By Mr. RANDALL: Petition of employees of the post office at Whittier, Cal., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Papers to accompany House bill 19226, relating to pension of Charles N. Bacon; to the Committee on Invalid Pensions.

By Mr. TILSON: Petition of Branch No. 197, National Association of Letter Carriers, urging Congress to grant higher wages to postal employees, and calling attention to the high cost of living at New Haven, Conn.; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *December 21, 1916.*

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

Almighty God, we desire to enter into sacred and holy communion with Thee that the path which lies before us in this day's service may be as the path of the just that shineth more and more to the perfect day. Thy kingdom is within us, and we desire to interpret the terms and qualities and forces of Thy kingdom in the outward acts of life, especially in this place of great influence and power. We desire to represent the highest interests of humanity in the name of God. Guide us to this end this day. We ask for Christ's sake. Amen.

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

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

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

Bankhead	Gallinger	Martine, N. J.	Smoot
Beckham	Gore	Nelson	Sterling
Borah	Gronna	Newlands	Stone
Brady	Hardwick	Norris	Sutherland
Brandegee	Hitchcock	Overman	Swanson
Bryan	Hollis	Page	Thomas
Chamberlain	Hughes	Phelan	Townsend
Chilton	James	Poindexter	Underwood
Clapp	Johnson, S. Dak.	Pomerene	Vardaman
Clark	Jones	Reed	Wadsworth
Culberson	Kenyon	Saulsbury	Walsh
Cummins	Kern	Sheppard	Watson
Curtis	Lane	Sherman	Weeks
Dillingham	McCumber	Shields	Williams
Fletcher	Martin, Va.	Smith, Ga.	Works

Mr. THOMAS. My colleague [Mr. SHAFROTH] is detained from the Chamber on account of illness. I will let this announcement stand for the day.

Mr. CLARK. I desire to announce the unavoidable absence from the city of my colleague [Mr. WARREN]. I will let this announcement stand for the day.

Mr. OVERMAN. I wish to announce that my colleague [Mr. SIMMONS] is unavoidably absent from the city. I will let this announcement stand for the day.

Mr. CHILTON. The Senator from South Carolina [Mr. SMITH] is absent on account of illness in his family.

Mr. VARDAMAN. I have been requested to announce the unavoidable absence of the senior Senator from Louisiana [Mr. RANSDELL] and the junior Senator from Louisiana [Mr. BROUSSARD] on account of illness.

Mr. MARTINE of New Jersey. I rise to announce the absence of the Senator from Illinois [Mr. LEWIS], owing to illness.

The PRESIDENT pro tempore. Sixty Senators have answered to their names. A quorum is present. The Secretary will read the Journal of the preceding session.

The Journal of yesterday's proceedings was read and approved.

PEACE OVERTURE.

Mr. STONE. Mr. President, I ask that the note sent by the President to the various European belligerent powers on Monday of the present week, which has been quite generally published this morning in the press of the country, and a copy of which I send to the desk, may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The note referred to is as follows:

[Telegram.]

THE SECRETARY OF STATE TO AMBASSADOR GERARD.

DEPARTMENT OF STATE,
Washington, December 18, 1916.

The President directs me to send you the following communication to be presented immediately to the Minister of Foreign Affairs of the Government to which you are accredited:

"The President of the United States has instructed me to suggest to the Imperial German Government a course of action with regard to the present war which he hopes that the Imperial Government will take under consideration as suggested in the most friendly spirit and as coming not only from a friend but also as coming from the representative of a neutral nation whose interests have been most seriously affected by the war and whose concern for its early conclusion arises out of a manifest necessity to determine how best to safeguard those interests if the war is to continue.

"The suggestion which I am instructed to make the President has long had it in mind to offer. He is somewhat embarrassed to offer it at this particular time because it may now seem to have been prompted by a desire to play a part in connection with the recent overtures of the Central Powers. It has in fact been in no way suggested by them in its origin and the President would have delayed offering it until those overtures had been independently answered but for the fact that it also concerns the question of peace and may best be considered in connection with other proposals which have the same end in view. The President can only beg that his suggestion be considered entirely on its own merits and as if it had been made in other circumstances.

"The President suggests that an early occasion be sought to call out from all the nations now at war such an avowal of their respective views as to the terms upon which the war might be concluded and the arrangements which would be deemed satisfactory as a guaranty against its renewal or the kindling of any similar conflict in the future as would make it possible frankly to compare them. He is indifferent as to the means taken to accomplish this. He would be happy himself to serve, or even to take the initiative in its accomplishment, in any way that might prove acceptable, but he has no desire to determine the method or the instrumentality. One way will be as acceptable to him as another if only the great object he has in mind be attained.

"He takes the liberty of calling attention to the fact that the objects which the statesmen of the belligerents on both sides have in mind in this war are virtually the same, as stated in general terms to their own people and to the world. Each side desires to make the rights and privileges of weak peoples and small states as secure against aggression or denial in the future as the rights and privileges of the great and powerful states now at war. Each wishes itself to be made secure in the future, along with all other nations and peoples, against the recurrence of wars like this, and against aggression of selfish interference of any kind. Each would be jealous of the formation of any more rival leagues to preserve an uncertain balance of power amidst multiplying suspicions; but each is ready to consider the formation of a league of nations to insure peace and justice throughout the world. Before that final step can be taken, however, each deems it necessary first to settle the issues of the present war upon terms which will certainly safeguard the independence, the territorial integrity, and the political and commercial freedom of the nations involved.

"In the measures to be taken to secure the future peace of the world the people and Government of the United States are as vitally and as directly interested as the Governments now at war. Their interest, moreover, in the means to be adopted to relieve the smaller and weaker peoples of the world of the peril of wrong and violence is as quick and ardent as that of any other people or Government. They stand ready, and even eager, to cooperate in the accomplishment of these ends, when the war is over, with every influence and resource at their command. But the war must first be concluded. The terms upon which it is to be concluded they are not at liberty to suggest; but the President does feel that it is his right and his duty to point out their intimate interest in its conclusion, lest it should presently be too late to accomplish the greater things which lie beyond its conclusion, lest the situation of neutral nations, now exceedingly hard to endure, be rendered altogether intolerable, and lest, more than all, an injury be done civilization itself which can never be atoned for or repaired.

"The President therefore feels altogether justified in suggesting an immediate opportunity for a comparison of views as to the terms which must precede those ultimate arrangements for the peace of the world, which all desire and in which the neutral nations as well as those at war are ready to play their full responsible part. If the contest must continue to proceed towards undefined ends by slow attrition until the one group of belligerents or the other is exhausted, if million after million of human lives must continue to be offered up until on the one side or the other there are no more to offer, if resentments must be kindled that can never cool and despairs engendered from which there can be no recovery, hopes of peace and of the willing concert of free peoples will be rendered vain and idle.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

"The life of the entire world has been profoundly affected. Every part of the great family of mankind has felt the burden and terror of this unprecedented contest of arms. No nation in the civilized world can be said in truth to stand outside its influence or to be safe against its disturbing effects. And yet the concrete objects for which it is being waged have never been definitively stated.

"The leaders of the several belligerents have, as has been said, stated those objects in general terms. But, stated in general terms, they seem the same on both sides. Never yet have the authoritative spokesmen of either side avowed the precise objects which would, if attained, satisfy them and their people that the war had been fought out. The world has been left to conjecture what definitive results, what actual exchange of guaranties, what political or territorial changes or readjustments, what stage of military success even, would bring the war to an end.

"It may be that peace is nearer than we know; that the terms which the belligerents on the one side and on the other would deem it necessary to insist upon are not so irreconcilable as some have feared; that an interchange of views would clear the way at least for conference and make the permanent concord of the nations a hope of the immediate future, a concert of nations immediately practicable.

"The President is not proposing peace; he is not even offering mediation. He is merely proposing that soundings be taken in order that we may learn, the neutral nations with the belligerent, how near the haven of peace may be for which all mankind longs with an intense and increasing longing. He believes that the spirit in which he speaks and the objects which he seeks will be understood by all concerned, and he confidently hopes for a response which will bring a new light into the affairs of the world."

LANSING.

ESTIMATES OF APPROPRIATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting a further estimate, under the office of the Chief Signal Officer, for the services of skilled draftsmen and such other services as the Secretary of War may deem necessary to be employed in the Signal Office to carry into effect the various appropriations for fortifications and other works of defense for the Signal Service of the Army, in the amount of $100,000 (S. Doc. No. 647), which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting a supplemental estimate of appropriation for salaries, Bureau of Steam Engineering, for the fiscal year ending June 30, 1918, amounting to $12,500 (S. Doc. No. 646), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

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

He also presented a petition of the Albert Lea (Minn.) Branch of the Railway Mail Association, praying for an increase in salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Minnesota Commandery of the Loyal Legion, praying for the passage of the so-called volunteer officers' retired bill, which was ordered to lie on the table.

Mr. WATSON presented a petition of the Society of Friends of Irish Freedom, of Indianapolis, Ind., praying that the good offices of the Government of the United States be employed to prevent the alleged deportation of Irish men and women and their compulsory employement in prisons and camps without pay, which was referred to the Committee on Foreign Relations.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Portland, Oreg., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Portland, Oreg., praying for the enactment of legislation to grant a minimum wage of $3 a day to Government employees, which was referred to the Committee on Appropriations.

Mr. KERN presented a memorial of Thomas J. Clark Branch of the Friends of Irish Freedom, of Indianapolis, Ind., remonstrating against the alleged deportation of Irish citizens, which was referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of the Chamber of Commerce, of San Francisco, Cal., praying for the establishment of an aviation school on the Pacific coast, which was referred to the Committee on Military Affairs.

He also presented a petition of Central California Branch No. 231, National Association of Letter Carriers, of Fresno, Cal., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

AMENDMENT OF POSTAL LAWS.

Mr. BANKHEAD, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 4429) to amend the postal laws, reported it without amendment and submitted a report thereon (No. 890).

PINE TIMBER IN MINNESOTA.

Mr. SUTHERLAND. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 5617) to confer jurisdiction upon the United States district court for the District of Minnesota to hear, try, and determine the value of certain pine timber.

Mr. CLAPP. I ask unanimous consent for the present consideration of the bill, and I desire to make a brief statement of the purpose of it.

The court in trying some cases as to the right of allottees to certain land found the allottees were entitled to the land, but under the circumstances the court would not assess the damages for the timber that the Government had sold from the land. This is simply to give the court authority to assess that damage. Otherwise another action would have to be brought to determine the value of the timber.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent for the present consideration of the bill.

Mr. JONES. I think the bill should be read before consent is granted.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States district court for the district of Minnesota to hear, try, determine, and render judgment for the value of the pine timber cut by the agents, officers, employees, and representatives of the United States from the lands described in the respective complaints filed in the suits stated as follows:

United States circuit court district of Minnesota—

Maggie Vanoss against United States, involving right to south half of northeast quarter section 24, township 143 north, range 39, Mahnomen County, Minn.

Jane Leecy against United States, involving east half of northwest quarter section 24, township 143 west, range 39, Mahnomen County, Minn.

Charles Vanoss against United States, involving north half of northeast quarter section 24, township 143 north, range 39, Mahnomen County, Minn.

Said court is hereby authorized to refer the taking of the evidence and reporting the fact to the court commissioner of said court.

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

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

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

BILLS INTRODUCED.

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

By Mr. PHELAN:

A bill (S. 7511) to acquire a site and for the erection and completion thereon of a public building in the city of Marysville, Cal. (with accompanying papers); to the Committee on Public Buildings and Grounds.

By Mr. SHIELDS:

A bill (S. 7512) to establish a fish-cultural station in the State of Tennessee; to the Committee on Fisheries.

A bill (S. 7513) to provide for the erection of a public building at Kingsport, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. SHEPPARD:

A bill (S. 7514) authorizing the Secretary of War to acquire land for aviation purposes; to the Committee on Military Affairs.

By Mr. MARTIN of Virginia:

A bill (S. 7515) granting a pension to Letta Davidson Webster; and

A bill (S. 7516) granting an increase of pension to Mary E. Campbell (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 7517) granting an increase of pension to Joseph J. Meyers (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 7518) providing for a site and public building for post-office and other Federal purposes at Hays, Kans.; and

A bill (S. 7519) to provide for enlarging the United States building at Fort Scott, Kans. (with accompanying papers); to the Committee on Public Buildings and Grounds.

A bill (S. 7520) for the relief of The Boyle Co., of Wichita, Kans. (with accompanying papers); to the Committee on Claims.

A bill (S. 7521) granting an increase of pension to Frank Rogers (with accompanying papers);

A bill (S. 7522) granting an increase of pension to Sylvia McDevitt (with accompanying papers);

A bill (S. 7523) granting a pension to Mary F. Robinson (with accompanying papers); and

A bill (S. 7524) granting an increase of pension to Lottie L. Matthews (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 7525) granting a pension to Clarissa F. White;

A bill (S. 7526) granting an increase of pension to Phuel Linville;

A bill (S. 7527) granting an increase of pension to Daniel W. Hilligoss;

A bill (S. 7528) granting an increase of pension to Thomas A. Walters;

A bill (S. 7529) granting an increase of pension to John W. Middlebrook;

A bill (S. 7530) granting an increase of pension to Frank Lynch;

A bill (S. 7531) granting an increase of pension to William H. H. Jones;

A bill (S. 7532) granting an increase of pension to Levi G. Wilgus;

A bill (S. 7533) granting an increase of pension to James M. Goodrich;

A bill (S. 7534) granting an increase of pension to John Ginley; and

A bill (S. 7535) granting a pension to Josephine Babcock; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 7536) authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River, in the borough of Warren and township of Pleasant, Warren County, Pa.;

A bill (S. 7537) authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River, in the town of Allegheny, county of Cattaraugus, N. Y.; and

A bill (S. 7538) authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River in Glade and Kinzua Townships, county of Warren, Pa.; to the Committee on Commerce.

By Mr. GALLINGER:

A bill (S. 7539) granting an increase of pension to Augustus Wagner (with accompanying papers); to the Committee on Pensions.

By Mr. HUGHES:

A bill (S. 7540) granting a pension to Bessie Mandeville Trenor; to the Committee on Pensions.

FLOOD CONTROL.

Mr. NEWLANDS. I introduce a bill providing for the development and control of waterways and water resources, for water conservation, for flood control, prevention, and protection, and so forth, which I ask may be received.

The bill (S. 7510) to promote interstate commerce, agriculture, and the general welfare by providing for the development and control of waterways and water resources; for water conservation; for flood control, prevention, and protection; for the application of flood waters to beneficial uses; and for cooperation in such work with States and other agencies; for the control of the floods of the Mississippi River and the Sacramento River, Cal.; and for other purposes, was read twice by its title.

Mr. NEWLANDS. I ask that the bill be referred to the Committee on Commerce. I will state that this bill is intended as a substitute for the House bill regarding flood protection, which is known as the Humphreys-Ransdell bill, now pending in the Committee on Commerce, and also as a substitute for Senate bill 5706, heretofore introduced by myself, providing for a general system of waterway regulation and development.

Mr. GALLINGER. Mr. President, I will ask the Senator from Nevada if he does not think that this comprehensive bill of his, if seriously considered, will put an end to all effort to prevent floods in the Mississippi and Sacramento Rivers?

Mr. NEWLANDS. I do not. I think it will aid that measure.

Mr. GALLINGER. When does the Senator think we would get a bill such as he proposes considered and passed through the Congress of the United States?

Mr. NEWLANDS. I will state that the bill which I have been urging for years has been very much modified in this bill. This bill does not provide for a large fund or a large appropriation, for which my bills have heretofore called. It provides simply for a fund of $1,000,000 for general investigations upon the lines indicated by my previous bills, and also includes, by way of compromise, the specific allowances for the flood protection required by the Humphreys bill upon the Mississippi River and the Sacramento River projects, which have been reported favorably by the War Department.

The bill simply provides for a general scheme of legislation, under which investigations and plans can be made, which will be submitted, as they are perfected, to the approval of Congress, and if Congress approves the proper appropriations will be made.

Mr. GALLINGER. So that it means to defer the entire matter for a long time, and the Senator's suggestion that it does not call for so much money in the beginning is true. It calls for a million dollars for investigation, but the Senator does not think, does he, that the large amount that he has suggested will be less after the investigations shall have been made?

Mr. NEWLANDS. On the contrary, I think it will be increased. I think this country is coming to the conclusion that it requires a perfected system of transportation, involving the coordination of rail carriers, river carriers, and ocean carriers. As the railroads are preparing to expend, and are gathering themselves to expend, $1,000,000 annually in the development of their railroads for rail transportation, the United States Government can easily afford to spend $60,000,000 annually for 10 years, as is proposed by my original bill, in the development of the water carriers. This whole matter, however, of course, will be left to the future.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Commerce.

H. G. LARIMER.

Mr. CURTIS submitted an amendment proposing to appropriate $125 to pay H. G. Larimer for fees and expenses as an expert witness on behalf of the Government in the case of the United States *v.* Henry Samuels, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 18542), which was referred to the Committee on Appropriations and ordered to be printed.

PUBLIC BUILDINGS.

Mr. WATSON submitted an amendment intended to be proposed by him to the bill (H. R. 18994) to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, etc., which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

WITHDRAWAL OF PAPERS—WILLIAM H. DURHAM.

On motion of Mr. POMERENE (for Mr. JOHNSON of Maine), it was

Ordered, That the papers accompanying the bill S. 2241, Sixty-fourth Congress, granting an increase of pension to William H. Durham, be withdrawn from the files of the Senate, no adverse report having been made thereon.

DOCUMENTS RELATIVE TO GEN. WASHINGTON.

Mr. WILLIAMS submitted the following resolution (S. Res. 297), which was read and, with the accompanying papers, referred to the Committee on the Library:

Resolved, That the Secretary of the Senate is authorized and directed to transfer to the custody of the Librarian of Congress the following documents which are now in the files of the Senate, namely: The message of President John Adams, December 19, 1799; letter of Tobias Lear to the President, December 15, 1799; address of the Senate to the President, December 23, 1799, and the answer of the President, December 23, 1799; address of the House to the President and his answer, December 19, 1799; message of the President, January 8, 1800; and a letter of Martha Washington to the President, December 31, 1799, all pertaining to the death of Gen. Washington.

PEACE OVERTURE.

Mr. HITCHCOCK. I send to the desk a resolution which I should like to have read.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The resolution (S. Res. 296) was read, as follows:

Resolved, That the Senate strongly indorses and approves the action taken by the President in sending diplomatic notes under date of December 18 to the nations now engaged in war, suggesting and recommending the first steps in possible negotiations to arrange the terms of peace.

Resolved, That it is the sense of the Senate that this action of the President represents the overwhelming public sentiment and earnest desire of the people of the United States.

Mr. HITCHCOCK. Mr. President, I ask unanimous consent for the present consideration of the resolution.

Mr. BORAH. Mr. President, I object to the present consideration of the resolution. I think this is a matter upon which we might reflect more than we have had an opportunity to do. I presume everybody would agree with the President in the great desire to have peace; nobody would certainly criticize the President for doing anything that would have a tendency in his judgment to bring about peace; but there is a wide difference of opinion as to how best to effectuate that purpose. So far as I am concerned, I do not want to be placed in the attitude of indorsing a proposition of such tremendous consequences as this, upon which I have had no opportunity to reflect, and about which we have had no facts presented by the President and whose note we have not had an opportunity to read only hurriedly and imperfectly.

In a matter of this kind each individual has a responsibility which he can not shift, and I have no desire to shift it. This resolution has just been presented this minute, has never been to a committee, and I do not propose myself to consent to its consideration at this time.

The PRESIDENT pro tempore. Under objection, the resolution will go over for a day and be printed.

Mr. HITCHCOCK. Mr. President, I recognize that under ordinary circumstances a resolution of this character should go to the Committee on Foreign Relations for consideration. I was moved by the fact, however, that we are about to take a recess for something like 10 days, and I thought it might be possible to have immediate consideration of the resolution by the Senate. I really am more than surprised that the objection should come from the Senator from Idaho, but I recognize that there is some force in what he says, that some time should be taken for deliberation, and I therefore ask that the resolution be referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. It is so ordered.

DOWNWARD TENDENCIES OF GOVERNMENT AND CITIZENSHIP.

Mr. WORKS. Mr. President, I give notice that on the 4th of January, immediately after the conclusion of the routine morning business, if permitted, I will address the Senate on the subject of the downward tendencies of Government and citizenship.

ADDRESS BY HON. ANDREW J. PETERS.

Mr. FLETCHER. I wish to submit an address before the Boston City Club, November 16, 1916, by Hon. Andrew J. Peters, Assistant Secretary of the Treasury, on the importance of our South American trade. It is a very valuable address, and I should like to have it referred to the Committee on Printing for action on the request to have it printed.

The PRESIDENT pro tempore. It will be so referred.

FLOODS OF THE MISSISSIPPI RIVER.

Mr. SHIELDS. Mr. President, I have here a copy of a report made by a subcommittee of the Senate Committee on Commerce on the control of floods of the Mississippi River. This report is now out of print. It is a very valuable report, and one which has been made by a committee of this body. I ask that it be printed in the RECORD for the convenience of Senators now having charge of the flood-control measur

Mr. SMOOT. Mr. President, there was so much confusion in the Chamber that we could not hear the request made by the Senator from Tennessee.

Mr. SHIELDS. This is a report made by a subcommittee, under the direction of the Commerce Committee, on the flood control of the Mississippi River. The report is now out of print; it is a very valuable report, and one which is pertinent to the flood-control bill now being considered by the Commerce Committee. In order that it may be available by that committee and by the whole membership of the Senate, I ask that the report be printed in the RECORD.

Mr. SMOOT. Very well.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The report referred to is as follows:

[Senate Report No. 1433, Fifty-fifth Congress, third session.]

FLOODS OF THE MISSISSIPPI RIVER.

Mr. NELSON, from the Committee on Commerce, submitted the following report.

The Committee on Commerce makes the following report of the action of the committee taken pursuant to the following resolution:

"*Resolved*, That the Committee on Commerce is hereby instructed to make full examination and inquiry as to the following questions and report thereon to the Senate, by bill or otherwise, on the first day of the regular session in December next:

"First. What are the causes of the disastrous floods in the Mississippi River and its tributaries, and how can such floods be prevented or diminished?

"Second. If such floods are the result to any extent of the destruction of timber upon or near the headwaters of said river or its tributaries, what measures should be adopted to prevent such destruction, and whether reservoirs to hold the water caused by rain or the rapid melting of snow on or near said headwaters should be constructed to prevent the floods caused by the sudden precipitation of the rain or snow water into the streams flowing from the regions where the sources of the Mississippi and its tributaries are located.

"Third. Whether said reservoirs, if their construction should be deemed necessary for the purposes before set forth, could not also be utilized for the irrigation of arid lands in the vicinity of such reservoirs.

"Fourth. Whether the outlet system by which it is proposed to furnish avenues through which the waters of the Mississippi River can escape in times of flood is practicable or expedient.

"Fifth. Whether the present system of improving the Mississippi and Missouri Rivers under which it is sought to confine the water within the banks of said rivers, by means of levees, and by such levees, together with jetties at different localities, to increase the erosive power of the current so as to protect the banks and deepen the channel, should be continued.

"Sixth. What has been the effect upon navigation and commerce of the jetties at the mouth of the Mississippi River, and what is the present condition of said jetties and their probable future?

"Seventh. Whether the Mississippi and Missouri River Commissions should be continued in existence; and if continued, what amendments should be made to the statutes creating such commissions and defining their duties and powers.

"Eighth. What legislation is necessary to prevent the enormous destruction of property by floods in the Mississippi River and its tributaries, and what amount of money should be appropriated by Congress for the establishment and maintenance of systematic improvements and safeguards for said purposes?

"That said committee shall have power to prosecute its inquiries through a subcommittee, which may sit during the recess of the Senate at such times and places as may be thought necessary, with power to send for persons and papers, and to employ a stenographer, the expenses of said committee to be paid from the contingent fund of the Senate."

The investigation contemplated by the resolution was carried on through a subcommittee composed of Senators NELSON, Elkins, Vest, McBride, GALLINGER, Berry, and Caffery.

In October, 1897, the subcommittee visited the reservoirs at the headwaters of the Mississippi, also St. Paul, Rock Island, and St. Louis on the Mississippi River, and Sioux City on the Missouri River, and took the testimony hereto appended. In February, 1898, the subcommittee went to Cairo, Ill., and from there on the Mississippi River down to the Gulf of Mexico on the boat of the Mississippi River Commission, and on this trip took the residue of the testimony hereto appended. The testimony so taken is comprehensive and instructive, covering every feature of the contemplated inquiry. In addition to the facts and data derived from the testimony, your committee have also derived much valuable information from a pamphlet on The Floods of the Mississippi River, by William Starling, chief engineer of the lower Yazoo levee district, 1897, and from Bulletin E of the Agricultural Department on the Floods of the Mississippi River, prepared by Park Morrill, under the direction of Willis L. Moore, Chief of the Weather Bureau, 1897. The pamphlet will be cited as "Starling," and the bulletin as "E."

The questions propounded for the investigation of the committee are to a large extent questions of science and engineering, and the committee can do little more than to briefly summarize the opinions and conclusions of experts.

CAUSES OF THE FLOODS.

The principal territory submerged or affected by the floods of the Mississippi River before the construction of levees, and in part since, consists of certain basins or bottoms along the banks of the river between Cairo and Forts Jackson and St. Phillip. These basins, from Cairo down, are as follows:

The St. Francis Basin, on the right bank of the river, extending from Cairo to Helena, near the mouth of the St. Francis River, and embracing an area of about 6,706 square miles;

The White River Basin, on the same side of the river, extending from Helena to near the mouth of White River, and embracing about 956 square miles;

The Yazoo Basin, on the left bank of the river, extending from a short distance below Memphis to a point near the mouth of the Yazoo River, and embracing, in all, about 6,648 square miles;

The Tensas Basin, on the right bank of the river, extending from near the mouth of the Arkansas River to near the mouth of the Red River, and embracing an area of 5,370 square miles;

The Atchafalaya Basin, on the same side of the river, extending from the junction of the Red and Atchafalaya Rivers to Fort Jackson, and embracing 8,109 square miles; and

The Pontchartrain Basin, on the left bank of the river, extending from Baton Rouge to Fort St. Phillip, and embracing an area of 2,001 square miles.

The aggregate area of all these basins is 29,790 square miles, or 19,065,600 acres. (Testimony, 431.) Ever since the immediate valley of the river below Cairo has been settled there has been a constant struggle to reclaim these basins and to protect them against overflows and floods. The problem has been in part accomplished, chiefly by means of levees, but much still remains to be done. The ultimate object of this investigation was to determine the best method for the complete and permanent protection of these basins against the floods and inroads of the river.

The Mississippi River at Cairo is composed of the waters of the Ohio, the upper Mississippi, and Missouri Rivers. The Ohio and its chief tributaries have their sources in the western slopes of the Allegheny Mountains and their spurs. The upper Mississippi and its principal tributaries have their sources in numerous lakes in that plateau of land between the Red River of the North and Lakes Michigan and Superior, and the Missouri has its source in the upper eastern slopes and foothills of the Rocky Mountains. The White and the St. Francis Rivers, with sources in the Ozark Mountains, in southern Missouri and northwestern Arkansas, and the Arkansas and the Red Rivers, with their sources in the lower eastern slopes of the Rocky Mountains, contribute considerable volumes of water to the Mississippi River within the basins subject to overflow.

The annual normal rainfall in the different river basins varies greatly. In the Ohio it is 44.2 inches; in the upper Mississippi, 31.9; in the Missouri, 19.4; in the Arkansas, 29.6; in the Red, 39.1; and in the central valley of the Mississippi, including the White and the St. Francis, 51.4 inches. (E, 24 and 25.) In the upper Mississippi and the Missouri the rainfall is, as a rule, greatest in May and June. In the Ohio and the central valley it is greatest in January, February, and March. (Starling, 22 and 23.)

The greatest and most destructive floods have generally come from the Ohio. This was the case with the great floods of 1882, 1883, 1884, and 1897; and these floods culminated in February or March. (E, 40–45, and Starling, 29 and 41.) Of the total amount of water passing Cairo during these floods the Ohio contributed 69 per cent in 1882, 70 per cent in 1883, 85 per cent in 1884, and 76 per cent in 1897. (Starling, 27 and 41.) These great floods from the Ohio River, like all similar floods, came from excessive rains in the basin of the Ohio and its tributaries. These rains arise from cyclonic storms and warm, moisture-laden winds, originating in the Gulf of Mexico, and passing thence up the central valley and the valley of the Ohio into the western slopes and spurs of the Allegheny Mountains, where a colder atmosphere is encountered, leading to the precipitation. (Testimony, 267.)

The Ohio floods, after passing Cairo, are frequently largely reenforced by floods from the White and St. Francis Rivers and other streams in the central valley. Occasionally the floods from the Missouri and upper Mississippi are, to a limited extent, a factor in extending or prolonging the flood on the lower river, but this applies rather to the May and June freshets of the Ohio than to the earlier and more extensive ones. (Starling, 24 and 25.)

In Bulletin E (p. 46) the "Cause of the Mississippi floods" is thus summarized:

"It is, of course, conceivable that a flood should occur in the lower Mississippi from heavy precipitation over any of the great contributary basins. In these floods of the past quarter century we do not, however, find the western tributaries playing an important part. The great source of floods is the Ohio Basin, with its steep slopes from the crest of the Alleghenies, upon which falls the heaviest rains of spring at a time when the normal rise of the lower Mississippi brings the river almost to the danger line from Cairo to the Gulf. In the greatest floods we also find that heavy rainfall over the great swamp region that extends along the Mississippi from the mouth of the Ohio to the Gulf of Mexico is an important factor. Third in importance as a factor in producing floods is the upper Mississippi, which, while never discharging a volume sufficient to produce of itself a flood, yet, rising later than the Ohio, serves to prolong the high water, and thus to increase the overflow."

There are other causes, to which we shall refer further on, which have tended more or less to aggravate the destructive features of recent floods, but the foregoing presents briefly, and in a general way, the primary and chief cause.

DESTRUCTION OF FORESTS.

Nothing in the evidence or other data obtained by your committee discloses the fact that the destruction of timber at or near the headwaters of these river systems tends to cause or promote the floods referred to. It was shown that where timber is cut down for purposes other than cultivation the underbrush remains and grows more luxuriant than ever, and such underbrush serves to retard rather than hasten the movement of water on the slopes and hillsides; and where timber is cut down for purposes of clearing and cultivation the plowed area becomes an enlarged absorbent of surface moisture. It is a generally accepted opinion that the destruction of timber tends rather to diminish than to increase the rainfall.

RESERVOIRS.

There are five reservoirs constructed at the headwaters of the upper Mississippi. These reservoirs repress to some extent the floods in the river bottoms above Lake Pepin and improve the navigation of the river in low water down to that point, but have no material effect upon the floods or navigation of the river below that point. The evidence discloses no other points on the upper Mississippi available for reservoir purposes. On the Missouri the only point where sufficient holding ground could be found for a reservoir of any magnitude is on a reach of the river above Great Falls. Such a reservoir, if constructed high enough to bring the waters of the Missouri River into the Milk River Valley, would be valuable for purposes of irrigation, but would have no material bearing on the floods in the Mississippi River nor on the navigation of the Missouri River.

The evidence, as well as the other data, discloses that on the Ohio River, as well as its main tributaries, where reservoirs could act more directly on the floods than elsewhere, with the exception hereinafter stated, there are no suitable sites or holding grounds where reservoirs could at any moderate or reasonable expense, and without working far-reaching and extensive damage, be constructed that would at all be adequate to pen up and retain the great downpour from innumerable mountain torrents during the great freshets of January, February, and March. There are no great basins adequate for reservoir purposes either on the Monongahela, the Allegheny, the Tennessee, or the Cumberland; and to be effective in repressing the floods of the Ohio, big, strong reservoirs would be requisite on these streams.

The only place where a reservoir basin can be found, proximate and sufficiently large to afford a holding ground at all commensurate with any material or practical relief is the St. Francis Basin; but the cost of constructing and maintaining a system of reservoirs in this basin would be enormous, and far greater than the cost of leveeing the entire river front of the basin. The scheme is regarded by nearly all engineers and other experts as wholly impracticable. In short, your committee can discover no just or adequate relief in reservoirs.

OUTLETS.

Neither can your committee discover from the evidence, or through other sources, any material relief from the outlet system. It is not practicable to relieve the river by means of outlets except below the Red River. Two important natural outlets now exist and have for years existed on this reach of the river—the Atchafalaya and Bayou Lafourche. A third, Bayou Plaquemine, is now closed pending its preparation for reopening by means of locks and dams. But these outlets, or others that might be constructed on this reach of the river, could afford no perceptible relief for the river about, where relief is much more called for and needed. The St. Francis, Yazoo, White, and Tensas Basins can get no relief from any practicable outlet system. And where this system exists and is feasible there is no disposition to extend it or to substitute it for levee enlargement. (Testimony, 424–455, 335, 375; see also Humphrey and Abbott's report of 1861 as to reservoirs and outlets.)

LEVEES.

The history of levee construction on the Mississippi River has been a history of the gradual reclamation of the several basins or bottoms from the inroads of the floods of the river. Anterior to levee construction these basins served as great natural reservoirs for the floods, the exterior hills or ridges of the basins serving as the high-water banks of the river; and within these banks so wide apart and with these basins for a high-water bed the floods never reached the high level nor the increased rapidity obtained since the great extension of the levee system. Levees are the penning up of the floods of the river from these high-water basins. The narrowing of the high-water stream by means of levees does not result in materially scouring a deeper channel nor in raising the bed of the river (testimony, 269), and so the stream at its flood stages, as it becomes narrower, also becomes higher. Contraction without deepening of necessity leads to elevation, and as a consequence levee construction has brought in its wake higher flood levels, necessitating from time to time higher and stronger levees. The history of levee construction shows this. (Dabney, testimony, 311; Driver, testimony, 199; Starling, testimony, 269; Gillespie, testimony, 382, 383; Newcomer, testimony, 334; Richardson, testimony, 370, 371; Taylor, testimony, 237, 239, 241; Table, testimony, 432; Tollinger, testimony, 510.)

The first levee construction began in 1717, when a levee 1 mile long was constructed to protect New Orleans, then a mere village. This levee was 4 feet in height and 18 feet across at the top. The country settled up slowly, and levee construction only kept pace with the settlement. Fifty years after this levee was built the settlements extended only 30 miles above and 20 miles below the embryo city. It was not until after Louisiana had been ceded to the United States that levee extension was undertaken on an enlarged and systematic scale. By 1828 the levees, though of rather inferior character, had been extended nearly up to the mouth of the Red River. At the beginning a levee 4 feet in height was ample, but as levee construction progressed up the river, and additional basins and bottoms were inclosed and protected, the levees were, of necessity, increased in height. (Testimony, 237.) There are still levees below New Orleans that are only from 3 to 4½ feet in height, but the average height of the levees in Louisiana, above New Orleans, is now from about 12 to 13 feet (testimony, 380, 369), and this height proved insufficient in the great flood of 1897 (testimony, 370).

The flood stage of 1897, above New Orleans, was from 1½ to 3½ feet higher than that of any previous flood, notwithstanding that the flood level at Cairo was less than in 1882–83 and 1884. Three great crevasses occurred in 1897 that remained unrepaired until after the flood subsided, and several minor crevasses occurred, which were closed during the pendency of the flood. This increased flood level was "partly due to the improvement and increase of levees." (Testimony, 370. 371, 380, 423, 424.) The experience of 1897 indicates that a complete inclosure of all the river basins will require from 3 to 4 feet higher levees in Louisiana. The levees on the Yazoo Basin were only 4 feet high in 1858. From 1874 to 1882 they were raised to from 7 to 8 feet (testimony, 269–308), which proved insufficient under the flood of 1882; and based on this flood as a standard, the levees were increased to an average of from 13 to 14 feet in height prior to 1897. This was more than 3 feet above the high water of 1882 (testimony, 308–311), but it proved utterly insufficient under the flood of 1897.

Since the floods of 1882–83 and 1884 the White River Basin, the upper Tensas Basin, and much of the St. Francis Basin have been inclosed, and this, together with the higher levees on the Yazoo front, have greatly aggravated and raised the flood levels on this reach of the river. (Testimony, 269, 272, 273, 311.) The flood of 1897 made it plain that a complete inclosure of all the river basins would require an increase of from 4 to 6 feet in height of the Yazoo levees. (Testimony, 274–275, 311; see Starling's paper on levee construction in Yazoo Basin, testimony, 505–508.)

The work of inclosing the White River Basin was commenced in 1888, and most of it was done after 1890. By 1897 the basin had been inclosed by a levee of an average height of 12 feet, deemed sufficient under the flood levels of 1882–83 and 1884, but this proved utterly insufficient in the flood of 1897. That flood overtopped the levee at many points, and was from 4 to 6 feet higher than any previous flood, clearly indicating that a complete levee system along the entire river would require an increase of 6 feet in the levee height along this basin. (Testimony, 301, 302.)

In the upper Tensas Basin nearly all levee construction has taken place since 1882—mainly since 1892. In the lower Tensas Basin there was an old levee existing before this period, but of low grade and insufficient in strength. By 1897 the upper and lower Tensas Basin levees had attained an average height of 13 feet. In the flood of 1897 the river was from 2½ to 3 feet higher in front of these basins than in the flood of 1882, and hence the levees were insufficient. Had the level in 1897 not been any higher than in the floods of 1882–83 and 1884, the levees would have been ample. (Testimony, 330–332.) Several serious crevasses occurred in these levees during this flood. The higher flood level of 1897 was largely due to increased levee construction and the further inclosures of river basins. (Testimony, 334.) The completion of the levee system would require the levees on the Tensas Basin to be raised to the height of from 17½ to 18 feet. (Testimony, 334, 335.)

In the St. Francis Basin levee construction begun in 1893. Since that time a continuous levee of an average height of 9 feet has been constructed from Point Pleasant, Mo., to Chute 38, Ark., a distance of 127 miles. About 100 miles more are required to reach the mouth of the St. Francis River and to entirely inclose the basin. The levees on the St. Francis Basin proved insufficient for the flood of 1897, and several serious and extensive crevasses occurred. These levees need to be made stronger and higher—at least 2 feet higher than the grade of 1897. (Testimony, 167–170.)

The flood of 1897 wrought great havoc, especially in the older levees, many of which have been defectively and improperly constructed. There were 23 breaks in the St. Francis front, 6 in the Yazoo front, 14 in the White River front, and 4 in the Tensas front, most of which occurred from an overtopping of the levees. Below the Red River there were only a few small breaks, and these were closed during the pendency of the flood. (Testimony, 432.) Engineer Ockerson in his testimony (p. 432) describes the flood of 1897 and compares it with the flood of 1882, as follows:

"From a point about 100 miles below Cairo to the Gulf the stage reached in 1897 was greater than any previous record. As far as volume of water is concerned, however, the flood of 1882 was much greater than that of 1897. The flood of 1882 stood above the danger line at Cairo, or 42 feet on the gauge, for a period of 72 days. The flood of 1897 stood above the danger line for a period of 54 days. During the flood of 1897 the tributaries below Cairo were all rather low."

Table showing relative heights of floods of 1882 and 1897.

	1882	1897
Cairo	51.9	51.6—0.3
Belmont	45.1	45.1 0.0
New Madrid	40.9	40.3—0.6
Cottonwood Point	37.5	39.3+1.8
Fulton	36.7	37.5+0.8
Memphis	35.2	37.7+2.5
Mhoon	39.8	41.6+2.8
Helena	47.2	51.8+4.6
Sunflower	41.7	47.3+5.6
White River	48.4	52.4+4.0
Arkansas City	47.1	51.9+4.8
Greenville	41.7	46.8+5.1
Lake Providence	38.3	44.4+6.1
Vicksburg	48.8	52.4+3.6
St. Joseph	44.9	47.9+3.0
Natchez	47.8	49.8+2.0
Red River	48.5	50.2+1.7
Bayou Sara	39.3	43.8+4.5
Baton Rouge	36.0	40.7+4.7
Plaquemine	31.3	36.3+5.0
College Point	23.2	28.0+4.8
Carrollton	15.0	19.0+4.0

A due consideration of the testimony and other data bearing on the subject makes it clear that the flood of 1897 was, in its effects and consequences, greatly enlarged and aggravated by the extensive inclosure of basins and the extended and enlarged levee construction that had taken place since the floods of 1882–83 and 1884 (testimony, 241), though it is doubtless true that if no levees at all had been in existence a larger area would have been submerged. Engineer Starling, in his book (41, 42), to which we have already referred, concurs in this conclusion in the following clear and apt language:

"It is not only the magnitude of the flood of 1897 which has made it of surpassing importance to the engineers of the Mississippi service. The widespread damage which it has wrought, while great, is yet not without a parallel. Its principal interest to the engineer is due to the experience which has been derived from the wholesale closure of unleveed tracts and the extraordinary elevation of its high-water line consequent thereon. There are two of the great basins into which the Mississippi Valley is divided which have only recently been protected to any extent by levees. These are the St. Francis and the White River Basins. The former was closed during the last three years, or since the flood of 1893, to a distance, measured along the river, of about 120 miles. There still remains a gap of about 100 miles. The White River Basin has been undergoing a gradual process of closure for several years. In 1893 there was a gap of about 15 miles, extending between points 330 and 360 miles, respectively, by river, below Cairo. In 1896 this gap was closed and the line of levee was made continuous from the hills at Helena to a point 8 miles above the mouth of White River. It is to the building of these lines and to the maintenance of the lines previously existing until a late period of the flood that the unparalleled stages attained by the water have been due."

The construction and repair of levees was, in the first instance, undertaken by riparian owners, afterwards by parishes or counties, then by the States or certain levee districts, under the authority of the States, and finally by the latter and the Federal Government combined, which is the system now prevailing. The first material aid given by the Federal Government was a grant of swamp and overflowed lands made to the several States in 1850. The same year Congress also made provision for a survey and investigation of the Mississippi River.

This work was carried on for the next 10 years under the direction of Capt. Humphrey and Lieut. Abbott, who made their final report in 1861. This report was most thorough and exhaustive, and is still the standard work on the hydraulics and physical features of the river. It made clear that no substantial relief from floods could be obtained from reservoirs or outlets, and that levees, properly constructed, would afford the necessary relief and protection. Neither the testimony taken by your committee nor other obtainable data has shaken or invalidated these conclusions. During the Civil War levee construction was at a standstill. After the war was over the several States began, without concert and without due plan or system, to extend and repair the levees. But the great flood of 1874 showed how inadequate, both in quality and quantity, the efforts of the States were. Congress again intervened and passed an act providing for the appointment of a commission of five engineers to investigate, determine, and report as to the best plan for relief against the floods.

This commission made its report in 1875, and came to the same conclusion as Humphrey and Abbott did in 1861—that a system of levees could alone afford adequate protection. But no systematic improvement of the river by the Federal Government was yet undertaken. Finally, in 1879, Congress passed an act creating the Mississippi River Commission, outlining its work in the following terms:

"It shall be the duty of said commission to take into consideration and mature such plan or plans and estimates as will correct, permanently locate, and deepen the channel and protect the banks of the Mississippi River, improve and give safety and ease to the navigation thereof; prevent destructive floods; promote and facilitate commerce, trade, and the Postal service."

From 1879 to 1882 $1,475,000 was appropriated by Congress for expenditure by the commission in making surveys and in improving the navigation of the river, but none of it was allotted for levee construction. In 1882 Congress appropriated the gross sum of $4,123,000, and from this the first direct allotment for levee construction was made—about $1,300,000 in all. (Testimony, 237.)

The testimony of Judge Taylor, a member of the commission, explains in detail the make-up of the commission, the mode in which it performs its work, and the methods it pursues. From each appropriation made the commission allots a certain proportion for the construction and repair of levees in each levee district, which is expended by the United States engineer in charge of the district. The commission plans the work, subject to the approval of the War Department, and the district engineers carry on the work conformable to the plan.

The first effort of the commission was directed to the closure of the Yazoo Basin, and then followed the improvement of the Tensas Basin, then the White River Basin, and, finally, a part of the St. Francis Basin. In the respective levee districts the State and Federal engineers, while acting in concert and harmony as far as possible, work each on separate and distinct portions of the river. One reach is constructed under Federal authority and another under State authority. When a levee is constructed the constructing engineer or his successor takes charge and care of the same. (Testimony, 257, 258.) In case of an emergency there is, by mutual consent, a sort of joint care and supervision. As a rule, both Federal and State engineers are men of fine attainments, high character, and great public spirit, which tends to obviate any friction that otherwise might ensue from an undefined joint tenancy. It would no doubt be advisable to provide by law in which authority the care and maintenance of a constructed levee should vest. The evidence (p. 518) discloses the fact that 18 suits have been brought against the United States for damages claimed to arise from the construction and maintenance of levees or failure to construct or maintain proper levees along the Mississippi River. The aggregate amount of damages claimed in these suits is $656,337.04.

From a table (following p. 518 of testimony) prepared by Capt. Waterman, secretary of the Mississippi River Commission, under the direction of Gen. Gillespie, president of the commission, it appears that the total yardage of levees constructed by Federal, State, local, and private authority is 164,860,375 yards, built at a cost of $47,631,503.78, of which yardage 68,570,431 yards were constructed by Federal authority at a cost of $13,320,708.44 and 96,289,944 yards by State, local, and private authority at a cost of $34,310,795.34.

It is estimated that it would cost to complete the entire levee system, from the head of the St. Francis Basin to the Head of the Passes, at a grade sufficiently high and strong to afford complete protection against floods at the highest probable stages, the sum of from $18,000,000 to $20,000,000, and that it would take from four to five years to complete the system. (Testimony, 245, 246, 357, 360, 390, 396, 408.)

From all the evidence taken and considered by your committee it is evident that the basins and bottoms along the Mississippi River exposed to the floods of the river can only be protected and preserved from such floods by an ample and complete system of levees from Cairo to the Head of the Passes.

Crevasses and inundations, resulting in extensive loss of life and property, are liable to occur during all floods so long as the system is incomplete. The burden of completing the levee system is too great for local and State authority. Your committee are of the opinion that the Federal Government should continue, as it has since 1882, to aid in the great task of controlling and repressing the floods in the river.

Your committee are also of the opinion that the Mississippi River Commission should remove its principal office and headquarters from New York City to some point on the Mississippi River.

NAVIGATION, MISSISSIPPI RIVER.

The testimony discloses that the navigation of the upper Mississippi River has been considerably improved by the reservoirs on the reach above Lake Pepin and by riprapping, wing dams, spur dikes, hurdles, revetment works, and a little levee work at various points on the river below that reach. (Testimony, 20–34.)

The Mississippi River Commission has carried on more or less extensive improvements of the navigation of the river on many of the reaches below Cairo. Such improvements, in addition to levee work, have consisted of bank protection in the form of riprapping and various kinds of revetment work, of channel contraction by means of jetty work, hurdles, and various forms of spur dikes, and of dredging on an extensive scale. Some of the work has been rather tentative and of a temporary character, and on account of the great cost has not been followed up.

At present, aside from levee work, the chief reliance for obtaining a low-water navigable channel seems to be dredging. The new style of hydraulic dredges seems to be very potent and effective and seems to give great and promising results. Four new dredge boats have been for some time completed and in use, and two more are under contract and by this time ready for use, and there is money available for another dredge. It is estimated that from 9 to 10 dredges will be required to keep a due low-water channel open. (Testimony, 100–108, 140–148, 218–235.) In the light of results obtained, your committee recommend that ample provision be made for the construction of dredge boats and dredging. In view of the great cost, especially great as to results, it seems that it would be more judicious to limit revetment work to levee and harbor protection. Contraction by means of jetties, dikes, and dams, supplemented by dredging, seems to have given the best results at least cost. There is no doubt that revetments are very efficacious, but the cost is so immense that its systematic application is scarcely warranted.

JETTIES AND PASSES.

As the Mississippi River in its downward course is about to debouch into the sea it divides itself into three great passes, through which it enters the Gulf, and forms the delta at its mouth. These passes are known as the Southwest Pass, South Pass, and Pass a Loutre. From New Orleans down to the Head of the Passes there has been no impediment to deep-water navigation. The impediment occurs in the passes, especially at their heads and mouths, chiefly the latter. Prior to the improvement of the South Pass by means of jetties navigation was chiefly confined to the Southwest Pass, though Pass a Loutre had for some years been utilized to some extent.

In 1839, when the Southwest Pass was first examined, it was 15.2 miles long and 13 feet deep on the crest of the bar, and it was then, as now, of an average width of twice the width of the South Pass. Between that time and 1877 considerable work was done in improving this pass, but such work, aside from a short and abortive jetty work on one side of the pass in 1856, consisted of dredging and stirring up the bed of the channel by means of drags, harrows, scrapers, blasting, torpedoes, and other similar appliances. By these means a depth of 18 feet was at one time for a short period obtained on the crest of the bar. In 1874, the year before the improvement of the South Pass began, the Southwest Pass had attained a length of 18 miles, with a depth of only 15 feet on the crest of the bar, and on the 9th day of February last the pass had attained a length of 18½ miles, with a depth of only 9 feet on the crest of the bar, according to soundings then taken. (Testimony, 464.)

In aid of the improvement of the South Pass Capt. Eads placed a mattress sill acros the head of the Southwest Pass, which, aside from a little dredging prior to 1878, is the only improvement made in this pass since 1875.

Prior to 1875 like efforts at improving Pass a Loutre, except jettying, were also made, which were in like manner partially successful. By the fall of 1858 an 18-foot channel had been obtained in this pass, and for some years it was, on account of being the shorter pass, utilized for purposes of navigation; but in 1875 the channel was destroyed

by a large mud lump, and since that time no improvement has been made, except placing a mattress sill at the head of the pass and the work of attempting to close a large crevasse on the south side of it near the upper end, both of these works being in aid of the maintenance of the South Pass jetty system.

The South Pass in 1838 was 11.3 miles long, 700 feet wide, except at the extremities, and 8 feet deep on the crest of the bar. In 1875 it was about the same length and width, but only 7 feet deep on the crest of the bar. In 1874 a board of engineers consisting of three Army engineers, three civil engineers, and one from the Coast and Geodetic Survey was appointed to devise and determine upon some plan of securing deep-water navigation through one or more of the passes. This board, after visiting Europe and examining many works there involving similar problems, recommended, in January, 1875, the improvement of the South Pass by means of jetties. In pursuance of this recommendation Congress, in March, 1875, conferred the task of making the improvement upon James B. Eads and associates. The jetties were practically built on lines recommended by the board.

The original act provided for a channel 30 feet deep and 350 feet wide, but by 1878 it became evident that such a channel could not be obtained by the work then laid out, and accordingly Congress was induced to remit, by acts passed in 1878 and 1879, the requirement to a channel 200 and 250 feet wide and 26 feet deep, and on this basis the work was deemed completed in July, 1879. In making the improvement, and as a part of it, training dikes were built at the head of the pass, and mattress sills were laid at the head of the Southwest Pass and Pass a Loutre In 1891 the west end of Pass a Loutre sill was carried away, and a large break occurred on the west bank of Pass a Loutre about 1½ miles below the head of the South Pass.

This break, although several attempts have been made to close it, has not yet been closed, and in consequence thereof, as well as on account of the loss of the contiguous end of the Pass a Loutre mattress sill and portions of the training dikes, and lack of repair and maintenance in some of the training dikes, the inflow of water into the South Pass has been less than before, which has, no doubt, to some extent detracted from the scouring force in the pass, necessitating some dredging for the maintenance of the requisite channel. Before these drawbacks occurred the pass received from 10 to 11 per cent of the water in the main stream; since then only 7 per cent. Three hundred feet of the jetties at the sea end have been washed away on both sides, and in addition to this 150 feet of the jetty on the west side. None of the jetties thus washed away has been replaced. The east dike at the head of the pass has also been washed away. This was a training dike 1,250 feet long, and has never been replaced.

There is also an open and exposed gap 1,100 feet long between the end of the Pass a Loutre mattress sill and the end of the bank or dike on the east side of the pass. The gap was, when the work was completed, filled with a training dike. Five hundred feet of the mattress sill in Southwest Pass have also been carried away. In short, neither the jetties nor the training dikes nor mattress sills have been kept up to the condition they were in 1879, but have been allowed to diminish and deteriorate.

Up to 1889 the channel was maintained at the required depth substantially without dredging. Since that time it has deteriorated and has not been maintained without considerable dredging. During the year ending June 30, 1896, there were 169 days of dredging. Within the last four years there has been an average of 100 days' dredging each year. The channel was not kept at the required depth for 47 days during the year 1897. On the whole, it appears that, although the jetties have accomplished much good and great results, they have not wholly succeeded, owing to the causes enumerated, in maintaining the fine channel that existed from 1879 to 1889. To maintain the good results then obtained the dikes, sills, and jetties carried away should be replaced or restored as far as practicable. Besides, the jetties should be extended seaward farther than originally built in order to keep pace with the extension of the bar into the Gulf.

Jetties are the artificial extensions of the natural banks of the stream, and as the bed of the stream is, from the silt moving in the river, prolonged into the Gulf the jetties must of necessity keep pace with such extension. For practical purposes the pass is not adequate for vessels drawing over 24, or at most 25, feet of water. This is insufficient for the wants of modern commerce. Vessels drawing from 27 to 30 feet and over are now quite common and much more economical than small vessels. It is very doubtful whether a channel sufficient for this larger class of vessels can be obtained in the South Pass. Maj. Quinn maintains that it can. Engineer Donovan, with a 20-year acquaintance with the pass, maintains that it can not.

Your committee visited the pass in February last and with a 26-foot channel found the pass bank full at all points. Unless the pass can absorb much more water the scouring process can not be increased or a deeper channel obtained by that method. To secure a greater volume of water it would be necessary to build and prolong great training dikes at the head of the pass and to fortify them with mattress sills and other works, so as to bring about a larger inflow. In the next place, it would be necessary to build strong and extensive levees on both sides of the pass from the head to the jetties. There is scarcely sufficient foundation for such levees. The earth and riprapping would have to be brought from a great distance, and the embankment would be subject, more or less, to the storms, the waves, and the backwash of the Gulf. In short, such leveeing would be an extensive and most expensive jettying from the head of the pass to deep water in the Gulf. These are some of the difficulties which occur even to the lay mind. To say the least, the cost would be enormous and the result very problematical.

But the commerce of the Mississippi Valley asks and is entitled to a much deeper and broader channel to the sea than that now afforded or likely to be afforded by the South Pass. The Southwest Pass is regarded in many quarters—lay and expert—as the cheapest and most feasible route through which to obtain the requisite deep-water navigation. Congress has already made provision for a thorough examination and survey of this route. The engineers having the work in charge have not yet made their report, and until they do it would be premature for us to suggest or advise. We may add that to improve the Southwest Pass and at the same time to maintain and utilize the South Pass, thus securing the advantages of two passes, is no novelty.

This plan was adopted in 1853, when provision was made and work carried on for the improvement of both the Southwest Pass and Pass a Loutre. In case of extensive repairs or accidents there would always be one pass open and available for navigation. (See Maj. Quinn, Testimony, 443–463; Engineer Donovan, Testimony, 466–482; Engineer Ockerson, Testimony, 463–465; also his article on "The problem of deep-water navigation through the passes," etc.; also Testimony, 440–443, 483–490, 493–503.)

MISSOURI RIVER AND MISSOURI RIVER COMMISSION.

In respect to the Missouri River Commission and its work, we beg leave to state that it has had charge of the river from Sioux City to its mouth, and that its work in recent years has been chiefly confined to the improvement of the navigability of some 45 or 46 miles of the lower reach of the river and to so-called harbor improvements for the protection of the river fronts of towns from the inroads of the river on the other reaches of the river. The work done has no doubt been beneficial for the purposes intended, and the money appropriated has, under the limitations stated, been judiciously expended.

The Missouri River is so eccentric and uncertain that great difficulties are encountered in controlling its movements from year to year, and nothing but systematic and patient effort can avail in its improvement. The commission has recommended in all its reports the improvement of the river by reaches, commencing at the mouth, and the work done under this system has proved eminently successful; but Congress has unfortunately permitted the appropriations for the general improvement of the river to be diverted to local improvements, which, being isolated and unsupported, are usually swept away by the annual overflows.

The condition of the river, by reason of the failure to adopt systematic and continuous improvement by reaches, as recommended by the commission, has been so bad as to discourage navigation, the rates of insurance upon boats and cargoes being absolutely prohibitory.

Your committee is of opinion that, in view of the great agricultural wealth of the country through which the Missouri River flows, and especially the enormous production of grain, the river should be so improved as to afford every facility for its navigation by boats and barges, so as to prevent excessive charges by railroads and also to make lower rates for transportation. If the system recommended by the commission could be faithfully adhered to for a few years, the river would be put in such condition as would induce the presence of steamboats and barges, so as to render it impossible for railroads to monopolize freights.

REPORT OF BUREAU OF EFFICIENCY (H. DOC. NO. 1793).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Civil Service and Retrenchment and ordered to be printed:

To the Senate and House of Representatives:

As required by the acts of Congress approved March 4, 1915, and February 28, 1916, I transmit herewith the report of the United States Bureau of Efficiency for the period from March 25, 1913, to October 31, 1916.

WOODROW WILSON.

THE WHITE HOUSE, *December 21, 1916.*

MENTAL HYGIENE AND RURAL SANITATION DIVISIONS.

Mr. UNDERWOOD. Mr. President, I ask unanimous consent for the present consideration of the bill (S. 2215) to provide divisions of mental hygiene and rural sanitation in the United States Public Health Service, which was reported by the Senator from Louisiana [Mr. RANSDELL] from the Committee on Public Health and National Quarantine. That Senator is now detained from the Senate on account of sickness.

Mr. WORKS. Does the Senator move to take up the bill?

Mr. UNDERWOOD. No; I can not move to take it up at this time.

Mr. WORKS. I object to the consideration of the bill at this time. I expect to have something to say about it when it comes up, but I am not prepared to have it taken up now.

Mr. UNDERWOOD. I understood the Senator desired to make a statement in reference to the bill, but I did not understand that he desired to prevent its consideration.

Mr. WORKS. I expect to discuss the bill when it comes up, and I object to its present consideration.

STOCK-RAISING HOMESTEADS (S. DOC. NO. 641).

Mr. THOMAS and Mr. CHILTON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. THOMAS. I ask that the conference report on House bill 407 be now taken from the desk and disposed of.

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

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. JONES. Has the report been read, Mr. President?

Mr. THOMAS. I ask to have the report read.

The PRESIDENT pro tempore. The report has heretofore been read and printed in the RECORD.

Mr. THOMAS. I ask that it be again read. It has been read so long since that I presume none except those who are on the committee know what the contents of the report are.

The PRESIDENT pro tempore. The Secretary will again read the report.

The Secretary read the report, as follows:

"The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 407) to provide for stock-raising homesteads, 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, 3, 4, 5, and 6.

"That the House recede from its disagreement to the amendments of the Senate numbered 7, 8, and 10, and agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Page 3, line 12, after the word 'areas,' insert the following: 'of the character herein described'; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Strike out all of section 9 of the bill; and the Senate agree to the same.

"That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Page 9, line 22, after the word 'lands,' add the following:

"'*Provided further*, That such driveways shall not be of greater number or width than shall be clearly necessary for the purpose proposed and in no event shall be more than 1 mile in width for a driveway less than 20 miles in length, not more than 2 miles in width for driveways over 20 and not more than 35 miles in length and not over 5 miles in width for driveways over 35 miles in length: *Provided further*, That all stock so transported over such driveways shall be moved an average of not less than 3 miles per day for sheep and goats and an average of not less than 6 miles per day for cattle and horses.'

"And the Senate agree to the same.

"On page 2, line 22, after the word 'appeal,' add the following: 'but no right to occupy such lands shall be acquired by reason of said application until said lands have been designated as stock-raising lands.'

"M. A. SMITH,
"C. S. THOMAS,
"REED SMOOT,
"*Managers on the part of the Senate.*
"SCOTT FERRIS,
"EDWARD T. TAYLOR,
"IRVINE L. LENROOT,
"*Managers on the part of the House.*"

Mr. CURTIS and Mr. JONES addressed the Chair.

The PRESIDENT pro tempore. The Senator from Colorado has the floor.

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

PROHIBITION IN THE DISTRICT OF COLUMBIA.

Mr. CURTIS. Mr. President, it is not my purpose to make any remarks upon this bill or to oppose the conference report, but I desire to detain the Senate for a few moments on another subject, and I thought I would take advantage of this opportunity and occupy the attention of the Senate for 5 or 10 minutes.

Mr. THOMAS. I have no objection, and I will yield the floor to the Senator from Kansas for that purpose.

Mr. CURTIS. Mr. President, it was my desire to be recognized at the conclusion of the remarks of the junior Senator from Missouri [Mr. REED] on Tuesday last; but I was temporarily called out of the Chamber. When I returned, another Senator was occupying the floor, and when he concluded it was too late for me to be recognized. Later in the afternoon several Senators on this side, myself included, who desired to speak upon the bill prohibiting the sale of intoxicating liquors in the District of Columbia gave way, believing and hoping that we would get a final vote upon the measure that afternoon.

In the course of the debate there were statements made upon the floor of the Senate that I feel I should bring to the attention of the Senate so that they may know the facts. First, I desire to direct the attention of the Senate to a remark of the Senator from New Jersey [Mr. MARTINE]. I am satisfied that the Senator from New Jersey did not intentionally desire to misrepresent conditions in the city of Topeka when, quoting from a book of statistics, he made the following statement:

Mr. MARTINE of New Jersey. Topeka, which had a population of 40,000 inhabitants, approximately——

Mr. THOMPSON. The population is a little more than that, I think.

Mr. MARTINE of New Jersey. A little more possibly now; but during the month of September, 1913, there were imported into the city of Topeka 90,062 gallons of whisky, to say nothing of beer. How does the Senator account for that if Kansas is a prohibition State?

Mr. President, I wired to the county clerk at Topeka, who has charge of matters of this kind, and I received from him a telegram in reply. I believe the Senate should know the facts, and, therefore, I desire to have the Secretary read the telegram from the county clerk, who has charge of the records as to the shipment of intoxicating liquors into Topeka.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read the telegram, as follows:

TOPEKA, KANS., *December 20, 1916.*

HON. CHARLES CURTIS,
United States Senate, Washington, D. C.:

Answering telegram concerning liquor shipments into Topeka during September, 1913, the statement on the floor of the Senate is the same misstatement that has been bandied about by the liquor leagues and brewers in every wet and dry fight from Washington, D. C., to State of Washington last three years. Have to-night made compilation of receipts according to reports of all express and railroad companies for September complete. The 2,823 shipments totaled 29,079 gallons, of which 26,404 were beer and the balance other liquors, as whisky, wine, and alcohol, an average of 1.6 gallons per inhabitant. Have written 100 letters denying this same story and proving the records.

O. K. SWAYZE, *County Clerk.*

Mr. CURTIS. Now, Mr. President, as I said a moment ago, I am satisfied that the Senator from New Jersey did not quote from the book of statistics which he consulted with the intention of misrepresenting the extent to which intoxicating liquors were used in Topeka in the month of September, 1913, but the figures given are not correct; they greatly misrepresent that city, and they are so far beyond the truth and so greatly exaggerated that I fear they were supplied by the saloon interests. They have been denied many times, and the true figures have been given by the county clerk of Shawnee County, Kans., who, as I have said, has had charge of the shipments of such liquors into Topeka. The records are open to the public, and there is no excuse for the publication of such untrue figures.

It will be seen from this message that the figures quoted by the Senator from New Jersey [Mr. MARTINE] as to whisky are thirty times greater than the official report shows, and do the city of Topeka a great injustice, and those who continue to publish these false reports should be condemned by all lovers of truth and honesty.

On page 560 of the RECORD I read the following, the senior Senator from Kansas [Mr. THOMPSON] having the floor:

When that law went into effect the illiteracy of the State was 49 per cent.

I am afraid my colleague was given the wrong data as to the illiteracy in Kansas in 1880.

Mr. THOMPSON. Mr. President——

Mr. CURTIS. The census for that year shows that only——

Mr. THOMPSON. Mr. President——

Mr. CURTIS. Just a minute—when I conclude the sentence. The census for that year shows that only 3.6 per cent of the people of Kansas were unable to read, and only 5.6 per cent were unable to write.

I yield to my colleague.

Mr. THOMPSON. Mr. President, I will say that I intended, when the junior Senator from Missouri [Mr. REED] should be present, to call attention to various things that were said in connection with the discussion the other day. I have sent for the Senator, but I understand that he is unable to come this morning.

I think likely the statement I made as to the illiteracy in Kansas during saloon days is too high. I certainly do not want to make it appear that even under the saloons my State was more illiterate than it actually was. The figures I quoted were taken from the speech of Gov. Stubbs at Chicago, and from various speeches that were made in Topeka last January, when the last indebtedness of the State was paid. I had my secretary telephone to the Census Bureau with the idea of finding out as nearly as possible the exact situation as to illiteracy in Kansas during the saloon days and since that time.

There are no returns in the Census Bureau relative to illiteracy in Kansas from 1860 to 1870; hence I can give no figures from that department. In 1880, however, the illiteracy in that State was 5.6 per cent as shown by the figures in the Census Bureau. In 1890 it was 4 per cent. In 1900 it was 2.9 per cent, and in 1910 it was 2.2 per cent. So it shows, as I contended in my argument the other day, that the condition is gradually growing better under prohibition, and we have increased in literacy over 100 per cent since 1880, as shown by the figures in the Census Bureau.

Mr. CURTIS. I judge from the remarks of the junior Senator from Missouri [Mr. REED] that in the excitement of debate he unintentionally made statements in regard to conditions in

Kansas which he would not have made upon a little more consideration. On page 561 I read the following from the remarks of the Senator from Missouri.

I remember a good many years ago trying a case in a court which was presided over by the Senator's distinguished father, I think, in a small town in Kansas.

Mr. THOMPSON. At Hiawatha.

Mr. REED. At Hiawatha. It seemed to me that there was not a lawyer at the bar who was not a common drunkard, and they had prohibition there, but it did not prohibit.

I was sorry that the junior Senator from Missouri should have made such a statement about the lawyers of Hiawatha. I did not know the lawyers there 25 years ago, but I have known all the lawyers there since 1898, and I know, regardless of their age or politics, that they are able lawyers, clean, honorable, sober, and upright men, and the people of Hiawatha are a law-abiding, industrious, sober people; and the county is dry and has been for many, many years.

The junior Senator from Missouri [Mr. REED] makes another statement which can not be established, and which is a slander on the State. I read from page 561:

I had a good deal of business for a good many years in Kansas, and I say now, without desiring to reflect upon the Senator's State, that there were more drunkards to the square acre in Kansas than in any place I ever was, and that, too, under a prohibitory law.

On the same page he says further:

I will make the assertion now that you will find as many drunken men in any city in Kansas as you will find in any city of the same size in Illinois, in Arkansas, in New York, or in Missouri.

Mr. President, I have just received a wire from Prof. Blackmar, of the Kansas University, which I desire to have read at this point.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Telegram.]

LAWRENCE, KANS., *December 20, 1916.*

Senator CHARLES CURTIS,
Washington, D. C.:

As assistant attorney general, made careful investigation of liquor shipments into every county Kansas during year 1914. Average per capita shipment of all kinds of liquor, including alcohol, was 2.47 gallons. Allowing for consumption not recorded in shipments, the annual consumption did not exceed 3 gallons per capita. In same year average per capita consumption in United States was 22.5 gallons. In their vilification of Kansas, liquor advocates seem to have lost all standards of truth and honesty.

F. M. BLACKMAR.

Mr. CURTIS. Mr. President, there no doubt was some drunkenness in some of the larger cities in Kansas for a few years after the law was first enacted in 1881, but I submit there never was a time in the State when the conditions were such as to justify the remarks of the junior Senator from Missouri; and if the State did have so much drunkenness in a few places, which I deny, he is not justified in making such remarks about the whole State.

I do not think any reasonable man, after having listened to the wire I have just had read, will believe the last remark made by the Senator from Missouri that there was as much liquor drunk in the cities of Kansas as in other cities in wet States. Such a statement as that can not be verified, and the facts do not warrant any assertion of that kind.

The very fact that the State of Oklahoma, to the south of Kansas, years after Kansas adopted prohibition and after the law had been tested in that State, adopted prohibition; the fact that Colorado, upon the west, some few years ago adopted prohibition; the further fact that Nebraska, on the north, and Kansas City, Mo., the home of the junior Senator from Missouri, went dry on November 7 last is the best evidence that the people who know Kansas and her conditions are willing to follow her lead.

The reports of the conditions existing in Kansas in 1915 and 1916 are not in my possession; but I have looked over the reports of 1914, and find that 28 counties in Kansas did not have a prisoner in jail during all that year; 48 counties did not send a prisoner to the penitentiary that year; 12 counties had not called a jury for the trial of a criminal case in a number of years; 20 counties did not have a prisoner in the State penitentiary; and in 1914 there were 740 prisoners in the State penitentiary, of whom 40 per cent were nonresidents of the State of Kansas. It seems to me that this record shows that the State of Kansas has but little crime and it is in splendid condition. We of Kansas believe that much of this is due to our prohibitory liquor law and its strict enforcement.

It is true, as stated by the junior Senator from Missouri, that our wonderful crops have brought to the State great wealth and prosperity; but I desire to call the attention of the Senate to the fact that the money derived from the sale of our great crops has been expended in the education of our boys and girls, in sending the young men and women to college, in buying more land, in making greater and better improvements, and in the purchase of stock and machinery, and it has not been expended for intoxicating liquor.

Mr. President, in conclusion, I contend that there is not a State in the Union to-day which can boast of a more honest, sober, orderly, liberty-loving, and law-abiding people than the State of Kansas.

Mr. THOMPSON. Mr. President, while I do not like to take up a matter in the absence of a Senator when he has made charges I desire to dispute, yet, having sent for the junior Senator from Missouri [Mr. REED], and he not appearing, I feel at liberty to offer a telegram disputing the statement he made relative to the delivery of beer in Kansas City, Kans., my home town at the present time.

The charge was made that beer was being openly delivered there, and the implied charge, at least, that it was under some authority of the State or city. I stated at the time that that had been the source of a great deal of trouble, and that we had been endeavoring in every way to put it down, and finally resorted to the courts.

In answer to that charge, made by the junior Senator from Missouri [Mr. REED], I desire to send to the desk a telegram from the mayor of Kansas City, Kans., which I should like to have the Secretary read, and I believe, after it is called to the attention of the junior Senator from Missouri, that he will be fair enough to retract the statement he made in this respect at his first opportunity.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read the telegram, as follows:

KANSAS CITY, MO., *December 20, 1916.*

Senator WILLIAM H. THOMPSON,
Senate Chamber, Washington, D. C.:

Liquor is not delivered by breweries, and there has not been a brewery wagon in Kansas City, Kans., since November, 1915. Breweries have been perpetually enjoined by the Supreme Court of Kansas from doing business in Kansas. Only beer delivered in Kansas City, Kans., is delivered by express companies upon bona fide orders given and paid for in Kansas City, Mo. Absolutely no agreement or arrangement with any brewery or anyone else for delivery of beer in Kansas City, Kansas City, Kans., has prosecuted 15 or 20 express companies and others for delivering illegal orders in Kansas City, Kans. Drunkenness has decreased in Kansas City, Kans., 80 per cent in the last five years, they getting drunk in Kansas City, Mo., and come across the State line into Kansas City, Kans.

C. W. GREEN, *Mayor.*

Mr. THOMAS. Mr. President——

Mr. STONE. Will my friend yield to me?

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

Mr. STONE. Mr. President, in listening in a somewhat haphazard way——

Mr. MARTINE of New Jersey. Will the Senator yield to me for one moment?

Mr. STONE. I have a very brief statement to make.

Mr. THOMAS. I have yielded to the Senator from Missouri, because I suppose he wishes to say something with regard to the remarks of the Senators which have just been made. I am very anxious to get the conference report disposed of, and I trust that after the Senator from Missouri finishes we may be permitted to go on with it. If this is going to degenerate into a discussion of prohibition, I prefer that it should be postponed until after the conference report is disposed of.

Mr. STONE. My friend from Colorado has yielded to me, for which I am obliged, and if the Senator from New Jersey will permit me, I wish merely to say that things which have been said and read have in some way referred to my colleague [Mr. REED]. I desire merely to state that my colleague has, as I am told, gone to New York to deliver an address to-night before an important body of men. Therefore he is absent; I simply wish that to be known.

Mr. CURTIS, Mr. MARTINE of New Jersey, and Mr. THOMPSON addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Colorado yield, and if so, to whom?

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

Mr. THOMAS. I shall not yield to anyone.

The PRESIDENT pro tempore. The Senator from Colorado declines to yield.

Mr. THOMAS. I would be delighted to yield to my friend the Senator from Kansas, but if we are going to make progress on the conference report we must proceed with it.

Mr. CURTIS. I did not want to make a speech. I merely wished to state that the Senator from Missouri [Mr. REED] was here a few minutes ago and answered to his name, and I suppose he is still about the building.

STOCK-RAISING HOMESTEADS.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes.

Mr. JONES. Will the Senator from Colorado yield to me about this report?

Mr. THOMAS. I will yield to the Senator from Washington as soon as I make a statement regarding my object in calling up the report of the conference committee on the bill for consideration at this time. It is due to the fact that if the bill becomes a law it will be necessary that some action should be taken here upon the report prior to the holiday recess so that the House will have opportunity to consider it before final adjournment.

The bill was discussed here, perhaps not as fully as it might have been, at the time or shortly after it was favorably reported from the Committee on Public Lands, and by unanimous consent it was passed by the Senate during the closing hours of the last session. It then went to the House, which at this session refused to accept the Senate amendment. The House therefore asked, and the Senate granted, a conference.

The conference committee, Mr. President, considered the bill at length and at several meetings, but was confronted with many difficulties, some of which at the time seemed insurmountable. There were two or three points of serious difference between us, which were, so far as they related to the amendments, finally reconciled by such changes in them as were accepted or receded from, as appear in the report.

The principal difficulty with regard to the amendments arose concerning the exemption from the operation of the act of land of the character covered by the bill for the establishment of what are called "driveways," and which are essential to the stockmen for the purpose of removing their animals from winter to summer ranges, and vice versa, and also for the purpose of making railway shipping points accessible to them. It was finally agreed that there might be withdrawn from these lands for such driveways of given length and width, the width being narrower as the length of the driveways was less, and arranging for a maximum of 5 or 6 miles in width for those exceeding 35 miles in length.

There were two provisions in the bill which encountered very serious objection in the Interior Department—the proviso to section 2, which is found on page 2, and all of section 9. It will be observed that section 9 contains an amendment of the Senate in striking out that clause which referred to the character of the land. The section itself provides for the purchase of not to exceed 320 acres of contiguous territory, by the occupant of a 320-acre tract, if valuable only for grazing, by paying to the United States $1.25 per acre therefor.

We could only overcome that objection by consenting to eliminate the section from the bill. In doing that the conference committee exceeded their authority, and unless what they have recommended shall be accepted by the Senate it can not insist upon its action here. It was, however, the only manner in which that objection could be eliminated, and we were conscious of the fact that unless it was eliminated the bill might not become a law.

The proviso of section 2 was another element of difficulty, and with the permission of the Senate I will read it in order to explain the amendment which has been offered:

Provided, That where any person qualified to make original or additional entry under the provisions of this act shall make application to enter any unappropriated public land which has not been designated as subject to entry (provided said application is accompanied and supported by properly corroborated affidavit of the applicant, in duplicate, showing prima facie that the land applied for is of the character contemplated by this act), such application, together with the regular fees and commissions, shall be received by the register and receiver of the land district in which said land is located and suspended until it shall have been determined by the Secretary of the Interior whether said land is actually of that character. That during such suspension the land described in the application shall not be disposed of; and if the said land shall be designated under this act, then such application shall be allowed; otherwise it shall be rejected, subject to appeal.

The purpose of that proviso is obvious. It gives the citizen the right to go upon what he determines to be land of this character before it is officially designated as such and perform those preliminaries of occupation which are made essential to entry; and then when the land is so designated such persons would have a prior right to it. To this proviso very earnest objections were made, some of which, to my mind, are substantial.

The amendment which we finally reported to this proviso simply provides that this procedure shall confer upon the locator no right whatever until the land has been properly designated. In other words, he acquires no equities by such occupation which can under any circumstances be used against the Government, but after the land has been so designated then his rights as a locator will begin.

Now, that is another amendment which we as a conference committee have no authority to make, and which can not prevail without the unanimous approval of the Senate. It seemed to us then, as it does now, that the success of the measure depends upon that report, and we therefore unanimously agreed to include it in the report to both Houses.

I now yield to the Senator from Washington.

Mr. JONES. I received a protest the other day from some of my constituents against the bill on the ground that it permits stock men to take their stock through the land of homesteaders at will. Can the Senator inform me whether there is anything in the bill which permits anything of that kind?

Mr. THOMAS. Oh, no; I do not think so. Of course, the Senator knows that live stock in the West must have different ranges in the summer and in the winter, and that stock in large bodies can only be moved slowly and must subsist upon the country during their passage from one point to another. The stockmen objected to this bill. They are opposed to it, since it is obvious that wherever land is withdrawn from the public range it is against the interest of the stockmen and limits their ranges to that extent. That is a very natural and a very human opposition, which all the various measures for settlement of the public domain are confronted with sooner or later. The purpose of the bill, however, is to meet the very solid objection that is universally applicable to that sort of land. It may shut the live stock from transport from one to another range and may make railroad points difficult or impossible of access. Therefore the amendment which is reported by the conference committee amending the amendment of the Senate provides that the department may withhold from occupation lands of the character described in the bill which may be necessary in its opinion for the purpose of securing these rights of way to the live-stock interests.

Mr. JONES. That is done before the land is entered by the homesteader.

Mr. THOMAS. Yes.

The proviso of section 2 is so amended that occupation of land prior to the designation of the land gives no right to such settler until the actual designation of the land by the department.

Mr. JONES. So it does not even pretend to interfere with the right of any settler who has already initiated those rights.

Mr. THOMAS. Not at all.

Mr. JONES. I examined the bill hurriedly, and I could not see anything of that sort, and I did not think anything of that kind could be done anyhow.

Mr. THOMAS. I think that the protest is based upon a misapprehension. I can readily see where if the proviso of section 2 were not amended some difficulty of that sort might arise through an inchoate right acquired under it.

Mr. CLARK. Mr. President, this bill is in rather a peculiar situation. A bill came from the House which was unsatisfactory to the Senate. It was amended by the Senate and made a little better in the judgment of the Senate. The report of the conference now emphasizes the bad features of the House bill, so that the conference report is less liberal than either the House bill or the bill as passed by the Senate, which endeavored to liberalize the measure.

Mr. President, it may be that the bill reported from the conference is the wisest legislation of the two, but we are brought face to face with the question whether we shall legislate in conference or whether we shall legislate on the floor of the Senate and the House. The conferees have palpably exceeded the authority of a conference committee.

Mr. THOMAS. There is no question about that. I concede it.

Mr. CLARK. In my judgment they have vitally changed the character of the bill. For instance, taking the first part of the bill, in section 2 they have entirely eliminated the essential feature of that section by adding a provision which was not considered in either the Senate or the House, and they have rendered entirely valueless to the prospective settler or homesteader on this sort of land any benefit from that section at all. The consequence is, so far as that section is concerned, that it is vitally different from the section of the bill as it was passed by either the House or the Senate.

Mr. STERLING. If the Senator from Wyoming will permit me——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from South Dakota?

Mr. CLARK. I do.

Mr. STERLING. I wish to ask why the addition to section 2 is of vital interest to the bill?

Mr. CLARK. Because section 2 as passed by the House and passed by the Senate is substantially the same as the like provision in the 320-acre-homestead act.

Mr. STERLING. I wish to say in reply to the Senator from Wyoming that the provision which is added to section 2 by the conference is substantially in compliance with my idea of the meaning of section 2 as it was originally passed.

I recall very well, Mr. President, when we were giving hearings on this bill. Stockmen were before the Senate Committee on Public Lands, and the question was raised by them whether this preferential right given the settler to make application for the land would not permit occupancy by the settler to the exclusion of the stockman before the land had been designated by the Secretary of the Interior as coming within the provisions of the act. It was urged before the committee and by members of the committee that this gave the homesteader or would-be homesteader no additional right at all; that, though he occupied the land before designation, his application filed in the land office gave no right other than the preferential right to file upon the land and make entry when it was finally designated; and that if he occupied it without designation he did it at his peril. I remember myself making that statement.

Mr. CLARK. Does not the Senator see that this cuts off any preferential right?

Mr. STERLING. No; it does not cut off any preferential right. It gives him the right to make application at the land office for the land, and then upon the designation of the land he has a preferential right to file upon it and enter it. It simply provides that he may not occupy the land meanwhile. That is the effect of the addition made by the conferees.

Mr. CLARK. There is a difference of view between the Senator and myself as to the effect of the addition. There is no difference between the Senator and myself as to the question whether that addition should have been made in the Senate instead of by the conference committee.

Mr. President, I am not going to object to the consideration of this report. I am simply going to say that if anybody on the floor of the Senate or elsewhere believes that the bill is going to operate to the benefit of those for whom it was originally framed he is very much mistaken, because such benefits to the homesteader as were put in by the Senate have been taken out by the conference committee; and not only have the conference committee taken out the benefits to the homesteader that were put in by the Senate but they have taken out the benefits that were in the original bill as it came from the House.

Mr. President, I am not going to refrain from antagonizing this report because I think it is going to benefit anybody. It is a piece of absolutely futile legislation; it will become absolutely inoperative. I am not going to call specific attention to the elimination of section 9. Here we have the conference committee eliminating entirely from the bill both the original section 9 passed by the House and the amendment passed by the Senate. The conference committee have done that very thing. In other words, not only have the conferees on the part of the Senate surrendered—as perhaps they would have to surrender in order to reach an agreement—the amendment proposed and passed by the Senate, but both the Senate and the House conferees have omitted and surrendered substantial benefits to the homesteaders that were included in the bill by the affirmative action of both Houses.

I have never seen, Mr. President, a conference report that so frankly exceeded, by the admission of the conferees themselves, the authority of conferees in any bill that ever came from a conference committee into the Senate.

Mr. President, whether this legislation is wise is another matter. I myself believe it is unwise. I believe it is unwise, because I believe it will not accomplish the purpose which the originators of the bill intended. I believe it is unwise because it will not enlarge the opportunity of those who have not now homes upon those lands to get homes, and I believe that the bill might be just as well defeated in the first place in the interest of the large stockmen as to have it passed the way it is presented in the conference report.

Now, having made my statement and given my individual view, I shall be content to let the Senate act as it pleases upon the conference report.

Mr. STERLING. Mr. President, I regret very much that the Senator from Wyoming takes the view he does in regard to this bill, although I thank him for his statement that he does not expect to make opposition or raise any point of order on the report of the conferees.

Mr. President, the bill now before the Senate is very largely the same bill introduced by myself at the beginning of the last session of Congress. I originally introduced a bill here identical with the bill introduced in the House, and I have worked almost unceasingly for the passage of a grazing homestead bill for the past three years or more.

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

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

Mr. GALLINGER. While I know very little about these matters, which more particularly concern Senators from the western section of the country, I do feel impelled to ask the Senator from South Dakota upon what hypothesis the committee of conference eliminated a section of the bill that had been agreed to by both Houses of Congress? If we admit that a conference committee have that authority, or that they can under any circumstances do that thing, of course no bill would be safe in the hands of a conference committee of this body in the future.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Colorado?

Mr. STERLING. Yes.

Mr. THOMAS. Just a moment. The committee of conference disclaims any authority as a matter of right to do what they have done in this report. Any objection made to the report, will, of course, send the bill back to conference.

Mr. GALLINGER. Mr. President, the Senator from Colorado is mistaken about that. Such an objection would have that effect in the House of Representatives, where a point of order can be made against a report, but there would have to be an adverse vote on the report in the Senate to send the bill back to conference.

Mr. THOMAS. We are conscious, if the objection is made, that the fact that we have exceeded our authority will make what we have done of no avail. We have, however, made the report as the only report that we could make upon the bill with any hope of securing its ultimate enactment. Whether the procedure here shall be stopped either by a point of order or a vote is immaterial. An objection can unquestionably dispose of the report.

Mr. CLARK. May I ask the Senator from Colorado a question?

Mr. THOMAS. Certainly.

Mr. CLARK. Of course I know the utmost good faith in which the Senator makes his statement and the good faith by which all his acts are governed, but I should like to ask the Senator how strongly the Senate conferees urged upon the House conferees the adoption of the Senate amendments or how many meetings of the conference committee were held?

Mr. THOMAS. I think we had a half dozen meetings. We thrashed the matter out in every possible way. I myself went to the Interior Department in reference to it.

Mr. CLARK. Now, may I ask the Senator in regard to section 2—if it would not betray the confidences of the conference committee—what the impelling force was that caused the conference committee to report an addition to the bill that had never been agreed upon by either House?

Mr. THOMAS. I can only speak for myself, personally. The impelling force to me was the conviction that without that amendment or the elimination of the proviso the bill would not become a law.

Mr. CLARK. That is a very indefinite statement of a definite proposition.

Mr. THOMAS. I make it as definite as it seems to me possible to make it.

Mr. STERLING. Mr. President, I want to again call attention to the objections made by the Senator from Wyoming [Mr. CLARK]. I can not appreciate the force of the objections. As I have stated, the addition made by the conferees to section 2—the section which gives the preferential right to make an application for 640 acres of land, coming within the meaning of this act—is what was originally contemplated. It was not the idea of section 2 to give the right to the would-be settler to occupy the land pending the designation by the Secretary of the Interior.

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

Mr. STERLING. I yield.

Mr. CLARK. Does the Senator believe that that was the effect of the provision as passed by both the House and the Senate?

Mr. STERLING. I will not say that that was the effect of the provision, but it was understood that it gave no other right than the right to make application and to have that right to entry suspended until the land had been designated. If a settler occupied the land, he occupied it at his peril; if he put any improvements on the land, he did so at his peril, for meanwhile the land might not be designated by the Secretary of the Interior or it might never be designated.

Mr. CLARK. Then I will ask the Senator if the language meant that, as passed by both the House and the Senate, what is the necessity of the additional provision as made by the conferees?

Mr. STERLING. It certainly makes it clear as to the intention, anyway. If there ever was reasonable action in excess of authority by conferees, it was in adding that little provision to section 2.

Now, Mr. President, I want to call attention to section 9, which has been stricken out by the conferees. I want to read that section. It does not particularly affect the homesteader, the man desiring to enter 640 acres of land as a homestead. It is the purchase section of this bill.

SEC. 9. That any person who has heretofore acquired title to land of the character designated in this act under any of the homestead laws of the United States and who is the owner and occupant of the land so acquired may purchase from the United States not exceeding 320 acres of stock-raising lands, as designated by this act, or unappropriated and unreserved lands valuable only for grazing contiguous to his said homestead, upon paying to the United States the sum of $1.25 per acre for such lands, under such rules and regulations as may be prescribed by the Secretary of the Interior, which said land, together with the area theretofore acquired under the homestead laws, shall not exceed 640 acres.

There was a radical objection to that section by the Department of the Interior, Mr. President, as I understand, and the wisdom of putting the section into the law in the first instance might well be questioned. Particularly will it not benefit that class of settlers desiring to acquire homesteads under this act to which the Senator from Wyoming has referred.

The other additions are amendments that are not subject to any question under the rule.

Mr. SMOOT. Mr. President, I have in the past severely criticized conferees for violating the rules of the Senate by proposing new legislation in a conference report, but I know of no more flagrant case than is shown in the conference report now under consideration. I say this, Mr. President, though I signed the report. I signed the report with the understanding that I should make a statement to the Senate giving my reasons for so doing.

There is no question, Mr. President, that the conferees have exceeded their authority in amending the proviso in section 2 of the bill; in fact, the amendment changes the whole intent of section 2.

Mr. STERLING. How does it change it, may I ask the Senator from Utah?

Mr. SMOOT. I can tell the Senator how it changes it, and I shall be very glad to do so. The original proviso in section 2 gives a preferential right to any citizen of the United States to make application for an entry of lands described in the bill. Under the wording of the original proviso he can also occupy the land; he can make whatever improvements he desires upon the land; he can build a home upon it if he so desires. I agree with the Senator from South Dakota that if the settler does so, he does so at his peril, as the land may not be designated by the Secretary of the Interior; but he will be in a position to claim that Congress authorized him by preference to make an application for an entry of the land and that he had expended money on the land in pursuance of that construction of the proviso. Of course, Congress could be hard-hearted and take the position that he had no right to spend his money to make improvements on the land, and under a strict construction of the law he would lose his improvements; but every Senator knows what the result would be; the department knows what the result would be, and they so stated to the Senate conferees time and time again. The result would be that the applicant would come to Congress under such conditions for relief, and the relief measures that would come before Congress would be so numerous that it would keep this body busy for many years to come.

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

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from South Dakota?

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

Mr. STERLING. Is it not better, may I ask the Senator from Utah, that a provision like this be added to section 2 than that the settler or would-be settler should be permitted to go on this land and make improvements at his peril, which he would have to sacrifice afterwards if the land were not designated? Is it not preferable to give him the warning right here, and say that he shall not occupy the land until it is designated?

Mr. SMOOT. The Senator asks me for my opinion. I will say, certainly it would; but that is not what I was discussing at all. I state now, without the least hesitancy, that the conferees exceeded their authority as representatives of the Senate in adding the amendment to the proviso in section 2.

Mr. TOWNSEND. Why was it done?

Mr. SMOOT. The Senator from Michigan asks why it was done. I am going to be a little more frank than was the Senator from Colorado [Mr. THOMAS]. We did it because we were notified that, unless this amendment was added to the proviso, the conference report would not be adopted by the House.

Mr. CLARK. By whom was the notification given? I think we ought to know that.

Mr. SMOOT. Well, I will put it in this way, then, in answer to the Senator from Wyoming, that I am quite sure that there would be influence enough brought to bear upon the House Members so that the conference report would not be accepted.

Mr. CLARK. The Senator does not mean to intimate that there is a lobby in connection with this matter, does he?

Mr. SMOOT. I do not mean an outside lobby. There was a lobby; but I do not have reference to a lobby.

Mr. President, there is no question about the elimination of section 9 being contrary to the rules of the Senate, and the conferees exceeding their authority in so doing. I was opposed to section 9 and was opposed to it before the bill passed the Senate; but that section was adopted by the House and by the Senate. The Senate yielded the amendment which it made to that section. The section then was exactly the same as when it passed the House and as the Senate agreed to it. Then, for the same reason——

Mr. THOMAS. Mr. President, if the Senator will pardon me, there was a slight amendment made to it.

Mr. SMOOT. I so stated.

Mr. THOMAS. I did not understand the Senator to say so.

Mr. SMOOT. Then, for the same reason that we added the proviso in section 2, we struck out section 9.

Mr. CLARK. Because of the same influences?

Mr. SMOOT. Because of the same influences, and I desire to say that the Senator from Colorado in making the statement he did, that the conferees exceeded their authority, was absolutely right. I so state to the Senate now, and it is my opinion that an objection on the part of the Senate will defeat the conference report because of the admitted fact that the conferees have exceeded their authority. It is also true that if the Senate desires to reject this report it can be sent back to conference on a majority vote of the Senate.

Mr. BORAH. Mr. President, what is section 9? I do not recall it myself.

Mr. SMOOT. Section 9 is the purchase section. It allows an entryman who has already entered land of the character described in the bill and who is now living on the land under the enlarged-homestead law to purchase 320 acres additional of the land as described in this bill. In other words, he does not have to live upon the land; he has no improvements to make upon it; he can purchase it at $1.25 per acre.

Mr. TOWNSEND. Mr. President, inasmuch as the conferees have admitted that they have changed the bill, and have changed it because some particular influence demanded the change in order to secure its passage, I should like to ask the Senator from Utah if he thinks the bill is any good now?

Mr. SMOOT. Yes; I think there is a good deal of merit in the bill as reported and it improves the bill as passed by the Senate.

Mr. GALLINGER. Mr. President, I will ask the Senator from Utah—I do not ask this in antagonism to the bill, because I confess to not any great knowledge of the subject, and my disposition would be to vote for the conference report—what he thinks would be the effect of a precedent of this kind, that a conference committee can take from a bill matter that both Houses have agreed to? Would it not be notice to other conference committees that they do about as they please in reference to framing conference reports?

Mr. SMOOT. It would be. So we call particular attention to it.

Mr. GALLINGER. The very fact that you have called particular attention to it, it seems to me, advertises it and encourages other conference committees to do the same thing.

Mr. SMOOT. I frankly state that, in my opinion, one objection would defeat the conference report, but I believe that the measure is of such interest to the people of the West and to citizens of other portions of the United States who desire the passage of such legislation, that their representatives in the Senate will not object to the passage of the bill in the shape in which it now is.

Mr. GALLINGER. I certainly am not going to make any factious opposition to it, but the Senator says one objection will defeat the conference report. I am sure the Senator does not mean that. A negative vote on the motion to agree to the conference report would have to be carried by a majority to defeat it under our rules.

Mr. SMOOT. I do not believe it would come in that way. I believe it could be objected to on the ground that the conferees have exceeded their authority, as all the conferees admit that they have. Therefore, Mr. President, under the admission of the conferees, I believe that an objection to the report would be sufficient.

Mr. GALLINGER. I do not agree wtih the Senator as to that. Certainly our rule is pretty plain on that point.

Mr. CLARK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. SMOOT. I yield.

Mr. CLARK. The statement the Senator has just made in regard to the influences upon the conferees emphasizes the fact that we are probably about to legislate, not of our own free will and not as an independent department of this Government, but to legislate at the beck and call and the absolute will of some powers outside of the Chambers of either House of Congress.

Mr. SMOOT. Mr. President, I will be perfectly frank, and say that I opposed the proviso in section 2 as it was written. If this bill had become a law with the proviso in section 2 retained in it as it passed the House and Senate, I am quite sure that there would have been a great deal of unnecessary trouble to the men who made application for land under it. There would be no doubt a great deal of money spent in improving the land applied for and perhaps a great deal of money spent in the building of homes, and I am as positive as I can be that if the bill should pass without the proviso there would be hundreds of citizens of the United States applying to Congress for relief.

Mr. STERLING. Then, Mr. President, the Senator from Utah agrees as to the merits of the proviso or the addition added to section 2?

Mr. SMOOT. I do; but I want to say to the Senator that I would very much prefer to have the whole proviso eliminated from the bill. Then every citizen of the United States would have been on an equal footing; then the Interior Department would have designated the land under the provisions of the bill; every citizen would have known that the land was designated; and there would have been no question about his right, if he were otherwise qualified, to enter the land.

I will say to the Senate that there could have been required in the regulations of the department 30 days' notice to the public that the land had been designated, and then any citizen anywhere in the United States receiving that notice would have had the privilege of entering any of the lands, and the first one that made the entry would secure the lands, because there would have been then no question as to his right of entry if he were qualified to make entry under the provisions of the bill, and no one could have entered the lands unless it was to contest the entry made by the original entryman.

Mr. BORAH and Mr. STERLING addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I yield.

Mr. BORAH. Listeners are a little confused over this situation; at least, I am. Do I understand, notwithstanding the fact that the conferees have violated the rules of the Senate from a technical standpoint, that nevertheless the report meets with their judgment as to its being a good bill?

Mr. SMOOT. The conferees believe it a good bill, and the conferees recommend the adoption of this report.

Mr. BORAH. Then the only thing about which there seems to be any controversy, so far as the conferees are concerned, is the mere question of whether you have exceeded your authority, and whether that shall defeat a good bill.

Mr. SMOOT. Yes. Well, there is no question about our having exceeded our authority. The only question is, Having exceeded our authority, shall the Senate adopt the conference report? I will say to the Senator that I think the bill has the approval of a great majority of the people in the public-land States.

Mr. STERLING. Mr. President, with reference to the conferees exceeding their authority, let me say there is precedent for that.

Mr. BORAH. Oh, yes.

Mr. STERLING. There is precedent for it again and again, where admittedly the conferees have exceeded their authority, but notwithstanding the report of the conferees was adopted.

Mr. CLARK. Mr. President, the only difficulty about this situation is that we have presented to us here by the conference committee an absolutely new bill upon this whole general subject matter to which we are not allowed to make amendments in any way whatever; and the consequence is that we are in the position of legislating upon a bill that is presented without reference to a committee and without the power of amendment.

Mr. GALLINGER. And the only argument in favor of it is that the end justifies the means, which I think is a very bad argument.

Mr. SMOOT. That is the only argument that can be made, I will say to the Senator.

Mr. GALLINGER. I think it is.

Mr. GRONNA. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. I yield to the Senator.

Mr. GRONNA. As I recollect, the Senator was in favor of practically the same provision in the so-called enlarged-homestead bill—that is, a provision recognizing the same spirit, that those who had acquired lands under the homestead law, taking 160 acres, should be given the right to take an additional homestead. I know the Senator from Utah was in favor of that. Now, is not this recognizing the same spirit in this particular bill?

Mr. SMOOT. There is quite a difference, Mr. President, as I stated so often in conference when the House conferees insisted that that was the case. In the enlarged-homestead bill, known as the 320-acre-homestead bill, this same preferential right, without the amendment that has been put upon it by the conferees, was in the bill. It is the law to-day; but in the enlarged-homestead bill there were requirements made that the entryman must cultivate so many acres of the land. I think it was one-eighth during the first two years, or by the end of two years; it was one-quarter by the end of the third year, and it was one-half during the fourth and the fifth years, and at the end of the fifth year he could make his final proof for patent.

Mr. GRONNA. I will ask the Senator whether that requirement is not in this bill also?

Mr. SMOOT. Oh, no.

Mr. GRONNA. The entryman must improve the land, but he can do that by inclosing the land with fences or make other improvements.

Mr. SMOOT. No, Mr. President. This land is entirely different land. The applicant had the right to go upon the land. He knew that unless he entered the land as described in the bill, and unless he could comply with the requirements of the bill he could secure no title to it. The land must be of such a character that he could raise other than native grasses on a certain number of acres, as described in the bill. Now, this character of land is simply grazing land. It is land where all he has to do is to expend $1.25 per acre upon it, as the Senate passed the bill; but the House insists that he shall live upon it.

Mr. GRONNA. But as to the character of the land, was not that left to the Secretary of the Interior in that case just the same as here?

Mr. SMOOT. Oh, yes; it was to be finally designated by the Secretary of the Interior. I will say to the Senator that the same principle in this bill as to preferential rights is also in the 320-acre enlarged-homestead bill; but the reason why it is not necessary in this bill, as it was in the enlarged-homestead bill, is that the character of the land is entirely different, and the requirement made by the Government in regard to the cultivation of it is entirely different. This requires no cultivation, and in the case of the enlarged-homestead bill it requires a certain cultivation.

Mr. GRONNA. If the Senator will pardon another interruption, I believe it is true, as the Senator has said, that the committee has improved the bill, because you provide here specifically that no land can be purchased. That is in the interest of the small man, the small holder, the man who goes upon these lands to make a home; and that is the man we ought to legislate for. Now, I agree with the Senator from Utah in that. There is no opportunity under the provisions of this bill for any great corporation to hire people to secure these lands. That has been eliminated by the amendment proposed by the conference committee. I believe that we who are from the public-land States, and recognize the merit of this bill, should allow it to go through and become a law.

Mr. CLARK. Mr. President, will the Senator yield just on the point he is speaking on?

Mr. GRONNA. I do not happen to have the floor. I was speaking by the courtesy of the Senator from Utah.

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

Mr. CLARK. I just wanted to ask a question. Of course, the only purchase in this bill is the purchase of additional land by the homesteader, and not by anybody else?

Mr. GRONNA. I understand that that is so.

Mr. CLARK. Not by any great corporation.

Mr. GRONNA. But I will say to the Senator from Utah that hardly a bill has passed the Senate since I became a Member of it where in some respect the conference committee have not exceeded their authority. I know that that was true with regard to the immigration bill, and that is true with regard to nearly every other bill. Now, why be so technical upon a bill like this, which is only going to benefit a few poor people?

Mr. CLARK. Mr. President, I was not technical, and I am not objecting to this conference report. I am simply pointing out the fact that this conference committee have done something that I think no conference committee ever did before; and that is, according to their own statement, they have yielded to outside pressure to strike out from the bill sections that both Houses have agreed upon, and to write into the bill sections that neither House has passed upon.

Mr. SMOOT. Mr. President, I want to say that no one has criticized legislating in conference more than I, but I do not quite agree with the Senator from North Dakota when he says that it is done in every conference report. I know that there have been great changes made, but I do not remember any conference report since I have been in the Senate where a whole section of a bill has been stricken from it and no substitute offered in its place. That being the case, we thought it was perfectly proper, and, in fact, we felt that it was our duty to call it to the attention of the Senate.

Mr. GRONNA. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. Yes; I yield.

Mr. GRONNA. If the Senator will again pardon me, I want to say to the Senator that I was a member of the committee of conference on the agricultural bill, where we had three legislative acts included; and I want to say to the Senator that whole sections were stricken out in conference, and there was no objection made to it.

Mr. SMOOT. But there were other provisions substituted. There is no provision substituted for section 9. It authorizes the entryman of certain lands to purchase 320 acres of land at $1.25 an acre, and that provision has been stricken from the bill and nothing put in its place or substituted for it.

Mr. STERLING. Mr. President, the one was just as clearly legislation upon the part of the conferees as the other.

Mr. SMOOT. I will admit that it was legislation, Mr. President.

Mr. STERLING. It was legislation. There was no difference in principle between the two.

Mr. SMOOT. Only as to degree.

Now, there is just one other matter that I wish to refer to, as I want to have a vote taken upon the conference report before 2 o'clock, if possible.

The Senate will notice that in the case of all their amendments—and most of the amendments of the Senate were upon this one subject—the Senate thought it was proper to strike out these words:

Of lands of the character herein described.

The Senate struck out those words all through the bill. That, of course, gave an entryman who had made an original homestead entry the right to enter lands under the bill. The House would not yield on that, and therefore the Senate had to yield on all of its amendments of that character.

Taking it as a whole, Mr. President, I feel that the bill should have been improved so as to bring a greater relief to the public-land States than the reported measure.

Mr. WORKS. Mr. President, this bill was very thoroughly considered in the Public Lands Committee, of which I am a member. It met with a good deal of opposition in that committee. I have never believed in it myself. I deferred to the wishes of Senators representing other States who claimed that it would be beneficial in those States, and made no opposition to it in the committee, and I did not oppose it in the Senate when it was up for passage.

My own belief about it is that 640 acres of land of the kind that is described in this bill would be a good place for people to starve on. I do not believe, generally speaking, that this so-called grazing land would be such that a man could make a living upon it; and it is principally for that reason—that it might be an inducement for people to enter upon those lands who would fail to make a living and come to distress—that I was opposed to the bill. But, as I say, I have not urged my objections to it heretofore because of the feeling of Senators who represent other States. I do not think that it would be of any value at all in my State.

As to the other question, of the conference committee exceeding its authority, that seems to be an admitted fact. It is attempted to be justified here because some other committees have done the same thing. That does not appeal to me as a good reason for violating a rule of the Senate.

Mr. BORAH. Why, Mr. President, as I understand, our attitude toward this bill is a good deal like the situation when somebody wants somebody else to hit a fellow. A number of Senators object to the precedent, but still they support it. I do not think the bill is a wise one. I do not believe it is in the interest of the settler. I believe it will prove a failure to the bona fide home builder. It is said that an objection would defeat it. If that were true, I would object. But it takes a majority to reject this report; that we have not got. I shall vote against its adoption because while intended to help the homesteaders I do not believe it will have that effect.

Mr. WORKS. Very true. I am expressing my conviction now, however; not that of somebody else, I think that a matter so important as this, which involves legislation by a conference committee, should not be allowed to pass without at least objection being entered to it; and I am glad that objection was made. I think it is one of the evils of legislation in this body that conference committees assume to legislate for both Houses of Congress, and I think it ought not to be allowed.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

Mr. STONE and Mr. MARTINE of New Jersey addressed the Chair.

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. STONE. I desire to move an executive session.

Mr. POINDEXTER. I make the point of the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Washington suggests the absence of a quorum.

Mr. THOMAS. A point of order, Mr. President. The Senator from Missouri had the floor.

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Beckham	Gallinger	Martin, Va.	Sterling
Borah	Gore	Martine, N. J.	Stone
Brady	Gronna	Nelson	Sutherland
Brandegee	Harding	Overman	Swanson
Chamberlain	Hollis	Penrose	Thomas
Chilton	Hughes	Phelan	Townsend
Clapp	James	Pittman	Wadsworth
Clark	Johnson, S. Dak.	Poindexter	Walsh
Culberson	Jones	Saulsbury	Watson
Cummins	Kenyon	Sheppard	Weeks
Curtis	Kern	Sherman	Williams
Dillingham	Lane	Smith, Ariz.	Works
du Pont	Lee, Md.	Smith, Ga.	
Fletcher	McCumber	Smoot	

Mr. CHILTON. I wish to announce that the Senator from South Carolina [Mr. SMITH] is absent on account of illness in his family.

The PRESIDENT pro tempore. Fifty-four Senators have answered to their names. There is a quorum present. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A 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.

EXECUTIVE SESSION.

Mr. STONE. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. CUMMINS. Mr. President, I know the motion is not debatable, but I desire to ask the Senator from Missouri a question before the motion is put. I understand that the purpose of the executive session is to consider a nomination to the Interstate Commerce Commission. There will be very earnest opposition to the consideration of the nomination at this time, and if it is taken up for consideration it will require several days, I believe, to conclude it. In view of these circumstances I ask whether the Senator from Missouri desires to insist upon his motion?

Mr. STONE. Mr. President, the nomination referred to by the Senator from Iowa is pending on the Calendar of Executive Business. It is very important in the interest of public business that it should be acted upon. Unless acted upon there will be a vacancy in this important position before the Senate meets again. There are important public reasons why that vacancy should not occur, and it is because of that I have made

the motion now pending before the Senate, upon which I ask for a vote.

Mr. CUMMINS. I do not desire to argue the matter——

Mr. STONE. It is not proper to argue it.

Mr. CUMMINS. I have no right to argue it; but upon the motion I ask for the yeas and nays.

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

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Wisconsin [Mr. HUSTING] and vote "yea."

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. He being absent, I transfer that pair to the junior Senator from Maine [Mr. FERNALD] and vote "nay."

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

Mr. OVERMAN (when his name was called). I have a pair with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Arkansas [Mr. ROBINSON] and vote "yea."

The PRESIDENT pro tempore (when the name of Mr. SAULSBURY was called). The occupant of the chair is paired with the junior Senator from Rhode Island [Mr. COLT]. He transfers that pair to the junior Senator from Arkansas [Mr. KIRBY] and votes "yea."

Mr. SMITH of Georgia (when his name was called). I transfer my pair with the senior Senator from Massachusetts [Mr. LODGE] to the junior Senator from Louisiana [Mr. BROUSSARD] and vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of my colleague [Mr. SMITH of Michigan]. He is paired with the junior Senator from Missouri [Mr. REED].

Mr. WALSH (when his name was called). I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Colorado [Mr. SHAFROTH] and vote "nay."

The roll call was concluded.

Mr. CHAMBERLAIN (after having voted in the affirmative). I note my general pair, the junior Senator from Pennsylvania [Mr. OLIVER], is absent. I will transfer the pair I have with the junior Senator from Pennsylvania to the senior Senator from Illinois [Mr. LEWIS] and let my vote stand.

Mr. DILLINGHAM (after having voted in the negative). I have already voted, but I withdraw my vote owing to the pair I have with the senior Senator from Maryland [Mr. SMITH], who is absent.

Mr. CURTIS (after having voted in the negative). I have a general pair with the junior Senator from Georgia [Mr. HARDWICK]. He being absent, I withdraw my vote.

Mr. GRONNA (after having voted in the negative). I have voted, but I inquire if the senior Senator from Maine [Mr. JOHNSON] has voted?

The PRESIDENT pro tempore. He has not.

Mr. GRONNA. I have a pair with that Senator and therefore withdraw my vote.

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. CURTIS. I was requested to announce the following pairs:

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 Rhode Island [Mr. LIPPITT] with the Senator from Montana [Mr. WALSH];

The Senator from Connecticut [Mr. McLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Pennsylvania [Mr. OLIVER] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED];

The Senator from Wyoming [Mr. WARREN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from South Dakota [Mr. STERLING] with the Senator from South Carolina [Mr. SMITH]; and

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 31, nays 25, as follows:

YEAS—31.

Beckham	Hughes	Overman	Smith, Ariz.
Bryan	James	Phelan	Smith, Ga.
Chamberlain	Johnson, S. Dak.	Pittman	Stone
Chilton	Kern	Pomerene	Swanson
Culberson	Lee, Md.	Reed	Thomas
Fletcher	Martin, Va.	Saulsbury	Underwood
Gore	Martine, N. J.	Sheppard	Williams
Hollis	Newlands	Shields	

NAYS—25.

Borah	Gallinger	Penrose	Walsh
Brady	Harding	Poindexter	Watson
Brandegee	Jones	Sherman	Weeks
Clapp	Kenyon	Smoot	Works
Clark	McCumber	Sutherland	
Cummins	Nelson	Townsend	
du Pont	Norris	Wadsworth	

NOT VOTING—40.

Ashurst	Gronna	Lippit	Shafroth
Bankhead	Hardwick	Lodge	Simmons
Broussard	Hitchcock	McLean	Smith, Md.
Catron	Husting	Myers	Smith, Mich.
Colt	Johnson, Me.	O'Gorman	Smith, S. C.
Curtis	Kirby	Oliver	Sterling
Dillingham	La Follette	Owen	Thompson
Fall	Lane	Page	Tillman
Fernald	Lea, Tenn.	Ransdell	Vardaman
Goff	Lewis	Robinson	Warren

So the motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 20 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 22, 1916, at 12 o'clock m.

NOMINATION.

Executive nomination receiver by the Senate December 21, 1915.

PROMOTION IN THE NAVY.

Commander Ralph Earle to be Chief of the Bureau of Ordnance in the Department of the Navy with the rank of rear admiral for a term of four years, from the 23d day of December, 1916.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 21, 1916.

UNITED STATES CIRCUIT JUDGE.

Kimbrough Stone to be United States circuit judge for the eighth circuit.

UNITED STATES DISTRICT JUDGE.

Duval West to be United States district judge, western district of Texas.

PROMOTION IN THE NAVY.

Commander Ralph Earle to be Chief of the Bureau of Ordnance in the Navy Department with rank of rear admiral.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 21, 1916.*

The House met at 12 o'clock m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Bend low, O God our Heavenly Father, that we may feel the warmth of Thy brooding love and be encouraged to move forward to larger and nobler attainments as intellectual, moral, and spiritual beings; and meet the disappointments, sorrows, and untoward circumstances of life with perfect faith and confidence in the overruling of Thy providence for the eternal good of Thy children; in the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. EVANS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the recent note sent by the President of the United States to the belligerent nations with the view of terminating the war that has distracted the world.

The SPEAKER. The gentleman from Montana asks unanimous consent to print the recent note of the President of the United States to the belligerent nations of the world with the view of terminating the war. Is there objection?

There was no objection.

CHANGE OF REFERENCE—INTERSTATE SHIPMENT OF LIQUOR.

Mr. HOWARD. Mr. Speaker, I desire to ask for a change of reference. The bill H. R. 17850, introduced by myself on

December 4, either by the general practice in the House or by inadvertence, was referred to the Committee on the Judiciary. I respectfully submit that it deals with interstate commerce only and it should have been referred to the Committee on Interstate and Foreign Commerce.

The SPEAKER. What was it about?

Mr. HOWARD. It is an inhibition against shipment in interstate commerce of whisky into States wherein by the law of those States the sale of whisky is prohibited.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 17850) to prohibit commerce in intoxicating liquors between the States.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, while undoubtedly the Committee on Interstate and Foreign Commerce under the rules ought to have jurisdiction of these bills, as a practice for years they have been sent to the Committee on the Judiciary. I do not think it advisable to have a divided jurisdiction.

Mr. HOWARD. I understood that the practice had been such, but it seems it is an assumption of jurisdiction by the Committee on the Judiciary. If this question dealt with the shipment of live stock or wheat, or grain, or meat, or any other commodity, it would be sent to the Committee on Interstate and Foreign Commerce. And I can see no reason why the rules should be varied where it is a pure question of interstate commerce, no matter what the practice has been, simply because it deals with liquor. The jurisdiction of the Committee on the Judiciary is certainly questioned when a bill deals purely with a matter of interstate commerce.

Mr. MANN. Well, Mr. Speaker, when I was early a member to the Committee on Interstate and Foreign Commerce there were some bills introduced on the subject which were referred to that committee and others which were referred to the Committee on the Judiciary. I believe there was one other committee that had such bills pending before it. But the final consensus of opinion was that they should all be sent to the Committee on the Judiciary. I do not say whether they ought to go to that committee or not, but I am very confident there ought not to be two or three committees of the House dealing with the same subject matter.

Mr. HOWARD. I agree with the gentleman as to that.

Mr. MANN. So I shall have to object.

Mr. HOWARD. Mr. Speaker, will the gentleman withhold his objection for just a second?

Mr. MANN. Oh, certainly; I reserve it.

Mr. HOWARD. I have made an investigation. The gentleman in his long service on the committee I know has given much time to these matters and knows more about the reference of such bills than I do, but I think the gentleman will find this to be true, that wherever a bill has been referred to the Committee on the Judiciary dealing with the interstate shipment of whisky it has been a mixed question, that there were certain penalties and certain legal questions involved, and for a long time, I understand, by practice it was assumed that there was a question, rather, as to the power of Congress, a constitutional question, involved in these interstate shipments of liquor, and for that reason, being a mixed question of commerce and law, it was referred to the Committee on the Judiciary.

Mr. MANN. I think the real reason, perhaps, was that a whole lot of these bills were sent to the Committee on the Judiciary, such as the antitrust legislation, because at that time the Judiciary Committee was not quite as busy as the Committee on Interstate and Foreign Commerce, and was a very able committee, and the House willing to trust it. I am not willing to start in by unanimous consent to mix up the jurisdiction of the various committees.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. I would like to inquire of the Chair whether or not when per se a bill has been referred to a committee that has no jurisdiction under the rules of the House, the Speaker will recognize the introducer for the purpose of moving that the Committee on the Judiciary, to which the bill has been referred, be deposed of its authority to consider this bill, and that it be referred to the proper committee?

Mr. MANN. If the gentleman would read the rule he would not make the parliamentary inquiry.

The SPEAKER. The rule is that the chairmen of these two committees or somebody that has the direction of the bill can make that motion. The truth about that is that it is easier to have uniformity of reference than it is to originally pick the right committee, and what investigation the Chair has made shows that this kind of bill has been referred to the Committee on the Judiciary for some time. The Chair is not arguing against the gentleman's change of reference. He is simply telling the gentleman how the bill came to be referred.

Mr. HOWARD. I understood that precedents ought at times to be changed.

The SPEAKER. That is true. I wish I could change 50 of them without disrupting the business of the House. The gentleman from Illinois [Mr. MANN] objects.

Mr. WEBB. Mr. Speaker, I want to make the statement that all these bills for the last 10 or 12 years have been referred to the Committee on the Judiciary. I introduced 10 years ago the identical bill which has just been introduced by the gentleman from Georgia, and it was referred to the Committee on the Judiciary.

The SPEAKER. That is the reason why it was referred to the Committee on the Judiciary now. That committee has a sort of dragnet jurisdiction, anyhow.

EXTENSION OF REMARKS.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of inland waterways, and to include some observations by Admiral Benson, Chief of Naval Operations, United States Navy, and Brig. Gen. Black, Chief of Engineers, United States Army.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to extend his remarks in the RECORD on the subject of inland waterways. Is there objection?

Mr. KITCHIN. On what subject?

The SPEAKER. Inland waterways. Is there objection?

There was no objection.

HELEN SHERMAN.

Mr. LLOYD. Mr. Speaker, I offer the following privileged resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 390 (H. Rept. 1237).

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Helen Sherman, clerk to Luis Munoz Rivera, late Resident Commissioner from Porto Rico at the time of his death, November 15, 1916, the sum of $125, being an amount equal to one month's salary of a clerk of a Resident Commissioner.

Mr. LLOYD. Mr. Speaker, this is the usual allowance made to the private secretary of a deceased Member, giving one month's salary after the death of a Member.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LENORA M'CALL COURTS.

Mr. LLOYD. Mr. Speaker, I also offer the following privileged resolution.

The SPEAKER. The gentleman from Missouri offers the following privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 391 (H. Rept. 1238).

Resolved, That the Clerk of the House is directed to pay, out of the contingent fund of the House, to Lenora McCall Courts, widow of James C. Courts, late clerk to the Committee on Appropriations, a sum equal to one year's salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

Mr. LLOYD. Mr. Speaker, this is a little different resolution from what we have been offering on the death of an employee of the House. Mr. Courts, as you know, was the clerk to the Committee on Appropriations. He had been connected with the Committee on Appropriations for 39 consecutive years, during all administrations, since he was first employed. Since 1884 he was the clerk of that committee until the time of his death last September.

He devoted his whole time and attention during all those years to the service of that committee and the Government, and it is safe to say that no man connected with this House, either within the Chamber or out of it, was more faithful and valuable and meant more to the Government, so far as his work was concerned, than Mr. Courts, and we think that under the circumstances it is nothing but right that we should allow a year's salary to his widow, just as we would in the case of the widow of a Member of Congress, if a Member of Congress died. Heretofore in the case of other employees we have allowed a sum equal to six months' salary.

I am inclined to believe that the resolution is a highly proper one under the circumstances, and I want it distinctly understood, so far as the Committee on Accounts is concerned, that we are not offering this as a precedent for the future. And yet if it is construed as a precedent in the future, there is no danger, because this individual served 39 years, and if anybody else served 39 years it would not be a serious burden to the Government if a year's salary were allowed.

Mr. SIMS. Mr. Speaker, will the gentleman permit a question?

Mr. LLOYD. Yes.

Mr. SIMS. Is it not also a fact that he was thoroughly efficient?

Mr. LLOYD. Undoubtedly so.

Mr. MADDEN. Mr. Speaker, will the gentleman allow me three minutes?

Mr. LLOYD. Yes; I yield three minutes to the gentleman.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] is recognized for three minutes.

Mr. MADDEN. Mr. Speaker, it was my privilege to know Mr. Courts during his lifetime as the clerk to the Committee on Appropriations, and to serve with him as a member of the committee. I can think of no man who has ever served the Government of the United States who served it with as great devotion and as unselfishly and with greater ability than Mr. James C. Courts.

It must be regretted by everybody that a man of his type has to be called away. There never was a man in the Government service, I believe, no matter what position he may have held, who was so thoroughly devoted to the service as Mr. Courts was. I think there never was a man in the service of the Government who so thoroughly understood the service as he did. There never was a time when a member of the Committee on Appropriations called upon him for information that he did not have it at his fingers' ends. He was courteous, accommodating, assiduous in the discharge of his duties, always ready to meet every demand. He was an ideal public servant.

I regret as much as any man can that he has been called away from the activities in which he was so long engaged. To be a servant to the public such as Mr. Courts was is the greatest honor that I believe can be conferred upon a man. It does not necessarily follow that a man must be conspicuous in the public eye in order to be a great citizen; and if there ever was a great citizen, performing a great service to a great people, James C. Courts was that man. And we can do no greater honor to ourselves than to pass without a dissenting vote the resolution presented by the chairman of the Committee on Accounts. It seems to me that even then we shall not have done the honor to the memory of James C. Courts that he is entitled to.

I shall always remember my acquaintance with him as one of the pleasantest things that I have ever known in public life, for he surely was a man who merited the confidence of every person with whom he came in contact, and earned the right to the confidence of the American people. His memory is justly entitled to a place upon the records of the Congress of the United States. [Applause.]

Mr. LLOYD. Mr. Speaker, I yield two minutes to the gentleman from Tennessee [Mr. SIMS].

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] is recognized for two minutes.

Mr. SIMS. Mr. Speaker, Mr. Courts was from the town of Huntingdon, Carroll County, Tenn., a town and county in my district, and I want to say from intimate personal knowledge of Mr. Courts that everything that has been said in his praise here is true and those that knew the details might talk for hours and then not tell all the elements of the beneficial public service rendered by this man for nearly half a century.

But I do feel that I ought to add that I am personally well acquainted with his family, and I know that Mrs. Courts and his family are worthy of anything that this Government may do for them. If Mr. Courts had given his life to the service of some profitable industry or to some money-earning corporation, no doubt his family would not now need this appropriation. But as it is they do need it. I want to ask, as the gentleman from Illinois who has taken his seat [Mr. MADDEN] did, that every Member of this House vote for this resolution in view of the facts and circumstances. If I asked for less, I feel that I would be recreant in the manifest discharge of my duty. But should another case of this sort arise, if any future clerk of that great committee who has rendered such conspicuous and valuable service to his country dies after so long and so efficient service, I hope that the Congress will at that time deal generously with his family and with his name and fame.

Mr. AUSTIN. May I have a couple of minutes?

Mr. LLOYD. I yield to the gentleman from Tennessee [Mr. AUSTIN] two minutes.

Mr. AUSTIN. Mr. Speaker, I wish to add my tribute of esteem and affection for the late clerk of the great Committee on Appropriations. I first met Mr. Courts 35 years ago when I was the Assistant Doorkepeer of this House and he was the assistant clerk to the committee, and we kept up our acquaintance and friendship until the time of his departure. I was very much attached to him and valued his friendship. I not only counted him my personal friend, but the members of our families long ago learned to love each other. It is well for this great legislative body to pause for a while in its deliberations and work to pay a just and fitting tribute to one who rendered such signal and valuable service to his country. He was a son of Tennessee, and his ancestors were among the pioneers of the Volunteer State. It will be a long, long time before his position will be filled with that signal ability, faithfulness, and patience which he demonstrated throughout his long years of service to his country.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

THE CHAPLAIN.

Mr. LLOYD. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts.

The Clerk read the resolution, as follows:

House resolution 413 (H. Rept. 1239).

Resolved, That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House, to the Rev. Henry N. Couden, Chaplain of the House of Representatives, the sum of $300, as additional compensation for the fiscal year 1917.

Mr. LLOYD. Mr. Speaker, the Chaplain of the House at the present time receives $1,200 a year. A number of Representatives on the floor have insisted that the present Chaplain is entitled to better recognition, and a resolution was presented and referred to the Committee on Accounts asking that for this fiscal year the amount be increased $300, making it $1,500; and after investigating the matter the committee came to the conclusion that it was proper recognition.

Mr. COX. How much does the Chaplain of the Senate get?

Mr. LLOYD. I do not know.

Mr. COX. I think he gets only $1,200 a year.

Mr. MANN. He gets $1,200.

Mr. COX. I think that is what he gets. The present Chaplain of the House gets a pension, does he not?

Mr. LLOYD. I do not know.

Mr. MANN. He does.

Mr. COX. I understand he gets a pension of $72 a month.

Mr. LLOYD. If he gets a pension of $72 a month, he gets it because he deserves it. Any man who has lost his eyes as a result of Army service is poorly paid when he is paid $72 a month for his eyes. [Applause.]

Mr. COX. That is true. I thoroughly agree with that statement. I have profound respect for our Chaplain, but I do not see any necessity of paying more than the Senate pay theirs. No reason has been advanced for it yet that satisfies me. However, I am sure this resolution is going to pass.

Mr. MANN. Will the gentleman from Missouri yield to me a couple of minutes?

Mr. LLOYD. I yield to the gentleman from Illinois, who introduced the resolution.

Mr. MANN. The Chaplain of the Senate and the Chaplain of the House now receive the same salary. The Chaplain of the Senate is one of the ministers of the town, having charge of a church here, and I should say that $100 a month was pretty fair compensation, under those circumstances, for the service he performs for the Senate, and doubtless we could obtain the same service for that money without any difficulty.

The present Chaplain of the House has been Chaplain since before I came here, and I have been here several years. He was continued under the Democratic administration, although he was a Republican, and I suppose he still is. I pay tribute to that side of the House for having continued him. In recent years we have imposed some additional duty upon him by publishing his prayers. But the real reason for the introduction of this resolution grows out of these circumstances: The Chaplain is blind. His wife has been in the habit of conducting him to the Capitol, and she has been the person to look after him in every way whatever. Recently she was afflicted with a paralytic stroke and is now unable to perform the services which were performed by her before, and instead of being an aid to him in conducting him around, she herself now requires some attention. The House the other day, by unanimous consent—that is, on an amendment that I offered, which was subject to a point of order—increased the salary of the Chaplain of the House for the next fiscal year by the sum of $600 so long as the office was held by the present incumbent. I introduced a resolution to pay $300, or half that amount, for the next six months, understanding that it met the approval of the full House, by the action taken on the legislative bill for the next fiscal year.

Mr. LLOYD. Mr. Speaker, in the matter of the blind who have been here we have been kind, I think. The Member of the House who is blind is furnished a page at Government expense. The Senator of the United States who is blind is furnished a page at Government expense, and under the unfortunate cir-

cumstances which have come to the Chaplain, it looks to me as though this additional compensation may very properly be given.

I ask for a vote.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

PORTRAIT OF EX-SPEAKER CANNON.

Mr. LLOYD. The gentleman from New York [Mr. HICKS] will present a resolution from the committee.

Mr. HICKS. I offer the following privileged resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution as follows:

House resolution 416 (H. Rept. 1240).

Resolved, That the Committee on the Library is authorized and directed to procure a portrait of former Speaker JOSEPH G. CANNON at a cost not exceeding $2,000, the same to be paid out of the contingent fund of the House of Representatives upon vouchers approved by the Committee on the Library.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LOBECK, for two days, on account of illness.

DISTRICT OF COLUMBIA APPROPRIATIONS.

On motion of Mr. PAGE of North Carolina, the House resolved itself into the Committee of the Whole House on the state of the Union, for the further consideration of the bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes, with Mr. GARRETT in the chair.

Mr. PAGE of North Carolina. Mr. Chairman, I ask unanimous consent to return to page 54, line 8, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to return to page 54 for the purpose of offering an amendment. Is there objection?

Mr. BENNET. Reserving the right to object, let us hear what the amendment is.

Mr. PAGE of North Carolina. It is merely to offer a letter to properly spell a word. The word "estimate" should be "estimated."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 54, line 8, strike out the word "estimate" and insert the word "estimated."

The amendment was agreed to.

The Clerk read as follows:

For 11 copies of volumes 48 and 49 of the reports of the Court of Appeals of the District of Columbia, authorized to be furnished under section 229 of the Code of Law for the District of Columbia as amended July 1, 1902, at $5 each, $110.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word. The debate on the bill yesterday was enlivened by a discussion participated in by Members on both sides of the House relative to the causes and effect of the last election. In view of the interest that the House took in that discussion, I would like to have read in my time a speech on that subject recently made by a former Member of the House, the Hon. Frederick Landis, of Indiana, one of the wittiest men, I think, that has ever sat in this House, certainly in my time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to have read in his time a speech by Mr. Landis. Is there objection?

There was no objection.

The Clerk read the speech, as follows:

INDIANA'S NEW HUMORIST TELLS ABOUT ELECTION.

[From speech of Hon. Fred. Landis at Indiana Society Banquet.]

Indiana has just finished a great campaign, and the result was due to a diminished homicidal tendency among Republicans and to the absence of so many Democrats at Leavenworth.

It was a "campaign of education," and the Federal grand jury is now preparing to issue the diplomas.

In Washington the social season begins with Congress, but with us it begins with this grand jury, and this august body opens automatically as the polls close.

The people at home were resigned throughout the late contest. If the Democrats won, MARSHALL would be Vice President, and if the Republicans won it would be Fairbanks.

We were bound to lose, no matter how it went!

We are in the midst of great activity; newly elected candidates are writing reminiscences of their childhood and cigarette testimonials; defeated candidates are withdrawing from secret societies and entering the insurance business; gravel-road contractors, prompted by Anglo-Saxon unrest—and the dictograph—are moving to the far West; party workers are closing cellar windows with the lithographs of their heroes; those who lost election bets are dodging up and down alleys; post-office applicants are sending petitions to Congressmen and receiving garden seeds in reply, while multitudes from the land of my ancestors are changing the names of their children from Theodore to Adolph!

The whole contest was unsatisfactory; whenever a man thought of Hughes he was for Wilson, and whenever he thought of Wilson he was for Hughes, and so the votes of States were cast for the gentleman whom the voters did not have in mind when they went to the polls.

We of the "G. O. P." were at a great disadvantage.

It was charged that our nominees did not belong to the human race, and we were never quite able to supply them with satisfactory credentials, even with the assistance of John T. McCutcheon, by all odds the most effective Republican campaigner in the United States.

We were handicapped by another thing in the late fight; the masses could not be convinced that our leaders really were candidates for office. Whole towns would come down to the railroad yards, where we had them on exhibition, look them over, and then conclude that they must be on their way to a Dunkard conference somewhere.

It was a great mistake to let anybody see them!

As in the case of that other great Republican, James J. Jeffries, Mr. Hughes was overtrained—and in both cases it occurred in California.

Looking backward, we now realize that the country would have been saved if we had just played croquet.

Many were surprised when Mr. Wilson received the votes of so many women, but that was only to be expected. The women of the country are very grateful to the President, whoever he may happen to be; they realize that if men did not have him to abuse millions of them would beat their wives!

There is one thing, however, for which we may all rejoice—the people are thinking more than ever.

God only knows what they're thinking about—but they are!

Indiana is "progressive"—except on election day.

She will not let any State go around her.

And so she is for "preparedness."

She demands that amount of it which is necessary to prevent her being pillaged by anybody except those whom she has elected for that purpose.

She is not provincial and she has no prejudice against foreign destroyers; she simply does not need them.

She has a band of statesmen who are guaranteed to make any place resemble a Belgian cathedral within 48 hours!

But while euthusiastically for "preparedness," we can not exactly agree as to its habits and customs.

The followers of Bryan insist that it means boundless love; they declare that we will never be absolutely safe till we have at least 20,000,000 trained Romeos.

Then if the Japs should come, we would meet them at the Golden Gate and utterly overwhelm them with a game of "post office"!

The adherents of the President are heroic; they stand where Thomas stood at Chickamauga.

They will consent to nothing less than universal penmanship!

The "Old Guard" of my altogether harmonious party would do nothing till danger stood at the door; it would just go on watering the stock till the invader appeared and then it would convene the national committee of 1912 and command it to throw the invader out!

Since the passage of the corrupt-practices act our prosperity has rested upon the farm. It is the only thing which does rest upon the farm, except the president of your society—Mr. George Ade.

This gentleman has done a great thing for Indiana; he has developed her sense of humor till it is impossible to find anybody willing to serve on a governor's staff.

It is doubtful if the country could have survived the last four years without George Ade.

When President Wilson cold-creamed the dictionary and powdered it and florida-watered it and penciled its eyelashes and taught it to "walk Spanish" and enter the parlor properly and bow and retire without turning its back on any of the "company" or bringing its bustle in contact with the whatnot—it was at this critical period in our national life that the head of your society became indispensable to our very existence!

What a refuge he has been after a debauch of "perfect English"!

When our medulla-oblongatas and "Colorado Maduros" have been jammed full of metaphorical ladyfingers—what heavenly surcease it has been to have George Ade drag Noah Webster from his pedestal and saw off both of his legs!

[Laughter.]

The Clerk read as follows:

In all, municipal court, $25,050.

Mr. LEWIS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN (Mr. RAINEY). The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

Court of Appeals Building, District of Columbia: Two watchmen, at $720 each; elevator operator, $720; three laborers, at $480 each; mechanician (under the direction of the Superintendent of the Capitol Building and Grounds), $1,200: *Provided*, That the clerk of the court of appeals shall be the custodian of said building, under the direction and supervision of the justices of said court; in all $4,800.

Mr. PAGE of North Carolina. Mr. Chairman, I move to amend the bill in line 23, page 76, in the last word. In that line there are two letters missing. It should be "appeals."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 76, line 23, strike out "appea" and insert "appeals."

The amendment was agreed to.

The Clerk read as follows:

REFORMATORIES AND CORRECTIONAL INSTITUTIONS.

Washington Asylum and Jail: Superintendent, $1,800; visiting physician, $1,200; resident physician, $480; two assistant resident physicians, at $120 each; clerk, $840; engineer, $900; three assistant engineers at $600 each; night watchman, $480; blacksmith and woodworker, $500; driver for dead wagon, $365; hostler and driver, for supply and laundry wagon, at $240 each; hospital cook, $600; assistant cooks—two at $300 each, one $180; trained nurse, who shall act as superintendent of nursing, $1,200; two graduate nurses at $480 each;

graduate nurse for receiving ward, $480; two nurses for annex wards at $540 each; nurse for operating room, $540; eight orderlies, and two orderlies for annex wards, at $300 each; pupil nurses, not less than 21 in number (nurses to be paid not to exceed $120 per annum during first year of service, and not to exceed $150 per annum during second year of service), $3,000; registered pharmacist, who shall act as hospital clerk, $720; gardener, $540; seamstress, $300; housekeeper, $420; laundryman, $600; assistant laundryman, $365; three laundresses at $360 each; two chambermaids, three waiters, and seven ward maids, at $180 each; temporary labor, not to exceed $1,200; operator of X-ray machine, $600; pathologist, $600; anæsthetist, $300; in all, $29,610.

Mr. KING. Mr. Chairman, I desire to move to amend line 15 by striking out the figures "600" and inserting "720."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 78, line 15, by striking out the figures "600" and inserting "720."

Mr. DAVIS of Minnesota. To that, Mr. Chairman, I reserve a point of order.

Mr. KING. Mr. Chairman, as I understand, this is the recommendation of the commissioners. There are three assistant engineers who have charge of the engines, and I note on the page just before that you are paying the fireman the sum of $720. It occurs to me that this is the same pay for the same character of work.

Mr. PAGE of North Carolina. Will the gentleman allow me?

Mr. KING. Certainly.

Mr. PAGE of North Carolina. The fireman that the gentleman refers to in the preceding paragraph is at the courthouse, and has to furnish his own board and keep. The fireman at this institution is furnished subsistence, and that accounts for the difference in the pay.

Mr. KING. What does the gentleman mean by "subsistence"?

Mr. PAGE of North Carolina. He is fed—he receives his board; and as to the lodging I am not sure.

Mr. KING. I do not understand it that way.

Mr. PAGE of North Carolina. Then the gentleman has a wrong understanding. Every one of these employees in this institution receives their subsistence—their board.

Mr. KING. Mr. Chairman, these engineers have families who are dependent upon the salary of $50 a month that they receive.

Mr. PAGE of North Carolina. I have no information about the families, but I know that every employee in the institution is furnished with board. That accounts for the rather lower range of salaries in this institution than in others.

Mr. DAVIS of Minnesota. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from North Carolina a question. Every once in a while we read in the newspapers some criticism of the lack of emergency-hospital service in Washington. I have rather a complete ignorance on the subject. Is the gentleman prepared to say whether, in his judgment, there is an adequate emergency hospital in this city?

Mr. PAGE of North Carolina. Mr. Chairman, if the gentleman from New York professes complete ignorance of this question, it would take me very much longer than the limit I can likely secure under the five-minute rule to enlighten him. It is a long story. Answering his question directly, my judgment is that the facilities for the care of the indigent sick in the city of Washington are less good than in any municipality of which I have any knowledge.

I have said on former occasions on the floor of the House, addressing myself to this subject, that it was the one crying disgrace in the Capital of the Nation that no better facilities were provided for the care of this class of people within this jurisdiction. I have been trying since I have had charge of this bill to bring about a condition by which the District government could construct a municipal hospital that would be in keeping with the needs of the Capital itself. There are so many angles of opposition to the construction of such a hospital that it is absolutely futile to undertake it in this House. It has been provided on this bill several times and it always goes out. In writing the bill this time the subcommittee have been at last convinced that there was no hope of commencing the work on a municipal hospital in the District to relieve the District needs, and we have provided somewhat more liberally for the patching up of the present quarters used for that purpose.

I wish that at some time I might have the time again before I retire to private life upon the 4th of March next to express my indignation not altogether at the action of this body but largely at the action of the citizenship of the District of Columbia. They are aiding in this opposition to a hospital because nobody wants it located within 5 miles of where he lives. I have neither the time, I will say to the gentleman from New York, nor would the House indulge me if I were to undertake to go fully into this matter. It is a question upon which I feel rather strongly, and could express myself equally so.

Mr. BENNET. Mr. Chairman, I am absolutely astounded at the situation disclosed by the remarks of the gentleman from North Carolina. As I said when I rose, I had a complete ignorance upon the subject, but it seems to me almost incredible that in these enlightened days—I might almost say these softer days—necessary hospital facilities should be impossible to obtain in a city the size of the city of Washington. I represent in part a large city, and over on the Manhattan end, in New York County, although the population is much more dense than it is in any part of the city of Washington, we have three hospitals that I can think of at the moment. They had two, and just this last week another one was authorized. That is in addition to the homes for the aged and matters of that sort.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BENNET. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BENNET. Possibly I do not thoroughly understand the gentleman from North Carolina [Mr. PAGE]. The gentleman from Illinois [Mr. MANN] rather starts me on a new line of thought. In addition to our public hospitals in the city of New York, we have many—I do not know how many; probably 70 or 80 or 100—that might be called semipublic, like St. Vincent de Paul, or the Presbyterian Hospital, or the Polytechnic, and homes, like the Home for Incurables and the Home for the Aged, and so forth. Did the gentleman's criticism include hospitals of that character, or did he understand me as referring only to entirely public hospitals?

Mr. PAGE of North Carolina. Mr. Chairman, I will say to the gentleman that I directed no criticism at all to the private hospitals or their facilities or the treatment of the patients assigned to them, but they exercise a rather strict surveillance over the character of patients that are assigned to them by the Board of Charities, and the diseases with which they are suffering. I am not exactly sure of the sum, but I am quite sure that the Government of the United States has invested in the construction of private hospitals on land owned by private corporations within the last few years—10 or 15—more than $2,000,000 in this city, hospitals to which it has absolutely no title—enough to have constructed three municipal hospitals for the care of all these sick. Under a contract made by the Board of Charities as provided for in this bill with these private hospitals, they care for patients at a certain contract price, but there is an excess of patients over and above those contracted for by the Board of Charities, and there are now lodged in these wooden buildings, and in many instances under insanitary conditions, more than 300 indigent sick people. There are indigent sick people suffering from rheumatism lodged in the basement of a building below ground. There are men on cots in corridors, the crowded condition is such. The Government years ago secured a plat of land of 14 or more acres at Fourteenth and Upshur Streets, in the northwestern part of the city, on which has been constructed one unit of a municipal hospital, a tuberculosis hospital, and the proposition was made to construct a municipal hospital on the land owned by the District in that locality, an elevated portion of the District, and the whole northwestern part of the city rose up in arms against its location there. They have approached Members of Congress individually and have had them pledge themselves in some instances against voting for an appropriation for this hospital unless it was specified it should not be located on that particular spot. Other people in other sections of the city where there was probability that it might be located have come with petitions and protests. There is no place within the District of Columbia where the citizens in that part will allow a hospital of this character to be constructed without protest.

Mr. BENNET. Does not the gentleman think it is about time that the people of the city of Washington learned that they live in a city and that the sick of the city must be cared for in the city?

Mr. PAGE of North Carolina. I think, and I shall put it just as strongly and a little more so than did the gentleman awhile ago, that this condition and the objection of the citizens to the establishment of this institution for the care of the indigent sick is inhumane.

Mr. BENNET. Why does not the gentleman, before he gets away from the proper part of this bill, give some one at least the opportunity of making the point of order against the provision for a hospital? Why not try out the proposition?

Mr. PAGE of North Carolina. Why, Mr. Chairman, I will say to the gentleman that I brought it into this very Congress, in the last session of this Congress, in the bill when it came from the Senate. Why should I merely make an experiment? I have made protests here in the interest of this institution, very much stronger than merely offering it to the House for its acceptance, to see it go out on a point of order; and I do not see that we gain anything or get anywhere. I can go further, and will say to the gentleman that if the subcommittee having charge of this bill had not known that we could not get it to pass this House we would have inserted it in this bill, without giving away any secret; but it is something that has been tried out. I do not know how other men may be, but I sometimes recognize the fact when I am utterly licked, as I am in this case.

Mr. BENNET. Of course the gentleman knows this House, and no one would ask him to do a futile thing. Certainly his feelings on the subject are strong enough, and, therefore, the House must assume that he has exhausted every expedient which he thinks would be helpful.

The CHAIRMAN. The time of the gentleman from New York has again expired, and, without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Payments to destitute women and children: For payment to beneficiaries named in section 3 of "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances," approved March 23, 1906, $6,500, or so much thereof as may be necessary, to be disbursed by the disbursing officer of the District of Columbia, on itemized vouchers duly audited and approved by the auditor of said District.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman in charge of the bill whether there is in the District of Columbia anything in the nature of a widowed-mothers' act?

Mr. PAGE of North Carolina. No; not that I am familiar with, and I think not. I think I can say positively there is not.

Mr. BENNET. So if a woman, for example, is widowed and unable to support her children they must, if they are cared for by the municipality, be taken away from her and sent to an institution?

Mr. PAGE of North Carolina. They must be taken care of by the Board of Charities at some private institution. There is no provision or law by which she could, because of her condition as a widowed mother, receive directly from any fund for her support.

Mr. BENNET. Does the gentleman know whether there has been an attempt made to pass one of these modern statutes in reference to widowed mothers?

Mr. PAGE of North Carolina. Not being on the legislative committee for the District of Columbia, I can not answer that question. Not through the Committee on Appropriations.

Mr. BENNET. This seems to be the only opportunity we have to talk about legislation for the District, and therefore the gentleman must excuse me if I ask these questions.

Mr. PAGE of North Carolina. The gentleman is excused. I can not answer the gentleman; I do not know.

Mr. BENNET. I thank the gentleman very much.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

Support of prisoners: For maintenance of jail prisoners of the District of Columbia at the Washington Asylum and Jail, including pay of guards and all other necessary personal services, and for support of prisoners therein, $50,000.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I make this motion for the purpose of making an inquiry of the committee as to the reason for not setting out the officers paid under this appropriation. Does this appropriation include the officers and their salaries?

Mr. HOWARD. It includes the superintendent, the deputy superintendent, the superintendent of buildings, a clerk, captains of the watch, guards, engineers, matrons, steward, stenographer.

Mr. DOWELL. May I inquire why these officers and their salaries are not set out in the bill the same as other provisions have been?

Mr. HOWARD. This is the reason: They vary in the number. They had to be carried under the provision making appropriation for the maintenance of the jail. Now, for instance, they have 13 guards estimated for in this bill, 2 engineers, matron, steward, stenographer, 1 superintendent, 1 deputy superintendent, 1 superintendent of buildings, a clerk, 3 captains of the watch. That is the estimate for this year.

Mr. DOWELL. Does the gentleman understand that the salaries of these officers provided and not set out in this paragraph are increased in the general appropriation of a per cent of increase the same as the other officers named?

Mr. HOWARD. I think the contemplation is if the salaries are less than $1,200 they get a 10 per cent increase, and if they are from $1,200 to $1,800 they get a 5 per cent increase.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

National Training School for Girls: Superintendent, $1,200; treasurer, matron, and 4 teachers, at $600 each; overseer, $720; 2 parole officers, at $600 each; 7 teachers of industries, at $480 each; engineer, $720; assistant engineer, $600; night watchman, $480; 2 laborers, at $300 each; in all, $12,480.

Mr. PAGE of North Carolina. Mr. Chairman, in line 22, page 81, the paragraph just read, I offer an amendment to insert a hyphen at the end of the line.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 81, line 22, at the end of the line insert a hyphen.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Columbia Hospital for Women and Lying-in Asylum: For care and treatment of indigent patients, under a contract to be made with Columbia Hospital for Women and Lying-in Asylum by the Board of Charities, not to exceed $20,000.

Mr. BENNET. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman in charge of the bill what system is pursued in reference to these indigent lying-in cases? Is there a contract by which the physician gets so much?

Mr. PAGE of North Carolina. There is a contract by which they are assigned by the Board of Charities to this hospital under a contract price, and that contract price is, adults, $1.20 a day, and infants, 40 cents a day.

Mr. BENNET. Does the gentleman know whether any investigation has been made as to whether this is abused? My reason for asking the question is this: We have a similar provision in the city of New York—of course, covering a great many more hospitals—by which the hospital gets $25 for each case, not to exceed $8,000 in the aggregate per hospital. We found, I regret to say, and very much to my surprise, that many women who could have afforded to be taken care of during this trying time not only in comfort but in luxury in their own homes actually go as indigent patients to these hospitals to be cared for.

Mr. PAGE of North Carolina. I have heard of no cases of abuse along that line here. Of course, this hospital takes in a great many pay patients.

Mr. BENNET. Does anybody in the District of Columbia, any official body, ever investigate these matters?

Mr. PAGE of North Carolina. There is a body, a board of directors or managers, constituted under the law, consisting of two Members of this House and one Member of the Senate, the Surgeon General of the Army and the Surgeon General of the Navy, and various other prominent people connected with the Government, and the commissioners are also, I think, members of the board, at least a part of them, who are supposed not only to be the governing but the regulating body.

Mr. BENNET. Of the hospital?

Mr. PAGE of North Carolina. Of the hospital.

Mr. BENNET. But what I had more particularly in mind, and we found this necessary from time to time in New York City—and I suppose they have in other cities—does anybody corresponding, for instance, to the comptroller of the city of New York, who is our financial officer, or the commissioner of accounts, or investigating officer—is there anybody in the District government charged with the official duty of investigating this character of expenditure of the people's money?

Mr. PAGE of North Carolina. All these expenditures through the Board of Charities are audited, as I understand, by the auditor of the District of Columbia—that is, so far as the accounts are concerned. Now, as to any investigation by anybody charged with an oversight or investigation as to whether or not the Board of Charities, in making these assignments, send to this hospital at public expense people who are not indigent or people who are abundantly able to pay their own hospital fees, I think not. I think that matter has no supervision other than by the Board of Charities.

Mr. BENNET. I call the gentleman's attention to the fact that in this city of 350,000 people—is it not?

Mr. PAGE of North Carolina. It has about that population.

Mr. BENNET. Here is an expenditure of $92,500 for what might be called dispensary purposes.

Mr. PAGE of North Carolina. I will say to the gentleman he can supplement his figures, in another bill that will be reported to this House. The sundry civil bill carries an appropriation to the Providence Hospital of $19,000 and to the Garfield Hospital of $19,000 for care, under contract, of indigent patients.

Mr. BENNET. That is $38,000 more.

Mr. PAGE of North Carolina. Yes.

Mr. BENNET. That is $130,000 for dispensary service. I have no objection if it is spent for indigent people. But it does seem to me a fairly large expenditure for a city that is not one of the largest. I just wanted to find out whether there was any official corresponding to the comptroller of the city of New York, whose duty it was to do what the comptroller and the commissioner of accounts of New York City do—that is, investigate if these expenditures are properly made.

Mr. PAGE of North Carolina. These accounts are all audited. As to these people who are supposed to be indigent and who make applications to the Board of Charities for treatment in these hospitals, their cases are looked into by some employee of the Board of Charities before they take them to the hospital.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PAGE of North Carolina. I ask unanimous consent that the gentleman's time may be extended for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. PAGE of North Carolina. The Board of Charities, I will say to the gentleman, is appointed by the President of the United States. It is one of those mix-ups that we get in this particular jurisdiction, where we have a school board appointed by the Justices of the Supreme Court, a Board of Charities appointed by the President of the United States, and a recorder of wills and a recorder of deeds appointed by the President of the United States.

Mr. BENNET. And irremovable assistant assessors?

Mr. PAGE of North Carolina. Yes; and all these go out when you try to remedy the matter by a point of order. And the gentleman can see it is very hard even when a man tries to spend all his time to get clearly in his mind even the administration of all this intricate system we have worked up here by patchwork in the District of Columbia; but I can say to him positively there is a very strict and close supervision of the character of patients, as to whether or not they are indigent, that are assigned to these various hospitals.

Mr. BENNET. Of course, the gentleman says the accounts are audited, but the gentleman and I both know what that means. Here is an appropriation, we will say—the one we are now discussing—of $20,000. The superintendent, or some one else, of the Columbia Hospital for Women and Lying-in Asylum certifies in accordance with the contract with the Board of Charities that they have treated so many women in accordance with the contract, and when that certificate comes up to the auditor, if there is an unexpended balance in the appropriation, he has no function except to audit it?

Mr. PAGE of North Carolina. None whatever.

Mr. BENNET. It is a proper appropriation, a proper contract, authorized by law, a certified service, and all he has left to do is to multiply?

Mr. PAGE of North Carolina. Except, it may be added to the gentleman's statement, the Board of Charities makes some review of all these expenditures.

Mr. BENNET. Well, without criticizing the Board of Charities—I do not know who they are——

Mr. PAGE of North Carolina. They are very eminent gentlemen in the city of Washington.

Mr. BENNET. I have no doubt that they are among the best men that could have been selected. But is it a paid function?

Mr. PAGE of North Carolina. It is not a paid function; it is voluntary service.

Mr. BENNET. Then they probably give it more or less casual attention?

Mr. PAGE of North Carolina. I will say to the gentleman, incidentally, that while we were preparing the appropriation bill at the last session of Congress this eminent body of men came before us and asked if we could not dispense with the Board of Charities and relieve them of the obligations.

Mr. BENNET. It does seem to me—of course the gentleman and I are not going to be here very long, and I regret it so far as the gentleman is concerned——

Mr. PAGE of North Carolina. The same to the gentleman.

Mr. BENNET. But it has always seemed to me that we, coming from different parts of the country, the 435 of us, ought at times to bend our energies toward making the government of the city of Washington a model city government, and if we find there is anything missing possibly we are not wasting the time of the House if we call the attention of those who are to succeed us at least to an omission in the government.

Mr. PAGE of North Carolina. I can say to the gentleman that among the many regrets that I may have when I retire to private life one will not be that I have not made an earnest effort to better the government of the District of Columbia.

Mr. BENNET. We all know that the gentleman has done that. [Applause.]

Mr. MANN. Mr. Chairman, I do not want to strike out the last word, but the gentleman from New York [Mr. BENNET], by his suggestion, might lead us to believe that in New York City—which by the way I would hardly take as a model of city government as against the administration of the city of Washington—when somebody goes to a hospital as a charity patient, the comptroller sends out a lot of agents and finds out what the man's condition is, and does something more than merely pass upon the account. But the comptroller is nothing but an auditor, usually with a little higher power. The comptroller in New York City, I apprehend, does nothing more to these accounts than the auditor does here, unless he has a lot of personal representatives—which would not be improbable under Tammany control—to send out and make an investigation at an expense of a thousand dollars to see if they are to expend $2 on the patient.

The Board of Charities of this city is one of the best boards in the United States. I have never seen any official, except the gentleman on the floor of this House from New York City, that I would rather intrust with an affair than the members who constitute the Board of Charities in Washington. They are very competent men, rendering a splendid service, just as many men render splendid service throughout the country in official positions, and they often do it on school boards where other officials are paid who are elected to office. Here men who desire to have preferment in office in Washington as a rule can not seek some office which pays a salary. Some of them accept offices which do not pay salaries and perform their services well. I know some members of the Board of Charities here, and I frequently take occasion to discuss with them the situation in Washington under their control, and I think I never have found any body of men who did their work apparently better, with more disinterested patriotism, than does the Board of Charities in Washington.

Mr. BENNET. Mr. Chairman, I ask unanimous consent to proceed for three or four minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for four minutes. Is there objection?

There was no objection.

Mr. BENNET. Mr. Chairman, as I said before in my remarks, I do not know even who the present members of the board are. My criticism is as to a defect in the system. The gentleman from Illinois [Mr. MANN] has a very wide knowledge of many subjects, but one of the omissions in his knowledge is as to the powers of the comptroller of the city of New York. Incidentally he seems to have forgotten for the moment—because I take it for granted that he knows—that for the last seven years the comptroller of the city of New York has been an anti-Tammany comptroller, and that since 1901 the comptroller in office has been more frequently an anti-Tammany official than a Tammany official. As a matter of fact, the city of New York has ceased to be a Democratic Gibraltar, and we are just as apt to elect on the general ticket in the coming municipal campaign in 1917 an anti-Tammany ticket as a Tammany ticket.

The comptroller has precisely the functions that I indicated he has. The commissioner of charities can make contracts in New York City similar to those evidently authorized by law in the District of Columbia, for which we are appropriating here, but the comptroller has the power not merely to audit, but to send his representatives, of whom, as the gentleman from Illinois happily guessed, he has many, into the various institutions to find out how the contracts are being carried out. And in a city which does as this city does, spending the something like $13,000,000 or $14,000,000 as carried in this bill, there ought to be somebody who has the power beyond the mere auditing of an account to pass upon the character and propriety of contracts entered into by a board, and especially unpaid boards; because, while I do not doubt for a moment that the gentlemen, and possible the ladies, who compose the Board of Charities are

very excellent people, nevertheless we all know from our own experience that busy people who accept unsalaried positions are quite apt to delegate responsibility to the salaried officials under them. It can not do any harm to have commissioners of accounts, as they have in New York, and I have no doubt as they have in Chicago, or to confer upon somebody in the District the same powers that are exercised by our comptroller, or the powers that some official in Chicago exercises, I will hazard the guess, even though I have a good deal of ignorance on the subject.

Why, under our city charter if a man makes a contract with the city of New York for the furnishing of supplies at a certain price and the comptroller of the city of New York finds out that that contract was at a higher price than the market value, or than a reasonable value, the city can defend a lawsuit based upon the contract, and can confine the man who furnishes the supplies to a reasonable or market value of the supplies. In other words, we have attempted in every possible way to hedge about the treasury, and it seems to me that while very possibly the government of the city of Washington is superior to the government either of the city of Chicago or of New York—and I do not hazard an opinion in either case—nevertheless when we find in either city some one good thing whereby we are discharging a public duty and exercising a public function and call the attention of this House, which is the board of aldermen of the District of Columbia, to the fact that somewhere in New York or even in Chicago there exists a better municipal plan than that which is being used in the city of Washington we ought to be willing to consider it on its merits with an open mind. For instance, I asked the gentleman a moment ago in relation to the widowed mother. We have, and it is very possible they have in Chicago—they lead in many things there—we have in New York City a provision to prevent the disruption of families, which does not exist here in Washington. If a woman, as the gentleman from North Carolina [Mr. PAGE] says, has a child whom she is unable to support, the only thing she can do is to send that child to an institution; a necessary thing, but a cruel thing to the child. We provide in the city of New York that a woman similarly circumstanced can, under proper regulation, receive the same amount of money for the same child, to be applied to the support of that child in the home, because, although we may be mistaken about it, we do have the opinion that the foundation of society is the home, a proper home, and that money expended for a child is far better expended in keeping the home of that child intact than to spend a similar sum to maintain that child, possibly with more food, more clothes, under a better roof in the best-managed public institution that any city in the world ever saw, and I think that is a splendid idea.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PAGE of North Carolina. Mr. Chairman, I move to strike out the last word.

Mr. FOCHT. Mr. Chairman, just a word.

Mr. PAGE of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. FOCHT. In justice to my own great home State of Pennsylvania I wish to say that we have in operation in that Commonwealth now what is known as the mothers' pension law, which provides for the care of children, or an allowance for the children, so that families may not be broken up; and I wish to add that it is working most successfully, and we are very proud of that measure. It was suggested and became a law as a consequence of the broad and humane activities of a former Member of this body, Hon. John K. Tener, who as governor signed the bill, thereby still further endearing him in the hearts of the people as a man of humanity and who believes in not only talking about but applying social justice.

Mr. PAGE of North Carolina. Mr. Chairman, in my time, may I ask the gentleman from Pennsylvania a question?

Mr. FOCHT. Yes.

Mr. PAGE of North Carolina. I believe the gentleman is a member of the Committee on the District of Columbia, which has jurisdiction over legislation relating to the District.

Mr. FOCHT. Yes.

Mr. PAGE of North Carolina. Has the gentleman tried to put that system in operation in the District of Columbia?

Mr. FOCHT. I have not heard anything of that. We have not had a meeting of the committee recently. When we have a meeting of the committee I shall be very glad to offer a bill of that kind. If the gentleman would assist in having a gathering of the members of that committee sometime, I would be very glad to offer such a bill.

Mr. PAGE of North Carolina. I will say to the gentleman that I am not a member of that committee. If that committee were a little more active, possibly I might be relieved of a great many of my own embarrassments in connection with this appropriation bill.

Mr. FOCHT. I think if the committee has been derelict it can not be charged to me. In any event, I will feel it a great privilege to offer to Congress a bill which will make adequate and systematic provision for dependent mothers and their children to supplant the present haphazard method employed in the District of Columbia.

Mr. PAGE of North Carolina. Mr. Chairman, I rise for the purpose of indorsing all that the gentleman from Illinois [Mr. MANN] said about the personnel of the Board of Charities. They are people not only very eminent in the District, but people whose character would be a guaranty of their proper supervision of any public function that they should assume. The board now consists of Mr. D. J. Kaufman, Mr. John Joy Edson, Mr. George M. Kober, Mr. George E. Hamilton, and Dr. John Van Schaick. The calling of the names of these gentlemen is a guaranty that, as far as they can, they are looking after the charities of the District of Columbia properly. Of course, I can not answer the definite questions asked by my friend from New York Mr. BENNET, but I have very great faith in the proper administration of those funds under this board.

The Clerk read to line 10, on page 83.

Mr. PAGE of North Carolina. Mr. Chairman, referring to line 8 on page 83, I offer an amendment to insert a hyphen at the end of that line.

Mr. MANN. It is not necessary.

Mr. PAGE of North Carolina. It is not necessary, but it is usual.

Mr. MANN. There will not be any hyphen there when the bill is engrossed, anyhow. It is only the division of the word "agreement" at the end of the line.

Mr. PAGE of North Carolina. I withdraw the amendment, Mr. Chairman.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DEWALT having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, 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 Senate to the bill (H. R. 407) entitled "An act to provide for stock-raising homesteads, and for other purposes."

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Tuberculosis Hospital: Superintendent, $1,800; resident physician, $600; assistant resident physician, $300; roentgenologist, $600; pharmacist and clerk, superintendent of nurses, and engineer, at $720 each; pathologist, $300; matron, dietician, chief cook, assistant engineer, laundryman, and 8 graduate nurses, at $600 each; assistant cooks—1 $360, 2 at $240 each; assistant engineer, $480; elevator conductor, $300; 3 laundresses, at $240 each; farmer, laborer, night watchman, 4 orderlies, and assistant laundryman, at $360 each; 3 ward maids, at $240 each; 4 servants, at $240 each; in all, $20,460.

Mr. BENNET. Mr. Chairman, I move to strike out the last word, for the purpose of displaying a little more ignorance. What is the office described in the first word on the first line of page 84?

Mr. MANN. What word?

Mr. BENNET. Roentgenologist.

Mr. PAGE of North Carolina. He is the man who operates the X-ray machine.

Mr. BENNET. I thank the gentleman very much.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. FOSTER having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President on December 21, 1916, had approved and signed bills of the following titles:

H. R. 8816. An act authorizing the Commissioner of Navigation to cause the sailing vessel *Golden Gate* to be registered as a vessel of the United States; and

H. R. 9856. An act granting to the St. Louis, Iron Mountain & Southern Railway Co., and to the Anheuser-Busch Brewing Association, and to the Manufacturers' Railway Co. permission to transfer certain rights of easement for railway purposes heretofore granted by the United States to the St. Louis & Iron Mountain Railroad Co. and to the Anheuser-Busch Brewing Association, respectively.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For board and care of all children committed to the guardianship of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place

to place, with authority to pay not more than $1,500 to institutions adjudged to be under sectarian control and not more than $400 for burial of children dying while under charge of the board, $80,000.

Mr. BENNET. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman from North Carolina about the provision—

Not more than $400 for burial of children dying while under charge of the board.

Has the gentleman any idea how many children there are under the care of the board?

Mr. PAGE of North Carolina. On July 1, 1915, there were 1,930 children under the care of the board—1,677 permanent wards of the board and 33 were on the roll as feeble-minded. There were 183 temporary wards, and 17 of them were on the roll as feeble-minded. The aggregate is 1,930.

Mr. BENNET. At the average mortality rate amongst children I suppose the number of deaths would be somewhere around 25 to every 1,000. That would be somewhere around 50 children under the care of this board that might be expected to die in a year.

Mr. PAGE of North Carolina. I can not answer that question, but I will say to the gentleman that this limitation was placed in the bill at the suggestion of the people who are administering this fund. If there has ever been any deficit, they have never so reported to the committee.

Mr. BENNET. It indicates one of two things—either a very low rate of mortality, which would be very highly desirable——

Mr. PAGE of North Carolina. Let us hope so. During the year 1916 they spent only $50 of this appropriation; so there must be a very small mortality.

Mr. BENNET. Only $50 for the burial of children?

Mr. PAGE of North Carolina. Yes; that is embodied in their report.

Mr. BENNET. Then we must really assume that the deficit is made up by voluntary contributions, because we all know that the mortality rate is greater than that.

Mr. PAGE of North Carolina. I assume that the burial expenses of a number of the children who die are paid by private subscription or from some other fund, possibly of the institution in which they die; but the demand upon this fund of $400 during the last fiscal year for which we have a report was only $50.

Mr. BENNET. The other items in connection with the appropriation seem to be usual, and very possibly generous, but it strikes me that this item is small out of all proportion.

Mr. PAGE of North Carolina. I am not surprised that it attracted the attention of the gentleman, but, as a matter of fact, the reports to the committee show that they have never expended this amount, or anything like it.

Mr. BENNET. I withdraw the pro forma amendment.

The Clerk read as follows:

For care and maintenance of children under a contract to be made with the National Association for the Relief of Destitute Colored Women and Children by the Board of Children's Guardians, not to exceed $9,900.

Mr. BENNET. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from North Carolina if it is not possible that the colored children of the District do have the benefit of just the system described by the gentleman from Pennsylvania and myself. This language would seem to indicate it.

Mr. PAGE of North Carolina. I do not think these children are left with their mothers. I think that if they are cared for they are cared for by some arrangement made with the Board of Charities and not in their own homes.

Mr. BENNET. Does the gentleman have any knowledge about it?

Mr. PAGE of North Carolina. I do not. I want to say that while the gentlemen are mentioning this matter that almost every county in North Carolina apportions this indigent fund in the home.

Mr. BENNET. In the rural portions of New York State in the towns the overseer of the poor apportions the money to people in their homes. It is not anything new, but in these huge aggregations that we call cities, with their impersonal character, there has been in the past a sort of unconscious cruelty to children.

Mr. PAGE of North Carolina. The Clerk has just given me the information, and I will answer the gentleman's first question. This fund is all expended for children and none for women, and is administered through the organization. This must be expended under the law for children.

Mr. BENNET. But it is not expended to keep them in their homes, as is done in the gentleman's county and almost all rural counties in the United States.

Mr. PAGE of North Carolina. It is not. I am entirely safe in saying that none of this fund is expended in that way.

Mr. BENNET. Then, I regret it.

The Clerk read as follows:

Relief of the poor: For relief of the poor, including pay of physicians to the poor at not exceeding $1 per day each, who shall be appointed by the commissioners on the recommendation of the health officer, $12,000.

Mr. BENNET. Mr. Chairman, I move to strike out the last word in order to ask the gentleman from North Carolina, somewhat confidentially, how he would feel toward an increase of that appropriation if in any way it could be attached to a provision permitting the care of indigent children in their homes?

Mr. PAGE of North Carolina. I will say to the gentleman with perfect candor and without being confidential about it that without time to prepare a proper provision that would not be too far-reaching—there are so many institutions and so many instrumentalities connected with this matter that it is impossible to take care of all of them without careful preparation. I am in sympathy with the idea of the gentleman, and I hope all that has been said this morning may bring it before some Congress in the future in concrete form that may embrace all the institutions. As much confidence as I have in the gentleman's ability, and somewhat in my own, I do not think we ought to attempt it on the floor. There are a number of items scattered through the bill and a number of agencies through which the funds might be expended. I think it would be a little bit dangerous, and I think the gentleman will agree with me.

Mr. BENNET. I think the gentleman is correct. I will do one thing before I leave Congress, and leave it as a legacy to the successors of the gentleman and myself—I will introduce a bill embodying that proposition that can be taken up by somebody else at some other time.

Mr. PAGE of North Carolina. I think it would be a great help to those who come after us.

Mr. BENNET. I think it ought to be done, and I think the gentleman realizes that in the rural portions of the country the people have saved a great many useful children to the community by having them cared for in connection with private homes and not delivered over to the somewhat bare, cheerless, and unemotional care of the general public. It has to be done some time, but it should be avoided whenever it can be possibly done.

Mr. PAGE of North Carolina. I hope the gentleman will make his contribution for the benefit of those who serve here in the future.

The Clerk read as follows:

To enable the commissioners, in any case where special assessments, school tuition charges, rents, fees, or collections of any character have been erroneously covered into the Treasury to the credit of the United States and the District of Columbia in equal parts, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia appropriation act approved March 2, 1911, $1,500, or so much thereof as may be necessary: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

Mr. PAGE of North Carolina. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 93, line 12, at the end of the line, add the letter "l," so that it will read "special."

The amendment was agreed to.

The Clerk read as follows:

For distribution branch: Superintendent, $3,300; engineer, $2,400; assistant engineers—1 $1,800, 1 $1,700; master mechanic (who shall also act as a member of the board of examiners of steam engineers, without additional compensation), $2,300; foreman, $1,800; assistant foremen—1 $1,275, 1 $1,200, 1 $1,125, 1 $900; steam engineers—chief $1,750, 2 at $1,100 each, 3 assistants at $1,000 each; chief inspector of valves, $1,600; leveler, $1,200; inspector, $1,200; draftsman, $1,050; clerks—1 $1,800, 1 $1,500, 4 at $1,200 each, stores clerk $1,500, 1 $1,000, 1 $900; timekeeper, $900; 2 rodmen at $900 each; 2 chainmen at $675 each; 4 oilers at $610 each; 3 firemen at $875 each; janitor, $900; watchmen—1 $875, 1 $700, 1 $610; drivers—1 $700, 1 $630; 2 messengers, at $600 each; in all, $91,330.

Mr. BENNET. Mr. Chairman, I reserve the point of order on the language on page 96, lines 18, 19, and 20, relating to the master mechanic, for the purpose of getting some information.

Mr. MANN. Mr. Chairman, I make the point of order against the increase in salary in line 20, page 96.

Mr. PAGE of North Carolina. Do I understand the gentleman from Illinois to make the point of order or to reserve it?

Mr. MANN. I make the point of order against the increase of salary from $2,000 to $2,300 in line 20.

The CHAIRMAN. The Chair sustains the point of order.

Mr. PAGE of North Carolina. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 96, line 20, after the word "compensation," insert the figures "$2,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BENNET. Mr. Chairman, I withdraw the point of order that I reserved.

The CHAIRMAN. The gentleman from New York withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

For continuing the extension of and maintaining the high-service system of water distribution, laying necessary service and trunk mains for low service, and purchasing, installing, and maintaining water meters on services to such private residences and to such business places as may not be required to install meters under existing regulations as may be directed by the commissioners, said meters at all times to remain the property of the District of Columbia, to include all necessary land, machinery, buildings, mains, and appurtenances, and labor, and purchase and maintenance of horses, wagons, carts, and harness necessary for the proper execution of this work, not to exceed $340,000 of the amount available in the water fund during the fiscal year 1918 after providing for the expenditures hereinbefore authorized.

Mr. BORLAND. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. BORLAND: Insert as a new paragraph, page 98, following line 13, the following:

"No part of any amount herein appropriated shall be used to pay salaries or for personal services in any executive department of the Government of the city of Washington which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act, approved March 15, 1898, require eight hours of labor each day."

Mr. PAGE of North Carolina. Mr. Chairman, on that I make the point of order.

Mr. MANN. Mr. Chairman, I make the point of order that there is no quorum present. If members of the Committee on Appropriations desire to delay business, then I shall insist upon having a quorum present.

Mr. BORLAND. Oh, the gentleman from Illinois is mistaken——

Mr. MANN. I am not willing to let that matter be disposed of without a quorum of the House.

Mr. PAGE of North Carolina. Mr. Chairman, I hope the gentleman will withdraw his point of order.

Mr. MANN. I shall not withdraw the point of order unless the amendment is withdrawn. I do not purpose that this amendment shall be disposed of by 50 Members of the House.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present, and the Chair will count. [After counting.] Seventy-seven Members present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adair	Denison	Haskell	McCracken
Adamson	Dixon	Hastings	McCulloch
Aiken	Dooling	Hayden	McDermott
Alexander	Driscoll	Hayes	McFadden
Anderson	Drukker	Heaton	McGillicuddy
Anthony	Dunn	Helvering	McKenzie
Ashbrook	Dyer	Hensley	McKinley
Bacharach	Edmonds	Hill	McLemore
Barnhart	Edwards	Hinds	Maher
Beakes	Estopinal	Hopwood	Miller, Minn.
Beales	Fairchild	Houston	Moon
Benedict	Fields	Howard	Mooney
Britten	Finley	Howell	Morgan, La.
Bruckner	Flynn	Hulbert	Moss
Buchanan, Tex.	Focht	Husted	Mott
Burgess	Foss	Hutchinson	Mudd
Burke	Freeman	Johnson, Ky.	Neely
Butler	Gallagher	Johnson, S. Dak.	North
Caldwell	Gallivan	Jones	Norton
Capstick	Gardner	Kearns	Oglesby
Carew	Garland	Keister	Oliver
Cary	Glynn	Kennedy, R. I.	Olney
Casey	Godwin, N. C.	Kent	O'Shaunessy
Chandler, N. Y.	Good	Key, Ohio	Paige, Mass.
Charles	Goodwin, Ark.	Kiess, Pa.	Park
Church	Gould	Kinkaid	Parker, N. J.
Cline	Graham	Konop	Parker, N. Y.
Conry	Gray, N. J.	Kreider	Patten
Cooper, W. Va.	Greene, Mass.	Lafean	Peters
Copley	Griest	Lehlbach	Porter
Costello	Griffin	Lever	Pratt
Crosser	Guernsey	Lieb	Price
Cullop	Hamill	Liebel	Ragsdale
Dale, N. Y.	Hamilton, N. Y.	Lindbergh	Ramseyer
Danforth	Hamlin	Linthicum	Riordan
Davenport	Harrison, Va.	Lobeck	Roberts, Mass.
Decker	Hart	Loft	Rogers
Rowland	Shouse	Stephens, Tex.	Van Dyke
Russell, Mo.	Siegel	Sterling	Vare
Russell, Ohio	Sisson	Stiness	Ward
Sabath	Sloan	Stout	Watkins
Sanford	Smith, Minn.	Sumners	Williams, T. S.
Saunders	Smith, Tex.	Swift	Williams, W. E.
Scott, Pa.	Snell	Switzer	Wilson, Fla.
Scully	Snyder	Taggart	Wilson, Ill.
Sells	Sparkman	Tague	Young, N. Dak.
Shackleford	Stafford	Talbott	
Sherley	Steagall	Tavenner	
Sherwood	Stephens, Miss.	Tinkham	

The committee rose; and the Speaker having resumed the chair, Mr. GARRETT, the Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 19119, finding itself without a quorum, under the rule he caused the roll to be called, whereupon 239 Members responded to their names, a quorum, and he reported the list of absentees to be entered in the Journal.

The SPEAKER. The committee will resume its sitting.

Mr. BORLAND. Mr. Chairman, I ask to modify my amendment by the following language, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] asks unanimous consent to modify the amendment in the manner indicated. The Clerk will report the amendment.

The Clerk read as follows:

After line 13, page 98, insert as a new paragraph the following:

"No part of any amount herein appropriated shall be used to pay salaries or for personal services in any department appropriated for herein which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act, approved March 15, 1898, require eight hours of labor each day."

The CHAIRMAN. Is there objection to the modification of the amendment? [After a pause.] The Chair hears none. The question is on agreeing to the amendment.

Mr. BORLAND. Mr. Chairman, this is an application to the District of Columbia in its clerical force in the executive departments of the principle of the amendment which I introduced to the legislative, executive, and judicial appropriation bill. My understanding is that the clerks in the District offices work only seven hours a day, but are entitled to the Saturday half holidays three months in the year, to the 12 or 13 national holidays, to the 30 days' sick leave, and to the 30 days' annual leave. In other words, they are on a par with the clerks in the executive departments. It is simply and solely a question of business efficiency, of whether we want an efficient administration. I might personally go a little further than that. I think it involves not only efficiency in the public service, but I think it involves honesty in the public service, because, as I pointed out the other day, a large number of the civil-service employees outside of the District of Columbia work more than eight hours a day, and none of them, so far as I know, work less than eight hours a day.

I saw not very long ago a very able speech by the gentleman from Illinois [Mr. WILSON] referring to the work of the meat inspectors in the great packing houses of the country. I know something personally about those employees, but I was surprised to see him state in there and give instances of men and crews whose time had been kept showing that none of them worked less than 8 hours, and that a great majority worked 9, 10, and 11 hours a day. Now that is true in the departments outside of Washington. For some reason or other there has grown up a custom here in Washington, a custom against the full standard eight-hour day. That custom ought to be reversed, and I think that if the business men, the farmers, the taxpayers of this country ever get a clear-cut understanding of that situation they will insist that it shall be reversed. They will insist that we shall not expend the Government taxes unless we get a fair, honest, and proper return in labor for it. This bill does involve an increase of over a quarter million dollars in the running expenses of the District government; over a quarter million dollars—not all of that is increase in offices where their pay is increased, but some of it is unquestionably. We are asked constantly to increase the burden upon the taxpayers of the country for the government of the District of Columbia at a time when we need all the Federal revenues for very urgent and imperative and unavoidable expenditures. I think we have a right, not only a right, but I will say in all earnestness it is our duty in governing the District of Columbia to see that we govern it according to the accepted business principles throughout the country. It does not seem to me there can be any particular reason why any particular set of Federal employees should have any particular favor over any other set of employees. I do not believe there is a man here who, if he were clothed with authority over a large body of men as a representative or manager or agent of a great corporation, representing the trustees and stockholders of that corporation, would

think for a minute of spending the stockholders' money for services of that kind. He would consider in his conscience that he had a higher duty of fidelity to his stockholders than that.

The duty which we owe to the taxpayers of the United States is exactly commensurate; indeed, it might be higher than the duty a manager of a great corporation owes to the men who put him in that position of trust. So I think, in this case at least, it would be very well for us to establish the principle of the eight-hour day. Most of us have been defending on the stump for the last three months the eight-hour day. Most of us believe in it. We believe it is a scientific principle of social justice. We believe in the eight-hour provision for labor, eight hours for recreation and meals, and eight hours for repose. If a man has the proper conception of his obligation when he engages in the service of his fellow citizens and country, paid out of their taxes, taxes drawn from their pockets, he ought to be willing to do that, and I have enough belief in the men in the public service to believe that the great majority of them would be and are willing, if Congress expresses the will, to abide by the will of Congress and work eight hours a day.

Mr. PAGE of North Carolina. Mr. Chairman, in opposition to the amendment offered by the gentleman from Missouri [Mr. BORLAND] when he originally offered this amendment affecting all the employees, not only those of the District of Columbia but those employed by the Federal Government in the District of Columbia or appropriated for in the bill on which he attempted to place his amendment, I supported it. But I am not willing, Mr. Chairman, that this House, having refused to enact his amendment into law as it affects the employees of the Federal Government in the District of Columbia and outside of the District of Columbia, that he should try this particular remedy on the employees of the District of Columbia who are appropriated for in this bill.

Mr. BORLAND. Let me ask the gentleman a question.

Mr. PAGE of North Carolina. In one moment. Some gentleman the other day, in discussing the tendency of men in the House to experiment with legislation and all other kinds of things upon the District of Columbia, spoke a parable. There are men in this House who are constantly attempting to try something on the District of Columbia in order that it may be ideal or that somebody may copy it elsewhere. As one Member having in charge the making of appropriations for employment within the District of Columbia, I do not care to submit to this dose of medicine for these people who are represented by these appropriations, and I very much hope that this committee will vote down the amendment offered by the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Will the gentleman yield?

Mr. PAGE of North Carolina. I yield.

Mr. BORLAND. I am very glad to acknowledge that the gentleman supported the amendment on a previous occasion, and I acknowledge his views and principles about them. I simply want to ask him if he supported it because it was right? I know he did. If it was right in that case, why is it not right in this case?

Mr. PAGE of North Carolina. Because it is not right to place upon these employees the services that you do not place upon other employees.

Mr. BORLAND. But we do place the burden upon employees elsewhere in the United States.

Mr. PAGE of North Carolina. This House has taken action as affecting other employees in Washington. My plea is to treat the employees of the District the same as the employees in the Federal departments in the District of Columbia. I hope the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. BORLAND].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BORLAND. Division, Mr. Chairman.

The committee divided; and there were—ayes 30, noes 82.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, street, street cleaning or road work, or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the commissioners in their annual estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: *Provided*, That the expenditures hereunder shall not exceed $80,000 during the fiscal year 1918.

Mr. CLARK of Florida. Mr. Chairman, I move to strike out the last word. I do that for the reason that in the RECORD this morning appears, under extension of remarks of the gentleman from Indiana [Mr. Cox], who knows nothing of the bill, a portion of a statement made by the editor of the Journal of the American Institute of Architects, which is an attack upon the pending public-buildings bill.

I had hoped, Mr. Chairman, that matters might stand in statu quo until this bill came before the House, when I might have an opportunity to fully explain it and discuss it; but the misrepresentations of the bill come so thick and fast, and are so utterly indefensible, that I find myself called upon now to say a word or two in reference to it.

I believe the best time to nail a lie is to nail it when it is fresh, and this statement I do not hesitate to say is a tissue of lies from one end to the other. Mr. Chairman, the fact of it is that this whole fight upon the pending public-buildings bill is not a fight as against authorizations for small towns, but it is a fight to take from Congress its right to legislate in this regard and to pass it into the hands of a budget committee of bureaucrats in the department.

Now, for instance, this man makes the statement, boldly and baldly, that in this pending bill there are in some cases sites provided for towns where the postal receipts are less than $3,000. That is an absolute, bald, unsupported, snaggle-tooth, and unqualified falsehood, no matter from whom it comes. He makes the statement, and undertakes to have the public believe it, that items are incorporated in this bill for towns with practically no population and no postal receipts of any consequence whatsoever. It is an ingeniously drawn statement, because he states that Members of Congress—some of them mentioned by name—have introduced bills for this town, that town, and the other town, stating the population and the postal receipts, and undertaking to leave the impression upon the public that those items are included in the bill, when the fact is none of them are. He makes the statement that our late, lamented colleague, Mr. Tribble, of Georgia, for instance, introduced bills for 14 different towns, when the record shows that he introduced bills for 5 towns, and no more. And this man goes further and states that in all these provisions for sites there is in scarcely one instance any actual facts which offer any evidence that any of these 100 communities need a new building; and yet included within the 100 are such places as Chicago, Boston, Detroit, Little Rock, Montgomery, Ala., and cities of that character all over the country.

This bill carries about $28,000,000 of authorizations instead of $35,000,000, as is promiscuously charged. About $22,000,000 of it goes to the large cities and cities where there are Federal activities other than the post office, and only about $6,000,000 of it goes to the post-office towns throughout the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CLARK of Florida. Only about $6,000,000 goes to the smaller towns scattered over the country. That is at the rate of $1,500,000 a year for the post-office towns in the United States. The last bill passed was on March 4, 1913. It carried a provision of law that no town where there were no Federal activities other than the post office should be entitled to a building until it had $10,000 of postal receipts, and no town with no Federal activity save the post office should be entitled to a site unless there was $6,000 of annual post-office receipts. That is the law of the land, and this committee has hewed to the line in the framing of the bill under that law. There are a few cases where sites had already been secured for places with receipts of less than $10,000 per annum, for which this bill carries authorizations for buildings, on the theory that as the Government owned the land it had as well be utilized. I want to say, Mr. Chairman, that I shall cover the whole question in every item when this bill comes before the House. I shall discuss every item in it. The bill will be thrown open for amendment and for discussion by all the opponents of the bill who desire to avail themselves of either privilege, but I want to say now, and I want the House and the country to understand, that two objects are involved in the fight upon this bill. One is to take the jurisdiction to legislate away from Congress and turn it over to a bunch of bureaucrats, giving them a lump-sum appropriation and allowing them to say where the buildings shall go; and the other is to defeat this bill and later on to come to the committee with a lot of emergency propositions for the great cities and force use to bring out a bill covering them only. As one member of this committee, and only one, I want to say that I shall never vote for a bill that contemplates only

the great cities of the country. If the rural districts can not be taken care of and their mail facilities can not be protected, as one member of this committee, I will never bring out a bill to take care only of the great cities of the land. [Applause.]

We invite the enemies of this legislation to the contest. We are ready to defend every item in this bill. Let them meet us upon this floor in open and fair debate when the bill comes up for consideration, and may right and justice prevail.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

All per diem employees and day laborers of the District of Columbia who have been continuously employed for five working days next preceding such days as are legal holidays in the District of Columbia, and whose employment continues through and beyond said legal holidays, may, in the discretion of the Commissioners of the District of Columbia, be granted leave of absence with pay for said legal holidays.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois makes a point of order on the paragraph.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman reserve it for a moment?

Mr. MANN. Certainly. I will reserve the point of order.

Mr. PAGE of North Carolina. Mr. Chairman, I merely wanted to make a statement in justification of the committee for bringing in this piece of legislation in the bill.

There are in the employment of the District of Columbia somewhere in the neighborhood of 3,600 people, and more than 2,000 of those are on the per diem roll. These people have absolutely no leave of absence, not even the legal holidays—five of them—with the exception of Labor Day. Only on one day out of all the legal holidays of the year have they leave of absence, whereas the employees of the Federal Government, of course, even the per diem employees, have all these days that we are undertaking to give to the per diem employees of the District of Columbia. We felt that it was a matter of nothing more than justice and right.

Of course, it is subject to a point of order, and I shall not make any contention along that line. I merely wanted to make a justification of the committee's action.

Mr. MANN. Well, Mr. Chairman, I think these per diem employees who are practically employed by the year ought to have legal holidays, but——

Mr. PAGE of North Carolina. From an examination of the per diem roll of the District of Columbia I will say that out of the more than 2,000 men who are on the per diem roll, less than 500 of them—much less than 500 of them—would constitute the number that are not at work practically the whole year. They are practically on the annual roll.

Mr. MANN. I expect that they ought to be paid higher wages than they are getting.

Mr. PAGE of North Carolina. Well, some of them are well paid for their services.

Mr. MANN. Under this provision, if the District Commissioners want to employ anybody this week, they will get an extra day's pay. If they want to employ somebody next week, they will get an extra day's pay. But usually they do not.

Mr. PAGE of North Carolina. I want to make an appeal to the gentleman. Just a few moments ago he voted with me to keep from putting upon the District employees a burden that was not placed upon the employees of the Federal Government in the District of Columbia. We are attempting now to do exactly the same thing that he and myself and others voted to do a while ago, merely to give them the same opportunity that the per diem employees in the Federal Government have.

Mr. MANN. This gives them more opportunity than they have anywhere else in the Government.

Mr. PAGE of North Carolina. In the isolated instances of a few men that may be true.

Mr. MANN. If the provision applied practically only to the per diem employees who are employed for months at a time I would not oppose it, but that is not the case. I am bound to make the point of order.

Mr. PAGE of North Carolina. Of course, Mr. Chairman, I shall not undertake to persuade the gentleman against his judgment.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

SEC. 6. That hereafter copies of all estimates of appropriations in any way affecting the revenues of the District of Columbia shall be furnished to the commissioners of said District on or before October 1 of each year.

Mr. MANN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. MANN. What will be the effect of this? What will be the effect if the other departments have to furnish the District Commissioners with certain estimates by the 1st of October—probably before they are prepared?

Mr. PAGE of North Carolina. I will say to the gentleman that this provision was put in because of the law governing the Commissioners of the District of Columbia in the amounts for which they can make estimates. They are required under the law to forward their estimates to the Secretary of the Treasury not later than the 15th of October.

Mr. MANN. They are in the same fix that the other departments are.

Mr. PAGE of North Carolina. Certainly, the other departments which estimate in other bills for expenditures in the District of Columbia. Therefore they can not comply with the law.

Mr. MANN. Nobody complies with the law.

Mr. PAGE of North Carolina. We were undertaking to have one body who would comply with the law.

Mr. MANN. The other people could not comply with the law. The various departments make up their estimates as soon as they can. They will not make them up earlier simply because there is one item or because there are a few items relating to the District of Columbia.

Mr. PAGE of North Carolina. As the gentleman says, there are only a few of them—half a dozen, possibly—outside of those that are estimated for in these estimates. They, nevertheless, amount to a considerable sum of money, although in the number of items they are few. We do not think it would work any hardship on any of the other departments to let the commissioners have this information 15 days in advance. It would enable them to comply with the law.

Mr. MANN. I can not see any harm in letting the commissioners have the information, but——

Mr. PAGE of North Carolina. What possible harm would it be to try?

Mr. MANN. The only possible harm any of these things would do would be the harm that comes from passing a law that can not be executed.

Mr. PAGE of North Carolina. I am sure that if this does not have the effect it is intended to have the next bill will not carry it. For instance——

Mr. MANN. Here is the situation: These commissioners are appointed by the President of the United States. He has full authority over all the other departments of the Government. All he has to do is to tell the head of the War Department, through his personal aide, whom he sees every day, who makes most of these estimates in other bills, to send in his estimates at the proper time to the District Commissioners, and it will be done. We may pass laws galore, but they will pay no attention to them. But if the President tells them to do it, they will do it. They are under him.

It is a good deal like what I read in the paper the other day, how the President was going to "scan" all the appropriation bills to see that there are no items in them which ought to be omitted. Why, it is his duty under the law to "scan" the estimates of his departments, and there never were such extravagant—grossly extravagant—estimates as those that have been submitted at this session of Congress. Yet the newspapers say that the President is going to "scan" the appropriations. I do not suppose he was responsible for it. If he was, he was probably indulging in "hot air" at a newspaper conference.

Mr. PAGE of North Carolina. What the gentleman says would appeal to my judgment if the President had nothing else to do except to send word to the Secretary of War, by his personal aide. But the gentleman knows that the Department of Justice and other departments do have items that go in other bills, that they estimate for, that are paid out of the District revenues. This very year the commissioners sent in estimates for the District of Columbia that added to the amounts that were estimated for to be expended out of District revenues by other departments, which exceeded the amount fixed by law that could be estimated, to wit, more than twice the estimated revenues of the District of Columbia for the fiscal year 1918. The effort of this committee was, without putting any hardship upon anybody, to give the commissioners at least an opportunity to have before them the full estimates before they submitted theirs to the Congress.

Mr. MANN. Mr. Chairman, while I am not convinced, I am going to take the suggestion of the gentleman from North Carolina, and I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. PAGE of North Carolina. Mr. Chairman, I offer an amendment, to come in just before section 7.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 102, by inserting, after line 21, the following:

"SEC. 6. That to provide, during the fiscal year 1918, for increased compensation at the rate of 10 per cent per annum to employees (other than employees of the public schools, police department, fire department, and employees to whom subsistence is furnished) who receive salaries at a rate per annum less than $1,200, and for increased compensation at the rate of 5 per cent per annum to employees (other than employees of the public schools, police department, fire department, and employees to whom subsistence is furnished) who receive salaries at a rate not more than $1,800 per annum and not less than $1,200 per annum, and for increased compensation at the rate of 5 per cent per annum to employees who receive salaries at a rate less than $1,200 per annum and to whom subsistence is furnished, so much as may be necessary is appropriated: *Provided*, That this section shall only apply to employees who are appropriated for in this act specifically and in lump sums: *Provided further*, That detailed reports shall be submitted to Congress on the first day of its next session showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation provided for herein."

Mr. RAINEY. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. HOWARD. I rose for the purpose of reserving a point of order myself.

The CHAIRMAN. The gentleman from Illinois and the gentleman from Georgia both reserve points of order.

Mr. PAGE of North Carolina. Mr. Chairman, I do not care to make any extended statement in regard to the amendment that I have just offered. Of course, the House is familiar with the provision that was adopted the other day as it related to those employed in the Federal service and appropriated for in the legislative, executive, and judicial appropriation bill. This provision follows exactly in that line, so far as the percentage of increase is concerned, and the division between those who shall receive 10 per cent and those who shall receive a 5 per cent increase.

The amendment that has just been read excludes from the provisions of this increase the members of the Metropolitan police force, the members of the fire department, and the public-school teachers of the District of Columbia. These exceptions are made for reasons that seemed to your committee to be good. In the current appropriation bill, enacted at the last session of Congress, there was a revision of the salaries of the members of the Metropolitan police force, and almost a reorganization of that force in the matter of salaries, by which they were increased more than 10 per cent per annum. They were also provided with certain retirement privileges, with pensions, opportunities that they had not had before. In connection with the fire department we have already in this very bill increased the compensation of the active units of that department, those receiving more than $1,200, 5 per cent and more, and those receiving less than $1,200, 10 per cent and more.

As to the public-school teachers, those who are familiar with the law under which the public schools are organized and the regulations for the compensation of teachers in the public schools, know that they receive additional compensation this year. Those who enter the service at $500 receive an additional $25 each year for five years. Those who enter at $600 receive an additional compensation of $25 a year for five years. Those in class 3, who enter the service at $650, receive an automatic increase of $25 per year until they reach $900. Those who are in class 4, starting with a basic salary of $800, receive automatic increases of $30 each year until they reach an annual compensation of $1,100. Those in class 5, who enter at $950 as a basic salary, receive an automatic increase of $40 each year until a salary of $1,350 is reached, and those who enter class 6, at a basic salary of $1,000, receive, after two years' service, automatic increases of $100 a year until the salary reaches the figure of $2,200.

So, Mr. Chairman, the school teachers of the District of Columbia receive not only during the next fiscal year, for which this paragraph is operative, an amount equal to the amount that we are giving other employees of the District over the current year, but they will continue to receive a like increase next year, and so they do every year under the provisions of the law of 1906, and no injustice is done these people by their exclusion from this amendment that has been offered.

I do not know that it is necessary or that I care to say anything more as to the amendment. I merely wanted to let members of the committee know that your committee did not discriminate against certain employees of the District of Columbia, but had excluded them only because these benefits that are proposed now to be given to other employees of the District of Columbia have already been given to those excepted from this amendment.

Mr. COOPER of Wisconsin. Mr. Chairman, I had hoped that the chairman of the committee would bring in or permit an amendment which would include the teachers of the District in the proposed percentage increase. For myself, I see no force in the argument just made by the gentleman from North Carolina. If teachers be appointed into the public-school system of the District of Columbia at a salary of $500—and there are some in the service at that rate—they have to work one year before receiving the increase of $25. Is that correct?

Mr. PAGE of North Carolina. That is correct.

Mr. COOPER of Wisconsin. What are they to do on $500 a year in Washington in order to live as teachers ought to live when prices are as high as they are? Government employees getting $550 or $600 in this city are to receive a 10 per cent increase. But school-teachers working for only $500 a year are to receive no increase during the year, because during the next year they will get $25 more.

Mr. PAGE of North Carolina. But under the law teachers have an increase of pay every year, not only the next year but the year thereafter and the year after that, and go into the next grade.

Mr. COOPER of Wisconsin. The total that teachers in this class would receive during the first year is only $500. While the other employees receiving $550 will receive an increase of 10 per cent, or $55.

Mr. PAGE of North Carolina. Will the gentleman submit to an interruption?

Mr. COOPER of Wisconsin. Certainly.

Mr. PAGE of North Carolina. I want to say to the gentleman that out of the 1,888 teachers in the public schools in Washington there are only 86 in the class who are started on the basic pay of $500.

Mr. COOPER of Wisconsin. The smallness of the number of the teachers in this class has nothing whatever to do with the justice of the argument. To me there is not the slightest force in that statement of the gentleman. Eighty-six is a considerable number of teachers. But if there were only one teacher receiving $500, that teacher would be entitled to the raise given to the other employees in this District working for the same salary. It is not the number, compelled in these times of exorbitantly high prices for the necessaries of life, to work for meager, inadequate wages, that ought to determine our duty.

Mr. PAGE of North Carolina. I want to suggest to the gentleman, and possibly he has thought of it, that these school-teachers, while he is comparing them with the other employees in the District of Columbia—none of these teachers work more than 9 months in the year and they draw a salary for 12 months. Does that impress the gentleman?

Mr. COOPER of Wisconsin. No; it does not. [Laughter.] Why, the gentleman must understand the claim of the teachers that during the hot weather in Washington they are entitled to a vacation. Does the gentleman relinquish his salary or any portion of it, or will he consent to have his salary reduced because there are months each year when, instead of being here in Washington, he is having a vacation at home? No; nothing is said about that; but when it comes to the school-teacher in the city of Washington working for $500 a year, gentlemen arise and demand a reason why a teacher who does not teach in this city during the hot summer months after having taught all the other months should receive any more.

There are no other persons in secular life save, perhaps, editors who are honest, able, and public-spirited, who perform a service of such tremendous value to the people of the United States as do the school-teachers.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent for five minutes more, and I ask it because of the interruptions.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes. Is there objection?

Mr. PAGE of North Carolina. On condition that the gentleman will submit to other interruptions, I shall not object.

Mr. COOPER of Wisconsin. I will submit to them.

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. COOPER of Wisconsin. Certainly.

Mr. FITZGERALD. Outside of the city of Racine, how many school-teachers in the gentleman's district get $500 a year?

Mr. COOPER of Wisconsin. I do not know how many receive $500 a year; but that question has nothing to do with the merits of the proposition I am discussing. The gentleman from New York is a very solicitous guardian of the public funds; but his question is without force when analyzed in the light of the facts. I answer it by saying that perhaps all the district school-teachers in my district do not receive wages as large as that; but you know, you that have investigated the educational problem within recent years—you know that all over the country, especially in some portions of New England, people are as

rapidly as possible giving up the district schools with their poorly paid teachers—poorly paid because the taxpayers of the little school districts can not afford to pay higher wages—and replacing them by larger, better schools, grade schools, having better courses of instruction and better paid teachers—better paid because the money to pay them comes from the taxpayers of new districts, each made by combining a number of smaller ones. And they are buying automobiles and carrying the children over these enlarged districts to these fine grade schools which have taken the place of the little district schools of which the gentleman from New York was thinking when he propounded the question.

I do not know how many $500 teachers there are in Brooklyn, but there ought not to be any.

To show that my estimate of the importance of the business of the teacher in this country is not too high, I call attention to what was said on this subject years ago by William Ellery Channing:

> The dignity of the vocation of a teacher is beginning to be understood; the idea is dawning on us that no office can compare in solemnity and importance with that of training the child; that skill to form the young to energy, truth, and virtue is worth more than the knowledge of all other arts and sciences; and that, of consequence, the encouragement of excellent teachers is the first duty which a community owes to itself. I say the truth is dawning and must make its way. * * * The whole worth of a school lies in the teacher. You may accumulate the most expensive apparatus for instruction, but without an intellectual, gifted teacher it is little better than rubbish; and such a teacher without apparatus may effect the happiest results.
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> What we want is a race of teachers acquainted with the philosophy of the mind, gifted men and women, who shall respect human nature in the child and strive to touch and gently bring out its best powers and sympathies, and who shall devote themselves to this as the great end of life. This good, I trust, is to come, but it comes slowly. * * * This good requires that education shall be recognized by the community as its highest interest and duty. It requires—

And I ask the attention of the gentleman from North Carolina [Mr. PAGE] particularly to these words of this great man—

> It requires that the instructors of youth shall take precedence of the money-getting class, and that the woman of fashion shall fall behind the female teacher.

Those are strong words and true.

Mr. Chairman, we should measure the importance of the vocation of a teacher in our public schools not by the amount of wages which little school districts in some of the rural portions of the country are able to pay, but solely by the nature of the calling; by the fact that teachers take children when they are in the impressionable, habit-forming age. And nothing is truer than the saying that "habit is a cable. We weave a strand a day and at last it becomes so strong that we can not break it."

Teaching school is a noble profession. Teachers ought to be persons of high character, of education, of intelligence, of soul, who realize the nature of their exalted calling; and to require those competent to do work of such transcendent importance to us as a Nation to receive wages that afford only a bare livelihood is to me indefensible. [Applause.]

Mr. KEATING. Mr. Chairman, I wish to offer an amendment to the amendment.

The CHAIRMAN. A point of order has been reserved, and the Chair supposes that that will have to be disposed of first. It was reserved by the gentleman from Georgia [Mr. HOWARD] and by the gentleman from Illinois [Mr. RAINEY].

Mr. HOWARD. Mr. Chairman, so far as I am concerned, I shall reserve the point of order against this item. I do not desire to make the point of order as against the employees in the District of Columbia, except those excluded by the provisions of the amendment—the police, the firemen, and the teachers—but if an effort is to be made to load this bill down with increases for these teachers, who are the best paid teachers in the United States to the square inch, according to their ability, and with increases for the firemen and the policemen, who have been recently cared for—one in the current bill and one class last year—I expect to make the point of order. I want to say that to force me to do it will be doing an injustice to the employees of the District of Columbia, whom we seek to help and put on an equal footing with anyone else, and I presume if I do not make the point of order the distinguished gentleman from Illinois [Mr. RAINEY] will.

Mr. KEATING. Mr. Chairman, I have no desire to become the custodian of the conscience of the distinguished gentleman from Georgia [Mr. HOWARD] or of the distinguished gentleman from Illinois [Mr. RAINEY].

Mr. HOWARD. Mr. Chairman, I will say that so far as I am concerned I have no desire to have the gentleman become the custodian of my conscience. [Laughter.]

Mr. KEATING. When we had the legislative, executive, and judicial appropriation bill under consideration in the House the other day there was an understanding, at least some of us thought there was, that an amendment would be offered to each appropriation bill carrying out the verdict of the House concerning an increase in the salaries of certain Federal employees during the coming fiscal year. When that bill was under consideration a rule was brought into the House to make the amendment providing for a 10 and 5 per cent increase in order.

Mr. BLACK. Mr. Chairman, will the gentleman yield a minute?

Mr. KEATING. In a moment. While the matter was under consideration the membership of this House adopted amendments which extended the increase to certain of the employees of the Senate and the House, striking out certain limitations in the amendment. Now, the amendment I am about to suggest merely strikes out one of the limitations in this amendment and gives the teachers of the District the benefit of the proposed increase. I submit that it is not exactly fair to the House to have a committee come into the House and submit as important an amendment as this, reserving a point of order upon it, and practically saying to the membership of this House, "You shall accept what we offer without dotting an 'i' or crossing a 't' or we will make a point of order and you will get nothing."

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Yes.

Mr. PAGE of North Carolina. On my own personal responsibility as a member of this committee I offered the amendment, and the gentleman is trying now to make me responsible for the action of every other man on the committee. I am not and I refuse to be.

Mr. KEATING. The membership of this House understands the situation exactly. The various appropriation committees were practically instructed by this House to bring in this amendment, and I take it that the membership of this House did not instruct the committees to attach a proviso which would prevent the membership of the House from offering amendments. I have no desire to load down the amendment. I might offer an amendment, as I did the other day, increasing the rates. I have no desire to do that, but I think it is entirely proper to give this House an opportunity to say whether the teachers and the firemen and the policemen shall be included in this raise.

The statement of the gentleman from Georgia [Mr. HOWARD] that the teachers of this District are better paid than the teachers anywhere else in the country can not be sustained by an examination of the facts. If given the opportunity here of discussing the matter, we will present all kinds of testimony to show they are not the best paid teachers in the country, that they are not even paid the standard wages. So, Mr. Chairman, I must insist upon offering my amendment, and if the gentleman from Georgia desires to make the point of order now is the time to make it.

Mr. RAINEY. Mr. Chairman, I am aware of the fact that the man who attempts to protect the Treasury of the United States against the greatest salary grab ever inaugurated in the history of this country at the present time is not making himself particularly popular. But I came here under the impression, and under the implied pledge to my constituents, that I would at least attempt to protect the Treasury of the United States. I am aware of the difficulty that Members of this House labor under to-day. On Tuesday of this week they increased their own allowances for clerical hire, and that inaugurated an assault on the Treasury by 500,000 Government employees, which we seem now powerless to prevent. Under the leadership of a Republican Member of this Congress, following Republican banners, day before yesterday an assault on the Treasury proceeded. Under his leadership the battle was won, and the lid was taken off the Treasury. We commenced to help ourselves, and we seem powerless now, if we continue that operation, to deny the demands of 500,000 people in this country who are on the Government pay rolls. In France they celebrate every year the fall of the Bastille. In the future those who have designs upon the Treasury can well celebrate in the history of this country Tuesday of this week when the Treasury fell.

On that day the gentleman from Illinois [Mr. WHEELER], now serving his first term in this House, assumed the leadership of the Republican Party and, grabbing the Republican standard, violently and enthusiastically led his assault upon the Treasury of the United States. One hundred and fourteen Republican Members of this House followed him gallantly and, I am sorry to say, 69 Democrats trailed along behind. By a majority of 17 votes the proposition carried, and there was added $500 per year to the clerical allowance now fixed by law for each Member of Congress, an increase of 33 per cent, a larger increase than these

Government employees are demanding; but that Republican victory leaves those who voted for the proposition in a position where it is exceedingly difficult for them to refuse all these other demands made by half a million Government employees.

We are told by the papers this morning that last night in this Capital city 2,000 Government employees assembled and applauded speeches made by Members of this House, who announced to them that the 5 and 10 per cent blanket increase in their salary allowed in the legislative bill, without regard to merit, without regard to how much they would receive if they were in private employment, was too little, and they advised them to continue the assault on the Treasury until they secured a 10 and 20 per cent increase in their salaries, and this great meeting unanimously and with tremendous enthusiasm adopted resolutions to that effect. They are no more satisfied with this increase you gave them in that bill than if you had not given them anything. They announce their intention to carrry the fight on to the Senate of the United States in order to make this an increase of 10 and 20 per cent.

THE ARGUMENT FOR THE PROPOSED INCREASES.

Gentlemen say these salaries ought to be raised because they have not been raised for half a century and because the cost of living is greater now than it has been heretofore. When those salaries were fixed they were fixed under the old spoils system, when we did not have the merit system in this country, when we did not have civil-service examinations and requirements, when Government employees were fewer than they are now, when they were appointed because they had rendered political services. They came here and demanded salaries commensurate with the political services they had rendered and could render their parties. They received salaries far in excess of what they could have received at that time in similar employment in private life. Members of this House, if they were at the head of any of these great organizations which pay out immense sums in salaries and immense sums in wages each year, before they consented to raise wages would examine into the question as to how much these men were earning and how much they were entitled to receive. No such matters are being considered in connection with these proposed increases.

I know that this assault on the Treasury, the greatest in the history of the Nation, comes at a most propitious time, when this country is prosperous, when people have money, when they are not protesting as vigorously as they would in 1907, when nobody had any money; but we are bracing ourselves now for the shock which will come when this world war ends. Even the peace message of the President of the United States to the allied powers, which every man in this House approves, brought about a fall in stocks on the New York market. We can not settle the question of the high cost of living by raising salaries; we can not settle it by placing an embargo upon foodstuffs; we can not settle such broad questions of statesmanship in that way.

THE KEATING AMENDMENT.

How much would the amendment to the legislative bill offered by the gentleman from Colorado [Mr. KEATING], who has just taken his seat, cost the country? When this matter was up before on his amendment to the legislative bill to increase this allowance from 5 and 10 to 10 and 20 per cent, I said to him as he took his seat, "How much will it cost the Government to do that." He did not know. He said in his speech, in effect, "This was agreed upon by a committee representing Government employees here, and they have authorized me to come here and present it." That is how this idea of the 20 per cent increase originated. The gentleman did not know how much it would cost, but he told me it would cost just twice as much as the proposition which the committee offered would cost. If it does cost twice as much as that proposition, it would cost $60,000,000.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. RAINEY. Yes.

Mr. KEATING. Just for a question. I just want to set myself right.

Mr. RAINEY. I will be glad for the gentleman to do so.

Mr. KEATING. The gentleman did ask how much it would cost. I told him what I told others, approximately $40,000,000. The chairman and others repeatedly said they could not form an estimate of what the cost of their amendment would be, but they finally got such an estimate. It was not $30,000,000, as the gentleman suggests, but it was something over $25,000,000.

I think it was something over $25,000,000. To double that would be something like $51,000,000. So the gentleman is only $9,000,000 off with his figures.

Mr. RAINEY. Whether I am or not——

Mr. KEATING. A little matter of $9,000,000 will not make any difference with you, but you should be right.

Mr. RAINEY. I know it will not make any difference with you.

Mr. KEATING. It does, apparently with you.

Mr. RAINEY. I do not know what the gentleman said to others, but he made the statement to me, as I have stated it here; and whether it is $25,000,000 or whether it is $30,000,000, or whether his amendment means $50,000,000 or $60,000,000, does not interfere in the least with the force of the objections I am now making to this proposed salary grab which is to go into all the supply bills, and in which 500,000 people are to participate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAINEY. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. RAINEY. Yes.

Mr. BUCHANAN of Illinois. The gentleman, as I understood it, said the increase in compensation would not solve the problem that is confronting the people as to the high cost of living. Can the gentleman suggest what will solve it? If he will permit me, I have heard the gentleman make speeches and have read them in the press in regard to curbing the trusts and monopolies——

Mr. RAINEY. My colleague will excuse me for not yielding for a speech. I could not answer my colleague's pertinent question in the time I am permitted to occupy now. In fact, I do not know whether I could answer it at all or not. But I know this is not the way to do it.

Now, during the progress of the legislative bill the so-called minimum wage bill was introduced as an amendment, offered by the gentleman from California [Mr. NOLAN]. I wonder if he knows what that would cost, in addition to the proposition for these Government employees contained in these bills, if it should also be adopted hereafter?

Mr. NOLAN. Will the gentleman yield?

Mr. RAINEY. For a question.

Mr. NOLAN. The gentleman did not ask me if I knew, did he?

Mr. RAINEY. I did not, because I have investigated for myself, and I will tell the House pretty soon what it will cost, and then the gentleman can make his own statement, if he cares to do so. I know what it will cost. And the intention is to add it, they say, to whatever increase they get here—5 or 10 or 20 per cent, or whatever the case may be. I employed an expert statistician to figure out the Nolan-bill increase, and he advises me that that minimum-wage bill means another increase of $20,000,000 every year.

SALARIES OUGHT TO BE REVISED.

Now, I know that salaries of Government clerks and employees ought to be revised. I am in favor of doing that. I have never objected on this floor, and I never intend to do so, to a reasonable increase suggested in the salary of any Government employee by the committee after the increase had been recommended by the head of the department and the committee had considered it. But here is a blanket increase which we are told is now to be extended down through all these bills without regard to merit. I know scores of Government employees who are underpaid, who ought to receive more money than they now get for the service they render to this great Government, and I know of scores who are overpaid and who do not earn the compensation they now receive.

Only last week out in the city of my colleague from Illinois [Mr. BUCHANAN], for whose opinions I entertain the highest respect, a great auditorium was filled with men who were 45 years old and over and who could not get employment. The railroads of this country, the great industrial institutions of this country, are discharging men because they have reached the age of 45 years. We do not discharge them and ought not to do so. These Government positions are desirable ones. We give them vacations on public holidays, sick leave, 30-day vacations, all with full pay, and we keep them here even when far advanced in years. They receive their pay, a fixed sum every month, from a paymaster who is still solvent. If they have their way about it, I do not know how long this solvency will continue.

A great church organization has in its ritual a prayer for the "President of the United States and all others in authority," and they are talking about changing that particular clause. If they do change it, the change they ought to make is to strike out "all others in authority." The history of the House in the last two or three days indicates that those in authority do not need any help of that kind. They can help themselves.

Mr. Chairman, I am going to insist upon my point of order, I want to assure the gentlemen who are asking me to withdraw it. This proposed increase is contrary to existing law, and as long as we have a rule which the Rules Committee of this House has not repealed with the consent of the House, I propose to insist on this point of order.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

SEC. 7. That all laws and parts of laws to the extent that they are inconsistent with this act are repealed.

Mr. BENNET and Mr. PAGE of North Carolina rose.

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. BENNET. I make a point of order on that.

Mr. PAGE of North Carolina. The gentleman from New York makes a point on that section.

The CHAIRMAN. The Chair sustains the point of order.

Mr. PAGE of North Carolina. I move, Mr. Chairman, that the committee do now rise and report the bill and amendments to the House, with the recommendation that the amendments 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. GARRETT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 19119), making appropriations to provide for the expense of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. PAGE of North Carolina. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from North Carolina moves the previous question on the bill and amendments to final passage. The question is on agreeing to that motion.

The motion was agreed to.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for two or three minutes, perhaps longer.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, we are in the House, having finished the consideration of the District of Columbia appropriation bill in committee. I think it is a duty that I owe to the House—and a very pleasant duty—to make a reference to the gentleman who has had charge of the District appropriation bill in the House. I do not recall how long Mr. PAGE has been a Member of the House of Representatives, nor even how long he has had charge of the District of Columbia appropriation bill, but I do recall that for many years in this House it has been a sincere pleasure to me personally, and I am sure to all the other Members of the House, to meet with the pleasing personality of the gentleman from North Carolina. [Applause.]

I make it a practice, and have done so for many years, of privately receiving advice, suggestions, and information from Members on the Democratic side, though I do not always give them credit in public. [Laughter.] I have frequently had the honor and the pleasure of seeking the advice of the gentleman from North Carolina. The House has learned to rely very largely upon his judgment, and to have the highest regard for his opinion. [Applause.]

We come and go, treating those who are here and dealing with those who are here on terms of equality. No matter how much we may love a Member who goes out, we treat his successor as one of us, on the same plane with all. But to me the one thing that causes me distress as a Member of this House is parting with those Members whom I have learned to love.

The gentleman from North Carolina goes out of the House purely on his own volition. He goes with the respect and the admiration of every Member of this body, and with the sincere regret of us all that he will not be in the next House to give us the benefit and comfort of his courage, indomitable as it is [applause], of his wise opinions, and of his pleasing manner of dealing with all who come into contact with him. [Prolonged applause.]

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to speak for five minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, every one who is acquainted with the gentleman from North Carolina [Mr. PAGE] not only shares the high opinion entertained of him by the gentleman from Illinois [Mr. MANN], but must be under a deep sense of obligation for the generous manner in which he has expressed it.

Six years ago, when first appointed to the head of the Committee on Appropriations, I was in the somewhat unusual position of being placed over a committee with 14 members of the majority party, only 3 of whom had ever served on that committee. It necessitated careful and patient work to organize the committee properly, and to have the members unfamiliar with its work become acquainted with the many multiplied duties of its members and to enable them to accumulate the information necessary to discharge their duties in a manner satisfactory to the House and to the country. The gentleman from North Carolina had not served upon the committee prior to that time, but with an industry that was unrivalled, with great patience and tact, he not only became thoroughly familiar with the work of the committee, but he also did that much more important thing—he very speedily gained the confidence of the House for his wide knowledge and for the accuracy and the reliability of his statements.

Mr. Speaker, my experience in the House, now extending over a period of 18 years, leads me to believe that more important than brilliant attainments or great talents is that sincerity of purpose and honesty of statement that make Members of this House have absolute faith in the Member addressing them. [Applause.] Once that confidence is gained, it is invaluable, and I have never in my experience known of a Member to do anything or to act in any way to justify the House in withdrawing its confidence. The gentleman from North Carolina has so mastered the details of his work, has so won the confidence of the House, and has exercised such sound judgment in the discharge of his public duties that he has not only relieved me of a very considerable portion of the burdens and duties of my position, but he has made the District of Columbia appropriation bill one that now has the approval not only of the House, but of the community.

The most surprising thing I have known in many years has been the universal approval of the press of this city of the District bill as reported and just completed in the committee. The bill was so framed that it aroused but slight antagonism. With the exception of some matters of legislative concern, which the experience and wisdom of the committee led them to believe were desirable to submit to the House, but which Members could properly eliminate by the exercise of their right under the rules, the bill received practically universal commendation in the House. I can only hope that in the future these bills will be received with the same favor, not only here, but on the outside. The gentleman from North Carolina has had an intelligent interest in the development and beautifying of the National Capital. He has not been anxious to rush hastily and speedily to the completion of many things that, although desirable, can not be done too rapidly, but with an intelligent and comprehensive knowledge of the needs of the District of Columbia and the necessities of its government he has so framed the appropriation bills as to give satisfaction to all concerned.

I regret exceedingly that he determined to retire to private life. He has been a loyal supporter in many difficult hours; he has been a safe counselor in troublesome matters; he has been a confidant who consoled; he has been a generous and devoted friend. He has had a successful and brilliant career in the House, and I know I express the hope of all Members that the years after his retirement will be long, happy, and prosperous. [Prolonged applause.]

Mr. PAGE of North Carolina. Mr. Speaker, I shall not attempt to express my feelings upon this occasion. I can not trust myself. I can only thank my friends, the leader of the minority, Mr. MANN, the chairman of my committee, Mr. FITZGERALD, and the membership of this House for their very liberal estimate of my service here.

I want to say to my colleagues that I have felt until just now that I should be very happy when I retired to private life, and I hope I shall be; but I can not forget, nor shall I undertake to forget, that I separate with my colleagues here with very great reluctance, because it means a separation from those whom I have learned to love very dearly. I thank you, my colleagues, for this tribute. [Applause.]

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. BORLAND. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BORLAND. I am not.

The SPEAKER. Is there any gentleman in the House opposed to it who wishes to make a motion to recommit? If not, the Chair will recognize the gentleman from Missouri. The Clerk will report his motion.

The Clerk read as follows:

Mr. BORLAND moves to recommit the bill to the Committee on Appropriations with instructions to report the same back with the following amendment, on page 98, line 14:

"No part of any amount herein appropriated shall be used to pay salaries or for personal services in any department appropriated for herein which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act approved March 15, 1898, require eight hours of labor each day."

The SPEAKER. The question is on the motion to recommit.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. BORLAND. Division, Mr. Speaker.

The House divided; and there were—ayes 19, noes 82.

Mr. BORLAND. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of no quorum present. The Chair will count. [After counting.] One hundred and forty Members are present, not a quorum.

Mr. BORLAND. Mr. Speaker, I understand there is an automatic call of the House.

The SPEAKER. Yes. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 67, nays 169, answered "present" 2, not voting 195, as follows:

YEAS—67.

Abercrombie	Doughton	La Follette	Slayden
Almon	Eagle	Langley	Stephens, Miss.
Barkley	Garner	McLaughlin	Stephens, Nebr.
Barnhart	Garrett	Mapes	Taylor, Ark.
Black	Gordon	Mondell	Taylor, Colo.
Booher	Gray, Ind.	Nicholls, S. C.	Thomas
Borland	Gregg	Oliver	Thompson
Callaway	Hardy	Park	Tillman
Candler, Miss.	Hastings	Platt	Venable
Carter, Okla.	Haugen	Quin	Vinson
Clark, Fla.	Helm	Rainey	Walsh
Collier	Hicks	Rayburn	Webb
Connelly	Huddleston	Rouse	Wilson, La.
Cox	Hull, Tenn.	Rucker	Wingo
Cramton	James	Shallenberger	Woods, Iowa
Davis, Tex.	Kincheloe	Sherwood	Young, Tex.
Doolittle	Kinkaid	Sisson	

NAYS—169.

Allen	Dupré	Johnson, Wash.	Ramseyer
Ashbrook	Eagan	Keating	Randall
Aswell	Ellsworth	Kelley	Reilly
Austin	Elston	Kettner	Ricketts
Ayres	Emerson	King	Roberts, Nev.
Bailey	Esch	Kitchin	Rodenberg
Bell	Evans	Lazaro	Rowe
Benedict	Farley	Lenroot	Rubey
Bennet	Farr	Lesher	Russell, Mo.
Britt	Fess	Lloyd	Schall
Browne	Fitzgerald	London	Scott, Mich.
Brumbaugh	Flood	Longworth	Sears
Buchanan, Ill.	Focht	McAndrews	Sims
Burnett	Fordney	McArthur	Sinnott
Byrnes, S. C.	Foster	McKellar	Smith, Mich.
Byrns, Tenn.	Fuller	Madden	Smith, N. Y.
Campbell	Gard	Mann	Stedman
Cannon	Gillett	Martin	Steele, Iowa
Carlin	Glynn	Matthews	Steele, Pa.
Carter, Mass.	Good	Mays	Steenerson
Chandler, N. Y.	Goodwin, Ark.	Miller, Pa.	Stone
Chiperfield	Gray, Ala.	Montague	Sulloway
Coady	Green, Iowa	Moore, Pa.	Sutherland
Coleman	Greene, Vt.	Moores, Ind.	Sweet
Cooper, Ohio	Hadley	Morgan, Okla.	Taggart
Cooper, Wis.	Hamilton, Mich.	Morin	Temple
Crago	Hamlin	Morrison	Tilson
Curry	Hayden	Moss	Timberlake
Dale, Vt.	Heflin	Mott	Towner
Dallinger	Helgesen	Murray	Treadway
Danforth	Henry	Nelson	Volstead
Darrow	Hernandez	Nichols, Mich.	Wason
Davis, Minn.	Hilliard	Nolan	Watkins
Dempsey	Holland	Oakey	Watson, Va.
Denison	Hollingsworth	Oldfield	Wheeler
Dent	Hood	Overmyer	Williams, T. S.
Dewalt	Houston	Padgett	Williams, Ohio
Dickinson	Howard	Page, N. C.	Wood, Ind.
Dies	Hughes	Phelan	Woodyard
Dill	Hull, Iowa	Pou	Young, N. Dak.
Dillon	Humphreys, Miss.	Powers	
Dowell	Igoe	Ragsdale	
Driscoll	Jacoway	Raker	

ANSWERED "PRESENT"—2.

Browning	Hawley

NOT VOTING—195.

Adair	Fields	Konop	Riordan
Adamson	Finley	Kreider	Roberts, Mass.
Aiken	Flynn	Lafean	Rogers
Alexander	Foss	Lee	Rowland
Anderson	Frear	Lehlbach	Russell, Ohio
Anthony	Freeman	Lever	Sabath
Bacharach	Gallagher	Lewis	Sanford
Barchfeld	Gallivan	Lieb	Saunders
Beakes	Gandy	Liebel	Scott, Pa.
Beales	Gardner	Lindbergh	Scully
Blackmon	Garland	Linthicum	Sells
Bowers	Glass	Littlepage	Shackleford
Britten	Godwin, N. C.	Lobeck	Sherley
Bruckner	Gould	Loft	Shouse
Buchanan, Tex.	Graham	Loud	Siegel
Burgess	Gray, N. J.	McClintic	Slemp
Burke	Greene, Mass.	McCracken	Sloan
Butler	Griest	McCulloch	Small
Caldwell	Griffin	McDermott	Smith, Idaho
Cantrill	Guernsey	McFadden	Smith, Minn.
Capstick	Hamill	McGillicuddy	Smith, Tex.
Caraway	Hamilton, N. Y.	McKenzie	Snell
Carew	Harrison, Miss.	McKinley	Snyder
Cary	Harrison, Va.	McLemore	Sparkman
Casey	Hart	Magee	Stafford
Charles	Haskell	Maher	Steagall
Church	Hayes	Meeker	Stephens, Tex.
Cline	Heaton	Miller, Del.	Sterling
Conry	Helvering	Miller, Minn.	Stiness
Cooper, W. Va.	Hensley	Moon	Stout
Copley	Hill	Mooney	Sumners
Costello	Hinds	Morgan, La.	Swift
Crisp	Hopwood	Mudd	Switzer
Crosser	Howell	Neely	Tague
Cullop	Hulbert	North	Talbott
Dale, N. Y.	Humphrey, Wash.	Norton	Tavenner
Davenport	Husted	Oglesby	Tinkham
Decker	Hutchinson	Olney	Van Dyke
Dixon	Johnson, Ky.	O'Shaunessy	Vare
Dooling	Johnson, S. Dak.	Paige, Mass.	Walker
Doremus	Jones	Parker, N. J.	Ward
Drukker	Kahn	Parker, N. Y.	Watson, Pa.
Dunn	Kearns	Patten	Whaley
Dyer	Keister	Peters	Williams, W. E.
Edmonds	Kennedy, Iowa	Porter	Wilson, Fla.
Edwards	Kennedy, R. I.	Pratt	Wilson, Ill.
Estopinal	Kent	Price	Winslow
Fairchild	Key, Ohio	Rauch	Wise
Ferris	Kiess, Pa.	Reavis	

So the motion to recommit was lost.

The following pairs were announced:

Until further notice:

Mr. GRIFFIN with Mr. COOPER of West Virginia.

Mr. LINTHICUM with Mr. SNELL.

Mr. DECKER with Mr. HAMILTON of New York.

Mr. GALLIVAN with Mr. FAIRCHILD.

Mr. TAGUE with Mr. GRAHAM.

Mr. SHOUSE with Mr. SNYDER.

Mr. TALBOTT with Mr. BROWNING, commencing December 20, ending January 2.

Mr. HELVERING with Mr. LEHLBACH.

Mr. BLACKMON with Mr. DYER.

Mr. CARAWAY with Mr. SANFORD.

Mr. BUCHANAN of Texas with Mr. STINESS.

Mr. STEAGALL with Mr. GOULD.

Mr. DALE of New York with Mr. HASKELL.

Mr. HENSLEY with Mr. KENNEDY of Rhode Island.

Mr. BEAKES with Mr. PRATT.

Mr. SCULLY with Mr. MAGEE.

Mr. LEVER with Mr. HAWLEY.

Mr. FIELDS with Mr. ANDERSON.

Mr. FINLEY with Mr. ANTHONY.

Mr. FLYNN with Mr. BACHARACH.

Mr. GALLAGHER with Mr. BARCHFELD.

Mr. GANDY with Mr. BEALES.

Mr. GLASS with Mr. BOWERS.

Mr. GODWIN of North Carolina with Mr. BRITTEN.

Mr. HAMILL with Mr. BUTLER.

Mr. HARRISON of Mississippi with Mr. CAPSTICK.

Mr. HARRISON of Virginia with Mr. CARY.

Mr. HART with Mr. CHARLES.

Mr. HULBERT with Mr. COPLEY.

Mr. JONES with Mr. COSTELLO.

Mr. KEY of Ohio with Mr. DRUKKER.

Mr. KONOP with Mr. DUNN.

Mr. LAZARO with Mr. EDMONDS.

Mr. LEE with Mr. KAHN.

Mr. LIEB with Mr. FOSS.

Mr. LEWIS with Mr. FREAR.

Mr. LIEBEL with Mr. FREEMAN.

Mr. LITTLEPAGE with Mr. GARLAND.

Mr. LOBECK with Mr. GRAY of New Jersey.

Mr. ADAIR with Mr. MCKINLEY.

Mr. ADAMSON with Mr. MEEKER.

Mr. AIKEN with Mr. MILLER of Delaware.

Mr. ALEXANDER with Mr. MILLER of Minnesota.
Mr. BRUCKNER with Mr. MOONEY.
Mr. BURGESS with Mr. MUDD.
Mr. CALDWELL with Mr. NORTH.
Mr. CANTRILL with Mr. NORTON.
Mr. CAREW with Mr. PAIGE of Massachusetts.
Mr. CASEY with Mr. PARKER with New Jersey.
Mr. CHURCH with Mr. PARKER of New York.
Mr. CLINE with Mr. PETERS.
Mr. CONRY with Mr. PORTER.
Mr. CROSSER with Mr. REAVIS.
Mr. CRISP with Mr. ROBERTS of Massachusetts.
Mr. CULLOP with Mr. ROGERS.
Mr. DAVENPORT with Mr. ROWLAND.
Mr. DIXON with Mr. RUSSELL of Ohio.
Mr. DOOLING with Mr. SCOTT of Pennsylvania.
Mr. DOREMUS with Mr. SELLS.
Mr. EDWARDS with Mr. SIEGEL.
Mr. ESTOPINAL with Mr. SLEMP.
Mr. FERRIS with Mr. SLOAN.
Mr. LOFT with Mr. GREENE of Massachusetts.
Mr. MCCLINTIC with Mr. GUERNSEY.
Mr. MCDERMOTT with Mr. HAYES.
Mr. MCGILLICUDDY with Mr. HEATON.
Mr. MCLEMORE with Mr. HILL.
Mr. MAHER with Mr. HINDS.
Mr. MOON with Mr. HOPWOOD.
Mr. MORGAN of Louisiana with Mr. HOWELL.
Mr. NEELY with Mr. HUSTED.
Mr. OGLESBY with Mr. HUTCHINSON.
Mr. OLNEY with Mr. JOHNSON of South Dakota.
Mr. O'SHAUNESSY with Mr. KEARNS.
Mr. PATTEN with Mr. KEISTER.
Mr. PRICE with Mr. KENNEDY of Iowa.
Mr. RAUCH with Mr. KIESS of Pennsylvania.
Mr. RIORDAN with Mr. KREIDER.
Mr. SABATH with Mr. LAFEAN.
Mr. SAUNDERS with Mr. VARE.
Mr. SHACKLEFORD with Mr. LOUD.
Mr. SHERLEY with Mr. MCCRACKEN.
Mr. SMALL with Mr. MCCULLOCH.
Mr. SMITH of Texas with Mr. MCFADDEN.
Mr. SPARKMAN with Mr. MCKENZIE.
Mr. STEPHENS of Texas with Mr. SMITH of Idaho.
Mr. STOUT with Mr. SMITH of Minnesota.
Mr. SUMNERS with Mr. STERLING.
Mr. TAVENNER with Mr. SWIFT.
Mr. VAN DYKE with Mr. SWITZER.
Mr. WALKER with Mr. TINKHAM.
Mr. WHALEY with Mr. WARD.
Mr. WM. ELZA WILLIAMS with Mr. WATSON of Pennsylvania.
Mr. WILSON of Florida with Mr. WILSON of Illinois.
Mr. WISE with Mr. WINSLOW.

Mr. HAWLEY. Mr. Speaker, I am paired with the gentleman from South Carolina, Mr. LEVER, and I wish to withdraw my vote of "no" and answer "present."

The name of Mr. HAWLEY was called, and he answered "Present," as above recorded.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. PAGE of North Carolina, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS THE DELAWARE RIVER.

The SPEAKER. The bill (S. 7095) extending the time for the completion of a bridge across the Delaware River the Speaker signed the other day. The copy signed was rather greasy looking but perfectly legible. It went to the Senate, and some clerk there cut the bill up instead of giving it to the Vice President to sign. So, the Speaker had the enrolling Clerk make a new copy, and the Speaker asks the consent of the House to erase his name from the first bill, and that the Journal record made on the first bill when he laid it before the House stand, and the one just signed take its place. Is there objection?

There was no objection.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD, from the Committee on Foreign Affairs, reported the bill (H. R. 19300) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1918 (H. Rept. 1245) which was read a first and second time and, with accompanying papers, ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. MANN reserved all points of order.

UNITED STATES BUREAU OF EFFICIENCY (H. DOC. NO. 1793).

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with accompanying documents, ordered printed and referred to the Committee on Appropriations:

To the Senate and House of Representatives:

As required by the acts of Congress approved March 4, 1915, and February 28, 1916, I transmit herewith the report of the United States Bureau of Efficiency for the period from March 25, 1913, to October 31, 1916.

WOODROW WILSON.

THE WHITE HOUSE, *December 21, 1916.*

THE HOUSE BELLS.

Mr. ASHBROOK. Mr. Speaker, two hours ago, when the point of no quorum was made, some one rang the wrong number of bells. The bell rang four times, and I understood that the House had adjourned and did not come over. I was in my office and could have answered "present" if the bells had been rung correctly. I ask to have my name enrolled as "present."

Mr. MANN. I ask unanimous consent that the gentleman be excused from attendance this afternoon.

Mr. ASHBROOK. Mr. Speaker, I did not ask that. I want to say to the Speaker and the Members of this House that I had been to one of the departments and had just returned. The wrong signal was given or I would have reported here and answered to my name.

The SPEAKER. What does the gentleman want?

Mr. ASHBROOK. I want to be recorded as "present" on that call of the House.

Mr. MANN. That can not be done.

DIVERSION OF THE WATERS OF NIAGARA RIVER.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 326, authorizing the Secretary of War to issue a temporary permit for additional diversions of water from Niagara River. It has been reported by the Committee on Foreign Affairs.

The SPEAKER. The gentleman from Virginia asks unanimous consent for the present consideration of House joint resolution 326, which the Clerk will report.

The Clerk read as follows:

House joint resolution 326.

Resolved, That the Secretary of War be, and he is hereby, authorized to issue permits revocable at will for the diversion of water in the United States from the Niagara River above the Falls for the creation of power, to individuals, companies, or corporations which are now actually producing power from the waters of said river, in additional quantities, which, with present diversions, shall in no case exceed the capacity of the generating machinery of the permittee and tenant companies now installed and ready for operation, nor an amount sufficient to enable the permittee to supply the now existing hydroelectric demands of the individuals, companies, or corporations which said permittee and tenant companies is now supplying, but not in excess of the capacity of power-using appliances of said consumers now installed and ready for operation: *Provided,* That in no event shall the total quantity of water diverted from said river above the Falls for power purposes exceed in the aggregate a daily diversion at the rate of 20,000 cubic feet per second: *And provided further,* That this resolution shall remain in force until the 1st day of July, 1917, and no longer, at the expiration of which time all permits granted hereunder shall terminate, unless sooner revoked; and nothing herein contained shall be held to confirm, establish, or confer in or upon any such permittee any right in or to the water which he is now diverting or which he may be authorized to divert hereunder.

With the following committee amendments:

Page 1, line 14, strike out the word "is" and insert the word "are"; page 2, line 4, after the word "diverted," insert the words "in the United States"; page 2, line 8, strike out the word "first" and insert the word "four," and strike out the word "July" in the same line and insert the word "March."

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. MANN. Is this the Senate or the House resolution?

Mr. FLOOD. This is the House resolution.

Mr. MANN. Reserving the right to object, why does the gentleman desire to consider the House resolution?

Mr. FLOOD. The Senate resolution as passed is different from the House resolution as reported by the Committee on Foreign Affairs. If we carried out the views as expressed and voted in the committee, we would have to amend the Senate resolution, and it would have to go back to the Senate, and I therefore thought it as well to take up the House resolution. They are identical, with the exception of the amendments which the Clerk has read.

Mr. MANN. I do not think it is quite the courteous thing to do as between the two legislative bodies where the same resolution is introduced in both bodies and one of them passes

it first and sends it over, to deliberately ignore the resolution of the other body and consider the resolution of this body. I am afraid that they would look at it in that way over there.

Mr. FLOOD. I do not look at it in that way. Both resolutions were introduced the same day, and the House resolution was reported to this body before the Senate resolution was sent over here.

Mr. MANN. I would if I were over there.

Mr. AUSTIN. What objection can there be to substituting the Senate resolution for the House resolution?

Mr. FLOOD. None whatever.

Mr. MANN. It is as easy to amend the Senate resolution as it is the House resolution.

Mr. FLOOD. This is the resolution which was reported by the House committee. It is reported with three amendments, and differs in that respect from the Senate resolution.

Mr. MANN. The resolution as introduced was the same as the Senate resolution.

Mr. FLOOD. Yes; except the title.

Mr. MANN. It is as easy to amend the Senate resolution as it is the House resolution.

Mr. FLOOD. Yes; but I do not see why this resolution is not just as much entitled to consideration as the Senate resolution. We look at it only with reference to getting the resolution through. If anyone objects to the resolution and would not object to the Senate resolution, then we will take up the Senate resolution.

Mr. MANN. No one has had a chance to see it, and I think it ought to go over until the morning in any event.

The SPEAKER. The gentleman from Illinois objects.

Mr. FLOOD. Then, Mr. Speaker, I ask to take from the Speaker's table Senate joint resolution 186, which is substantially the same resolution as reported by the Committee on Foreign Affairs, and I ask for its consideration at this time.

Mr. MANN. But I submit, Mr. Speaker, that there is no House resolution on the House Calendar as yet.

Mr. FLOOD. It has been reported by the committee.

Mr. MANN. That is true; but the rule provides that it has to be on the House Calendar, and it has to be on the printed calendar.

Mr. AUSTIN. Let us take the matter up in the morning.

Mr. FLOOD. We desire to take up the Diplomatic and Consular appropriation bill in the morning.

Mr. MANN. I do not think this will take very long.

Mr. FLOOD. Then, Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, does the gentleman expect to call up the Diplomatic and Consular appropriation bill in the morning?

Mr. FLOOD. Yes.

Mr. MANN. If that should be disposed of at an early hour, would it be the expectation of that side to then proceed with the vocational education bill and see if we can make some progress upon that?

Mr. FLOOD. That is my understanding, and I will ask unanimous consent to take up the Niagara Falls resolution in the morning.

Mr. MANN. I should have no objection to that.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 19178. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes.

The message also announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 186. Joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River; and

S. J. Res. 187. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution in the class other than Members of Congress.

The message also announced that the Senate had passed without amendment the following concurrent resolution:

House concurrent resolution 67.

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, December 22, 1916, they stand adjourned until 12 o'clock meridian on Tuesday, January 2, 1917.

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. 19178. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 324. Joint resolution authorizing payment of the salaries of officers and employees of Congress for December, 1916.

EXTENSION OF REMARKS.

Mr. RAINEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the District appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 54 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Friday, December 22, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for maintenance of schools outside of incorporated towns in the Territory of Alaska (H. Doc. No. 1789); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting additional estimates of appropriations for the Naval Establishment for the fiscal year ending June 30, 1918 (H. Doc. No. 1790); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting a supplemental estimate of appropriation for engineering, Bureau of Steam Engineering, for the fiscal year ending June 30, 1918 (H. Doc. No. 1791); to the Committee on Naval Affairs and ordered to be printed.

4. A letter from the Secretary of War, transmitting reports made by the Ohio Valley Flood Board on examination of Cheat, Tygarts, West Fork, Kanawha, Muskingum, Wabash, Scioto, Miami, and Maumee Rivers, authorized by the river and harbor act approved March 4, 1915 (H. Doc. No. 1792); to the Committee on Flood Control and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SMITH of New York, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 326) authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River, reported the same with amendment, accompanied by a report (No. 1236), which said joint resolution and report were referred to the House Calendar.

Mr. CARLIN, from the Committee on the Judiciary, to which was referred the resolution (H. Res. 389) directing the Federal Trade Commission to investigate and report to the House of Representatives the facts relating to the production, marketing, and distribution of food products in the United States, together with any violations of the antitrust laws in connection therewith, and recommendations for greater economy and efficiency in the marketing of food products and the punishment and prevention of extortion in the prices thereof, reported the same without amendment, accompanied by a report (No. 1241), which

said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (S. 5450) to amend section 108, chapter 5, of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported the same with amendment, accompanied by a report (No. 1243), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARNHART, from the Committee on Printing, to which was referred the bill (H. R. 17699) authorizing and directing the Public Printer to provide a pulp and paper mill or mills for the manufacture of print paper for the Government, reported the same without amendment, accompanied by a report (No. 1244), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GREGG, from the Committee on War Claims, to which was referred the bill (H. R. 7487) for the relief of Absalom C. Phillips, reported the same without amendment, accompanied by a report (No. 1242), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 19176) granting an increase of pension to James L. Strange, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DOREMUS: A bill (H. R. 19288) for improvements and alteration of the Federal building at Detroit, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. ROGERS: A bill (H. R. 19289) authorizing the Secretary of War to donate to the town of Groton, Mass., one cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HOLLAND: A bill (H. R. 19290) to authorize the Secretary of the Treasury to cause to be secured an adequate site in or adjacent to Norfolk, Va., and cause to be erected thereon a suitable building or buildings for marine-hospital purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: A bill (H. R. 19291) to promote the reclamation of arid and swamp lands of the United States, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. RIORDAN: A bill (H. R. 19292) providing for a new building for the assay office, New York City; to the Committee on Public Buildings and Grounds.

By Mr. BUCHANAN of Illinois: A bill (H. R. 19293) to minimize overtime work in post offices; to the Committee on Reform in the Civil Service.

By Mr. HULBERT: A bill (H. R. 19294) to extend the pneumatic mail-tube service and improve the efficiency of the postal system in New York City; to the Committee on the Post Office and Post Roads.

By Mr. LONDON: A bill (H. R. 19295) to create a commission which is to recommend legislation for the taking over by the Federal Government of the control of food, and to authorize the President to prohibit under certain conditions the exportation of food; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of Pennsylvania: A bill (H. R. 19296) authorizing the Western New York & Pennsylvania Railway Co., to reconstruct, maintain, and operate a bridge across the Allegheny River in the borough of Warren and township of Pleasant, Warren County, Pa.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 19297) authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River in Glade and Kinzua Townships, Warren County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. BENNET: A bill (H. R. 19298) authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River in the town of Allegheny, county of Cattaraugus, N. Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: A bill (H. R. 19299) to create a new division of the northern judicial district of Texas, and to provide for terms of court at Wichita Falls, Tex., and for a clerk for said court, and for other purposes; to the Committee on the Judiciary.

By Mr. FLOOD (from Committee on Foreign Affairs): A bill (H. R. 19300) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1918; to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. RAYBURN: A resolution (H. Res. 417) providing for the consideration of H. R. 11864; to the Committee on Rules.

By Mr. FERRIS: A resolution (H. Res. 418) authorizing certain members of the Committee on the Public Lands of the House of Representatives to make investigation relative to natural resources of the public domain; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 19301) granting a pension to Parale Jackson; to the Committee on Pensions.

By Mr. AYRES: A bill (H. R. 19302) for the relief of the estate of John McQuiddy, deceased; to the Committee on War Claims.

By Mr. BENEDICT: A bill (H. R. 19303) granting an increase of pension to Charles H. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19304) granting an increase of pension to Thomas Haran; to the Committee on Pensions.

Also, a bill (H. R. 19305) granting a pension to Carl Schoppe; to the Committee on Pensions.

Also, a bill (H. R. 19306) granting a pension to Major M. Bennett; to the Committee on Pensions.

Also, a bill (H. R. 19307) for the relief of M. H. Meranda; to the Committee on Military Affairs.

Also, a bill (H. R. 19308) for the relief of John D. Humphrey; to the Committee on Military Affairs.

Also, a bill (H. R. 19309) for the relief of Michael Sweeney; to the Committee on Military Affairs.

By Mr. BYRNES of South Carolina: A bill (H. R. 19310) for the relief of the legal representatives of A. M. Riser; to the Committee on Claims.

By Mr. COADY: A bill (H. R. 19311) granting a pension to Robert B. Bowie; to the Committee on Pensions.

Also, a bill (H. R. 19312) granting a pension to Sophia Everett, widow of Thomas H. Everett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19313) granting an increase of pension to Thomas Nossek; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19314) granting an increase of pension to Charles H. Rarick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19315) granting an increase of pension to John Connor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19316) granting an increase of pension to Albert M. Butts, alias Albert J. Stewart; to the Committee on Invalid Pensions.

By Mr. DEWALT: A bill (H. R. 19317) granting a pension to Florence G. Leaman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19318) granting an increase of pension to Anna Bower; to the Committee on Invalid Pensions.

By Mr. DILL: A bill (H. R. 19319) confirming patents heretofore issued to certain Indians under the homestead laws; to the Committee on Indian Affairs.

By Mr. FOSTER: A bill (H. R. 19320) granting a pension to Cora E. Maxedon; to the Committee on Invalid Pensions.

By Mr. GRAY of New Jersey: A bill (H. R. 19321) to correct the military record of Edward A. Shave; to the Committee on Military Affairs.

By Mr. HAMILTON of New York: A bill (H. R. 19322) granting an increase of pension to Joseph McNeight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19323) granting a pension to Anna S. Shepard; to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 19324) granting a pension to Mary E. Simmons; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 19325) granting an increase of pension to Eunice E. Dodge; to the Committee on Invalid Pensions.

By Mr. HOLLAND: A bill (H. R. 19326) granting an increase of pension to Lucy W. Binford; to the Committee on Pensions.

By Mr. HUDDLESTON: A bill (H. R. 19327) to correct the military record of George Openshaw; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 19328) granting an increase of pension to Alvin U. Persing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19329) granting an increase of pension to Riley A. Reeves; to the Committee on Invalid Pensions.

By Mr. KELLEY: A bill (H. R. 19330) granting an increase of pension to Olivia E. Kator; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 19331) granting a pension to Lorenzo D. Romine; to the Committee on Pensions.

By Mr. MOSS: A bill (H. R. 19332) granting an increase of pension to Cullen Bradley; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 19333) granting an increase of pension to Alfred M. Wheeler; to the Committee on Invalid Pensions.

By Mr. OVERMYER: A bill (H. R. 19334) granting an increase of pension to Thomas Jackson; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 19335) granting an increase of pension to John H. Alcorn; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 19336) granting an increase of pension to Charles H. Kindle; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 19337) granting an increase of pension to Sinclair Binkley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19338) granting an increase of pension to William O. Nitchman; to the Committee on Pensions.

By Mr. RIORDAN: A bill (H. R. 19339) for the relief of Edmund F. Jenkins; to the Committee on Military Affairs.

By Mr. RODENBERG: A bill (H. R. 19340) for the relief of Bruce J. Syarse; to the Committee on Claims.

By Mr. RUBEY: A bill (H. R. 19341) granting an increase of pension to Winfield S. Gregory; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 19342) granting an increase of pension to Overon Payne; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 19343) granting an increase of pension to William W. Day; to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 19344) granting an increase of pension to Oliver Sutor; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 19345) granting a pension to John Armstrong; to the Committee on Pensions.

By Mr. WILLIAMS of Ohio: A bill (H. R. 19346) granting a pension to Mrs. Ann J. Cox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19347) granting a pension to Horace A. Austin; to the Committee on Pensions.

By Mr. WINGO: A bill (H. R. 19348) granting an increase of pension to John G. Hunter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19349) granting a pension to Mose Attaway; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARCHFELD: Memorial of woman's auxiliary to the railway postal clerks of Pittsburgh, Pa., favoring a $200 per annum increase to railway postal clerks; to the Committee on the Post Office and Post Roads.

By Mr. BEAKES: Petition of post-office employees of Kalamazoo, Mich., asking an increase of pay; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petition of James F. Rose, of New York, favoring House bill 1661; to the Committee on Invalid Pensions.

Also, petition of sundry terminal railway post-office employees in re postal conditions; to the Committee on the Post Office and Post Roads.

Also, petition of John F. Wolf, of New York City, favoring pension for old letter carriers; to the Committee on the Post Office and Post Roads.

Also, petition of William A. Payce, of New York, indorsing House bill 17125; to the Committee on Military Affairs.

Also, memorial of Boulder (Colo.) Commercial Association, favoring House bill 17843; to the Committee on Public Buildings and Grounds.

Also, petition of the Guidon Club, of New York City, protesting the passage of any amendment to the Constitution whereby woman suffrage will be established; to the Committee on the Judiciary.

By Mr. CARY: Petition of superintendent of Milwaukee schools and teachers, in favor of the nurses' incorporation bill in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of board of directors of the Milwaukee School Board, in favor of nurses' incorporation bill in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of board of trustees of Milwaukee County institutions, in favor of nurses' bill to incorporate in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CLARK of Florida: Petition of T. P. Benard and other citizens, of Fort McCoy, Fla., seeking an embargo on the shipment of foodstuffs from the United States to foreign lands; to the Committee on Interstate and Foreign Commerce.

By Mr. COLEMAN: Two petitions of 19 persons and 121 persons for increase of pay for railway-mail clerks, post-office clerks, letter carriers, and rural delivery carriers; to the Committee on the Post Office and Post Roads.

By Mr. CRISP: Petition of O. S. Reese and others, favoring extension of the eight-hour law; to the Committee on Interstate and Foreign Commerce.

By Mr. DALE of New York: Petition of Lanman & Kemp, of New York, opposing discontinuance of the pneumatic-tube service; to the Committee on the Post Office and Post Roads.

Also, petition of Allied Printing Trades Council of New York, against increased rates on second-class postage; to the Committee on the Post Office and Post Roads.

Also, memorial of American Association of State Highway Officials, relative to completion of the topographic map of the United States; to the Committee on Roads.

By Mr. ESCH: Petition of American Association of State Highway Officials, relative to completion of the topographic map of the United States; to the Committee on Roads.

Also, papers in support of House bill 16921, granting a pension to Betsey J. Truman; to the Committee on Invalid Pensions.

Also, papers in support of House bill 19136, granting an increase of pension to Elijah A. Hearn; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Memorial of Omaha (Nebr.) Chapter, Sons of the American Revolution, favoring the using of the funds collected for naturalization to better the condition of foreigners coming to this country; to the Committee on Immigration and Naturalization.

Also, memorial of the American Association of State Highway Officials, favoring the completion of the topographic map of the United States; to the Committee on the Public Lands.

By Mr. FULLER: Petition of Free Sewing Machine Co., of Rockford, Ill., opposing abandonment of the pneumatic-tube postal service; to the Committee on the Post Office and Post Roads.

Also, petition of Illinois Branch, National German-American Alliance, for an embargo on foodstuffs; to the Committee on Interstate and Foreign Commerce.

Also, petition of Chicago (Ill.) Real Estate Board, for a new post office; to the Committee on Public Buildings and Grounds.

Also, petition of F. G. Hartwell Co., of Chicago, Ill., favoring 1-cent postage and for increase of second-class postage rates; to the Committee on the Post Office and Post Roads.

Also, petition of Illinois Valley Manufacturing Club, concerning railway legislation; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Memorial of Board of Education of Lincoln, Nebr., in reference to work of Bureau of Immigration; to the Committee on Immigration and Naturalization.

By Mr. GARNER: Petition of post-office employees of Brownsville, Tex., asking increase in pay; to the Committee on the Post Office and Post Roads.

Also, memorial of Commercial Club of Crystal City, Tex., relative to reimbursement for damages done along counties on Texas border; to the Committee on Military Affairs.

By Mr. HARRISON of Mississippi: Petition of employees of the Gulfport and Laurel (Miss.) post offices, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. HERNANDEZ: Petition of postal employees of New Mexico, asking increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. KALANIANAOLE: Memorial of Board of Harbor Commissioners, Territory of Hawaii, favoring improvement of Hawilliuili Bay, Hawaii; to the Committee on Rivers and Harbors.

By Mr. KEARNS: Petitions of Parker Refining Co., of Cleveland, Ohio; the Cincinnati Cloak & Suit Co.; the Gilbert Grocery Co., and Selby Shoe Co., of Portsmouth, Ohio, for 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, petition of Volunteer officers of the Civil War, favoring passage of Volunteer officers' retirement bill; to the Committee on Military Affairs.

By Mr. KELLEY: Memorial of State Grange of Michigan, against the Shields and Myers water-power bills and the Phelan fuel bill; to the Committee on the Public Lands.

By Mr. KIESS of Pennsylvania: Petition from William B. Frith, C. J. Dewey, George W. Dibble, S. Barrett, N. Benson, W. E. Mitchell, D. P. Metcalf, Lizell George, W. E. West, and John Enderle, all of Tioga, Pa., petitioning Congress to submit amendment prohibiting importation, manufacture, and sale of intoxicating liquors; to the Committee on the Judiciary.

By Mr. LOUD: Petition of A. T. Bliss and 20 other post-office employees of Midland and Coleman, Mich., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. MOON: Papers to accompany a bill for the relief of Lou Stewart; to the Committee on Pensions.

By Mr. MOORES of Indiana: Memorial of Friends of Irish Freedom, of Indianapolis, Ind., protesting against deportation of Irish citizens to work in British munition factories; to the Committee on Foreign Affairs.

By Mr. NICHOLS of Michigan: Petition of B. E. Longworth and 24 residents of Detroit, Mich., protesting against passage of House bill 13778; to the Committee on the Post Office and Post Roads.

By Mr. PRATT: Petition of Harry Espey, Walter Home, and sundry other employees of the Elmira (N. Y.) post office, favoring a substantial increase in their pay; to the Committee on the Post Office and Post Roads.

Also, petition of J. S. Houk Hardware Co., of Owego, and the Jamison-McKinney Co. (Inc.), of Ithaca, both in the State of New York, favoring a 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

By Mr. RUSSELL of Ohio: Petition of A. H. Osman and other post-office employees of Lima, Ohio, asking increase in pay; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *December 22, 1916.*

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

Almighty God, by the age-long tradition of our personal and national life we are brought once more to contemplate the supreme gift of heaven to man, the advent of the Prince of Peace. By the cherished memories of childhood, by the blessed associations of Christian friendship, by the holy ministries of our religion, by the sacred principles of our National Government, Thou dost call upon us to contemplate again the meaning and message of the Babe of Bethlehem. We turn away sick at heart from the carnage of the world in men's bitter strife and hate. Grant that we may with all people hear once more the ancient prophecy saying, "A little child shall lead them." May we hear again in all the earth the echo of the angels' mystic song, "Peace and good will toward men." Grant, we pray, that the year which we face, 1917, may usher in the universal reign of the Prince of Peace. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief 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 bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes.

The message also announced that the House had passed a bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 6116. An act providing for the taxation of the lands of the Winnebago Indians and the Omaha Indians, in the State of Nebraska;

S. 7095. An act extending the time for completion of the bridge across the Delaware River, authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912;

H. R. 407. An act to provide for stock-raising homesteads, and for other purposes; and

H. R. 19178. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1917, and for other purposes.

PETITIONS AND MEMORIALS.

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

He also presented a petition of the Berkshire Senatorial Suffrage Committee, of Lee, Mass., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Massachusetts, praying for the enactment of legislation to regulate the price of coal, which were referred to the Committee on the Judiciary.

The PRESIDENT pro tempore. Reports of committees are next in order. [A pause.] The introduction of bills is next in order.

PEACE OVERTURE.

Mr. HITCHCOCK. I submit a resolution, and I should like to have it read.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution (S. Res. 298), as follows:

Resolved, That the Senate approves and strongly indorses the action taken by the President in sending the diplomatic notes of December 18 to the nations now engaged in war suggesting and recommending that those nations state the terms upon which peace might be discussed.

Mr. HITCHCOCK. Mr. President, I offered yesterday a similar resolution and, under objection, consented that it should be referred to the Committee on Foreign Relations. I feel, however, that it will require so much time to have a meeting of that committee for the consideration of the resolution that I have offered a similar resolution. I should like to have consideration of it to-day——

Mr. GALLINGER. I ask that it may go over.

Mr. HITCHCOCK. But if objection is made I realize that it must go over and be the business of the Senate on the first day of the session after the holiday recess.

The PRESIDENT pro tempore. Objection is made, and under the rule the resolution will go over.

CALLING OF THE ROLL.

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Fletcher	Nelson	Sterling
Bankhead	Gallinger	Newlands	Stone
Borah	Gronna	Norris	Sutherland
Brady	Harding	Overman	Swanson
Brandegee	Hardwick	Owen	Thomas
Bryan	Hitchcock	Pittman	Thompson
Chamberlain	Hughes	Poindexter	Townsend
Chilton	Jones	Reed	Vardaman
Clapp	Kenyon	Saulsbury	Walsh
Clark	Kern	Sheppard	Watson
Culberson	Lane	Sherman	Weeks
Cummins	Lee, Md	Shields	Williams
Curtis	McCumber	Smith, Ga.	Works
Dillingham	Martine, N. J.	Smoot	

Mr. THOMAS. I wish to announce the absence of my colleague [Mr. SHAFROTH] on account of illness. I will let this announcement stand for the day.

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan] and his pair with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. VARDAMAN. I was requested to announce the absence of the senior Senator from Louisiana [Mr. RANSDELL] and the junior Senator from Louisiana [Mr. BROUSSARD] on account of illness.