. Gibson, East Falls Church.

Harvey D. Hall, Lawrenceville.

Emmett L. Wade, Vinton.

WISCONSIN.

George M. Breakey, Alma Center.

Clarence L. Jordalen, Deerfield.

Andrew Kaltenbach, Potosi.

Daniel W. McNamara, Montello.

Charles H. Prouty, Genoa Junction.

C. E. Reichenbach, Merrillon.

John Schreiber, Menasha.

HOUSE OF REPRESENTATIVES.

THURSDAY, June 29, 1916.

The House met at 12 o'clock noon.

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

Father in heaven, help us to realize fully that procrastination is the thief of time; that we must work while it is yet day, for the night cometh when no man can work. Forgive us, we pray Thee, when we put off until to-morrow what should be done to-day; when we proclaim from the housetops patriotism and fail to put it into practice; when we pray for the kingdom of heaven and supinely wait for its appearance; when we seek to pluck the mote out of our brother's eye and behold a beam is in our own eye.

Teach us to turn our thoughts within and know the value of self-examination that we may put aside our own faults and strive to walk worthily before our neighbor. In His name. Amen.

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

BODIES OF MEN KILLED AT CARRIZAL, MEXICO.

Mr. JOHNSON of Washington rose.

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. JOHNSON of Washington. Mr. Speaker, I desire to ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Washington asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, I present a joint resolution, which I desire the Clerk to read in my time.

The SPEAKER. The Clerk will read the resolution in the gentleman's time.

The Clerk read as follows:

House joint resolution 249.

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and directed to provide an escort for the transportation from El Paso, Tex., to Washington, D. C., of the bodies of the officers and men of Troop C and Troop K, Tenth United States Cavalry, who were killed in action at Carrizal, Mexico, and to inter said bodies in the Arlington National Cemetery with full military honors.

Mr. JOHNSON of Washington. Mr. Speaker, I should like to ask to suspend the rules and proceed with the consideration of the resolution.

The SPEAKER. The gentleman can not move to suspend the rules on a Thursday.

Mr. JOHNSON of Washington. Then, Mr. Speaker, I ask unanimous consent for the present consideration of the resolution.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, I suggest that this resolution should go to the Committee on Military Affairs. It is a very important matter. I have no doubt that the War Department will do whatever is appropriate, but if we are to request a military escort and to provide for the interment at Arlington of all the men who may lose their lives in Mexico we may find ourselves very much embarrassed, I object.

The SPEAKER. The gentleman from New York objects.

Mr. JOHNSON of Washington. I am perfectly willing that the resolution shall take the course indicated by the gentleman from New York [Mr. FITZGERALD], but in the time still remaining at my disposal I desire to say that the bodies of the men of the Navy who lost their lives at Vera Cruz were brought back and given great attention, great honor, and buried in the full form of the Navy of the United States.

Mr. FITZGERALD. That was done without any action on the part of Congress.

Mr. JOHNSON of Washington. These troopers who lost their lives in Mexico were colored, but they are heroes and were in the service of the United States just the same. [Applause on the Republican side.]

Mr. FITZGERALD. It is not a question of race. White men as well as colored men have lost their lives in this instance. The gentleman is simply making a bunk political speech.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2986) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to provide for the investment of postal savings deposits, to create Government depositories and financial agents for the United States, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to joint resolution (H. J. Res. 242) to authorize the President to draft members of the National Guard and of the Organized Militia of the several States, Territories, and the District of Columbia and members of the National Guard and Militia Reserves into the military service of the United States under certain conditions, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 16678. An act making appropriations to supply urgent deficiencies in appropriations for the Military and Naval Establishments for the fiscal year ending June 30, 1916, and for other purposes;

H. R. 6923. An act to authorize the construction, maintenance, and operation of a bridge across Little River at a point where the line between townships 12 and 13 north, range 8 east, crosses said river;

H. R. 9615. An act to reimburse certain Indians for labor done in building a schoolhouse at Queets River, Quinault Indian Reservation, in the State of Washington;

H. R. 10925. An act authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew;

H. R. 10849. An act granting the consent of Congress to Ashley County, Ark., to construct a bridge across Bayou Bartholomew;

H. R. 12197. An act authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew;

H. R. 14630. An act to quiet title in certain citizens to certain lands lying within the meander line on the St. Francis River, and being parts of lots and tracts of land lying in Craighead County, Ark.;

H. R. 7430. An act for the relief of William Foglio; and

H. R. 16677. An act extending appropriations for the necessary operations of the Government and of the District of Columbia, and for the payment of pensions under certain contingencies.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 14484) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," the Clerk be, and he is hereby, authorized and directed to restore, on page 11 of the engrossed bill, lines 22, 23, and 24, and lines 1 and 2 on page 12, with an amendment as follows: "Page 12, line 2, strike out '\$20' and insert '\$12,' the same being for the purpose of carrying out the agreement of the conferees."

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15775. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1917, and for other purposes.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 1697. An act to declare Ollala Slough, in Lincoln County, Oreg., nonnavigable; to the Committee on Interstate and Foreign Commerce.

PER CAPITA PAYMENT TO CHOCTAW AND CHICKASAW CITIZENS
(H. DOC. NO. 1248).

Mr. WINGO. Mr. Speaker, I ask unanimous consent that a House document be made of the letter of Assistant Commissioner of Indian Affairs Meritt, dated June 21, 1916, transmitting to the Secretary of the Interior the proposed regulations covering the distribution of the per capita payment provided recently to the Choctaw, Chickasaw, and Seminole citizens, with which the House is familiar. I desire to have the letter and regulations made a House document.

The SPEAKER. The gentleman from Arkansas asks unanimous consent that a certain letter written by the Assistant Commissioner of Indian Affairs, together with the regulations pertaining to the subject of which he writes, the division of the money belonging to the Indians, be made a House document. Is there objection?

There was no objection.

RIGHT OF A MEMBER OF CONGRESS TO HOLD OFFICE IN THE NATIONAL GUARD.

Mr. WEBB. Mr. Speaker, in obedience to the command of the Committee on the Judiciary, I hereby submit a privileged report on House resolution 257, with reference to the right of a Member of Congress to hold office in the National Guard, as reorganized by the act of June 3, 1916. Unless there is demand that the report be read, I shall ask that it be printed and placed on the House Calendar. (H. Rept. 885.)

The SPEAKER. The gentleman from North Carolina files a report from the Committee on the Judiciary respecting the right of a Member of Congress to hold office in the National Guard, which is ordered printed and placed on the calendar.

CALENDAR WEDNESDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the business in order on next Calendar Wednesday be dispensed with and that the business of Calendar Wednesday for next Wednesday be in order to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with and be in order to-morrow. Is there objection?

Mr. FITZGERALD. Mr. Speaker, I have no objection to that, provided that if the conference report on the sundry civil appropriation bill is not disposed of to-day it can be taken up to-morrow.

Mr. SHERLEY. Mr. Speaker, I also desire to have a reservation in regard to the conference report on the fortifications appropriation bill.

Mr. MANN. Mr. Speaker, I suggest to the gentleman that he formulate his request so that the consideration of conference reports may be in order to-morrow, notwithstanding that the business of Calendar Wednesday is in order.

Mr. KITCHIN. Mr. Speaker, I will so modify my request.

The SPEAKER. The gentleman from North Carolina modifies his request so that the business in order will not interfere with the consideration of conference reports. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from North Carolina if he is prepared to say now whether he expects the House to sit on the Fourth of July, next Tuesday?

Mr. KITCHIN. I do not. We will adjourn from Monday to Wednesday.

The SPEAKER. Is there objection?

There was no objection.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 16699) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1917, and for other purposes. Pending that motion I ask unanimous consent that general debate be limited to 25 minutes on a side, the time on the other side to be controlled by the gentleman from Illinois [Mr. McKENZIE] and the time on this side by myself.

The SPEAKER. Pending the motion to go into the Committee of the Whole House on the state of the Union for the consideration of the Military Academy appropriation bill, the gentleman from Alabama asks unanimous consent that general debate be limited to 25 minutes on a side, one half to be controlled by himself and the other half by the gentleman from Illinois [Mr. McKENZIE]. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Alabama that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Military Academy appropriation bill.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Military Academy appropriation bill, with Mr. BOOHER in the chair.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DENT. Mr. Speaker, I yield 25 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman and gentlemen of the House, the Republican Party is in a desperate condition. The old party of privilege, the stand-pat, boss-ridden Republican Party of 1912 is doing business in the same old way. Its once hated and despised bosses have done something to Theodore Roosevelt and a change has come over the spirit of his dreams. In the recent Republican convention held at Chicago the daily papers told us that the old guard was in complete control and that the big bosses were all there and that their delegates knew why they were selected and that they could be relied upon to do the bidding of the bosses. The newspapers also told us that the old guard had generously agreed to let Mr. Roosevelt try out his strength to see if he could secure the Republican nomination. Oh, how generous and magnanimous, Mr. Chairman. [Laughter.] A bunch of old-guard delegates, hand-picked by the brazen bosses of 1912, going to give Roosevelt a "fair" chance to get the Republican nomination. [Laughter.] A thousand delegates of the Progressive Party were assembled in convention in the same city. None of them, save Perkins and a half dozen more, understood the program already agreed upon by Root and Smoot, Penrose and Roosevelt. They did not know that the whole thing had been planned at the billion-dollar banquet given in New York to Roosevelt, Root, and others a few months ago. And it did not occur to them, although many suspicions were being whispered around that Elihu Root had planned the tragedy and had written the despicable Chicago play when Roosevelt, Lodge, and Root met in secret conclave a few weeks after the billion-dollar banquet. [Applause on the Democratic side.] The great body of the Progressive Party were not a lot of thoughtless and irresponsible people, as the Republican newspapers characterized them four years ago, but they were men of conviction,

devoted to a principle, and they enlisted for life against the corruption and bossism of the Republican Party.

The great bulk of Progressive delegates sent to Chicago and the rank and file behind them at home were sincere American patriots. There was no thought of treachery or double dealing among them. They were fighting for a principle and striving to save the life of the Nation from the deadly hold of the greedy vampires of the Republican Party. [Applause on the Democratic side.]

But where was their leader who, in 1912, had said, "If those fervent in this great fight for the rule of the people for justice and honesty against dishonesty, fraud, and theft, desire me to lead the fight, I will do so"? The same old Republican bosses that he accused of injustice, dishonesty, fraud, and theft in 1912 were in absolute control of the Republican convention in 1916.

Progressives who had challenged them to conflict on a thousand battle fields were there just as determined as ever to keep these unscrupulous and corrupt bosses from seizing again the reins of government. [Applause on the Democratic side.] As one Progressive put it, "Life is short at best, and we go this way but once. I owe a duty to my country, and so help me God I will repudiate this bargain with the Republican bosses." [Applause.] But where was Mr. Roosevelt? After all that had occurred between him and the Republican bosses he could not, and he dared not, face the Progressive delegates assembled in Chicago. [Applause on the Democratic side.] So he remained at Oyster Bay and talked over the long-distance phone. It were well, Mr. Chairman, that that transaction be carried on over a long-distance phone. [Laughter.]

With the landscape glasses that Wall Street had furnished the big bosses looked good to him now. Why, he engaged in conversation PENROSE, of his "porch-climbing" class, and whispered warm-hearted words to him over the phone, and the newspapers tell us that he assured the big boss Senator from Pennsylvania that if he were elected the White House would be wide open to him. [Laughter on the Democratic side.]

Do you remember, my Republican friends, what Mr. Roosevelt said about Mr. PENROSE four years ago? Do you recall how he denounced him as all sorts of a political burglar, boss, and corruptionist? It was really interesting to hear him talking to PENROSE over the long-distance phone and very pathetic to see him trying out his strength before the Republican convention. [Laughter.] This was certainly another instance of the mountain being in labor and bringing forth a mouse, for the long-distance effort of Mr. Roosevelt to deliver 4,000,000 Progressives into the 1912 camp of Republican bosses will be a miserable failure. [Applause on the Democratic side.] It reverses all the rules of arithmetic. Four million will not go into three million. [Laughter and applause.] Trying to make 4,000,000 patriotic Progressives go back to the graft-cursed and boss-ridden remnant of the Republican Party. [Applause.]

What will the patriotic Progressives do since they have been so basely betrayed?

SEVERAL MEMBERS OF THE REPUBLICAN SIDE. They are for Hughes.

Mr. HEFLIN. No, gentlemen; they are going to serve their country and vote the Democratic ticket. [Applause on the Democratic side.] I know that you old standpatters are delighted at the way you roped Roosevelt in, but you will never deliver into the camp of the bosses the men who stood for principle against bossism four years ago. [Applause on the Democratic side.]

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. HEFLIN. Just one question; yes.

Mr. JOHNSON of Washington. Is the distinguished gentleman from Alabama trying to unscrew the unscrewable? [Laughter.]

Mr. HEFLIN. No, sir. I am relating some things that Republicans hate to hear and telling you what you may expect at the hands of the American people at the polls in November. [Applause on the Democratic side.]

Mr. MEEKER. Will the gentleman yield?

Mr. HEFLIN. Just for one question.

Mr. MEEKER. I think the gentleman should know we appreciate fully the gentleman's warning.

Mr. HEFLIN. I do not know how much you appreciate it, but because the "truth is light" I must tell it to you. You will never see the Progressive rank and file voting the ticket nominated by the bosses at Chicago. [Applause on the Democratic side.]

Yes; the old guard is in the saddle, the bosses are in control, and their candidate is backed by Wall Street. [Applause on the Democratic side.] Now, I will take you into my confidence and tell you how I think this thing was done. Not more than a

dozen men were originally consulted about this frame-up pulled off at Chicago by Roosevelt and the Republican bosses. The plan was agreed on, every detail of it, before the convention met—and you now undertake to break a custom dear to the American people and as old as the Government when you drag the Supreme Court into politics. [Applause on the Democratic side.] Yes; all this was planned—not out in the open, not at the fireside of the Progressives of the country, but it was planned in secret caucus by Roosevelt and the big bosses of the Republican Party. [Applause on the Democratic side.]

Mr. MCARTHUR. Will the gentleman yield?

Mr. HEFLIN. I can not; my time is limited.

Mr. MCARTHUR. For one question?

Mr. HEFLIN. Very well.

Mr. MCARTHUR. Has the gentleman heard from the Oregon primaries, where Hughes received four times the number of votes that Wilson received? [Applause on the Republican side.]

Mr. HEFLIN. I am sorry the gentleman called that reflection on Oregon to my attention [laughter on the Democratic side], but Oregon is a small State—hardly as big as my district. They did let you have a primary out there as a kind of decoy duck to keep the people's mind off of what the bosses were really doing all over the country. [Laughter.] Now, what has happened? A special from New York to the Washington Post this morning tells us that ex-Supreme Court Judge Hughes and ex-Progressive Leader Roosevelt dined together last night behind closed doors [laughter], and the waiter was only allowed to enter when he carried hot coffee to Theodore. [Laughter.] He needed hot stimulants, because he was up against a cold proposition. [Laughter and applause on the Democratic side.] Behind closed doors in secret conclave trifling with the rights of the people. [Laughter.] Do you suppose that the American people are going to stand for these mysterious star-chamber proceedings? [Laughter and applause on the Democratic side.]

SEVERAL MEMBERS OF THE REPUBLICAN SIDE. Sure!

Mr. HEFLIN. They take this man off the Supreme Court, dragging it down into politics, and take Roosevelt from the head of the Progressive Party, and lock them together with hot coffee in the same room until the wee small hours of the night. [Laughter.] Do you believe that the people are going to stand for that? [Laughter and applause.] Let me tell you what the Progressives, who have been so badly treated, are going to do in November. They will stand behind Woodrow Wilson, the greatest President who ever sat in the White House. [Applause on the Democratic side.] Mr. Roosevelt says the President uses "weasel words." Do you know the habits of the weasel? He takes hold of the neck of the fowl and sucks its lifeblood. At the bidding of the bosses that is what Roosevelt tried to do to the Progressive Party. [Applause on the Democratic side.] He sat at Oyster Bay and took it by the throat over a long-distance Penrose pipe line and tried to suck its lifeblood. [Applause on the Democratic side.]

Roosevelt has surrendered to the bosses. I am reminded of the fellow who went to Texas. One day some of his friends wired the father that his son was dead. The old man wired for his remains. In a few days a dead tiger, considerably swollen, arrived. The old gentleman sent another telegram, saying: "You shipped me a tiger. Where is my son?" and quickly the answer came, "Son in tiger." [Laughter.] The old Republican elephant, with sides distended, mopes around the old-guard camp while Theodore reposes in his paunch. But, Mr. Chairman, the rank and file of the Progressive Party will beat that old elephant with many stripes before the November election. [Applause on the Democratic side.]

The treacherous deal framed up at the billion-dollar banquet in Wall Street will never receive the sanction of patriotic Progressives. [Applause on the Democratic side.]

To the delight of the Republican bosses, Mr. Roosevelt has been going about the country denouncing President Wilson. He has indulged in a lot of loose talk about the President. But, fortunately for the President and the country, his words do not weigh as they once did. In fact, the Philadelphia Inquirer, a Republican paper, has said: "Roosevelt has degenerated into a professional agitator for personal profit."

A REPUBLICAN MEMBER. He has reformed since then. [Laughter.]

Mr. HEFLIN. I read further: "He has become a thorough-going demagogue. His word is of no value whatever." [Applause on the Democratic side.] Now, here is what Judge Hinsdale, a Republican of New York, said of him in 1912:

He has developed into the most dangerous and unscrupulous enemy of the American Constitution who has ever appeared in this country.

[Applause on the Democratic side.]

Now, Mr. Roosevelt is going to use his words and employ his time trying to elect the cold-storage twins, nominated by the Republican bosses. [Laughter.]

Mr. MURRAY. Icebergs, fringed with seaweeds. [Laughter.]

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. HEFLIN. I regret that I have not the time.

I take my text from Genesis, forty-ninth chapter, fourteenth verse: "Issachar is a strong ass, crouching down between two burdens. And he saw that rest was good, and the land that it was pleasant, and he bowed his shoulder to bear and became a servant to tribute." You Republicans know who I am talking about. [Laughter.] In 1912, Mr. Roosevelt denounced the corrupt and arrogant bosses of the Republican Party, but this year we see him begging these same bosses to let him come in and sup with them. They refuse to give him even the crumbs that fall from their table. Penrose and Root, Murray Crane and Smoot, the big four of the old guard, were happy to see the once dashing and intrepid moose man kneeling at the door of the same old bosses, asking their favor and begging their forgiveness. [Applause and laughter on the Democratic side.] Mark you, he had denounced them as a stench in the nostrils of decency. He had branded them as crooks and scoundrels. He had boldly proclaimed them enemies to the Republic and traitors to the country. He told how, by the corrupt use of money, they had defeated the will of the rank and file of the Republican Party and robbed him of the Republican nomination. Then these vile and loathsome creatures were unfit to associate with decent men and unworthy the confidence of a self-respecting people. He denounced them as a bunch of burglars, and declared that they ought to be in the penitentiary. [Laughter and applause.]

But four short years have come and gone. The same big bosses in the same old city assemble in national convention. The Ethiopian has not changed his skin and the leopard makes no apology for retaining his spots, yet Theodore stands at the door and knocks. [Applause and laughter.] At the same time, in another convention, in the same city, his devoted followers are met in national convention. How different with them. They are as brave and resolute as when they followed him four years ago against the corrupt and entrenched bosses of the Republican Party. [Applause.] They are no more in the humor to give up their principles and surrender their convictions now than when they repudiated the brazen agents of lawless capital in 1912. [Applause.]

But what has happened to the noisy general of that brave and patriotic army? Where is he who attended the billion-dollar dinner in New York a few months ago? And where is he who had a conference with Root and Lodge in the same city a few weeks later? Did he go to the convention at Chicago and tell his faithful followers that "A man must do his duty and stand by the right, though the heavens fall"? Did he tell them that the same bunch of burglars that robbed him and outraged them four years ago were in control of the Republican convention? [Applause on the Democratic side.] Or did he tell the Progressives that he had an arrangement with the "old bosses" to the end that he would keep them from making a nomination until the old guard had named their candidate; that he had an understanding with the same old bosses that he would not accept the Progressive nomination while the convention was in session, but would see to it that the executive committee was empowered to hold the matter open to be taken up with him later? [Applause on the Democratic side.] Was this all arranged at the billion-dollar banquet, or was it framed up at the conference that followed? These are some of the questions that you must answer between now and the November election. [Applause on the Democratic side.]

A few weeks ago some American soldiers were told by a Mexican who claimed to be hostile to Villa that he knew where the bandit leader was in hiding, and offered his services to lead them to the place, and they trusted him; but instead of taking them to where they could capture the bandit leader he led them to the most dangerous stronghold of the bandit gang and left them helpless in the face of unexpected conditions, and they discovered that he had deceived them. Exit Theodore. [Applause and laughter.] Armour Packing Co. has a trained ox, whose duty it is to lead every carload of cattle that comes right up to the trapdoor of the slaughterhouse, and there he escapes, stepping through a side door, but they have no opportunity to even postpone temporarily the nomination that awaits them. [Laughter and applause.] But the ox knows his owner, and he must do his master's will. [Laughter.] Once upon a time there was a man from Oyster Bay who had the daring to declare that he stood at Armageddon and battled for the Lord. Then Penrose, Root, and Smoot stood at a guilty distance, crying

aloud for his destruction. But he stands no more at Armageddon. He battles no longer for the Lord. [Laughter and applause.] But Rooted in the confidence of the old guard and Lodged in the affections of the "burglar bunch," he Cranes his neck to do the bidding of the bosses, takes Penrose by the hand and sings, "Where you lead me, I will follow." [Laughter and applause.] The Progressives of Indiana have just refused to indorse the candidate of the Republican bosses. If I thought that the men who made up the rank and file of the Progressive Party in 1912 meant no more to their country than a lot of puppets and figure-heads to be placed around by men who had forfeited their claim to confidence and leadership, I would, as Mr. Lincoln said, "tremble for the safety of my country." [Applause.] But I know and you know that the men who went through that campaign supporting Mr. Roosevelt deserve far better treatment than they received by him at the recent Chicago convention. [Applause on the Democratic side.] The picture is pathetic. The betrayal is complete. John the Baptist died for the faith that was in him; Robert Emmet perished upon the scaffold for the faith that he professed; but Mr. Roosevelt surrendered his convictions and sought to sacrifice the Progressives that the old guard might live. [Applause on the Democratic side.] Some strange and soothing power has touched the once strenuous eyelids of The-o-do-re, and he can not see as well as he once could. [Laughter and applause.]

The big stick has departed,
The square-deal cry has fled,
T. R. takes salt from the old guard's hand,
And the big bull moose is dead.

[Applause on the Democratic side.]

Mr. McKENZIE. I yield two minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, noting the honor that the gentleman from Alabama [Mr. HEFLIN] saw fit by his attack to render to the next President of the United States [applause on the Republican side] and to the great ex-President of the United States [applause on the Republican side], I desire to give this compliment to the orator:

Then T. HEFLIN, the great boaster,
He, the incessant story-teller,
He, most reckless of all talkers,
Heap Big Chief from Alabama,
Made a speech that was pure buncombe.
Much he said that was little heeded,
Most 'bout politics and niggers,
Much with naught therein but hot air.
So the people all laughed at him;
For they caught his empty vauntings,
Heard his imagination rattle,
Only shrugged their shoulders at him,
For wot they not, he was filled with prunes.

[Laughter on the Republican side.]

Mr. McKENZIE. I yield 15 minutes to the gentleman from Wyoming [Mr. MONDELL]. [Applause on the Republican side.]

Mr. MONDELL. Mr. Chairman, everybody realizes that since the hosts of Republicanism have joined hands the doom of the Democratic Party is sealed. [Applause on the Republican side.] But we did not expect them to confess it so soon. Furthermore, I do not quite understand why the gentleman from Alabama [Mr. HEFLIN] should have been selected to sing the swan song of his party and to act as the early announcer of the coming funeral ceremonies. He is not fitted for that sort of a rôle. He is jolly and jocund and good-natured. He is not sufficiently funereal to have done the matter justice. The gentleman is familiar with Scripture, and I was particularly taken with his text, "Issachar is a strong ass." What a touching reference to the Democratic donkey. [Laughter.] And who could have pronounced those words with more propriety than the gentleman from Alabama—"Issachar is a strong ass." But when the gentleman quotes Scripture in the presence of the sons of preachers he should quote fully and correctly. The text is, "Issachar is a strong ass couching down between two burdens." And that is exactly the position of the Democratic donkey. Those burdens are so heavy that the party will never be able to get from under them. [Applause on the Republican side.]

I realize what a sad and sorry thing it is to our friends on the other side that all of those of the Republican household of faith and all of those who believe in progress and good government and the maintenance of American honor and American prestige are united for the defeat of the Democratic Party. [Applause on the Republican side.] I realize how sad and sorry a thing it is to them, and it is unfortunate, in view of their belated appeal to our friends, the Progressives, that they have had so little sympathy for them in the past. We had on the floor of the House in the last Congress nearly a score of fine, manly, capable Members of the Progressive faith. I can not recall that the Democratic side ever gave them any sympathy or consideration.

I can not recall that the gentleman from Alabama [Mr. HEFLIN] ever professed any love for them or for the principles they preached and promulgated. His abounding and loudly proclaimed love for the Progressives and the Progressive Party has come too late to be of any benefit to him or to his party. The gentleman has shed the flood of crocodile tears—usual in a Democratic speech in these days—over the awful consequences to the Supreme Court because of the fact that the American people from one end of the country to the other, from the farms, the fields, the factories, and the shops, called to the candidacy of a great party to make him the President of a mighty people, a splendid man from that great tribunal. [Applause on the Republican side.] The gentlemen are much more disturbed over the future of the Democratic Party than they are over the future of the Supreme Court, and they will not fool anybody, particularly in view of the fact that not long since they went to the bench for a presidential candidate. Their tears and lamentations will be in vain, because the American people are not disturbed over the fact that those composing the Republican Party are so intelligent, so patriotic, so clear-sighted that they can discern and call a statesman to high responsibility wherever he may be found or whatever position he may occupy. [Applause on the Republican side.]

But our friends, though cast down and much discouraged, have not entirely lost faith. They still have a lingering hope that in some unforeseen way they may be retained in power. The hope that beats in the breasts of some of them is this, that if unfortunately—and I put it that way out of deference to a virtue I hope they possess—if unfortunately we shall be involved in bloody strife at the ides of November, the American people will not be inclined to make a change of administration. There is a good old rule that it is not a good thing to swap horses while crossing a stream, but I never heard that that rule applied to donkeys. [Laughter on the Republican side.] And the American people will not hesitate to punish the party in power for its faults, and its misdeeds because of the fact, if it should be the unfortunate fact, that we shall be involved in the issues of war. [Applause on the Republican side.]

The gentleman from Virginia [Mr. HAY], in his speech the other day on the bill for the enrollment of the militia, injected a partisan note that, I think, after reflection, he himself must somewhat regret. He ascribed the enthusiasm and the alacrity with which the men of the National Guard have responded to the call of the Commander in Chief to approval by those men of the policy of the administration which had, or at least seemed, to make necessary that call. Mr. Chairman, the men of the National Guard are citizens. They have their views of policies as citizens, but they are soldiers, and as soldiers they did their duty without regard to what their opinions were as to the policy that made necessary their call to the colors by the President. As to the men who have responded as volunteers to that call, it may be said with logic and reason that their enthusiastic and patriotic response to the call is due rather to their utter disapproval of the administration's policy, and their exasperated impatience with it, than to approval of that policy. Our friends on the other side must remember a few things in connection with what may—we hope will not—occur in the near future. We on this side of the House, and all of the American people, will support the national arms. We will do all those things necessary to maintain the honor and the prestige of the country. We will do it for the vindication of American citizenship, we will do it for the rehabilitation of American prestige, we will do it to save the national honor, but it will not be done to vindicate the Democratic Party, to rehabilitate its vanished prestige, or to save it or the administration from the effect and consequence of their faults and errors. [Applause on the Republican side.]

We have voted and we will vote for all the sums that may be necessary, either in preparation for or in the carrying on of war, if it shall unfortunately come, but neither we nor the American people will forget that if war comes it will come after three years of surrender of American rights, abandonment of American citizens, three years of vacillation and dishonor.

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

Mr. MONDELL. Which will, after all our humiliation, have led us into bloody conflict. They will remember that the sacrifice of our people, the loss of our prestige, the compromise of our honor, for three long years apparently in the hope of keeping from armed conflict has led us into the condition that threatens or will bring the horrors of war. [Applause on the Republican side.] I yield to the gentleman from Ohio.

Mr. GORDON. Will the gentleman specify one instance in which the President of the United States has surrendered the right of an American citizen?

Mr. MONDELL. Oh, the whole miserable—

Mr. GORDON. Name one, name one.

Mr. MONDELL. The whole miserable, sorry, sad, and lamentable story is one long chapter of surrender of rights, of abandonment of citizens, of alternate truckling to bandit forces, and bullying lawful authorities beyond our borders.

Mr. GORDON. Name one surrender.

Mr. MONDELL. And meddlesome interference—name one, I wish I had the time to name them all.

Mr. GORDON. Yes; one.

Mr. MONDELL. Well, I know the gentleman does not like to recall the time when hundreds of American men, with their wives and little children, were at the mercy of a howling, drunken Mexican mob at Tampico, and orders came from the administration at Washington to the American commander to sail away and leave them to their fate. [Applause on the Republican side.]

I know that the gentleman does not like to have us recall the fact that we demanded a salute of the flag, and then, after losing more than a score of our brave boys, pulled down our flag and left Vera Cruz without securing that salute. [Applause on the Republican side.]

The administration has done little else than surrender American rights in Mexico. That has been its principal occupation when it was not engaged in meddlesome and impertinent interference with the right of the Mexican people to determine who their ruler should be. At a time in the early stages of the Mexican trouble when we should have notified all Mexican factions that we did not propose to interfere in their affairs, but did propose to have the lives and property of American citizens respected and protected, the administration was busily engaged in attempting to overthrow the only government in Mexico that did protect our people, at the same time issuing frantic appeals to our people to get out of the country and surrender their rights of residence and property, meanwhile petting and coddling and furnishing arms to the bandit chieftains, who were flaunting our authority and outraging our people.

The horrid fruits of the administration's policy of mischief-making, impertinence, vacillation, temporizing, and coddling of bandits have been officially declared by the Secretary of State in a recent letter to the de facto government of Mexico in more humiliating details than any opponent of the administration has ever stated.

We have now reached the period of ultimatums; and, having abandoned practically everything in Mexico, called out our citizens, left their property to plunder, by our policy tended to extend the area and the period of rapine and anarchy, engendered hostilities which will require generations to overcome, the administration is as reckless and as peremptory in its demands as though it were war and not peace that is desired and friction and misunderstanding rather than justice and good understanding that were sought. The American people will not hesitate to strike, and strike hard, if necessary, but after the administration has so long temporized and so much has been lost that might have been gained had we taken the proper stand in the first instance, they are not now in the temper to be hurried into war without full and complete justification for it.

The meddlesome interference with Mexican affairs during the period of the Huerta government, the fiasco of the Vera Cruz occupation, the shameful abandonment of Americans at Tampico, the coddling of Villa and other bandit leaders, the intervention on behalf of Carranza against Villa by allowing troop movements on American territory—all these engendered the spirit that developed and furnished the excuse for the horrors of Santa Ysabel, Columbus, and Carrizal. The whole record has been one of alternate impertinent interference and hypocritical indifference, of truckling and bluffing, of surrendering real and substantial rights and issuing ultimatums relative to questionable ones. During the limited periods in which the administration has not been unjustifiably interfering with Mexican internal affairs it has been protesting any purpose of doing so. In the infrequent periods when the administration has not been coddling and encouraging bandit leaders it has been pursuing a policy calculated to arouse their animosity, and the fruits of alternate interference and supine inaction, coddling and defiance, surrender and impertinence, stand revealed in a situation as lamentable and unfortunate from the standpoint of the Mexican people as from that of the people of the United States.

The American people will meet the foreign issue, whatever it may be, with calmness and courage, but they will not get so busy over foreign issues that they will forget or neglect to hurl from place and power false and faithless leaders at home. [Applause.]

Mr. McKENZIE. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. Moore].

Mr. MOORE of Pennsylvania. Mr. Chairman, in the matter of the drafting of the National Guard into the Regular Army

service, I wish to call attention to the condition of affairs at Mount Gretna, now called Camp Brumbaugh, where the 10,000 National Guardsmen of Pennsylvania are preparing to muster in. I trust we have not in any way misrepresented to the young men of the Guard what is expected of them in the service of their country, but legislation has been passed here with great rapidity, and during the last few days we have taken from their homes, from their wives and their dependent mothers, father, and children, some of the very best of the young men of this country, who may not have thoroughly appreciated just what they were getting into. It is easy enough to say that a man goes into the service of his country with his eyes open, but it is possible some of them may be impressed without a fair understanding. Notwithstanding the ease with which it is declared in flaring headlines that we are ready to lick anybody and that we have the men and the money, I notice there is a half-page advertisement in the Washington Post this morning appealing to the young men to come forward to fill up the quota for the District of Columbia. Only yesterday in my city the mayor was working strenuously with patriotic citizens there to induce sufficient young men to come forward to complete the draft of the Pennsylvania Guard. They were also preparing to support the families of some of the enlisted men.

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

Mr. MOORE of Pennsylvania. I yield.

Mr. FOCHT. Is not the reason for that the fact that the young men of the country know that they are not going to Mexico, that there will be no war, and that we are going to withdraw with discredit to the country?

Mr. MOORE of Pennsylvania. That may be; but the young men who have gone into the National Guard have been taught that they would fight together. There has been a comradeship about it. They have been encouraged to stand shoulder to shoulder and to assist each other.

They have learned to know each other and have learned to know their officers, from the sergeants up to the major general of the National Guard. They have now been drafted into the regular service, and here is one result of that draft. It comes from Mount Gretna, in the great Commonwealth of Pennsylvania.

I read now from the Philadelphia Ledger, whose report from the encampment is substantially the same as that published in all of the Philadelphia papers this morning. It says:

The Second Regiment was virtually ready to get out of the camp to-day when Capt. Kemper examined the muster-in roll. He saw that certain notations in regard to minor details of the men's condition had not been made. Immediately he went to general headquarters and asked why the regulations had not been carried out in full. Gen. Clement immediately called a conference of the brigade and regimental commanders, at which, officers later admitted, Capt. Kemper "read the riot act."

SETTLES RESPONSIBILITY AT ONCE.

Following the conference, as he stood in front of Gen. Clement's tent, he demanded to know the name of the officer who was responsible for the mistakes in the muster roll. Col. Hamilton D. Turner, in command of the Second Regiment, stepped out and said:

"Captain, the muster roll was filled out according to the orders received by me. The order was sent to us to turn in the roll as you received it."

"Well, that order was wrong," snapped Kemper. "It is contrary to all regulations to return a muster roll in such shape as this."

Turning to Surg. Maj. Arnold, who is in charge of the Medical Corps, Capt. Kemper declared:

"There is absolutely no use in sending men down to the border whom the Government will send back. I am not going to permit such men to be sent there. These muster rolls will have to be corrected at once. And hereafter," turning again to Surg. Maj. Arnold, "you will take orders from me. I'll never report to you, but you will report to me. It does not matter whether you have that or not," pointing to the gold maple leaf on Arnold's collar band, the insignia of his office, "and I have these," pointing to his captain's bars, "you will report to me. Maj. Koerber has that, and yet he reports to me."

ONE HUNDRED RECRUITS ARRIVE.

Maj. Arnold made no reply and Capt. Kemper returned to his quarters. Later it was explained that the muster rolls did not note slight physical imperfections, such as flat feet and other minor ailments. The men would not be barred from the ranks for such imperfections, but, according to the regulations, they must be clearly noted. Army officers on the field explained that were such ailments not noted many men, at the conclusion of any action in which they might participate, might put forth a claim for damages or a pension, setting forth that they received disabilities in action.

I should say that Gen. Clement is the major general of the National Guard of Pennsylvania and Capt. Kemper is an officer of the United States Army.

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

Mr. McKENZIE. Mr. Chairman, I yield to the gentleman two minutes more.

Mr. MOORE of Pennsylvania. Mr. Chairman, that is the situation that confronts us, and which was bound to confront us under the draft. Ten thousand young men of the State, believing themselves qualified for service—and this is a very

large proportion of the young men who are going to the front—who may or may not have known that they were going into the service to be Regular soldiers under Regular Army officers for a long period of three years, while their families were left alone at home, at \$15 per month, are now faced with conditions exactly as we pictured them here when the draft resolution was under discussion.

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

Mr. MOORE of Pennsylvania. A captain of the Regular Army is now amongst them, a captain against a major general of the National Guard, and he is one of the only two major generals of the National Guard of the United States; three brigade commanders, for we have nine regiments in Pennsylvania, and the various other officers. Instead of going forward with these officers whom they knew, with whom they marched, with whom they have been in camp, with whom they have stood shoulder to shoulder, with whom they have talked patriotism, with whom they expected to fight—these volunteers of the National Guard now find themselves in the Regular Army of the United States, with Capt. Kemper, of the United States Army, in charge. It is one of the things they may have understood, I do not know; but it strikes me that if it was not understood, the Mount Gretna incident just reported will not help along the important work of securing new recruits.

I glory in the fact that Capt. Kemper or any other Regular officer of the United States is trained for his work and is on his job. He has his duty to perform and he may or may not have been discreet in this instance; but it seems to me that as legislators we ought to bear in mind that these young men who have suddenly come under Regular Army discipline, who have been taught patriotism, who have been living and preaching and practicing it on their \$50, \$100, or \$150 a month, in Pennsylvania or any other State, did not know when they enlisted in the Guard that they would be subject to draft under Regular Army regulations for three years in the hot sands of Mexico at \$15 a month, while their families were left uncared for.

Mr. GORDON. Will the gentleman now yield?

Mr. MOORE of Pennsylvania. I now yield.

Mr. GORDON. Did the gentleman from Pennsylvania vote for the bill authorizing the President of the United States to draft the National Guard for the purpose of rescuing the Regular Army in Mexico?

Mr. MOORE of Pennsylvania. Yes; when it contained provision for the dependents of these young volunteers. I voted to reduce the draft period from three to two years. I voted for increasing the pay, which I fear the gentleman did not, and then, because I knew my people to be patriotic and I wanted to be myself, I voted to do what it was represented the President wanted done to save the country in an emergency, even if it did force a few willing young men into the service, while hundreds and thousands refused because of the real conditions imposed.

Mr. GORDON. Then what is the gentleman whining about?

Mr. MOORE of Pennsylvania. I am not whining.

Mr. GORDON. The gentleman is.

Mr. MOORE of Pennsylvania. The gentleman has not gone to the front; he is sending others to the front. The gentleman evidently does not understand his constituency; I know mine. We are raising funds now to take care of the families of those who volunteered, and who are now caught for a possible three years.

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

Mr. DENT. Mr. Chairman, has all time expired?

The CHAIRMAN. The gentleman from Illinois [Mr. McKENZIE] has one minute.

Mr. McKENZIE. Mr. Chairman, I yield that to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Further observing the Capt. Kemper incident reported to have occurred at Mount Gretna yesterday, I wish to say that one of the things which will destroy discipline and deter young men from enlisting is just such brutal arrogance as Capt. Kemper is reported to have been guilty of. I want it understood that the Pennsylvania Guardsmen are, many of them, sons of veterans and veterans themselves, and it must not be expected of them that they submit to the insolence and open insult of anybody, be they superior or inferior in official rank. Let us hope that the incident is exaggerated, and that it is the exception where Regular Army officers thus grossly misuse their authority and exhibit lack of self-control, for it is disorganizing, in bad taste, and the height of bad manners. The National Guardsmen of Pennsylvania are, most of them, business and professional men, thousands are college graduates, and all are gentlemen, and I want to most emphatically resent any attempted insult or breach of form manifested against

them, and if this report from Mount Gretna is true it is then due that Capt. Kemper be cashiered as a wholesome example.

The CHAIRMAN. The time of the gentleman has expired; all time has expired.

Mr. DENT. Mr. Chairman, I ask that the Clerk read the bill.

The Clerk read as follows:

For pay of cadets, \$462,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Of course, I have no knowledge of the incident referred to by the two gentlemen from Pennsylvania except what is read here this morning from the newspaper, and newspaper accounts are not always to be relied upon as absolutely accurate, but if the incident took place as charged in the newspapers, and the Army officials want to know why men do not readily enlist in the Regular Army, there ought to be posted up in front of them a copy of this account. Whether the incident actually took place or not in the way it was charged I do not know, but the popular impression is that the average young man who goes into the Regular Army is treated too much as a dog or as a servant by the officers in command. We used to have that impression of the Navy. To a large extent that impression has been removed as to the Navy. That is one reason why it is easier to get men to enlist in the Navy than it is in the Regular Army. I understand the necessity of making men in any fighting machine almost automatons—do what they are ordered to do; yet there can be no excuse for a Regular Army officer acting as did this man—I will not call him a gentleman, because if this took place he is an Army officer but not a gentleman—and if this took place as described the man ought to be court-martialed for acting not as a gentleman. [Applause.]

The Clerk read as follows:

For extra pay of officers of the Army on detached service at the Military Academy.

Mr. PLATT. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert as a new paragraph, after line 11, page 2, the following:

"That hereafter whenever all vacancies at the Military Academy shall not have been filled as the result of the regular annual entrance examination the remaining vacancies shall be filled by admission from the whole list of alternates, selected in their order of merit established at such entrance examinations. The admissions thus made shall be credited to the United States at large, and shall not interfere with or affect in any manner whatsoever any appointment authorized by existing law; and whenever by the operation of this or any other law the Corps of Cadets exceeds its authorized maximum strength as now provided by law the admission of alternates as prescribed in this act shall cease until such time as said corps may be reduced to its present authorized strength."

Mr. COX. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. PLATT. Mr. Chairman, this amendment which I have offered for the purpose of filling vacancies at West Point is not the same as the amendment which was offered to the bill to increase the number of cadets at the Military Academy which we passed early in May. It is worded differently, and clearly permits the filling of vacancies only from alternates nominated by Members of the House or Members of the Senate, and takes those alternates in the order of their standing at the entrance examinations. The amendment which was disagreed to on the bill S. 4876 authorized the President to appoint to vacancies any candidates who were found qualified for admission and with no limitation as to their standing in the examinations. This applies only to the list of alternates.

Certainly there should be some way of keeping the vacancies at West Point filled. It is a shame to have classrooms and recitation halls and dormitories and professors there to do the work and to have vacant desks and vacant rooms simply because boys who are nominated by Members of Congress in some instances fail. These vacancies are by no means all due to failure to pass the mental examination. A certain number of boys are always thrown out on physical examinations and a certain number drop out every year after admission. The Military Academy at West Point starts every year with about 70 or 80 vacancies, and by the 1st of January that number of vacancies has increased to one hundred or so, and it increases a little more during the year, due to illness and the dropping out of boys from one cause or another.

The amendment I have offered gives a chance simply to fill such vacancies as occur at the time the entrance examinations are taken because of failure to qualify, and the only boys who can fill them are those who have already taken the examinations as alternates.

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

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Indiana?

Mr. PLATT. Yes.

Mr. COX. I only heard the amendment read a moment ago. Let me ask the gentleman this question: Would this bill permit the appointing authorities to take an alternate from one congressional district that is already filled up and place that alternate in another district where the quota was not filled up?

Mr. PLATT. No; it will not. It simply appoints a boy who has passed the examinations as an alternate and credits him to the United States at large. It does not fill up the vacancies at all for any particular district.

Mr. COX. Then, in other words, my quota may be filled up, but I may have an alternate there on the list who has passed the examination, and if there is a vacancy in some other district for an alternate they could take my alternate and appoint him to that vacancy, for instance, in New York?

Mr. PLATT. No. Your alternate would be appointed if his standing at examination was high enough, but not to fill the New York vacancy. The New York Congressman at the next examination would nominate a principal and alternates just as if this amendment had never been passed.

Mr. COX. But they could take such a student from my district if there was a vacancy in New York and put him in there?

Mr. PLATT. That would be true, if that was the only vacancy in the whole United States. But there would be that vacancy, anyway, until the next examination came around. The New York man under this amendment would have the same right as before to nominate for the next examination. If, as in the case of only one vacancy in the whole country, it is necessary temporarily to increase the strength of the Corps of Cadets the amendment does that.

Mr. COX. Now, when this bill to increase the number of cadets at the Military Academy went through the House before, with all due deference to the gentleman from Alabama in charge of the bill, I will say it contained a section that was finally eliminated in the House, and it gave power, I think, to fill up all vacancies in the Military Academy from the sons of Army officers.

Mr. PLATT. It certainly was not intended to do that, but that provision is not in the amendment now offered.

Mr. DENT. Did the gentleman state that it contained a provision to appoint only the sons of soldiers?

Mr. COX. That was developed in the discussion we had here.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COX. Mr. Chairman, I ask that the gentleman from New York may have five minutes more.

Mr. PLATT. I ask unanimous consent to proceed for five minutes more, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COX. Now, it developed, and I was informed and led to believe at that time, that each Member would have two appointments. Now, I have always managed to keep my quota filled at West Point. I have two high schools in my district from which graduates are certified to West Point and accepted without any examination. They are accepted and admitted without further examination. Then I have them examined by the Surgeon General, and the same is true with respect to cadets at the Naval Academy, and they have no trouble to get in. When the bill to which I referred became a law and I had permission to make my second appointment, I was informed that I could not get another appointment until 1920, having filled my previous appointment a few days before that bill became a law, because my man was taken and the vacancy was given to another Member whose quota had not been filled.

Mr. PLATT. The extra cadets that that bill provided for were apportioned to cover four years and admit a certain number each year, but the appointees for this year for the examination held on June 6 were assigned, I believe, by lot to districts that would have had an appointment next year.

Mr. COX. Have some men not got two appointments there now?

Mr. PLATT. I do not know as to that, but it will work out hereafter so that you will have a new appointment every two years.

Mr. COX. I will have two appointments only at the end of four years, as I understand.

Mr. PLATT. It may perhaps work that way in some cases.

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

Mr. COX. Yes.

Mr. SHALLENBERGER. Those who had two appointments were those representing districts that received a second appointment by reason of the allotment.

Mr. COX. Are there any congressional districts in the United States now that have got two appointments already made?

Mr. DENT. I do not know what the gentleman means by "two appointments."

Mr. COX. I have always had only one.

Mr. DENT. Under the law, before we repealed the three-year provision you could have two cadets there after the expiration of three years. You did not have to wait until your first appointee was graduated.

Mr. COX. That is true.

Mr. DENT. That was repealed. Now, to state a concrete case, I had a cadet there who had been there three years, and before this law was repealed I had an opportunity to name another. I named another, and he successfully stood his physical and mental examination, so that I had two there before this law increasing the Corps of Cadets was passed.

Mr. COX. You had your quota filled up?

Mr. DENT. Yes; I had my quota filled up before the bill increasing the Corps of Cadets was passed, and when the War Department came to carry into effect this new law increasing the Corps of Cadets I did not get a chance to appoint anybody else.

Mr. COX. You already had your two men?

Mr. DENT. Yes. I already had them under the old law.

Mr. KELLEY. Mr. Chairman, will the gentleman permit an inquiry?

Mr. DENT. Yes.

Mr. KELLEY. When will you make your appointment under the new law; next year or the year following?

Mr. DENT. I may not have another appointment for perhaps two years.

Mr. KELLEY. Either next year or the year following?

Mr. DENT. It will depend upon whether my district is drawn out by lot.

Mr. COX. My appointment expired a year ago last summer.

Mr. DENT. I went to see Gen. McCain about the matter, and here is the letter that Gen. McCain wrote to the Speaker of the House in regard to this subject, which contains a comprehensive explanation of the War Department's action. Perhaps it would be better to have it read from the Speaker's desk. I will ask, Mr. Chairman, that this letter be read in my time from the Clerk's desk.

The CHAIRMAN. Without objection, the letter will be read. The Clerk read as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, May 27, 1916.

Hon. S. H. DENT, Jr.,
House of Representatives.

DEAR SIR: Referring to your call at the department this morning in regard to appointments to the Military Academy under the provisions of the act of Congress approved May 4, 1916, I have the honor to transmit herewith a list showing the States (Senators) and congressional districts that were selected, by lot, as entitled to cadet nominations for the first increment for admission to the academy this summer. I also inclose a copy of a letter addressed by this office on the 24th instant to Hon. CHAMP CLARK upon the same subject.

Very respectfully,

H. P. MCCAIN,
The Adjutant General.

LIST OF STATES (SENATORS) AND CONGRESSIONAL DISTRICTS SELECTED, BY LOT, AS ENTITLED TO CADET NOMINATIONS FOR THE FIRST INCREMENT UNDER THE PROVISIONS OF THE ACT OF CONGRESS APPROVED MAY 4, 1916.

SENATORS.

Senator UNDERWOOD, Alabama.
Senator PHELAN, California.
Senator DU PONT, Delaware.
Senator SMITH, Georgia.
Senator KERN, Indiana.
Senator LODGE, Massachusetts.
Senator MYERS, Montana.
Senator HUGHES, New Jersey.
Senator CATRON, New Mexico.
Senator SIMMONS, North Carolina.
Senator OWEN, Oklahoma.
Senator LEA, Tennessee.
Senator DILLINGHAM, Vermont.
Senator MARTIN, Virginia.
Senator CHILTON, West Virginia.
Senator HUSTING, Wisconsin.

CONGRESSIONAL DISTRICTS.

Fifth district, Alabama.
Sixth district, California.
Eighth district, California.
Ninth district, California.
Eleventh district, California.
Second district, Connecticut.
Eleventh district, Illinois.
Fourteenth district, Illinois.
Seventeenth district, Illinois.
Second district, Indiana.
Third district, Iowa.
Eleventh district, Iowa.
Second district, Kansas.

Fourth district, Maine.
 Seventh district, Massachusetts.
 Twelfth district, Massachusetts.
 Seventh district, Michigan.
 Third district, Mississippi.
 Fourth district, Nebraska.
 First district, New Hampshire.
 Second district, New Jersey.
 Fifth district, New Jersey.
 Eighth district, New Jersey.
 Sixth district, New York.
 Sixteenth district, New York.
 Seventeenth district, New York.
 Eighteenth district, New York.
 Twenty-third district, New York.
 Twenty-sixth district, New York.
 Twenty-seventh district, New York.
 Twenty-eighth district, New York.
 Thirty-fifth district, New York.
 Thirty-seventh district, New York.
 Forty-third district, New York.
 Third district, North Carolina.
 Seventh district, North Carolina.
 Second district, North Dakota.
 Tenth district, Ohio.
 Fifth district, Oklahoma.
 First district, Oregon.
 Fourth district, Pennsylvania.
 Fifth district, Pennsylvania.
 Sixth district, Pennsylvania.
 Eighth district, Pennsylvania.
 Ninth district, Pennsylvania.
 Eleventh district, Pennsylvania.
 Twenty-first district, Pennsylvania.
 Twenty-second district, Pennsylvania.
 Twenty-eighth district, Pennsylvania.
 Twenty-ninth district, Pennsylvania.
 Thirtieth district, Pennsylvania.
 At large, Pennsylvania.
 Third district, Rhode Island.
 Fourth district, South Carolina.
 Second district, Tennessee.
 Third district, Texas.
 Twelfth district, Texas.
 Fourteenth district, Texas.
 Third district, Virginia.
 Eighth district, Virginia.
 Ninth district, Virginia.
 Second district, West Virginia.
 At large, West Virginia.
 Ninth district, Wisconsin.

MAY 24, 1916.

HON. CHAMP CLARK,

Speaker House of Representatives.

MY DEAR MR. SPEAKER: I have received your letter of the 22d instant, in which you make inquiry as to how it happens that you did not get a cadet to West Point under the new law; also how it happens that, while the Democrats have 23 majority in the House, Republican Members get two-thirds of the increment of cadets. I am glad to have an opportunity to explain to you fully the manner in which the first increment of the increase in the number of cadets at the Military Academy was provided for.

As the law under which this increase was made simply provided that it "shall be divided into four annual increments," which shall be as nearly equal as practicable and be equitably distributed among the sources from which the appointments are authorized, and did not prescribe the manner in which the division should be made, the matter was referred by the Secretary of War to the Judge Advocate General of the Army for an expression of opinion with regard to it.

In reporting thereon the Judge Advocate General used the following language:

"* * * It is seen that inasmuch as 67 congressional appointees qualified as successors to three-year cadets, 502 congressional appointments are authorized independently of the increase, and that the actual increase in congressional appointments to be allotted is 368—92 per year. With reference to these as well as to senatorial appointments (States), it might be contended that the particular districts, etc., which are to be favored by the first annual increment should be determined by lot. If the distribution were to be made by lot it would happen in many cases that two appointments would be made from the same congressional district or State the same year, and that no appointments would be made again from the same for a period of four years. Such a result should be avoided as far as practicable. Had the present law not been enacted those districts and States from which appointments were made the longest periods ago would next be entitled to appointments. I think they should be preferred in the allotment of increments. Those districts which now have a member in the present first class should not share in the first increment, for they either have two cadets at the present time by virtue of appointments made last year under the act of March 4, 1915, or they are entitled to have a representative enter next month as a successor to the present first-class cadet. Many of those districts and States which are represented by a member of the present second class have a recently appointed candidate who will enter in June. It has been seen that there are 67 such congressional appointments and 12 such senatorial appointments. There is a considerable number, however, of districts and States which are represented by a cadet who has been at the academy nearly three years, but whose successor has not been appointed. These should, I think, be entitled to appointment under the first increment. They will, however, by no means exhaust the first increment, and the remainder of that increment, so far as it relates to congressional districts and States, should go to those districts and States which have been represented by a cadet for nearly two years. Apparently there will not be enough of such vacancies, however, to supply all the districts and States whose cadets have been at the academy nearly two years with a vacancy. I know of no other way to determine which of such States and districts shall be favored in the first increment than by lot."

The views of the Judge Advocate General with regard to the matter were approved by the Secretary of War, who referred the matter to

this office to make up the list of States and districts to which the first increment should be allotted.

The first increment consisted of 21 cadets to be nominated by Senators and 92 cadets to be nominated by Representatives in Congress. Under the terms of the plan approved by the Secretary of War 5 of the senatorial nominations and 28 Representatives' nominations were allotted to the States (Senators) and districts that, by reason of the repeal of the act of March 4, 1915, lost their right to an appointment in June, 1916, by reason of the failure of candidates appointed to succeed cadets in the class of 1917.

This left 16 senatorial districts and 64 Representatives' districts to be selected to complete the first annual increment—not a sufficient number of vacancies to supply all of the States and districts whose cadets are members of the class of 1918, consisting of 32 States and 107 congressional districts. It consequently became necessary to determine which of the districts represented in the class of 1918 should be entitled to receive another appointment under the first increment. This was done in the following manner:

A list was prepared showing the 32 States (Senators) represented at the academy by cadets in the class of 1918, and another list showing the 107 congressional districts represented at the academy in that class. The senatorial list was numbered from 1 to 32, inclusive, and the Representatives' list from 1 to 107, inclusive. Thirty-two slips, numbered from 1 to 32, were folded and placed in a box (senatorial). Similarly, 107 slips were numbered from 1 to 107, inclusive, and were placed in the Representatives' box. These boxes were thoroughly shaken and handed, with the lists, to The Adjutant General by the clerk who prepared them, who thereupon withdrew from the room.

Then The Adjutant General himself drew from the senatorial box unopened slips, one at a time, until he had withdrawn 16, handing them as withdrawn to his chief clerk, who immediately unfolded them and called aloud the number appearing thereon. This number on the senatorial list was checked by a clerk in the office. In a similar way 64 slips were withdrawn by The Adjutant General from the Representatives' box and handed by him to his chief clerk, who called the numbers appearing thereon, and the clerk holding the list checked the numbers so withdrawn.

After the drawing had been completed the clerk made a list of the States (Senators) whose numbers had been drawn from the box and a similar list showing States and the numbers of the congressional districts therein whose numbers had been drawn from the Representatives' box.

There was nothing in the list or in the numbers in the box to indicate who the Representatives for the respective districts were, and consequently there was nothing in connection with the drawing by lots which would have enabled anyone connected therewith, even if he had desired to do so, to favor any particular Member or any particular party.

I did not know at the time of the drawing and do not know now whether any political party received any advantage over the other as a result of the drawing. I only knew as nominations came in who was successful in obtaining an opportunity to nominate a cadet to enter in the first increment. I am satisfied that the drawing was as fair and impartial as it was possible to make it.

With regard to your question as to why you did not have an opportunity to nominate a cadet to enter in the first increment from your (ninth Missouri) district, I beg leave to say that, as your cadet now at the academy is in the class of 1919, having only entered the Military Academy on June 15, 1915, that district, under the regulations recommended by the Judge Advocate General and approved by the Secretary of War, was not included in the allotment for the first increment to be admitted this summer.

Sincerely, yours,

H. P. MCCAIN,
The Adjutant General.

During the reading,

Mr. MANN. Mr. Speaker, the gentleman can only have this read during his five minutes.

Mr. DENT. I ask that the time be extended.

Mr. MANN. I think it ought to be printed. Nobody is listening to it.

Mr. DENT. All right.

The CHAIRMAN. If there be no objection, the remainder of the letter will be printed in the RECORD.

There was no objection.

Mr. MANN. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. This is clearly legislation on an appropriation bill, as it changes existing law and it is therefore out of order. The Chair sustains the point of order.

The Clerk read as follows:

For pay of nine instructors of cavalry, artillery, and infantry tactics (captains), in addition to pay as first and second lieutenants, \$4,900.

Mr. SMALL. Mr. Chairman, I move to strike out the last word. I was impressed by the item in the press cited by the gentleman from Pennsylvania [Mr. Moore], with reference to an alleged incident at Mount Gretna, Pa., on yesterday, and I think the remarks of the gentleman from Illinois [Mr. Mann] were most timely and appropriate. Whether true or not, there is an impression in the public mind that the enlisted man in the Army of the United States does not receive that treatment which his service and his patriotic duty entitle him to receive. This is not the only incident of a similar nature which has been published in the press. I have heard—and I doubt not other gentlemen have heard from the lips of enlisted men—accounts of treatment from officers of the Army which, if true, were not worthy of the officers and which did not entitle them, as was well said, to be ranked as gentlemen. In this connection I have also heard more than once that enlisted men were required to perform menial service, service in the way of personal waiting upon officers, service in the homes of officers, service of a kind which

could not by any stretch of the imagination be characterized as military service. Feeling that this was an important public matter I recently addressed a letter to The Adjutant General asking him if it were true that enlisted men were at any time required to perform menial service. I received from him a reply in which the charge that such menial service was ever required was denied, and I ask leave to print that letter as supplementary to my remarks.

In this connection, Mr. Chairman, it has often occurred to me that the attitude of mind of citizens generally toward the enlisted men was not such as they were entitled to receive, and not fair or loyal on the part of the American public.

All of us have heard remarks from time to time to the effect that the kind of men who enlisted in the Army were in part those whose characters were not above reproach, men perhaps who had been charged with some misdemeanors, and permitted to enlist; men who were not typical of the best element of young men in their respective communities. I know not whether this be true; but the mere fact that such an attitude of mind exists toward the enlisted men in our Army indicates an unhealthy condition. It ought to be considered as an act of service to his country when a young man enlists in our Army, and such an act of service ought to receive the respect and gratitude of American citizenship.

I have been much interested in the discussions here relative to our Army and its composition, as to whether we should rely exclusively upon the National Guard, or whether we should rely in part or in whole upon what has come to be commonly known as a continental army. The National Guard, at any rate, is being tested, and whether that guard shall be equal to the emergency, whether the constitutional limitations upon it shall prevent its being molded into a reserve which shall be mobile and ample at all times to answer the needs of the country, is an open question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. SMALL. But the point which I wish to emphasize is this, that the composition of our Army, both that portion which is in the Regular Army and that which constitutes the reserves, ought to represent an element of our citizenship which enters either the Regular Army or the reserve with the sole desire and purpose to serve the country; and having so entered the Army, that they shall be entitled to a larger degree and respect and gratitude from the American people. The time has come when our country must be in a position of readiness in time of peace for any emergency that may occur, and that condition can only be brought about when there shall be inculcated in the minds of our young men and of American citizens generally the proposition that the Army shall represent and exemplify a spirit of patriotism and of service, and so recognized by our whole body of citizenship. [Applause.]

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to print in the RECORD a letter from The Adjutant General. Is there objection?

There was no objection.

The letter is as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, June 23, 1916.

Hon. JOHN A. SMALL,
House of Representatives.

DEAR SIR: In response to your letter of June 21, 1916, requesting information as to the extent, if any, to which enlisted men in the Army are required to perform menial services, I beg leave to advise you that enlisted men of the Regular Army are not required to perform any duties that can properly be regarded as menial. Many duties are performed by soldiers that possibly might be regarded as disagreeable, or, at least, they may not be such as the men might have been called upon to perform while in civil life. Among those duties, are policing or cleaning the camps or posts at which the soldiers are serving, including barracks, camp grounds, and camp and barracks facilities and conveniences. This work has reference to the well being and comfort of the soldiers themselves, and, being for the common good, is regarded as a matter of duty, to be shared by all. So far as the use of enlisted men of the Army as servants for officers is concerned, such use is prohibited by section 14, act of Congress approved July 15, 1870.

Very sincerely,

H. P. McCain,
The Adjutant General.

The Clerk read as follows:

For extra pay of one enlisted man employed in the mathematical department, at 50 cents per day, \$156.50.

Mr. COX. Mr. Chairman, I move to strike out the last word. Here are several different items:

For extra pay of two enlisted men employed in the department of philosophy, at 50 cents each per day, \$313.

For extra pay of two enlisted men employed in the chemical department, at 50 cents each per day, \$313.

For extra pay of one enlisted man employed in the department of drawing, at 50 cents per day, \$156.50.

For extra pay of one enlisted man employed in the mathematical department, at 50 cents per day, \$156.50.

Are these all the wages these men receive?

Mr. SHALLENBERGER. That is additional pay that they receive, in addition to their pay as enlisted men. As enlisted men they would draw \$15 or \$18 a month, and we accord them this extra 50 cents a day because of the duties that they perform in these particular lines of service. In other words, it gives each of these men about \$15 a month extra.

Mr. COX. Of course there are different kinds of philosophers.

Mr. SHALLENBERGER. They are not philosophers, but enlisted men employed in the department of philosophy, and so forth, in a clerical capacity.

The CLERK read as follows:

Repairs and improvements to the laundry machinery and apparatus in the cadet laundry, and the purchase of new material, adding machine, tools, etc., to be expended without advertising, \$2,500.

Mr. ANTHONY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ANTHONY: Page 24, line 4, insert as a new paragraph, after line 4, the following:
"For new laundry building, \$100,000."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment, unless the gentleman from Alabama [Mr. DENT] is going to do so.

Mr. DENT. I reserve a point of order.

Mr. ANTHONY. Mr. Chairman, I want to call the attention of the House to the extreme necessity for a new laundry building at West Point. It is shown very strongly by a set of photographs which have been sent to me. Here is a photograph of the marking room. It shows working girls crowded into a room of small capacity and without sufficient air space. It is marked on the back "Space entirely too small for the work."

Here is another photograph of the ironing room in the cadet laundry at West Point, showing girls packed in about as closely as they can stand, working in an atmosphere that the inspector general says in summer time reaches the point of 122°. The comment on this picture is:

Ironing room, showing the congested state of machines. Air space entirely too small for the number of employees. Note the ceiling and wall power ventilators. The temperature of this room in summer, in spite of every effort, runs to 109°, and sometimes as high as 122° F.

It does not seem to me that the United States Government should permit working conditions of that kind when we pass laws here requiring private manufacturers to be humane to their employees.

Another photograph is that of the wash room, showing congestion due to lack of space and antiquated building construction. Another photograph is of the building itself used as a laundry. It is stated that it was built in 1869, and is located 2 miles from the source of labor, which requires a 4-mile walk daily by the girls employed. That of itself is a loss of economy on the part of the Government which ought to be looked after. Another photograph shows another part of the old building.

It says:

Laundry—old and dilapidated building. When machinery is going walls vibrate five-eighths of an inch: inclosed on two sides by hills, making it the hottest site on the reservation in summer; condemned by Inspector General on account of its excessive vibration.

Mr. DENT. Mr. Chairman, so far as I recollect, no proposition of this kind was submitted at the hearing, and I do not recall that any member of the committee suggested that there should be anything of this kind.

Mr. ANTHONY. I will say to the gentleman that the matter has been recalled to my attention since the visit of the committee to West Point, and since the bill was framed in the committee.

Mr. DENT. I make the point of order.

Mr. ANTHONY. Will the gentleman withhold it for a moment more?

Mr. DENT. Certainly; I thought the gentleman was through.

Mr. ANTHONY. I desire to ask permission to insert in the RECORD a further statement showing the necessity for this new laundry building, and to express the hope that should another body make provision for this building, as it may, that the gentleman from Alabama will see his way clear to hold it in the bill.

Mr. DENT. I think it is fair to state that that was not called to the attention of the subcommittee or to the attention of the whole committee. It is a new proposition offered here on the floor of the House, and the committee has not had an opportunity to examine it.

Mr. ANTHONY. Nevertheless it is of sufficient importance to warrant an examination.

Mr. DENT. Mr. Chairman, I make the point of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas to extend his remarks in the RECORD?

There was no objection.

The statement referred to is as follows:

THE CADET LAUNDRY, UNITED STATES MILITARY ACADEMY.

The steam laundry at West Point was established in 1865. Previous to that time the washing for cadets was done by women living in the post or in its vicinity, but principally by the wives of members of the band.

In 1869 the laundry was destroyed by fire, but was immediately rebuilt, and in 1888 the laundry building was enlarged; again in 1902 it was increased to its present size. A dry-cleaning plant was added to the laundry equipment in 1908.

Since July, 1908, the laundry has done the washing for officers and enlisted men of the post during such times as its maximum capacity was not required for cadets.

To keep pace with the requirements of the increased number of cadets at the United States Military Academy new and additional machinery has been installed from time to time in the old building until it has passed the safety limit, both in weight for the building and in necessary air space for the workers.

In his report of the annual inspection of the Military Academy, July 15 to 25, 1914, the Inspector General, Lieut. Col. D. C. Shanks, United States Army, stated:

"A new laundry is a necessity. The present building is wholly inadequate. It is not worth repair or enlargement. Moreover, it is most inconveniently located. Nearly all of the employees live in Highland Falls. A new laundry, well equipped and of adequate size, should be built on the site selected therefor, southeast of the reservoir.

"West Point has pressing need of several new buildings. When I tried to get an idea of the relative urgency for these various buildings there seemed a general consensus of opinion that a new and an adequate laundry was the most pressing of all needs."

In the report of the last inspection, made by Lieut. Col. A. W. Brewster, United States Army, September, 1915, he states:

"The cadet laundry is so old and dilapidated that it is unsafe. It is a fire trap. When the machinery is going the walls vibrate five-eighths of an inch, and such a building as this would not be permitted in any civilized community. The engine room is 150 feet from the boiler room; it necessitates the engineer running up a flight of stairs. In case anyone was caught in the machinery it would be several minutes before the machinery could be stopped."

This is the only laundry on the reservation, and from May 15 to September 15 of each year is not of sufficient capacity to do the work of those pertaining to the Military Academy. As a result enlisted men, officers, and others are compelled to have their laundry work done elsewhere. For sanitary reasons it is undesirable to have this work go outside of the post.

In the original laundry building has been installed practically all the heavy machinery now in use. As this building was not erected with the idea of sustaining such heavy weight, it has been necessary to shore up the second floor, additional supports having been required from time to time to render it reasonably safe. The building is not such as will lend itself to such an arrangement of machinery as would most economically and expeditiously handle the work, is now filled to its capacity with machinery and employees, is located in the most confined and hottest site on the reservation, and is nearly 2 miles from the main source of labor, Highland Falls, necessitating the hiring of transportation for the employees during the hot or inclement weather.

While everything possible is done to contribute to the comfort of the employees during the summer months—when little other work is done than for cadets—the conditions under which employees have to work are little short of intolerable. A record of temperature from July 15 to September 15, 1915, shows an average of 108° F. downstairs and 109° F. upstairs. The highest recorded temperature was on August 13, 1915, when the thermometer registered 122° F. upstairs and 118° F. downstairs. Numerous heat prostrations among employees occurred during the summer. On September 15 six employees were prostrated by the heat.

Large belt-driven turbine ventilators are installed in the ceiling to exhaust the hot, moist air and numerous electric fans are disposed about the building to drive air into dead spaces, but a condition has been reached where it is impracticable to make further improvements. An increase in the Corps of Cadets would necessitate letting out some of the work or else erecting a temporary structure to house additional machines required.

CADET LAUNDRY, WEST POINT, N. Y.

Total amount requested for new laundry building..... \$100,000.00
Value of equipment now in the laundry..... 33,403.25

(All serviceable and could be used in new laundry.)

Work done by laundry averages 73,992 pieces per week, 12,332 pieces per day.

It cost for the year ending December 31, 1915, \$24,645.49 to do this work, and the amount received for work done for the same period was \$26,774.48, the gain being used to keep up the plant. Any surplus left after that is returned to cadets on June 1 on a basis of patronage.

Average number of employees in winter..... 48
Average number of employees in summer..... 77

Pay of employees, piecework, from 13 to 22 cents per hour.

The salaried employees are:

1 manager.....	\$150
1 engineer.....	90
1 clerk.....	60
1 driver.....	60
1 watchman.....	45

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For repair of boilers, engines, dynamos, motors, refrigerating and other machinery in the cadet mess, and the replacement of same, to be expended without advertising, \$500.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This item on page 27, lines 16 to 19, for the repair of boilers, and so forth, leaves out the words "and supplies" which have usually been carried, so that if they wanted to buy 10 cents worth of something it is questionable whether they could do so without their advertising it. I do not know, and I am asking for information.

Mr. DENT. Mr. Chairman, I have no objection to the words being put in.

Mr. STAFFORD. You may have automatic stoking of a cheap grade of coal or of a high grade of coal.

Mr. MANN. Of course.

Mr. MANN. I did not know whether it was left out purposely.

Mr. DENT. There was nothing in the hearing to indicate why it was left out, so it must have been a mistake in the printing of the bill.

Mr. MANN. It can not hurt anything to insert it.

Mr. DENT. No.

Mr. MANN. I move to insert, in line 16, page 27, after the word "repair," the words "and supplies."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 27, line 16, after the word "repair," insert the words "and supplies."

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

The amendment was agreed to.

The Clerk read as follows:

For installation of automatic stokers under four 440-horsepower boilers in the power plant, \$15,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This item is for the installation of automatic stokers under the boilers in the power plant at West Point, which I have no doubt is a good thing to do; but I take the floor for the purpose of calling the attention of the House to another power plant. We have a power plant known, I believe, as the Capitol power plant, situated a little ways from the Capitol. I believe we have automatic stokers there. I know we have two chimneys, and I know there is a very serious complaint against us because we are committing a smoke nuisance there. I frequently go on a ride around Potomac Park with a friend of mine in the evening after the adjournment of the House, and I have observed that these chimneys are quite conspicuous, and frequently notice a considerable amount of smoke coming out of them. There has been complaint made recently to the Superintendent of the Capitol, and the District officer, I believe, has threatened to arrest the engineer in charge of the power plant. The House Office Commission, of which I am a member, has jurisdiction over the power plant, and we have been appealed to by the Superintendent of the Capitol as to what shall be done. I am one of those gentlemen who, while disposed to be economical, yet believe that the Government ought not to be the first and most conspicuous violator of the law. [Applause.] I think it is up to us to operate a power plant here which will not commit a smoke nuisance. Whether that can be done by the installation of new machinery, whether it will require a different class of coal which might be a little more expensive, I do not know. I do not think that the Capitol power plant directly under the control of Congress ought to be a violator of the smoke law, and if the House would be willing to sustain the House Office Commission I am very sure we will be able to make some recommendation either for the installation of what they call a Dutch oven—and whatever that is I do not know—or something else, or possibly the use of better coal. Although I do not think it is right to repeat private conversations, yet I think I am warranted in saying that the engineer said to me the other day that the tendency is to employ rather high-class men in charge of the engines and low-salaried men in charge of the boilers. He said, "We need fairly high-class men, of course, in charge of the engines, but, after all, where you most need brainy men to-day is at the boilers, where it requires brains to get the most power out of the consumption of coal, and until the people come to realize that we will always have a smoke nuisance."

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. MANN. Certainly.

Mr. STAFFORD. My impression is that when we authorized the construction of the Capitol power plant we made provision that there should be smoke consumers in connection with these chimneys. At that time there were devices on the market providing for smoke consumption.

Mr. MANN. I will say to my distinguished friend from Wisconsin that smoke consumers are never in connection with chimneys.

Mr. STAFFORD. They are in connection with the boilers.

Mr. MANN. Yes; smoke consumers are in connection with the fire box. I have no doubt that we have some kind of smoke consumers down there, but there is no smoke consumer on earth up to date that will prevent smoke when you put a lot of low-grade coal all at once on a hot fire.

Mr. STAFFORD. Is that automatic?

Mr. MANN. I do not know; I think it is automatic stoking down there.

Mr. STAFFORD. You may have automatic stoking of a cheap grade of coal or of a high grade of coal.

Mr. MANN. Of course.

Mr. STAFFORD. What is the character of the coal supplied and used at the Capitol plant?

Mr. MANN. Well, it is a pretty cheap grade of coal at present.

Mr. STAFFORD. Is there any mandate on the Superintendent of the Capitol Building and Grounds to use this cheap grade of coal which emits smoke, whereas a high grade of coal would relieve that condition?

Mr. MANN. I think not. It may be, in a few years, under a new contract, we will get a little better grade of coal, but the gentleman understands the coal has been selected on the recommendation of the Bureau of Mines. They make the tests. We have two firemen down here to provide the coal for all of these boilers, and my understanding is when the Bureau of Mines makes its investigation it sends down a high-priced man to begin with. We have firemen who get probably \$70 a month, whereas the Bureau of Mines sends down first a \$1,800 man, and I think when they undertake the test down here they have nine men to assist him at one boiler, and of course there is no difficulty under such circumstances stoking it with little smoke, but when these nine men go away and the man with the high salary and probably more experience goes away and leaves a \$70 man to stoke, he is not quite as successful as the nine would be in preventing smoke. I withdraw the pro forma amendment.

The Clerk read as follows:

And provided, That hereafter when any machinery, apparatus, implements, supplies, or materials which have been heretofore or may hereafter be purchased or acquired from appropriations made for the support of the United States Military Academy are no longer needed or are no longer serviceable, they may be sold or exchanged in such manner as the superintendent may direct, and the proceeds placed to the credit of the appropriation from which originally purchased or acquired, and shall remain available for expenditure throughout the fiscal year in which derived.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph, lines 12 to 21, inclusive. It is clearly subject to the point of order.

Mr. DENT. Mr. Chairman, I think it is subject to the point of order, but I think it was in the last bill.

Mr. MANN. I think the gentleman has an incorrect understanding. I do not think it was in the last bill.

Mr. DENT. I am only going by my recollection of what the superintendent stated.

The CHAIRMAN. The point of order is sustained.

The Clerk resumed and concluded the reading of the bill.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the bill as amended to the House, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BOOHER, 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. 16699, the Military Academy appropriation bill, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

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

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONFERENCE REPORT—SUNDY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I present a conference report on the sundry civil appropriation bill and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] presents a conference report on the sundry civil appropriation bill and asks unanimous consent for its immediate consideration, notwithstanding the rule. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from New York asks unanimous consent that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 899).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15836) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 6, 13, 18, 19, 20, 28, 32, 34, 35, 36, 38, 40, 41, 45, 47, 51, 54, 57, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 80, 81, 82, 83, 84, 85, 86, 87, 96, 97, and 98.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 9, 10, 11, 12, 17, 22, 24, 25, 27, 29, 30, 31, 33, 37, 39, 42, 44, 46, 48, 49, 53, 55, 56, 58, 59, 60, 61, 62, 78, 79, 88, 89, 90, 91, 92, 93, and 94, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For the construction of a permanent wagon and foot bridge across the creek at International Avenue, at Nogales, Ariz., on land reserved by the United States for customs purposes, \$7,500"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$25,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$2,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$154,580"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Frankford Arsenal, Philadelphia, Pa.:

"For a general shop building, \$106,800;

"For extension of artillery ammunition storehouse, \$33,000;

"For extension of instrument department building, \$22,920;

"For extension of fuse shop building, \$132,300;

"For extension of artillery case shop building, \$42,000;

"For extension of lead shop building, \$12,000;

"For metal storehouse, \$25,800;

"For a storehouse for current manufactures, \$54,000;

"For purchase of additional land, \$125,000;

"For one sewer and connections, \$9,000;

"For garage for motor trucks, \$12,000;

"For construction or repair of roads, walks, and sea wall, \$11,600;

"For increasing facilities for fire protection, \$24,000;

"For increasing the facilities of the arsenal for the manufacture of field artillery ammunition, \$183,750;

"For five magazine buildings, including necessary barriers and fences about the buildings, railroad connections, sewer lines, lighting mains, etc., \$90,900;

"In all, \$885,070."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "on a site owned by the Government or to be procured by purchase or condemnation, or in the discretion of the Secre-

tary of War on any suitable site that may be tendered without cost to the United States which he is authorized to accept"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$1,500"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"During the fiscal year 1917, there shall be covered into the appropriation established from time to time under the act approved March 12, 1914, entitled 'An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes,' the proceeds of the sale of material utilized for temporary work and structures in connection with the operations under said act, as well as the sales of all other condemned property which has been purchased or constructed under the provisions thereof, also any moneys refunded in connection with the construction and operations under said act, and a report hereunder shall be made to Congress at the beginning of its next session."

And the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "For the purchase of such private holdings in the Sequoia National Park as in the judgment of the Secretary of the Interior are desirable for the better administration of the reservation, \$50,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "The Secretary of the Interior is authorized to employ in the District of Columbia and elsewhere, and pay, during the fiscal year 1917, out of the several appropriations for protection, improvement, and management of the various national parks, including the Hot Springs Reservation, and out of the revenues from rentals and privileges derived therefrom, a superintendent of national parks, and to assist him such clerical or other services, not exceeding four persons, as the Secretary shall determine, and also to pay from said funds all necessary expenses of subsistence and travel of said superintendent when absent on duty outside of the District of Columbia. A detailed statement of all expenditures hereunder shall be made to Congress at its next session"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Public Buildings Commission: With a view to ultimately providing permanent quarters for all the governmental activities in the District of Columbia in buildings owned by the Government, a commission is created to be composed of the chairman of the Committee on Appropriations of the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Appropriations of the House of Representatives and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the House of Representatives and two other members of said committee, to be appointed by said chairman, all of whom shall serve thereon only so long as they are Members of Congress, and the Superintendent of the Capitol Building and Grounds, the officer in charge of public buildings and grounds, and the Supervising Architect or the Acting Supervising Architect of the Treasury during any vacancy in said office.

"The said commission shall elect one of its members as chairman of the commission and is authorized to employ such expert clerical or other services as it may deem necessary, and shall avail itself of the advice of the Commission of Fine Arts.

"The said commission shall investigate and ascertain what public buildings are needed in the District of Columbia to provide suitable and adequate accommodations, with allowances for future expansion, for all of the offices, establishments, and public services of the Government in the District of Columbia, the proper location of such buildings, the probable cost

thereof, and the probable cost of such new sites as they may deem it necessary for the Government to acquire.

"Any vacancies in said commission shall be filled in the same manner as the original appointments were made."

"For expenses of said commission, \$10,000, to remain available until expended and to be paid out on vouchers signed by the chairman of said commission.

"Said commission shall make final report to Congress not later than January 1, 1918."

And the Senate agree to the same.

JOHN J. FITZGERALD,
SWAGAR SHERLEY,
FREDK. H. GILLET,
Managers on the part of the House.

THOMAS S. MARTIN,
LEE S. OVERMAN,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15836) making appropriations for sundry civil expenses of the Government for the fiscal year 1917, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, namely:

Nos. 1, 2, 3, 4, and 5, relating to public buildings: Appropriates \$70,000 for continuation of the post-office building at Columbia, S. C.; strikes out the proposed change in the limit of cost of the post-office building at Durango, Colo.; strikes out the additional appropriation of \$15,000 for the site of the post office at Kendallville, Ind.; fixes the limit of expenditure for repairs and preservation of quarantine stations and marine hospitals at \$125,000, as proposed by the House, instead of \$100,000, as proposed by the Senate; and appropriates \$25,000, as proposed by the Senate, for "Operating force for public buildings" for the fiscal year 1916.

No. 6: Restores the language proposed by the House limiting the maximum pay for the various classes of employees in the Bureau of Engraving and Printing to the rate paid therefor January 1, 1916.

No. 7: Appropriates \$7,500 instead of \$10,000, as proposed by the Senate, for a bridge at Nogales, Ariz.

No. 8: Appropriates \$25,000 instead of \$75,000, as proposed by the Senate, for studies of rural sanitation by the Public Health Service.

Nos. 9, 10, 11, and 12, relating to Columbia Hospital: Appropriates \$2,350, as proposed by the Senate, instead of \$2,300, as proposed by the House, for repair of the nurses' cottages; appropriates \$11,494, as proposed by the Senate, for expenses of heat, light, and power; and reappropriates for the fiscal year 1917 the unexpended balance of the amount for special equipment and furnishing appropriated in the sundry civil act for the fiscal year 1916.

No. 13: Strikes out the appropriation of \$89,441.43 and the reappropriation of the sum of \$107,200, proposed by the Senate, for additional land for the Zoological Park.

Nos. 14, 15, 16, 17, 18, and 19, relating to the Federal Trade Commission: Provides for five clerks to commissioners at \$1,500 each, instead of at \$1,200 each, as proposed by the House, and \$1,800 each, as proposed by the Senate; provides for a chief clerk at \$2,000 instead of \$2,500; reduces the sum for compensation, travel, and per diem of special employees from \$250,000 to \$244,500, as proposed by the Senate; appropriates \$15,000 for rent, as proposed by the House, instead of \$20,000, as proposed by the Senate; and appropriates \$15,000 for witness fees and mileage, as proposed by the House, instead of \$10,000, as proposed by the Senate.

No. 20: Strikes out the language, proposed by the Senate, enlarging the boundaries of the connecting parkway between Rock Creek and Potomac Parks between Ashmead Place, Twentieth Street, and Rock Creek NW.

No. 21, relating to the Frankford Arsenal: Distributes an increase of \$71,970 among the various items in the bill as it passed the House to cover increased cost of construction since the original estimates were prepared and appropriates \$90,900, proposed by the Senate, for five magazine buildings and the necessary fences, railroad connections, sewers, lighting mains, etc.

Nos. 22 and 23, relating to a new powder factory: Provides that the appropriation may be expended for the construction

of a new plant or for the enlargement of any existing Government plant and authorizes the erection of such a plant on a site owned by the United States or to be acquired by purchase, condemnation, or gift.

No. 24: Appropriates \$350,000, as proposed by the Senate, instead of \$300,000, as proposed by the House, for repairs to arsenals.

No. 25: Inserts the paragraphs, proposed by the Senate, ratifying the internal-revenue taxes and the tonnage taxes on vessels in foreign trade imposed by the Philippine Legislature, exempts vessels owned by citizens of the Philippine Islands from tonnage taxes and light dues in ports of the United States, and authorizes the refund of such taxes imposed since August 1, 1914.

No. 26: Appropriates \$1,500 instead of \$1,800, as proposed by the Senate, for the addition of a kitchen and bathroom to the lodge in the Salisbury National Cemetery.

No. 27: Appropriates \$200, as proposed by the Senate, to exhume, transport to San Francisco, and reinter in the national cemetery there, the remains of Orman K. Osbon, a teacher in the United States school in Luzon, P. I.

No. 28: Strikes out the appropriation of \$150,000, proposed by the Senate, for reunion of Federal and Confederate Veterans at Vicksburg National Military Park.

Nos. 29, 30, and 31: Appropriates \$152,500, as proposed by the Senate, instead of \$135,000, as proposed by the House, for improvements in Yellowstone National Park; increases the amount for repair of the road in the forest reserve leading out of the park from the east boundary from \$7,500 to \$15,000, as proposed by the Senate; and inserts authority for the purchase, maintenance, operation, and repair of horse-drawn passenger-carrying vehicles for use in inspection work.

No. 32: Appropriates \$25,000, instead of \$50,000, as proposed by the Senate, for construction of retaining walls in the Meridian Hill Park.

Nos. 33 and 34, relative to the making or repairs of concrete or asphalt pavements under the control of the officer in charge of public buildings and grounds: Limits the cost per square yard to \$1.80 as proposed by the Senate, instead of \$1.85 as proposed by the House, and requires that the quality shall be equal to the best laid prior to July 1, 1886, as proposed by the House, instead of July 1, 1915, as proposed by the Senate.

Nos. 35 and 36, relating to the Fine Arts Commission: Strikes out the authority for rent of offices and also the increase of \$2,000, proposed by the Senate, for expenses of the commission.

No. 37: Inserts the paragraph, proposed by the Senate, appropriating \$100,000 toward the construction of the new Aqueduct Bridge, and in addition thereto authorizes the Secretary of War to enter into a contract or contracts for not exceeding \$900,000 exclusive of the \$100,000 herein appropriated.

No. 38: Appropriates \$35,000, as proposed by the House, instead of \$97,000, as proposed by the Senate, for the preparation of topographic maps for the War Department.

No. 39: Appropriates \$8,200, as proposed by the Senate, for repairs to the Court of Claims Building.

No. 40: Restores the provision, stricken out by the Senate, repealing the transfer of the Maltby Building to the jurisdiction of the Department of Agriculture.

No. 41: Strikes out the appropriation of \$100,000, proposed by the Senate, for the Geological Survey in testing the existence of artesian and other underground water supplies suitable for irrigation purposes.

No. 42: Inserts authority, proposed by the Senate, for the payment of \$300, out of the appropriation for the Salt River irrigation project, to the Moer-Pafford Co. for damages sustained in connection with certain work on that project.

No. 43: Inserts the paragraph, proposed by the Senate, covering the receipts from incidental operations in connection with the construction of the Alaskan railroad into the appropriation therefor, modified so as to limit the return of the receipts to the fiscal year 1917 and to require a report to Congress thereon.

Nos. 44 and 45, relating to relief of the natives of Alaska: Appropriates \$50,000 for medical relief, as proposed by the Senate, instead of \$25,000, as proposed by the House, and strikes out the sum of \$25,000, inserted by the Senate, for the establishment of small industrial enterprises.

No. 46: Increases the allowance to the superintendent of Yellowstone Park for the purchase, maintenance, operation, and repair of a motor vehicle from \$500 to \$1,000, as proposed by the Senate.

No. 47: Strikes out the appropriation of \$15,000, proposed by the Senate, for an interstate wagon road through the Mukuntuweap National Monument, Utah.

No. 48: Appropriates \$110,000 for the Glacier National Park in the language proposed by the Senate instead of in the language proposed by the House.

No. 49: Increases the allowance for the supervisor of Yosemite National Park for a motor vehicle from \$700 to \$1,000, as proposed by the Senate.

No. 50: Inserts the appropriation of \$50,000, proposed by the Senate, for the purchase of certain private holdings in the Sequoia National Park.

No. 51: Strikes out the appropriation of \$500, inserted by the Senate, for the investigation of lands proposed to be included in a Mississippi Valley National Park.

No. 52: Inserts the paragraph, proposed by the Senate, for the use of national park appropriations and revenues for the employment and expenses of a superintendent and not exceeding four other persons modified so as to eliminate authority for expenses of transferring employees from one park to another and of park supervisors in conferring with the superintendent of national parks, and also limiting the authority under the paragraph to the fiscal year 1917.

No. 53: Inserts the paragraph, proposed by the Senate, transferring certain land in the District of Columbia to the Columbia Institution for the Deaf.

Nos. 54 and 55, relating to the Department of Justice: Appropriates \$485,000, as proposed by the House, instead of \$510,000, as proposed by the Senate, for the detection and prosecution of crimes, and appropriates \$65,000, as proposed by the Senate, instead of \$50,000, as proposed by the House, for expenses of suits affecting withdrawn oil lands.

Nos. 56, 57, 58, and 59, relating to United States courts: Inserts the increase of \$30,000 proposed by the Senate in the appropriation for United States marshals and their deputies; strikes out the appropriation of \$32,400 proposed by the Senate for nine law clerks at \$3,600 each for the justices of the Supreme Court; increases the amount for regular assistant attorneys from \$325,000 to \$350,000, as proposed by the Senate; and inserts authority, proposed by the Senate, opening the courts of the United States to seamen, without furnishing bonds or prepaying costs or fees, for the purpose of entering and prosecuting suits in their own name for their own benefit for wages or salvage, and to enforce laws made for their health and safety.

Nos. 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 81, relating to the Coast and Geodetic Survey: Increases the amount for tidal and current observations from \$6,400 to \$11,720, as proposed by the Senate; increases the amount for repairs of vessels from \$40,000 to \$56,000, as proposed by the Senate; strikes out the appropriation of \$320,000 inserted by the Senate for new vessels; strikes out all of the new employees specifically provided for by the Senate; strikes out authority for the exchange of copper plates; increases the appropriation for expenses of preparation of new charts from \$50,000 to \$62,500, and authorizes the use of not exceeding \$6,000 of that sum for necessary employees, as proposed by the Senate; and strikes out the appropriations of \$12,500 and \$1,000, respectively, proposed by the Senate, for the installation of new presses.

Nos. 82, 83, 84, 85, and 86, relating to the Bureau of Fisheries: Strikes out the increase of \$300, proposed by the Senate, in the salary of the superintendent of the Bozeman, Mont., station; and strikes out the appropriations, proposed by the Senate, for improvements at the Orangeburg, S. C., San Marcos, Tex., and Saratoga, Wyo., fish hatcheries.

No. 87: Strikes out the increase of \$200,000, proposed by the Senate, in the appropriation for the Immigration Service.

Nos. 88 and 89, relating to the Senate: Appropriates \$7,500 to pay the widow of Senator Shively and \$3,000 for folding speeches and pamphlets.

No. 90: Increases the appropriation for the Botanic Garden from \$8,000 to \$9,000, as proposed by the Senate.

Nos. 91, 92, 93, and 94, relating to the Senate Office Building: Appropriates \$55,000 for the maintenance, \$5,000 for furniture, and \$3,500 for alterations, for the Senate Office Building, and appropriates \$17,500 for repairs, improvements, and equipment for Senate restaurants in the Capitol and the Senate Office Building.

No. 95, relating to a public-buildings commission: Inserts the paragraph, proposed by the Senate, for the creation of a public-buildings commission modified so as to increase the personnel by the appointment of two members in addition to the chairman of each of the committees enumerated therein, provides that each of the congressional members shall serve thereon only during the time he is a Member of Congress, and extends the

time for the commission to make its final report from January 1, 1917, to January 1, 1918.

Nos. 96, 97, and 98, relating to the Panama Canal: Strikes out the appropriation of \$53,800, proposed by the Senate, for the payment of the Malambo fire claims, and strikes out the language, inserted by the Senate, relative to the wage scale and conditions of employment of persons employed in the construction, operation, or maintenance of the Panama Canal or the Panama Railroad.

JOHN J. FITZGERALD,
SWAGAR SHERLEY,
FREDK. H. GILLET,
Managers on the part of the House.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. STAFFORD. As I followed the reading of the statement the conferees agreed to Senate amendment numbered 25 providing—

Mr. FITZGERALD. What page?

Mr. STAFFORD. Pages 70 and 71—one part of which provides for admission to American register virtually of vessels owned by citizens of the Philippine Islands. Am I correct in my understanding of the reading of the report that the House conferees receded from their disagreement to this particular amendment?

Mr. FITZGERALD. We did; but there is nothing in the amendment which permits vessels owned by people of the Philippine Islands being registered as American vessels. The amendment provides that vessels owned by citizens of the Philippine Islands and documented as such by the Government of said islands shall be exempt from the payment of tonnage taxes and light dues in ports of the United States. That does not mean American registry by any means.

Mr. STAFFORD. That would not extend to them the privilege of the coastwise trade, I assume, or give any other advantages than merely exempting them from tonnage taxes and light dues?

Mr. FITZGERALD. That is all.

Mr. STAFFORD. What are the acts referred to in the first paragraph of this amendment legalizing certain internal revenue taxes passed by the Philippine Legislature?

Mr. FITZGERALD. They were acts of some considerable importance covering a number of subjects, I do not carry them all in my mind, but the department requested the Senate to ratify those acts and they were examined carefully by men familiar with Philippine matters, and this follows the practice Congress has adopted heretofore in ratifying these acts.

Mr. STAFFORD. This is merely a formal ratification of some action of the Philippine Legislature?

Mr. FITZGERALD. To prevent a claim for the refunding of moneys paid under those laws which provide revenues in the Philippines.

Mr. DUPRÉ. Will the gentleman yield for a question?

Mr. FITZGERALD. I will.

Mr. DUPRÉ. What disposition was finally made of the amendment which the Senate had inserted increasing the appropriation for the Immigration Service?

Mr. FITZGERALD. The Senate receded from that amendment.

Mr. DUPRÉ. Willingly or unwillingly?

Mr. FITZGERALD. Oh, quite willingly.

Mr. DUPRÉ. Willingly, to the gentleman from New York.

Mr. FITZGERALD. The amendment was not reported by the Senate committee, but was put in the bill on the floor of the Senate without discussion.

Mr. DUPRÉ. I suppose we then may expect the system of furloughing to go on during the year?

Mr. FITZGERALD. Either that or the dismissal of the men.

Mr. DUPRÉ. Does the gentleman hold that men trained to that service should be turned out in that way?

Mr. FITZGERALD. I do not see why the Government should pay men and keep them employed when there is nothing for them to do simply because their services were required in the past. I think I could not successfully defend any such practice.

Mr. DUPRÉ. The gentleman is not anxious to. He could do it if he wanted to.

Mr. FITZGERALD. No. I could not justify paying men for whose services the Government has no need.

Mr. DUPRÉ. But I have great confidence in the gentleman's resourcefulness when he is pressed.

Mr. FITZGERALD. The result of the conference is that of the amount added by the Senate, \$2,116,535.45, the Senate yielded in conference \$1,357,901.43, and the House agreed to items aggregating \$758,634. Mr. Speaker, I ask for a vote.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. COX. How much does the bill carry now?

Mr. FITZGERALD. The bill as it passed the House carried \$127,540,651.24; as it passed the Senate it carried \$129,657,186.67; as agreed to in conference it carries \$128,299,285.24.

Mr. MONDELL. Mr. Speaker, will the gentleman yield to me for a question?

Mr. FITZGERALD. Yes.

Mr. MONDELL. I want to call the gentleman's attention to amendments numbered 22 and 23, on page 64, relating to a powder plant. The provision as it passed the House authorizes the establishment of a powder factory on a site to be procured by purchase or condemnation. My understanding was that it was the thought of the committee in framing that language, and I think the statement was made on the floor of the House while it was under discussion that the expectation was that a new powder factory would be built probably west of the Allegheny Mountains, in order that we might have a powder factory that would be more secure from attack than the present powder factory at Picatinny, N. J., in case of war. But according to the language agreed upon provision is made for the establishment of a plant, or the enlargement of any existing plant owned by the Government, for the manufacture of powder, \$500,000.

Mr. FITZGERALD. I will read just what was agreed to. This is how the provision now reads:

For the establishment of a plant, or the enlargement of any existing plant owned by the Government, for the manufacture of powder upon a site owned by the Government, or to be procured by purchase or condemnation, or in the discretion of the Secretary of War on any suitable site that may be tendered without cost to the United States, which he is hereby authorized to accept, \$500,000.

The idea was that it might be deemed advisable either to utilize some property already in the possession of the Government or to enlarge some existing plant, not necessarily a powder plant; but it was believed that this would make the authority a little more comprehensive than was provided by the House.

From the statements made before the committee, I believe the gentleman will agree with me that there is very little possibility of the War Department attempting to enlarge the Picatinny Arsenal or to locate a new plant east of the Alleghenies.

Mr. MONDELL. But it might be found to be wise to locate a powder plant in connection with some other existing Government plant.

Mr. FITZGERALD. The Senate was under the impression that if it were so desired there should be no question of the authority. The House agreed to the language inserted by the Senate, and then retained in the bill that part of the provision stricken out by the Senate, with some additional wording to perfect it.

Mr. WHEELER. Mr. Speaker, will the gentleman yield to me for a question?

Mr. FITZGERALD. Yes.

Mr. WHEELER. Was it the opinion of the War Department that if another munitions plant is to be established it should be established west of the Alleghenies?

Mr. FITZGERALD. That was the opinion of the military authorities, and the provision was so worded that that might be done. When the item was drawn by the Committee on Appropriations originally, certain appropriations were recommended to increase the capacity of the Picatinny Arsenal. It was then ascertained that a new unit could be established for \$500,000. Upon the statement of the ordnance officials that such a new unit was to be established, it was the opinion of the military experts that it should not be at the Picatinny Arsenal, but should be located in some other section of the country. The committee inserted that authorization for a place separate from Picatinny Arsenal, so that it could be utilized at a point which the military experts of the Government should deem best for military reasons.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. COX. I want to say to the gentleman that I am heartily in favor of the proposition of appropriating this money for the building of a powder plant. I have no doubt but that the gentleman will have a great deal to say as to its location.

Mr. FITZGERALD. Not at all. I do not want to have it in any place near me. [Laughter.] I think that is going to be one of the difficulties about locating it. Everybody is in

favor of establishing a powder plant, provided it is sufficiently far away from where he lives or is interested to make it safe.

Mr. COX. I will say to the gentleman that at Jefferson Barracks, Ind., in the district I have the honor to represent, an ideal place is afforded for the location of a munition plant. There is 17 acres of ground available there, well situated and adapted to the purpose, with tremendous buildings.

Mr. FITZGERALD. Oh, 17 acres of ground is a bagatelle. The Picatinny Arsenal has over 1,500 acres.

Mr. COX. Well, we will give 1,500 acres adjoining the place there.

Mr. FITZGERALD. I suggest that the gentleman prepare a statement showing the facilities and the amount of land, and its accessibility to water and rail transportation.

Mr. COX. I will say to the gentleman that we are right on the Ohio River.

Mr. FITZGERALD. Oh, I do not know whether it is navigable there or not. It might be an injustice and a hardship to the Government to wait until the river there is made navigable. I suggest that the gentleman collect all that information and send it to the War Department so that they will have it on hand.

Mr. COX. I am saying this in the effort to summon the gentleman's aid to get that plant located down there at Jefferson Barracks.

Mr. MILLER of Delaware. Mr. Speaker, will the gentleman yield there?

Mr. FITZGERALD. Yes.

Mr. MILLER of Delaware. I would like to ask the gentleman a question.

Mr. FITZGERALD. Very well.

Mr. MILLER of Delaware. When was this plant authorized? Was it in the bill last year?

Mr. FITZGERALD. It was placed in the bill just this year.

Mr. MILLER of Delaware. Was it not authorized last year?

Mr. FITZGERALD. No; this year. We reported it and explained it to the House, and explained that the saving to be effected would be so great that it ought to be done not only in defense of the interests of the Government but in the interest of the Treasury, and the propriety of it was so apparent that it went through unanimously, a point of order having been withdrawn.

Mr. Speaker, I ask for a vote.

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

The conference report was agreed to.

On motion of Mr. FITZGERALD, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 16677. An act extending appropriations for the necessary operations of the Government and of the District of Columbia, and for the payment of pensions under certain contingencies; and

H. J. Res. 242. Joint resolution to authorize the President to draft members of the National Guard and of the Organized Militia of the several States, Territories, and the District of Columbia and members of the National Guard and Militia Reserves into the military service of the United States under certain conditions, and for other purposes.

Mr. REAVIS rose.

The SPEAKER. For what purpose does the gentleman rise? Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

ADJOURNMENT.

Mr. FITZGERALD. I move that the House do now adjourn.

The SPEAKER. The gentleman from Illinois [Mr. MANN] makes the point of order that there is no quorum present, and the gentleman from New York [Mr. FITZGERALD] moves to adjourn. The question is on agreeing to that motion.

The motion was agreed to; accordingly (at 3 o'clock and 4 minutes p. m.) the House adjourned until to-morrow, Friday, June 30, 1916, at 12 o'clock noon.

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. ANTHONY, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 244) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, reported the same without amendment, accompanied by a report (No. 886), which said bill and report were referred to the House Calendar.

Mr. HAY, from the Committee on Military Affairs, to which was referred the resolution (H. Res. 274) directing the Secretary of War to furnish the House certain information regarding the National Guard of Arizona, New Mexico, and Texas, reported the same without amendment, accompanied by a report (No. 887), which said bill and report were referred to the House Calendar.

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 12544) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla., reported the same with amendment, accompanied by a report (No. 888), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WISE, from the Committee on Military Affairs, to which was referred the bill (S. 708) to make immediately available for the use of the State of Georgia in paying expenses incurred by said State in connection with the joint encampment held at Augusta, Ga., July 22 to 31, 1914, certain sums appropriated for arming and equipping the militia of said State, reported the same without amendment, accompanied by a report (No. 890); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVENPORT, from the Committee on the Territories, to which was referred the bill (H. R. 16640) to amend an act entitled "An act granting a franchise for the construction, maintenance, and operation of a street railway system in the district of South Hilo, county of Hawaii, Territory of Hawaii," approved August 1, 1912, as amended by an act approved July 25, 1914, reported the same without amendment, accompanied by a report (No. 891), which said bill and report were referred to the House Calendar.

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 108) to confer upon the Superintendent for the Five Civilized Tribes in Oklahoma the authority now conferred by law upon the Commissioner of Indian Affairs and the Secretary of the Interior respecting lands allotted to the enrolled members of the Five Civilized Tribes and their individual moneys, reported the same with amendment, accompanied by a report (No. 892), which said bill and report were referred to the House Calendar.

Mr. STEELE of Pennsylvania, from the Committee on the Judiciary, to which was referred the bill (H. R. 3673) to establish a term of the United States Circuit Court of Appeals at Asheville, N. C., reported the same without amendment, accompanied by a report (No. 893), 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 were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 13106) for the relief of the trustee and parties who are now or who may hereafter become interested in the estate of James A. Chamberlain under the terms of his will, reported the same with amendment, accompanied by a report (No. 883), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13754) for the relief of Charles A. Carey, reported the same without amendment, accompanied by a report (No. 884), which said bill and report were referred to the Private Calendar.

Mr. STEAGALL, from the Committee on Claims, to which was referred the bill (H. R. 14978) for the relief of Ida Turner, reported the same with amendment, accompanied by a report (No. 894) which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12135) to reimburse D. H. Carpenter, postmaster at Seddon, Ala., for money and stamps stolen from said post office at Seddon, Ala., and repaid by him to the Post Office Department, reported the same with amendment, accompanied by a report (No. 895), which said bill and report were referred to the Private Calendar.

Mr. FARLEY, from the Committee on Military Affairs, to which was referred the bill (H. R. 4931) authorizing the President to reinstate Francis Patrick Regan as a second lieutenant in the United States Army, reported the same with amendment, accompanied by a report (No. 896), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 1579) for the relief of Annie E. White and the heirs of Patrick White, deceased, reported the same without amendment, accompanied by a report (No. 897), which said bill and report were referred to the Private Calendar.

Mr. YOUNG of North Dakota, from the Committee on Claims, to which was referred the bill (H. R. 2544) for the relief of Thomas P. Darr, reported the same without amendment, accompanied by a report (No. 898), which said bill and report were referred to the Private Calendar.

ADVERSE REPORT.

Under clause 2 of Rule XIII,

Mr. RUSSELL of Ohio, from the Committee on Claims, to which was referred the bill (H. R. 13707) for the relief of Brooksey Crabtree, reported the same adversely, accompanied by a report (No. 889), which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 16733) to amend the act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HAY: A bill (H. R. 16734) to pay to certain families of the men of the drafted forces of the United States a sum of money for their maintenance during the term of service of such drafted men in the service of the United States; to the Committee on Military Affairs.

By Mr. HAMILL: A bill (H. R. 16735) for the construction and operation of an electric lighting plant adequate for the illumination of the Statue of Liberty on Bedloe Island, New York Harbor; to the Committee on Appropriations.

By Mr. ADAMSON: Resolution (H. Res. 282) for the consideration of Senate joint resolution 60; to the Committee on Rules.

By Mr. JOHNSON of Washington: Resolution (H. Res. 283) relative to the consideration of House joint resolution 249; to the Committee on Rules.

By Mr. ADAMSON: Resolution (H. Res. 284) for the consideration of Senate bill 3331; to the Committee on Rules.

By Mr. GARD: Joint resolution (H. J. Res. 248) providing for the free transmission of mail matter to persons in the military or naval service of the United States; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 249) directing the Secretary of War to give full military burial to bodies of officers and men of the Tenth United States Cavalry who were killed in action; to the Committee on Military Affairs.

By Mr. LONDON: Joint resolution (H. J. Res. 250) to provide for the appointment of a commission to prepare and recommend a plan for the establishment of a national insurance fund and for the mitigation of the evil of unemployment; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 16736) granting a pension to William Vanatte; to the Committee on Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 16737) granting an increase of pension to Leannah Bullis; to the Committee on Invalid Pensions.

By Mr. DIES: A bill (H. R. 16738) for the relief of Mollie Richardson, heir of Stanford Mims, deceased; to the Committee on War Claims.

Also, a bill (H. R. 16739) for the relief of C. G. Boles; to the Committee on War Claims.

By Mr. LOUD: A bill (H. R. 16740) granting an increase of pension to Robert Patchell; to the Committee on Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 16741) granting an increase of pension to Laony Carver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16742) granting an increase of pension to B. F. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16743) granting an increase of pension to Christ Stein; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 16744) to validate the homestead entry of William H. Engle for certain land in Colorado; to the Committee on the Public Lands.

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 York City, relative to mediation of Latin-American countries; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Petition of National Probation Association, favoring passage of House bill 42, to establish a probation system in the United States district courts; to the Committee on the Judiciary.

By Mr. DAVIS of Texas: Petition of Order of Railway Conductors of America, Guadalupe Division, No. 275, Yoakum, Tex., relative to eight hours a day, etc., for employees; to the Committee on Labor.

By Mr. CHIPERFIELD: Petition of city of Chicago, against the La Follette amendment to the rivers and harbors bill, limiting the flow of the sanitary district of Chicago; to the Committee on Rivers and Harbors.

By Mr. HAYES: Petition of board of supervisors of the county of Ventura, Cal., against a Federal inheritance tax; to the Committee on Ways and Means.

By Mr. HINDS: Papers relating to House bill 16709, authorizing the donation of the building at Kennebunk Port, Me., known as the old customhouse, to the town of Kennebunk Port, Me.; to the Committee on Public Buildings and Grounds.

By Mr. KETTNER: Petition of K. C. Beckwith, of Ramona, Cal., opposing preparedness; to the Committee on Military Affairs.

Also, petition of D. C. Bitler, commercial secretary Chamber of Commerce of El Centro, Cal., and J. H. Heath, secretary Chamber of Commerce of Escondido, Cal., favoring ocean-to-ocean highway; to the Committee on Military Affairs.

Also, petition of Thomas W. Furlong, of San Diego, Cal., favoring House adopting Senate concurrent resolution 12, "requesting the President of the United States to designate a day on which funds may be raised for the relief of the Armenians"; to the Committee on the Judiciary.

Also, petition of R. H. Mertan, of San Diego, Cal., favoring House bill 6915 and Senate bill 3081, Penrose-Griffin indefinite leave of absence bill; to the Committee on the Post Office and Post Roads.

Also, petition of M. H. Shirley, of Anaheim, Cal., and 14 others, protesting against Senate bill 5677, Sunday closing; to the Committee on the District of Columbia.

Also, petition of M. H. Shirley, of Anaheim, Cal., and 13 others, protesting against House bill 13778, authorizing Postmaster General to exclude from mails certain publications; to the Committee on the Post Office and Post Roads.

Also, telegrams of the Manufacturers' Association of San Diego, Cal., and the Benson Lumber Co., protesting against anti-efficiency rider on fortifications bill; to the Committee on Appropriations.

Also, letter from Manufacturers' Association of San Diego, Cal., W. G. Estep, secretary, protesting against anti-efficiency rider on fortifications bill; to the Committee on Appropriations.

By Mr. LOUD: Papers to accompany House bill 16740, granting a pension to Robert Patchell; to the Committee on Pensions.

SENATE.

FRIDAY, June 30, 1916.

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

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

We thank Thee, Almighty God, for the revelation of the law of righteousness, which is changeless in all generations, that has within it the power of truth, and that has within it and back of it the attestation of its authority in the lives of the people, in the construction of government, in the general onward progress of the world. We thank Thee for the ideals of our Nation born out of the divine revelation of righteousness. We pray that we