Also, petition of Earl V. Van Luven, instructed by official board of Jewell Memorial Methodist Episcopal Church, Colton, Cal., favoring House bill 18986; to the Committee on the Post Office and Post Roads.

Also, petition of Glenn R. Williams, mailing clerk, Upland, Cal., favoring House bill 17806, the Madden reclassification bill; to the Committee on the Post Office and Post Roads.

Also, petition of John S. Roberts and 23 other letter carriers and clerks, favoring increase of salaries for railway mail clerks, post-office clerks, letter carriers, and rural delivery carriers; to the Committee on the Post Office and Post Roads.

Also, petition of J. S. Reese, C. E. Doughty, and A. H. McFarland, all of Needles, Cal., protesting against House bill 19730, the Adamson bill; to the Committee on Immigration and Naturalization.

Also, petition of A. M. S. Wright, secretary Alpine Booster Club, Alpine, Cal., favoring appropriation of $300,000 for Yosemite Park, enlargement of Sequoia National Park, and creation of Grand Canyon National Park; to the Committee on the Public Lands.

Also, petition of B. E. Tarver, Santa Ana, Cal., protesting against passage of Federal emergency revenue measure in present form; to the Committee on Ways and Means.

Also, petition of Homer W. Sumption, executive secretary chamber of commerce, San Diego, Cal., favoring Borland daylight saving bill; to the Committee on Labor.

Also, petition of Norman S. Dayton, Palm Springs, and R. R. Adams, San Diego, Cal., protesting against postal rates on second-class matter according to zone system; to the Committee on the Post Office and Post Roads.

Also, petition of W. R. Robers, president, and R. H. Gunnis, secretary, San Diego Clearing House Association, and F. J. Belcher, jr., First National Bank, San Diego, Cal., favoring House bill 17606, the Kitchin bill; to the Committee on Banking and Currency.

Also, petition of Grant M. Webster, secretary pro tempore San Diego County Single Tax Society, San Diego, Cal., protesting against Senate bill 3331 and House bill 408; to the Committee on Interstate and Foreign Commerce.

Also, petition of F. H. Donald, San Marcos, Cal., favoring safety-first bill; to the Committee on Interstate and Foreign Commerce.

By Mr. MEEKER: Petition of St. Andrew's German Evangelical Church, of St. Louis, Mo., in favor of supporting the President in his efforts to bring about peace among the belligerents abroad; to the Committee on Foreign Affairs.

By Mr. NORTON: Petition of Jacob Rothschiller, president German Alliance of Gladstone, N. Dak., asking Congress to submit question of declaring war against Germany to vote of people of United States; to the Committee on Foreign Affairs.

My Mr. OAKEY: Memorial of sundry citizens of Hartford, Conn., favoring woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. RAKER: Memorial of San Diego (Cal.) Bar Association, urging increase in salaries of United States circuit and district judges; to the Committee on Expenditures in the Department of Justice.

By Mr. ROWE: Memorial of Association of Fully Disabled Union Veterans of the Civil War, favoring passage of House bill 14428, to grant increased pensions to those who lost limbs during Civil War; to the Committee on Pensions.

Also, petition of Charles H. Dillon, of Brooklyn, N. Y., favoring passage of House bill 17806; to the Committee on the Post Office and Post Roads.

Also, petition of the George H. Gibson Co., of New York City, relative to equalization in the present postage rates for first and second class matter; to the Committee on the Post Office and Post Roads.

Also, petition of Charles S. Davison, of New York City, favoring passage of House bill 20080, migratory-bird treaty act; to the Committee on Foreign Affairs.

By Mr. SANFORD: Petition of citizens of Albany County, N. Y., for submission to the States of a national prohibition amendment; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: Petition of First Methodist Church of the city of Pueblo, Colo., favoring prohibitory liquor legislation; to the Committee on Alcoholic Liquor Traffic.

Also, petition of Woman's Christian Temperance Union of West Pittston, Pa., favoring the national prohibition amendment; to the Committee on the Judiciary.

By Mr. SNYDER: Petition of sundry citizens of the thirty-third New York district, favoring prohibition for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of sundry citizens of the thirty-third New York district, against passage of the excise-revenue bill; to the Committee on Ways and Means.

By Mr. STEPHENS: Petition of employees of the Post Office Department, favoring passage of House bill 17806, relative to salaries; to the Committee on the Post Office and Post Roads.

By Mr. TEMPLE: Petition of Pigeon Creek U. P., Eightyfour, Pa., urging adoption of a resolution to amend the Federal Constitution, providing that polygamy and polygamous cohabitation shall not exist within the United States or any place subject to its jurisdiction; to the Committee on the Judiciary.

By Mr. TINKHAM: Memorial of employees of the Post Office Department, favoring passage of House bill 17806, to increase salaries; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *February 8, 1917.*

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

Bishop Collins Denny, of Richmond, Va., offered the following prayer:

O thou great and glorious and merciful God, we come to acknowledge our dependence upon Thee for all things. While we can not remember all Thy benefits, be so favorable to us, O God, that we may not forget them all. We praise Thee for Thy guidance of our fathers; and now, Lord, we, who are Thy children as well as their children, come to pray Thee that Thy guidance may not depart from us. Especially at this time, O gracious God, give wisdom to those upon whom in Thy providence the guidance of the affairs of this country has fallen.

Upon this Senate, upon the President and all who are in authority grant us, most merciful God, that heretofore having been for so many years kept in the peace which has been Thy gift to us, we may be continued in peace in this country. Keep far off from our homes, from our loved ones, war and all its consequences; and while we know, for Thou hast taught us, that whatsoever a man soweth that shall he also reap, and while our sins have been many, manifold, and heinous, gracious God, visit not on us the legitimate consequences of our own transgressions, but show Thyself merciful to us, and grant us the safe and the honorable way through all the troubles to which we seem to be exposed; and especially grant to Thy servants here that daily blessing which they need to do Thy will. We ask for Jesus' sake. Amen.

CALLING OF THE ROLL.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Bankhead	Hughes	Martine, N. J.	Smith, Md.
Beckham	Husting	Myers	Smith, Mich.
Brady	James	Norris	Smith, S. C.
Bryan	Johnson, S. Dak.	Oliver	Smoot
Chamberlain	Jones	Page	Sterling
Chilton	Kenyon	Pittman	Stone
Clapp	Kirby	Poindexter	Thomas
Colt	La Follette	Ransdell	Thompson
Curtis	Lane	Reed	Tillman
Fernald	Lea, Tenn.	Robinson	Townsend
Fletcher	Lee, Md.	Saulsbury	Vardaman
Gallinger	Lodge	Shafroth	Wadsworth
Gronna	McCumber	Sheppard	Watson
Harding	McLean	Sherman	Weeks
Hitchcock	Martin, Va.	Smith, Ga.	Williams

Mr. JAMES. I wish to announce that the Senator from North Carolina [Mr. SIMMONS] is absent on official business.

Mr. CHILTON. I desire to announce that the Senator from Texas [Mr. CULBERSON], the Senator from North Carolina [Mr. OVERMAN], the Senator from Tennessee [Mr. SHIELDS], the Senator from Montana [Mr. WALSH], the Senator from Minnesota [Mr. NELSON], the Senator from Connecticut [Mr. BRANDEGEE], and the Senator from California [Mr. WORKS] are absent on official business.

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding day.

VOTE UPON RESOLUTION RELATIVE TO RELATIONS WITH GERMANY.

Mr. LANE. Mr. President, before I go upon committee work I wish to say that I was not recorded yesterday upon the vote on the resolution of the Senator from Missouri [Mr. STONE], and I wish to announce that I would have voted "nay" had I been

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able to secure entrance to this Chamber. It seems that owing to some condition of public affairs at half past 4 o'clock in the day the outside doors here are locked and this body of eminent gentlemen are locked in. I do not know who has taken it upon himself to lock us in or lock us out, and I resent the assumption of power either to lock us in or out.

Mr. GALLINGER. Did the Senator try the door both ways?

Mr. LANE. Yes; I tried it both ways. I was called out and could not get back in time to vote.

Mr. BANKHEAD. Mr. President, I was absent from the Senate Chamber yesterday for a while on official business, trying to facilitate the report on the Post Office appropriation bill. When I returned to the Chamber the vote had been taken on the resolution offered by the chairman of the Committee on Foreign Relations, Mr. STONE. I desire to state that if present I would have voted for the resolution, and if there is no objection I should like to have the permanent RECORD show that I so voted.

Mr. GALLINGER. I think that is not allowable under the rule. I will submit it to the Chair.

Mr. BANKHEAD. I am not going to insist upon it if it is objected to.

The VICE PRESIDENT. This is the only time the Chair has ever known such request to be made.

Mr. GALLINGER. The Senator from Alabama has now put himself on record as favoring the resolution.

Mr. BANKHEAD. It does not change the result, but I shall not insist upon it.

The VICE PRESIDENT. Let the Journal be read while the Chair is examining the rule.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, February 6, 1917, when, on request of Mr. THOMAS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Will the Senator indulge the Chair for a moment until the Chair may find out whether the request of the Senator from Alabama can be granted?

Mr. McCUMBER. It was on that that I desired to say a word.

The VICE PRESIDENT. Rule XII provides as follows:

1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

It seems to be impossible to permit a vote to be recorded after the result has been announced.

Mr. GALLINGER. In making the suggestion, I would be very glad to have the Senator's vote recorded, but I knew under the rule it could not be done, even by unanimous consent.

Mr. BANKHEAD. I do not want any violation of the rule or anything of that kind. I thought if permissible I would like to be recorded in the regular way in the permanent RECORD.

Mr. McCUMBER. I simply desire to suggest the inconsistency of having the RECORD show what the Senator has stated this morning, that he did not vote, and also having it show that he did vote.

CONSTRUCTION OF BATTLESHIP (S. DOC. NO. 706).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 3d instant, a statement showing the present status of the appropriation of $6,000,000 made in the last naval appropriation act, which was referred to the Committee on Naval Affairs and ordered to be printed.

ANNUAL REPORT OF COMPTROLLER OF THE CURRENCY.

The VICE PRESIDENT laid before the Senate the annual report of the Comptroller of the Currency for the year ended October 31, 1916, together with additional data relating to national banks and their operation, which was referred to the Committee on Banking and Currency.

PUBLIC UTILITIES COMMISSION.

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Public Utilities Commission of the District of Columbia, stating that, pursuant to law, the balance sheets for the year ended December 31, 1916, and other information required by the Public Utilities Commission of the various utilities under its jurisdiction have been submitted to the Speaker of the House of Representatves, which was referred to the Committee on the District of Columbia.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 1553. An act for the relief of Peter Kenney;

S. 2222. An act for the relief of the heirs of Antoine Bayard;

S. 2749. An act for the relief of George L. Thomas;

S. 2880. An act for the relief of Martin V. Parmer;

S. 3681. An act for the relief of the owners of the steamship *Esparta;*

S. 3743. An act to reimburse John Simpson;

S. 5203. An act for the relief of Gardiner L. Eastman;

S. 5985. An act authorizing the Commissioner of Navigation to cause the steamship *Republic* to be enrolled and licensed as a vessel of the United States;

S. 6956. An act to authorize the construction, maintenance, and operation of a wagon bridge across the St. Francis River at a point one-half mile northwest of Parkin, Cross County, Ark.;

S. 6595. An act to reimburse William Blair for losses and damages sustained by him by the negligent dipping of his cattle by the Bureau of Animal Industry, Department of Agriculture;

S. 7367. An act to authorize the construction and maintenance of a bridge across the St. Francis River at or near intersections of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark.;

S. 7556. An act to grant to the Mahoning & Shenango Railway & Light Co., its successors and assigns, the right to construct, complete, maintain, and operate a combination dam and bridge and approaches thereto across the Mahoning River, near the borough of Lowellville, in the county of Mahoning and State of Ohio;

S. 7713. An act granting to the city and county of San Francisco, State of California, a right of way for a storm-water relief sewer through a portion of the Presidio of San Francisco Military Reservation; and

S. 7924. An act authorizing the county of Beltrami, Minn., to construct a bridge across the Mississippi River in said county.

The message also announced that the House had passed the bill (S. 5632) for the relief of Aquila Nebeker with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 1878) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, and under the provisions of section No. 151 of the act approved March 3, 1911, commonly known as the Judicial Code, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1869. An act for the relief of Reuben Sewell;

H. R. 6207. An act for the relief of Isabel E. Rockwell;

H. R. 9402. An act for the relief of Sylvester Hannan, alias Henry Edwards;

H. R. 11498. An act making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States;

H. R. 12317. An act for the relief of Stephen J. Haff;

H. R. 14763. An act for the relief of Charles Lynch;

H. R. 15852. An act for the relief of Allen Hyatt;

H. R. 15999. An act for the relief of Asbury Scrivener;

H. R. 16407. An act for the relief of J. L. Bonner;

H. R. 16827. An act for the relief of Henry P. Grant, of Phillips County, Ark.;

H. R. 16855. An act for the relief of Riverside Military Academy;

H. R. 17305. An act for the relief of William I. Wood;

H. R. 17406. An act for the relief of Eugene Fazzi;

H. R. 17411. An act for the relief of William H. Keys; and

H. R. 19978. An act for the relief of Janna Stoppels.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 1740. An act to repeal an act entitled "An act granting to the city of Twin Falls, Idaho, certain lands for reservoir purposes," approved June 7, 1912, and to revoke the grant made thereby;

S. 5082. An act adding certain lands to the Missoula National Forest, Mont.;

S. 5014. An act to amend section 1 of the act of August 9, 1912, providing for patents on reclamation entries, and for other purposes;

S. 7779. An act to authorize the change of name of the steamer *Frank H. Peavey* to *William A. Reiss;*

S. 7780. An act to authorize the change of name of the steamer *Frank T. Heffelfinger* to *Clemens A. Reiss;*

S. 7781. An act to authorize the change of name of the steamer *George W. Peavey* to *Richard J. Reiss;*

S. 7782. An act to authorize the change of name of the steamer *Frederick B. Wells* to *Otto M. Reiss;*

H. R. 1609. An act for the relief of S. L. Burgard;

H. R. 6732. An act for the relief of Joseph A. Jennings;

H. R. 7763. An act for the relief of Stephen J. Simpson;

H. R. 11150. An act for the relief of mail contractors;

H. R. 11288. An act for the relief of S. S. Yoder;

H. R. 11685. An act for the relief of Ivy L. Merrill; and

H. J. Res. 230. Joint resolution authorizing the National Society United States Daughters of 1812 to file its historical material in the Smithsonian Institution and to make annual reports to the secretary thereof.

PETITIONS AND MEMORIALS.

Mr. SMITH of Michigan. Mr. President, this is not an ordinary protest to which I wish to call the attention of the Senate. I have an important telegram here from the president of the National Dairy Union of the United States, dated Lansing, Mich., in which he says:

LANSING, MICH., *February 6, 1917.*

Hon. WILLIAM ALDEN SMITH,
Washington, D. C.:

I understand Senator UNDERWOOD offered an amendment to the revenue bill taxing oleomargarine 2 cents per pound and allowing it to be colored. Will you not do your utmost to protect the dairy interests of Michigan against having to compete with this cheap substitute colored to counterfeit gennine butter.

N. P. HULL,
President National Dairy Union.

Mr. President, I am going to ask that this telegram be referred to the Committee on Finance, and I desire to supplement what Mr. Hull has said and express the hope that there will be no backward step taken in the matter of the regulation of the manufacture and sale of oleomargarine. It ought at no time to be permitted to compete with butter as such, and I hope we shall have full opportunity to discuss this proposed change of law.

The VICE PRESIDENT. The telegram will be referred to the Committee on Finance.

Mr. THOMAS subsequently said: Mr. President, the junior Senator from Alabama [Mr. UNDERWOOD] was absent when the Senator from Michigan [Mr. SMITH] introduced a telegram from the National Dairy Union. I merely wish to say that the amendment which the Senator from Alabama has offered is being considered and that there will be abundant opportunity to discuss its merits when we come to consider the revenue bill.

Mr. McCUMBER. I present two resolutions emanating from German-American societies asking that the question of war should be submitted to a referendum of the people.

I also present a resolution adopted at a mass meeting of citizens of Hebron and vicinity, N. Dak., to the same effect. I ask that the resolutions may be printed in the RECORD, without the names. They are very short.

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

HEBRON, N. DAK., *February 6, 1917.*

Hon. PORTER J. McCUMBER,
Washington, D. C.:

At a mass meeting of citizens of Hebron and vicinity the following resolutions were unanimously passed:

"Whereas the United States of America with profound regret looked upon the useless and insane sacrifices of life and property caused by the European war, which threatens the destruction of all nations involved; and

"Whereas it always was the intention of the United States of America to further permanent peace between all nations; and

"Whereas we believe that the majority of the citizens of the United States of America wish and fervently pray that the terrible destruction, loss of life, and misery connected with modern warfare be kept away from our homes. Now, therefore, be it

"*Resolved,* That the question of war and peace be submitted to referendum of the people who will be called upon in case of war to carry the main burden."

FRED LEUTZ, *Chairman.*

FREDONIA, N. DAK., *February 7, 1917.*

P. J. McCUMBER,
Washington, D. C.:

The following resolution adopted by our local meeting respectfully submitted with request you and Representative YOUNG put same before your body.

Whereas the country has severed relations with Germany and Congress is at present studying the question of declaring war, then, therefore, we, as a community of people and citizens of United States, request that Congress submit the question of declaring war to a referendum before action is taken.

Jacob Hoffer, S. G. Wittmayer, Wm. Jans, Fred Marx, F. G. Wolf, Michael Gittel, Christ Kinseler, Jacob Ruff, W. J. Hellwig, B. C. Hellwig, Alfred Kreuger, Edward Hellwig, Gust D. Laut, J. J. Meidanger, H. D. Jonas, F. Kurtz, F. Miller, jr., D. D. Haag, G. Buerkle, A. Schlenker, D. Flaig, C. J. Johnson, Jacob Flaig, A. Kusler, Albert Karrovan, M. Holman, F. Geisler, G. Weispfenning, T. J. Jonas, John Miller, Christ Eszlinger, Wm. H. Hiller, John Gutschmidt, R. Ruff, Karl Bower, John Kuhler, Jacob Fuchs, Henry Kuhler, Adam Olke, Adam Hoffman, Henry Gohring, Gust Wittmayer, John Fuchs, Jacob Lippert, Andrew Schlapph, Christ. Labrenz, John Freign, Louie Holman, Olaf Holman, M. Johnson, Lue Nyland, Fred Miller, Jacob Miller, John Lautt, K. A. Krueger, John Buerkle, Dan Hoff, John Wolf, Sam Labrenz, Jacob Mayer, E. W. Orley, Karl Schlecht, Frank Stalker, E. C. Krueger, S. G. Meske, Wm. Pruetz, Martin Suko, G. Gieser, F. G. Gieser, Henry Bentz, Fred Grueich, Albert Holman, Einer Johnson, Fred Reumin, Rud. Schultz, Fred Sukut, Emil A. Miller, Fred Widmaier, Arnold Gutschmidt, Ed. Ensslen, Fred Grabau, Christ. Hiller, John Eszlinger, A. J. Meidinger, Fred Schlenker, Geo. Lautt, Dan Lautt, Karl Gohring, F. Wolf, Simon Pokert, Jacob Krueger, Henry Wolff, Gottlieb Jancke, Sam Freigin, Christ. Bentz, Bernhard Hellwig. (Sig.) Witmayer, President Deutscher Bund.

GLADSTONE, N. DAK., *February 6, 1917.*

P. J. McCUMBER,
United States Senate, Washington, D. C.:

I respectfully urge upon you the wishes of 10,000 members of this organization and citizens of North Dakota to submit question of declaring war to a referendum.

JACOB ROTHSCHILLER,
President German Alliance.

Mr. CHILTON. Day before yesterday the legislature of West Virginia adopted resolutions concerning the present foreign situation, and I should like to have the resolutions, as they are short, read. I desire further to state that they received the unanimous vote of both Houses, except one man, and he would hardly count under the conditions, as he has been both a Democrat and a Republican.

There being no objection, the resolutions were read, as follows:

House joint resolution No. 13, indorsing the course of the President of the United States in severing diplomatic relations with the Imperial German Government.

Be it resolved by the House of Delegates of West Virginia, the Senate concurring therein:

First. That we, the Legislature of West Virginia, deeply deploring the international crisis that has called it forth, hereby express our hearty approval of the course pursued by President Wilson and the Department of State at Washington in severing diplomatic relations with the Imperial German Government, following its note of January 31 repudiating the pledges heretofore given to respect the lives and property of American citizens and to insure the freedom of the seas. Believing that to submit to a violation of the fundamental rights involved would bring lasting humiliation and a loss of self-respect, we indorse the clear and patriotic declaration by the President of a fixed purpose to invoke the power of the Nation to maintain our honor and independence as a sovereign people. In an hour like the present our usual personal and party differences are leveled before an exalted patriotism; and to maintain its rights and sacred honor among the nations of the earth we pledge to our Government the united support of the people of West Virginia.

Second. That a copy of this resolution, duly authenticated, be sent to the President of the United States and a copy to each of our Representatives in the Congress of the United States, with the request that they communicate the same to their respective Houses.

Mr. SMITH of Maryland. I desire to have read a telegram which I have received from the Board of Trade of Hagerstown, Md. I will also state in this connection that I have received some 40 or 50 telegrams from various corporations and copartnerships indorsing the position taken in the telegram which is now presented by me to the Senate.

There being no objection, the telegram was read and referred to the Committee on Finance, as follows:

HAGERSTOWN, MD., *February 6, 1917.*

Senator JOHN WALTER SMITH,
Washington, D. C.:

The Board of Trade of Hagerstown at a largely attended meeting passed a resolution recognizing the need for large revenues for the Army, Navy, and fortifications, but emphatically protesting against the form of legislation proposed in H. R. 20573 as being discriminatory in character and wrong in principle and urging you to oppose its passage in the Senate; but should a bill based on the principle of this one be inevitable, then urging you to insist upon such amendments as will make no discrimination in favor of personally conducted business as distinguished from corporations and partnerships.

HAGERSTOWN BOARD OF TRADE,
H. LIONEL MEREDITH, *President.*

Mr. SHIELDS. I present various telegrams and letters protesting against the tax imposed on excess profits of insurance companies in the revenue bill recently passed by the House, which I ask to have printed in the RECORD without reading.

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

COMMERCIAL CLUB OF NASHVILLE,
Nashville, January 25, 1917.

Hon. JOHN K. SHIELDS, *Washington, D. C.*

DEAR MR. SHIELDS: We wired you to-day as follows:

"The board of governors of the Commercial Club of Nashville earnestly request your support against the proposed surtax on incomes of certain corporations and partnerships."

And confirming same will say the board of governors at a called meeting held yesterday afternoon to hear a report from the special committee appointed to investigate the proposed legislation in regard to an increase of tax on incomes of certain corporations and partnerships, and submit copy of their report:

"Your committee appointed to consider the measure now pending before the Ways and Means Committee of Congress to assess a surtax of 10 per cent on incomes of certain corporations and partnerships beg leave to report:

"'We are of the opinion that this tax is excessive, is discriminatory, and is unjust, and that it should be heartily opposed by the Commercial Club, and we recommend that the secretary of the club be instructed to send a telegram to the Senators and Members of the House of Representatives from this State at Washington, expressing our opposition.'

"V. S. TUPPER,
"WATKINS CROCKETT,
"V. J. ALEXANDER,
"Committee."

The board unanimously indorsed this report, and I trust that you will concur in our judgment in the matter.

Please let us hear from you in regard to this, and oblige,

Yours, very truly,

W. R. MANIER, *Secretary.*

CHATTANOOGA, TENN., *February 5, 1917.*

Hon. J. K. SHIELDS, *Senator,*
Washington, D. C.

DEAR SIR: The Chattanooga Manufacturers' Association, composed of 140 of the leading manufacturers located at and doing business in Chattanooga, Tenn., at a meeting held Friday, February 2, 1917, unanimously went on record as being opposed to the passage of bill H. R. 20573, now before the House.

The members of this association are all now bearing tremendous tax burdens which are proportionately larger than other business interests. We are always willing to support any movement tending to national advancement, but this proposed bill leaves no room to doubt that it is time to call a halt.

Government revenues must be obtained, and there is no disposition to question taxes for legitimate necessities, provided everyone bears their equitable proportion. The manufacturers feel that they, as a body, are now paying the Federal Government a fair proportion of their net earnings, yet the aforesaid bill proposed to further burden them by an additional tax of 8 per cent on capital computed on money actually invested, property used, and surplus and undivided profits. This is almost bordering on confiscation.

Can we not expect your cooperation in opposing the passage of the above measure? We will certainly appreciate your assistance.

Very respectfully,

CHATTANOOGA MANUFACTURERS' ASSOCIATION,
By W. E. BROCK,
JOHN STAYMAIN,
JOHN J. MAHONEY.

P. S.—We also want to call your attention to the fact that in the average manufacturing business every year is not always closed with a profit. The average is only one out of three when any money is made. The past year is the only one in almost five where the manufacturer has made any clear money, and the Government ought not unduly tax such earnings, but instead should seriously take into consideration the handicap under which the manufacturer has labored and under which he has kept his business from becoming demoralized..

CHATTANOOGA, TENN., *February 6, 1917.*

Hon. JOHN K. SHIELDS,
United States Senator, Washington, D. C.:

We enter our protest against tax on excess profits.

UNITED HOSIERY MILLS.

MEMPHIS, TENN., *February 5, 1917.*

Senator JOHN K. SHIELDS,
Washington, D. C.

DEAR SIR: The writer has read with a great deal of interest the inclosed clipping from the Commercial Appeal, and hope that you will be able to have substituted an increased tax on cigars, cigarettes, and whisky in lieu of the proposed tax on profits.

As it is now, we are paying a corporation tax and income tax, and it hardly looks right that we should pay, in addition, a tax on profits, which is certainly the same as income.

Any efforts you may use toward avoiding this will certainly be very much appreciated by,

Yours, very truly,

R. S. BRYAN.

NASHVILLE, TENN., *January 25, 1917.*

Hon. JOHN K. SHIELDS,
Washington, D. C.:

The board of governors, Commercial Club of Nashville, earnestly request your support against the proposed surtax on incomes of certain corporations and memberships.

COMMERCIAL CLUB OF NASHVILLE,
W. R. MANIER, *Secretary.*

WINSTON-SALEM, N. C., *January 25, 1917.*

Senator JOHN K. SHIELDS,
Washington, D. C.:

I explained to Congressman HULL yesterday, submitting figures, that proposed excess-profits law imposes burden on companies with legitimate capitalization and relieves the companies with watered stock and inflated values to flat bonds, etc.—the companies, in the minds of legislators, it will pay to tax. Please consider carefully. It looks like a political blunder is about to be made.

H. H. SHELTON.

MORRISTOWN, TENN., *January 31, 1917.*

Senator JOHN K. SHIELDS,
Washington, D. C.:

Morristown Board of Trade and affiliated organizations unanimously opposed to terms of Kitchin revenue bill, H. R. 20573, and urge your best efforts for the defeat of measure, which will impose unreasonable and unbearable burdens on business interest of Nation.

F. A. WITT, *President.*
F. ROGER MILLER, *Secretary.*

NATIONAL LIFE INSURANCE CO.,
Chattanooga, February 5, 1917.

Hon. JOHN K. SHIELDS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have been informed that the Democratic House caucus has ratified the provisions of the proposed Federal emergency revenue measure, which applies to all life insurance companies except those doing the business of life, health, and accident insurance combined in one policy, issued on the weekly payment plan.

The tax imposed by the proposed act is computed as follows: From the amount of the taxable income as reported under the Federal income-tax law deduct $5,000, also 8 per cent of the company's paid-in or earned surplus and undivided profits. The remainder, called excess profits, is taxed at the rate of 8 per cent.

In approving this measure the Democratic House caucus seem to have overlooked several fundamental facts; first, over 70 per cent of the life insurance in the United States is mutual; second, including participating business of the stock companies, over 86 per cent of all the life insurance policies are participating; third, the burden of all taxes upon income life insurance funds falls upon the individual policyholder.

The bill exempts industrial insurance where the life-policy holder is insured also against sickness and accident, but takes the industrial-policy holder who insures his life only for the benefit of his family.

The average size of the ordinary life insurance policy in the United States has decreased from $2,580 in 1894 to $1,850 in 1915, showing that the 7,000,000 ordinary-policy holders of the United States on whom the proposed tax would fall are providing only this modest sum for their dependents. The 25,000,000 industrial-policy holders, who would also be taxed, are providing $134 each for their families.

This company has never waged any campaign against the taxation of life insurance as at present conducted, but the proposed measure seems to be unwarranted and economically unsound, as this extra tax will, of course, be taken out of the pockets of the policyholders.

With these facts before you, if you can consistently use your influence against this bill, such influence will be in the interest of the modest-policy holder, who is already too heavily taxed. I will appreciate your attention and advice.

Yours, very truly,

T. C. THOMPSON.

THE VOLUNTEER STATE LIFE INSURANCE CO.,
Memphis, Tenn., January 31, 1917.

Senator J. K. SHIELDS,
Care Senate, Washington, D. C.

DEAR SIR: I have just been informed that on the night of the 26th instant the Democratic House caucus at Washington resolved to place a large additional tax on life insurance companies to be computed as follows:

From amount of taxable income as reported under Federal income-tax law, deduct $5,000; also 8 per cent of your paid-in capital and paid-in or earned surplus and undivided profits. The remainder, called excess profits, is taxed at the rate of 8 per cent.

The Volunteer State Life Insurance Co. for the past year paid $12,513.46 in Federal and State taxes and fees. All life insurance companies are now undergoing tremendous taxation, and all these taxes must finally be paid by the policyholder. Less than 10 per cent of the taxes collected from life insurance companies is now used for the supervision of the life insurance business. The money invested by policyholders in life insurance policies is for the protection of their dependents, and there is no more reason for placing excessive taxes on the funds invested in life insurance than there is for the placing of excessive taxes on deposits in savings banks.

Increasing the burdens of men who are attempting to provide for their dependents should be opposed, and this is to urge that, as our representative from this State, you should do this. We will appreciate any interest that you may take in the matter. I am,

Yours, very truly,

J. M. SMITH, *General Agent.*

NEWPORT, TENN., *January 31, 1917.*

Judge JOHN K. SHIELDS,
Senate Chamber, Washington, D. C.

MY DEAR SIR: I am writing you in regard to the proposed legislative action which proposes to place a large additional tax on life insurance companies. I beg to say that, in my judgment, life insurance companies are now heavily and unnecessarily taxed and no further burden should be placed on them. The money invested by policyholders in life insurance policies is for the protection of their dependents, and there is no more reason for placing excessive taxes on funds invested in life insurance than there is for placing excessive taxes on deposits in savings banks, etc. I want to urge on you to oppose this proposed legislation in the interests of the dependent families of the country. There is no justice in increasing the burdens of the men of this country who are attempting to provide a fund for their dependents. I hope you will look fully into this matter, and when you do I believe you will find what I say herein correct; and I trust you will then find it within the line of your official duty to oppose this proposed legislation.

With regards, I am,

Yours, very truly,

W. O. MIMS.

NASHVILLE, TENN., *January 31, 1917.*

Hon. JOHN K. SHIELDS,
Washington, D. C.

DEAR SENATOR: I understand the Democratic House caucus, of Washington, D. C., has recommended large additional tax on life insurance companies. I hope you will be in position to oppose this measure, as I now think life insurance companies, especially in Tennessee, are paying their proportional part of taxes. If this increase in taxation is made, the common people or the policyholders will be the sufferers therefrom.

Hoping you see your way clear to oppose this measure, I remain,

Yours, very truly,

W. R. MILLER.

NASHVILLE, TENN., *February 6, 1917.*

Hon. J. K. SHIELDS,
Washington, D. C.:

To include mutual life insurance companies in proposed Federal emergency revenue bill would impose a most inequitable and unjust and oppressive tax on the policyholders. A tax, as I understand, without precedent. We trust you will oppose and defeat any effort of that character.

T. W. WRENNE.

—

CLARKSVILLE, TENN., *January 31, 1917.*

Hon. JOHN K. SHIELDS,
United States Senate, Washington, D. C.

DEAR SIR: In re additional tax on life insurance companies:

As a stockholder and policyholder in the Volunteer State Life Insurance Co. of Tennessee, I beg to call your attention to proposed increase in taxation now pending on such institutions, and ask that you give your careful ad favorable attention in seeing that no adverse legislation is enacted to the detriment of our young and growing home institution.

For example, this company for the past year paid $12,513.46 in Federal and State taxes and fees. All life insurance companies are now undergoing tremendous taxation, and all these taxes must finally be paid by the policyholder. Less than 10 per cent of the taxes collected from life insurance is now used for the supervision of the life insurance business. The money invested by policyholders in life insurance policies is for the protection of their dependents, and we trust that no additional burden will be placed on an institution which we are building up, and which we hope to make of great benefit to this section of our country.

I am, yours, very respectfully,

GRACEY CHILDERS.

—

THE VOLUNTEER STATE LIFE INSURANCE COMPANY,
Chattanooga, Tenn., January 30, 1917.

Senator JOHN K. SHIELDS,
Washington, D. C.

DEAR SIR: We have just received information that the Democratic House caucus at Washington has recently resolved to place a large additional tax on life insurance companies, to be computed as follows:

From amount of taxable income as reported under Federal income-tax law deduct $5,000; also 8 per cent of your paid in capital and paid in or earned surplus and undivided profits. The remainder, called excess profits, is taxed at the rate of 8 per cent.

All life insurance companies are now undergoing tremendous taxation and all these taxes must finally be paid by the policyholder, as the companies are in such keen competition for business that their net cost of insurance to the policyholder is as low as the companies can make it and continue to do business. This company, for instance, which has paid scarcely any dividends to its stockholders, and which was organized in 1903, paid during the past year $12,513.46 in Federal and State taxes and fees. Less than 10 per cent of the taxes on life insurance is used for the supervision of the life insurance business; in other words, more than 90 per cent of the taxes now collected from life insurance companies is used merely to produce revenue and has nothing whatever to do with the life insurance business.

The money invested by policyholders in life insurance policies is for the protection of their dependents when the breadwinners have passed away. There is really less reason for placing an excessive tax on the funds invested in life insurance than there is for placing excessive taxes on deposits in savings banks.

I believe investigation will show that the United States is the only country in the world that has legislation in force through its Federal and State Governments by which is increased the financial burden of the man who attempts to care for his dependents by life insurance protection.

We earnestly urge that you will carefully investigate this proposed legislation, for we believe that as a result of such investigation you will promptly and actively oppose the proposed legislation.

Yours, truly,

A. L. KEY,
Vice President and General Manager.

—

SODDY LOCAL UNION NO. 890,
UNITED MINE WORKERS OF AMERICA,
Sody, Tenn., ———, 191–.

Resolved, That the United Mine Workers of America call upon the State and Federal Governments to ascertain the cause or causes of this extraordinary increase in the cost of living and to take such action, through the machinery of Government or by the passage of legislation, as will prevent speculation in foodstuffs and reduce the cost of living to a normal basis; and, be it further

Resolved, That we favor the placing of an embargo upon the exportation of wheat and other foodstuffs, if other means or measures can not be found by which the present menacing high cost of living can be reduced to a normal basis; and, be it further

Resolved, The Local Mine Workers No. 890 forward same to their Representatives in the Congress of the United States, and to the governor of their State.

ALF MARTIN, *President.*
W. R. PARTON, *Secretary.*

Mr. PAGE. As reflecting the sentiment of Vermont touching the grave situation that confronts us, I send to the desk and ask to have read a resolution passed by the Joint Assembly of Vermont, the legislature of that State being now in session. The resolution is very brief, and I hope that the Senate will give it attention.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

Resolved by the senate and house of representatives—

Whereas in the opinion of the General Assembly of the State of Vermont, the President of the United States has exhausted every honorable means to preserve the honor and integrity of this Nation, and has deemed it necessary on account of the persistent and long-continued violation by the German Government of the fundamental principles of international law and of the principles of common humanity, to sever diplomatic relations with the Government of Germany: Therefore, be it

Resolved, That the State of Vermont, by the vote of its general assembly now in session, hereby assures the Federal Government of its firm and unwavering support at this critical time in the world's history, and that it is the sense of the general assembly that this State proceed at once to the adequate preparation for any emergency that may arise, so that it may respond to any call that may be made upon it by the Federal Government.

Resolved, further, That the secretary of state be, and hereby is, instructed to send to the President of the United States a duly attested copy of this resolution.

Mr. PAGE. I have received a telegram from the master of the State Grange of Vermont, in which he protests against the passage of the Underwood amendment, reducing the tax on colored oleomargarine from 10 cents per pound to 2 cents per pound. I ask to have the telegram referred to the appropriate committee.

The VICE PRESIDENT. The telegram will be referred to the Committee on Finance.

Mr. SHERMAN. Mr. President, from among several hundred communications upon the same subject I have selected two which I desire to present. The first is from the Illinois Bankers' Association, protesting against the proposed excess profits tax applying to the banks in the United States, which are already, says the communication, paying from three to four taxes. I ask to have the communication printed in the RECORD.

There being no objection, the communication was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

ILLINOIS BANKERS' ASSOCIATION,
CHICAGO, *February 6, 1917.*

Hon. LAWRENCE Y. SHERMAN,
The Senate, Washington, D. C.

DEAR SIR: While we are all moved by patriotic impulses, it is exceedingly difficult to question the methods employed for imposing Federal taxation. Perhaps the probability that very heavy taxes will soon be required, makes it even more important to consider the principles upon which the taxation is based.

On January 24 we sent a letter to our members regarding the new excess-profits tax, and have secured the cooperation of other associations in urging that it is unjust and un-American to levy the third direct tax on the same small group of interests, when the rest of the public is not bearing any portion of the burden.

We are to-day advised that the national counselors, at the annual meeting of the Chamber of Commerce of the United States, took exception to the manner of levying the tax proposed in the bill in the House. As the chamber is very conservative in its action, I think it is certainly safe to be guided by the opinion expressed by it.

There is a distinct opportunity for the Members of Congress to perform a great service by having Federal taxation proceed along the right lines, and I feel confident you will be interested in opposing a drift in affairs which is dangerous, to say the least.

Yours, very truly,

R. L. CRAMPTON, *Secretary.*

—

THE PROPOSED NEW TAX ON PROFITS OVER 8 PER CENT FURTHER VIOLATES AMERICAN PRINCIPLES.

ILLINOIS BANKERS' ASSOCIATION,
Chicago, January 24, 1917.

To the MEMBERS OF THE ASSOCIATION:

The administration party leaders are reported as fully approving an amendment to the Federal internal-revenue act, providing for a tax of 8 per cent on net income in excess of 8 per cent on capital computed on money actually invested, property used, and surplus and undivided profits of every corporation, joint-stock company, association, insurance company, and partnership whose net income amounts to $5,000 or more. The tax not to attach to incomes derived from agriculture or solely from personal services.

Under the terms of the proposed bill capital invested is said to include: (1) Cash paid in, (2) actual value of property at time of payment other than cash paid in, and (3) surplus and undivided profits used or employed in the business. Increases are also proposed on inheritances and other items.

This information is from telegraphic advices, as copies of the new revenue bill are not available. It has been passed upon favorably by the subcommittee, and was before the Ways and Means Committee of the House yesterday, and is being considered to-day by the House caucus of the majority Members, after which it will be reported formally. We are advised that passage of the bill will then undoubtedly be expedited in the House, possibly coming to a final vote before the end of next week.

It is apparent that we are complacently passing through a period of silent revolution, which is remorselessly continuing a steam-roller process of attempting to bring successful business concerns down to the level of the mediocre through adding more tax burdens on wisely managed enterprises.

As an illustration of how the proposed tax will work, a bank or other business, with a capital of $50,000, surplus and undivided profits of $10,000, which earns 20 per cent net on its capital, or $10,000 a year, would be entitled to a deduction of 8 per cent on the capital and surplus amounting to $60,000, or $4,800, leaving the difference between this amount and $10,000, or $5,200, upon which a tax of 8 per cent, amounting in this case to $416, would have to be paid. A bank of $500,000 capital with the same proportion of surplus and rate of earning on capital, would pay $4,160 and one of $5,000,000, $41,600. (All less $5,000 exempt.)

The proposed tax will be in addition to the income tax, which was more than doubled under the act of September 8, 1916, and the special corporation tax of 50 cents a thousand on capital, etc., in excess of $99,000.

The members of this association are all bearing tremendous tax burdens, proportionately larger than other business interests, as their personal property is not concealed from the local assessor, and they can not well increase the cost of service. We gladly take the lead in supporting programs for national advancement, but the added burden of this

third direct Federal tax leaves no room to doubt that it is time to call a halt. Government revenues must be obtained, and there is no disposition to question taxes for legitimate requirements if imposed equitably in accordance with principles which conform to the spirit of American institutions.

Direct Federal taxation has so recently been instituted, and has met with so little objection on the part of about 7 per cent of the population now furnishing the Government with revenue aggregating $131,845,360, that we are apparently losing all thought of reasonable equality in taxation, and deliberately entering a new and pernicious era of "special privilege" and exemption for the great mass of the citizenship.

While fully admitting the social justice of a graduated tax on incomes, it seems manifestly unfortunate, if not indefensible, in both an economic and a political sense to wholly relieve more than nine-tenths of the voters, who theoretically are responsible for the imposition of the tax, from bearing some part of their proportionate share, even if the amount realized from each would be very small. Such contact with the revenue department of the Government is necessary to insure the practice of administrative economy and a reasonable consciousness of the obligations of citizenship. In England before the great war all incomes over £100 were taxed.

Industries concerned as to the threatened flood of foreign goods after the war, resulting in overproduction, idle mills, panic, and depression, have hoped that immediate consideration would be given to protective measures through a revision of the Underwood Act, such as is believed would, with existing direct taxation, produce adequate revenues, notwithstanding the present curtailment of imports, and that the proposed bond issue, covering the expense of mobilization on the Mexican border, would carry us through without establishing any more doubtful precedents as to direct taxation. While not offering this as a suggestion, we most emphatically believe that the proposed program is along the wrong lines.

The writer feels that the officers of our member banks should get in touch with the business men in their communities at once and give full consideration to the entire subject. Let us not be charged with the worst possible error—that of taking the easiest way in this matter instead of standing up for the principles which, if disregarded, will result in our being carried into very dangerous channels.

Having secured an entering wedge, our Representatives in Congress appear willing to drive it further and further between the majority and the minority of the population, separating them still more instead of attempting to bring them together for cooperation leading toward national efficiency.

The experience of the belligerent nations has proved that service must be universal, whether at the front, in the factory, or in the counting room. This is the world's new conception of democracy for peace and war. It is a step backward for a few to pay all the cost of government. We are losing the essence of Americanism and bringing about representation without taxation, which is as repugnant as would be the right of a few to support the Government and to dominate it.

"There is need for sound public opinion, for sound political judgments, and our future for many years to come will be governed by the soundness of the public mind and governmental actions in the next score of months. We must awaken men to the patriotic need for giving the best there is in us to the end that the national answer which will be made to the many questions the world is asking, shall be the right answer."

We urge you to do your part promptly. Stand up for principle even if you happen to be exempt. Write your Congressman upon receipt of this. An insidious evil is creeping into our national life; ask others to help prevent it. Please get general local cooperation.

We are advised that the Chicago Clearing House Association will wire strongly protesting against this further imposition of taxes on those already burdened through recent Federal taxation enactments. Should not all business associations take similar steps? The time for action is very short.

We believe the serious and perhaps unconscious drift of affairs in Congress makes it unnecessary to apologize for the longest letter ever sent the membership. It would have been easier merely to request the members to wire protests against the proposed new iniquitous tax, but it is important that our members begin earnestly to study political economy and endeavor to help form a sound national policy.

Yours, very truly,

RICHARD L. CRAMPTON,
Secretary.

P. S.—Some of the internal-revenue collectors in Illinois have sent our member banks forms upon which to file returns as brokers and pay a tax of $30. We feel quite sure this is incorrect, and have written the commissioner in Washington for decision regarding it.

Mr. SHERMAN. I also present from the Northwestern Mutual Life Insurance Co., of Milwaukee, Wis., through their general agent at Chicago, Ill., a protest against the proposed tax on mutual life insurance companies in the pending revenue measure. Annexed to that, and as a part of it, is an article by John Barnes, general counsel of the Northwestern Mutual Life Insurance Co., both of which communications I ask to have printed in the RECORD without reading.

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

THE NORTHWESTERN MUTUAL LIFE INSURANCE CO.,
Chicago, February 6, 1917.

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.

DEAR SIR: The emergency-revenue measure now pending in the Senate does not exempt from the excess-profits tax mutual life insurance companies. On behalf of the 12,000 Chicago policyholders in the Northwestern Mutual Life Insurance Co., of Milwaukee, we write to ask you to use your best efforts to secure an exemption for mutual life insurance companies from this tax. You have long been such a friend of sound life insurance that we feel that further explanation to you is unnecessary. We, however, inclose copy of protest prepared by John Barnes, counsel for the Northwestern Mutual Life Insurance Co., which covers the subject.

We also inclose copies of telegrams sent to various Members of the House by Messrs. Fred W. Upham, Alexander A. McCormick, John E. Wilder, Edwin W. Sims, and William L. O'Connell, chairman of the Illinois Public Utility Commission. Unfortunately these telegrams did not reach the men to whom they were sent until after the bill had been reported out of committee.

Very truly, yours,

HOBART & OATES,
General Agents.

THIS PROTEST AGAINST IMPOSING AN EMERGENCY TAX ON MUTUAL LIFE INSURANCE COMPANIES (SEC. 201, H. R. 20573) IS RESPECTFULLY SUBMITTED BY THE NORTHWESTERN MUTUAL LIFE INSURANCE CO.

(This section proposes to increase our tax from 2 per cent to 10 per cent on all net income over $5,000.)

Our company makes no profits. It furnishes insurance at cost. Because it charges a level premium, such premium must be high enough to provide for unusual contingencies. Otherwise, when they were met we would become insolvent. Our stipulated premium is in excess of normal requirements, but such excess is returned as so-called dividends. Dividends in life insurance parlance means the return of excess premium collected. (Mutual Benefit *v.* Herold, 198 Fed., 199; S. C. in Court of Appeals, 201 Fed., 918; S. C. in U. S. Sup. Ct., 231 U. S., 755; Conn. Mutual Life Ins. Co. *v.* Eaton, 218 Fed., 206; Conn. General Life Ins. Co. *v.* Eaton, 218 Fed., 188; S. C. in Court of Appeals, 223 Fed., 1022; Commonwealth *v.* Penn. Mutual, 97 Atl., 677; Commonwealth *v.* Metropolitan, 98 Atl., 1072; New York Life *v.* Chaves, 153 Pac., 303; Mutual Benefit *v.* Commonwealth, 107 S. W., 802; Huebner on Life Insurance, pp. 314–316; Gephart on "Principles of Insurance," p. 195.)

We have no stockholders. Our funds belong to our policyholders. We collect from them from year to year a sum which, with interest additions, enables us to fulfill our contracts. We carry a comparatively small surplus to take care of the fluctuations in the market value of our securities and to make good losses in investments. Aside from this surplus, all other income is returned to the policyholders at one time or another.

We have over 575,000 policies outstanding, averaging about $2,600. Our largest class of policyholders is composed of farmers. Then come clerks and moderate-salaried employees who are endeavoring to lay something aside for their families in the event of their death. Life insurance is about all many of them leave. Then we have the professional and small business men, teachers, mechanics, and laborers, who, for the most part, are not men of means. While we have wealthy men among our policyholders, their number is comparatively small. It is the man who is making an endeavor to provide for his family who will have to pay the greater part of this excess tax. These people have denied themselves many little luxuries and sometimes necessaries to keep their insurance in force. It often stands between the family and the poorhouse. From an economic standpoint life insurance should be encouraged instead of penalized by the State. It lightens the burden that the State would otherwise have to carry. Very properly the State practically exempts fraternal insurance companies from taxation. Why should it make a pariah of the old-line life insurance company? Both are advertising to carry life insurance at cost, and the level-premium mutuals do so. The ultimate expense, considering relative benefits, is as great in one as in the other. It is only when the fraternal tries to do the impossible—that is, to carry insurance below cost—that it comes to grief, if otherwise efficiently managed. One of these fraternal organizations had about $80,000,000 more insurance in force December 31, 1915, than did the Northwestern. Its certificates averaged about $1,600. Still another had over a billion of insurance on the same date. The fraternal organizations are not called upon to pay any tax, State or National, except on real estate. They are exempt from a Federal income tax under subdivision 3 of section 11 of the income-tax act.

The Northwestern during the year 1916 paid on account of taxes, excluding real estate, $1,100,000. The farmer, the lawyer, the doctor, the mechanic, the merchant, the laborer, and the capitalist insure in both classes of companies. Many of the fraternals are on a legal reserve basis, as well as the old-line companies. The principal difference is that one class of policyholders prefer to pay a larger premium to begin with and to buy something which they believe to be safe, while the other class prefers to take a cheaper article of insurance to begin with and take chances on the future. It is safe to say that as to 95 per cent of the policyholders in both classes of companies insurance is taken for family protection, and that in the majority of cases it is essential that it should be taken for such protection. This is just as true as to mutual insurance as it is to fraternal insurance.

By the second subdivision of section 11 of the 1916 income-tax law mutual savings banks not having a capital stock represented by shares are exempt from taxation. I venture the assertion that not one valid reason can be advanced for this exemption which does not apply with equal or greater force to mutual life insurance companies. This proposed increase in taxes is largely a tax on the widows and orphans of the future.

It has been stated in the press that it was the purpose to tax those business institutions which were making large sums of money to pay for the military protection which the Government proposed to afford to the whole people. Without conceding the justice or propriety of the law as a whole, the reasons given have no application whatever to a mutual life insurance company. Wealth will be called upon to pay only a negligible share of this extraordinary tax. The individual who is entitled to a $4,000 exemption may clip coupons to the extent of $24,000, and is called upon to pay an income tax of $400. A like amount of net income coming to our company for the benefit of its policyholders would be taxable to the extent of $2,000. Our policyholders, rich and poor, would be called upon to pay five times as much as the individual of independent means. It may be conceded that it is difficult to impose a tax that will not result in some inequity, but a studied attempt to make a tax unfair could hardly work greater injustice than this bill does to life insurance companies. This bill has not the merit of being a good measure from a socialistic standpoint, because it imposes a burden on thrift and on those who are least able to bear it. There are in round numbers 7,000,000 policyholders in old-line mutual life insurance companies in this country. It ought not to be necessary for them in order to secure fair play to be compelled to imitate the example of other classes and organize for their protection.

It is asserted that these companies control large aggregations of capital. This in itself is no reason why they should be subject to excessive taxation. I never supposed that an individual who had $100,000 in property and owed a like amount was well off financially, and this is the situation as to life insurance companies. Both by contract and by law, practically all of the $330,000,000 of reserve which we carry can be demanded of us in 90 days. Savings banks and other institutions are not taxed because they happen to owe enormous sums of money. No more should we be.

Figures for the first nine months of 1916 show that of those taking policies of insurance in our company 14.4 per cent were farmers, 9 per cent merchants, 6 per cent office employees, 5.3 per cent clerks in stores,

3.4 per cent doctors, 2.9 per cent lawyers, and 3 per cent manufacturers. Teachers, students, salesmen, carpenters, railway employees, stationary engineers and plumbers, architects and draftsmen, telephone and telegraph operators, and clergymen make up the bulk of the remainder of the 36,407 persons insured during this period. The average for a period of years would not differ materially from the figures above given. The idea which I wish to convey is that these are the persons who must pay this emergency tax, and that they are not plutocrats or beneficiaries of the present war, and that there is no reason why they should be singled out and compelled to bear an excessive portion of the burden of taxation for whatever purpose a tax may be imposed.

Respectfully submitted.

JOHN BARNES,
Counsel for the Northwestern Mutual Life Insurance Co.

Mr. PHELAN presented a memorial of the Chamber of Commerce of Sacramento, Cal., remonstrating against the proposed excess tax on insurance companies, which was referred to the Committee on Finance.

He also presented a memorial of Orange Grove Lodge, No. 97, Brotherhood of Locomotive Firemen and Enginemen, of Los Angeles, Cal., remonstrating against the enactment of legislation for compulsory arbitration of industrial disputes, which was referred to the Committee on Interstate Commerce.

Mr. KENYON presented petitions of sundry citizens of Iowa, praying for national prohibition, which were ordered to lie on the table.

He also presented a petition of the Dubuque (Iowa) Council, Railway Mail Association, praying for the enactment of legislation to provide for the retirement of superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of Local Union No. 916, United Mine Workers of America, of Hiteman, Iowa, praying for an investigation into the high cost of living, which was ordered to lie on the table.

He also presented a petition of sundry citizens of McGregor, Iowa, praying for the protection of migratory birds, which was ordered to lie on the table.

Mr. OLIVER presented a petition of sundry citizens of Mercer County, Pa., praying for the enactment of legislation to found the Government of the United States on Christianity, which was referred to the Committee on the Judiciary.

Mr. WEEKS presented petitions of sundry citizens of Massachusetts, praying for national prohibition, which were ordered to lie on the table.

Mr. THOMPSON presented a petition of the Women's Faculty Council of the State Normal School, of Emporia, Kans., praying for the establishment of a women's division in the Department of Labor, which was referred to the Committee on Education and Labor.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the joint memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial 14.

Whereas only a small proportion of the money contributed from the State of Oregon to the reclamation fund has been expended within the State of Oregon; and

Whereas the Owyhee project, in Malheur County, Oreg., has been carefully examined and found from an engineering standpoint to be feasible and a practicable and a desirable project, free from difficulties attendant upon many irrigation projects; and

Whereas the Owyhee irrigation district has already been formed and is now prepared to contract with the Reclamation Service for the construction of said project; and

Whereas the people under said project are unitedly in favor of Government aid in securing the reclamation of the lands under said project: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be memorialized to use their influence to secure an appropriation for the construction of said project, and that a copy of this memorial be transmitted to the President of the United States of America, to each of our Senators and Representatives of the State of Oregon in Congress, and to Secretary of the Interior Franklin K. Lane.

Concurred in by the house January 29, 1917.

R. N. STANFIELD,
Speaker of the House.

Adopted by the senate January 25, 1917.

GUS C. MOSER,
President of the Senate.

STATE OF OREGON,
SENATE CHAMBER.

I, J. W. Cochran, chief clerk of the Senate of the Twenty-ninth Legislative Assembly of the State of Oregon, do hereby certify that I have carefully compared the annexed copy of Senate joint memorial No. 14, Twenty-ninth Legislative Assembly, State of Oregon, with the original thereof as adopted by the senate January 25, 1917, and concurred in by the house January 29, 1917, and that the same is a full, true, and correct transcript therefrom and of the whole thereof.

In witness whereof I have hereunto set my hand this 30th day of January, 1917.

J. W. COCHRAN,
Chief Clerk Senate,
Twenty-ninth Legislative Assembly of the State of Oregon.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Naval Affairs.

There being no objection, the joint memorial was referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

Senate joint memorial 8.

Memorial to the Congress of the United States of America, petitioning the United States Government to appropriate $3,000,000 for the purpose of securing a suitable site on the Columbia River, Oreg., and erecting thereon a naval and military base.

To the Senate and House of Representatives of the Congress of the United States of America:

We, your memorialists, the Senate and House of Representatives of the State of Oregon, jointly concurring, respectfully represent that—

Whereas the Government of the United States can and ought to establish a naval base at the mouth of the Columbia River; and

Whereas the people of that portion of the United States known as the Inland Empire, consisting of eastern Oregon, Washington, and Idaho, and other parts of the country immediately affected, have petitioned Congress for an appropriation for $3,000,000 for such purpose and have given in their petition the following reasons, which are confirmed by the Legislative Assembly of the State of Oregon:

First. That upward of 2,500,000 people who live in the territory sought to be protected by the proposed naval base are demanding its immediate establishment.

Second. That the territory sought to be protected against possible hostile invasion embraces an area of 250,000 square miles of the richest and most fertile lands in the United States; a territory whose natural resources and raw products consist of wheat, corn, lumber, fish, dairy products, wool, live stock, fruit cultivation, as well as the commercial industries naturally flowing from such rich and generous resources, the aggregate value of which is approximately $2,000,000,000 annually.

Third. That the military defenses at the mouth of the river, to wit, Fort Canby and Fort Stevens, while accomplishing the purpose for which they were built at the time of their construction, have since by reason of the deepening of the channel at the mouth of the river, the construction of the Government jetties, and the completion of the Celilo Canal, become absolutely inadequate as protective measures, for not only is it possible now for boats of the largest tonnage to enter the fresh-water harbor at the mouth of the river, but it is possible for the same boats to proceed through this wide-open and inviting gate clear through the granary of the United States and right into the very heart of our country.

Fourth. Coincident with the improvements carried on by the Government at the mouth of the river, there has occurred a healthy and continuous growth, not only in population of the territory affected by this immense area but also in all the fields of industry in which its people are interested; to such an extent, in fact, has the development of this section of our country proceeded that it would now, in the event of foreign difficulties, become the first natural objective point for hostile forces. This is perhaps emphasized by the fact that the mouth of the Columbia River is nearer to Yokohama by 294 miles than Seattle and nearly 423 miles than San Francisco on the round trip.

Fifth. Because the harbor at the mouth of the Columbia River meets the five essential requirements of the joint Army and Navy board which, under the direction of Secretary Meyer, investigated the navy-yard situation in the United States. Among the prominent members of this board were Admiral George Dewey and Rear Admiral Bradley A. Fiske. Their report was later indorsed by the General Navy Board, and in substance recommended the following essentials for a naval base:

(a) It should be located at an important strategic point.
(b) It should be accessible from the sea under all conditions.
(c) It should be nearby a protected anchorage sufficient for a fleet.
(d) It must be safe from attack.
(e) It should be placed near a commercial center with plentiful labor and supply facilities.

Sixth. Because there are at least four or five sites suitable and available for the purpose which can be procured without cost or purchased at a nominal figure, and the additional revenue which will necessarily accrue to the Government by reason of the increase in commerce and industry throughout the inland empire incident to the construction and establishment of a naval base is well calculated to pay the greater cost of maintenance: Now therefore be it

Resolved by the Senate and House of Representatives of the State of Oregon (jointly concurring), That we do hereby most respectfully urge and request that the Congress of the United States of America immediately appropriate the sum of $3,000,000 to secure a suitable site on the Columbia River, Oreg., as near to the entrance as may be deemed advisable for the constuction of a naval base, including the following: Building ways for building large and small vessels; dry docks capable of docking the largest dreadnaughts; marine railways; machine shops; boiler shops; electrical shops; pattern shops; paint shop; copper shop; galvanizing shop; joiner shop; ship-fitter shop; smithery and chain shop; sheet-metal shop; boat and aeroplane shop; sail, rigging, and flax shops; oxyhydrogen and acetylene shops; foundry; tracks and rolling stock; barracks; chemical laboratories; radio plant; magazines; hospital, dispensary; fire-engine house; stables and garages; piers; fueling plant; storehouse; office buildings; floating derrick; and sawmill; and such other purposes as may be necessary or incident thereto; be it further

Resolved, That upon the adoption of this memorial by the house of representatives that the chief clerk of the senate be, and he hereby is, instructed to transmit a copy of the same to each Member of the Oregon delegation in Congress.

Adopted by the senate January 19, 1917.

GUS C. MOSER,
President of the Senate.

Concurred in by the house January 25, 1917.

R. N. STANFIELD,
Speaker of the House.

STATE OF OREGON,
SENATE CHAMBER.

I, J. W. Cochran, chief clerk of the Senate of the Twenty-ninth Legislative Assembly of the State of Oregon, do hereby certify:

That I have carefully compared the annexed copy of senate joint memorial No. 8, Twenty-ninth Legislative Assembly, State of Oregon,

with the original thereof as adopted by the senate January 19, 1917, and concurred in by the house January 25, 1917, and that the same is a full, true, and correct transcript therefrom and of the whole thereof.

In witness whereof I have hereunto set my hand this 30th day of January, 1917.

J. W. COCHRAN,
Chief Clerk Senate,
Twenty-ninth Legislative Assembly of the State of Oregon.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Commerce.

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

Senate joint memorial 2.

Memorial to the Congress of the United States of America petitioning the United States Government to appropriate $390,000 for the improvement of the harbor at Crescent City, Del Norte County, Cal.

To the honorable Senate and House of Representatives of the Congress of the United States:

We, your memorialists, the Senate and the House of Representatives of the State of Oregon jointly concurring, respectfully represent that—

Whereas the bay at Crescent City, in the county of Del Norte, State of California, can and ought to be improved at the expense of the Government of the United States; and

Whereas the people of northern California and southern Oregon, and other parts of the country immediately affected, have petitioned Congress for an appropriation of $390,000 for such purpose and have given in their petition the following reasons which are confirmed by the Legislative Assembly of the State of Oregon:

First. One hundred and forty thousand people, who live in the territory to be benefited by it, are demanding the improvement of Crescent City Harbor.

Second. Sixty thousand square miles of territory in northern California, northern Nevada, southern Oregon, and southern Idaho will be directly benefited by the improvement of this harbor.

Third. Rogue River Valley alone will enjoy a saving in freight rates of $7,000,000 a year on 18,000,000 boxes of fruit when the present plantings are in full bearing and the harbor at Crescent City is improved.

Fourth. Eighty-four billion feet of merchantable lumber will find its way to Crescent City Harbor from the United States forest reserves, provided the harbor is improved. This would mean at least $84,000,000 for the Government from stumpage and $840,000,000 for the people who fell the timber, handle the logs, and manufacture and move the lumber.

Fifth. It is estimated that private parties and corporations own at least 120,000,000,000 feet of timber in this territory, which if manufactured and moved to market would mean over $1,200,000,000 to the owners and the men who do the work.

Sixth. One million tons of copper ore have been blocked out within 60 miles of Crescent City Harbor which can not be profitably moved without harbor and railroad facilities. This would be a billion-dollar business, and as yet this section of country has not been thoroughly prospected for minerals.

Seventh. When the sea walls have been completed according to the engineer's report, the harbor will have an entrance 40 feet deep at low water and a width of 1,000 feet. There will be a strip of water from 500 to 2,000 feet wide and over a mile long 30 feet deep and over.

Eighth. Crescent City Bay, with the proposed sea walls completed, would be a harbor of refuge for all coastwise craft and could be cheaply deepened and widened to make room for a large fleet of heavy-draft vessels.

Ninth. This bay is half way from San Francisco Bay to the mouth of the Columbia River, and is midway between Canada on the north and Mexico on the south. Its geographical location therefore especially fits it for a naval base, and the close proximity of the Coast Range of mountains to the south and east and the high islands 2 miles to the north admirably fit it for inexpensive defense.

Tenth. The Board of Engineers for Rivers and Harbors has reported favorably upon the project.

Eleventh. The resources of an empire await this harbor improvement.

Twelfth. The people of Del Norte County, Cal., have provided $100,000 to be used by the Government engineers in the proposed work: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the State of Oregon (jointly concurring), That we do hereby most respectfully urge and request that the Congress of the United States immediately appropriate the sum of $390,000 to be used with the $100,000 provided by Del Norte County, Cal., by the proper department of the Government for such improvement of the bay and harbor at Crescent City, Del Norte County, Cal., as may have been recommended by the Government engineers in charge of the survey and work to be accomplished: Be it further

Resolved, That upon the adoption of this memorial by the house of representatives, that the chief clerk of the senate be, and he hereby is, instructed to transmit a copy of the same to each Member of the Oregon delegation in Congress.

Concurred in by the house January 25, 1917.

R. N. STANFIELD,
Speaker of the House.

Adopted by the senate January 15, 1917.

GUS C. MOSER,
President of the Senate.

STATE OF OREGON,
SENATE CHAMBER.

I, John W. Cochran, chief clerk of the Senate of the Twenty-ninth Legislative Assembly of the State of Oregon, do hereby certify:

That I have carefully compared the annexed copy of senate joint memorial No. 2, Twenty-ninth Legislative Assembly, State of Oregon, with the original thereof as adopted by the senate January 15, 1917, and concurred in by the house January 25, 1917, and that the same is a full, true, and correct transcript therefrom and of the whole theerof.

In witness whereof I have hereunto set my hand this 30th day of January, 1917.

J. W. COCHRAN,
Chief Clerk Senate,
Twenty-ninth Legislative Assembly of the State of Oregon.

Mr. LODGE. I have a telegram from the Massachusetts State Grange, which I ask may be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the telegram was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

[Telegram.]

LUDLOW, MASS., *February 7, 1917.*

Senator HENRY CABOT LODGE,
Washington, D. C.:

Massachusetts State Grange opposes to the utmost any reduction in tax on colored oleo.

EDWARD E. CHAPMAN,
Master Massachusetts State Grange.

Mr. McLEAN. I present a resolution adopted by the General Assembly of the State of Connecticut, which I ask may be printed in the RECORD.

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

[State of Connecticut, office of the secretary. General assembly, January session, A. D. 1917.]

Resolution declaring the loyalty of the people of Connecticut to the Government of the United States in the present international crisis.

Resolved by this assembly, That the action of Gov. Marcus H. Holcomb in pledging to the President of the United States the loyal support of the people of Connecticut has the full and complete indorsement and approval of this general assembly.

That copies of this resolution be forwarded by the secretary of state to the five Members of Congress and the two United States Senators from Connecticut, with the request that it shall be read into the RECORD of Congress.

Passed senate February 6, 1917.

Passed house of representatives February 6, 1917.

STATE OF CONNECTICUT,
Office of the Secretary, ss:

I, F. L. Perry, secretary of the State of Connecticut and keeper of the seal thereof and of the original record of the acts and resolutions of the general assembly of said State, do hereby certify that I have compared the annexed copy of the resolution declaring the loyalty of the people of Connecticut to the Government of the United States in the present international crisis with the original record of the same now remaining in this office, and have found the said copy to be a correct and complete transcript thereof.

And I further certify that the said original record is a public record of the said State of Connecticut now remaining in this office.

In testimony whereof I have hereunto set my hand and affixed the seal of said State at Hartford this 7th day of February, 1917.

[SEAL.] F. L. PERRY,
Secretary.

Mr. McLEAN. I also present a telegram from the Chamber of Commerce, of Hartford, Conn., which I ask may be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the telegram was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

[Telegram.]

HARTFORD, CONN., *February 7, 1917.*

Hon. GEORGE P. MCLEAN,
United States Senate, Washington, D. C.:

Hartford Chamber of Commerce desires to record its protest against proposed law levying 8 per cent tax on profits of copartnerships and to ask that hearing be accorded on bill before action is taken by committee.

HARTFORD CHAMBER OF COMMERCE.

Mr. LANE. I present a joint memorial of the Legislature of Oregon favoring an appropriation for the improvement of the harbor at Crescent City, Cal. My colleague has presented to the Senate a similar joint memorial, with the request that it be printed in the RECORD, and I will simply ask that this memorial may be received and referred to the Committee on Commerce.

The VICE PRESIDENT. The joint memorial will be referred to the Committee on Commerce.

Mr. LANE. I also present a joint memorial of the Legislature of Oregon, praying for the improvement of Owyhee Irrigation Project, in Malheur County, Oreg., which I ask may be referred to the Committee on Irrigation and Reclamation of Arid Lands.

The VICE PRESIDENT. The joint memorial will be referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. LANE. I have also a joint memorial of the Legislature of Oregon, favoring an appropriation to secure a suitable site on the Columbia River, Oreg., and to erect thereon a naval and military base, which I ask may be referred to the Committee on Naval Affairs.

The VICE PRESIDENT. The memorial will be referred to the Committee on Naval Affairs.

PAYMENT OF LIQUOR TAXES.

Mr. HITCHCOCK. Mr. President, I ask to have printed in the RECORD and referred to the Committee on Finance a resolution adopted by the State Senate of Nebraska, memorializing Congress to provide by law that collectors of internal revenue shall be required to mail to the governors of the several States and Territories each month a list showing the names and ad-

dresses of the persons in the respective States who have paid taxes for the sale of liquor.

Mr. JAMES. I will say to the Senator from Nebraska that I think a similar resolution to the one which he presents was submitted by his colleague [Mr. NORRIS] the other day; and there is a law which provides that the collector shall furnish to the prosecuting officer, upon request, the names of all those who have paid special taxes.

Mr. HITCHCOCK. I understand this is intended, however, to be a regular proceeding, automatically provided for, so that the list may be regularly supplied the executive officers of the various States, and not supplied simply upon request.

Mr. JAMES. In our State the Commonwealth attorneys, who are the prosecuting officers, write to the collectors of internal revenue and request them to furnish them with the names of the persons in the county who have paid these special taxes. In that way, they get this information and are given a line upon those who are probably violating the law in local-option territory. That has been the law for some time.

Mr. HITCHCOCK. Then, Mr. President, I modify my request that the resolution be printed in the RECORD, as my colleague has already taken that step. I was not advised of that. I now simply ask that the resolution be referred to the Committee on Finance.

I think that there is a distinction between the present practice and the request made by the Nebraska Legislature.

Mr. JAMES. I should not have the slightest objection to the passage of a law that would give the governor of a State, if it be desirable, the names of those who have paid special taxes; but it seems to me that, as the law now is, it directs the proper course to be taken—that is, that the prosecuting officer, who must present the evidence to the grand jury and prosecute them, be supplied with the names. The governor in no State with which I am familiar is charged with the prosecution of the violation of the local-option laws. The prosecuting officer of the locality is charged with it, and should therefore be supplied with the information.

Mr. HITCHCOCK. I simply desire to have the resolution considered by the Committee on Finance, which is about to report the revenue bill.

The VICE PRESIDENT. The resolution will be referred to the Committee on Finance.

REVENUES OF PORTO RICO.

Mr. GRONNA. Mr. President, some four or five weeks ago I understand there was printed in the RECORD a memorial adopted by some of the Porto Rican people. That memorial was approved by the present governor of Porto Rico. In that memorial certain declarations were made relative to the revenues of that island government. There was also a denial made of certain facts set forth by what is known as the International Reform Bureau of Porto Rico for prohibition, calling attention to the fact that the total amount of revenue derived from liquor was $1,400,000, and that the people paid for liquor consumed only $1,614,000, or about $200,000 more than the amount of revenue derived.

Mr. President, on the face of it that is an absurdity. I have here a memorial adopted by the International Reform Bureau of Porto Rico regarding this matter, which I ask to have printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

The memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

Memorial of the International Reform Bureau for Porto Rico prohibition.

To the United States Senate and House of Representatives:

A series of preambles and a resolution adopted by the Legislature of Porto Rico having been printed in full in the CONGRESSIONAL RECORD in which there is criticism of the International Reform Bureau, through whose Porto Rico secretaries, the Misses Mary and Margaret Leitch, of Garrochales, the native churches, Masons, labor unions, and other bodies representing the good citizenship of Porto Rico have appealed to Congress to enact prohibition for the island, the International Reform Bureau asks equal space in the RECORD to state the other side, especially as there is a manifest error in the figures which the legislature cites, which will be evident when it is noted that the liquor revenue said to be lost to the insular government, exclusive of local license fees, is given as $1,400,000, and the cost of the liquors to the people as only $1,614,612.35, leaving the liquor dealers only $214,612.35 from which to get the goods, rents, profits, taxes, and licenses. Everyone familiar with liquor statistics knows that the cost of liquors to the drinkers is at least ten times as large as the revenue, besides indirect costs as large for poverty, crime, impaired efficiency, and other by-products of the drink. The head master of the public school in Garrochales says, regarding three licensed shops in that community:

"I visited to-day the three licensed liquor shops in this place that are near my school and asked each of the men in charge about how much money he took in each week from the sale of alcoholic beverages. The man in the liquor shop directly opposite my school said that he took in about $40 a week. The man in the liquor shop a short distance to the east of my school said he took in about $20 a week, and the man in the liquor shop a short distance to the west of my school said he took in about $8 a week. The owners of each shop pay a license fee of $7 every three months to the government tax collector."

It will be noted by a moment's work in division that in that community, supposed to be fairly representative, the cost to the people is forty-two times as much as the Government revenue. But if the cost in the island at large is even ten times as much it will reach the figure which the local secretaries of the reform bureau accepted as the frequently expressed estimate of the moral leaders of the island, namely, $1,400,000.

As for the other figures of the International Reform Bureau criticized, "$7,000,000" in round numbers for "flour," used there as here for cereals in general, and with perfect understanding on the part of everybody that it is not the only food, but "the staff of life," the round numbers given by the bureau's secretaries there, from the commonly received estimate of religious people, is sustantially verified by the legislature's own figures, for when the cereals are segregated from the legislature's list of food the total amount is $7,505,147.

But the real issue is the revenue question, which is essentially the same in Porto Rico as in Louisiana or New Mexico, except that a majority of the Porto Rico drinkers, who really pay the revenue in buying the drinks that debauch them, are poorer and weaker than the drinking classes of the United States.

THE POVERTY ARGUMENT.

The arguments for prohibition in Porto Rico include all the arguments that have carried prohibition in Mississippi and Colorado and other prohibition States, and the additional arguments that have led nations not much inclined to enact prohibition in their most advanced Commonwealths to prohibit liquor selling in islands under their control that are inhabited by native races of whom the major part are both poor and ignorant, living in one-room cabins, as do the rural three-fourths of the Porto Ricans—almost 900,000 out of 1,200,000. Gov. Arthur Yager, speaking at the Mohonk conference of these 900,000 agricultural laborers, is reported to have said: "This population is on the verge of starvation. If being underfed is slow starvation there are many starving to death every year." It is admitted that the living conditions of these agriculturists have not improved under our occupation, notwithstanding there has been an improvement in industrial conditions. Gov. Yager says this is because there are too many babies, but the missionaries and native churches, that are unitedly asking for prohibition, say it is in large part because there are too many bottles. The people are too poor to afford liquors even if they were only a luxury and not a curse; and too weak to let them alone, especially the rum, when it is offered for sale. There is one place licensed to sell intoxicants for every 46 families. These are not all saloons in the American sense, but many of them general stores where the temptation to drink comes to those who make other purchases. These general stores are worse than saloons in that they bring the drink to the attention of women and children and others who would not go to the drink shops. In Garrochales, the place that sold only liquors reported sales of only $8 per week, while the general stores reported $20 and $40.

DOMINATION OF RUM IN PORTO RICAN POLITICS TO BE PREVENTED.

There is a very special argument for prohibition in the nature of the bill itself. It proposes to give Territorial self-government to a people who until recently were under the Spanish monarchy, and so have had less experience in self-government than the people of any Territorial government under our flag. Hawaii had been a Republic before it came to us, and had had many years of prohibition. When we gave it Territorial government the Senate refused to concur with the House in putting prohibition into the enabling act, and the result was that liquor dealers secured three seats out of nine in the Territorial senate, and from inside and outside dominated the island politics. And when Congress was again considering Hawaiian prohibition it was persuaded by the specious plea of "self-government" to submit the question to the Hawaiian people, and the liquor interests were able to manipulate the election in their own interest. In consequence the good citizens of Hawaii are now a third time asking Congress to give them prohibition.

Naturally, the Porto Rico Legislature asks to have prohibition left for local decision. But in this case, as in Hawaii, "home rule" would be rum rule. And "self-government" means little with a people of whom a major part have proved they lack self-control in the presence of this subtle temptation. The very fact that the legislature accepted the absurd statistics we have exposed shows its unfitness to handle this subject.

Porto Rico in having moral legislation put upon it by Congress would be treated no differently from other Territories more advanced, on which Congress has imposed in past years laws against polygamy, against prize fights, and against divorce colonies. Territories are always helped by Congress in their first experiments in government. It should be remembered also that the Porto Rican people themselves have asked for this action in numerous and representative petitions of the missions, the Masons, the labor unions, and through the press.

THE REVENUE QUESTION.

All arguments against Porto Rico prohibition are, in the main, pleas to keep the liquor revenue. The insular government, according to figures furnished by Gov. Yager, derives an income of $1,392,446.31 from liquors, besides which there are municipal liquor taxes. But the words of Gladstone are always in order when a fear of embarrassment from the loss of liquor revenue is expressed: "Give me a sober people and I will take care of the revenue." Senators from prohibition States and from other States where many towns are "dry" are well aware that the loss of much larger liquor revenues has never embarrassed either local or State governments because the diversion of a vastly greater sum that had been spent in drink to honest trades has increased revenues from other forms of taxation, and prohibition has also decreased greatly the taxes caused by crime and pauperism. In these two ways prohibition has almost automatically taken care of the revenue adjustment, for which a full year is allowed in the amendment.

The United States should rid Porto Rico of the liquor traffic partly because much of it was placed there since and because of our occupation.

The peasants of Russia would not have banished vodka by their own vote, but they rejoice in the blessings which prohibition has brought, which the chancellor of the exchequer says has more than offset the burden of war. Surely, in the presence of such a demonstration Congress should not hesitate to give the starving peasants of Porto Rico the same boon.

What prohibition would do for San Juan and its cultivated Porto Ricans is pictured in recently published descriptions of what prohibition has done for Atlanta, Seattle, and Denver. Let it be remembered that the States of Georgia, Washington, and Colorado imposed prohibition on these cities despite the cry of "home rule" and "self-government," which those cities are now glad was overruled.

Respectfully submitted for the International Reform Bureau.

WILBUR F. CRAFTS, *Superintendent.*

WASHINGTON, D. C., *February 8, 1917.*

Mr. GRONNA. I also present a telegram from the president and secretary of the Bismarck Verein of North Dakota, which I ask to have printed in the RECORD.

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

BISMARCK, N. DAK., *February 6, 1917.*

Hon. ASLE J. GRONNA,
Washington, D. C.:

At a special meeting of the Bismarck Verein and citizens in general of the city of Bismarck, N. Dak., the following resolution was unanimously adopted:

Be it resolved, That it is the sense of this meeting that Congress submit the question of declaration of war to a referendum; and be it further

Resolved, That a copy of this resolution be sent to each of the Senators and Representatives of the State of North Dakota in Congress assembled at Washington, D. C.

JOHN YEGEN, *President.*
JOHN DEITRICH, *Secretary.*

WATER-POWER DEVELOPMENT.

Mr. JONES. Mr. President, I have received a great many letters in the nature of petitions from people in my State with reference to certain legislation pending before Congress. I have not thought it necessary to present these petitions, but I want to take the time of the Senate for a few minutes this morning to get some information that will be of interest to them.

Our people are very much interested in the water-power bills, especially the one for the development of water power on navigable streams. They do not understand why we do not pass legislation under which this development can take place, and they have been writing me and urging that it be enacted into law, and asking for information as to why we were not doing something.

Senate bill 3331 passed the Senate March 8, 1916, almost a year ago. It passed the House of Representatives on July 15, 1916, amended by striking out all after the enacting clause and inserting a substitute agreed to by the House. A conference was asked for by the Senate on July 15, 1916, more than six months ago. The conference was granted by the House July 21, 1916, some six or seven months ago; but we have had no report from the committee of conference. I see that the Senator from Tennessee [Mr. SHIELDS] is present. He had charge of the bill in the Senate; and is, I think, one of the conferees. I should like, therefore, to ask that Senator what the prospects are for a report from the conferees, and to give us such information as he can as to what steps have been taken in relation to that bill, and the causes of the delay. The people of my State do not understand why the Senate can not get action of one kind or another on this measure, and if the Senator from Tennessee can give me any information I should like very much to have it.

Mr. SHIELDS. Mr. President, the Senator from Tennessee will be very glad to furnish the Senate information as to the progress of the conference in regard to an agreement on Senate bill 3331.

In a very few days after the appointment of the conference committee by the Senate and the House a meeting was arranged and held and the bill as passed by the Senate and that passed by the House as a substitute for the Senate bill were thoroughly gone over. Indeed, several conferences were held and the differences between the two Houses thoroughly discussed. The chief of those differences are these: The Senate bill provides that permits to build dams in navigable rivers may be granted by the Secretary of War upon plans and specifications submitted to him and the Chief of Engineers and approved by them. The House bill struck out this provision and provides that all applications for permits shall be made to Congress, as required by the present law. That is the first material point of difference.

The Senate bill does not provide for charges or royalties in favor of the Federal Government upon the water-power developed, as is now authorized by the act of 1910. The bill reported by the Committee on Interstate Commerce of the House contained no provision for such charges, but by amendment placed upon the bill in the House the Secretary of War is authorized to impose royalties, in his discretion, upon all water-power development by companies making improvements under the provisions of the bill.

The third point of difference was concerning what are ordinarily known as the recapture clauses of these bills. The Senate bill provided that at the expiration of 50 years, the life of the permit, the property could be taken over by the United States and operated as authorized under existing laws, or a new permit granted to the original permittee upon conditions authorized by then existing laws, or the United States, through the Secretary of War, could grant a new permit, upon conditions then authorized by law, to a new permittee; and where the property is taken over by the United States or granted to a new permittee it is provided that the United States or the new permittee shall pay the original permittee "the fair value of the property" as then agreed upon by the permittee or owner of the property and the Secretary of War, or upon their failure to agree, as may be fixed and adjudged, by the United States district court in a proceeding instituted in that court for that purpose, the value of the permit not to be included in estimating the value or price to be paid.

The bill, as amended by the House, provided for deducting or excluding some of the elements of value of such property.

The conferees were unable to agree upon either of these material points of difference. After several conferences, begun early in August and continued until near the end of the last session, it was agreed that the conferees should adjourn to the 27th of November, a week before the convening of the present session of Congress, when they were to meet in Washington and, if possible, agree upon a report. When the time for meeting came, the conferees for the House—Judge ADAMSON, Judge SIMS, and Mr. ESCH—were then engaged in the railroad investigation under the Newlands resolution. That committee was then holding public hearings, and those gentlemen were engaged every day in that work, and it was impossible for them to meet with the conferees of the Senate. As soon as the active work of that committee was completed and those gentlemen were at leisure, the Senate conferees urged a meeting for further discussion and agreement if possible; but the conferees of the House were of the opinion that such a meeting would be useless at that time, and none was held.

About the 25th of January I addressed a note to all the conferees and asked for a meeting on January 27, but Judge ADAMSON, replying, stated that, considering the differences upon material questions, a meeting was not only unnecessary but would accomplish nothing.

I can say that the Senate conferees have at all times been willing to meet to discuss the bill, but have at no time been willing to yield on the three material points of difference. They have at no time been willing to concede that the provision authorizing the Secretary of War to grant the permit should be stricken out and the law remain as at present, believing that that would entirely defeat one of the primary objects of the bill. In other words, they are of the opinion that it would be a general dam law in name only if the consent of Congress by special act was required for every project, and the present embarrassing condition would be continued. The Senate conferees have also firmly refused to agree to the imposition of royalties upon the power developed, as provided for in the bill passed by the House, because six amendments offered in the Senate proposing such changes were rejected as unconstitutional and unjust.

The Senate conferees think the recapture clause in the Senate bill is in all things fair and just to all parties, but they were perfectly willing to substitute for the words "fair value," used in the Senate bill, the words "just compensation," used in the Constitution concerning the taking of private property for public use, or "reasonable value," as used in the act of 1910, the present law. These words all mean the same thing.

Some negotiations are at this time going on, and it is now believed that a point has been reached where we can have another conference and perhaps accomplish something.

Mr. JONES. As I understand, there has been no meeting of the conferees at this session of Congress.

Mr. SHIELDS. No; there has been no meeting during this session of the Congress.

Mr. JONES. But the Senate conferees have been willing and anxious and glad to meet?

Mr. SHIELDS. The Senate conferees have at all times been anxious to hold further conferences and make efforts to agree upon the differences existing, but have not succeeded in effecting a meeting.

Mr. JONES. Mr. President, I do not want to take the time of the Senate further, except to say that I do hope that the conferees will try to get together upon this measure. I do not think it is an enactment that should be delayed or held up in connection with the Myers water-power bill, which apparently can not be passed at this session. This bill relates to water powers in navigable streams, where the conditions are very different, and there may be differences even in fundamental matters. The National Government has an interest in these

streams that it does not have in nonnavigable streams, and provisions may be authorized in this bill that would have no excuse in the Myers bill. There seem to be but three points of difference between the House and the Senate. Upon two of these, so far as I am concerned, I can not see any insuperable difficulties in the way of reaching an agreement—that is, with reference to the recapture clause, and with reference to the matter of coming to Congress for a permit. The other is more fundamental, but the provision in the Senate bill is in itself a compromise. It is fair to the Government and fair to the people, and should be retained substantially as it is. Some concessions can be made even in that, however, that ought to command the approval of both Houses.

It does seem to me that the conferees ought to try to get together and, if they can not reach an agreement, report a disagreement, so that each House will have an opportunity, at any rate, to express itself further upon the matter.

I am glad to have the information given by the Senator from Tennessee. My people are very much interested in this legislation, which ought to be enacted in some form; and it seems to me now with regard to this question of preparedness, and all that sort of thing, that it is of even increased importance, because I am satisfied that if we can get proper legislation along these lines there are many great nitrate plants, especially, that will go up in different parts of the country that would be of incalculable benefit in case of trouble.

I hope the conferees will strive to reach an agreement. I am glad the Senate conferees can not be blamed for the delay. I am sure they will do all in their power to secure an agreement either to agree or disagree.

Mr. SHIELDS. Mr. President, I fully concur with the Senator from Washington in his desire that an agreement be reached upon the differences between the Senate and the House upon this bill and in his further statement that the development of these vast national resources ought not to be further delayed, certainly not upon contentions which are unsound and unjust, for no one can with reason or upon authority insist that the Federal Government has any property interest in rivers. I will say that the conferees of the Senate have never controverted, nor does this bill controvert, the right of the States in which the navigable rivers are situated to impose royalties upon water-power resources of navigable streams. That may be done under the Senate bill. It provides for full State control. It was the contention of the Senate when this bill was passed, and is the contention of the conferees, that these waters belonged to the States and their grantees; that the Federal Government has no sovereignty over them except to control navigation, and no property interest of any kind in them, and that it can not impose royalties or other charges for the use of them. Now, it is just a question whether those royalties shall go where they belong, into the treasuries of the States for the benefit of their people, or go into the Treasury of the United States for the benefit of the whole country. In other words, it is a question whether or not the General Government shall usurp the sovereignty of the States and confiscate the property they hold in trust for their citizens in these waters or whether the States shall be allowed to exercise their lawful sovereignty and to appropriate these natural resources as their general assemblies, in their wisdom and discretion, may direct.

I think there ought to be a final conference, and something ought to be done, that the conferees might make a report. And in the last communication I addressed to Judge ADAMSON for the conferees of the Senate I asked for a conference, in order that we might come to some final conclusion, that there might be some final action which we could report to the respective Houses. We wanted some action; then it was a disagreement. But, as I said a while ago, I think now, under pending negotiations, we can have a further conference and probably reach an agreement. If we are unable to effect a conference very soon, we will report that fact to the Senate.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on Military Affairs, to which was referred the bill (S. 7443) for the relief of Luther Cline, reported adversely thereon, and the bill was postponed indefinitely.

Mr. OVERMAN, from the Committee on the Judiciary, to which were referred the following bills, reported them each without amendment:

S. 6813. A bill to prohibit and punish the willful making of untrue statements under oath to influence the acts or conduct of a foreign Government, or to defeat any measure of the Government of the United States in a dispute or controversy with any foreign nation; and

S. 6816. A bill to prevent and punish the impersonation of officials of foreign Governments duly accredited to the Government of the United States.

Mr. OVERMAN, from the Committee on the Judiciary, to which were referred the following bills, reported them severally with an amendment:

S. 6793. A bill to prevent and punish willful injury or attempted injury to or conspiracy to injure any vessel engaged in foreign commerce or the cargo or persons on board thereof by fire, explosion, or otherwise;

S. 6795. A bill to authorize the collector of customs, or other officer duly empowered by the President, during time of war between foreign nations, to inspect private vessels within the jurisdiction of the United States for the purpose of detecting any use or attempted use of such vessel in violation of the law of nations or of the treaties or statute law of the United States, and for other purposes;

S. 6797. A bill to regulate and safeguard the issuance of passports, and to prevent and punish the fraudulent obtaining, transfer, use, alteration, or forgery thereof; and

S. 8148. A bill to define and punish espionage.

Mr. OVERMAN, from the Committee on the Judiciary, to which were referred the following bills, reported them severally with amendments:

S. 6794. A bill to empower the President to better enforce and maintain the neutrality of the United States;

S. 6796. A bill to require sworn statements, in addition to the manifests and clearances required by existing law, by masters of all vessels leaving the jurisdiction of the United States and by all owners and shippers of cargoes thereon during a war in which the United States are a neutral nation, and for other purposes;

S. 6798. A bill to prohibit and punish the fraudulent use, application, or counterfeiting of the seal of any executive department or Government commission;

S. 6799. A bill to amend section 13 of the act "To codify, revise, and amend the penal laws of the United States," approved March 4, 1909;

S. 6811. A bill to authorize the seizure, detention, and condemnation of arms and munitions of war in course of exportation or designed to be exported or used in violation of the laws of the United States, together with the vessels or vehicles in which the same are contained;

S. 6812. A bill to regulate and restrain the conduct and movements of interned soldiers and sailors of belligerent nations, and for other purposes;

S. 6815. A bill to prevent and punish conspiracy to injure or destroy property situated within and belonging to a foreign Government with which the United States are at peace or of any subdivision or municipality thereof; and

S. 6819. A bill to provide for the issuance of search warrants and the seizure and detention of property thereunder, and for other purposes.

Mr. OVERMAN. Mr. President, I desire to notify the Senate that I shall ask unanimous consent to take up these bills for consideration at the earliest possible moment.

I ask permission to have printed in the RECORD, for the information of Senators who may have the bills before them, a memorandum showing what amendments the committee has made to the bills.

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

The matter referred to is as follows:

STATEMENT OF AMENDMENTS.

The neutrality bills are reported by Mr. OVERMAN, from the Committee on the Judiciary, February 8, 1917, as follows:

S. 6793.

On page 1, line 3, after the word "vessel," strike out the words "engaged in commerce with foreign nations, or her cargo," and insert in lieu thereof the following: "of foreign registry, or any vessel of American registry entitled to engage in commerce with foreign nations, or to the cargo of the same."

S. 6794.

On page 1, line 4, after the word "States," strike out the word "are" and insert in lieu thereof the word "is."

On page 2, line 6, after the word "the," insert the words "laws, treaties, or."

On page 2, line 17, after the word "States," strike out the word "are" and insert in lieu thereof the word "is."

On page 3, line 6, after the word "States," strike out the word "are" and insert in lieu thereof the word "is."

On page 3, line 13, after the word "States," strike out the word "are" and insert in lieu thereof the word "is."

S. 6795.

Strike out all after the enacting clause and insert in lieu thereof the following:

That whenever the President of the United States shall by proclamation or Executive order declare a national emergency to exist by reason of actual or threatened war, insurrection, or invasion, or disturbance of the international relations of the United States, the Secretary of the Treasury is hereby authorized and empowered to make rules and regu-

lations governing the anchorage and movement of any and all vessels, foreign and domestic, in the territorial waters of the United States, to inspect such vessels at any time, to place guards on such vessels, and if necessary, in his opinion, in order to secure such vessels from damage or injury or to secure the observance of the obligations of the United States under the law of nations or to maintain the national defense, he is hereby further authorized and empowered to take full possession and control of such vessels and to remove therefrom the officers and crews thereof and all other persons not specially authorized by him to go or remain on board such vessels.

SEC. 2. That it shall be the duty of the owners, agents, masters, persons in charge, officers, and members of the crew of any such vessel to comply with any proclamation or Executive order so issued by the President of the United States and any rule or regulation issued or order given by the Secretary of the Treasury under the provisions of this act, and if any such owner, agent, master, or person in charge, officer, or member of the crew of any such vessel shall refuse or fail to comply with any such proclamation or Executive order of the President or any regulation or rule issued or order given by the Secretary of the Treasury under the provisions of this act, or shall obstruct or interfere with the exercise of any power hereby conferred, such vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs-revenue laws; and the person or persons guilty of such failure, refusal, obstruction, or interference shall be subject to a fine of not more than $10,000 or to imprisonment for not more than two years, or both.

SEC. 3. That it shall be unlawful for the owner or master or other person in charge or command of any private vessel, foreign or domestic, within the territorial waters of the United States, to willfully cause or permit the destruction or injury of such vessel or knowingly to permit said vessel to be used as a place of resort for any person conspiring with another or preparing to commit any offense against the United States, or in violation of the treaties of the United States or of the obligations of the United States, or knowingly to permit such vessels to be used in violation of the obligations of the United States under the law of nations; and in case such vessel shall be so used, with the knowledge of the owner or master or other person in charge or command thereof, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs-revenue laws; and the owner, master, or person in charge or command thereof shall be fined not more than $10,000 or imprisoned not more than two years or both.

SEC. 4. That the President of the United States is authorized and empowered to employ such part of the land and naval forces of the United States as he may deem necessary to carry out the purpose of this act.

SEC. 5. That the term "United States" as used herein shall include the Canal Zone and all territory and waters, continental and insular, subject to the jurisdiction of the United States.

SEC. 6. That the several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this act, committed within their respective districts or upon the high seas, and of conspiracies to commit such offenses, as defined by section 37 of the act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909, and the provisions of said section, for the purpose of this act, are hereby extended to the Philippine Islands and to the Canal Zone.

Amend the title so as to read: "A bill to regulate the conduct of vessels in the ports and waters of the United States in case of actual or threatened war, insurrection, or invasion or threatened disturbance of the international relations of the United States."

S. 6796.

Reported with the following amendments:

Page 1, line 3, strike out the word "are" and insert in lieu thereof the word "is."

Page 2, line 18, after the word "whenever," insert the following: "it appears that the vessel is not entitled to clearance or whenever."

Page 2, line 22, after the word "empowered," insert the following: ", subject to review by the Secretary of the Treasury,".

Page 3, line 8, strike out the word "five" and insert in lieu thereof the word "ten"; in line 9, strike out the word "two" and insert in lieu thereof the word "five."

Amend the title so as to read: "A bill to require sworn statements, in addition to the manifests and clearances required by existing law, by masters of all vessels leaving the jurisdiction of the United States, and by all owners and shippers of cargoes thereon, during a war in which the United States is a neutral Nation, and for other purposes."

S. 6797.

Reported with an amendment:

Page 3, line 17, after the word "prosecuted," insert a comma.

S. 6798.

Reported with amendments, as follows:

Page 1, line 8, after the word "shall," insert the following: "with wrongful or fraudulent intent."

Page 2, line 10, after the word "whoever," insert the following: "with wrongful or fraudulent intent."

S. 6799.

Reported with amendments, as follows:

Page 1, line 10, strike out the following: "or attempts to take part in."

Page 2, line 1, strike out the word "are" and insert in lieu thereof the word "is."

S. 6811.

Reported with amendments, as follows:

Page 2, line 15, after the word "States," insert the following: "for the district."

Page 3, line 7, after the word "or," insert the word "on."

S. 6812.

Reported with amendments, as follows:

Page 1, line 4, after the word "nation," insert the following: "or belligerent faction of any nation."

Page 2, line 1, strike out the word "closely" and insert after the word "confined" the words "and safely kept."

S. 6813.

Reported without amendment.

S. 6815.

Reported with amendments, as follows:

Page 1, line 5, strike out the words "and belonging to" and strike out the word "Government" and insert in lieu thereof the following: "country, state, or province."

Page 1, line 6, strike out the word "are" and insert in lieu thereof the word "is."

Page 1, lines 6 and 7, strike out the following: "or to any subdivision or municipality thereof."

Amend the title so as to read: "A bill to prevent and punish conspiracy to injure or destroy property situated within a foreign country, state, or province with which the United States is at peace."

S. 6816.

Reported without amendment.

S. 6819.

Reported with amendments, as follows:

Page 3, line 13, strike out the words "proceed to."

Page 4, lines 1 and 2, strike out the following: "awarding all costs against the United States in such event."

Page 4, line 12, before the word "whoever," insert "Sec. 5."

Page 4, strike out all after the word "year" down to and including the word "death," in lines 18 and 21, both inclusive.

Page 4, line 22, strike out the section numeral "5" and insert in lieu thereof the numeral "6."

S. 8148.

Reported with an amendment, which is to—

Strike out all after the enacting clause and insert in lieu thereof the following:

"That (a) whoever, for the purpose of obtaining information respecting the national defense, to which he is not lawfully entitled, approaches, goes upon, or enters, flies over, or induces or aids another to approach, go upon, enter, or fly over any vessel, aircraft, work of defense, navy yard, naval station, submarine base, coaling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the national defense, owned or constructed, or in progress of construction by the United States, or under the control of the United States, or of any of its officers or agents, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, or stored under any contract or agreement with the United States, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place within the meaning of section 6 of this act; or (b) whoever, for the purpose aforesaid, and without lawful authority, copies, takes, makes, or obtains, or attempts, or induces or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blue print, plan, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or (c) whoever, for the purpose aforesaid, receives or obtains or agrees or attempts or induces or aids another to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reasonable ground to believe, at the time he receives or obtains, or agrees or attempts or induces or aids another to receive or obtain it, that it has been or will be obtained, taken, made, or disposed of by any person contrary to the provisions of this act; or (d) whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, model, instrument, appliance, note, or information relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not lawfully entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or (e) whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, model, note, or information, relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed; or (f) whoever, within the United States, sends by post, or otherwise, any letter or other document containing any matter written in any medium which is not visible unless subjected to heat, chemicals, or some other treatment, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than two years, or both.

"SEC. 2. That (a) whoever, having committed or attempted to commit any offense defined in the preceding section, communicates, delivers, or transmits, or attempts to, or aids or induces another to, communicate, deliver, or transmit, to any foreign Government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, model, note, instrument, appliance, or information relating to the national defense, shall be punished by imprisonment for not more than 20 years: *Provided*, That whoever shall violate the provisions of this paragraph of this section in time of war shall be imprisoned for life; and (b) whoever, in time of war, with intent that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt to elicit any information with respect to the movement, numbers, description, conditions, or disposition of any of the armed forces, ships, aeroplanes, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense or calculated to be, or which might be, directly or indirectly, useful to the enemy, shall be punished by death or by a fine of not less than $1,000 and by imprisonment for not more than 30 years; and (c) whoever, in time of war, in violation of regulations to be prescribed by the President, which he is hereby authorized to make and promulgate, shall collect, record, publish, or communicate, or attempt to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aeroplanes, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with,

or intended for the fortification or defense of any place, or any other information relating to the public defense or calculated to be, or which might be, useful to the enemy, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than three years, or by both such fine and imprisonment.

"SEC. 3. That whoever, in time of war, shall, by any means or in any manner, spread or make reports or statements, or convey any information, with intent to cause disaffection in or to interfere with the operations, or success of, the military or naval forces of the United States, or shall willfully spread or make false reports or statements or convey any false information calculated to cause such disaffection or interference, shall be punished by a fine of not more than $10,000 and by imprisonment for life, or any period less than 30 years.

"SEC. 4. That if two or more persons conspire to violate the provisions of sections 2 or 3, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy. Except as above provided conspiracies to commit offenses under this act shall be punished as provided by section 37 of the act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909.

"SEC. 5. That whoever harbors or conceals any person whom he knows or has reasonable grounds for believing or suspecting to be a spy, or to have committed or to be about to commit an offense under this act, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than two years, or both.

"SEC. 6. That the President of the United States shall have power to designate any place other than those set forth in paragraph (a) of section 1 hereof as a prohibited place for the purposes of this act on the ground that information with respect thereto would be prejudicial to the national defense; he shall further have the power, on the aforesaid ground, to designate any matter, thing, or information belonging to the Government, or contained in the records or files of any of the executive departments, or of other Government offices, as information relating to the national defense, to which no person (other than officers and employees of the United States duly authorized) shall be lawfully entitled within the meaning of this act: *Provided, however*, That nothing herein contained shall be deemed to limit the definition of such information within the meaning of this act to such designated matter, thing, or information.

"SEC. 7. That nothing herein contained shall be deemed to limit the jurisdiction of the general courts-martial, military commissions, or naval courts-martial under sections 1342, 1343, and 1624 of the Revised Statutes.

"SEC. 8. That all offenses committed and all forfeitures or liabilities incurred prior to the taking effect hereof under any law embraced in or changed, modified, or repealed by this act may be prosecuted and punished in the same manner and with the same effect as if this act had not been passed.

"SEC. 9. That the provisions of this act shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States, whether or not contiguous thereto, and offenses under this act when committed upon the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the Territorial limits thereof shall be punishable hereunder.

"SEC. 10. That the several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this act committed within their respective districts or upon the high seas, and of conspiracies to commit such offenses, as defined by section 37 of the act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909, and the provisions of said section for the purpose of this act are hereby extended to the Philippine Islands and to the Canal Zone.

"SEC. 11. That the act entitled 'An act to prevent the disclosure of national-defense secrets,' approved March 3, 1911, is hereby repealed."

Amend the title so as to read: "A bill to define and punish espionage, and for other purposes."

SURVEY OF INTRACOASTAL WATERWAY (S. DOC. NO. 705).

Mr. FLETCHER. Mr. President, I ask unanimous consent to have printed as a public document a letter from the Chief of Engineers, transmitting the report of the Board of Engineers for Rivers and Harbors of the survey of the intracoastal waterway from St. George Sound, Fla., to the Rio Grande. This matter has been printed by the committee, but in referring to it in the river and harbor bill we can not refer to the committee print. The material is ready and it will cost very little to make it a public document. The only way we can properly refer to it in the bill is as "Document so-and-so"; and this being a committee print, has no official status. I therefore ask to have it printed as a public document.

Mr. SMOOT. I ask that the matter go to the Committee on Printing, as do all other similar requests for printing.

Mr. FLETCHER. The only objection to that is that the bill to which I refer will be reported out of committee in a day or two.

Mr. SMOOT. I am perfectly willing to confer with the Senator from Florida to-day, and if it is proper that this matter should be printed as a document, as he suggests, we can report it immediately.

The VICE PRESIDENT. The matter will be referred to the Committee on Printing.

Mr. FLETCHER subsequently, from the Committee on Printing, reported the following resolution (S. Res. 353), which was considered by unanimous consent and agreed to:

Resolved, That the pamphlet entitled "Survey of the Intracoastal Waterway from St. George Sound, Fla., to the Rio Grande" be printed as a Senate document.

BATTLE MONUMENT AT THOROLD, CANADA (S. REPT. 1016).

Mr. WILLIAMS. I submit a favorable report from the Committee on Foreign Relations, for which I ask immediate consideration. I will say, by way of explanation, that it is a mere matter of international courtesy.

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

There being no objection, the concurrent resolution was read, considered by unanimous consent, and agreed to, as follows:

Senate concurrent resolution 29.

Resolved by the Senate (the House of Representatives concurring), That the appreciation of the Government and the people of the United States is hereby expressed of the action taken by the people of Thorold, Ontario, Canada, in erecting a monument near that place to commemorate the death on the battle field of Beaverdams, or Beachwood, of a number of soldiers in the service of the United States who there lost their lives during the War of 1812.

ALASKAN INVESTIGATION.

Mr. PITTMAN. Mr. President, I report a joint resolution (S. J. Res. 204) for which I intend to ask immediate consideration of the Senate. It has been unanimously reported favorably by the Committee on Territories. The facts of the joint resolution originated in the House, and is similar to a joint resolution that has been introduced there. It provides for the appointment of a joint committee from the Senate and the House composed of members of the various committees for the purpose of considering legislation for Alaska, matters concerning the building of the railroads, the question as to the laying out of those railroads in various sections of Alaska, the question of the disposal of the coal lands of Alaska, the fisheries question, the question of commerce and navigation, and the question of the fortification of the coast. Members of Congress, in consultation with the various departments, have recommended the appointment of this committee; and I, therefore, at the request of these departments and of the Member of the House who introduced this joint resolution there, have introduced it here and submitted it to each member of the Committee on Territories. There is a unanimous report (S. Rept. 1014) in favor of it.

I may say that the joint resolution calls for no appropriation. If there is any appropriation made, it will have to be made by another committee. It is simply an indorsement of the project if the resolution is adopted.

Mr. SMOOT. Mr. President, has the Senator asked for immediate consideration of the joint resolution?

Mr. PITTMAN. Yes; I have asked for its present consideration.

Mr. SMOOT. There are questions involved, as outlined by the statement made by the Senator, that are of very great importance; and I think we ought at least to have the joint resolution printed, and see just what it contains before its passage is asked for.

Mr. PITTMAN. I could not hear the Senator.

Mr. SMOOT. I say, I think it ought to go to the calendar and be printed, so as to allow us to see just what it contains. It is a far-reaching measure. I do not know what authority is given to the committee.

Mr. PITTMAN. None whatever. It is simply a committee of investigation, that is all. There is no authority given to the committee, and no appropriation for it. It is simply an expression that a joint committee should be appointed.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Nevada whether there is any recommendation or outline as to the manner in which the coal lands of Alaska shall be disposed of?

Mr. PITTMAN. Not the slightest; no recommendation at all.

Mr. SHAFROTH. Is this a joint resolution?

Mr. PITTMAN. It is a joint resolution.

Mr. SHAFROTH. It just appoints a committee?

Mr. PITTMAN. It proposes to appoint a committee solely to sit and investigate and recommend legislation.

The VICE PRESIDENT. Let the resolution be stated, and then it can be determined.

The Secretary read the joint resolution, as follows:

Senate joint resolution 204.

Resolved, etc., That a joint committee consisting, respectively, of the chairman and the ranking majority and minority members of the Committees on Appropriations, Territories, Commerce, Public Lands, Mines and Mining, and Fisheries of the Senate, and the ranking majority and minority members of the Committees on Appropriations, the Territories, the Merchant Marine and Fisheries, the Public Lands, and Mines and Mining of the House of Representatives, who are Members elect to the Sixty-fifth Congress, is created and directed to examine into existing conditions in the Territory of Alaska relating to matters of legislation and appropriations concerning the development and government thereof, including the construction and operation of Government railroads, other public services, and all questions affecting the Territory which are within the jurisdiction of the respective committees enumerated. The joint committee is authorized to choose a chairman, and in the event any member is unable to serve the chairman of the committee of which

that person is a member is authorized to fill the vacancy by the selection of another member of that committee. The said joint committee is authorized to exercise the authority and to incur all expenses necessary to carry out the purposes hereof, which expenses (not to exceed $25,000) shall be paid from appropriations for the construction and operation of railroads in Alaska. They are also authorized to use such available governmental agencies as may, in their judgment, economically expedite the purposes of this act.

Mr. McCUMBER. I object to the present consideration of this or any other junketing proposition to take anyone to Alaska or China, or anywhere else. I think it ought to have the consideration of the Senate.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

STEAMBOAT INSPECTION AT TAMPA, FLA.

Mr. FLETCHER. I report back favorably from the Committee on Commerce the bill (S. 8079) to amend the first and seventh paragraphs of section 4414 of the Revised Statutes of the United States, as amended by the act of April 9, 1906. I call the attention of my colleague to the bill.

Mr. BRYAN. The bill simply provides for a board of local inspectors at Tampa, Fla. I ask unanimous consent for its present consideration. It is recommended by the Secretary of Commerce.

Mr. SMOOT. I will ask the Senator if this was not considered a year ago by the Committee on Appropriations and this board provided for?

Mr. BRYAN. No; there is no board of inspection at Tampa. The Secretary writes a letter from which I quote:

The bill provides for the appointment of a board of local inspectors of the Steamboat-Inspection Service at the port of Tampa, Fla., and as Tampa is a growing city, and its shipping is rapidly increasing, I am of the opinion that it would be desirable to establish a board of local inspectors at that place, and therefore recommend that the said bill be favorably considered.

Mr. SMOOT. As I remember, although I may be mistaken, the same question was before the Committee on Appropriations some time ago.

Mr. BRYAN. I think the Senator refers to the headquarters of the customs collection district.

Mr. SMOOT. That may be.

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

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

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

MALAMBO FIRE CLAIMS.

Mr. POMERENE. From the Committee on Foreign Relations I report back favorably without amendment the bill (S. 6583) to enable the Secretary of War to pay the amount awarded to the Malambo fire claimants by the joint commission under article 6 of the treaty of November 18, 1903, between the United States and Panama, and I submit a report (No. 1019) thereon.

The Committee on Foreign Relations feel that these claims should be paid, and we recommend that the bill be referred to the Committee on Appropriations to be attached as an amendment to the general deficiency appropriation bill. I therefore move that the Committee on Foreign Relations be discharged from the further consideration of the bill and that the bill and report be referred to the Committee on Appropriations.

Mr. BRYAN. What is the nature of this claim?

Mr. POMERENE. These were fire losses in Panama. A commission has passed upon these claims. They arose in this way——

Mr. BRYAN. The Senator has answered my question sufficiently.

Mr. POMERENE. They were fumigating certain buildings and on account of carelessness the loss occurred.

Mr. LODGE. The Government destroyed them.

Mr. POMERENE. The Government destroyed them.

Mr. LODGE. It is provided for by treaty.

The VICE PRESIDENT. Without objection, the bill will be referred to the Committee on Appropriations.

MEASUREMENT OF VESSELS.

Mr. SHIELDS. From the Committee on Interoceanic Canals I report back favorably, without amendment, the bill (S. 8055) providing that the Panama Canal rules shall govern in the measurement of vessels for imposing tolls, and I submit a report (No. 1015) thereon. This is an emergency measure recommended by the Secretary of War and it is necessary to save a very large loss in tolls which is now unavoidably going on in the canal. For that reason I desire to ask unanimous consent for its immediate consideration.

Mr. JONES. I wish to ask the Senator if the bill relates to our lumber vessels going through the canal and the manner in which their tonnage shall be determined when the toll is fixed? Does it relate to that matter?

Mr. SHIELDS. I think it does.

Mr. JONES. I shall have to ask that the bill may go over until I can examine it, because I know our people are very much interested in a matter of that kind. I will ask the Senator whether it puts into effect the rule or regulation or method of determining the toll charges that was practiced by the department or the Canal Zone people some time ago? Does it confirm that rule?

Mr. SHIELDS. The object of the bill is to do away with the conflicts in the measurement of vessels under rules promulgated by the Commissioner of Navigation here at Washington and the canal authorities.

Mr. JONES. I ask that the bill may go over until I can examine it.

Mr. SHIELDS. The bill gives the Panama authorities exclusive control over the measurement of the vessels so as to apply the rules adopted by them some time since, with which doubtless the Senator from Washington is familiar, that the vessels shall be measured according to their earning capacity. I think it does affect the question the Senator has raised, and if he desires to investigate it, of course, I will not insist on the immediate consideration as I intended to do. I have submitted a report upon the bill which will be printed, and I ask the Senator that he examine it as early as possible that I may call up the bill soon. As I have stated, it amounts at present under the regulations of the Commissioner of Navigation to a loss to the United States of about three-quarters of a million dollars a year.

The VICE PRESIDENT. There is objection, and the bill will be placed on the calendar.

Mr. JONES. I merely wish to say that one of the rules adopted with reference to measurements in determining the tonnage of vessels was very objectionable to our people, and therefore I have asked that the bill may go over for examination.

ARKANSAS RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 8105) granting the consent of Congress to the Conway County bridge district to construct, maintain, and operate a bridge across the Arkansas River, in the State of Arkansas, and I submit a report (No. 1017) thereon. I call the attention of the senior Senator from Arkansas [Mr. ROBINSON] to the bill.

Mr. ROBINSON. I ask unanimous consent for the present consideration of the bill.

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

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

HEIRS OF PATRICK J. FLYNN.

Mr. LEA of Tennessee, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 317, submitted by Mr. HOLLIS on the 13th ultimo, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, to Stephen Flynn, Francis Flynn, Philip Flynn, and James Flynn, sons of Patrick J. Flynn, late a conductor of elevator in the Senate Office Building, a sum equal to six months' 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.

LOLIE M. EARLE.

Mr. LEA of Tennessee, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 344, submitted by Mr. LODGE on the 31st ultimo, reported favorably thereon, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate to Lolie M. Earle, widow of David M. Earle, late a messenger of the United States Senate, a sum equal to six months' 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.

ADDITIONAL DISTRICT JUDGE IN TENNESSEE.

Mr. SHIELDS. I desire to ask unanimous consent for the consideration of the bill (S. 378) to provide for the appointment of a district judge in the middle and eastern judicial districts in the State of Tennessee, and for other purposes.

The VICE PRESIDENT. The Senator from Tennessee asks unanimous consent for the consideration of the bill indicated by him.

Mr. SMOOT. I do not think we ought to begin to take up bills on the calendar unless we take up and consider those that have not already been reached.

Mr. SHIELDS. I ask the Senator not to object. This is really an emergency measure.

Mr. SMOOT. Mr. President, there is so much conversation I can not hear a word the Senator says.

Mr. SHIELDS. The object of the bill is to create a district judge for the middle district of Tennessee. It is the only district in the United States that has not a judge, except one in Mississippi, and a bill is pending to create a judge for that district. Hon. Edward T. Sanford, who holds the courts for the eastern and middle districts of Tennessee, is a man of fine character, an able lawyer, a splendid judge, and one of the most industrious judges I ever knew; but the work in the two districts is so great that he is unable to dispose of it. It is impossible for him to longer keep the dockets clear. In fact, his attempt to do so is killing him. It is a bill that ought to be passed so that each of these districts may have a judge. The business of these districts has increased greatly in the last five or six years. Judge Sanford resides in the eastern district, and has all the work there that one judge can do. The object of this bill is to provide a judge for the middle district. It calls for no other additional expense than the salary of the judge.

Mr. LEA of Tennessee. Mr. President, I merely wish to say one word upon the bill. The judge, as my colleague says, is a very careful, painstaking, hard-working man, and he certifies that it is impossible for him to do the work of the two districts. There are two districts now in Tennessee, with a marshal, clerk, and everything, except a judge, provided for both districts. The judge of the eastern division has been holding court for the middle district, and the bill merely creates a judge for the district which has already been created.

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

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

The bill had been reported from the Committee on the Judiciary, with an amendment, in section 7, page 3, line 3, after the words "April and October," to insert "and at Cookeville, in said State, on the first Monday in February and June," so as to make the bill read:

Be it enacted, etc., That hereafter there shall be for each of the two judicial districts, to wit, the middle district and the eastern district in the State of Tennessee, a district judge of the United States, who shall be appointed by the President, by and with the consent of the Senate, and who shall possess the same qualifications and shall have the same powers and jurisdiction and receive the same compensation prescribed by law in respect to district judges of the United States: *Provided*, That the judge now acting in both said districts shall continue to act in both said districts until a judge is appointed and qualified for the middle district as hereinafter provided.

SEC. 2. That the district judge now holding office and acting for both said districts shall be assigned to and hereafter be the district judge for the eastern district in said State.

SEC. 3. That the eastern district of said State shall be composed of the counties embraced in the eastern grand division of the State of Tennessee.

SEC. 4. That the middle district of said State shall be composed of the counties now embraced in the middle grand division of the State of Tennessee.

SEC. 5. That the President of the United States, by and with the advice and consent of the Senate, shall appoint the district judge for the middle district in said State, who shall, as to all business and proceedings arising in said middle judicial district, possess and exercise all the powers conferred by existing law upon judges of the district courts of the United States, and who shall succeed to and possess the same powers and perform the same duties within the said middle judicial district as are now possessed and performed by the district judge acting for both said districts in said State.

SEC. 6. That terms of court may be held in the eastern judicial district of said State at the places and in the manner now prescribed by law.

SEC. 7. That terms of court may be held in the middle judicial district of said State at Nashville, in said State, in each year on the first Mondays of April and October, and at Cookeville, in said State, on the first Mondays in February and June, after the passage of this act.

SEC. 8. That the clerks of the courts of the eastern judicial district of Tennessee and the marshal and district attorney for said district shall perform the duties of their offices in the manner now prescribed by law for said district.

SEC. 9. That the clerk of the court for the middle judicial district of Tennessee and the marshal and district attorney for said district shall keep their offices in the city of Nashville, in said State, and shall do and perform all the duties appertaining to their offices for said court.

SEC. 10. That terms of court may be held at the places prescribed by this act and in the manner now prescribed by law in the middle judicial district by the judge of the eastern judicial district, or in the eastern judicial district by the judge of the middle judicial district, provided it is mutually agreed by and between the judges of each of said districts that the public interest demands it.

SEC. 11. That all laws and parts of laws so far as inconsistent with the provisions of this act are hereby repealed.

The amendment was agreed to.

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

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

STANLEY COUNTY, S. DAK., BUFFALO PASTURE.

Mr. STERLING. From the Committee on Public Lands I report back favorably without amendment the bill (H. R. 8669) authorizing the Secretary of the Interior to extend the lease of certain land in Stanley County, S. Dak., for a buffalo pasture, and I submit a report (No. 1018) thereon. This bill is in the nature of an emergency measure, as the lease expires the 1st of July next. Therefore I ask unanimous consent for its present consideration.

Mr. SHAFROTH. I should like to have the bill read before I give consent to its consideration.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to extend for a period of not exceeding 10 years to the heirs or personal representatives of James Philip, deceased, or to their assignees or transferees, the lease executed to him July 1, 1907, for a buffalo pasture, of sections 26 and 27, north half of section 34, north half of the northeast quarter and north half of the northwest quarter of section 35, and lot 4 of section 25, township 6 north, range 30 east, Black Hills meridian, and he is authorized to withdraw said lands from entry during the terms of said lease: *Provided*, That the Secretary of the Interior may at any time cancel said renewed lease, which shall contain all the provisions of the original lease: *Provided further*, That the parties in interest shall be allowed an extension of time until July 1, 1917, to pay the last two installments of rent under the original lease.

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

Mr. SHAFROTH. I should like to ask the Senator from South Dakota a question or two about this matter. How many acres does the lease involve?

Mr. STERLING. Something over 1,600 acres, I will say.

Mr. SHAFROTH. It is the renewal of a past lease?

Mr. STERLING. It is the extension of a lease—a 10 years' lease—that expires July 1 next. I wish to say to the Senator that this is for the pasturage of the largest buffalo herd in the world. Over 500 buffalo are kept in this area.

Mr. SHAFROTH. I am very much opposed to the leasing system, but this is a matter that has already been consummated by the Interior Department. I think the policy is wrong, but I shall not interpose an objection at this time.

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

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

BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. BECKHAM:

A bill (S. 8173) granting an increase of pension to Robert S. Bowman;

A bill (S. 8174) granting an increase of pension to George W. Moore;

A bill (S. 8175) granting an increase of pension to John S. Adams;

A bill (S. 8176) granting an increase of pension to Caleb Akers; and

A bill (S. 8177) granting an increase of pension to Harrison White; to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 8178) granting an increase of pension to Mrs. Henry C. Collins; to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 8179) for the relief of the Chippewa Indians in the State of Minnesota; to the Committee on Indian Affairs.

By Mr. BORAH:

A bill (S. 8180) granting an increase of pension to Ella Taylor (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 8181) to fix the salaries of postmasters of the fourth class; to the Committee on Post Offices and Post Roads.

A bill (S. 8182) granting an increase of pension to Johanna E. Waalkes; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 8183) granting a pension to Lizzie Shade (with accompanying papers); and

A bill (S. 8184) granting an increase of pension to Fannie Bell (with accompanying papers); to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 8185) to place George Johnstone Stoney on the retired list of the Army with the rank of captain; to the Committee on Military Affairs.

By Mr. TOWNSEND:

A bill (S. 8186) granting a pension to Georgia M. Hodgsdon (with accompanying papers); to the Committee on Pensions.

By Mr. UNDERWOOD:

A bill (S. 8187) to transfer Frederick W. Cobb from the list of chief machinists, United States Navy, to the list of chief pay clerks, United States Navy; to the Committee on Naval Affairs.

By Mr. NEWLANDS:

A bill (S. 8188) to amend an act entitled "An act to prevent cruelty to animals while in transit by railroad or other means of transportation from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, and repealing sections 4386, 4387, 4388, 4389, and 4390 of the United States Revised Statutes," approved June 29, 1906; to the Committee on Interstate Commerce.

By Mr. LEWIS:

A bill (S. 8189) to appoint Leonard G. Hoffman as a past assistant paymaster in the United States Navy; to the Committee on Naval Affairs.

By Mr. OWEN:

A bill (S. 8190) for the relief of the widow of Rudolph H. von Ezdorf, deceased (with accompanying papers); to the Committee on Claims.

By Mr. THOMAS (by request):

A bill (S. 8191) to amend the interstate commerce law; to the Committee on Interstate Commerce.

By Mr. CHAMBERLAIN:

A joint resolution (S. J. Res. 209) authorizing the Secretary of War to loan equipment, for the purpose of instruction and training, to the National Service School of Washington, D. C.; to the Committee on Military Affairs.

PUBLIC BUILDINGS.

Mr. SHEPPARD submitted four amendments intended to be proposed by him to the public-buildings bill (H. R. 18994), which were referred to the Committee on Public Buildings and Grounds and ordered to be printed.

RIVERS AND HARBORS APPROPRIATIONS.

Mr. JONES submitted an amendment intended to be proposed by him to the rivers and harbors appropriation bill (H. R. 20079), which was referred to the Committee on Commerce and ordered to be printed.

Mr. RANSDELL submitted an amendment intended to be proposed by him to the rivers and harbors appropriation bill (H. R. 20079), which was referred to the Committee on Commerce and ordered to be printed.

THE REVENUE.

Mr. THOMAS submitted an amendment intended to be proposed by him to the bill (H. R. 20573) to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extension of fortifications, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 20573) to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extension of fortifications, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment authorizing the Secretary of the Navy to enter into contract with the Commonwealth of Massachusetts for the use by the United States Government of a dry dock at Boston, Mass., which shall be capable of taking care of the large vessels that can be passed through the locks of the Panama Canal, etc., intended to be proposed by him to the naval appropriation bill (H. R. 20632), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. DU PONT submitted an amendment proposing to amend section 1466 of the Revised Statutes regarding the relative rank of Army officers, intended to be proposed by him to the Army appropriation bill (H. R. 20783), which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. MARTINE of New Jersey submitted an amendment regulating the salaries of letter carriers assigned to the collection service in the City Delivery Service, intended to be proposed by him to the Post Office appropriation bill (H. R. 19410), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. WEEKS submitted an amendment authorizing the President to name the six battle cruisers provided for in the act of June 30, 1916, approved August 29, 1916, intended to be proposed by him to the naval appropriation bill (H. R. 20632), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. WADSWORTH submitted an amendment proposing to amend the act authorizing the acquisition of a public-building site at Yonkers, N. Y., so as to fix a joint limit of cost of $662,500 for the site and building, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. OLIVER submitted an amendment authorizing the President of the United States to appoint Brig. Gen. Chambers McKibbin, United States Army, retired, to the position and rank of major general on the retired list, intended to be proposed by him to the Army appropriation bill (H. R. 20783), which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. McCUMBER submitted an amendment providing that petty officers and noncommissioned officers and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service in the regular or volunteer forces prior to April 9, 1865, shall receive the rank and rating of pay of the next higher enlisted grade upon the retired list by reason of such service, etc., intended to be proposed by him to the naval appropriation bill (H. R. 20632), which was referred to the Committee on Naval Affairs and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. STERLING, it was

Ordered, That the papers accompanying the bill (S. 4191, 64th Cong., 1st sess.) granting an increase of pension to Adroniram C. Harper be withdrawn from the files of the Senate, no adverse report having been made thereon.

On motion of Mr. HITCHCOCK, it was

Ordered, That the papers accompanying the bill (S. 41, 62d Cong., 1st sess.) granting an increase of pension to Thomas Jefferson be withdrawn from the files of the Senate, no adverse report having been made thereon.

SUBMARINE WARFARE.

Mr. McCUMBER. Mr. President, I submit the resolution I send to the desk, which is designed to secure from the Secretary of State his view of international law upon the use of submarines. I ask that the resolution may be read, printed, and go over under the rule.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 354), as follows:

Whereas on the 3d day of February, 1917, the President of the United States in an address to the Congress informed the country of the severance of diplomatic relations with the Imperial Government of Germany, giving his reasons therefor, and citing certain passages in previous diplomatic notes in support thereof; and

Whereas the note of this Government to the Imperial Government of Germany in reference to the sinking of the *Sussex* declared as follows:

"It has become painfully evident to it (this Government) that the position which it took at the very outset is inevitable, namely, the use of submarines for the destruction of an enemy's commerce is of necessity, because of the very character of the vessels employed and the very methods of attack which their employment, of course, involves, utterly incompatible with the principles of humanity, the long-established and incontrovertible rights of neutrals, and the sacred immunities of noncombatants"; and

Whereas in the note of this Government to the Imperial Government of Germany in the matter of the sinking of the *Lusitania*, we declared as follows:

"The Government of the United States therefore desires to call the attention of the Imperial Government with the utmost earnestness to the fact that the objection to their present method of attack against the trade of their enemies lies in the practical impossibility of employing submarines in the destruction of commerce without disregarding those rules of fairness, reason, justice, and humanity which all modern opinion regards as imperative. It is practically impossible for the officers of a submarine to visit a merchantman at sea and examine her papers and cargo. It is practically impossible for them to make a prize of her; and if they can not put a prize crew on board of her, they can not sink her without leaving her crew and all on board of her at the mercy of the sea in her small boats. * * * Manifestly submarines can not be used against merchantmen, as the last few weeks have shown, without an inevitable violation of many sacred principles of justice and humanity"; and

Whereas in the same note we again declare:

"American citizens act within their indisputable rights in taking their ships in traveling wherever their legitimate business calls them upon the high seas, and exercise those rights in what should be the well-justified confidence that their lives will not be endangered by acts done in clear violation of universally acknowledged international obligations, and certainly in the confidence that their own Government will sustain them in the exercise of their rights"; and

Whereas in the same note this Government further declares as a principle of international law "the rights of American shipmasters or of American citizens bound on lawful errands as passengers on merchant ships of belligerent nationality," and further asserts in said note, "that it must hold the Imperial German Government to a strict accountability for any infringement of those rights, international or incidental"; and

Whereas on February 10, 1915, in our note to the Imperial German Government we declared:

"If commanders of German vessels of war * * * should destroy on the high seas an American vessel or the lives of American citizens, it would be difficult for the Government of the United States to view the act in any other light than as an indefensible violation of neutral rights, and if such a deplorable situation should arise, the Imperial German Government can readily appreciate that the Government of the United States would be constrained to hold the Imperial German Government to a strict accountability, * * * and to take any steps it might deem necessary to take to safeguard American rights and property and secure to American citizens the full enjoyment of their acknowledged rights on the high seas"; and

Whereas notwithstanding these notes many belligerent merchant vessels have since been sunk by the undersea craft of the German Government, without notice, and without further protest on the part of this Government, indicating an acquiescence by this Government in such warfare, at least so long as it does not involve the loss of the lives of American citizens; and

Whereas in his said address before the Congress the President declared:

"If American ships and American lives should in fact be sacrificed by their (Germany's) naval commanders in heedless contravention of the just and reasonable understandings of international law and the obvious dictates of humanity, I shall take the liberty of coming again before the Congress to ask that authority be given me to use any means that may be necessary for the protection of our seamen and our people in the prosecution of their peaceful and legitimate errands on the high seas"; and

Whereas these several declarations leave doubtful and uncertain just what the obligations are which we impose upon the Imperial German Government as a condition for the continuance of peace between these two great countries: Now, therefore, be it

Resolved, That the President of the United States be requested, if not incompatible with public interest, to direct the Secretary of State to submit to the Senate the view of this Government upon the limitation of the use of submarines (a) as against belligerent merchant vessels carrying American goods not contraband of war; (b) as against such vessels in respect to warning and safety of passengers and crew; (c) in respect to the sinking of American vessels carrying contraband, without notice, where the death of passengers or crew does not result; (d) in respect to American vessels carrying mails to belligerent countries; (e) in respect to any other acts of submarine warfare which this Government holds to be clearly against international law and cause for war, to the end that not only the American people but also any belligerent nation may fully understand what acts of submarine warfare may involve this country in the present world conflict.

Mr. McCUMBER. Mr. President, it is evident from reading these several notes that in the very beginning of our controversy with the Imperial German Government, we took the position that the submarine could not be lawfully used at all in warfare against merchant vessels. We also declared that the use of the submarine against such vessels would be considered by us as an infringement of international law, for which we would hold the offending Government to a "strict accountability." I think we have abandoned that earlier position; but it is not clear at the present time, in the light of the many different notes, and of many things in which we have acquiesced, just exactly what this Government will hold to be the limitation of the use of submarines in this war. And this was the subject and basis of the discourse by the President of the United States in the Senate a short time ago, and the subject upon which we severed our relations with the Imperial German Government, it seems to me we ought to know as accurately as it is possible for us to know just what the Government of the United States at the present time deems to be an infringement upon international law in the use of submarines, to the end that we may avoid a conflict, if possible, and that other nations may be put on their guard as to what we believe to be a gross abuse in the use of this subsea craft.

I ask that the resolution go over under the rule and be printed. I shall probably ask to discuss it at some time in the near future.

The VICE PRESIDENT. The resolution will go over under the rule and be printed.

AMENDMENT OF THE RULES.

Mr. JONES. Mr. President, I desire to submit a notice to the effect, that, when the Post Office appropriation bill (H. R. 19410) is under consideration, I shall move to suspend paragraph 3, of Rule XVI, for the purpose of offering an amendment to the bill relating to the carrying through the mails of liquor advertisements unless such an amendment is incorporated in the bill by the committee. I ask, without reading, that the notice be printed in the usual form, and also that it be printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

The notice is as follows:

I hereby give notice that when the Post Office appropriation bill is being considered in the Senate I shall move to suspend paragraph 3 of Rule XVI, prohibiting the reception of general legislation to any general appropriation bill, in order that I may propose the following amendment to be inserted at the proper place in said bill as a new section:

"SEC. —. That no letter, postal card, circular, newspaper, pamphlet, or publication of any kind containing any advertisement of spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind, or containing a solicitation of an order or orders for said liquors, or any of them, shall be deposited in or carried by the mails of the United States, or be delivered by any postmaster or letter carrier when addressed or directed to any person, firm, corporation, or association, or other addressee, at any place or point in any State or Territory of the United States in which it is by the law in force in the State or Territory at that time unlawful to advertise or solicit orders for such liquors, or any of them, respectively.

"Whoever shall knowingly deposit or cause to be deposited, or shall knowingly send or cause to be sent, anything to be conveyed or delivered by mail in violation of the provisions of this section, or shall knowingly deliver or cause to be delivered by mail anything herein forbidden to be carried by mail, shall be fined not more than $1,000 or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years. Any person violating any provision of this section may be tried and punished either in the district in which the unlawful matter or publication was mailed or to which it was carried by mail for delivery, according to direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed: *Provided*, That the Postmaster General is hereby authorized and directed to make public from time to time in suitable bulletins or public notices the names of States in which it is unlawful to advertise or solicit orders for such liquors."

AQUILA NEBEKER.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5632) for the relief of Aquila Nebeker, which were, on page 2, line 7, after "are," to insert "found by the Secretary of Agriculture to be"; and on page 2, line 19, after "thereto," to insert: "*Provided further*, That the Secretary of the Interior and the Secretary of Agriculture shall jointly report to Congress, in detail, the factors upon which the valuations were made."

Mr. GALLINGER. On behalf of the Senator from Utah [Mr. SMOOT], I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Post Offices and Post Roads:

H. R. 6207. An act for the relief of Isabel E. Rockwell;

H. R. 16827. An act for the relief of Henry P. Grant, of Phillips County, Ark.; and

H. R. 17305. An act for the relief of William I. Wood.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 11498. An act making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States;

H. R. 16855. An act for the relief of Riverside Military Academy;

H. R. 17406. An act for the relief of Eugene Fazzi; and

H. R. 17411. An act for the relief of William H. Keys.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 1869. An act for the relief of Reuben Sewell;

H. R. 9402. An act for the relief of Sylvester Hannan, alias Henry Edwards;

H. R. 12317. An act for the relief of Stephen J. Haff;

H. R. 14763. An act for the relief of Charles Lynch;

H. R. 15852. An act for the relief of Allen Hyatt;

H. R. 15999. An act for the relief of Asbury Scrivener; and

H. R. 19978. An act for the relief of Janna Stoppels.

H. R. 16407. An act for the relief of J. L. Bonner, was read twice by its title and referred to the Committee on Public Lands.

H. R. 20047. An act for the control and regulation of the waters of Niagara River above the Falls, and for other purposes, was read twice by its title and referred to the Committee on Foreign Relations.

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT. Is there further morning business? If there be none, morning business is closed.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of House bill 19359, being the Agricultural appropriation bill.

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

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918.

Mr. MYERS. Mr. President, I offer an amendment to the pending bill, which I ask to have read.

The VICE PRESIDENT. There is a pending amendment, which will be stated.

The SECRETARY. The pending amendment is one offered by Mr. SHAFROTH, on page 70, line 14, after the word "expenses," to strike out "$155,000" and to insert "$175,000"; on the same page, in line 17, after the name "Hawaii," to strike out "$40,000" and to insert "$50,000"; and on the same page, in line 24, after the name "Hawaii," to strike out "$5,000" and to insert "$10,000."

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

Mr. SMOOT. Mr. President——

Mr. SMITH of South Carolina. Mr. President, I will ask the Senator from Utah to allow me to make a statement at this point.

Mr. SMOOT. Certainly.

Mr. SMITH of South Carolina. As I understand the status of this amendment, the Senator from Colorado [Mr. SHAFROTH] withdrew it, in so far as it relates to Hawaii.

Mr. SHAFROTH. I did so on the basis of preventing a call for a quorum last evening, but I expected to renew the amendment.

I will state to the Senator from Utah that this item is estimated for, and I have here what the department says about it. Although the totals are changed, the amendment merely involves an addition of $10,000. I read now from the language of the department with reference to it:

Ten thousand dollars for the Hawaiian experiment station. This amount is needed in order further to develop the extension work authorized by Congress and to investigate a number of serious problems of sugar cane and pineapples which confront the growers of these crops. Investigational work in the growing of coffee, especially with reference to disease control, also should be undertaken.

Mr. President, I want to say that, except for the fact that I am chairman of the Committee on Pacific Islands and Porto Rico, these matters are not of any direct interest to me, and the Senate can rely upon the fact that there has been no pressure whatever made by any person to get the department to submit the estimate. They have voluntarily submitted the estimate and stated their desire to have this work done. I have not been to see the department about it, nor did I go to see the department in connection with a similar amendment for Porto Rico, which was adopted last evening. It is a matter that the department believes absolutely necessary for the proper development of the islands, and I hope there will be no objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

Mr. SMITH of Michigan. Mr. President, I desire to offer an amendment in line 20, page 55, so that the amount appropriated will read "$57,760" instead of "$47,760." I offer that amendment because I desire a portion of the amount appropriated for the Bureau of Entomology to be used in the eradication, if possible, of a disease which is very vitally affecting the bean and pea crops of the country. I presume Senators are familiar with the fact that the bean crop of the United States amounts to practically $25,000,000 a year, and that it is largely produced in Michigan and New York. There is a very serious disease working considerable havoc in that crop as well as in the pea crop, and it ought to be eradicated. These are very necessary articles of food, and steps should be taken which will protect that product against unnecessary ravages.

Mr. SMITH of South Carolina. I will suggest to the Senator that the law for the current year made an appropriation under this heading of $42,760. The estimate this year was for $47,760, and we allowed the full estimate sent in by the department. The increase was suggested, doubtless, having in mind reference to the specific matter to which the Senator from Michigan has called attention. It will be seen that the increase in the appropriation over the amount last year is $5,000.

Mr. SMITH of Michigan. That is not enough to do the work if it is to be done at all. If we are going to do anything to arrest this disease, we must provide for it adequately, and if the money is not necessary it will be retained in the Treasury. Mr. Taylor, Chief of the Bureau of Plant Industry, says that late reports from States indicate that losses are often as high as 50 per cent of the crop. I think this amendment should be adopted.

Mr. SMITH of South Carolina. My suggestion to the Senator is that, if necessary, without increasing the appropriation, as the other matters to be investigated do not seem to be so pressing as the matter to which he refers, a proviso be inserted setting aside a definite portion of the total amount for this particular purpose. I will suggest to him that he might offer an amendment providing that a certain amount shall be used for the purpose he has indicated.

Mr. SMITH of Michigan. Very well. I will put it in that form.

Mr. SMITH of South Carolina. That would not increase the total appropriation, and would provide a sufficient amount out of this lump sum to cover the matter.

Mr. SMITH of Michigan. Very well. Then, Mr. President, I move to add a proviso at the end of line 20, page 55, as follows:

Provided, That not less than $20,000 of the amount herein appropriated shall be devoted by the bureau to the investigation of the disease affecting the bean and the pea crop of the United States.

Mr. FALL. Affecting what crop?

Mr. SMITH of Michigan. The bean and the pea crop.

Mr. KENYON. Does that increase the appropriation?

Mr. SMITH of South Carolina. No.

Mr. SMITH of Michigan. It does not.

Mr. FALL. Mr. President, I should like to ask what kind of bean it is to the investigation of the disease of which this money is to be applied?

Mr. SMITH of Michigan. The white bean.

Mr. FALL. I object, Mr. President, unless there is a provision for the Mexican pink bean, frijole beans, and the garavanza and other beans that are native to my part of the country. I object to expending all this money in one section.

Mr. SMITH of Michigan. Mr. President, the disease anthracrose, which seriously threatens the bean crop of Michigan and New York States, will probably not affect the bean of New Mexico, they are apparently immune, but I accept the amendment.

Mr. KENYON. Mr. President, I should like to ask the Senator from Michigan if this would include also diseases in the beans that are sent out under the congressional free-seed distribution?

Mr. SMITH of Michigan. No; those are foreign beans. This is a domestic affair.

Mr. THOMAS and Mr. SMITH of South Carolina addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan has the floor. To whom does the Senator yield?

Mr. SMITH of Michigan. I do not yield to anyone.

Mr. SMITH of South Carolina. I understand this does not restrict the use of the money to any one particular section, but just to peas and beans.

Mr. SMITH of Michigan. It is to be used wherever the bureau desires, although I may say that Michigan has been growing about 70 per cent of the white beans consumed in the United States.

Mr. SMOOT. I understand that this does not increase the appropriation; but I hardly think that out of $47,000 for the investigation of potatoes, sugar beets, cabbage, onions, and tomatoes there should be $20,000 set aside for the investigation of insects affecting the bean and the pea. I do not think that is a fair division.

Mr. SMITH of Michigan. I think they should have quite a generous latitude. This is a very valuable crop.

Mr. SMOOT. But this would not give them any latitude.

Mr. SMITH of Michigan. They must have ample latitude if they are going to investigate and eradicate this disease, which is really threatening a great food product.

Mr. SMOOT. We have here the sugar beet, the potato, the cabbage, the onion, and the tomato.

Mr. SMITH of Michigan. Yes; but there is nothing very threatening attacking those crops now.

Mr. SMOOT. Oh, yes, there is, every year.

Mr. SMITH of Michigan. They are under investigation.

Mr. SMOOT. But the Senator is taking nearly half of the amount for peas and beans.

Mr. SMITH of Michigan. Question!

Mr. JONES. Mr. President——

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

Mr. JONES. I understood the Senator from Michigan had yielded the floor.

Mr. SMITH of Michigan. No; not yet.

Mr. JONES. The Senator called for the question, and, of course, he can not just hold the floor.

Mr. SMITH of Michigan. If the Senator wishes to address himself to this amendment, I will yield to him.

Mr. JONES. No; the Senator from Michigan has accepted all sorts of amendments here, and I want to have the amendment read as it now stands.

The PRESIDING OFFICER. The Secretary will state the amendment as he has it at the desk.

The Secretary read as follows:

Provided, That not less than $20,000 of the amount herein appropriated shall be used by the department for the investigation of the disease prevalent in beans and peas of all colors and varieties.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Michigan.

Mr. CLAPP. Mr. President, I do not think that amendment ought to be adopted as it stands. There would be no objection to saying that that much may be used.

Mr. SMITH of South Carolina. "If so much be needed."

Mr. CLAPP. But we are tying the hands of the department here on rather a moderate appropriation, and taking it from other sources, and interfering with the general use by the department of this particular fund. I am perfectly willing to say that it may be used for that purpose.

Mr. SMITH of Michigan. Well, that is perfectly agreeable.

Mr. CLAPP. Then I move to amend the amendment by substituting the word "may" for "shall."

Mr. SMITH of South Carolina. Why not amend it so as to read "if so much thereof be necessary"?

Mr. CLAPP. When you make it read "may," then you do leave it that way.

Mr. SMITH of South Carolina. Does the Senator accept that amendment?

Mr. SMITH of Michigan. Yes.

The PRESIDING OFFICER. The Senator from Michigan accepts the amendment to his amendment. The question is on the amendment as amended.

Mr. SMITH of Michigan. I think the words "all colors and varieties" ought to be stricken out.

The PRESIDING OFFICER. The Secretary will state the amendment as amended.

The SECRETARY. On page 55, line 20, after the numerals "$47,760," it is proposed to insert:

Provided, That not less than $20,000 of the amount herein appropriated may be used by the department for the investigation of the disease affecting beans and peas.

Mr. WADSWORTH. Mr. President, I suggest the alteration of that language to read "not more than $20,000."

Mr. SMITH of South Carolina. Yes; that is correct.

The PRESIDING OFFICER. Without objection, the amendment suggested by the Senator from New York to the amendment is agreed to. The Chair hears no objection. The question is on the amendment of the Senator from Michigan, as amended.

The amendment as amended was agreed to.

Mr. KENYON. Mr. President, I offer an amendment to be inserted after line 2, on page 92.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 92, after line 2, it is proposed to insert:

Provided, That no part of the appropriation made by this act, whether for salaries or expenses or any other purpose connected therewith, shall be used in connection with any money contributed or tendered by the General Education Board or any corporate or other organization or individual in any way associated with it, either directly or indirectly, or contributed or tendered by any corporation or individual other than such as may be contributed by State, county, or municipal agencies; nor shall the Department of Agriculture receive any moneys for salaries or any other purpose from the General Education Board or any corporate or other organization or individual in any way associated with it, either directly or indirectly, or contributed or tendered by any corporation or individual other than such as may be contributed by State, county, or municipal agencies, except by act of Congress authorizing the same. Nor shall any person paid in whole or in part by any such corporation for services rendered by him be employed by the Government or become or remain an officer of the Government. Any person violating any or either of the terms of this provision shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than $1,000 or by imprisonment as the court may determine.

Mr. KENYON. Mr. President, this amendment is somewhat similar to the amendment offered by the Senator from Oregon [Mr. CHAMBERLAIN] to the legislative bill, which was adopted without any dissent.

I will say that some years ago, in 1914, I introduced in the Senate a resolution calling upon the Secretary of Agriculture to submit to the Senate a list of those in the Department of Agriculture who were paid in part by organizations outside of the Department of Agriculture. He submitted at that time a statement covering, I think I may conservatively say, 400 persons; and we then adopted an amendment somewhat similar to this. A large number of those who were on the rolls of the Department of Agriculture were paid a nominal sum by the department, and their main salaries were paid by the General Education Board, which is a part of the Rockefeller Foundation.

Congress having adopted that amendment, I think it was fair to assume that the matter would stop. But the matter, I am informed, has not stopped. It is still, as I understand it, going on; and it seems to me fundamental that it should be prohibited; that the Government pay its own employees without any assistance from the Rockefeller Foundation. There is no more reason for the Rockefeller Foundation paying the employees of the Government in the Agricultural Department or the Bureau of Education than there is for their joining in paying the salaries of Senators or members of the Supreme Court.

The Senator from Oregon [Mr. CHAMBERLAIN], who has given this matter a great deal of study, handed me a letter from the Civil Service Commission which shows that at this time there are some 500 people engaged in the Department of Agriculture receiving from $1 per year up to $25 per year from the Government. I am not prepared to say, and he is not prepared to say, just how many, if any, of these are employed and paid by the General Education Board. I hope that we may find out somehow. I hope that an investigation may be made as to the relationship that has been going on for so long between the General Education Board and the Rockefeller Foundation and the different departments of the Government.

Again, what particular reason is there why parties should receive a dollar a year from the Government, become employees of the Government in that way, and be given the franking privilege, thus enabling them to send documents all over this country at great expense to the Government? It is an insidious influence in our Government that ought to be stopped. I do not mean to imply at all that the Rockefeller Foundation has not done great good in many lines of investigation. Of course it has. My proposition is simply that the Government should pay its own employees.

Mr. SMOOT. Mr. President——

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

Mr. KENYON. I yield.

Mr. SMOOT. The Senator has referred to the privilege granted to send public documents through the mails. The parties who are employed by the Rockefeller Foundation and placed upon the Government rolls at $1 per annum have no right whatever to the free use of the mails of the United States for the purpose of sending documents prepared by them to any part of the United States.

Mr. KENYON. I had understood that they could do that.

Mr. SMOOT. A document has to be authorized either by the Senate or by the House to be printed as a public document, or it has to be authorized under the printing appropriation of any department to be printed as a departmental document before it is entitled to the free use of the mails; and if there is any abuse in sending out the documents written by these individuals that are placed upon the rolls of the Government, it must, of necessity, be by the head of the department.

Mr. KENYON. I do not mean to contend that they have the right to send out these documents before they are made public documents; but after they are made public documents they have the right to the franking privilege.

Mr. SMOOT. They have a right in this way: For instance, if a public document is printed and if a Senator will lend his name to an association for that purpose, the association can send out as many copies of that document as it wishes.

Mr. KENYON. That is true; but these people become employees of the Government, and after the matter is made a public document they can send it out. They have the franking privilege.

Mr. SMOOT. They could do that if they were not employees of the Government.

Mr. KENYON. If they were not employees of the Government?

Mr. SMOOT. Certainly; under circumstances as I have stated.

Mr. KENYON. I do not see how.

Mr. SMOOT. The abuse, if there is an abuse at all, comes from the fact that whenever an article is prepared by any one of the employees mentioned by the Senator the head of the department accepts the article and makes it a departmental document, and as soon as it is made a departmental document it is then allowed, under the law, free access to the mails.

Mr. KENYON. The Senator has expressed it better than I did. I was trying to get at the same thought in rather a roundabout way; but that is only incidental in any event, I think, to the main proposition as I have heretofore stated it, namely, that this Government is able to run its own affairs without the aid of the Rockefeller Foundation.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator right in that connection for a moment?

Mr. KENYON. I am through.

Mr. CHAMBERLAIN. At a hearing before the Committee on the District of Columbia of the House of Representatives on the 12th, 13th, and 14th days of April of last year Mr. E. J. Ward was a witness. He was one of the gentlemen who was carried on the roll of the Bureau of Education at a salary of $1 per annum paid by the Government, and he did not disclose who paid the balance or principal part of his salary. It

is fair to say in his behalf, however, that that inquiry was not pressed; the committee did not seem to care to know who paid it; but he only got $1 per annum from the Government. He was asked this question by Mr. LLOYD, a member of the committee:

Mr. LLOYD. As a matter of fact, you are an employee of the Bureau of Education?

Mr. WARD. As a matter of fact, I am an employee sworn as others to defend the Constitution, using the Government frank as others.

Mr. LLOYD. Is it true, then, that your purpose in being connected with the department was to get the privilege of the frank?

Mr. WARD. My purpose in being connected with the department was to render therein the service which I could render by having that opportunity.

It is probably true, as the Senator from Utah said, that the document he prepared there as the agent of some private individual or corporation was adopted by the Commissioner of Education as a departmental document, and therefore, by virtue of that recognition, it was permitted to go through the mails under frank.

Mr. SMOOT. That is the only way it could happen.

Mr. CHAMBERLAIN. That is the only way it ought to happen. Whether it happened in other ways or not I do not know, and it really will take an investigation by Congress to get at the bottom of the matter.

I do not know this gentleman, Mr. Ward. I only judge him by his testimony here. The question was asked him in view of the fact that he was getting only about $1 a year from the Government and the balance from some other source to whom he felt his allegiance was due—whether to the individual who paid the salary or to the Government of the United States. I just want to call your attention to it, because the way he answered that question is quite amusing.

Mr. RAGSDALE (interposing). The question is, who has the right to direct your services—the Government, or the person who is paying you?

Mr. WARD. If I may quote a statement out of court, that would depend on whether you agree with one of the Members of Congress who said, "Who pays the piper calls the tune." All of my income, excepting $1 comes from a private individual. If you accept that statement and make it apply, there is at least a suspicion that I am controlled by somebody besides the Government. As to the fact of my control, I doubt it.

Mr. President, there ought not to be anybody on the pay roll of the Government, with the powers that these individuals must have in the very nature of things, who can not say promptly and peremptorily that he considers that his allegiance is due to the Government of the United States, and not to the man who pays his salary. If he can not do this, he has no business in the employ of the Government.

Mr. GRONNA. May I ask the Senator from Oregon a question before he takes his seat? Is the Senator reasonably sure that all the men he refers to are working for what he calls the Rockefeller Foundation? Is it not possible that many of these men are in the employ of State agricultural colleges or other State institutions and that in this way they desire to have their publications printed and circulated in the mails free.

Mr. CHAMBERLAIN. I have not any doubt at all that a great many of these collaborators so-called are in the employ of agricultural colleges, or in the employ of the several States, probably some of them are employed by municipal corporations, and that their employment is beneficial to the country and not at all subject to criticism. But there is nothing here to show that, and what I have been complaining about is that there ought not to be any doubt as to this employment.

Mr. GRONNA. I was going to call the attention of the Senator from Iowa to the fact that many of these men, as I understand it, instead of being employed by the Rockefeller Foundation, are professors in agricultural colleges or professors in the universities in different States. I think it would be doing great damage to the country to say that those people should be prohibited from sending documents which are so valuable through the mails free. I know I could name, if I wanted, a hundred such documents prepared by professors in different colleges. Take the circular, or, rather, the pamphlet, issued by Prof. Bolley on the wheat market, and you will find it is worth millions of dollars to the people of the country. It would prohibit these men from cooperation and some collaboration with the officials of the Federal Government.

Mr. SMITH of South Carolina. Will the Senator read that portion of the proposed amendment again?

Mr. GRONNA. I had not read the Senator's amendment.

Mr. SMITH of South Carolina. I wish to call attention to its language.

Mr. GRONNA. I understood from what the Senator from Oregon said that it would do a great deal of harm.

Mr. KENYON. It makes exception of money contributed by State, county, or municipal agents. I think that answers the Senator's question. It reads:

Money contributed or tendered by the General Education Board or any corporate or other organization or individual in any way associated with it, either directly or indirectly.

Mr. GRONNA. That would take care of the agricultural colleges and State institutions.

Mr. KENYON. It would not touch any cooperation between the Government and the colleges of the States.

Mr. GRONNA. But my question is, Would it prohibit these men from cooperating with the agents of the Federal Government in sending their documents through the mails free?

Mr. KENYON. It would, if they are connected with the General Education Board or any corporation associated with that organization.

Mr. GRONNA. That seems to me to be a very sweeping amendment, and I shall have to oppose it.

Mr. SMITH of South Carolina. Will the Senator from Iowa allow me to ask him a question? You propose to provide that no institution connected with the Rockefeller Foundation or the General Education Board shall cooperate with the Government.

Mr. KENYON. No; if the Senator will read the amendment it seems plain enough:

Provided, That no part of the appropriation made by this act, whether for salaries or expenses or any other purpose connected therewith, shall be used in connection with any money contributed or tendered by the General Education Board or any corporate or other organization or individual in any way associated with it, either directly or indirectly—

I do not think you can say that a college that might receive some contribution for a certain purpose was associated with it. This is not intended to cover that—

or contributed or tendered by any corporation or individual other than such as may be contributed by State, county, or municipal agencies—

The query might be whether that covers colleges; but colleges would not be contributing, in any event, to the Department of Agriculture—

nor shall the Department of Agriculture receive any moneys for salaries or any other purpose from the General Education Board or any corporate or other organization or individual in any way associated with it, either directly or indirectly—

It does not cover any college—

or contributed or tendered by any corporation or individual other than such as may be contributed by State, county, or municipal agencies, except by act of Congress authorizing the same.

This is where the question might arise:

Nor shall any person paid in whole or in part by any such corporation—

That is, the Education Board and corporations associated with it—

for services rendered by him be employed by the Government or become or remain an officer of the Government.

Now, that does not touch college professors unless they are employed directly by the General Education Board.

Mr. WORKS. Mr. President, there is something a good deal more important involved in this question than the mere matter of money or the use of the franking privilege. I think the departments of the Government should be kept free from outside influences, of corporations, or any other bodies of men. The case suggested by the Senator from North Dakota could easily be covered without going into the department. Congress is quite ready at all times to publish as a public document anything that seems to be worthy of publication; but we are permitting these outside influences to come into the departments and bureaus of the Government and absolutely control its policies and the doctrines that go out from the departments. I think it is an evil that ought to be curbed, an evil that ought to be suppressed. I am very glad the Senator from Oregon has raised the question. We have attempted to do that heretofore, in connection with another bill, where an attempt was made to influence education in a strict sense in this country, which I think ought not to be allowed. I think for the very same reason it ought not to be allowed in the departments, and I hope as the opportunity has offered itself that Congress will put an end to it.

Mr. CHAMBERLAIN. Mr. President, I desire to disclaim any opposition to the Carnegie Foundation or to the Rockefeller Foundation. I have no objection to their private and charitable activities in any line that they may see fit to follow. I am willing to go still further than that, and to admit that along the lines of agricultural research, health research, medical research, and other activities, along economic and other lines, they have done a great deal of good. So what I say is entirely without any feeling of unkindness to these great finan-

cial institutions. What I objected to the other day, and what I object to now, is that they should become so allied with the Government itself that emanations from their brain and from the brains of their agents shall have as it were the Government's stamp upon them, so that they go to the people as the doctrines and principles enunciated by the Government itself.

There are some men connected with these institutions, Mr. President, who do not respect the American ideals at all. They are far out of touch with the opinions and thoughts of the mass of the people of this country, and expressions that come from them ought not to go out with the stamp of governmental approval.

I received the other day a letter from Mr. Henry S. Pritchett, president of the Carnegie Foundation, under date of the 30th of January, complaining that I had misrepresented the connection of the Carnegie Foundation with the Government of the United States in an address made by me in the Senate on the 26th day of January. I do not admit that I misrepresented the attitude of the Carnegie Foundation to the Government. Mr. Pritchett simply misunderstood me; that is all. He is entirely too sensitive. I will just read his letter, so that there may be no question as to his attitude. It is as follows:

NEW YORK, *January 30, 1917.*

Hon. GEORGE E. CHAMBERLAIN,
United States Senate, Washington, D. C.

MY DEAR SIR: I am sure that you would not knowingly make an incorrect or unjust charge against an individual or an association of individuals. I therefore ask with entire confidence that you correct in such manner as your own sense of fairness and justice may indicate the misrepresentation of the Carnegie Foundation made in your remarks contained in the CONGRESSIONAL RECORD of January 26, pages 2039–2046.

In the course of these remarks you twice make the specific charge that the Carnegie Foundation had at various times in the past paid salaries to men connected with governmental bureaus, who received nominal pay and certain alleged privileges by their governmental connection. Your charge against this Foundation is absolutely without warrant. Not one cent has ever been paid by the Carnegie Foundation to any person in Government employ, nor has it ever entered into any arrangement of any description whatsoever by which it paid the salary or had any means of controlling or influencing the action of members of any Government bureau. On the contrary, the Carnegie Foundation has carefully avoided any such connection. It has consistently maintained the position that an endowed agency had its field of usefulness outside of governmental departments. Its policy has been exactly the opposite of that which you attribute to it.

I have therefore the honor to ask that you make such correction of your statement as justness and fairness indicate, and I beg that this denial may be given a publicity equal to your accusation. I apprehend that no Senator of the United States desires to be absolved from the duty to do justice to any body of men whom he has unwittingly misrepresented.

I am, very truly, yours,

HENRY S. PRITCHETT,
President the Carnegie Foundation.

Mr. Pritchett is exactly right when he expresses a belief that I would not knowingly misrepresent an individual or a corporation, and I did not intend to misrepresent the foundation on the occasion to which he refers. As a matter of fact, while there are two places in my remarks that might, by a stretch of the imagination, have been construed as a statement that there were men who were receiving their principal salaries from the Carnegie Foundation while they were receiving only nominal salaries from the Government, in each case I made a statement to which I call the attention of the Senate. In each case I said substantially as follows:

In other words, the main salaries are paid by those who I claim ought not to have anything to do with the education of the children of this country. I know not from whence the money comes for these different salaries.

There is a positive statement that I did not know who or what institution, corporation, or individual was putting up the money for salaries. I do not know now that the Rockefeller or the Carnegie Foundation is putting up money to pay the principal salaries of these individuals named in my former address. I can not state that positively, but, if we are to judge from the names of the individuals, their associations, and the circumstances of their connection with the Government, we must conclude that many of them are paid by the Rockefeller Foundation or its allies; and there is a bare suspicion—that is, a reasonable suspicion might have been drawn from appearances—that some of the people connected with the Carnegie Foundation were receiving their principal salaries from that institution. But in the face of Mr. Pritchett's denial I am willing to say here and now that he tells the truth. It may be true that the Carnegie Foundation looks to other avenues for the exertion of its activities than those suggested by Mr. Pritchett. I say its methods are even more dangerous to the American youth than the methods the Rockefeller Foundation pursues.

Let me illustrate what I mean. Give me, Mr. President, the education of the youth of this country and the control of $100,000,000 or $200,000,000 for a period of years to use as I please, and I venture the prediction that in two or three generations I can practically change the ideals of America. It is not the first time in the history of this Republic where the school has been resorted to to change public opinion, nor is it the first instance in the history of the world where schools and universities have been resorted to for the purpose of changing public opinion.

I have often wondered why it was that Washington in his Farewell Address appealed to the religious side of the American people and stated how necessary it was for our preservation that we observe the religious and the moral life. I never got from any source an idea as to why that was included in his Farewell Address until the other day, and I conclude that it was prompted by the conditions of his day as developed in the colleges of the time.

William and Mary College, in his beloved Commonwealth, had become a hotbed of infidelism. The young men who were attending this and other southern institutions were noted throughout the country, wherever they happened to be, as young men who were lacking in religious conviction. Not only was that true with reference to William and Mary College, but it was true with reference to Yale. It is said that at Yale during the discussions that were going on in France at and prior to the French Revolution the sense of religious conviction was almost gone from this country, and that the young men there called themselves "Rousseau" and "Voltaire," and by the names of other well-known atheists or infidels in France at that time, and that atheism and infidelity there were not uprooted until Timothy Dwight became president of the institution, and went to work to reform college life and opinion. Is it not possible that Washington's address was suggested by these considerations and conditions which existed at educational institutions of the country?

If it was true in those days it is true in this day, that if you place the education of our people in the hands of men whose ideas are at variance with the ideas and ideals of most of the people of the country there is no telling where it will lead.

Note the difference between the Rockefeller Foundation, if you please, and the Carnegie Foundation. I again disclaim any feeling against either of them. The Rockefeller Foundation declines to give any of its bounty to any State institution. That cuts out one important class of colleges.

The Carnegie Foundation declines to give any of its bounty to any sectarian institution. These two great foundations practically put the ban on two great classes of educational institutions of our country—the State institutions and the sectarian institutions. What is the result of that? What was the purpose of it? I do not know what the purpose was. I do know that the Carnegie Foundation has undertaken to standardize the colleges of the country. By this work of standardization, the Carnegie people have listed a number of institutions that they will give their bounties to in the form of pensions to the retired members of the faculty. It does the work of standardization through its agencies. It segregates these institutions and puts its own selections at the top of the list, so that these institutions receive bounty at their hands, both in the way of endowment to the standardized schools and in the way of pensions to teachers connected therewith. That drives the smaller colleges out of existence; these latter can not compete; neither can the State institutions, except in so far as they receive the cordial support of the State, compete with the pets of the Rockefeller Foundation. So that the smaller institutions must go out of business entirely.

I do not pretend to say what the purpose of these foundations is. I have sometimes thought it was a desire for posthumous fame. We do know that the men who are connected with these great foundations do not stand the highest in the estimation of the present generation. Why, it is unnecessary for me to say, but if they can educate the young men to take a different view from that which is taken by the young men of this day and generation, they will be looked upon hereafter as great patriots and great philanthropists in their day and generation. Mr. President, generations yet unborn ought not to be permitted to look back upon the past through any such refracted ray as that.

I have received a number of letters from distinguished educators in the country since this agitation commenced. I am amazed that so little has been said about the conditions to which I call attention. For instance, one of the most distinguished bishops in the South, Bishop Warren A. Candler, of Georgia, chancellor of Emory University in Atlanta, Ga., writes me approving of the attempts now being made to separate these foundational institutions from governmental life. I wired and asked permission to print his letter in the RECORD, and with his consent I am going to do it. There is no more respected and no abler or

more patriotic or more fearless man in the South than Bishop Candler. He writes me as follows:

EMORY UNIVERSITY,
Atlanta, Ga., February 2, 1917.

Senator CHAMBERLAIN,
United States Senate, Washington, D. C.

MY DEAR SIR: I have just finished reading an interesting discussion upon an amendment to the pending measure which you offered in the Senate on January 26, and which brings to light some questionable methods of the Carnegie and Rockefeller Foundations.

Some years ago I wrote a series of articles which I subsequently printed in a booklet, a copy of which I am sending you. At that time I seemed to be no more than an unheeded voice crying in the wilderness. I am glad to see that you have undertaken to correct some of the evils connected with this educational trust, and I am taking the liberty of inclosing herein a copy of the booklet which I printed and which I made reference to above. I have thought it might contain some facts which had escaped your notice, and it might be of use to you in the further handling of this important matter.

With sentiments of highest esteem, I beg to remain,

Yours, very truly,

WARREN A. CANDLER.

Mr. President, I am going to ask that the booklet to which his letter refers may be printed in the RECORD. It is as follows:

A PREFATORY WORD.

The articles which compose this pamphlet were prepared for publication in the Atlanta Journal, and the first two were printed in its columns.

The editor of the Journal withheld the last two from publication out of a consideration of courtesy to the meeting of the Conference for Education in the South, in the city of Atlanta, explaining to the writer that he agreed with the position of the writer on the general subject and would print the two papers after the conference adjourned. As is evident on the face of the articles they are entirely courteous, and it does not appear that the conference should be exempted from courteous criticism because of the place at which it happens to meet this year, especially when it is remembered that the articles were prepared before the writer of them knew where or when its session would be held, and that he had no part in inviting the body to meet in Atlanta. The conference bears but a secondary and tributary relation to the General Board of Education, and the emphasis of these papers does not fall on it. It can not, however, escape entirely criticism of the General Board of Education, which was originated in the conference, and which in turn makes appropriations to the conference, and it is entitled to no exemption from criticism while it is thus inseparably related to the General Education Board.

And besides all this, when a great danger threatens the country there is no time for standing on mere ceremony. It is time to cause the people to understand the peril which menaces their institutions of learning and their civilization.

To the four papers which were prepared for the Journal are appended an article from the New Orleans Times-Democrat, and an extract from an article from the Manufacturer's Record, of Baltimore, which will serve to confirm the conclusions reached by the writer and to show that other sober-minded men view with alarm the situation which confronts us. I add also extracts from the columns of the New York Journal of Commerce and Springfield Republican of weighty import.

It is hoped that this discussion may contribute in some measure to arousing our people to action in time to save our colleges and universities from being captured and controlled by alien authorities, and to save them also from being crushed for lack of adequate support and endowment. Our institutions of higher learning must be free from domination from without, and they must be made strong enough to maintain their freedom and do their work well.

W. A. CANDLER.

ATLANTA, GA., *April 2, 1909.*

THE POWER OF OUR COLLEGES AND A PERIL WHICH THREATENS THEM.

It is to be feared that the most of our people do not justly estimate the influence and value of our institutions of higher learning. In this statement reference is not intended to our negligence in properly equipping and adequately endowing our colleges and universities, although there is much in that direction deserving of censure.

Our people do not seem to understand the effect of an educational institution on the general welfare of the community whom it serves. Its work is done so silently, gradually, and invisibly, while railroads, banks, factories, and the like, are so bulky and tangible that most men among us regard with comparative indifference a school of higher learning. Nevertheless, that which they esteem so lightly may be doing a work which will seriously affect for good or ill every commercial enterprise in the land, not to speak of the interests of higher value than material things.

The nations of Europe understand all this better than do our people. They have experimented with educational institutions for centuries, and they know what comes of such influential plants.

When England wished to insure her dominion in Normandy she founded the University of Caen in 1436, and achieved by it vastly more than it cost her.

When Spain desired to consolidate the Netherlands she established the University of Douay in 1572, and with it she achieved results that still abide, notwithstanding all the political changes and social mutations which have come to pass in the course of more than three centuries.

After the Battle of Jena, Germany set about healing the political bruises and military wounds inflicted upon her in that disastrous defeat by founding the University of Berlin in 1810. M. Ernest Lavisse has related most interestingly the story of its foundation. He says the King of Prussia, Frederick William, declared as the reason for its establishment, "it is necessary that the State supply by its intellectual forces the physical powers which it has lost." The great Schleirmacher supported the project enthusiastically and most clearly forecast its future. He said, "When that scientific organization is founded, it will have no equal; thanks to its interior force, it will exercise its benevolent rule to the borders of the Prussian monarchy. Berlin will become the center of the entire intellectual activity of northern and Protestant Germany, and a solid foundation will be prepared for the accomplishment of the mission assigned to the Prussian Government." His words were most accurately fulfilled. The University of Berlin more than any other one thing united and invigorated the new Germany with which Napoleon III had to settle in 1870.

Think of the proposition! To elevate the Kingdom of Prussia and unify the German Empire by establishing a school! Our "practical men" would laugh at such an idea; but the more practical German authorities knew what they were doing. The event has justified the wisdom of their far-sighted proposal. Berlin has become the scientific and political center of the German people. With its great university it is the very heart of the nation's life and its influence is felt throughout the world. Our own educational institutions have not escaped the influence of the University of Berlin.

Again, after the overwhelming defeat of Napoleon III in 1870 by the unified and renovated German nation, Bismarck undertook the Germanizing of Alsace-Lorraine by completely reconstructing the University of Strassburg.

We thus see that both to retrieve a defeat and to confirm a victory long-headed Germany established a new educational plant. And in both instances she has not been disappointed in the outcome.

When the great Liberal Party in Belgium in 1834 sought to battle successfully with its foes, who were operating so aggressively through the Universities of Liege and Gand (or Ghent, as the city is called in English), it founded the University of Brussels.

Oxford University has been the breeding ground of Tories and Toryism for generations, and the Whigs in 1828 set up the University of London with the purpose of offsetting if possible the political influence of Oxford.

In our own country a history was enacted toward the close of the eighteenth century which emphasizes in a striking manner the power of the colleges. The institutions of learning then existing in the young Republic were few and comparatively feeble; but becoming infected with infidelity, they threatened the religious life of the whole country. Bishop Meade, of Virginia, declared with reference to their effects, "I can truly say that then, and for some years after, in every educated young man in Virginia whom I met I expected to find a skeptic, if not an avowed unbeliever." He affirmed that the College of William and Mary, which had been founded in religious motives and for Christian ends as its first charter showed, had become "the hotbed of French politics and infidelity." Yale College had succumbed to the same evil influence; and when, in 1795, the great Timothy Dwight came to the presidency of the institution he found it in the most wretched condition as to both faith and morals. Dr. Lyman Beecher, who entered the college as a student about that time, said it "was in a most ungodly state"; and he adds, "most of the class before me were infidels, and called each other Voltaire, Rousseau, D'Alembert, etc." Our Nation can never pay the debt it owes to Dr. Dwight for the warfare he waged against infidenity in Yale College during all the years of his presidency. He drove it from Yale, and his saving influence extended to other institutions. He might be called in some sense the savior of this country in that perilous hour. The poorer Yale of Dr. Dwight's day did more for the country than does the richer Yale of to-day.

Washington, also, in his "Farewell Address" lamented the moral conditions which he saw around him, and he warned his countrymen against the dangers of irreligion and infidelity. Manifestly, he was aiming his words at current conditions, then so threatening to all that was good, when he said,"' Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who would labor to subvert these greatest pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with both private and public felicity. Let it be simply asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in our courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious liberty."

It is not surprising that the Father of his Country was alarmed. Some of the most conspicuous leaders of the political thought of that period were most aggressive in their opposition to all things religious. Gen. Dearborn, who was the Secretary of War in the administration of President Jefferson, on one occasion in alluding to the churches said, "So long as these temples stand we can not hope for order and good government." Washington in his "Farewell Address" traversed with purpose and emphasis such vicious sentiments because he saw the need of sounding a note of alarm.

The general assembly of the Presbyterian Church in 1798 bemoaned the situation in these words: "We perceive with pain and fearful apprehension a general dereliction of religious principles and practice among our fellow citizens, a visible and prevailing impiety and contempt for the laws and institutions of religion, and an abounding infidelity, which in many instances tends to atheism itself. The profligacy and corruption of the public morals have advanced with a progress proportionate to our declension in religion. Profaneness, pride, luxury, injustice, intemperance, lewdness, and every species of debauchery and loose indulgence greatly abound."

Behold to what length the evil leaven which was working among the educated classes operated to the corruption of private and public morals among all classes! It affected the whole life of the Nation and threatened even the stability of all its social and political institutions.

I have dwelt at length upon the effect of educational institutions in order that I might warn our people against a powerful effort which certain very astute men, backed by millions of money, are now making to capture and control our colleges and universities. While we sleep they work.

An educational trust has been formed, and it is operating to control the institutions of higher learning in the United States, and to dominate especially the colleges and universities of the South.

When the war was over Gen. Lee exhorted the troops to go home and cultivate the virtues of their ancestors. It is the last privilege of a conquered people to cultivate their own peculiar excellencies and gifts.

Our people have risen up out of the desolation of war and the greater desolation of reconstruction, and by sheer strength of manhood they have recovered their fallen fortunes, made the waste places to bloom again, and wrought out on the old foundations a splendid structure of civilization. For many years they have been lectured by their conquerors in season and out of season. They have been given any amount of advice if nothing else. But now at last the effort to manage them takes a new direction. It is proposed to change their political thinking, religious beliefs, and social organizations by a scheme to dominate their colleges and universities. I can not in this paper go into details, but must reserve all that for my next communication and subsequent articles.

In the meantime I close this letter by saying, "Let us beware of the Greeks when they bring gifts."

SEEKING TO CAPTURE AND CONTROL THE COLLEGES OF THE COUNTRY.

In my last article it was suggested that certain astute men, backed by millions of money, were making an effort to capture and control the colleges and universities of the country, especially the institutions of the South. The movement to which reference is intended is what is called "The General Education Board," and certain concomitant organizations, chiefly, however, The General Education Board.

This board was incorporated by an act of the Congress of the United States approved January 12, 1903, and endowed by Mr. John Rockefeller, sr. Its endowment was increased to about $43,000,000 by the gift of $32,000,000 on February 5, 1907, "one-third to be added to the permanent endowment of the board; two-thirds to be applied to such specific objects within the corporate purposes of the board" as might be directed by Mr. Rockefeller or his son from time to time. Previously he had given $1,000,000 on March 1, 1902, and $10,000,000 on October 1, 1905.

The charter of the General Education Board gives it very extensive powers, as is indicated in these words: "The said corporation shall have power to build, improve, enlarge, or equip, or to aid others to build, improve, enlarge, or equip, buildings for elementary or primary schools, industrial schools, technical schools, normal schools, training schools for teachers, or schools of any grade, or for higher institutions of learning, or, in connection therewith, libraries, workshops, gardens, kitchens, or other educational accessories; to establish, maintain, or endow, or aid others to establish, maintain, or endow, elementary or primary schools, industrial schools, technical schools, normal schools, training schools for teachers, or schools of any grade, or higher institutions of learning; to employ or aid others to employ teachers and lecturers; to aid, cooperate with, or endow associations or other corporations engaged in educational work within the United States of America, or to donate to any such association or corporation any property or moneys which shall at any time be held by the said corporation hereby constituted; to collect educational statistics and information, and to publish and distribute documents and reports containing the same, and in general to do and perform all things necessary and convenient for the promotion of the object of the corporation."

It will be noted that this board is authorized to do almost every conceivable thing which is in anywise related to education, from opening a kitchen to establishing a university, and its power to connect itself with the work of every sort of educational plant or enterprise conceivable will be especially observed. This power to project its influence over other corporations is at once the greatest and most dangerous power it has.

The stupendous scheme is one to enthrall the imagination. Its large powers and immense endowment when proclaimed to the public impressed many with the idea that it was the harbinger of an educational millennium. It seemed to promise all manner of good without any admixture of evil. Very naturally, therefore, good men in every part of the country looked with favor upon it. The authorities of struggling colleges saw in it relief for the institutions for which they were giving their lives. Trustees and faculties watched its coming as they who wait for the morning. The friends of education everywhere, and especially in the South, gave it warm welcome and cordial approval. These all, and others, are not to be blamed that they had no suspicions of the General Education Board, for its promises on the surface seemed fair and its proposals generous.

It was not strange that many applications for aid came very quickly to the board from all sorts of schools. There was nothing on the surface to provoke distrust or to suggest ulterior purposes. Even now multitudes see nothing to give rise to fear, and some may think that I am needlessly alarmed. It is perhaps true that some members of the board itself do not yet perceive what some others in the huge corporation really intend, and even those members of the board who are most resolute and definite in the purpose to capture and control the colleges of the country doubtless persuade themselves that their purpose is entirely wise, pure, and patriotic. If they mean to dominate the institutions upon which they bestow their donations, they doubtless applaud their plans as a scheme of "benevolent assimilation."

But it is not safe for the educational institutions of the country to be under the virtual dominion of 15 men, however pure they may imagine their intentions to be, even though their purposes may be as pure in fact as they themselves fancy. It is not a question of motives, but a question of whether it is good for the country to have its educational work determined by a board of 15 men, responsible to no authority civil or ecclesiastical in the land. On this question my mind is perfectly clear; such a centralized educational system is perilous in the extreme. It is such a concentration of power in the matter of the highest interests of the Nation as no 15 men, however wise and virtuous, can be trusted to exercise without abusing it to the furtherance of their own views and interests and to the injury of those who do not agree with them in interest or opinion.

There is evidence at hand already that some person or persons connected with this board are conscious of the power in the board's hands, and that they have very definite, if not worthy, ends in view. To draw attention to that evidence this paper is printed.

I give first two extracts from the columns of two leading daily papers published in New York, extracts which are so nearly identical in language as to leave no room to doubt that they were written for those papers by some one person who was intimately acquainted with the inmost purposes of the most inner circle of the General Education Board.

Shortly after Mr. Rockefeller's last gift of $32,000,000 the New York Tribune said:

"No gift from this great fund is intended to be given to State educational institutions. While certain colleges will be selected for contributions or endowments, forming a chain of educational institutions across the continent, others not so favored will be left to their fate by the Rockefeller Fund, and many of them, it is expected, will be forced to close their doors in the face of such strong support to their fortunate rivals. It will become a question of the survival of the fittest, it is said, from which it is believed a better and higher standard of education will result, and on the maps of the Williams Street office of the Rockefeller Fund the little colored pins will probably seal the fate of many a college and work out the destiny of other to prosperous ends."

The New York Evening World said:

"No gift from this great fund is intended to be given to State educational institutions. While certain colleges will be selected for donations or endowments, forming a chain across the continent, others not so favored will be left to their fate, as it were, and many of them will be, it is expected, forced to close their doors in the face of such strong support of their fortunate rivals."

Can anyone doubt that these two extracts were written by the same hand and that the hand which wrote them was the hand of some one perfectly acquainted with the ultimate ends of Mr. Rockefeller and his board? How thoughtful was the writer in that he put forth the matter in the leading Republican paper and the leading Democratic paper of the metropolis. He meant that men of all parties should see and understand it. And mark what is proposed by this writer.

(1) There is to be "a chain" of board-supported colleges stretching "across the continent." (2) That these board-supported colleges will force others to close their doors. In other words, the General Education Board proposes to both kill and make alive, to make and unmake colleges at will.

Is any man so simple as not to see that the board will be able to influence the character of the instruction given in the board-fed institutions? Is it not clear that it will have colleges to its own notion, teaching what it directs, both as to the matter and manner of instruction?

And as to the rest of the colleges, it is expected the "little colored pins on the maps in the office of the Rockefeller Fund will probably seal their fate," and that they will be "forced to close their doors."

That this is no strained view of what is proposed and expected will appear from the following extract from the Outlook—Dr. Lyman Abbott's periodical—a magazine which would not mistake the object of the Rockefeller Fund nor write of its purposes and plans in any unfriendly way. The Outlook said:

"With this financial power in its control, the general board is in position to do what no body in this country can at present even attempt. It can determine largely what institutions shall grow, and in some measure what shall stand still or decay. It can look over the territory of the Nation, note the places where there is a famine of learning, and start new educational plants of any species it chooses, or revive old ones. It can do in many ways what the Government does for education in France and Germany. Its power will be enormous; it seems as if it might be able to determine the character of American education. The funds it holds represent only a fraction of the amounts which it will control; by giving a sum to an institution on condition that the institution raise an equal or greater amount, it will be able to direct much larger amounts than it possesses."

Now note two things in this passage from the columns of the Outlook:

(1) This board may be able to "determine the character of American education," that is, it may be able to do in our country what the Government does in France or Germany, but without the Government's responsibility to the people. Could anything be more dangerous?

(2) This board will be able to control not only the millions of Mr. Rockefeller's gift, but the greater millions which others have given, or others may give, to the institutions which seek and obtain its aid. what an enormous power for 15 men to wield over a nation! It is startling to think of it! It is alarming!

That it may be clear how this board proposes to control the colleges which it seems to aid and to control the funds which such institutions may obtain in the future from others, I give the conditions which were outlined for acceptance by a southern institution to which the General Education Board proposed to give $37,500 if that institution would raise $112,500, and thereby increase its endowment to $150,000. The conditions as outlined by an executive officer of the board were as follows:

"First. That the amount so contributed by this board, together with the supplemental sum of $112,500, aforesaid, will be safely invested and forever preserved inviolably as endowment for the said college, the income only to be available for its uses.

"Second. That no part of the income from the fund so contributed by this board shall ever be used for specifically theological instruction.

"Third. That in case the said college shall ever divert any part of the endowment funds which it now has or which it may hereafter acquire, then and in that case the said sum which shall have been so contributed by this board, pursuant to the terms of this pledge, shall at the option of this board revert to it.

"Fourth. That the accredited representative of this board shall at all reasonable times have the right to inspect the books, accounts, and securities of said college.

"Fifth. That the sum so contributed by this board shall be forever held as a separate fund and be separately invested, so that its identity shall be at all times preserved, and that this board shall forever have and retain a specific lien on said fund and on the securities in which it shall from time to time be invested, as security for the faithful observance by the college of the terms of this agreement."

Here are rights of inspection and power of control demanded which no self-respecting institution should consent for one moment to submit to. The board's little wad of the pitiful sum of $37,500 is expected to draw after it all the endowment which the college has or may hereafter acquire. It is set up as the prime fund, and the larger amount of $112,500 given by others is only "a supplemental sum!" In order that the board may preserve a handle by which to swing the institution as it may wish, its little conditional gift is to be "held as a separate fund and be separately invested, so that its identity shall at all times be preserved."

With what threats of litigation or with what threats of the withdrawal of funds might not this board control under one pretext or another the whole management and policy of such a college!

How must self-respecting trustees feel who from year to year should be forced to look up to this coterie of 15 men, asking leave of this little board with reference to investments and everything else about the college with which the 15 men might choose to meddle. Such methods must pauperize everyone connected with such a board-fed and board-controlled college, from the wisest member of the board of trustees to the most callow freshman.

Now, it may be said with reference to all this that Mr. Rockefeller, or the board which represents him, has the right to determine what he will do with his own and to fix the conditions upon which a part of what he owns will be given to others (if, indeed, we may call these doles to hungry colleges gifts at all). No one will deny this right. It is equally true that the people, or any part of the people, have a right to say what sort of educational institutions they will support and countenance. Of course, if a college seeks and obtains these gratuities, with the Rockefeller strings to them, it must consent to be guided by the rein with which these 15 men will drive it. But may we not have enough people left who will say, "We want institutions freer than the board-fed kind can be, and we mean to have them and to put them where the board's 'chain of colleges across the continent' can not in any wise overcome them or make them afraid. May we not have some institutions whose doors can not be closed by 'the little colored pins' in the office of the Rockefeller fund in New York?"

Our colleges must be something more than the caged birds of the "General Education Board," fed by its hand and made to sing at its bidding. American education can not be safely entrusted to 15 men without any responsibility to the people whose education they assume to supervise.

It should be added that the board does not leave State institutions as severely alone as might be inferred from its purposes as expressed at first and as stated in the extracts quoted above from the columns of the New York Tribune and the New York Evening World.

It now undertakes to support professors of secondary education in State universities and to maintain some sort of demonstration farms and a system of agricultural lecturing of a somewhat spectacular sort in the Southern States. It thus undertakes to lay its hand on the high schools and to get hold of the farmers.

Something of the spirit and purpose of the board concerning the latter work among the farmers may be gathered from the following utterance, which is said to have emananted in the form of an interview from Mr. Frederick T. Gates, president of the "General Education Board":

"The work of spreading the study and application of agricultural improvements in three or four of the Southern States, which the board began when the first $1,000,000 was received from Mr. Rockefeller," said Mr. Gates, "can now be enlarged, so that information about better farming methods can be spread throughout the entire South. Only the interest of the first $1,000,000 could be devoted to this agricultural work because of the higher-education clause in the second or $10,000,000 donation. Where the work has been carried on the improvements in farming have been so marked that Southern bankers will not lend money to men who do not follow the methods taught by the board's instructors."

Of course, the statement with reference to the conditions on which southern bankers lend money to farmers is preposterous nonsense, but the object at which that sentence was aimed can hardly be mistaken.

In conclusion, I ask attention to the following from that ably conducted paper, the New York Journal of Commerce, which says:

"A system of giving which has its own rules and customs, which is governed by principles of selection laid down in the beginning, which ramifies throughout the country and embraces especially those smaller institutions that are hampered by narrow means, is an infinitely more powerful force in the shaping of opinion than any single capitalist who makes separate and often unconditional gifts to be controlled and invested by the institutions themselves could ever be. As a mechanism for controlling academic opinion there has, perhaps, never been anything in the history of education that would compare with the board system of subsidizing learning."

For one, I venture to express the wish that the fewest number of our southern colleges will ever be captured and controlled by this "general education board." We can have good colleges, though they be poor; for there always have been and there always will be heroic men in the South who will sacrifice themselves to this high interest. But we can make nothing but slaves and slavery out of colleges which have ceased to be free, however rich they may become.

Moreover, we owe something to our ancestors, who founded and maintained our older institutions of learning. We have no right to bind up the offerings which they laid upon the alter of higher education in the enslaving conditions prescribed by the Rockefeller board for institutions to which it grants its humiliating doles.

In another communication I will undertake to show how this board is interlaced with other bodies and associations, and I will endeavor to make manifest that its connections do not diminish, but do rather increase the perils arising from it. The movement to control the higher education of the Nation, especially the South, is far advanced and has more than one corporation to further its ends. And they have millions back of them; but they can do nothing with their millions if the people awake to what is on hand and refuse to be bought.

THE ACTIVE ALLIES AND ULTIMATE AIMS OF THE GENERAL EDUCATION BOARD.

Among the very extensive powers granted to the General Education Board by its charter is the power "to aid, cooperate with, or endow associations or other corporations engaged in educational work within the United States of America, or to donate to any such association or corporation any money or moneys" which at any time may be held by the board. This gives it the power to do through others anything which for any reason it might not find it convenient to do directly in its own name.

This provision was doubtless inserted in the charter to enable it to assist and use certain allied bodies already in existence and closely connected with it in history, purpose, and personal composition; and to subsidize other bodies also, as occasion may require.

Very intimately related to the General Education Board is a rather indefinite body called the "Conference for Education in the South," which body, however, can not be called a "conference" in the strictest sense of the word, for in its proceedings there is usually small room for conferring. In its annual sessions it is mainly occupied with the hearing of addresses by selected speakers on specific topics in the fulfillment of a fixed program, which in the very nature of the case excludes anything akin to free conference and brings forward only what is desired by the program makers. This "conference" (if it may be called such by courtesy) has passed through a process of development since its first session at Capon Springs in 1898. It was then composed of 34 members, 20 of whom were ministers of the Gospel, and it was called the "Conference for Christian Education in the South," being concerned primarily for the advancement of the mission schools of certain northern churches for the education of the negroes in the Southern States. At its second session the word "Christian" was dropped from the name, and it was called thereafter the "Conference or Education in the South," and its scope was enlarged to take hold of education for all races in the South. It began to consider southern education as a national problem at that time. At that session, or the one next following, Mr. William H. Baldwin, jr., suggested a general board for the strengthening of Hampton and Tuskegee Institutes for the education of negroes. This seems to have been the first suggestion of a general education board. When what is now called the "General Education Board" was organized, Mr. Baldwin was elected as its first president. Mr. Baldwin advocated also Government aid for the education of the negroes through the medium of the general board, and at its next session the Conference for Education in the South adopted a resolution calling upon the Federal Government to assist the Southern States in the work of educating the negroes and the "poorer whites" of the South. In those early sessions of the conference such men as William L. Wilson, eagerly desiring to do everything possible for the education of our people, were present, and that very able and incorruptible statesman opposed the resolution concerning Federal aid to education, which was in effect a proposal to revive the old Blair bill. On account of Mr. Wilson's opposition to it, the resolution was reconsidered and referred to an executive committee, which has never reported favorably or unfavorably upon it.

Out of the Conference for Education in the South has emerged also what is called the "Southern Board of Education," and "the Conference" may be regarded as the popular assembly through which it is sought to make sentiment in furtherance of the two boards which have thus issued from it—the "General Education Board" and the "Southern Education Board."

The cooperation of these two boards was insured at the first by the appointment of seven men to membership in both, and at this time the treasurer of both boards is the same man, and four members of the General Board are members of the Southern Education Board, and Mr. Robert C. Ogden, who is the president of the Conference for Education in the South, is chairman of the Southern Board of Education and also an influential member of the General Education Board.

The work of the Southern Education Board is that of a propaganda to influence public opinion and to influence legislation with reference to the public-school systems of the several States. The object of the General Education Board, as published, is "to promote education in the United States without distinction of race, sex, or creed, and especially to promote, systematize, and make effective various forms of educational benevolence. The General Education Board is the heavyweight among these allied bodies, for it has the power of the purse with all that fact implies. It can make appropriations for the Conference for Education in the South and for the Southern Education Board, and has done so; but they have nothing to give to it except the aid of the propaganda which they constitute. This return for the board's help, however, may mean very much on occasion. The names of leading educators of the South among the officers of these bodies, and the presence of other southern leaders at the conferences and on its programs, might go a long way to forestall criticism and allay distrust while the General Education Board is advancing its plans to "determine the character of American education."

It is known also that the officers of the General Education Board and the officers of the Carnegie Foundation for the Advancement of Teaching cooperate with a very good understanding between them.

Mr. Carnegie is now a member of the General Education Board, and the comment of Mr. Rockefeller on the fact of Mr. Carnegie's entrance into the board is strikingly suggestive both as to the idea underlying the General Education Board, which is endowed with the oil magnate's gifts, amounting to $43,000,000, and the expected alliance and cooperation of the Carnegie Foundation, which rests on some $15,000,000 of Mr. Carnegie's money. Mr. Rockefeller said, "If a combination to do business is effective in saving waste and in getting better results, why is not combination far more important in philanthropic work? The general idea of cooperation in giving for education, I have felt, scored a real step in advance when Mr. Andrew Carnegie consented to become a member of the General Education Board.

The country knows what Mr. Rockefeller means by "a combination to do business." In the Standard Oil Co.'s dialect that phrase has meant to destroy all others engaged in the oil business and then do as you please with the oil market. Shall we have that sort of method in education? Dr. Washington Gladden considers Standard Oil money tainted. Shall we have tainted education also?

The General Education Board refuses to make gifts to State educational institutions except in the matter of professors of secondary education in certain State universities, the main function of such professors being not so much with the State universities as with high schools in various parts of the several States. This fact sufficiently evinces the aim and clearly foreshadows the ultimate results of the efforts of the General Education Board in so far as State universities are concerned. The board also conducts its system of agricultural lectures in some sort of quasi relation to State schools. Beyond these two small items no gifts of the General Education Board are "intended to be given to State educational institutions."

But they do not expect to be limited to the millions of these two magnates of the steel and oil trusts. They expect millions more. Did not Mr. Rockefeller invite others to join them when he said, "The general idea of cooperation in giving for education scores a real step in advance when Mr. Andrew Carnegie consented to become a member of the General Education Board." Was there not here a sly hint to philanthropists? The hint might be expressed thus: "Mr. Carnegie and I have combined in the work of giving to education. Now, if anybody else in the United States is disposed to give to educational institutions and wishes to put his money where it will do the most good, let all such persons join our educational combination" What is the expressed object of the General Education Board? Is it not "for the receipt and disbursement of money for educational purposes"?

Mr. Robert C. Ogden in May, 1902, discussing the Conference for Education in the South, the Southern Education Board, and the General Education Board, together, said, "But a million dollars for that purpose! Why, it is a mere trifle! A hundred millions could be used, and a hundred millions will be used before the work is done." Whether he was just prophesying in general, or speaking concerning purposes then in the formative and unpublished condition, but of which he had knowledge, I do not surmise. I am sure, however, that Mr. Rockefeller and his board expect to influence other gifts to higher education, as well as to expend where they may choose the income from the huge fund which is now in their own control. In 1904 Mr. Ogden said, "It is already quite important to every worthy institution seeking private aid to be registered in the office of the General Education Board." The natural inference from this is that the board's "little colored pins" will determine even "private aid," as well as its own gifts to a college, according as that college may or may not be "registered in the office of the board." Can anyone overstate the significance of such a menacing intimation?

And let us recall again what the Outlook said about the ability of the board to control college funds which have been given by others in the past. The Outlook said: "The funds it holds represents only a fraction of the amounts which it will really control; by giving a sum to an institution on condition that the institution raise an equal or greater amount, it will be able to direct much larger amounts than it possesses."

Think of what is evidently proposed! To direct its own funds, to "control" funds given in the past, and to dominate funds that may yet be raised Here is dominion over the offerings of the dead and the gifts of the living, authority over the donations and bequests of the past, the present, and the future! Truly said the Outlook, "Its power will be enormous; it seems as if it might be able to determine the character of American education."

Let us not imagine that the General Education Board will stop with controlling the colleges. Through its allied body, The Southern Education Board, it seeks to influence public opinion and direct legislation concerning the common schools. With its professorship of secondary education, tacked on the State universities, it will project its influence into the high schools of the country. With its agricultural lectureships it will lay hold of the farmers. Then, after a time, when its Conferences for Education in the South, together with its other schemes of propagandism, have done their work, we may reasonably expect to see the old Blair bill for Federal aid to education revived—the thing that the lamented William L. Wilson drove to cover so soon as it showed its head in one of the earlier and less rigidly programmed "conferences."

While the General Education Board declines to make gifts to State colleges Mr. Carnegie's "foundation" equally refuses its teachers pensions to the faculties of colleges and universities under denominational control. As an "educational agency" its president proclaims that "its policy is not to pass on the merits of individuals but of colleges." It is manifest that by picking certain institutions whose professors may receive pensions from the Carnegie Foundation, it will give great advantage to the accepted colleges over the rejected institutions, and the only way of escape for the institutions not on its list of accepted institutions will be to revise their charters and get rid of control by the churches which founded them or to make a square fight for their lives. Some colleges have been willing to deny the church parentage which gave them birth in order to get at Mr. Carnegie's fund. For example, Bowdoin College, in Maine, received years ago the endowment of one of its professorships on condition that the fund should be forfeited to another institution whenever a majority of the board of overseers ceased to be in sympathy with the Orthodox Congregational Church, and for this cause the authorities of the Carnegie Foundation held that Bowdoin was ineligible for a place on the Carnegie pension roll. And Bowdoin has forfeited the endowment given by former friends in order to get a chance at pensions for its professors from the Carnegie Foundation. Other colleges may follow in such a course. Still others, which will not renounce their faith, may have their professors carried off to accepted colleges by the temptation of a pension in their old age. So disestablishment may be the fate of some institutions, and death, perhaps, the fate of others.

Of course, the General Education Board's denial of its gifts to State educational institutions will work a disadvantage to them somewhat like that which the Carnegie Foundation lays on church schools, and some of the State schools may be led to seek disestablishment and disconnection from all State control in order to get the aid of "the general board," as Bowdoin surrendered church connection to get on the "Carnegie Foundation."

Suppose now, that eventually, after many colleges have died and others have been wrested from any responsibility to State or church, the General Education Board and the Carnegie Foundation should unite on a "chain of colleges across the continent" independent of all authority or influence, except the control and influence of those two corporations endowed with the millions of Rockefeller and Carnegie; what, then, would be the "character of American education" as thus determined?"

After Federal aid to education is secured we may expect to see started a movement to make the National Commissioner of Education a Cabinet officer. Mr. Ogden, one of the leading spirits in all this movement, who is a member of the General Education Board, chairman of the Southern Education Board, and for many years president of the Conference for Education in the South, and the only man who is a member of all these three bodies, favors Federal aid to education in the South.

Of course, with Federal aid we must submit to Federal supervision, and, with that subjection accepted, why not raise the Bureau of Education at Washington to an executive department and make the Commissioner of Education a Cabinet officer? Probably in such an event the General Education Board, with its multiplied millions and national following, would have something to say about who should be chosen for the position of Secretary of Education. It could then fulfill the Outlook's forecast when that periodical said of this General Education Board, "It can do in many ways what the Government does for education in France and Germany."

The General Education Board in the final outcome may adopt the suggestion of Mr. Charles A. Gardiner, of New York, which is really the logical conclusion from the premise of Federal aid to education. He advocates endowing "the National Bureau of Education with supervisory powers, so that it can make education compulsory, fix the courses of study, and direct instruction in any channel—industrial, intellectual, moral, or religious—that the citizenship of any locality may particularly require."

Then, too, the school question in California with reference to the Japanese, as well as that of the South with reference to its race question, could be dealt with nationally, which I dare say many of the educational agitators, who look at the South as missionary ground calling for their altruistic evangelism, would be glad to see.

(By the way, the General Education Board has reason to look after that Japanese issue in California, for in the published lists of its securities, as reported to the Department of the Interior at Washington under the requirement of its Federal charter, it appears that the board holds over $500,000 of Imperial Japanese Government bonds. In that list of securities also appears over $4,500,000 of the bonds of the Steel Trust and other interesting stocks and bonds.)

It is manifest that there is a clearly defined purpose to centralize the educational work of the country under a huge "educational system," of which the General Education Board will be both the author and the finisher. Such a scheme is full of perils to the Nation, and especially to the South, a section upon which the gaze of this board is fixed as upon a helpless minor needing its guidance, or a benighted sinner needing its missionary efforts. It has been by some considered unfortunate (to state the case mildly) that Mr. Rockefeller's Standard Oil Co. controls the character and cost of the light for the poor man's body; but that is as nothing compared with an effort to control the education of the country, which is the light for the minds of both present and future generations.

We have already concentrated wealth and a tendency to centralize the Government. If now education be centralized also, and directed by a coterie of 15 men called a "General Education Board," we may prepare to see the entire character of the American civilization, as well as the character of American education, determined for us by our masters, the trust magnates and their followers. They may consider that it is all for our good, and that they are very wise and benevolent masters, better able to direct and control the American people than are the people themselves; but one may be permitted yet to doubt that such is the case without laying one's self liable to indictment for treason.

But some will say, "What are we going to do about it? The thing is already done. Tell us how to make the best of a bad situation, which had developed before we knew it, and in which we seem to be helplessly and hopelessly involved."

Of that phase of the subject I will speak in my next communication. For the present it is enough to say our case is not hopeless, unless our colleges can be bought with a mendicant's dole and our people can be misled by "conference" declamations and dazzling promises of possible donations from the office in New York in which "the little colored pins" mark the rise or fall, the life or death of colleges according as they please or displease the executive officers of the general executive board.

WHAT CAN BE DONE AND WILL BE DONE.

The adversities which our southern colleges suffered during the war and the reverses they met during desolating years of the period of reconstruction have put our institutions of learning relatively far behind those of other sections in the matter of financial strength. The South has, therefore, many of the smaller institutions of the country which are hampered by narrow means, and for this cause our colleges and universities can be more easily dominated by the methods and gifts of the General Education Board. Such universities as Harvard and Yale can not be so easily tempted with promised gifts, because they are already very rich.

But while such is the case with our institutions of learning, their condition is not so nearly hopeless as to justify despair concerning them, or to excuse a mendicant attitude toward this General Education Board to save them. They are quite able to maintain themselves in an attitude of serene independence of the General Education Board, the Carnegie Foundation, and all their allies.

In the South the colleges and universities for white students, not to mention our secondary schools and the colleges for negroes, are worth above $36,000,000. This large sum has been accumulated in the main since the war, and it has come from the contributions made by our own people struggling with their poverty and from the gifts of such noble men as George I. Seney and others of like mind, who came to our help without attaching humiliating conditions to their generous donations or seeking to dominate our institutions by the methods of their giving. We can not hope to receive from this General Education Board any amount comparable with what we now have in our own right and which we administer without impertinent direction from without. Why should we allow the smaller investment of the General Education Board to determine the direction of the larger amount which we already have? Shall a minority stockholder assume airs of superiority and undertake to tell us what course shall be followed in the administration of our educational funds? Shall we not say to one who approaches us with a little wad of money and a big amount of authority, "Your money perish with you. We are abundantly able to take care of our own affairs?"

The whole attitude of the General Education Board toward the authorities of our colleges and universities is one of distrust. Trustees and faculties are not be trusted "to insure the best application of money," and hence the board's complex conditions and complicated requirements affixed to its gifts. They can not be trusted so much as to determine the final locations upon which colleges are to stand; the board is to "look over the whole territory of the Nation" and settle where institutions shall live and where others shall die. These 15 sages who are its managers, running over the lines described by "the little colored pins" in the board's office in New York, it is assumed will know better what should be done in this matter than all the boards of trustees and other college authorities in the land. They have also made up their unerring minds to the effect that the imparting of theological instruction in colleges is to be discouraged, discounted, and discredited, and that no money furnished by the board or raised under the stimulation of its conditional gifts shall be used for any such unworthy purpose. Such an assumption of superior wisdom is positively sublime if it were not ridiculous.

That representatives of southern colleges are looked upon as a mendicant lot has been but thinly concealed by the leading spirits in this movement. Perhaps some of our college men have justified by their posture the depreciatory view entertained concerning them by their northern patrons. One of the ardent supporters of this educational movement thus described some who flocked to the meeting of the Conference for Education in the South which met at Athens, Ga., a few years ago:

"Unfortunately for Southern reputation for good breeding, there was at the Athens conference, for example, a swarm of educational and institutional mendicants who seemed to imagine that every Northern man was a millionaire philanthropist waiting to be informed about the pressing needs of the South. They disgraced themselves at the time."

If there were at Athens any considerable number of men who thus disgraced our section, the fact is a symptom of a disease among our educational authorities which can not be cauterized and cured too quickly. What must be the degrading influence upon the students of our colleges if teachers and trustees thus prostrate themselves at the feet of supercilious wealth and arrogant opulence No degree of poverty can excuse such mendicancy. We do not need money for our colleges so badly that we can descend to such methods to obtain it.

In truth we do not need to beg anybody to pay for the education of our sons and daughters. We are quite able to attend to that matter ourselves. We have not as many rich men and women among us as other sections have; but we have some people of means, and they owe it to themselves and to their section to take the lead in endowing and equipping our colleges so as to enable them to do their work well without coming under obligations to strangers. I would not have our people of wealth to do all that is needed; it is not best for the freedom and independence of a college to come under too heavy obligations to any one man or woman. If the late Jay Gould had founded or endowed a college, it would have been next to impossible to have warned successfully the students of such an institution against the evils of stock gambling, just as the institutions which draw their support from the funds of "general education board" will be impotent to condemn effectively the iniquities of the Standard Oil Co. or the enormities of the protective tariff from which the Steel Trust has drawn its countless millions. In the case of Prof. Bemis, at the University of Chicago a few years ago, the country had a sample case of what becomes of a professor of political economy whose teaching fails to agree with the views and interest of the man who founds and maintains a college all by himself. We want no such institutions in the South. We want our colleges to be dependent upon the people whom they serve, and under no commanding obligation to any one man, however wise and virtuous he may be.

While, therefore, our rich men and women must lead in the work of endowing and equipping our institutions of higher learning, the bulk of the great work must be accomplished by the generous cooperation of all the people. Our people of moderate means, by a multitude of smaller gifts, must follow the lead of our wealthier people with their larger donations in putting our colleges beyond want and beyond the temptation to mendicant subjection to the ambitious General Education Board striving to "determine the character of American education."

In truth it would not be best for our colleges to grow in wealth faster than the people whom they are set to serve. If one of our institutions should be made suddenly as rich as Harvard or Yale the scale of living at such a college would so quickly rise that its benefits would be put beyond the reach of most of the people among us who seek college training for their sons. Free tuition would not offset the rise in the price of board and the increased social expense which would instantly spring from such sudden enrichment. Our colleges need help and much help, but they do not need to get above our people.

In addition to all these considerations must be enumerated another asset which we have by which our case is greatly relieved. We have self-sacrificing educators among us upon whim we may rely with confidence to spurn all seductions which lead in the direction of enslaving our institutions of learning to the dictatorial domination of the General Education Board. They can not be bought. Many of them are in the colleges of the churches, which the methods of both the General Education Board and the Carnegie Foundation tend to depreciate and discredit. Here is a force which millions can neither buy nor vanquish.

The New York Commercial of March 8, in commenting on the ineffectual effort of the heads of Brown University, Vanderbilt University, Kenyon College, and a dozen other institutions which were trying to get the restrictions of the Carnegie Foundation so relaxed with reference to denominational disabilities as to get on that pension fund, said: "It is significant that no Catholic college president is among those who now seek to have the denominational restriction ignored." The explanation of this significant fact is found in a note written by the prefect of studies of St. John's College, Brooklyn, to the president of the Carnegie Foundation, in which he said:

"You will not be able to understand how this institution is maintained almost without revenue. The explanation is the self-sacrifice of 20 men who devote their lives to the work without remuneration. These men do not, as far as I know, expect any assistance from the Carnegie Foundation. Whether they will be eligible or not will be a matter for you to determine. In any case, they will probably never accept any assistance from the foundation."

Certainly the colleges of the Roman Catholic Church will not come under the dominion of any secular board whatsoever, however great may be its proffered gifts or however glowing may be its golden promises. Protestant institutions and the institutions of the States should note the basis of the independence of Catholic institutions and pluck up courage for the contest with the board which seeks to "determine the character of American education." Their faculties are as rich in self-sacrifice as the faculties of Roman Catholic colleges, and with such an asset in their possession they may bid defiance to all opposition.

The hope of the country at last will be found in the small colleges which the people whom they serve support. The overrich institutions, which have become independent of all civil and ecclesiastical oversight, are not doing the best educational work now, and they never have done it. The denominational college, which these plutocratic boards so depreciate, has done more for the country than all the obese and apoplectic institutions which assume to look down upon them. Of the 17 Presidents of the United States who were college men, 12 were graduates of denominational schools. So were 6 of the 8 college men who have been Chief Justices on the Supreme Bench of the United States. Webster came out of Dartmouth College when it was denominational to its core, and Longfellow came out of Bowdoin before that institution renounced its faith in order to get on the "Carnegie Foundation." Hawthorne, Sydney Lanier, John Hay, Elihu Root, John C. Calhoun, Alfred H. Colquitt, L. Q. C. Lamar, and the present Secretary of State all came from church schools. The denominational college can safely compare products with the output of any secularized or subsidized institution.

Moreover, the small colleges of both the States and the churches have endowments in the annual gifts of their constituencies, which the endowments offered by "The General Education Board" can in no wise equal. For example, the Methodists of Georgia give to Emory College annually about $5,000, which is equivalent to the interest on an endowment of $100,000. The State of Georgia appropriates to the university at Athens far more than this. Why should these gifts of our own people be subjected to the domination of any outside authority? Why should our educators stand like medicants with hats in hand for small gifts from alien sources when they have such constituencies behind them? Why should we despair of our colleges, and ignobly surrender our educational independence and academic freedom for a conditional gift from the "General Education Board," or a professor's pension from the "Carnegie Foundation?" Why should we barter away our birthright for a mess of pottage from the predatory trusts?

We are in no danger unless we can be bought. We are not in desperate straits unless our people are desperately mean-spirited and mendicant. I can not think so ill of my people. They are not going to sell out or surrender. They are going to take care of their own colleges and preserve their own civilization. They will do this at all cost, and cost what it may our people are well able to pay the bill.

It is a time for large views and courageous self-sacrifice, for fearless fidelity and daring generosity. For one I confidently expect our people to resent any effort to allure their colleges away from them. They will both keep their colleges and care for them. Any other course would be unworthy of the traditions of the past and would dim all our hopes of the future.

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A DANGEROUS TENDENCY.

[From the New Orleans Times-Democrat.]

"It is to be hoped that the statement given out in Atlanta by Bishop Candler, of the Methodist Church South, with regard to the General Education Board, will provoke a general discussion of the board, its purposes, and the fruits of the system under which it works. The opinions voiced by the distinguished Methodist leader are by no means new. Criticisms of like tenor have been offered before now by others. But they gain weight and challenge a wider attention by his championship, and the movement under attack is one of those which, in our opinion, should be carefully studied and closely watched, since its possibilities for evil, if improperly influenced or directed, must be conceded to be immense.

"Bishop Candler bases his objection to the system primarily upon principle. 'It is not safe,' he contends, 'for the educational institutions of the country to be under the virtual domination of 15 men, however pure they may imagine their intentions to be. It is such a concentration of power in the matter of the highest interest of the Nation as no 15 men, however wise and virtuous, can be trusted to exercise without abusing it for the furtherance of their own views and interests. If a college seeks and obtains these gratuities, with the Rockefeller strings to them, it must consent to be guided by the rein with which these 15 men will drive it.'

"The case is here plainly stated. The fund which the General Education Board administers is largely provided by men whose interest in shaping public opinion upon certain matters of vital concern to society and to the State is very great. Whether their philanthropy serves as a cloak to attain the ends desired, or whether the plan is unselfishly conceived and the sinister influence unconsciously exerted, the effect is likely to be the same in the end.

"The gifts are hedged about by restrictions and conditions, with the education board to name them and to see that they are complied with. Every college which shares in the largess poses as a suppliant, in a sense. Not only is its policy partially directed by the board but it is additionally influenced, wittingly or unwittingly, by the desires of its benefactors. The atmosphere of classroom and campus is dangerously subject to taint; the habits of thought of its students may with comparative ease be given a twist not easily corrected. Whether the powerful engine thus created is now put to sinister uses or not the temptation to employ it is ever present, and must inevitably grow stronger as the system gathers strength and force.

"Here in the South the temptation of the colleges to seek the conditional gratuities is great, because the funds available for education are small and the need of more abundant educational facilities is pressing. In struggling schools, where the problem of maintenance is difficult, the offer of aid in philanthropic guise is naturally attractive. But no college that is worthy to live can afford to surrender its independence nor submit its policies to the guidance of any oligarchy which draws its authority and owes its existence to a few excessively rich men who have, after all, a very heavy and very practical stake in the venture. If through this agency the American colleges or the southern colleges can be drawn under the control or rendered subject to the influence of the rich men who support the General Education Board it will be only a question of time when that influence may be wrongly exerted, to the deep and lasting injury of the American people. The Times-Democrat joins Bishop Candler in the hope that 'the fewest number of our southern colleges' will ever be 'so captured and controlled.'"

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SUBSIDIZING LEARNING TO CONTROL ACADEMIC OPINION.

[From the New York Journal of Commerce.]

"A system of giving which has its own rules and customs, which is governed by principles of selection laid down in the beginning, which ramifies throughout the country and embraces especially those smaller institutions that are hampered by narrow means, is an infinitely more powerful force in the shaping of opinion than any single capitalist who makes separate and often unconditional gifts to be controlled and invested by the institutions themselves could ever be. As a mechanism for controlling academic opinion there has perhaps never been anything in the history of education that would compare with the board system of subsidizing learning.

"Gifts to education are like campaign contributions in that they are best made in relatively small amounts and from many sources. Under such circumstances they are likely to leave the recipients in position to choose their own course in matters of opinion and teaching.

"If they must be large, it requires greater force of character to maintain independence of thought and action. Such freedom has been lacking in too many quarters. The spectacle of a university president preaching the maintenance of some of the worst abuses of capitalism and another meekly bowing the knee to receive the money offered by those for whose acts he had but lately suggested social ostracism as a penalty is not edifying. Instances can be given in abundance where the mere prospect of an immediate gift has changed the whole current of a college administrator's thought and made him trim his sails on an entirely new tack to catch the favoring breezes of prosperity. The craze and competition for large numbers of students has greatly crippled those who would uphold the older traditions of independent economic thinking. Increasing numbers mean increasing expense in college administration and lead to growing dependence on wealth of doubtful origin. This, among other reasons, is ground for thinking the enormous benefactions of the past few years, whether as pensions, endowments or annual gifts to colleges, may put our academic thinkers into a moral strait-jacket at the same time that they are freed from the cramping influences of limited means."

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A STEP TOWARD THE GREATEST EVIL THAT COULD BE INFLICTED ON THE COUNTRY.

[From the Manufacturers' Record, Baltimore, Md.]

"The open combination of Mr. Carnegie and Mr. Rockefeller in an 'educational' enterprise, thus representing an aggregation of $60,000,000 or $70,000,000, which, according to the same argument of the Outlook, applied to one phase of it, 'represent only a fraction of the amounts which it will really control,' is a 'real step in advance,' as Mr. Rockefeller styles it. But it is a step in advance toward the greatest evil that could be inflicted upon the country. Unchecked, it will result in an education that will train coming generations away from basic principles of American life and cripple them in character.

"Control, through possession of the millions massed in the Educational Trust, of two or three or four times as many millions of dollars in education makes possible control of the machinery and the methods of education. It makes it possible for the central controlling body to determine the whole character of American education, the textbooks to be used, the aims to be emphasized. Operating through State, denominational, and individual systems of schools and colleges, it gives the financial controller power to impose upon its beneficiaries its own views, good or bad, and thereby to denominate public opinion in social, economic, and political matters. For it would dominate the source of public opinion, the educational system of the country. Only a band of angels never subject to the weaknesses of human nature would be fit to exercise such power wisely. Angels would be strong enough to resist the temptation to exercise it at all."

DEMORALIZING DEPENDENCE.

[From the Springfield Republican.]

There are those who still hold the idea that but for these great individual fortunes and their benefactions society would be worse off than it is in educational and philanthropic work. Such a theory is wholly untenable—that the people generally can not be trusted properly to appreciate the importance of education and other effort for the elevation of the race and the amelioration of the general conditions of living or to contribute adequately to their support; it is only true that the people will be laggard in support of such efforts when a comparatively few towering fortunes exist, able and willing to be leaned on for these needs. Then we may expect communities and institutions to develop a mendicant attitude and turn from self-help to help from beyond, which flows down as if from some superior source that is to be held in worshipful consideration. How socially demoralizing this must be no one can fail to understand.

This booklet was written in 1909. It shows the activities not only of the Carnegie Foundation but the activities of the Rockefeller Foundation, and the work of the two along different lines, one operating against State institutions and the other working against sectarian institutions, is having the effect of putting the small institutions like that represented by Bishop Candler out of business. These smaller institutions can not compete with those patronized and favored by these millionaire foundations.

Then, in addition to Bishop Candler's letter, I have a letter from President J. W. Crabtree, of the normal school at River Falls, Wis., taking practically the same position. I ask permission to print it, and so forth. It is as follows:

RIVER FALLS STATE NORMAL SCHOOL,
River Falls, Wis., February 5, 1917.

Hon. GEORGE E. CHAMBERLAIN,
Washington, D. C.

DEAR SENATOR CHAMBERLAIN: I am writing to thank you for the great service you have rendered to democracy in education by securing the passage of your resolution ousting from service in the Federal Bureau of Education all who are receiving pay, directly or indirectly, from educational foundations. I notice that in the views expressed by Senators in their speeches that this action was taken because of the belief that the foundations are making a conscious attempt to affect the thought and ideas of future citizens and to direct the public-school policies of the Nation. I personally hold these same views, and hence approve heartily of the action taken.

I do not think the National Commissioner of Education should be censured, because it has been the practice of educational institutions, not only of private colleges but of State universities, also of State commissioners of education, city and State boards of education, to accept financial aid and other help from educational foundations.

This has been done extensively and with public approval. Only during the last few years has it become evident that these foundations were attempting to shape public sentiment and to direct the public-school policies of the country. The Commissioner of Education should be very thankful to you and to the other Senators who have taken hold of this matter and pushed the resolution through the Senate. If he is not grateful for this, then I shall lose a lot of respect for his judgment and leadership. We had better have fewer reports and inferior reports than to permit these foundations to gain prestige by Federal recognition. We can well afford to get along without their pamphlets and bulletins sent out under Government cover. It will pay to use even much more money than the foundations now pay for us than to extend the franking privileges to them in their investigations and in mailing out their reports made for us, when coupled up with their charity we so clearly observe deep-seated, reaching-into-the-future design.

Possibly you will be interested in the following resolution passed by the normal-school section of the National Education Association at the St. Paul meeting in 1914:

"We view with alarm the activity of the Carnegie and Rockefeller Foundations—agencies not in any way responsible to the people—in their efforts to control the policies of our State educational institutions, to fashion after their conception and to standardize our courses of study, and to surround the institutions with conditions which menace true academic freedom and defeat the primary purpose of democracy as heretofore preserved inviolate in our common schools, normal schools, and universities."

Many educators throughout the country are of the opinion that these foundations have a good deal to do with the naming of university presidents and with the naming of men for some other very important places. Were I to desire a university presidency, or were I to desire a promotion to a better position than I now hold, I am firmly of the opinion that I would greatly enhance my chances of such position or promotion by getting the foundation interests behind me. And boards of regents are helpless in this matter. Should the regents ask the president of Columbia University or the president of any one of four or five other great leading institutions supported by predatory wealth, to recommend a president, some man would certainly be named for the place entirely satisfactory to the foundations. Should the regents ask any one of several of the presidents of certain of our leading State universities, the name first suggested would very likely be entirely satisfactory, at least that is the way many of us educators believe this matter works. The president of the Ohio University and a very few others are bitterly opposed to foundation plans and policies.

If it is true that these foundations are making conscious effort to control public-school ideals, as you believe, and if it is true, as I believe, that, in their giving pensions, giving men jobs in surveys, aiding men in securing desirable promotions, and in giving others help and preferment, they are doing these things simply to increase their prestige and to give them recognition which will enable them to outline and direct everything fundamental in public-school affairs, then this Senate action is a most fortunate deliverance for our cherished democracy in education. I do not believe our Government can afford to go into partnership with Mr. Carnegie, Mr. Rockefeller, or still worse, with their paid agents, on a thing so vital as that of shaping the school policies of our country.

In regard to the free foundation surveys throughout the country, the fact that the funds are provided by the predatory interests through these foundations naturally arouses suspicion. What do we give the predatory interests in return?—is a fair question. Possibly more of a share in shaping our educational policies than we are aware of. It is certainly an easy matter in conducting a survey to find a fact basis for all conclusions previously decided upon and to substantiate nothing which is not in absolute harmony with the standards and ideals of the paid officers of the foundations. Perhaps the chief reason the Carnegie foundation is repudiating its pension scheme is because the survey club accomplished more rapid and certain results than the pension club.

There are two kinds of government—the one handed down from above, and the other coming through the people. Corresponding to these two theories in government are two policies in education. The one which is handed from above is plutocracy in education, and the other is democracy in education. It stands to reason that a foundation leadership would develop plutocracy in education rather than democracy in education.

I have wondered whether this drastic resolution of the Senate was not hastened by the announcement in the press of the beginning of a great movement under the auspices of the foundations and financed by them, to revolutionize elementary and secondary education in America. I have also wondered whether the action taken by the Federal Government will not interfere seriously with foundation plans of surveying State normal and other teacher training schools of the country. The fact that the Senate looks upon this gratuitous surveying and other work of the foundations as a most serious menace to democracy in education in our public schools, will doubtless make it embarrassing for any State superintendent, State board of education, or even city board of education to make use of foundation men or foundation money for these surveys of teacher-training schools or of the teacher's work in the public schools. In other words, this action of the Senate would seem to be far-reaching in its effects.

It is expected that friends of the foundations will attempt to secure the passage of a resolution at the February meeting of the department of superintendence at Kansas City requesting the United States Senate to reconsider its action, so as to enhance the interests of education by the use of the foundations' millions. It is not believed, however, that any such resolution will pass. The pension club can hardly be used on the membership of this particular department. We do not admit that educators are purchasable, but if the foundations do expect those who have directly or indirectly received pay from them to stand for this resolution, what about those who have not received pay? If they expect help from men who secured promotions through their aid, what about the larger number of men who have not received special favors from them? I think the department might very properly request Congress to make larger appropriations for the bureau of education.

It seems to me that the Senate having cut the connection higher up, educators might render a valuable service by standing in the way of connections being formed between the foundation and school authorities lower down. I firmly believe this will be done.

I glory in the fight you are making and even wish that you may push the matter still further.

Very sincerely, yours,

J. N. CRABTREE, *President.*

These are brave and patriotic men who are willing to beard the lion in his den and undertake to oppose the activities of both of these foundations. It is up to the Congress of the United States to apply the ax to the root here and now, and until it has been developed that these activities are perfectly proper stop them for all time.

Mr. FALL. Will the senator yield right there?

Mr. CHAMBERLAIN. Yes, sir.

Mr. FALL. We have under consideration now the farm demonstration work in the Agricultural appropriation bill and the people who are being assisted by the arrangement which has been entered into. Putting the ax to the root, as the Senator suggests now, cuts off all the farmers' clubs of the Southern and Western States, for instance, and puts a stop immediately to work of that kind until a reorganization could be brought about. Would not the Senator be inclined to think it best to provide affirmatively some method by which this work can be continued before putting the ax to the root?

Mr. SMITH of South Carolina. Will the Senator from New Mexico allow me? On page 69 of the pending bill I call attention to the language as it was enacted in 1914 and reenacted in this bill:

For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, $659,560: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of business men, business organizations, and individuals within the State.

That was enacted after the Senator from Iowa had called attention to the very matter he is now attempting to have the Senate legislate upon. It seems to me that this provision takes care of it, and since 1914 it has been operative along the very lines the Senator from New Mexico suggests.

Mr. KENYON. In addition to that there is a provision on page 69 for farmers' cooperative demonstration work outside the cotton belt, $578,000. So the bill carries practically $1,200,000 for farm demonstration work.

Mr. FALL. I had no intention of getting into a controversy at this time. I was simply asking the Senator from Oregon a question. I propose to speak in my own time on this matter, and then I will be glad to answer any question that may be asked me.

Mr. CHAMBERLAIN. I say when distinguished Senators here are influenced by the small doles given out by these great

institutions to aid the farmers, amounting to less, I venture to say, than the Government has appropriated in the bill now pending for that purpose, how can it be expected that men who have given their lives to instructional work in the educational institutions of the country, who have passed beyond middle life, and who have not been able to save a dollar from the salaries paid them, will turn down a competency at the hands of these institutions, by simply following the suggestions that they make, which are not wicked suggestions at all, but directions in contravention of the American system?

Mr. FALL. I shall reply to the suggestion of the Senator as to the influences being brought to bear when I have the opportunity.

Mr. CHAMBERLAIN. The Senator will understand I do not mean any improper influence. I have too much regard for the Senator to suggest anything like that; but the Senator is suggesting that we ought not to interfere, that we ought not to apply the ax now when some of these moneys are being paid to farmers of the country, that we should wait until the whole thing can be reorganized and the actual condition arrived at.

Mr. FALL. My answer to that is that I am not in favor of destructive legislation if constructive legislation is necessary. If investigation shows that something should be done to take the place of what is being properly done now, before applying the ax at the root of anything, the Congress of the United States owes an affirmative duty to give some consideration to the status of affairs at this time. I am just as thoroughly and heartily in favor of the contention of the Senator as he is himself.

Mr. CHAMBERLAIN. I believe that.

Mr. FALL. I will go just as far as he will in this matter.

Mr. CHAMBERLAIN. I have no doubt of that.

Mr. FALL. I intend to refer to that later, but I will not interrupt the Senator now.

Mr. CHAMBERLAIN. I feel that every Senator, when he realizes just what this means to the country, will feel about it as I do. We all want to do what is best for the American people; but, Mr. President, as the Senator from South Carolina says, we are appropriating a large sum for this very purpose now. If the work is worth doing at all, it is worth doing by the Government itself, so that this influence can not go out and impair the life of our country.

Mr. FALL. Mr. President, will the Senator yield to me for merely one moment?

Mr. CHAMBERLAIN. Yes.

Mr. FALL. I understood the suggestion of the Senator, but the Senator does not know how the money is being used. There is no one in the Senate who can tell the Senate of the United States whether this work is being kept up by the use of these funds or not. If the Senator from Oregon has any statement to show that the work which was being done prior to the adoption of the amendment in 1914 is being continued under the provisions of the pending bill, and that the status is not being upset in any way, that is a different proposition; but we have as yet had no light thrown upon it at all.

Mr. CHAMBERLAIN. The Senator from Iowa [Mr. KENYON] this morning had printed a list of over 500 names in the RECORD, which shows the particular bureaus in which they were employed.

Mr. FALL. Nearly every one of those named, as I understand, is a county demonstrator. They are being paid by these people, just as they were some time ago; at least half of their salaries is paid by the county or by the State, and the balance of it is paid by some provision of the foundation.

Mr. CHAMBERLAIN. If that be true, I will say to the Senator that they are not interfered with under this proposed amendment.

Mr. FALL. I think they are; that is where the Senator and I disagree.

Mr. CHAMBERLAIN. Then I suggest to the Senator from New Mexico that if the amendment proposed by the Senator from Iowa is not broad enough to do what he desires to do and what he says he is willing to do that he himself suggest an amendment.

Mr. FALL. The Senator from Oregon does not understand the point that I am making. You appropriate a certain amount here; but unless you direct that a portion of this appropriation shall be expended to make up the difference which is now being paid by, we will say, the Rockefeller Foundation, then you lose one-half of the work, although you may even put millions of dollars of additional appropriations in the bill.

Mr. CHAMBERLAIN. I think I understand the Senator perfectly well; but I say that if there are some men that are getting nominal salaries from the Government, but who are really getting their salaries from some outside agency, I think they are protected under the very terms of the bill, and they can go on and get their money, just as they are doing now, and can do the work which they now do.

Mr. FALL. The Senator does not yet understand. The Government will pay one of these demonstrators, for instance, $1 per year; the county will pay him $50 per month; and the Rockefeller Foundation will pay him $50 a month. You are not making an appropriation to take up their portion of that $50 of that salary, as I understand it. If you are, and if you can show me you are doing so——

Mr. SMITH of South Carolina. If the Senator from New Mexico will allow me, I desire to say that in the program of work of the United States Department of Agriculture for the fiscal year 1917 it goes into details and shows how this money is being used. I think that if the Senator will get a copy of this work and will turn to page 406, under the heading "Farmers' cooperative demonstrations in the Southern States and in the Northern States," he will be satisfied that this work that he is so anxious about, since 1914, when this provision went into effect restricting the use of this money to the Government appropriations, has not suffered at all.

Mr. FALL. The Senator from New Mexico has certainly sought for all possible information upon this subject from the Senator from South Carolina, the Senator who is the author of this bill, and other Senators here, and he has only now had his attention called to this particular report, of which the Senator from South Carolina speaks. I would like to have an opportunity to investigate this matter somewhat before there is prohibited absolutely the continuance of certain work, which I am afraid will be prohibited by the passage of this act.

Mr. SMITH of South Carolina. I should like to state to the Senator that since 1914 the work has gone on as thoroughly as it did before the prohibition which I have just read was placed in the law; the cooperation has been just as extensive, as is evidenced by this report, and I think that the fear which the Senator from New Mexico has expressed that the amendment offered by the Senator from Iowa might have the effect of cutting down the appropriation, simply emphasizes what is already in the bill. The only place that I could suggest that the amendment of the Senator from Iowa would at all affect the operation of the law now would be placing his amendment just after the appropriation made for the Northern and Eastern States. After the amount allowed for farm demonstration work in connection with the ravages of the boll weevil the restriction is placed, but on the appropriation of $578,240 there is no restriction as to what may be done.

It seems to me, however, that if the same language which occurs in the paragraph providing for farmers' cooperative demonstration and for studying and demonstrating the best method of meeting the ravages of the cotton-boll weevil—if the restrictive language which occurs in that paragraph should occur in the paragraph relative to farmers' cooperative demonstration work outside of the cotton belt the object the Senator has in view could be attained and not interfere at all with the splendid work which is being done in his State, in my State, and in every other State by means of this appropriation and under the restriction.

Mr. FALL. We are taking up the time of the Senator from Oregon [Mr. CHAMBERLAIN], and for that reason I have expressed myself two or three times as not desiring to do so, unless with his consent——

Mr. CHAMBERLAIN. I yield to the Senator from New Mexico.

Mr. FALL. The trouble is this: Either you are cutting off the work which is being done by the Agricultural Department by this amendment or you are not. If you are cutting off the work which is being done through the cooperation with the Rockefeller Foundation, then you should enact something affirmative to take the place of it. If you are not interfering with any such necessary work, then there is absolutely no necessity for the adoption of the amendment. That is all there is to it. There can be, to my mind, no answer except by showing the facts.

I will say to the Senator from Oregon that, while I have said that I was heartily in favor and am thoroughly and sincerely in favor of his general proposition, I have received telegrams on the subject from all over my State—from chambers of commerce, from county agricultural agents in the different counties—and I may say that I have been told by numerous other Senators that they have telegrams here from Wyoming and other States; and I think the Senator who is the acting chairman of the committee has had numerous similar telegrams, I do not know how many, in his possession; but I have had over 100 from the agricultural college of my State, from those representing the extension work, from chambers of commerce, from boards of trade, from bank-

ing institutions; and the protests are coming in from all over my section of country, where this work has just commenced. You have had this work in the South and you have had it in other portions of the country, but it is just commencing in the Southwest. These telegrams are all protesting against this proposed legislation. I want to know something about it, some reason for it, or this amendment will never be adopted nor will the bill be passed with my vote.

Mr. KENYON. Mr. President, I should like to ask the Senator from New Mexico the date of the telegrams of which he speaks? Were they all sent here last night?

Mr. FALL. No, sir. They are dated February 5, February 3, February 5, February 5, February 6, February 5——

Mr. KENYON. I do not care to have the Senator read the dates of all of them.

Mr. FALL. Their dates run from the 2d to the 5th or 6th of February, I will say to the Senator from Iowa.

Mr. KENYON. It is difficult to understand how these telegrams can refer to the amendment which I have introduced, as I did not introduce the amendment until last night before the Senate adjourned, when I had it printed.

Mr. FALL. I think I can explain that matter to the Senator, because I have myself been anxious, and I have sent two or three telegrams out there in the endeavor to ascertain what was the cause of this uproar and why these protests. Those people seem to have an indefinite idea about it. While they did not exactly know about the tendency of the amendment which has been proposed by the Senator from Iowa, their attention had been attracted either by the debate or the explanations accompanying the amendment to the legislative appropriation bill. That has started the whole thing. They have learned that there was going to be such an effort, and I think, if my memory does not fail me, at that time the Senator from Iowa suggested that he was going to offer an amendment on the subject to the Agricultural appropriation bill. I know the suggestion was made by some one that it would be offered, and that information has gone out all over the country. The people do not know exactly what the amendment is, but they think that it means an attack upon these foundations.

Mr. SMITH of South Carolina. Mr. President, I want to say to the Senator from New Mexico that I believe——

Mr. CHAMBERLAIN. I should like to proceed with my remarks and get through.

Mr. SMITH of South Carolina. If the Senator will allow me, I investigated and ascertained that since 1914 the law has practically accomplished what the Senator from Iowa is now seeking to accomplish. It is my information that since 1914 we have had satisfactory work. I suspect that the Senator from New Mexico is correct, that the people to whom he refers were somewhat solicitous about amendments which might be offered to the pending bill.

Mr. FALL. The point that I am making, Mr. President, is that if the law of 1914 has accomplished this purpose——

Mr. SMITH of South Carolina. It has.

Mr. FALL. Then there is no necessity for any further legislation along that line.

Mr. SMITH of South Carolina. In my opinion it has accomplished the purpose.

Mr. FALL. Then I agree with the Senator——

Mr. CHAMBERLAIN. Mr. President, I believe I have the floor, although I have not occupied it for a good while.

Mr. FALL. I beg the Senator's pardon. I apologized to him for taking up his time.

Mr. CHAMBERLAIN. That is all right; I am glad to have the Senator divide the time with me.

Admitting, Mr. President, for the sake of the argument, that what the Senator has said be true, that no matter which horn of the dilemma we take, it will result in cutting off some of the activities in farm and other demonstration work in cases where part of the pay, at least, comes from these outside sources, I say cut them out. I would rather cut them out and wait a little while for knowledge as to the the exact situation than to let this practice continue any longer.

Mr. President, I ask permission to have printed in the RECORD without reading an editorial from the New York Times of a few days ago as a part of my remarks. It is so apropos of the present discussion and in line with my view.

The PRESIDING OFFICER. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

[From the New York Times.]

RADICAL AND DANGEROUS.

The General Education Board announces that it will give its support to "an experiment in the education of youth in this country which, if successful, will mean practically the complete modernization of elementary and secondary schools." The Teachers' College of Columbia University is to be made the experiment station for carrying out the plan. It is an undertaking to which educators, universities, colleges, and all who are interested in the training of youth should at once give their most serious attention, because, in the first place, the theories which the experimenters hope to apply to the educational system of the country are radical and subversive of a very great part of what we hold to be sound and worthy in our present system of training, and for a second reason, because there is marshaled in support of this experiment and these theories the incalculable force of the $35,000,000 controlled by the General Education Board. The experiment will be carried through, said a member of the board, "whatever it costs." Therein, we think, lies a visible peril to the educational interests of the country.

The theories which will be applied and worked out in the experiment at Teachers' College are those set forth in Dr. Abraham Flexner's "A Modern School" and in President Emeritus Charles W. Eliot's "Changes Needed in Secondary Education." The guiding principle is that education is to be "better adapted to the needs of common life than is the curriculum now in common use." Latin and Greek, of course, disappear. "The school will frankly discard that theory of education known as 'formal discipline.'" Dr. Flexner has said that "the modern school will drop the study of the subject of grammar." We suppose there will be no grammar at Teachers' College. The study of literature and history, it appears, will not be totally abolished, but "new methods of teaching" them, together with "civics," will be tried. A curious concession to old prejudice is made in the statement that "efforts will be made to ascertain whether the important ancient classics can not be effectively used in translations."

The modern languages will be "stressed"; science, industry, and the domestic arts will be prominent throughout the school; "a rational course of study which connects the study of mathematics with its use" will be worked out; and "by means of pictures, lantern slides, charts, maps, shop and laboratory, special reading matter and discussions to give the pupils sufficient contact with their industrial, social, economic, vocational, and domestic environment so as to derive the basis for their school work from real situations," an attempt will be made to make the school work of the pupils "constantly real to them."

This is bread-and-butter education, and nothing else. In the general board's program and in the indicated course of study there is not a trace of anything tending to the development of character. There is nothing that would lead us to suppose that the graduate of the "modern school" would have in his mind any ideas, any general ideas, any ideas at all above or outside the realm of his daily tasks. One who uses the word "culture" in discussing these modern theories of education must take heed to himself, for when that word is spoken the educational modernist becomes dangerous—habet foenum in cornu. But we make bold to say that young men and women trained in this manner would be as destitute of culture as a Hottentot. Imagination will be cramped and stunted, knowledge and enlightenment abridged and shorn of those intellectual pleasures and satisfactions which make them a rich possession. The modern scholar, if these theories prevail, will be a man profoundly versed in automobiles, steamship contruction, bridge building, microscopic analysis, chemical reactions, hydraulics and hydrostatics, and the uses of electricity for lighting and heating; while the young woman who enjoys these priceless early advantages will be able to build and operate a creamery, run a sewing machine, direct the installation of a domestic heating plant, and preside over parlor meetings of ladies ardently pursuing the study of "civics." Neither of them will have an idea or be able to form an intelligent opinion upon subjects not directly related to gainful pursuits.

Unblushing materialism finds its crowning triumph in the theory of the modern school. In the whole plan there is not a spiritual thought, not an idea that rises above the need of finding money for the pocket and food for the belly. There is nothing that would implant in the mind of ingenuous youth the thought that there was anything worth while ouside the shop, the market, and the laboratory; that of the vast accumulations of human thought any part is worth preserving save that which directly relates to making a living. We know that Latin and Greek have pretty much gone by the board already. It is useless to give way to lamentation. Not to everyone is it given to rise with Pindar when he "soars with steady eyes against the sun," but we may confess to a feeling of amazement and have a right to question the soundness of the general board's judgment when it deliberately proposes, having dropped the study of Latin and Greek altogether, to ascertain "whether the important ancient classics can not be effectively used in translations."

On all these points there is room for discussion. The theories set forth in Dr. Flexner's "A modern school" have many advocates. As a member of our Board of Education Dr. Flexner has done work of the greatest value. His views upon the administrative side of education are entitled to great weight. Of Dr. Eliot no one can speak save with profound respect. But we may point out that the extreme theories he applied at Harvard based upon the assumption that the interest of the student was a safe guide in the choice of studies, upon a wide application of the elective principle, have much less place in the policy now in force at Cambridge than they did when he was president. Harvard, indeed, has bestirred itself to get away from some of his theories. Yet we now see the General Education Board adopting apparently in their extreme projection the theories of Dr. Flexner and of Dr. Eliot and submitting them to the test of an experiment which, if successful, "will mean practically the complete modernization of elementary and secondary schooling" in the United States. This means a revolution in our whole educational system, since if primary and secondary schools apply these theories colleges and universities will be forced to adopt them. It is a matter for instant inquiry, for very sober consideration, whether the General Education Board, indeed, may not with the immense funds at its disposal be able to shape to its will practically all the institutions in which the youth of the country are trained. In an article treating of these theories and published in the Atlantic Monthly for November Mr. Alfred E. Stearns said:

"Just now the strength of this pressure is greater than ever before, backed as it is by educational authorities and foundations whose ability can not be questioned and whose financial resources enable them almost to force upon the public the acceptance of the ideals they advocate."

There is a vast compelling force in $35,000,000. Without exception colleges need money. If a college makes bold to hint to those charged with the disbursement of the General Board's funds that it could make good use of, say, $200,000, conceivably the board might reply

that if the college would consent to make some changes in its curriculum, if it would discontinue certain effete branches and show greater kindness for the theories of the modern school, the matter might be considered. Faculties might resist, but trustees, possibly, would be inclined to yield. At any rate, the danger is actual, present; it seems to us to be very great.

Where does the General Education Board get its authority to impose its views as to courses of study upon the teaching body of primary, secondary, or higher educational institutions? Where is its authority to enter upon experiments "which, if successful, will mean practically the complete modernization of elementary and secondary schooling, whatever it costs"? The General Education Board was incorporated by the act of Congress, approved on January 12, 1903. The objects of the incorporation were: "The promotion of education within the United States of America without distinction of race, sex, or creed." In section 3 of the act the board is empowered to do many things. It may "establish, maintain, or endow elementary, primary schools, industrial schools, training schools, normal schools, training schools for teachers or schools of any grade or higher institutions of learning." Nowhere do we find that the board was vested with authority to spend money and use its influence for the "modernization" of education or to control or to have anything to say about the curriculum of any college or the course of study in any school. It would appear that in its experiment the board has ventured outside its field, that it has exceeded its powers under the act of incorporation. Whether that be true or not, the announced aims of the board in this experiment are so far-reaching, revolutionary, and, in the view of many educators who have already expressed their opinions upon these theories, so dangerous to the interests of the country and to the minds of youth that they should have immediate and earnest consideration. If this experiment bears the expected fruit we shall see imposed upon the country a system of education born of the theories of one or two men, and replacing a system which has been the natural outgrowth of the American character and the needs of the American people. It is as if we should be called upon to abandon our system of common law, which has sprung from the daily business and social relations of the people, and adopt in its stead a code drawn up by three or four men in a law office and brought into force and effect by the acts of State legislatures. The plans of the General Education Board call for careful examination.

Mr. CHAMBERLAIN. Now, Mr. President, while I have printed in the RECORD the letter from President Pritchett to me, and have disclaimed any intention to misrepresent the Carnegie Foundation, and while I think Mr. Pritchett states the truth when he says that no members of the Carnegie Foundation were connected directly with this method of placing their men on the nominal pay roll of the Government, yet the interlocking of the interests of the two great foundations is so complete that I am not so sure that what the Rockefeller Foundation does in its activities may not be, in part at least, attributed to the Carnegie Foundation. It is rather hard to get the information one wants as to this connection, but the General Education Board, which is recognized as the great Rockefeller institution, was chartered by the Congress of the United States. It started out with a fund, I think, of about $21,000,000. That has been gradually increased, but I can not find out where the money has come from. Possibly it was given by the Rockefeller interests and possibly it came from some other source; but it is a well-known fact, Mr. President, that Mr. Carnegie is so closely associated with the General Education Board, which is a Rockefeller institution, that Mr. Rockefeller at one time congratulated him and thanked him for connecting himself with the General Education Board, and, according to the last report I have seen, Mr. Carnegie was a member of the General Education Board. Whether or not he is now, I do not know, but he was at one time, and that at a time when most of these activities were being engaged in.

Mr. President, turning to the CONGRESSIONAL RECORD of May, 1914, I find there was printed at the suggestion of the Senator from Iowa [Mr. KENYON] a report which was made to him by the Department of the Interior. From that report it appeared that the principal of the Rockefeller Foundation October 1, 1905, was $10,000,000. On page 9133 it will appear that on March 23, 1906, it was increased by $250,000; on February 7, 1907, it was increased by $10,667,917.80; and on August 1, 1909, by gift it was increased by $10,000,146; the total amount at that time being more than $30,000,000 in round numbers. Since that time it has been swelled by gifts from other sources. Where does the money come from? This report does not show where it came from, and I can only infer from the knowledge I have from outside sources that a large portion of this money came from Mr. Carnegie or his interests. I may be in error, but I have no desire to misrepresent. That does not connect the Carnegie Foundation with it at all, but when the man who founded the Carnegie Foundation is put on the General Education Board, which is a Rockefeller board, one can very properly, it seems to me, conclude that the two are acting together.

That is not all. The general activities of these institutions go out through different agencies under all kinds of names. They extend and exert their influence all over the country, with the final result and purpose of getting control of the educational institutions of the country as represented by the primary and secondary educational institutions and the colleges of this country.

Mr. President, I, for one, am going to continue to protest against this practice and I shall do it in the face of the admission here in the Senate of the United States that these foundations have done vast good. I realize—nobody realizes better than I—that they extend their activities in certain directions where the Government is unwilling to extend its activities; but what I am objecting to is that they shall use their activities in connection with the Government, thereby giving the Government's stamp of approval to things which the Standard Oil Co., or Mr. Rockefeller, as the great type of the Standard Oil Co., or Mr. Carnegie, as the representative of the Steel Trust, wish to have done in an educational way in this country.

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

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

Mr. CHAMBERLAIN. I yield.

Mr. CLAPP. The Senator has just made a remark that interests me very much, and I should like to ask him what beneficent activity can be carried forward by a private citizen or association that can not be carried forward by the Government of the United States?

Mr. CHAMBERLAIN. Nothing at all.

Mr. CLAPP. I understood the Senator awhile ago to say that these foundations had done things, for which he applauded them, which could not be done by the Government.

Mr. CHAMBERLAIN. That is putting it more broadly than I intended to put it.

Mr. CLAPP. I thought so.

Mr. CHAMBERLAIN. I meant that they have gone into certain lines of research that the Government would not like to go into; that is all.

Mr. CLAPP. Or has not gone into.

Mr. CHAMBERLAIN. Or has not gone into; along lines of medical research, for instance, such as investigations into the disease called pellagra, which has afflicted the people of the South for so long, and various other diseases.

Mr. CLAPP. But it is within the power of Congress to do anything any individual can do under any law of Congress; in other words, no corporation can have greater power for good than the creator of that corporation, which is the Government.

Mr. CHAMBERLAIN. That is right. The Government can do anything private institutions can do. There is no question about that.

Mr. CLAPP. Certainly; I knew the Senator misspoke when he made the statement as broad as he did.

Mr. FALL. Mr. President, I presume that the Senators, as lawyers, are talking about a corporation formed by law and having an artificial life and not a natural life.

Mr. CHAMBERLAIN. Mr. President, just a few words more in connection with the statement I made awhile ago—and I call the attention of the Senator from New Mexico to this, for the Senator rather resented my suggestion as to influence, although I repudiated any idea of suggesting any improper influence—to show the powerful influence that is wielded on educational institutions, not a corrupting influence, but an influence that operates just the same. For instance, there are institutions in the country where professorships were endowed by religious men of particular denominations, who made it a condition in their wills that when the endowment ceased to be used for furthering the tenets of the particular denomination, it should go to some other institution; but, strange as it may seem, some of these colleges have given up these endowments of professorships in order to accept other endowments from the Rockefeller Foundation. In this connection I desire to call the Senator's attention to Bowdoin College, which institution actually surrendered an endowment that it had, if my information is correct, given by a man of a particular religious denomination, I believe, in order to accept a larger endowment from the Rockefeller Foundation. It is impossible to tell of the influence that these donations have. Bishop Candler speaks of a Prof. Bemis, connected with the Chicago University, which is a well-known Rockefeller institution, who resigned because his ideas of political economy and other political teachings did not agree with those of Mr. Rockefeller and of his subservient followers. Mr. President, we find this thing working in every direction in order to control the educational institutions of the country.

Mr. FALL. The Senator does not think for a moment, does he, that we can control a State institution such as Bowdoin College, if that college or any other State institution chooses to accept an endowment from Andrew Carnegie or from John D. Rockefeller? Of course, the Senator realizes we can not put a stop to that.

Mr. CHAMBERLAIN. I understand that thoroughly.

Mr. FALL. The Senator spoke of the possible influence that might cause a Senator to vote or to raise his voice here in a matter and in the same breath explained the influence on a college of a large endowment. I do not think that the comparison is just exactly what the Senator meant it to be. I think I understand the Senator, however.

Mr. CHAMBERLAIN. I meant that those in charge of a college, for instance, would be influenced by the larger interests of the institution, by what they thought would help the institution more, just as we look at these things influenced by what we consider the best interests of our constituents and our States. That is what I meant.

Mr. FALL. Well, not necessarily our States.

Mr. CHAMBERLAIN. Mr. President, this discussion probably goes far afield of the Agricultural appropriation bill, but the things are so closely interwoven with each other that I thought it was proper to say what I have said. I hope that this amendment will be adopted, and if it is too strong I think it can be amended so as to relieve some of the conditions of which Senators complain.

In conclusion, permit me to say that our country is big enough, our Treasury rich enough, and our patriotism broad enough to do all our people need without calling for assistance upon those whose fortunes are so ample they can not find ways to spend them in the ordinary course of a lifetime. The people of this country want no tainted fortunes to accomplish their happiness.

Mr. SMITH of South Carolina. Mr. President, I have made inquiry of the department while the discussion has been going on, and have received the information that there is now no connection at all between the department and its demonstration work and these foundations. I want further to call attention to the fact that in the fiscal year 1914–15, while there was cooperation between the Government and the foundations, we appropriated $375,000 for this work. When the law was enacted severing all connection with the foundations we then increased the appropriation to $673,240, to take care of the amount that would otherwise have been lost because of the cooperative fund furnished by the foundation.

The language of this bill takes care of the situation under which all connection between the Government and these institutions, as I am informed, has now been severed, and it seems to me that it would be sufficient if the same language were incorporated, if it is so desired, after the appropriation for use outside of the cotton belt.

I am a little solicitous about the work of the department being interfered with; but the whole matter has been taken care of, and I am sure that the Senator from Iowa on investigation will find that there is now no necessity for the legislation he proposes in so far as governmental activities are concerned.

Mr. CLAPP. Mr. President, if the Senator from South Carolina is correct, it strikes me that the proposed amendment can do no harm. If, on the other hand, the Senator from South Carolina is apprehensive that a prohibition of the character involved in the amendment of the Senator from Iowa will interfere or in any manner abate the activities of the department, that is conclusive evidence, to my mind, that the sooner we enact the most sweeping prohibition the better. It is a lamentable condition if any part of our Government sustains such a relationship to outside contributions that the prohibiting of the use of those contributions will in any manner interfere with the operations of our Government.

The Senator from Oregon (Mr. CHAMBERLAIN) has read into the RECORD some statements, and, eminent as the men are who have made those statements, they do not particularly interest me, because if all the learned men in America were to file a statement that two and two make four it would not attract a passing notice from me. Some things are so absolutely plain and so absolutely fundamental that no declaration of anybody can weaken or strengthen them.

I want to say, Mr. President, without any reflection upon the men who are back of these foundations, that to put ourselves in a position where they can influence the spirit of education in our public educational institutions is absolutely out of harmony with the spirit of democracy. In a democracy, in a free government, the spirit taught by its educational institutions, the color given to thought and development, should be that which finally works out from the broad equation of the democracy. Men here and there may be interested more than others, men naturally may take a leadership in thought by reason of their capacity to interest and attract; but, after all, the spirit inculcated should be the spirit that comes from the broad equation of the democracy; and to permit any man or any group of men outside to establish a separate and independent spirit or to shape or influence the general spirit of the educational institutions of the country, is out of harmony with the very fundamental spirit of free government. Men are so constituted that they will, of course, bear in mind and favor those policies that seem most attractive from their standpoint; and it is hostile not only to the spirit but to the best interests of free government that any man or group of men, outside of their direct participation in the current of the Nation's life, should have any voice or influence in directing and shaping the spirit and policy and purpose of our educational institutions.

I believe the very fact that to-day there may be hesitation in putting the ax to the root of this evil for fear that it will embarrass the Government ought to be a warning. If the time has come already when we hesitate, for fear of embarrassment to our Government, to eradicate an evil of this kind, the time has come when we ought to proceed at once to the eradication of it.

Mr. SMITH of South Carolina. Mr. President, I think it is necessary for me to correct an impression that my remarks made on the Senator. I did not intend to convey the impression that it would embarrass the Government. The Senator from North Dakota [Mr. GRONNA] admits that it might interfere with certain local work. I am sure that the Government now is entirely disassociated from the work; that the adoption of the amendment could neither add to nor subtract from that. So far as the Federal Government is concerned, under the act of 1914 it is disassociated from any cooperation with these different foundations in the farm-demonstration work.

Mr. CLAPP. The amendment of the Senator from Iowa expressly excludes from its operations State, county, and municipal educational agencies and forces.

Mr. SMITH of South Carolina. So far as I am concerned, as chairman of the committee, after reading this language, I would not object to the amendment going in. I think it can be worked out so that it will not interfere in any way whatever with the operation of the demonstration work.

Mr. GRONNA and Mr. FALL addressed the Chair.

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

Mr. FALL. I understood the Senator had yielded the floor, and I was seeking the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. GRONNA. Mr. President, I would not attempt to be recognized now but for the fact that the Senator from South Carolina has used my name in connection with what is going on.

The Senator from North Dakota did not intend to defend any foundation, nor did he care if the appropriations made by these foundations were cut off. What the Senator from North Dakota did say, or what he intended to say, was that he did not wish to see the great work that was being done by some of the professors in the great institutions of learning so limited that they would be prohibited from cooperating with the officials of the Federal Government. That was my understanding, and it was only to that that I referred.

Mr. FALL. Mr. President, it is very often popular on the stump, on the Chautauqua platform, and sometimes in the Congress of the United States to tell just how free we are from any extraneous influences, and particularly popular at times to talk about "tainted money." I have read something about it for years with reference to the college foundations that have been referred to here. Sometimes it may be possible that in the enthusiasm of the moment some of us may be led to observations of this kind apropos of nothing pending in particular. The particular matter here is the question of the amendment of the Senator from Iowa [Mr. KENYON] with reference to the Agriculture appropriation bill, and certain work under it.

The ideas expressed by the Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Minneosta [Mr. CLAPP] are, to some extent, the same that I entertain. I am just as much opposed to individual control of the Government, or of any portion of the Government, or any of its departments in the United States as I am to church control. I am just as much bitterly opposed to one as I am to the other—that is, that one man should, through enormous wealth, using that wealth for endowments or for cooperation work with the Government of the United States, in any way influence the teaching of the pupils in the schools or of the young minds, or influence public opinion. I think, sir, and I will say so frankly, that more harm, more injury has been done, more has been done to atrophy Americanism in the United States by the Carnegie Peace Foundation than by all other influences combined.

I can see good—if good is to be seen—in Mr. Carnegie's activities in various lines. I can see good in John D. Rockefeller personally and in his activities in various lines. It has been

developed here, at any rate, during this debate, or if it has not been developed it might as well be, that up to 1914 the Rockefeller Foundation joined hands with the Agricultural Department of the United States, cooperated with them, and expended money for purposes for which the Congress of the United States—of which the Senator from Minneosta [Mr. CLAPP], the Senator from Oregon [Mr. CHAMBERLAIN], and the Senator from Iowa [Mr. KENYON] were then Members—had not appropriated money; that the Rockefeller Foundation had stepped in prior to that time and was doing work which the department could not do, because it had not the money to do it.

It has been developed here that in the extermination of the boll weevil for the fiscal year 1913-14 there was an agreement between the Agricultural Department and the Rockefeller Foundation. The Agricultural Department did not have sufficient funds—and the Secretary so reports here to the Congress of the United States—with which to carry on the necessary work in the extermination of the boll weevil; but the Rockefeller Foundation stepped in and offered to carry on part of that work. They paid their own expenses, supplied $250,000 of the necessary funds, and then, for other work of a similar character in the Southern States, they paid the expenses to the amount of $37,500 the same year. It is further in evidence in the report that what is known as the county demonstration work, which is the greatest work that the Agricultural Department, or, in my judgment, any other department of the Government, has ever done, was established by this Government with the aid and assistance of the Rockefeller Foundation.

Take the States of Georgia, Florida, Alabama, Arkansas, and the other States of the Union, particularly of the South—for up to 1914 this work was done principally in the South. They were behind in agriculture. They raised one great staple. They devoted practically their entire time and attention and energy to the raising of cotton. Through the cooperation of the Rockefeller Foundation the Agricultural Department extended the work of the agricultural colleges into every college of every State in the South. How? There were not funds with which to pay these expenses. There were no appropriations made by the Government of the United States. These Senators who will object to work being done by individuals had not provided that the work might be done by the department. The county extension work and the State extension work in every county of Georgia, the girls' clubs and the boys' clubs, which have done so much to develop intensive farming in the South, were supported by whom? By the local people themselves, through contributions from their counties on the one hand and by the Rockefeller Foundation giving an equal amount upon the other, the Government of the United States giving nothing.

Now, these are the facts. Justice might as well be done, although it is simply asked for John D. Rockefeller or his foundation.

I expressed my opinion in this matter when this debate first opened. I do not want to see the Rockefeller Foundation so fasten itself upon any department of this Government that it can in any way whatsoever influence education or influence this Government in any governmental matter. I do not want to see the Carnegie Foundation or Andrew Carnegie or any other individual, any more than I want to see the Catholic Church or any Protestant Church, fasten itself upon the body politic and dictate the policies of this Government. Nevertheless, the fact remains that in these matters of which I have spoken the Rockefeller Foundation started this work and largely supported it. In 1914 the same objection was made to it that was made this morning in the same way. Going along with the appropriation bill, as I have had to do, going along with the report, as I have had to do since this debate opened, because not one word of evidence of any kind or character had beeen brought out theretofore, either pro or con, in favor of or against this amendment. I have been necessarily hurried in my examination. I have sought for a week from the Senator from Iowa and from the Senator in charge of this bill on behalf of the committee to ascertain what was pending, what was being done, why it was that some of our institutions and some of our agricultural workers in the Southwest were frightened at some measure pending, or supposed to be pending, in Congress. They have not been able to give me any more information than I possessed, which was none. Since this debate has opened we have at least carried it up to this effect: That the Rockefeller Foundation had started this work, had largely supported it, and had done magnificent work in aid of agricultural extension work throughout the South particularly, and also throughout other sections of the country; that in 1914, instead of coming in here purely with a prohibitive measure, there was a provision adopted excluding the Rockefeller Foundation from any further participation in this work and making an appropriation by the Government to carry on exactly the same work itself. That was adopted. Now, in seeking information I was informed that instead of the Government having ceased its cooperation with the Rockefeller Foundation, as a matter of fact, despite the act of Congress, it has continued it, and therefore that it was necessary to enact again the same legislation which was enacted in 1914; that this was the only argument in favor of it. I am now assured by the chairman of the committee that he has just conferred with the department and that this is not true.

These are the facts; and I say to you, Mr. President, that if the only method by which this work could be done should be through the cooperation of Andrew Carnegie or John D. Rockefeller, I for one would welcome such cooperation. There is no more important work being done to-day than the work which is being done by the extension of the agricultural college work in the different States and the counties. Everyone knows that. It is certainly within the knowledge of all of us that the people of the United States may find themselves in a short time in a position where it is necessary that every potato that can be raised under the ground shall be raised for their benefit, and that every grain of wheat which can be produced shall be produced; and if it can be done only through the assistance of Rockefeller or Carnegie, I for one stand here to say that I am not afraid of any imputations that I may be influenced by Rockefeller or Carnegie or anyone else when it comes to a matter which is of benefit to the people of the United States and the people whom I represent and to all the people who must live, and live from agriculture.

Mr. GRONNA. Mr. President, in reply to the Senator from New Mexico, with reference to the information which he has sought, I want to state that this amendment was not considered by the Agricultural Committee—at least not when I was present. I have had no opportunity to investigate it until this morning. I happened to be out of the Chamber when this matter was first taken up. I have not even read or had an opportunity to read the amendment proposed by the Senator from Iowa, and I feared when I heard the discussion going on that it was some amendment that would hamper the institutions of learning in my State and in other States and prohibit cooperation between the professors of these institutions of learning in the States and the Government of the United States, in that way giving them the franking privilege.

Mr. President, I think I may say that, so far as I am personally concerned, I am very glad to have an opportunity of voting for a provision that will disassociate from the Government of the United States these influences, which I consider are sinister influences. I have gone so far as to criticize the professors of sectarian schools, the men who are at the head of great denominational institutions of learning, institutions of the denomination to which I belong; I have even refused to contribute to those institutions because they had accepted contributions from sources which ought not to influence public opinion through liberal donations. I want to state that it is not only the Carnegie and the Rockefeller Foundations that I consider as dangerous influences. I could name a good many more if I wanted to.

Mr. President, after having taken time to read the amendment offered by the Senator from Iowa [Mr. KENYON] I am satisfied that it will not interfere with the institutions of learning either in my State or in other States, but that they will be allowed to continue to cooperate with the Federal Government. It never was my intention to vote against the amendment because it placed a limitation upon this appropriation and prohibited cooperation between these foundations and the Government. I am just as much in favor of it as is any other Senator on this floor. But, Mr. President, I am a member of this committee, and it had not been brought up in the committee to my knowledge, and I thought I had a right to know what the provision of the amendment was. For that reason I asked some questions, and I did not seem to get the information. I was so obtuse, I presume, that I could not understand the explanation given me.

Mr. KENYON. Mr. President——

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

Mr. GRONNA. Yes; I yield.

Mr. KENYON. I want to say, in confirmation of what the Senator says, that the amendment was not presented to the committee at any time. The information which has been brought to me concerning the matter was since the meetings of the committee. I am a member of the committee myself, and would have presented it at that time if I had had the information which I have had since that time.

Mr. GRONNA. I thought I was right in making the statement that it had not been considered by the committee.

Mr. KENYON. Yes; the Senator was exactly right about that.

Mr. GRONNA. It was not considered when I was present.

Mr. President, I shall vote for the amendment after having learned what it is, and after I understand what is sought to be done by the provisions of the amendment.

Mr. KENYON. Mr. President, I ask permission to insert in the RECORD the letter to which I referred in my remarks. The letter is addressed to the Senator from North Carolina [Mr. OVERMAN] instead of the Senator from Oregon [Mr. CHAMBERLAIN], and I insert it with his permission; also the names, compensation, and dates of appointment of various people in the Agricultural Department.

The PRESIDING OFFICER. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., February 7, 1917.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR OVERMAN: In response to your letter of February 3 I inclose lists giving the names, compensations, and dates of appointments of all persons employed in the several bureaus of the Department of Agriculture and in the Bureau of Education of the Department of the Interior as collaborators and who receive compensation of from $1 to $25 per annum. According to the records of the commission, there are are no collaborators employed in other bureaus or offices of the Government.

The Commissioner of Education, in response to Senate resolution No. 307 of January 4, 1917, made a report, published as Senate Document No. 684, Sixty-fourth Congress, second session, relative to the relations existing between the Bureau of Education and the Rockefeller Foundation and the Carnegie Foundation and other private or corporate organizations. This report contains information additional to that which you ask of the commission, inasmuch as it shows the private or corporate body by which salary is paid to the collaborators and the salary paid by such body. The records of the commission as to the names of the collaborators correspond with this report, except that the name of Thomas H. Briggs was perhaps through inadvertence omitted from the commissioner's report.

I would call attention to department letters published in the CONGRESSIONAL RECORD for August 3, 1916, pages 12027 to 12032, concerning employees carried on the rolls of the various departments at nominal compensation.

By direction of the commission.

Very respectfully,

CHAS. M. GALLOWAY,
Acting President.

Names, compensation, and dates of appointment of collaborators in the several bureaus and offices of the Department of Agriculture.

BUREAU OF PLANT INDUSTRY.

Name.	Compensation.	Date of appointment.
Aaronsohn, Aaron	$1 per annum	Apr. 16, 1910
Allen, Fred L	do	July 1, 1913
Andrew, James	do	Nov. 16, 1909
Ash, William H	$1 per month	Aug. 15, 1907
Atkinson, Alfred	$1 per annum	July 1, 1902
Babcock, Edward	do	Dec. 1, 1913
Babcock, Edward H	do	May 1, 1913
Baker, C. F	$12 per annum	Dec. 1, 1915
Baluss, J. W	$1 per annum	July 1, 1915
Barnard, Evan G	do	Mar. 1, 1913
Barnes, Dwight	do	Oct. 16, 1916
Barre, H. W	$1 per month	Aug. 1, 1908
Barrett, James T	do	May 1, 1911
Beach, Spencer A	do	July 10, 1907
Bell, E. C	$1 per annum	Mar. 6, 1915
Bernard, Maud	do	Jan. 17, 1914
Bessey, Ernst A	$1 per month	Oct. 1, 1909
Billing, Carl G	$1 per annum	Oct. 1, 1914
Blinn, P. K	do	May 1, 1915
Blodgett, Frederick H	$1 per month	May 1, 1905
Bolley, H. L	do	Do.
Boyle, Henry H	$12 per annum	Nov. 1, 1914
Brown, Thomas W	$1 per annum	May 7, 1914
Burr, William W	$1 per month	Aug. 2, 1916
Chase, Frank F	$1 per annum	Apr. 7, 1913
Christie, G. I	$1 per month	Feb. 16, 1910
Cobb, Freda	$1 per annum	Oct. 1, 1916
Cole, A. H	do	Jan. 1, 1915
Conner, Arthur B	do	July 1, 1916
Cook, Melville T	do	July 1, 1914
Cookerham, K. L	do	May 1, 1915
Cowgill, H. B	do	Apr. 1, 1915
Cross, Eva	do	May 24, 1912
Curran, H. M	do	Sept. 1, 1912
Davis, George J	do	Mar. 16, 1914
Davis, G. M	$1 per month	Nov. 1, 1907
Dean, Melburn L	$1 per annum	Aug. 1, 1903
Doolittle, S. P	$1 per month	May 1, 1915
Dorsey, M. J	$1 per annum	May 1, 1916
Duggar, John F	do	Aug. 1, 1914
Dunan, George E	$2 per month	Dec. 1, 1915
Eastwood, Alice	$12 per annum	Jan. 1, 1914
Edwards, Harry T	$1 per annum	Nov. 22, 1916
Eisen, Gustav	do	June 11, 1912
Engle, Lloyd F	do	Jan. 11, 1915
Etheridge, W. C	$1 per month	Sept. 1, 1916

Names, compensation, and dates of appointment of collaborators in the several bureaus and offices of the Department of Agriculture—Con.

BUREAU OF PLANT INDUSTRY—continued.

Name.	Compensation.	Date of appointment.
Eustace, H. J	$1 per month	Sept. 1, 1906
Evans, William E., jr	$1 per annum	June 1, 1916
Flanery, Wm. L	do	Mar. 16, 1912
Fromme, F. D	$1 per month	Sept. 16, 1915
Fulton, Sanford H	$12 per annum	July 1, 1909
Gardner, Max W	$1 per month	Nov. 1, 1916
Garman, Harrison	$1 per annum	Feb. 1, 1904
Garrett, J. B	$1 per month	Mar. 1, 1916
Gilbert, Alfred H	do	May 1, 1916
Gilmore, John W	$1 per annum	Sept. 1, 1913
Granberry, Hattie	do	Dec. 7, 1912
Groff, G. W	$12 per annum	July 1, 1915
Hakes, L. A	$1 per annum	May 16, 1916
Hardy, Orlando B	do	Apr. 1, 1915
Hartless, A. C	do	Oct. 2, 1913
Hayden, William F	do	Oct. 16, 1913
Heald, Frederick D	$1 per month	May 1, 1905
Heaton, Edward B	$1 per annum	Jan. 1, 1915
Hewitt, J. Lee	$1 per month	May 1, 1910
Hibshman, Edward K	$1 per annum	Aug. 16, 1912
Higgins, B. B	$1 per month	Mar. 1, 1914
Hill, George R	do	Mar. 1, 1915
Hoffer, G. N	do	June 1, 1916
Houser, True	do	Mar. 1, 1910
Hume, Albert N	do	Nov. 1, 1912
Hutcheson, Thos. B	do	July 1, 1910
Jackson, H. S	do	Dec. 1, 1909
Jacobson, H. A	$1 per annum	Sept. 10, 1915
Johnson, Frank E	do	Apr. 1, 1912
Jones, J. M	do	Nov. 22, 1910
Kiesselbach, Theo. A	do	July 1, 1909
Kraus, E. J	do	Jan. 16, 1916
Kremers, Edward	$1 per month	July 14, 1903
Kremers, Will	$1 per annum	May 1, 1904
Lathrop, Barbour	do	July 1, 1913
Lawrence, William H	$1 per month	Nov. 1, 1914
Learn, C. D	do	Dec. 1, 1914
Lehenbauer, P. A	do	May 16, 1914
Lenton, M. T	do	Oct. 1, 1915
Love, Harry H	do	Apr. 1, 1909
Lownsend, James I	$1 per annum	Oct. 17, 1910
Lutman, B. F	do	June 20, 1907
Lyon, William B	do	July 1, 1913
McGruder, Don G	do	Sept. 7, 1914
McNess, George T	$1 per month	Dec. 1, 1911
McShane, Leo Francis	$1 per annum	Mar. 16, 1915
Mann, Horace J	$1 per month	Oct. 16, 1915
Manns, Thos. F	do	May 1, 1912
Marshall, R. R	$1 per annum	Sept. 1, 1913
Martin, James F	do	Oct. 1, 1916
Merrill, Elmer D	$12 per annum	Dec. 1, 1915
Moore, R. A	$1 per month	July 1, 1902
Moore, Robert H	$1 per annum	Jan. 1, 1912
Morse, W. J	$1 per month	Apr. 1, 1910
Nelson, Martin	do	July 1, 1910
Norton, J. B. S	do	Dec. 1, 1906
Norton, Jesse B	do	Dec. 1, 1907
Olive, Edgar W	$1 per annum	Feb. 1, 1912
Orton, Clayton R	$1 per month	Oct. 1, 1909
Osmun, A. Vincent	do	Aug. 1, 1912
Pammel, L. H	do	May 1, 1905
Panland, Alice M	$1 per annum	May 11, 1914
Parker, T. Frank	do	Feb. 16, 1912
Ramsey, F. M	$12 per annum	July 1, 1909
Rankin, W. Howard	$1 per month	Apr. 16, 1916
Reed, G. M	do	Sept. 1, 1915
Richards, Joseph L	$1 per annum	Aug. 16, 1916
Richardson, James A	do	May 10, 1915
Robbins, W. W	do	Aug. 1, 1916
Robers, Marie W	do	Aug. 17, 1914
Robison, Thomas R	$12 per annum	Nov. 1, 1914
Rogers, Martha Van R	$1 per annum	Sept. 1, 1914
Schutte, Henry W	$1 per month	Oct. 16, 1915
Selby, Augustine D	do	May 1, 1905
Shanahan, John D	$1 per annum	Oct. 1, 1906
Sipe, Susan R	$1 per month	Apr. 1, 1916
Smith, R. E	do	May 1, 1905
Snyder, William P	do	Mar. 21, 1904
Stakman, E. C	do	July 1, 1911
Steinberg, Alfred J	do	Oct. 1, 1916
Stevens, H. E	do	Dec. 1, 1913
Stevenson, William H	$1 per annum	July 1, 1911
Stubenrauch, Arnold V	do	Aug. 1, 1914
Stuckey, H. P	do	Oct. 16, 1916
Swingle, Deane B	$1 per month	Aug. 1, 1916
Taubenhaus, J. J	do	May 15, 1916
Taylor, Henry C	$1 per annum	Apr. 1, 1915
Thamber, J. H	$12 per annum	Nov. 1, 1913
Thaxter, Roland	$1 per month	Jan. 25, 1916
Thomas, Nathan	$1 per annum	Sept. 1, 1911
Thomson, E. B	$1 per month	June 1, 1915
Trabut, L	$1 per annum	Dec. 1, 1910
Watt, James	do	Nov. 18, 1907
Webber, Herbert J	$1 per month	Apr. 1, 1907
Werkenthin, Fred C	do	Nov. 1, 1915
Whetzel, H. H	do	July 1, 1906
Wiancko, Alfred T	$1 per annum	July 1, 1911
Wight, Thomas	do	July 16, 1915
Wilcox, E. Mead	$1 per month	July 1, 1906
Williams, Irvin C	$1 per annum	Dec. 1, 1911
Wilson, E. H	do	Nov. 1, 1913

Names, compensation, and dates of appointment of collaborators in the several bureaus and offices of the Department of Agriculture—Con.

STATES RELATIONS SERVICE.

Name.	Compensation.	Date of appointment.
Adams, Bishop B	$1 per annum	Sept. 1, 1916
Alley, Sherman D	do	July 1, 1916
Allman, Pearl M	do	Feb. 10, 1915
Archart, A. Z	do	Sept. 1, 1916
Blanchard, Ralph A	do	Sept. 16, 1916
Blood, Caleb C	do	Oct. 1, 1916
Bordner, John S	do	Apr. 11, 1913
Broom, Thos. J. W	do	July 1, 1914
Brubaker, V. E	do	Nov. 1, 1916
Burrell, Orange B	do	Mar. 16, 1913
Butler, L. M	do	Aug. 16, 1916
Campbell, John R	do	Mar. 1, 1916
Cate, Claud C	do	Feb. 12, 1914
Chase, A. R	do	Mar. 1, 1916
Chitty, Ralph A	do	Jan. 1, 1914
Cleeves, Edward W	do	Apr. 20, 1916
Clinebell, H. J	do	Sept. 16, 1916
Cobb, Alex D	do	July 1, 1913
Comstock, Laura	do	Nov. 1, 1916
Cowles, Anna B	do	July 1, 1916
Craig, S. J	do	Feb. 11, 1914
Crane, Otis	do	July 1, 1913
Crouch, H. E	do	Jan. 16, 1916
Curtis, John G	do	Aug. 1, 1915
de Loache, Electra T	do	Jan. 1, 1916
Dennis, L. H	do	Dec. 3, 1915
Dye, C. L	do	May 17, 1915
Elland, William M	do	June 5, 1911
Ellis, Glenn A	do	Sept. 1, 1915
Fagan, Bonnie C	do	Mar. 25, 1916
Farr, Charles W	do	Sept. 16, 1916
French, W. H	do	Sept. 9, 1916
Gilbert, R. M	do	Aug. 16, 1916
Glaisyer, H. Roland	do	Sept. 10, 1914
Goddard, H. N	do	Sept. 9, 1916
Gray, Harry	do	Aug. 1, 1914
Guilbeau, P. L	do	Sept. 9, 1916
Hall, B. B	do	Mar. 1, 1916
Hastetter, Abram B	do	July 1, 1914
Hawkins, L. G	do	Sept. 9, 1916
Hayes, M. L	do	Sept. 9, 1916
Hoover, Mary	do	Aug. 16, 1916
Howard, Walter W	do	May 1, 1915
Hughes, H. D	do	Oct. 1, 1912
Hummel, W. G	do	Oct. 25, 1916
Hutcheson, John R	do	Sept. 12, 1914
Hutchins, A. J	do	Sept. 1, 1913
Jenks, F. B	do	Jan. 1, 1914
Johnson, I. B	do	Feb. 1, 1914
Jones, C. J	do	Aug. 7, 1913
Jones, Ray C	do	Mar. 20, 1914
Kell, Walter V	do	Nov. 10, 1913
Livingston, Samuel E	do	July 1, 1916
McCulloch, Thad S	do	Oct. 16, 1916
Mahan, Charles A	do	Oct. 1, 1912
Merrill, Lorin A	do	Oct. 1, 1916
Meskimons, Mrs. Minnie M	do	Aug. 1, 1916
Metzger, Grover E	do	Oct. 16, 1915
Metzger, J. E	do	Sept. 9, 1916
Myer, D. S	do	Mar. 1, 1916
Nolan, A. W	do	Sept. 9, 1916
Oyler, John H	do	Feb. 1, 1913
Pence, Melville O	do	July 1, 1916
Phillips, J. H	do	Mar. 16, 1916
Pitsenberger, George L	do	July 1, 1915
Place, Virgil A	do	May 1, 1915
Pollard, Ray F	do	Apr. 1, 1916
Rainbolt, Quince O	do	Sept. 16, 1916
Ralston, Glancy S	do	Oct. 8, 1914
Robb, Newell S	do	June 16, 1916
Roland, R. M	do	Sept. 1, 1915
Rosencrans, G. W	do	Nov. 1, 1915
Sale, Mary C	do	Mar. 11, 1916
Sanders, Peter J	do	Nov. 20, 1914
Scott, Clifton C	do	July 1, 1916
Seitz, Charles E	do	Feb. 18, 1915
Sewell, Julia I	do	Mar. 11, 1916
Shrock, M. S	do	Mar. 1, 1916
Smalley, Harold R	do	June 16, 1916
Smith, Jay L	do	Dec. 1, 1913
Spillman, Paul H	do	Mar. 1, 1916
Stanley, Rufus	do	Oct. 27, 1916
Stephens, Edwin W	do	Oct. 16, 1916
Stevens, H. A	do	Apr. 1, 1916
Stribling, J. P	do	Mar. 20, 1911
Thompson, C. D	do	Mar. 1, 1916
Tillson, H. J	do	Nov. 1, 1916
Trask, Robert P	do	Dec. 1, 1915
Treasure, J. F	do	July 1, 1914
Weston, James W	do	Nov. 1, 1916
Whatley, Tom	do	Mar. 11, 1916
Whipple, Florence R	do	July 1, 1916
Whitcher, G. H	do	Sept. 9, 1916
Willey, Gilbert S	do	July 1, 1916
Wilson, G. M	do	Sept. 9, 1916
Works, G. A	do	Dec. 3, 1915
Wright, Frank L	do	Oct. 16, 1916
Zimmer, Elmer R	do	Feb. 16, 1916

Names, compensation, and dates of appointment of collaborators in the several bureaus and offices of the Department of Agriculture—Con.

BUREAU OF SOILS.

Name.	Compensation.	Date of appointment.
Albert, A. R	$1 per annum	Aug. 1, 1914
Allen, E. R	do	July 1, 1915
Anderson, A. C	do	July 1, 1913
Averitt, S. D	do	July 1, 1916
Bell, N. Eric	do	July 1, 1911
Bengston, N. A	do	July 1, 1914
Boardman, W. Clayton	do	Apr. 1, 1916
Brinkley, Louis L	do	Mar. 23, 1913
Cohn, Henry I	do	July 1, 1916
Condra, G. E	do	Do.
Conrey, Guy M	do	July 1, 1915
Cooper, H. P	do	July 1, 1916
Dunnewald, T. J	do	Aug. 1, 1909
Engle, Chester C	do	July 1, 1913
Espe, Knute	do	July 1, 1915
Free, Edward E	do	Jan. 1, 1916
Gossard, Oliver	do	July 1, 1915
Guernsey, John E	do	July 1, 1913
Hayes, Frank A	do	July 1, 1915
Howe, F. B	do	July 1, 1913
Hull, J. P. D	do	July 1, 1914
Jones, E. Malcolm	do	May 21, 1910
Knobel, E. W	do	July 1, 1913
Krusekopf, Herman	do	July 16, 1909
Long, David D	do	Feb. 1, 1912
McDowell, F. N	do	Mar. 15, 1915
Mortlock, H. C	do	July 1, 1915
Nelson, J. W	do	Feb. 1, 1915
O'Neal, A. M., jr	do	July 1, 1911
Patteson, Geo. W	do	July 1, 1916
Perkins, Samuel O	do	Dec. 1, 1911
Reid, H. W	do	July 1, 1915
Seabury, V. D	do	July 1, 1916
Smith, Olin H	do	Aug. 1, 1915
Steall, Ernest Beall	do	Aug. 22, 1912
Stroud, J. F	do	July 1, 1913
Tuttle, Hiram F	do	Aug. 1, 1915
Watkins, C. R., jr	do	Apr. 1, 1916
Wimer, D. C	do	July 15, 1915
Zinn, Cleo J	do	Feb. 1, 1915

BUREAU OF ENTOMOLOGY.

Name.	Compensation.	Date of appointment.
Becker, Geo. G	$1 per annum	Aug. 1, 1912
Bensel, C. E	$12 per annum	Apr. 1, 1915
Boncquet, P. A	do	June 16, 1916
Bruner, Lawrence	$1 per month	Mar. 25, 1909
Chapman, James W	$12 per annum	Sept. 1, 1916
Condit, Ira J	$1 per month	July 1, 1908
Conradi, Albert F	do	Apr. 1, 1904
Craighead, Frank C	do	Apr. 1, 1912
Cummings, M. B	do	Oct. 1, 1910
Ely, Charles H	do	Aug. 16, 1915
Fernald, Charles H., 2d	$1 per annum	Oct. 1, 1916
Fiske, William F	do	Mar. 1, 1913
Harper, J. M	do	Nov. 1, 1916
Haseman, Leonard	$1 per month	June 1, 1911
Morgan, Harcourt A	$1 per annum	Sept. 21, 1914
Perkins, Henry F	$1 per month	Apr. 26, 1909
Price, J. C. C	do	May 1, 1906
Roeher, Max M	do	Oct. 1, 1915
Root, G. A	$1 per annum	Sept. 2, 1916
Root, George A	do	Oct. 1, 1916
Shannon, Raymond C	$1 per month	Oct. 19, 1916
Simmons, Perez	$1 per annum	Sept. 2, 1916
Stone, A. M	do	Oct. 18, 1916
Taylor, L. H	do	Sept. 2, 1916
Wilson, Harley F	$12 per annum	July 1, 1916
Yerger, William P	$1 per annum	May 1, 1916

OFFICE OF MARKETS.

Name.	Compensation.	Date of appointment.
Benjamin, Earl W	$1 per month	Aug. 3, 1916
Bexell, J. A	$1 per annum	May 15, 1915
Branson, E. C	do	Nov. 1, 1914
Burleson, D. J	do	June 16, 1915
Cance, A. E	do	Oct. 1, 1912
Hedrick, W. O	do	Sept. 1, 1913
Montgomery, James H	do	Nov. 6, 1916
Stocking, William A., jr	$1 per month	Feb. 1, 1916
Vogt, Paul L	$1 per annum	Dec. 1, 1915
Weld, L. D. H	$12 per annum	Sept. 1, 1913

FOREST SERVICE.

Name.	Compensation.	Date of appointment.
Barss, Howard P	$1 per month	Oct. 1, 1915
Coolidge, Philip J	$1 per annum	Jan. 1, 1916
Cox, Wm. T	$12 per annum	July 1, 1911
Edgerton, Claude Wilbur	$1 per month	Sept. 1, 1908
Filley, Walter O	$12 per annum	Oct. 1, 1912
Hyslop, George R	$1 per month	June 26, 1911
McArthur, Lewis A	$12 per annum	May 1, 1916
Mallory, Frank W	do	June 1, 1913
Mason, David T	do	Aug. 1, 1915
Pape, Fred E	do	May 16, 1916
Pettis, Clifford R	$15 per annum	May 1, 1906
Phalon, William G	$12 per annum	July 1, 1915
Walcott, Chas. D	do	July 1, 1914
Wilber, Charles P	do	July 1, 1911

Names, compensation, and dates of appointment of collaborators in the several bureaus and offices of the Department of Agriculture—Con.

FEDERAL HORTICULTURAL BOARD.

Name.	Compensation.	Date of appointment.
Blanch, B. R.	$1 per month	Nov. 23, 1914
Brown, Luther	do	Mar. 16, 1916
Clark, Jonas W	do	Nov. 1, 1914
Gehry, Emil L	do	Mar. 23, 1916
Grimes, Dillard W	do	May 1, 1915
Harned, Robley W	$1 per annum	Aug. 1, 1913
Hoyt, A. E	$1 per month	Nov. 1, 1914
Hull, W. N	do	Feb. 1, 1916
List, George W	do	Sept. 1, 1915
Merrill, George B	do	Feb. 1, 1916
Newell, Wilman	do	Do.
Peake, G. W	$1 per annum	June 1, 1915
Stone, W. C	$1 per month	Feb. 1, 1914
Webster, R. L	do	Dec. 1, 1915
Wilkins, C. L	do	May 1, 1916

WATERSHEDS.

Barton, J. E	$12 per annum	Sept. 24, 1913
Besley, Fred W	do	Feb. 19, 1915
Hawes, Austin F	do	July 1, 1911
Hirst, Edgar C	do	June 1, 1911
Holmes, John S	do	June 16, 1915
Howard, W. G	do	Apr. 1, 1913
Jones, R. Chapin	do	June 1, 1915
Mace, Frank E	do	Mar. 16, 1915
Moody, Frank B	do	Aug. 1, 1915
Pearson, William J	do	Apr. 1, 1916
Rane, F. W	do	Aug. 1, 1911
Raskie, Geo. W	do	Sept. 16, 1913
Viquesney, J. A	do	Oct. 16, 1913

ENFORCEMENT OF THE PLANT QUARANTINE ACT.

Bentley, G. M	$1 per month	Aug. 1, 1913
Dean, George A	do	Do.
Garman, H	do	Do.
Hunter, S. J	do	Do.
Lowry, O. S	$1 per annum	Do.
Nelson, Aven	do	Do.
Price, W. J	$1 per month	Do.
Severin, Harry C	$1 per annum	Do.
Taylor, J. Edward	do	Do.
Walden, B. H	do	Do.
Waldron, C. B	do	Do.
Washburn, F. L	$1 per month	Do.
Webb, Wesley	do	Do.

EXPERIMENT STATIONS.

Fisher, H. J	$2 per month	June 1, 1915
Hotchkiss, W. O	$1 per annum	Dec. 1, 1910
Sohier, William D	do	June 9, 1913

BUREAU OF ANIMAL INDUSTRY.

Arthur, Joseph C	$1 per month	July 1, 1904
Hart, George H	$5 per annum	Oct. 16, 1916
Mumford, H. W	$1 per annum	Dec. 23, 1914
Noggen, R. W	$1 per month	Nov. 30, 1914
Waters, H. J	$1 per annum	Dec. 23, 1914
Wilson, James W	do	June 16, 1913

OFFICE OF FARM MANAGEMENT.

Finch, Vernor C	$1 per annum	Sept. 1, 1915
Warren, Geo. F	do	May 1, 1909

EXPERIMENT STATIONS.

Brown, C. H	$2 per month	June 1, 1915
Clinton, Geo. P	$1 per month	Apr. 22, 1909
Clowes, F. A	do	Apr. 1, 1914

INTERNATIONAL DRY-FARMING CONGRESS.

Berger, R. W	$1 per month	Dec. 1, 1912
Kisselbach, T. A	do	Aug. 1, 1915

CHESTNUT TREE BARK DISEASE INVESTIGATION.

Whitney, Lehr A	$1 per month	Nov. 16, 1912

NURSERY PLANT INSPECTION AND QUARANTINE.

McLaine, Leonard S	$1 per annum	Dec. 1, 1912

BUREAU BIOLOGICAL SURVEY, FEDERAL MIGRATORY BIRD LAW.

Luckett, S. F	$1 per month	Jan. 1, 1915

Names, compensation, and dates of appointment of collaborators in the several bureaus and offices of the Department of Agriculture—Con.

DEMONSTRATION ON RECLAMATION PROJECTS.

Name.	Compensation.	Date of appointment.
Foster, J. Harold	$12 per annum	Mar. 16, 1916

BUREAU OF CHEMISTRY.

Starbeckee, Moses	$1 per annum	July 17, 1916

SECRETARY'S OFFICE.

Pearl, Raymond	$12 per annum	July 1, 1914

BUREAU OF CROP ESTIMATES.

Black, John D	$1 per annum	Sept. 1, 1916

Names and dates of appointment of special collaborators, Bureau of Education, Department of the Interior. The compensation of each is $1 per annum.

Abbey, Myron J., December 21, 1912.
Ackerman, John H., October 29, 1913.
Adams, Cyrus C., June 29, 1915.
Alexander, Carter, December 17, 1914.
Allen, Bernard M., June 20, 1916.
Allen, Miss Mary L., June 20, 1916.
Andrews, Mrs. Fannie Fern, July 29, 1912.
Atkins, S. G., June 23, 1913.
Austin, Herbert E., June 24, 1912.
Ave-Lallemant, Theo. M., November 18, 1916.
Babcock, Kendric C., May 1, 1913.
Baker, Naaman R., April 22, 1912.
Barnum, Mrs. Mary G., October 29, 1913.
Baylor, Miss Adelaide S., April 4, 1912.
Berger, Miss Marion, September 15, 1915.
Birney, Mrs. Helen T., April 28, 1913.
Bissell, George W., December 16, 1913.
Blewett, Ben, March 25, 1914.
Boggs, Miss A. Maris, October 7, 1915.
Bond, James L., April 22, 1912.
Bourland, Albert P., March 27, 1912.
Branson, Eugene C., April 4, 1912.
Brown, Cyrus J., April 27, 1912.
Brown, Edward F., January 15, 1916.
Buchner, Edward F., April 1, 1916.
Burnham, Ernest, April 20, 1912.
Burton, Richard, April 27, 1914.
Burzynska, Martha B., December 19, 1914.
Carney, Miss Mabel, November 30, 1912.
Coates, Thomas J., April 22, 1912.
Cogswell, Edmund S., November 20, 1914.
Cole, Raymond E., November 2, 1915.
Corwin, Richard W., March 22, 1913.
Colwell, Nathan P., October 30, 1913.
Cubberley, Ellwood P., March 25, 1914.
Curran, Mrs. Margaret C., April 30, 1912.
Davis, Benjamin M., April 5, 1912.
Davis, Mrs. Grace, May 11, 1914.
Davis, Jackson, May 13, 1912.
Delahanty, Miss May, April 25, 1916.
Dodge, Richard E., June 26, 1915.
Elliott, Edward C., April 25, 1914.
Ellis, A. Caswell, September 27, 1916.
Fairchild, Milton, November 5, 1913.
Fant, John C., June 12, 1912.
Farrington, Frederic E., March 25, 1914.
Favrot, Leo M., May 27, 1912.
Field, Miss Jessie, March 27, 1912.
Fling, Fred Morrow, December 3, 1913.
Frazier, Fred B., May 24, 1912.
Friend, Lloyd L., May 27, 1912.
Frisby, Miss Florence E., October 24, 1916.
Haines, Charles G., January 10, 1914.
Hand, William H., March 21, 1912.
Hanifan, Lyda J., April 16, 1912.
Hanus, Paul H., March 25, 1914.
Harvey, Mrs. Mary T., September 23, 1912.
Hayford, Leslie, August 9, 1916.
Heck, William H., July 2, 1914.
Hedger, Miss Caroline, November 24, 1915.
Hefferan, Mrs. Helen M., October 29, 1913.
Hill, Walter B., August 17, 1914.
Hopkins, Edwin M., June 20, 1913.
Hosic, James F., July 29, 1913.
Israel, Henry, June 2, 1914.
Jackson, Henry E., November 4, 1916.
Jarvis, Chester D., January 15, 1915.
Johnston, Charles H., December 16, 1915.
Judd, Charles H., January 15, 1914.
Keenan, George E., November 18, 1913.
Kendall, Calvin N., March 25, 1914.
Keyes, Charles H., March 25, 1914.
Kingsley, Clarence D., March 11, 1912.
Lake, Miss Esther E., December 1, 1915.
Larson, Walter E., April 10, 1912.
Little, Charles E., December 17, 1914.
Locke, Miss Bessie, April 9, 1913.
Lombard, Miss Ellen C., September 19, 1913.
Lynch, George M., March 29, 1912.
MacDonald, Neil C., September 6, 1913.
Malone, Miss Isabel, December 4, 1916.
Malone, Paul, November 18, 1916.
Manny, Frank A., April 22, 1912.

Maphis, Charles G., May 24, 1912.
Maxwell, William H., March 25, 1914.
Mooney, William B., June 12, 1912.
Morris, Miss Agnes, October 5, 1912.
Murray, John F., March 31, 1914.
Newbold, Nathan C., May 14, 1913.
Osgood, William F., December 17, 1912.
Paul, Joshua Hughes, November 30, 1912.
Perry, Clarence A., January 29, 1914.
Phelps, William L., April 27, 1914.
Phillips, Eugene M., November 18, 1913.
Phillips, John H., March 25, 1914.
Powell, Richard H., jr., April 22, 1912.
Rea, Paul M., October 30, 1913.
Rhoads, McHenry, June 3, 1912.
Russell, William F., December 17, 1914.
Sargent, Christopher G., January 29, 1914.
Schlaegel, Miss Katherine, December 26, 1913.
Schmidt, Charles C., September 6, 1913.
Schoff, Mrs. Hannah K., March 8, 1913.
Schofield, Miss Louise, March 25, 1916.
Scott, Fred N., July 29, 1913.
Searson, James W., January 28, 1915.
Settle, Thomas S., April 16, 1912.
Small, Willard S., January 12, 1915.
Smith, Charles A., April 25, 1913.
Smith, Charles F., March 10, 1914.
Shriber, Joseph H., December 17, 1912.
Smith, David E., December 14, 1912.
Smith, Fred W., July 23, 1913.
Smith, William H., July 3, 1912.
Spaulding, Frank E., March 25, 1914.
Stewart, Mrs. Cora W., March 23, 1912.
Stimson, R. W., January 3, 1914.
Summers, L. L., November 18, 1912.
Straus, Simon, February 2, 1914.
Strayer, George D., March 25, 1914.
Swiggett, Glen L., November 11, 1914.
Tate, William K., February 18, 1913.
Taylor, Ocea, February 4, 1913.
Thackston, John A., May 24, 1912.
Torreyson, Burr W., May 24, 1912.
Updegraff, Harlan, August 30, 1912.
Van Benthuysen, Stephen D., July 23, 1913.
Wagner, Alvin E., March 27, 1912.
Walker, Nathan W., May 27, 1912.
Ward, Edward J., October 7, 1915.
Weatherford, Willis D., June 23, 1913.
Wheelock, Lucy, October 16, 1916.
Weaver, Mrs. Charles P., March 21, 1912.
Webster, Mrs. Lenore P., December 18, 1915.
Wheaton, Harry H., April 11, 1914.
Whitbeck, Ray H., June 26, 1915.
Williams, Henry G., March 23, 1912.
Winchester, Miss Almira M., March 3, 1913.
Wood, Thomas D., March 8, 1913.
Woofter, jr., Thomas J., September 27, 1913.
Wooster, Earl S., March 8, 1913.
Wright, Charles C., November 18, 1913.
Yocum, A. Duncan, April 4, 1912.
Young, J. W. A., January 2, 1913.
Bennett, Charles A., October 6, 1916.
Briggs, Thomas H., June 2, 1914.
Freeman, Edward A., December 8, 1913.
Jones, Thos. Jesse, February 29, 1912.
Kingsley, Sherman C., December 13, 1913.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa.

The amendment was agreed to.

Mr. MYERS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert, at the proper place in the bill, the following:

That the Secretary of Agriculture be, and hereby is, authorized and directed to examine into the extent and conditions of the practice of experimentation on living animals in laboratories for research, and in hospitals or other establishments, and in the commercial production of serums and vaccines for sale, for the purpose of ascertaining whether such experiments and practices are attended with unnecessary and preventable suffering arising from useless repetitions of experiments, want of proper skill in the experimenters, nonuse of anesthetics, and the absence of proper care of the animals upon which such experiments or operations are conducted, and to report the results of such examination and investigation to the Congress of the United States.

That the sum of $20,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the expenses of such examination and investigation, to be disbursed under the direction of the Secretary of Agriculture.

That the experts, special agents, clerks, and stenographers employed under this appropriation shall be selected from persons eligible on any civil-service register.

Mr. SMITH of South Carolina. Mr. President, I shall have to make the——

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. MYERS. I have the floor, and I do not yield.

Mr. SMITH of South Carolina. I just rose to a point of order.

Mr. MYERS. I do not yield, because I want to say a few words about this amendment.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. SMITH of South Carolina. I will reserve the point of order, then.

Mr. MYERS. Mr. President, there has grown up in this country amongst intelligent and thinking people and those who give attention to humanitarianism a strong demand that the practice of vivisection on animals cease. It has been discussed, attention has been brought to it in schools, colleges, churches, and civic societies, and the sentiment is growing. It has spread all over the country, and some of the foremost publicists, scholars, and humanitarians of the country have given their support to the movement to stop that vicious practice; many resolutions have been adopted by societies demanding that the practice be stopped and that legislation be enacted to prevent it.

There has been formed a national antivivisection society which has its headquarters here in Washington, I believe, and holds annual meetings. The membership is large, and it is composed of highly intelligent and benevolent men and women. They have agitated for some time the matter of bringing to the attention of Congress this practice to which they are so justly opposed, and they have enlisted the sympathies of some Members of this body. The distinguished Senator from New Hampshire [Mr. GALLINGER], who is very heartily in sympathy with the movement to put a stop to this practice, has introduced in the Senate a bill which is now pending and embodies substantially the provisions of my amendment; but, while he is very heartily in favor of the proposed legislation and has given it all possible attention, it has not made any headway yet. It seems to be impossible to make any progress with it on account of the Senate, I suppose, being engrossed with what are supposed to be larger and more important matters. I therefore consented to present this amendment, embodying substantially the provisions of his bill, with his knowledge and consent, and with his hearty approval; and I believe that this appropriation ought to be made. It only asks for $20,000. If there is any objection to the amount I would be willing to make it $10,000. I believe that this is a very worthy amendment. It only provides for an investigation to learn to what extent the practice of vivisection is carried, and how and under what circumstances and for what purposes and reasons, and to what extent it may come under the jurisdiction of Congress in order that Congress may then, after having had a report, enact appropriate legislation, if it should see fit, to stop these practices.

I think this is a matter on which we ought to have enlightenment. We have been talking here for two or three hours about enlightenment afforded by the Carnegie endowment and the Rockefeller endowment, and there is objection made to it because the funds therefor come from private sources. I have heard it stated a dozen times on the floor of the Senate during this debate that these things should be done by the Government; that when the Government can do anything just as well as an individual or corporation it ought to be done by the Government. Here is an opportunity for the Government to engage in highly laudable work of a very benevolent character, instead of waiting for the Rockefeller foundation or the Carnegie foundation or some other rich concern to furnish the money with which to do it. I believe the Government ought to do this and I ask for the adoption of the amendment.

Mr. SMITH of South Carolina. I make the point of order that the amendment has not been reported from a standing committee and has not been estimated for, and is entirely new matter.

The PRESIDING OFFICER. The Chair thinks that the point of order is well taken, and sustains it.

Mr. MYERS. While I have the floor I desire to offer another amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 21, line 16, strike out the figures "$176,505" and insert "$179,005."

Strike out lines 24 and 25 on page 21 and lines 1 and 2 on page 22 and insert in lieu thereof the following: "For testing and breeding fibrous plants, including the testing of flax straw, in cooperation with the Montana Agricultural College, $8,000, and in cooperation with the North Dakota Agricultural College, $16,760; in all, $24,760, which sum may also be used for paper making."

Page 22, line 23, strike out the figures "$160,000" and insert "$170,000."

Mr. MYERS. Mr. President, I think I ought to have the support and cooperation of the Senators from North Dakota in this amendment. Here is an amendment which proposes very beneficial work along educational lines. We have just been complaining that the Government should not accept money from private sources for work of this character, but that this great Government is able to carry on all work of this character and

pay for it. Here is an opportunity to have the Government do it in a matter which is of the highest importance and very necessary to educational work and to the advancement of agriculture in the States mentioned in the amendment.

In view of what we have heard here about the duty of the Government to pay its own expenses in this line of work and not to accept money from rich men or rich institutions, I think this amendment should undoubtedly be adopted. Here is a chance for the Senate to put in practice what we have heard advocated during the last two or three hours.

Mr. SMITH of South Carolina. I make the point of order also against this amendment. It has not been estimated for nor reported by a standing committee.

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

Mr. WADSWORTH. I have an amendment to offer to the bill, which I send to the desk with the observation that perhaps the acting chairman of the committee and others will accept it. It does not carry any additional appropriation.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert the following as an additional section:

SEC. —. That section 1 of the act entitled "An act to prevent cruelty to animals while in transit by railroads or other means of transportation from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, and repealing sections 4386, 4387, 4388, 4389, and 4390 of the United States Revised Statutes," approved June 29, 1906, be amended to read as follows:

"That no railroad, express company, car company, common carrier other than by water, or the receiver, trustee, or lessee of any of them, whose road forms any part of a line over which cattle, sheep, swine, or other animals shall be conveyed from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, or the owners or masters of steam, sailing, or other vessels carrying or transporting cattle, sheep, swine, or other animals from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, shall confine the same in cars, boats, or vessels of any description for a period longer than 28 consecutive hours without unloading the same in a humane manner, into properly equipped pens for rest, water, and feeding, for a period of not less than 5 nor more than 12 consecutive hours, unless prevented by storm or other accidental or unavoidable causes which can not be anticipated or avoided by the exercise of due diligence and foresight: *Provided*, That upon the written request of the owner or person in custody of that particular shipment, which written request shall be separate and apart from any printed bill of lading, or other railroad form, the time of confinement may be extended to 36 hours, and the time for rest and feeding to a period in excess of 12 hours. In estimating such confinement the time consumed in loading and unloading shall not be considered, but the time during which animals have been confined without such rest or food or water on connecting roads shall be included, it being the intent of this act to prohibit their continuous confinement beyond the period of 28 hours, except upon the contingencies hereinbefore stated: *Provided further*, That it shall not be required that sheep shall be unloaded in the nighttime, but where the time expires in the nighttime, in case of sheep, the same may continue in transit to a suitable place for unloading, subject to the aforesaid limitation of 36 hours."

Mr. WADSWORTH. Mr. President——

Mr. BRADY. Will the Senator yield to me?

Mr. WADSWORTH. I yield for a question.

Mr. BRADY. This amendment seems to change a number of sections of the existing law. I understand that it repeals certain sections of the law.

Mr. WADSWORTH. No; I think I can relieve the Senator's mind upon that point.

Mr. BRADY. At any rate, it makes certain changes. I would be very much pleased to have the Senator from New York explain why he thinks these changes are necessary.

Mr. WADSWORTH. I am very glad, indeed, as, of course, it is my duty, to explain what the amendment proposes to do. The Senator from Idaho and other Senators who are interested in this matter and Senators generally will remember that under the present law live stock shipped in transportation may not be confined in railroad cars in excess of 28 consecutive hours, unless the shipper signs an agreement to the effect which will permit them to be confined in railroad cars 36 consecutive hours. The present law also provides that at the end of the 28 hours or of the 36 hours, whichever may be the case, the railway company must unload the cattle, sheep, or horses, whichever they may be, in suitable pens for resting and feeding, not less than 5 hours.

The amendment which I sent to the desk simply provides that the cattle or live stock shall be unloaded, rested, and fed not less than 5 hours nor more than 12 hours, with the single exception that upon the consent of the owner or shipper they may be rested more than 12 hours. That is all.

Mr. BRADY. What, in the Senator's opinion, is the necessity for a change in that respect?

Mr. WADSWORTH. I will endeavor to explain that. The operation of the 28-hour law has had a rather unlooked-for effect in one respect. One of the motives back of the enactment of that law was to prevent cruelty to cattle and other live stock in its transportation. Another motive back of the enactment of the law, I think I am accurate in saying, was to expedite the shipment of live stock. The first motive has been attained; cruelty to animals has been in a large measure obviated. The second motive, that of expediting the shipment of live stock, has not been attained, and, in fact, the operation of the law in some respects is such as to slow down the shipment of live stock, when one stops to consider the manner in which the law is obeyed by the railway companies, for let me say to the Senator that so long as the railways keep the cattle in the feed pen resting and feeding for 5 hours they are complying with the law, and there have been many, many cases brought to my attention where railways have kept cattle confined in feed pens not only for 5 hours, but for 12 hours, 18 hours, and 24 hours, and yet in utter compliance with the law. I have known of many shipments of cattle, we will say between points in northern Michigan and East Buffalo, a distance not in excess of 400 or 500 miles, which under ordinarily efficient railway transportation should be covered within 36 hours, or at least with the necessity involved of but one unloading for feed, water, and rest, and those same shipments unloaded twice and even three times, and kept hour after hour in the pens, with no benefit whatsoever to the cattle, tremendous delay at the other end of the line, and grave loss to the shipper, who when he originally loads the live stock at the point of departure makes his calculation that they shall reach the market on a certain day, a day which according to his judgment is the most favorable market day for the sale of his cattle or sheep or hogs, or whatever the live stock may happen to be.

Mr. President, I realize that this matter is rather an important one to bring before the Senate in this comparatively sudden manner. I will say partly in explanation that I have consulted with the officials of the Bureau of Animal Industry and with delegations of live-stock men who have been here in the last two or three days and who have presented to me a description of a state of affairs which quite passes my capacity to understand relative to the delays incident to the shipment and transportation of live stock.

Mr. BRADY. Mr. President——

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

Mr. WADSWORTH. I do.

Mr. BRADY. That is the very point upon which I was desiring information. I did not understand why the railroad companies would wish to delay shipments simply by having the cattle confined in the feed pens.

Mr. WADSWORTH. When the railway company unloads two or three cars into a pen for rest and feed, of course they must be kept there 5 hours under the existing law. When the 5 hours are up, it then rests in the option of the railway company whether to load them up and send them on; and it would seem from observation which I have made upon the subject that in many cases the yardmaster of the railway in which the feed yards are located is quite indifferent as to whether he makes up a train to take out the live stock in 2 or 3 hours, 6 hours, or 10 hours. He tells the shipper or drover who may be accompanying the cattle he will put them out when they are good and ready; and many an instance has arisen where the cattle have been loaded into cars out of the feed pen, which are kept standing on the sidetrack so long that they have had to be unloaded a second time and refed in the same yards, on the ground that the railway was unwilling to attempt to send them to the next feeding point within the 36-hour limitation provided by law; they would not take the chances, although the great waste of time which had taken place while the cattle, after they had been fed, were in cars standing on the sidetrack was the fault of the railway. So the cattle in many, many instances are left either confined in feed pens resting or feeding or else upon sidetracks confined in cars such a length of time as to induce the railway to offer the excuse that they can not reach the next 36-hour limit without unloading and feeding again.

It is the object of this amendment to place a limitation on the length of time which the railway companies may keep cattle confined in the pens unless the owner himself consents to an extension of the period of 12 hours.

Mr. BRADY. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Idaho.

Mr. BRADY. This amendment is of such vast importance to the live-stock interests of the West that I fear it would be impossible for us to get sufficient information to act intelligently upon the matter. From the Senator's statement, it seems to me, there is great need of some legislation along this line. I wish to ask the Senator whether he feels that this amendment has the full approval of the department of the Government.

Mr. WADSWORTH. I will say that the amendment as drafted in this form was not submitted to the department, but the officials of the Bureau of Animal Industry are in complete sympathy with this limitation on the time of confinement in feed pens; at least I so gathered in conversation with them.

Mr. BRADY. Does the Senator feel that the owners and shippers of live stock need this regulation?

Mr. WADSWORTH. I am very certain that the live-stock shippers need legislation of this character. May I be permitted to say that I have racked my brain to think of any portion of the country where the live-stock owners would be injured by this amendment. The 12 hours limitation on the confinement of cattle in feed pens seems to me to be very generous.

Mr. FALL rose.

Mr. WADSWORTH. Both the Senator from New Mexico and myself have had some experience in shipping cattle in the West, and it has not been my experience that cattle have ever needed to be held in excess of 12 hours, except under most unusual circumstances, in which the owner himself has asked that they be held more than 12 hours.

Mr. BRADY. I want to do everything that can be done to benefit the live-stock interests.

Mr. FALL. Mr. President——

Mr. WADSWORTH. I yield to the Senator from New Mexico.

Mr. FALL. I wish to ask the Senator, for the benefit generally of the discussion, as a cattle owner himself, does he not think that it should be in his power to compel a railroad company to load the cattle and ship them in 12 hours? If the Senator himself chooses to extend the time, that is all right. It must benefit the cattle; it must be a benefit to the consumers. You do not want to hold the cars on a sidetrack until the cattle get car fever, to which we all know to some extent they are liable. Should it not be within the power of the owner or shipper himself to say, "You are compelled to keep them for 5 hours; you shall not keep them over 12 hours without my consent"? That is the whole object.

Mr. BRADY. That is the purpose of the amendment. The Senator from New Mexico knows as well as any Senator on this floor how hard the stock interests of the West had to work to secure the 28-hour law, and I do not want to see anything done that would in any way impair that law.

Mr. WADSWORTH. I would be probably the last man in the Senate to attempt to break down the provision as to 28 hours, even though it would involve the confession also of somewhat selfish motives on my part, because I am a shipper of live stock.

Mr. BRADY. This provision appears to be quite necessary in the judgment of the Senator. On the other hand, it is so drawn and there is so little time to consider it that we must depend upon his good judgment in the matter in supporting the amendment.

Mr. NEWLANDS. Mr. President, I have not intervened in the debate thus far because I was aware that the Senator from New York was addressing himself to a rather serious question, and I was glad to obtain the enlightenment of his views upon the subject; but this legislation is subject to the point of order that it is new legislation. The Secretary of Agriculture has sent me his recommendation in the form of a bill with reference to an amendment of the existing statute relating to the transportation of live stock, and whilst I have not examined it minutely I imagine it covers some of the features urged by the Senator from New York. That bill will be introduced by me to-day and read and referred to the Committee on Interstate Commerce, and it will receive consideration as soon as I can secure it in that committee. As the Senator is aware, of course, that committee is under great pressure now with reference to various matters of legislation, and there may be some delay regarding it.

I would be very glad to see relief given, and promptly given, but my experience teaches me that it is never wise to yield to the urgency of legislation upon a subject of this kind without going through the usual processes of committee reference and hearing. I know in numerous matters that have come before our committee legislation that was apparently innocent in appearance has been proved to be burdened with very serious results.

This legislation relates in part to the congestion of traffic, and congestion of traffic is now a very serious question with almost all the railroads of the country. Both the railway executives and the Interstate Commerce Commission are applying themselves now to some solution of the question.

I can not, therefore, yield to the urgency of this situation and must insist upon my point of order.

The PRESIDING OFFICER. It seems to the Chair that the point of order is well taken. The Chair will therefore sustain it.

Mr. JONES. I desire to offer an amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 25, line 24, strike out the numerals "$62,740" and insert in lieu thereof "$65,240."

Mr. JONES. Mr. President, I will say that this increases the amount $2,500 and is estimated for by the department. I wish to give the reasons for it in a few words. The Government has been operating a bulb farm at Bellingham, Wash., of about 10 acres, for several years. They have demonstrated that the climate and soil there are especially adapted to the propagation of bulbs. Our import of bulbs into this country is about a million dollars a year, and if we can develop the propagation of the bulbs in this country, it means a great deal. As I said, they have already demonstrated that the climate and soil of Bellingham are especially adapted to this line of work.

The people there are giving to the Government a tract of 60 acres. There is a provision in another part of the bill appropriating $10,000, included in one of the lump-sum items, for the necessary buildings and the improvements and getting the tract in shape. The department included an estimate of $10,000 for the propagation and cultivation of bulbs on this 60-acre tract.

Mr. CLARK. For experimental purposes?

Mr. JONES. For experimental purposes, of course. They are very anxious to have the full amount, and I hope the full amount will be allowed.

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

The amendment was agreed to.

Mr. NORRIS. Mr. President, I should like to have the attention of the acting chairman of the committee to a provision in the bill, and later, before I conclude, I will offer an amendment that, I believe, will receive the approval not only of the acting chairman but of everyone who will listen to the statement.

The amendment that I propose to offer is on page 38, commencing with line 2. I am going to move to strike out that appropriation and insert it in a little different language, with an increase of $1,200.

Mr. President, I appeared before the Committee on Agriculture and Forestry and offered an amendment to increase the appropriation provided for for this national forest by $5,000. I was under the impression—in fact, I know—that those in Agricultural Committee who really had charge of the matter were favorable to it, but the amendment was referred to the Secretary of Agriculture. The committee will remember that the letter of the Secretary was read. He agreed practically to the thorough desirability of the increase, but said on account of the financial condition of everything he desired to curtail all possible expense, and he could not give his approval at this time. So the provision was not put in the bill; but the committee did allow a provision to remain in the bill, as follows:

So much, not exceeding $1,200, of any funds hereafter appropriated for the Nebraska National Forest for any fiscal year to and including the fiscal year ending June 30, 1920, as may be necessary shall be available for the purchase of land now under lease and used as a nursery site for the Niobrara division of the Nebraska National Forest, $6,165.

That was in the bill as it passed the House, and was put in at the suggestion and request of the department, because it is recognized that that land must be purchased at some time. There is no appropriation in the bill to pay for it, although it gives authority to take it out of the appropriation. The appropriation for the Nebraska National Forest, on page 27, line 13, is only $1,165. It is true there is an appropriation of $5,000 to carry on the nursery work at the Niobrara station at the same time. If this $1,200 were taken out, there would be practically nothing left, and it would not be taken out, of course, unless there was a distinct appropriation made; but they would run on the theory that they would take it out in some years between now and 1920.

I want to call the attention particularly of the acting chairman to the fact that the bill as it comes from the House and as reported from the committee has the announced intention of buying that land. It comes about from the fact that when this national forest was inaugurated this particular 80 acres of land and another piece that my amendment does not affect were supposed to be within the boundaries of the forest reserve. As a matter of fact, when it was properly surveyed it was found that the 80 acres that they are now using for a nursery and 18¼ acres composing another tract were outside of the forest grounds

and were owned privately. This land in question is bottom land on the Niobrara River. There is not and was not any land within the forest itself suitable for the work of raising and producing nursery stock that they are producing there, and they have been producing it for several years. You will remember that this is a forest reserve where there is no forest, but they are attempting to grow it. So they had to lease this private land. It is under lease now, and they have been using it under that lease. It includes the provision, as I understand, that they should have the right to buy at any time this 80 acres of land for $1,200, and that privilege will expire in 1920. The reason why the provision was put in the bill was to enable the department to use any money appropriated to buy this land at any time under any appropriation between now and 1920.

I am only anxious to have this land purchased now and to make an appropriation in this bill for that specific purpose, so that the matter may be ended. If something should happen to prevent the purchase of the land it would seriously cripple the work of the service, because it would take the land away from the nursery grounds mainly. There is this note, which Senators who have the committee print of the bill before them will see:

Through an error in the public-land surveys this tract—

That is, the 18.25-acre tract, not the one which I am now proposing to purchase—

Through an error in the public-land surveys this tract was inadvertently included in the principal nursery which supplied the Nebraska National Forest when that nursery was established. The second tract, containing approximately 80 acres—

That is the one that is under lease and which this appropriation would enable the department to purchase and to add to the reservation—

constitutes the Niobrara nursery site, which for several years has been in use under lease, with an option for purchase. The addition of these tracts is essential to the successful development of reforestation in Nebraska, and suitable national-forest land is not available for the purpose.

Mr. President, the effect of my amendment will be that, in lieu of the language now in the bill, providing that any of the funds appropriated between now and 1920 to the extent of $1,200 may be used for the purchase of this tract of land, it makes a definite appropriation now of the amount. In fact, the estimate of the department increased the amount by exactly this particular appropriation; that is, instead of having, as in the committee print of the bill, on line 22, page 35, $1,165, the estimate was $2,365. That is just $1,200 more than the amount now named in the bill. Instead of leaving it as it now is, in order to enable Senators to know exactly for what purpose the money is to be used, I thought it better to make a specific appropriation of the $1,200. I have not, however, changed the amount in line 22, page 35, but have added this specific appropriation. I will now send the amendment to the desk and ask the Secretary to read it.

The VICE PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. On page 38, line 2, beginning with the words "so much," it is proposed to strike out down to and including the numerals "$6,165," in line 8, and to insert the following in lieu thereof:

For the purchase of land now under lease and used as a nursery site for the Niobrara division of the Nebraska National Forest, $1,200; in all, $7,365.

Mr. NORRIS. That increases the amount exactly $1,200, Mr. President.

Mr. GRONNA. Mr. President——

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

Mr. GRONNA. May I ask the Senator how large the tract of land is?

Mr. NORRIS. It contains 80 acres, as stated by the department. I have never seen it.

Mr. GRONNA. I have no objection to the amendment.

Mr. NORRIS. It is bottom land and is situated directly on the Niobrara River, I am told.

Mr. BRADY. Is the land owned by private individuals?

Mr. NORRIS. It is owned by a private individual. It was supposed when the survey was made that the land was public land, but when they came to make a definite survey it was found that this particular 80 acres, together with another tract, which is being used in another place and which this does not affect, was in fact privately owned land.

Mr. BRADY. Is the Senator sure that the appropriation of $1,200 will enable the department to buy the land?

Mr. NORRIS. I understand the department have an option to buy the land for $1,200.

Mr. SMITH of South Carolina. Mr. President, I merely want to make a brief statement. The committee went pretty fully into this matter. As the Senator from Nebraska has already indicated, it seemed to the committee that the recommendation of the department was sufficient, but the action of the committee was incorporated just as it appears in the bill. We followed the recommendation without any change at all, but we inserted the following proviso, to which the Senator has called attention:

Provided further, That the cost of any building erected at the nurseries on the Nebraska National Forest may amount to but shall not exceed $1,000.

Mr. NORRIS. If the Senator will permit me, that amendment, of course, makes no appropriation.

Mr. SMITH of South Carolina. No.

Mr. NORRIS. That has nothing to do with the amendment I am now offering, but is an amendment which has already been adopted.

Mr. SMITH of South Carolina. The point I am making in reference to this is that the Secretary of Agriculture seemed to think that conditions just now were not pressing and did not warrant any other language than that which is found in the bill. That language is:

So much, not exceeding $1,200, of any funds hereafter appropriated for the Nebraska National Forest for any fiscal year to and including the fiscal year ending June 30, 1920, as may be necessary, shall be available for the purchase of land now under lease and used as a nursery site for the Niobrara division of the Nebraska National Forest, $6,165.

I want to say that the amount is very small; the Government is contemplating buying the land; and as the amendment offered by the Senator from Nebraska only anticipates what the department seems to have in mind anyway, as acting chairman of the committee I have no objection to it.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Nebraska.

The amendment was agreed to.

Mr. POINDEXTER. Mr. President, to come in on page 26 of the bill, line 23, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The SECRETARY. On page 26, line 23, it is proposed to insert the following:

Provided further, That $4,000 of the sum appropriated in this section shall be expended by the Secretary of Agriculture in cooperative work in forage-crop investigation in the State of Washington east of the Cascade Mountains, to be used under the direction of the Office of Forage-Crop Investigations of the Department of Agriculture, in cooperation with the Washington State Experiment Station, and upon the condition that the said Washington State Experiment Station shall contribute an equal amount to be used in such work, together with the amount hereby specified under the same direction and cooperation as herein indicated.

Mr. SMITH of South Carolina. Mr. President, I will state to the Senator from Washington that this amendment has not been estimated for nor has it been considered by the Committee.

Mr. POINDEXTER. Mr. President, the amendment does not increase the appropriation, and it is in line with the work for which this general appropriation is made. It has been requested by the chief of the Division of Forage Crop Investigations.

Mr. SMITH of South Carolina. Has it been requested by the chief of that investigation who has charge here?

Mr. POINDEXTER. Yes; it has been requested by the chief who has charge here. The amendment is simply intended to enable a great section of the country which is described in the amendment, in which is particularly felt the need for the development of forage crops on account of the semiarid character of the country, to get some share of the $139,180 which is provided for the investigation.

Mr. SMITH of South Carolina. I think, if the Senator from Washington will study the language of this paragraph, he will find that it provides for identically the thing which he desires.

Mr. POINDEXTER. It does not provide, Mr. President, that any portion of this money shall be expended in the State of Washington. I have sat here and have voted for these large appropriations for forage-crop investigations year after year, and have had promises year after year from the Agricultural Department that a portion of the appropriation would be expended in our State, where there is particular need for this very sort of demonstration work, and every year we are put off with the promise that we shall have it next year. Now, it seems to me that, in view of the contribution that we make to these general funds, we are entitled to have a portion of this money expended in our State.

Mr. SMITH of South Carolina. I notice that $92,980 is being used for this identical purpose. The Senator can readily understand that we could not begin legislating here and naming States specifically where the general fund pertaining to all of the States is being appropriated for, as in this bill. I recognize the difficulty under which the Senator is laboring in having the

department make these investigations in his State; but the best that can be done in the present form of the bill is to see that justice is done so far as we may; but to single out individual States would be impossible. We could not have legislation of that kind. I am thoroughly in sympathy with the Senator in getting this investigation in his State, but as acting chairman of the committee I could not give my consent to have this precedent established here for this specific purpose within a specific State. It is for a specific purpose that the whole $139,180 is appropriated, but we can not name the specific States in which wholly or in part it shall be expended.

Mr. POINDEXTER. Mr. President, the amendment provides for cooperative work between the Agricultural Department and the State experiment station; that a similar amount to that provided for in the amendment shall be provided by the State experiment station. It is absolutely necessary that there should be a specific authorization by law in order to bring about that result.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, my attention has been called to a provision in the program of work of the United States Department of Agriculture for the fiscal year 1917, along this same line. It says:

Extensive tests have also been carried on for the past year at Pullman, Wash.

I want to suggest to the Senator that if those in charge of this fund here are solicitous to have this work done in Washington, there is nothing in the world to hinder them from doing so. The appropriation is general, and next year they can take any amount that in their judgment is deemed necessary to do the work. So, if in the Senator's State the work is cooperative and the State makes the proper appropriation, I see nothing in the world to hinder the utilization of the amount indicated along the lines the Senator desires.

Mr. POINDEXTER. Mr. President, the only thing which would prevent it would be an order of the Secretary of Agriculture that it be used in some other State. That is the only objection.

Mr. SMITH of South Carolina. I can not conceive how a matter concerning which money is needed, so much so that an officer having charge of the investigations has so stated, will not be provided for by the department under the general appropriation here made. Here is an appropriation of $139,180 for all the States to cover this specific work. I think all that would be necessary would be to call the attention of the proper authorities to the item the Senator desires taken care of. In fact, I have no doubt their attention has been directed to it already. They certainly have not asked us for any greater appropriation to carry on this work, however. If a larger estimate had come from the department stating that certain States were asking that certain very necessary work be done, it would be a different proposition; but they have not so done. The Senator will realize the force of what I am saying, that we can not, out of a fund appropriated for a specific purpose for all the States, select a given amount, and set it aside for a particular State.

Mr. POINDEXTER. Mr. President, I do not care to occupy any great amount of the Senate's time in arguing the matter; but it is perfectly obvious that we can do that very thing. There is nothing to prevent Congress from specifying how a certain portion of this fund shall be used; and it is very likely that it will not be used for that purpose unless a specification in the appropriation act so provides. The officer in charge of forage-crop investigations has not the discretion to apportion this fund, but it is apportioned by the Secretary of Agriculture. The Secretary of Agriculture has a great deal of power where we appropriate several million dollars in lump sums and leave it to his unrestricted discretion as to where he shall use it and how he shall use it. I am very much in hope that the Senator will accept this amendment.

Mr. SMITH of South Carolina. The appropriation in the bill of $139,180 is for identically the kind of work the Senator has reference to in the region indicated by the Senator. If he will read the paragraph, he will see that it provides:

For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation of the utilization of cacti and other dry-land plants; and to conduct investigations to determine the most effective methods of eradicating weeds, $139,180.

It covers the identical work that the Senator desires to have done.

Mr. POINDEXTER. What the Senator has read illustrates the difficulty of lump-sum appropriations. The Secretary of Agriculture may take the entire amount of the appropriation to investigate cacti or to investigate the eradication of weeds. What we desire is that the small sum of $4,000, which is to be put with a like amount to be contributed by the State experiment station, shall be used for what I think is a more desirable purpose than either one of the others; that is, in experiments in the production of forage crops in a section of the semiarid part of the country, where that is a very difficult problem.

Mr. SMITH of South Carolina. If the Senator will allow me. I think a very liberal amount of the appropriation for this purpose for the current fiscal year, namely, $92,000, is being used for investigating forage crops; and I think if the Senator will call the attention of the proper authorities to the needs of his State and the willingness of the State to cooperate he will have no difficulty in getting a proportionate share of this money for the State of Washington.

Mr. POINDEXTER. If the Senator is so committed to the idea of lump-sum appropriations without any restriction made by Congress as to how the money shall be distributed, why has he taken the pains in this same paragraph to provide that $60,000 of the amount appropriated shall be used in the distribution of seed? Why not leave that question with the Secretary to determine how much of it he will use for the distribution of seed?

Mr. SMITH of South Carolina. The Senator is losing sight of the same principle, because this $60,000 item for the distribution of seeds covers all the States. It does not say that $60,000 shall be used for the distribution of seeds in the State of Washington. The Senator is seeking to make out of the general fund applicable to all of the States a special appropriation for his State. Now, we say in the bill that wherever it is found that there is necessity for developing and distributing these seeds, the appropriation may be used, and the Senator's State will share alike with all the other States.

Mr. POINDEXTER. On page 69, of the appropriation bill, beginning in line 7, there is an illustration to which I wish to call attention. There is an appropriation of $578,240 for the Senator's section of the country. Why does he specify that?

Mr. SMITH of South Carolina. I beg the Senator's pardon. That amount is to be used outside of the section of the Senator from South Carolina. It specifically says "outside of the cotton belt."

Mr. POINDEXTER. I see I was mistaken as to that, but the next paragraph contains an appropriation of $659,560 to be expended inside of the Senator's section of the country. In one case it is specified that the amount shall be expended inside of a certain section and in the other case that it shall be expended outside of a certain section. Why specify either one of them?

Mr. SMITH of South Carolina. Because there are conditions general to the entire section, including all of the States in that section, due to the ravages of the boll weevil, threatening the greatest monopoly that any country was ever given by the hand of God, the textile business of the world.

Mr. POINDEXTER. The only difference is that the Senator from South Carolina is of the opinion that his interests are of more importance than the interests of anybody else.

Mr. SMITH of South Carolina. No.

Mr. POINDEXTER. That is the logical result of his argument.

Mr. SMITH of South Carolina. On the other hand, practically an equal amount was given for use outside of the cotton belt, without there being any indication of a great menace threatening any one of the staple crops there. I do not know what was the purpose of those who framed that provision—I did not frame it—but I see that the appropriations are pretty well balanced, for there is appropriated over a million dollars for demonstration work in the entire United States. This bill divides the appropriations as they have previously been divided.

Mr. POINDEXTER. They never were divided in this way before, Mr. President, because there are several hundred thousand dollars more appropriated than ever were appropriated before. I think this is the first time I have ever called attention to the division of these appropriations, for it is a little foreign to my disposition to quarrel with an appropriation of this kind; and I do not quarrel with it; but I do quarrel with the disposition of the Senator to specify appropriations when they are given to his section and when I seek to obtain a small specification for work which is of importance to a great section of the country within the State of Washington—what is called the Inland Empire—with conditions peculiar to itself, climatic conditions which are different from those of any other State in the Union, the Senator answers that by saying that there should be simply lump-sum appropriations for general distribution throughout the country; and yet we are confronted here with an appropriation of $659,000, with a specification that it shall be used in his section of the country.

Mr. SMITH of South Carolina. Now, the Senator says that he has a quarrel with the Senator from South Carolina because

of this lump-sum appropriation. I have simply called attention to the fact that the amounts appropriated were to be used for a specific purpose generally in every State where the use was indicated. So that the $578,240 is to be used in every State outside of the cotton belt where its use is indicated, and the $659,560 is to be used in every State in the cotton belt where its use is indicated. The Senator from South Carolina is contending that it would be wrong in principle for one State in a given section for which provision is made to come in and demand that a specific amount of the appropriation should be set aside for identically the same work within that State.

Mr. POINDEXTER. Well, how does the Senator distinguish in principle between that and the appropriation for several States?

If there is a peculiar situation existing in a State which is different from the situation in other States and if the interests that are involved are of sufficient importance, upon what principle does the Senator say there should be no specification for that when he specifies the amount that shall be used in a particular area of the country? The Senator does not contend that the boll weevil is an instrument of interstate commerce and comes under the commerce clause of the Constitution, does he?

Mr. SMITH of South Carolina. No.

Mr. POINDEXTER. What I am trying to get at is why the Senator holds there should not be an appropriation to meet the peculiar conditions existing in the State of Washington?

Mr. SMITH of South Carolina. This appropriation of $139,000 is exactly along the line of the argument of the Senator. It is appropriated for the semiarid region to take care of certain conditions that arise there. The Senator's State happens to be located in that section, and therefore the amount is available for his State. It is available for all the States that fall under that specification. That is exactly the same principle that is carried out in the other provisions.

I hope the Senator's State will get its share of this appropriation. I am not arguing against that; but I am simply saying it would hardly be fair to the sister States of Washington or to communities situated like his, for him, out of this general appropriation made for a particular section, to ask to specify an amount for his State, and leave the others without their pro rata share.

Mr. JONES. With the permission of my colleague, I desire to ask the chairman of the committee whether he would object to an amendment increasing the amount in the bill by $4,000, to be used in the State of Washington, on condition that the State shall appropriate $4,000 to be used in cooperation with the appropriation of the National Government?

Mr. SMITH of South Carolina. It is a small amount, and if the State contributes a similar amount, I do not see why an arrangement can not be made with the Agricultural Department to carry on the experimental work.

Mr. JONES. I do not think the Senator should object to an amendment of that kind, because I will say that the department has the work for the ensuing year mapped out under the items included in the general program, and, unless such a provision is made as has been indicated, I presume that our State will not get anything.

Mr. SMITH of South Carolina. I do not see why it would not.

Mr. JONES. I do not think it would unless the department has already planned to do it.

Mr. SMITH of South Carolina. I want to say to the Senator that the department has not sent in any further estimate. We allowed the amount for which they estimated.

Mr. JONES. I understand that.

Mr. SMITH of South Carolina. And I feel sure that if the proper officer of the department recognizes the necessity for this work being done in Washington they have probably already included it; so that I really do not think it is necessary to change the provision of the bill. I think it would be sufficient to call the attention of the department to it.

Mr. JONES. They have not been doing this work, as I understand, in the State of Washington, and no doubt they have already mapped out their work for the next year and the money that is specified in this paragraph has already been apportioned, and under the provision as it now is we can not hope to have anything for our State; but if we can, by increasing the appropriation by no greater amount than $4,000, get that specifically directed to our State, then, of course, by next year they will plan to carry the work out.

Mr. SMITH of South Carolina. I can not, as acting chairman of the committee, agree to that, for this reason: I do not know what, in the judgment of the department would be the proper proportionate share of the State of Washington. So how could I stand here and commit myself to a definite amount when it might work an injustice to other States?

Mr. JONES. It is not proposed to take it out of the amount that is now carried in the bill. It is not my suggestion that we disturb that at all; I do not want to disturb what the department has mapped out; but what I suggested was to increase the amount in the bill by whatever amount we agree upon—$4,000 my colleague has suggested—and then that amount will go to the State, and it will not work any injustice anywhere or interfere with any work the department has mapped out. It would not interfere with that at all.

Mr. SMITH of South Carolina. Had this matter been brought to the attention of the committee, we could have gone into its details and investigated it; but I can not understand why the Senator's State can not receive its share of the benefit of this appropriation. The forage crops are now being investigated and bulletins are now being sent out giving the results of the investigation on this very matter.

Mr. POINDEXTER. Mr. President, I want to read, in connection with the suggestion of my colleague and the observation of the chairman of the committee, a statement from the director of the agricultural experiment station at Pullman, in the State of Washington. He says:

> You are doubtless aware of the fact that agricultural conditions in the State of Washington, both east and west, are radically different from any other part of the United States except portions of Oregon. It is also a fact that relatively little has been done along the line of forage-crop investigation for this district. We are making efforts along these lines in our State experiment station, but lack of funds prevents our doing as much as we should.

Then he suggests an appropriation of four or five thousand dollars for cooperative work in forage-crop investigations in the State of Washington, to be used under the direction of the Office of Forage Crop Investigations in cooperation with the Washington State Experiment Station, on condition that the Washington station contribute a like amount for such work.

> We are especially desirous of conducting this type of work in the drier portions of the State, such as Adams, Lincoln, and Douglas Counties. You, of course, are perfectly cognizant of the needs in this district. There is also the same need, though perhaps not so critical, in the Palouse and Walla Walla country and in the district west of the Cascades for investigation in forage crops.
>
> In this connection I would call your attention to the fact that the Great Plains district, through the Office of Dry Land Investigations, has secured very large Federal appropriations for conducting this kind of work, whereas our own State has received for such work little or nothing. It would seem, therefore, that the above-mentioned request could not be regarded by the national legislators as at all unreasonable.

I have some personal knowledge of the difficulty of obtaining proper recognition of the section of the country which is described in this letter from the department. Because of the interest, and perhaps the influence, of that section of the country which he describes there as the Great Plains section, we have simply been overlooked and neglected; and there is no substantial reason, there is no satisfactory reason, why Congress should not settle the matter by directing in the appropriation bill that a reasonable amount of this money should be expended in this section.

Mr. GRONNA. Mr. President——

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

Mr. POINDEXTER. I yield.

Mr. GRONNA. If I may have the attention of the acting chairman of the committee, I suggest that a provision be inserted permitting the expenditure of a limited amount in cooperation with this experiment station. That is frequently done, and we have some of those same provisions in this bill—that not more than a specified amount may be so expended.

Mr. SMITH of South Carolina. The Senator must understand that all this work is done under the cooperative plan now.

Mr. GRONNA. Yes.

Mr. SMITH of South Carolina. The Senator from Washington, in the letter that he read from a citizen of his State——

Mr. POINDEXTER. If the Senator will allow me, he is not only a citizen but the director of the agricultural experiment station.

Mr. SMITH of South Carolina. That emphasizes more the point I want to make. He claims that in the State of Oregon and in the State of Washington similar conditions exist. The Government is making these experiments in the State of Oregon now, so that the findings of that investigation are just as available for you as if it were made in the State of Washington. In that respect it is just like the eradication of the foot-and-mouth disease. The remedy that might be applied in Michigan, for example, is just as available for every other State in the Union, and that is the point I am making. Now, if it means that we want to appropriate $4,000 specifically for that State

to duplicate the work that is being done in Oregon that is a different proposition.

The Government says: "We are covering this very identical matter now in Oregon, and whatever results we find from our experiment station there are just as available for Washington as though the work were done in Washington." Now, it may be true that very little is done in Washington, and it may be true also that it is not necessary because the same work has been done in some other contiguous State under like conditions.

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

Mr. POINDEXTER. I yield to the Senator for a question.

Mr. FALL. I should like to ask the acting chairman of the committee if the appropriation of this amount is made upon the estimate or request of the department?

Mr. SMITH of South Carolina. It is.

Mr. FALL. Do they not make requests based upon some estimates, so as to give the committee the information?

Mr. SMITH of South Carolina. I called attention to what they were doing. Ninety-two thousand dollars is set aside for the forage-crop investigation.

Mr. FALL. Where?

Mr. SMITH of South Carolina. The Book of Estimates for 1917 gives a detailed statement.

Mr. FALL. That is satisfactory.

Mr. SMITH of South Carolina. In that detailed statement they say that work is being done in Oregon that is exactly of a like nature with that being done in Washington.

Mr. POINDEXTER. I will withdraw that amendment for the time being, Mr. President.

Mr. UNDERWOOD. Mr. President, I desire to offer an amendment to be inserted at the end of the bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert, at the end of the bill, the following:

That the act of August 30, 1890, entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes" (26 Stat. L., p. 414), is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such joint resolution as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico, South and Central America, the islands of the Gulf of Mexico, and the Caribbean Sea into those parts of the United States below the southern cattle quarantine line at such ports of entry as may be designated by said joint regulations and also subject to the provisions of sections 7, 8, 9, and 10 of said act of August 30, 1890.

That all such cattle, when entered, shall be subject to the regulations governing the handling and transportation of cattle from the districts infected with the Southern, Texas, or splenetic fever.

Mr. UNDERWOOD. Mr. President, this amendment was considered by the Senate last year. The particular amendment was voted down, but in its place there was offered an amendment wiping out the discrimination that now exists in the statute. I feel that that discrimination is a very great injustice to the other ports and other States than the State of Texas. I am not going to go into a long discussion of the amendment this afternoon, but I am not willing to abandon the subject entirely.

Mr. PAGE. Mr. President, may I interrupt the Senator?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Vermont?

Mr. UNDERWOOD. I yield.

Mr. PAGE. I recall very distinctly the discussion had a year or two ago upon this matter, and I am certain that this amendment will not be adopted, if we have a quorum of the Senate present, without a good deal of discussion. I should like to make a parliamentary inquiry, as to whether this amendment is not open to a point of order. Would a point of order lie as against this amendment?

Mr. UNDERWOOD. I will say to the Senator that I did not yield for the purpose of a point of order being made at this time. I thought I yielded for a question.

Mr. PAGE. I will simply say that I am sure there will be decided opposition to the Senator's amendment, and I hope he will not take too much time if, after the discussion is all over, the amendment will be ruled out on a point of order.

Mr. UNDERWOOD. When I take my seat the Senator will have the privilege of making the point of order, if he desires to do so. I do not intend to take a great deal of time in debating the question at this time, Mr. President, because I know that the Senate thoroughly understands the question, as it was debated only a year ago. I should like to discuss it to some extent this afternoon, but I find that my voice is in such a condition that I can not go on with the discussion, except to say this: Under the existing law this class of cattle are admitted into the Texas ports below the quarantine line. I can see no reason why they should not be admitted into the other ports below the quarantine line. That is the purpose of the amendment, and that is the reason why I hope it will be adopted.

Mr. SHEPPARD. Mr. President, Senators will recall that we had a very thorough discussion of this proposition when the Agricultural appropriation bill was before the Senate during the last session. The Senate decided overwhelmingly against this amendment. It was suggested, in the course of debate, that inasmuch as we were appropriating hundreds of thousands of dollars in order to destroy the cattle tick, we ought not to permit the unqualified admission of tick-infested cattle through all our ports on the southern coast. I do not believe that it would be good policy to adopt this amendment, and I make the point of order that it is general legislation on an appropriation bill.

The VICE PRESIDENT. The Chair is of the opinion that it is general legislation on an appropriation bill, and sustains the point of order.

Mr. PAGE. Mr. President, I wish to call attention to the fact that in offering an amendment yesterday to the appropriation bill, on page 14, line 4, I omitted to change the aggregate by the amount that was added by my amendment. My attention was called to the matter this morning by the department. If it is essential, as perhaps it is, that we increase the amount from $262,580 to $277,580, on page 14, line 4, I propose that amendment.

The VICE PRESIDENT. Without objection, the Secretary will be authorized to correct all totals.

Mr. PHELAN. Mr. President, as a matter of information, I should like to inquire of the Chair if such a course is necessary, because it affects other items.

Mr. SMITH of South Carolina. The ruling of the Chair is to the effect that when the general sum has been increased by these appropriations the Secretary will be authorized to correct the totals.

The VICE PRESIDENT. That does not apply in this case. It will be necessary for the Senator from Vermont to move to amend in this case.

Mr. PAGE. I think it is necessary, Mr. President, and I hope the amendment will be agreed to.

The VICE PRESIDENT. The Secretary will state the amendment.

Mr. PHELAN. I ask at the same time that the aggregate be increased where an appropriation was made for the plant-introduction station in Chico, Cal., by an amendment adopted yesterday afternoon. I move that as an amendment. It is germane at this time—that the aggregate also be increased.

The VICE PRESIDENT. The amendment of the Senator from Vermont is before the Senate. The Secretary will state it.

The SECRETARY. The Senator from Vermont moves to strike out of the amendment agreed to yesterday "$254,200," on page 14, line 4, and to insert "$269,200."

Mr. PAGE. Mr. President, I think the Secretary has made a mistake. As I understand, on line 4 of page 14 the amount provided for is $262,580; and I move to amend by striking out that sum and inserting $277,580.

Mr. SMITH of South Carolina. I should like to call the attention of the Senator to the fact that $254,200 was the aggregate, and therefore that it should be increased to $269,200. There had been a decrease. The total amount was $254,200; and the Secretary is correct in the figures he has now given.

Mr. PAGE. I accept the correction and make the motion to correspond.

The VICE PRESIDENT. The question is on the amendment of the Senator from Vermont.

The amendment was agreed to.

The VICE PRESIDENT. Now the Senator from California offers an amendment.

Mr. PHELAN. I move that the aggregate be increased following my amendment, which I will have before me in a moment, by $35,000, and ask that the Secretary be directed to make the change of the total.

Mr. SMITH of South Carolina. I do not recall just now on just what page the amendment offered by the Senator from California on yesterday appears.

Mr. PHELAN. On page 82.

The VICE PRESIDENT. At the bottom of page 82.

The SECRETARY. At the bottom of page 82 there was inserted an amendment as follows:

For the purchase, preparation, and irrigation of not to exceed 150 acres of land at Chico, Butte County, Cal., the same to be an additional to the existing 80 acres now used as a plant-introduction field station, $35,000.

Mr. PHELAN. The motion, then, is that on line 11, page 84, the aggregate be increased on that account by $35,000.

The SECRETARY. So that it will read "$139,500."

The VICE PRESIDENT. The question is on the amendment of the Senator from California.

Mr. GRONNA. Mr. President, before the amendment is agreed to, I should like to ask the chairman of the committee if this was estimated for?

Mr. SMITH of South Carolina. It was estimated for.

Mr. PHELAN. This item was estimated for and recommended by the department.

The VICE PRESIDENT. It is in the bill. We are doing nothing except correcting the total now. The question is on agreeing to the amendment offered by the Senator from California.

The amendment was agreed to.

Mr. GRONNA. Mr. President, I offer an amendment on page 23 of the bill, on line 13, after the word "straw," to insert "and hemp."

Mr. SMITH of South Carolina. On what page and line?

Mr. GRONNA. On page 23, line 13.

The SECRETARY. After the words "flax straw," on page 23, line 13, it is proposed to insert "and hemp."

The amendment was agreed to.

Mr. POINDEXTER. Mr. President, on page 26, line 20, I move to strike out "$139,180" and insert "$143,180"; and after the word "seeds," in line 23, I move to insert the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 26, line 20, it is proposed to strike out "$139,180" and to insert in lieu thereof "$143,180"; and after the word "seeds," in line 23, it is proposed to insert:

Provided further, That $4,000 of the sum appropriated in this section shall be expended by the Secretary of Agriculture in cooperative work in forage-crop investigations in the State of Washington east of the Cascade Mountains, to be used under the direction of the Office of Forage Crop Investigations of the Department of Agriculture in cooperation with the Washington State Experiment Station, and upon the condition that the said Washington State Experiment Station shall contribute an equal amount to be used in such work, together with the amount hereby specified, under the same direction and cooperation as herein indicated.

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

The amendment was agreed to.

Mr. SHERMAN. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out all on page 68 after the figures "$68,500," in line 24, and, on page 69, all down to and including the word "Congress," in line 6, in the following words:

And the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the work of the Department of Agriculture with that of the State agricultural colleges and experiment stations in the lines authorized in said acts, and make report thereon to Congress.

Mr. SHERMAN. Mr. President, this amendment covers the part of the section which requires the different agricultural universities or colleges of the several States to make certain reports. This part of the bill says:

And the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the work of the Department of Agriculture with that of the State agricultural colleges and experiment stations in the lines authorized in said acts, and make report thereon to Congress.

The acts referred to in the part that is proposed to be stricken out are those of May 8, 1914, and July 2, 1862, and they embrace two lines of appropriations—one, those contained in the Agricultural appropriation bill; the other, the appropriations provided under the Smith-Lever Act of May 8, 1914, to which reference is made.

Originally, and long before the Smith-Lever Act was framed or thought of, these agricultural colleges were endowed by certain appropriations or land grants from the Government. These colleges were all created under acts of the legislatures of the several States. At the time these land grants were made the Government found itself in the condition of possessing a very large quantity of land. The public domain was much larger than the public funds. Lands were granted not only to colleges but to very many private enterprises not connected with the educational purposes of the country at all. But the original act, as far back as 1862, known as the Morrill Act—that was the original one, as I remember—donated land from the public domain to the different States for the purpose of providing endowments for such colleges as should be created by the State and supported otherwise by State appropriations.

Under this act a great many universities or colleges were organized in the various States. All of them are State institutions. All of them draw the greater part of their funds for maintenance, or their endowment funds, from direct taxes imposed by the legislature. These colleges or universities have developed through the years. It is now something over half a century since the original act was passed. The total appropriations for the several States aggregate very many millions of dollars. For many years these institutions received no annual appropriations or help from the Government. They were dependent entirely upon appropriations of the legislature. All they had received was a land grant. At that time, as suggested, the Government had more land than it had money. It was quite willing to grant the public domain to any of the States or any department of the State government that would create these State institutions for the purpose of promoting the cause of general public education.

The grants were made. The Commissioner of the General Land Office here patented the land to the different States, and it was appropriated for the foundation of these colleges. These colleges are distinctly State institutions. The greater part of their funds are paid by the taxpayers of the several States. Of late years, following the developments in many other lines, certain appropriations have been made by Congress to promote certain lines of educational work. Being agricultural colleges in their beginning, these appropriations took the form of sums of money designed to promote agricultural-extension work. The original promotion of agriculture came from the different State universities or colleges that were founded either at or before the time the several land grants were made. I only allude to this for the purpose of showing that the initial impulse for the creation of these colleges came from the States, came from State taxes, came from the activities of departments of the State or from its public officers.

There is an ever-increasing tendency to grant money by the Government for very many lines of effort not connected especially with agriculture that are either entirely those relating to private life, or those relating exclusively to the activities of the States.

The land-grant act of 1882 was followed by the Hatch Act of 1887, which was an act to establish agricultural experiment stations in connection with the colleges established in the several States. The second Morrill Act of 1890 was a further application of a portion of the proceeds of public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts.

The Adams Act of 1906 followed, which provided for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof. This, in 1908, was somewhat developed and applied by what is commonly called the Nelson amendment provision of the act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1908, and providing for the further endowment of agricultural colleges.

Matters remained in that condition until the Smith-Lever Act of 1914. The Smith-Lever Act makes appropriations entirely distinct from the appropriations in the Agricultural appropriation bill, so that agricultural colleges in the several States receiving funds from the Government of this character were upon two different bases of legislation. Those in the Agricultural appropriation bill are dependent entirely upon the act of Congress at its successive sessions. The Smith-Lever Act is permanent in its character and is designed without further congressional action to provide funds for the different agricultural colleges or universities.

Originally the Government did not undertake to found universities or colleges. It was content to promote by the grant of lands, and later by the grant of funds out of the Public Treasury, the activities of the several States, leaving to the local officers of the State and to the discretion of the State legislatures the extent to which they would develop these different institutions. So the Government did not found nor did it furnish the initial point out of which grew agricultural colleges or universities. That initial energy came from the several States.

So I think I am correct in saying that at least when appropriations are granted by Congress they ought not to attach any condition which will tend to impair the usefulness of the colleges of agriculture which existed before they were taken under the kindly ministration of Congress.

Congress itself has made no difficulties. It has been content in the main to provide the appropriations within their discretion that they thought would maintain or furnish endowments. Out of these acts of Congress in the earlier times no difficulties have arisen, no friction has been created, neither has there been any trouble in administering the funds.

The first difficulty grew from a departmental regulation. It was in effect legislation by the Department of Agriculture. For instance, the title of the Adams Act provides for the further en-

dowment of agricultural experiment stations and reads as follows:

To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditures thereof.

This act provides that the funds shall be paid upon the warrants of the Secretary of Agriculture, and that their administration should rest with that officer. It is confirmed by congressional enactment, approving the office legislation of the Secretary of the Treasury and the Secretary of Agriculture which had grown up under the Hatch Act.

On the Hatch Act I wish to make some observations. This is the act of 1887 requiring experiment stations to make an annual report to the governor of the State and transmit a copy to the Secretary of Agriculture and the Secretary of the Treasury. This is the act of Congress to which I referred. It also provided:

That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station.

The Secretary of the Treasury declined to accept the reports of the stations as prima facie evidence of expenditure, but required a certification from the Secretary of Agriculture, whereupon there was established in the Department of Agriculture an "Office of Experiment Stations." It was the duty of that office to send a representative actually to visit each station, inquire into its expenditures, and disallow any vouchers which in the opinion of the visiting officer failed to come within the provisions of the law.

This was the beginning of a system of oversight which has been gradually extended and intensified with each succeeding appropriation. This was office legislation. It was a departmental ruling in the first place. It was not found in any act of Congress preceding. It was an addition upon the rules of the department to the condition surrounding the expenditure of the funds provided by Congress that made no such restriction upon the appropriation.

The Office of Experiment Stations continued. It followed the inevitable law of accretion in public pay rolls, that when by departmental action or by legislation a place is once created, a pay roll is once called into existence, it is endowed with the elements of immortality. The Office of Experiment Stations created by an act of the department has continued from that day to this, I think largely without proper supervision or observation by Congress. It was created in the covert and insidious situation in appropriation bills until it has become a fixed institution.

The Office of Experiment Station then called the attention of the various States to the fact that the Secretary of Agriculture was by the Adams Act definitely charged with the management of experiment station funds.

Mr. President, when the first agricultural experiment station was built in the Union there was not an officer in the Department of Agriculture who would have recognized or known what it was unless he had been led up to it blindfolded and a label put on and his blindfold taken off suddenly and he had been told to read it. In keeping with all those overgrown and swollen departmental functions when it once gets its nose in the basket it proceeds to appropriate the entire bakeshop. We raised corn in Indiana and Illinois before the department knew a nubbin of corn from a head of sorghum. And still it was the intention of Congress and the Secretary of Agriculture that the increase should be expended with greater restrictions than those surrounding the original fund, an intention that evidently lay with the Secretary of Agriculture and his advisers rather than with Congress.

The Hatch money, for instance, was available to conduct original researches or verify experiments. The Adams Act omitted the clause "or to verify experiments," but no specific restrictions were named. Under the wording of that act, indeed the Hatch funds were included with the Adams, and hence subject to some restriction, although the Adams Act otherwise is less restrictive than the Hatch Act.

I am talking about the Office of Experiment Stations that Congress never created. It was created by a ruling of the department some years ago, and then by a mere touch of a stenographer's fingers to the keyboard of the typewriter in the budget made up in that department it was suggested to Congress and came in here and became recognized by Congress in items or in appropriation bills, although originally it was a creation of the department and not of Congress.

You will find the Office of Experiment Stations now referred to as a fixed institution. It is just like every other pay roll that has ever been created. They tell you that agricultural experiment stations would cease to exist if this was wiped out of the Department of Agriculture. As a matter of fact every department in every agricultural university in the country would conduct its business as profitably to the world to-day and as efficiently in the administration of funds if the Office of Experiment Stations were entirely abolished in the Department of Agriculture.

The Office of Experiment Stations further pointed out that it would be entirely possible to go on as before, the stations using the funds as they might deem wise, leaving to the representative of the Secretary of Agriculture at the end of the year the task of determining whether or not all the expenditures had been within the limitations of the law. However, as the new money was to be expended much more rigorously than the old, it was pointed out that funds would be saved and irritation avoided if the stations and the offices at Washington could agree in advance as to how the new funds were to be used. Accordingly, the Department of Agriculture proposed the "project system" for the expenditure of the additional endowment to the State stations, and the funds have been so administered for 10 years. Thus did the act of auditing become essentially one of joint management.

The project system was an offspring of the fertile brain of this experimental stations department, an office which was created, as I have stated, by the department here.

Under the "project system" the State suggests the line or lines of investigation. It may be approved or disapproved by the office at Washington, which may suggest modifications, though it does not originate plans. As matters are operating now, station expenditures under Adams funds are not approved unless in furtherance of definite projects agreed upon in advance.

This was the condition of affairs between the States and the Federal Department of Agriculture in 1914, when the Smith-Lever bill was passed, appropriating funds to the different States for demonstration work in agriculture and home economics, with the proviso that the States, either from public or private sources, should duplicate the Federal appropriation.

Let me quote from the Smith-Lever Act of May 8, 1914:

SEC. 2. That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise, and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act.

Who doubts but that is intended to operate by the mutual agreement of the States and the Federal authorities acting in the department here?

In section 3 it is provided:

That before the funds herein appropriated shall become available to any college for any fiscal year plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture.

Section 4 provides, and this is a direct appropriation of money—

That the sums hereby appropriated for extension work shall be paid in equal semiannual payments on the 1st day of January and July of each year by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture, on or before the 1st day of September of each year, a detailed statement of the amount so received during the previous fiscal year, and of its disbursement, on forms prescribed by the Secretary of Agriculture.

This is a detailed statement which, in effect, is an account current for the expenditures of that year or for the semiannual period provided.

In section 5 it is provided that—

It shall be the duty of each of said colleges annually, on or before the 1st day of January, to make to the governor of the State in which it is located a full and detailed report of its operations in the direction of extension work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary of Agriculture and to the Secretary of the Treasury of the United States.

And section 6 provides:

That on or before the 1st day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State whether it is entitled to receive its share of the annual appropriation for cooperative agricultural extension work under this act, and the amount which it is entitled to receive.

These are the provisions under a specific act of Congress and govern the methods of receiving and expending the funds mentioned in the act.

At this time I shall not comment upon the procedure under the Smith-Lever Act. It is only with the amendment that I have proposed here by striking out the parts of the section mentioned in the agricultural appropriation bill that I am con-

cerned. The part that I propose to strike out in the amendment is one that gives the Secretary of Agriculture entire power over the expenditure of these funds. It is that which has created the difficulty of which I now proceed to speak.

The Department of Agriculture, for instance, construes the word "plans" to mean projects, but even so there is nothing in this act that enables that department to go further in the administration of this fund than it had already gone for years in the administration of the Adams fund. It is in no sense a cooperative measure, and any disposition on the part of the Department of Agriculture to exercise any additional control over the States in the expenditure of Federal funds on account of the Smith-Lever Act is entirely without a legal basis, because all these appropriations in the Agricultural appropriation bill are covered by the provisions of the Smith-Lever Act, and it is sought by such a provision to be introduced here to make it so.

The facts are that the Smith-Lever bill, and I refer to that much of it, was agreed to at a meeting of the American Association of Agricultural Colleges and Experiment Stations as a cooperative measure in order that the Department of Agriculture might have an outlet to the people through the various State colleges, the understanding at that time being that direct appropriations to the Department of Agriculture for the purpose of local demonstration work should be abolished. The American Association of Agricultural Colleges and Experiment Stations is the national council of all the State institutions. At a meeting of this association for the purpose of discussing the "Relations between the Federal Department of Agriculture and the agricultural colleges and experiment stations," Dr. Jordan of New York, a member of the executive committee specifically asked Dr. Galloway, Assistant Secretary of Agriculture at that time and I think still in the Department, and representing the Department of Agriculture for the purposes of the discussion, whether it was the intention of the Department of Agriculture to continue its farm demonstration work in case the Lever bill, then under discussion, should pass Congress. Dr. Galloway replied unequivocably that it was not the intention of the department to continue the farm demonstration work on the then present basis, if the Lever bill should pass. The Assistant Secretary vouchsafed the opinion that the farm demonstration service had grown up largely through the demands of Congressmen and likened their attitude in this quarter to that which made impossible the discontinuance of the free-seed distribution whch the department and the public had so long desired. This question and answer were not included in the official report of the proceedings of the association, but they were vouched for by our Dr. Coffey, who heard them.

However, when the legislation came out of Congress the bill provided, "That pending the inauguration and development of the cooperative extension work herein authorized nothing in this act shall be construed to discontinue either the farm-management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture." Not only did the Smith-Lever Act thus guarantee the continuance of the independent work of the Department of Agriculture, in plain violation of the answer of the Assistant Secretary, but subsequent acts have appropriated additional funds for increasing its support, though the title of the Smith-Lever Act was left "cooperative."

My contention is that the Smith-Lever Act is not "cooperative" in any proper sense of the term. Neither is it safe or expedient to so consider it or to admit that the Department of Agriculture has any peculiar jurisdiction over the expenditure of these funds beyond that which it exercises over the Adams fund.

Our cooperative relations with the Department of Agriculture are still further confused by reason of this enlarged appropriation to the Department of Agriculture for the same kind of work provided for in the Smith-Lever Act.

Under the rulings of the department, none of its funds will be expended in any State except under definite cooperative agreements with the college of that State. Under such agreement, however, the department insists upon paying a portion of the salary of the field men; then, instead of dealing with the institution in the State, the college, the university, it deals with the individuals direct, and in at least one case requires daily reports to Washington from a regularly elected member of the University faculty.

The original purpose when Congress began to make these appropriations, or when the land grants were had, was not for a department in Washington to begin detail work and to reach the individuals in the State in these experiment stations or in any of the extension work in the agricultural departments of the State colleges; but it was intended to act through the universities themselves. The department here, upon rulings of its own and by a gradual system of encroachment, has long since departed from that purpose. It now deals directly with the individual; it has enlarged the work until the department is now dealing with the general public outside of the agency of the State college or university. It is in a sense a rival, it is attempting to build up a separate department of work. If persevered in, it will either become an active competitor or will ultimately absorb and destroy the State institutions.

The Federal authorities have claimed a general right to exercise control over the expenditure of appropriations upon the theory that Federal appropriations are gifts to the States. This is an argument, however, that I sometimes fail to see the force of. If they were gifts to the States either as land grants or appropriations, then follow the original purpose, and let them be administered by the agricultural colleges that the Government did not and could not create in the beginning. It left it to the instrumentalities created by the State to do this. For instance, take my own State of Illinois; and I think we pay a fair share of the public taxes to the Government. Our agricultural values of land and our production rank fairly respectably in the 48 States of the Union. We developed agricultural experiment stations and placed an agricultural department by State legislation in the university of that State at Champaign years ago. We have made practical farmers. They are not professors; they are not men who go and study in a college or a university and then go out and call themselves agriculturists; but the graduates of that department are farmers and stock raisers.

In the State of Illinois, for instance, we receive from all Federal sources direct appropriations of three items:

First. For the endowment of teaching in agriculture and the mechanic arts—the Morrill and Nelson funds, the Nelson fund being the later act, and these two acts being the original acts—we receive annually $50,000.

Second. For investigations in agriculture, the Hatch and Adams funds, annually $30,000.

Third. For demonstration work in agriculture and home economics, under the Smith-Lever fund of 1916–17, $58,184.03. We received a total of $138,184.03 for last year.

Now, I wish to hurry along and not take up any more space or time than is indispensably necessary; but I summarize in this way:

That the United States Department of Agriculture is more and more dominating the work of the State universities and controlling the men of the State universities. It is now engaged in trying to reorganize the agricultural colleges in the West and disrupting the internal relations of the colleges themselves. It is drifting away more and more from the original policy of research and development in large matters, and going over into the neighborhood of individual uplift work.

The Department of Agriculture here seems to feel that it has the American farmer and his whole family on its hands. The system that is growing up is becoming more bureaucratic every year; it is intolerable, and many of its 16,000 employees that are scattered all over this country are incompetent. Some of them actually would make the poorest farmer in my State blush if they arose on the platform and undertook to expound their agricultural knowledge in the presence of an audience. They know more about ward politics in some place or township activities and primaries than they do about pumpkins, cattle, hogs, corn, and hominy.

That does not belong, Mr. President, to this administration; it belongs to its predecessor. The disgraceful incompetency of Government experts sent out over the country is enough to condemn the system. A farmer who did not know more than the agricultural expert from the department here does would starve to death the first 12 months he undertook to live on a farm. He would drown in the swill pail or be gored by an infuriated bull the first time he went out in the cattle yard. [Laughter.] These experts know no more, Mr. President, about marking a pig than they know of the hieroglyphics on the monuments of Egypt; still, they are Government experts, and they have been going out from Washington for the past 10 or 15 years. They could not tell hard cider from branch water. [Laughter.]

There is a reason for it. The salaries are too small to invite men of any ability. Experts! They do not know the black soil in the corn belt of Illinois from a tar bucket that used to hang under their ancestor's wagon when he moved out from the Allegheny Mountains 70 years ago. [Laughter.] Analyze soil! Tell us about the plant industry! It is a jest, and an expensive jest at that, Mr. President.

Of course the salaries are small. With 16,000 employees swarming about over the country, you can not pay them large salaries, because it would subdivide the fund too much and require to increase the salaries an appropriation that would go beyond the discretion of Congress. The conditions of work are too mechanical, under ironclad instructions from the department here, to be attractive to men of the highest ability.

If they do not know any more in the future than they knew about the foot-and-mouth disease a year and a half or so ago, what encouragement, Mr. President, is there to hope that they can tell us how to exterminate ragweeds or the boll weevil or drive chinch bugs out of the country or stop the curculios from climbing the apple trees? Why, one of the experts who was here testifying—I can get his evidence from the printed hearings of the Committee on Agriculture—asked if a Holstein cow was beef cattle. He was an agricultural expert telling the farmers in my section of the country how to raise dairy and beef cattle, an industry in which they have been engaged for a half century. He would not know a Holstein cow from a Brahman priest in a Hindu temple. [Laughter.] If he should meet one face to face, he would think it was a sacred animal. He would not know a Guernsey. Why, bless my life, if he should see one he would not know it from the white bull and sacred heifer of ancient Egypt. [Laughter.] Still he is an expert. Anybody is an expert here who can get on the pay roll, and that has been true for years. A Government employee, when he got out into the country where I used to farm, never had cast about him any peculiar sanctity growing out of the fact that he had a Government job. We put him out into the field and found out whether he knew a ragweed from a cabbage, and some of them hardly knew that.

There is no general basis either for the cooperation between the United States Department of Agriculture and the State institutions. The work of the department ought to be, as it was in the beginning, devoted to research and regulation in matters of large scientific or geographical import. The detail work must be left to the State agricultural universities, to the men who know, the men whose sons graduate from the agricultural colleges and become farmers living by the sweat of their faces and not by merely a sharpening of their wits in a college.

If these tendencies are not checked, Mr. President, one of two things will happen. Either the larger States will cease to avail themselves of these appropriations, or in the smaller States the department, and ultimately the Government, will absorb the agricultural universities, and they will become in fact Government institutions, a part of the Government's educational system. There is no remedy if matters proceed to their ultimate conclusion as they are now proceeding.

Furthermore, there is friction. The board of regents or the trustees of my own State university have men on their pay roll whose compensation comes from appropriations of the State legislature. Only $138,000 comes to the entire State from the Federal Treasury, while our appropriations mount up into the millions at every biennial session of our legislature. Since I have been absent from the State so much of late I do not know what the amount now is annually, but I presume that it is not much short of $3,000,000. The $138,000 contributed by the Federal Government is a mere bagatelle; it is only a drop in the bucket. If this friction continues, if one set of orders comes from the department here to men on the pay roll—the farm demonstrators and the live-stock experts who have been raised on a farm and who know what they are doing and have been put there for their fitness—if they are to be directed by the head of a department or some autocratic head of a bureau in Washington, it will be a very short time until that State and other States I know of will cease to take the money out of the Public Treasury. The price is too great. The State instrumentality that we have created in years past and that we have developed since 1862 with millions of dollars out of our State treasury will decline to receive the pittance doled out at the Capitol or at the Treasury Department as the price of surrendering the control of the university.

I have no superstitious reverence merely for the rights of a State, but I know just as well as my colleagues do that there are certain local inherent reserved rights in the State that this Government never ought directly or indirectly to invade.

The invasion provided for by the provision I seek to strike out is of that insidious character more dangerous than a direct attack. I believe in a strong local self-government in all matters concerning the reserved rights of the States. Certainly the educational system of a State is something peculiarly within its own powers. Search the Constitution of this country and you will find nothing in it in direct terms, no granted power, for creating educational systems or instrumentalities, except as they may be connected with the promotion of agriculture and under the general-welfare clause of the Constitution. These attacks are like hundreds of others. They are ceaseless in their operation. Their erosions are constant from year to year. There is a constant advance on the part of every department.

I say to the majority side of this Chamber that not one of you has a greater pride in the activities of his State than I have in mine. I think I know where the limitations are, and I am as jealous of their invasion by the Government, and especially by the autocratic action of bureaus and departments, as any Senator in this body. All of my activities in public life up to the time I came here were occupied in the affairs of a large State, with millions of inhabitants, with the second largest city on the Western Hemisphere within its borders, with the most expensive land on the continent, and with men who from their earliest ancestry have been farmers, coming from Virginia, Kentucky, Indiana, and from east of the Allegheny Mountains. We are half-and-half Southern people and half-and-half New Englanders, with a fair sprinkling from the border States, one of which lies immediately across our line. I never go to the Ohio River without seeing the Kentucky shore. Our people have the same impulses and the same ambitions and local pride in holding their State affairs intact from these insidious assaults by the National Government that you have.

I have been reading to some extent from the information given me by the College of Agriculture of the State of Illinois. More than 6,000 pupils are in that institution, and many thousands of its graduates are found in this Republic. They have sprinkled the far West, they have gone over the Great Divide, and are found on the coast. These men are trained agriculturists. I never did like that word. When they are directing the actual operations of the soil, I prefer to call them "farmers," and that is what they are—farmers and stock raisers. The dean of this college, who has been there for many years, calls attention to the intolerable system that has grown up. There are men who are members of that faculty paid out of the appropriations by the State, with a small contribution given by the General Government; but the General Government issues orders by the department here and directs them to make daily reports of their operations. It would take one-half the time of a professor to do that.

Mr. SMITH of Georgia. Mr. President, will the Senator let me ask him a question?

Mr. SHERMAN. Certainly.

Mr. SMITH of Georgia. Upon what legal authority do they issue such orders? Under what statute can that be done?

Mr. SHERMAN. It is merely a departmental ruling, I will say to the Senator. They will that that shall be done. It would take nearly half the time of the professor himself to make out the report.

Mr. SMITH of Georgia. I am aware of no statute that justifies any such direction——

Mr. SHERMAN. No, sir.

Mr. SMITH of Georgia. By that department; and, if they do it, I think they should be called down for it and their action disregarded.

Mr. SHERMAN. I am very glad to hear the Senator say so.

Mr. SMITH of Georgia. If the Senator will notice, in the extension-work bill we have carefully guarded the rights of the colleges. Their plans are to be submitted, and the department here is to agree upon their general plans.

Mr. SHERMAN. That is all right.

Mr. SMITH of Georgia. But the execution of the demonstration work is solely through agents selected by the colleges of agriculture.

Mr. SHERMAN. That is my understanding, and has been since I began to study the question some years ago. I have no doubt of it.

Mr. SMITH of Georgia. I helped draw the bill, and carefully guarded, as I thought, the execution of all work by State agents, to avoid friction with men in Washington who might not comprehend local conditions.

Mr. SHERMAN. Without going more into detail, I will refer to the case of one man who has been on the faculty in Illinois for many years, and is engaged in the agricultural-extension work, going out for days and weeks at a time, through all kinds of weather, to the point where the stations are located that the State built many years ago, keeping them up with the times from year to year. He goes there. He is paid a small part of the expense involved out of funds furnished by the Government. The large part of the expense, of course, as the Senator understands, is paid from State appropriations. He is now directed by an order from the department to make daily reports of his operations in Illinois as a member of this faculty. The faculty

itself, acting through its board of trustees, has directed him not to make the report.

Mr. SMITH of Georgia. If the Senator will allow me, I should like to suggest that if he will call the attention of the Secretary of Agriculture to any such arbitrary direction by the head of a bureau in the department, I am sure the Secretary will promptly give relief to the officer.

Mr. SHERMAN. I am very glad to hear it.

Mr. SMITH of Georgia. I can not think it possible that that is approved by the Secretary.

Mr. SHERMAN. I shall be very glad to have the relief as promptly as possible, to avoid friction. If it is cooperation, I shall be very glad to do anything within my power——

Mr. SMITH of Georgia. It is only cooperation. The final execution, so far as the agricultural-extension work is concerned, is under the direction of the college, and not under the direction of the department here.

Mr. SHERMAN. Yes, sir.

Mr. SMITH of Georgia. After the plans have been agreed upon, it is not cooperation; it is entire authority in the college.

Mr. SHERMAN. Yes, sir.

RELATIONS WITH GERMANY.

Mr. SAULSBURY. Mr. President, with the consent of the Senator from Illinois——

Mr. SHERMAN. I yield.

Mr. SAULSBURY (continuing). And of the acting chairman of the committee——

Mr. SMITH of South Carolina. Mr. President, I shall have to object to any extraneous matter being inserted in the RECORD at this time. It is against the rules of the Senate. We have been here all day. We will be through with this bill, I hope, in a few minutes, and we will have ample time then for these other matters. If I yield to one Senator, others will come in.

Mr. SAULSBURY. Mr. President, I rise to——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Delaware?

Mr. SHERMAN. I will yield if I do not lose the floor.

Mr. SAULSBURY. Mr. President, the Senator from Illinois is perfectly willing to yield to me, but I rise to a question of privilege. I desire to state that I hold in my hand a telegram just received from the speaker and chief clerk of the House of Representatives of the State of Delaware, giving a copy of a telegram they have sent to the President of the United States pledging the loyalty of all the people of Delaware, without regard to party, to the action of the President in severing diplomatic relations with Germany and in any eventuality.

I think that a matter of this kind, showing the action of a sovereign State, where a resolution was passed unanimously by both houses, one house being controlled by Democrats, the other house by republicans, is a matter of such high privilege that it should be stated at the first opportunity in the Senate of the United States.

Mr. JAMES. Let the telegram be read.

Mr. SAULSBURY. May I have the telegram printed?

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. JAMES. It ought to be read, too.

The telegram is as follows:

DOVER, DEL., *February 8, 1917.*

WILLARD SAULSBURY,
United States Senate, Washington, D. C.:

To the PRESIDENT OF THE UNITED STATES, *Washington:*

The General Assembly of the State of Delaware, now in session, has unanimously passed a joint resolution commending you in your action severing diplomatic relations with the German Empire and pledging our loyal support both now and in any eventuality.

W. H. POORE,
Chief Clerk House of Representatives.
HERVEY P. HALL,
Speaker of Delaware House of Representatives.

AGRICULTURAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918.

Mr. SHERMAN. Mr. President, we certainly can take a moment for a message of that kind from the legislative authority of a State.

The language that I fear in the provision that I seek to strike out is this:

The Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above acts, ascertain whether the expenditures are in accordance with their provisions.

Now, while it says "the Secretary of Agriculture," in reality the Secretary of Agriculture acts here purely formally. In reality it is the head of a bureau, either the head of the Office of Experiment Stations or the director of the Bureau of Plant Industry or some other of the various subdivisions made by the department of its various lines of work. So, if the officer or the professor of the faculty, acting under the direction of the board of trustees of the State institution shall refuse to comply with the making of the daily reports that are required by some head of a bureau here, the bureau head would insert in the report at the end of the year a finding that the university has not complied with the provisions of the law.

I shall be very glad to adopt the suggestion of the Senator from Georgia, and call the attention of the head of this department, the Secretary of Agriculture, to this ruling which has been made, which I think is not only calculated to hinder the usefulness of the force, but to create friction. I know it has already done so. The dean of the agricultural university was here and expressed himself regarding it.

Mr. SMITH of Georgia. Mr. President, I will ask the Senator the exact words that he desires to strike out.

Mr. SHERMAN. Beginning on page 68, line 24, after the figures "$68,500."

Mr. SMITH of Georgia. Let me ask the Senator if he is not wrong—if he really wants to strike out that much. Merely to require the Secretary of Agriculture to ascertain whether the expenditures are in accordance with the provisions of the acts, and coordinate the work of the Department of Agriculture with that of the State agricultural colleges and State experiment stations, and make report to Congress, would not be objectionable. That would give him no authority to do anything locally except to get information and to coordinate his work with what the college of agriculture is doing; not to control the college of agriculture, but to make his work their work. If we should just strike out after the word "shall" the words "prescribe the form of the annual financial statement required under the above acts"——

Mr. SHERMAN. I think the Senator is right.

Mr. SMITH of Georgia. If we should strike out that language, we would take everything from this that gives him any power whatever; and so far as I am concerned I will join the Senator in the suggestion that those words be stricken out.

Mr. SHERMAN. I think the Senator is correct. "The annual financial statement" is the language used in the Smith-Lever Act, and I think it refers to that. I think if it could be stricken out in accordance with the suggestion of the Senator, that will answer the purpose intended.

The SECRETARY. After the word "shall," in line 25, going down to and including the word "acts," in line 1, page 69.

Mr. SHERMAN. Yes; I will modify the amendment accordingly, Mr. President.

The SECRETARY. On page 68, beginning with the word "prescribe," in line 25, it is proposed to strike out the words "prescribe the form of the annual financial statement required under the above acts," and the comma.

Mr. SHERMAN. I wish to insert in the CONGRESSIONAL RECORD, without reading, a statement of Eugene Davenport, dean of the agricultural college of the University of Illinois; also a letter from Francis G. Blair, the superintendent of public instruction of the State.

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

The matter referred to is as follows:

The United States Department of Agriculture is more and more dominating the work and the men of the State institutions.

It is attempting to reorganize the agricultural colleges in ways that disrupt their internal relations.

It is itself drifting more and more away from its original policy of research and development in large matters, and going over into neighborhood and individual uplift work. It seems to feel that it has the American farmer and his family on its hands.

Its bureaucratic system is intolerable and many of its 16,000 employees incompetent. The salaries are too small and the conditions of work too mechanical to be attractive to men of the highest ability.

No general basis for real cooperation between the United States Department of Agriculture and the State institutions exists. The work of the department should be, as it was in the beginning, research and regulation in matters of large scientific or geographical import. The States deal with teaching and with research in matters local.

DISCUSSION OF FEDERAL LEGISLATION ENDOWING EDUCATION, RESEARCH, AND DEMONSTRATION WORK IN THE SEVERAL STATES OF THE UNION, WITH SPECIAL REFERENCE TO ADMINISTRATIVE CONTROL.

There have been six Federal acts endowing institutions in the several States of the Union either for teaching, for research, or for demonstration work in agriculture:

1. The land-grant act of 1862 (first Morrill Act): "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts."

2. The Hatch Act of 1887: "An act to establish agricultural experiment stations in connection with the colleges established in the several States," etc.

3. The second Morrill Act of 1890: "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts," etc.

4. The Adams Act of 1906: "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof."

5. The Nelson amendment of 1908: "Provisions of act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1908, for the further endowment of agricultural colleges."

6. The Smith-Lever Act of 1914: "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States," etc.

OBJECTS OF THE SEVERAL ACTS.

The purpose of the land-grant act was clearly to establish a new kind of college. The Hatch Act, 25 years later, was designed to obtain more reliable scientific information than the art of agriculture had afforded. The second Morrill Act, with the Nelson amendment, was for the purpose of further endowing the colleges, and the Adams Act for strengthening the experiment stations, while the Smith-Lever Act was designed to reach the farmer on his farm and the housekeeper in her home by means of actual demonstration.

NATURE OF THE APPROPRIATION.

Under the land-grant act of 1862, 30,000 acres of public land for each Senator and Representative then in Congress were "granted to the several States," and while later phraseology varies to some extent, in every case the funds are appropriated directly to the States, to be expended for the purposes recited in the acts; and, to quote the Hatch Act, "having due regard to the varying conditions and needs of the respective States and Territories." There is no question of the intent of Congress to appropriate the funds directly to the States, to be managed by boards of control appointed by the States.

It is the purpose of this discussion to show how the State institutions, endowed by Federal funds but largely supported by the States, have come more and more under the dominance of the Department of Agriculture, until we are near violating the principle laid down in the Hatch Act, "that nothing in the act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the States and Territories in which they are respectively located."

HOW THE SITUATION DEVELOPED.

The Hatch Act of 1887 required experiment stations to make an annual report to the governor of the State and to transmit a copy to the Secretary of Agriculture and to the Secretary of the Treasury. It also provided (sec. 6) "that whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station," etc.

The Secretary of the Treasury declined to accept the reports of the stations as prima facie evidence of expenditure, but required a certification from the Secretary of Agriculture (office legislation). Whereupon there was established in the Department of Agriculture an "Office of Experiment Stations."

The duty of that office was to send a representative actually to visit each station, inquire into its expenditure and disallow any vouchers which, in the opinion of the visiting officer, failed to come within the provisions of the law. Here was the beginning of a system of oversight which has been gradually extended and intensified with each succeeding endowment.

For example, the title of the Adams Act, passed nine years later for the further endowment of the agricultural experiment stations, reads as follows: "To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof." This act provides that the funds shall be paid "upon the warrant of the Secretary of Agriculture"; and that their administration should rest with that officer, thus confirming by congressional enactment the office legislation of the Secretaries of the Treasury and of Agriculture which had grown up under the Hatch Act.

The Office of Experiment Stations then called the attention of the various States to the fact that the Secretary of Agriculture was by the Adams Act definitely charged with the management of experiment station funds; and that it was the intention of Congress and of the Secretary of Agriculture that the increase should be expended with greater restrictions than those surrounding the original fund, an intention that evidently lay with the Secretary of Agriculture and his advisers rather than with Congress. The Hatch money was available "to conduct original researches or verify experiments, etc." The Adams Act omitted the clause "or verify experiments," but no specific restrictions were named. Indeed, under the wording of the act the Hatch funds were included with the Adams and hence subject to the same restriction, though the Adams Act is otherwise less restrictive than is the Hatch Act.

The Office of Experiment Stations further pointed out that it would be entirely possible to go on as before, the stations using the funds as they might deem wise, leaving to the representative of the Secretary of Agriculture at the end of the year the task of determining whether or not all the expenditures had been within the limitations of the law. However, as the new money was to be expended much more rigorously than the old, it was pointed out that funds would be saved and irritation avoided if the stations and the offices at Washington could agree in advance as to how the new funds were to be used. Accordingly, the Department of Agriculture proposed the "project system" for the expenditure of the additional endowment to the State stations; and the funds have been so administered for 10 years. Thus did the act of auditing become essentially one of joint management.

Under the "project system" the State suggests the line or lines of investigation. It may be approved or disapproved by the office at Washington, which may suggest modifications, though it does not originate plans. As matters are operating now, station expenditures under Adams funds are not approved unless in furtherance of definite projects agreed upon in advance.

This was the condition of affairs between the States and the Federal Department of Agriculture in 1914, when the Smith-Lever bill was passed, appropriating funds to the different States for demonstration work in agriculture and home economics, with the proviso that the States, either from public or private sources, should duplicate the Federal appropriations.

SMITH-LEVER WORK DECLARED COOPERATIVE.

This Smith-Lever Act goes one step further in Federal control by declaring in the title that the work is to be "cooperative" between the agricultural colleges in the several States and the United States Department of Agriculture, and the language of the act specifically provides that "this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act."

However, this work is not properly "cooperative" as declared in the title, because, as in all the acts, the appropriation is direct to the States; the Department of Agriculture gets none of the appropriation; neither can it make suggestions as to its expenditure, because the act specifically provides "that before the funds herein appropriated shall become available to any college for any fiscal year plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture."

The Department of Agriculture construes the word "plans" to mean "projects"; but even so there is nothing in this act that enables that department to go further in the administration of this fund than it had already gone for years in the administration of the Adams fund. It is in no sense a cooperative measure, and any disposition on the part of the Department of Agriculture to exercise any additional control over the States in the expenditure of Federal funds on account of the Smith-Lever Act is entirely without legal basis.

The facts are that the Smith-Lever bill was agreed to at a meeting of the American Association of Agricultural Colleges and Experiment Stations as a cooperative measure in order that the Department of Agriculture might have an outlet to the people through the various State colleges, the understanding at that time being that direct appropriations to the Department of Agriculture for the purpose of local demonstration work should be abolished.

(The American Association of Agricultural Colleges and Experiment Stations is the national council of all the State institutions. At a meeting of this association for the purpose of discussing the "Relations between the Federal Department of Agriculture and the agricultural colleges and experiment stations" Dr. Jordan, of New York, a member of the executive committee, specifically asked Dr. Galloway, Assistant Secretary of Agriculture, and representing the Department of Agriculture for the purposes of the discussion, whether it was the intention of the Department of Agriculture to continue its farm demonstration work in case the Lever bill, then under discussion, should pass Congress. Dr. Galloway replied, unequivocally, that it was not the intention of the department to continue the farm demonstration work on its (then) present basis if the Lever bill should pass. The Assistant Secretary vouchsafed the opinion that the farm demonstration service had grown up largely through the demands of Congressmen, and likened their attitude in this quarter to that which made impossible the discontinuance of the free-seed distribution, which the department and the public had so long desired. This question and answer were not included in the official reports of the proceedings of the association, but they are vouched for by our Dr. Coffey, who heard them.)

This was in line with the opinion of the Secretary of Agriculture uttered at that time (quoted by Collier's, October 25) that "the State is the smallest unit with which the Federal Government should be required to deal." (At the time this bill was drawn up the Secretary of Agriculture was in favor of discontinuing the demonstration work then conducted by the department, but has since changed his opinion and has advocated an increase. See hearings, 1916, pp. 1662–1669.)

However, when the legislation came out of Congress the bill provided "that, pending the inauguration and development of the cooperative extension work herein authorized, nothing in this act shall be construed to discontinue either the farm-management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture." (The obvious intention of Congress to ultimately discontinue the direct appropriations for demonstration work conducted by the department has evidently been changed, through the influence of the Department of Agriculture, and the amount increased by $100,000.) Not only did the Smith-Lever Act thus guarantee the continuance of the independent work of the Department of Agriculture, in plain violation of the answer of the Assistant Secretary, but subsequent acts have appropriated additional funds for increasing its support, though the title of the Smith-Lever Act was left "cooperative."

My contention is that the Smith-Lever Act is not "cooperative" in any proper sense of the term. Neither is it safe or expedient to so consider it or to admit that the Department of Agriculture has any peculiar jurisdiction over the expenditure of these funds beyond that which it exercises over the Adams fund.

Our cooperative relations with the Department of Agriculture are still further confused by reason of this enlarged appropriation to the Department of Agriculture for the same kind of work provided for in the Smith-Lever Act.

Under the rulings of the department, none of its funds will be expended in any State except under definite cooperative agreements with the college of that State. Under such agreement, however, the department insists upon paying a portion of the salary of the field men; then instead of dealing with the institution it deals with the individuals direct, and in at least one case requires daily reports to Washington from a regularly elected member of the university faculty.

The Federal authorities have claimed a general right to exercise control over the expenditure of appropriations upon the theory that Federal appropriations are gifts to the States. This is an argument, however, that can not be pushed too far. It might be true in certain instances, but in the larger States it is in no sense true. For example, the State of Illinois receives from all Federal sources direct appropriations as follows:

1. For the endowment of teaching in agriculture and the mechanic arts (Morrill and Nelson funds), annually	$50,000.00
2. For investigation in agriculture (Hatch and Adams funds), annually	30,000.00
3. For demonstration work in agriculture and home economics (Smith-Lever funds), 1916–17	58,184.03
Total	138,184.03

HOW THE ACCOUNT STANDS WITH ILLINOIS.

The total appropriation to the Department of Agriculture is approximately $25,000,000 annually. In addition to this amount there are the following appropriations from Federal funds: Morrill and Nelson funds, $2,400,000; Hatch and Adams, $1,440,000; Smith-Lever (1916–17), $1,580,000; meat inspection, $3,000,000; printing funds, $600,000; a total of approximately $34,000,000 for agricultural purposes.

The population of the State of Illinois is substantially one-sixteenth of that of the United States, and I estimate the amount of money

contributed by the citizens of Illinois to congressional appropriations on account of agriculture at approximately $2,120,000 annually.

Of this amount only the $138,184.03 come back to the State—all of which means that nearly $2,000,000 of Illinois money is every year invested to the activities of the Department of Agriculture.

This is four times what the State is paying for its agricultural college and experiment station, and more than it is putting into the entire University of Illinois, except for its building enterprises. All the funds here under discussion therefore come directly from the State of Illinois, and any attempt at domination from the Federal department can not be defended upon the argument of an outside appropriation.

Furthermore, to consider the Smith-Lever work as cooperative leads to an absurdity, because the act requires of the States a full offset to the Federal appropriation, and to put these State funds also under Federal control is clearly offensive to the State. It is especially true in the case of this particular fund because all the people of Illinois contribute by indirect taxation, while the distribution is only in proportion to the agricultural population, which in this State, with a city like Chicago, is relatively small. In this deal we put up three dollars to get one.

My criticisms of the Department of Agriculture in its relations to the States are as follows:

1. That through office legislation in part made statutory by successive acts of Congress the Department of Agriculture is establishing a gradually increasing supervision over the legitimate and legal activities of the State institutions intended to be independently controlled by State boards of trustees.

2. That its system of administration is bureaucratic to a degree, laying upon busy men a large amount of paper duties having reference not so much to their work as to the convenience of administration and the amassing in Washington of data that can be readily put into form to lay before Congress, even though but a small amount of the salary of these men is paid from department funds.

3. That, under the system, regularly appointed members of the faculty of the University of Illinois (for example, Mr. Greene) are only partially administered through the organization of the university, but are required to make daily reports to Washington because a portion of their salary comes from department funds. (For the coming year the department has undertaken to require a complete list of office help employed under Smith-Lever funds—a request which I have refused to meet.)

4. That a former Secretary of Agriculture took the liberty of criticizing, before a committee of Congress, one of the principal State experiment stations supported by local funds (New York), and announced his intention of ultimately controlling the policy of the State institutions. (See Hearings before Committee on Agriculture, 1904, pp. 424–428.)

5. That the department is building up an extensive system of local demonstration service scattered over the entire United States covering every conceivable feature of farming, small and great, and dealing with individual farmers and with local problems—a system that had its origin illegally under the funds appropriated for the improvement of cotton. (See Proceedings of the Twenty-seventh Annual Convention of the Association of American Agricultural Colleges and Experiment Stations held at Washington, D. C., November 12–14, 1913, p. 126.)

6. That instead of devoting its energies and increasing funds more and more to work of a highly scientific character or of wide geographical application with a minimum of administration it is building up a vast administrative system dealing with individuals and local conditions that should be left to the communities and to the States.

7. That the dominance of State institutions is further encouraged and the problem complicated by the "cooperative agreements" covering the joint expenditure of Smith-Lever funds and those appropriated directly to the Department of Agriculture for the same work done by the States under the Smith-Lever Act.

8. That the policy seems to be through cooperation or collaboration to pay a portion—generally a very small portion, sometimes only $1—of the salary of a man employed by State or local funds, and thereby, through office regulations and decisions, to largely control his activities. This principle was detected by a member of the Agricultural Committee at the last hearing, and was assented to by the representative of the Department of Agriculture.

(Mr. SMITH. The State and the department usually put in a sum not to exceed $1,200. The State puts in half of it and we put in half. Each puts in $600, though that may vary to meet the different conditions in different States.

Mr. HELGESEN. But that is the general proportion?

Mr. SMITH. Yes, sir. We oftentimes put in only a few dollars, so that we will have an interest in the matter—that is, if it comes in the same line of supervision and we can get the same quality of instruction.

Mr. HELGESEN. And the State or county sometimes puts in the balance?

Mr. SMITH. Yes, sir.

Mr. HELGESEN. And you only have enough in it to get control of it?

Mr. SMITH. Yes, sir.

Hearings before Committee on Agriculture, 1916, p. 1130.)

9. That in the confusion of relations with the department it is impossible for the university to know its rights and duties or to enjoy its natural prerogatives. That the autocracy is benevolent and the officials involved are in many cases personal friends of ours is beside the point, for the system is fundamentally wrong and is resulting in a piling up of official regulations which, rather than the acts of Congress, are controlling the State institutions.

10. That in requiring the university to conduct its extension work through a separate administrative unit, the Department of Agriculture has interfered with the organization of the university to a dangerous degree, and its methods of administration trench upon the prerogatives of the board of trustees.

11. Finally, in the hearings before the Committee on Agriculture in Congress, the attitude of the department people is that they are engaged in building up a vast Federal system of demonstration service in agriculture and home economics in which the State institutions are not the active agents, but only the means to an end.

CONCLUSIONS.

1. That cooperative relationship between the Department of Agriculture and the University of Illinois, as covering its local demonstration work supported by direct appropriations, should be dissolved.

2. That we maintain the position that the Smith-Lever work is not properly cooperative, and that the act should be so amended as to square with the facts of a Federal appropriation to the States with which to do a specific line of demonstration work, the authority of the Department of Agriculture being limited to ascertaining whether or not the States have met the provisions of the act; that is to say, to the auditing of the accounts.

3. That we maintain the position that the Department of Agriculture should retire from its demonstration service in local problems and direct its energies to research, demonstration, and police control in matters of large scientific import or of wide geographical application, and that the scientific work of the department should be under the purview of a body of scientists of recognized national standing, as was contemplated in the creation of the National Academy of Sciences in 1863.

SUPPLEMENTARY MATERIAL.

DEAN OF THE COLLEGE OF AGRICULTURE,
UNIVERSITY OF ILLINOIS,
September 20, 1916.

Since writing the above there has come to my desk a "Memorandum of understanding between the States Relations Service and the Bureau of Animal Industry, United States Department of Agriculture, concerning hog-cholera control and extension work."

This agreement between two Federal bureaus was made, the memorandum drafted and approved by the Secretary of Agriculture without consultation with this university, yet it undertakes to guarantee that "educational work in hog cholera will be conducted by the extension division of the College of Agriculture."

The States Relations Service agrees to "definitely advise the extension services of the State agricultural colleges that they * * * will recognize the live-stock sanitary authorities as the cooperating agency, etc.," and this bureau further undertakes "to put the policy outline * * * into effect in all of the extension divisions in all of the States, etc."

So are the duties of the University of Illinois signed, sealed, and delivered in Washington by two bureaus of the Department of Agriculture, and without the knowledge or consent of any representative of this institution.

STATE OF ILLINOIS,
DEPARTMENT OF PUBLIC INSTRUCTION,
Springfield, January 22, 1917.

Senator L. Y. SHERMAN,
Washington, D. C.

DEAR SENATOR SHERMAN: At various times I have had my attention called to bills before the National Congress whose object was the encouragement of certain forms of vocational education in the various Commonwealths.

It is the general feeling of the men connected with the common-school systems in the various States, as I understand it, that they would look with favor upon such encouragement in the form of appropriations for the establishment, organization, and administration of such forms of education under the control of these various Commonwealths. So far as I know, none of these rich Northern States will be willing to surrender any of their authority and control over their State systems of public instruction in order to secure any appropriations from the National Treasury. It is a very general feeling that the autonomy of public education within the several States should in no wise be interfered with by the National Government. This arises out of no mean or little spirit. It arises out of long experience in public educational affairs which show clearly that confusion and waste result from too many forms of supervision and administration.

In Illinois, as you know, our theory is that the local board shall have almost supreme control of education within the district. However, above these local districts is placed a county superintendent who has certain large, general powers of supervision; then the superintendent, a constitutional officer, with rather large, general duties of supervision, advice, and leadership. Wherever national organizations, of whatever character, have obtruded themselves into the State, however good may have been their purpose, confusion and conflict has occurred in almost every instance. All this is said as introductory to a definite statement concerning the two bills which are now in Congress.

Dean Davenport, of the agricultural school, and myself have read these bills with considerable care. It is our conclusion that the language in both of these bills can be easily construed by the National Vocational Board into a warrant for that board to exercise administrative powers in educational matters within the several States. The language in one place is, in effect, that in each of the several States a vocational board shall be created or designated which shall cooperate with the National Vocational Board in the administration of the provisions of the act.

We do not wish to quibble over words, and if there is a clear understanding that this language does not endow this national board with administrative powers within the several States, our objection would be withdrawn. I fear that all this is said too late for anything to be done in case you should agree with our point of view. I have, however, thought it worth while to write you and Representative MANN on the matter with a thought that something might be done in the conference committee to clear up this point.

Yours, sincerely,

F. G. BLAIR, *Superintendent.*

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Illinois.

The amendment was agreed to.

The VICE PRESIDENT. If there be no further amendments to be proposed, the bill will be reported to the Senate.

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

Mr. SMITH of Georgia. Mr. President, on page 78, line 23, there is a misprint. The third word is written "marketing." It ought to be "marking." I ask to amend by striking out "marketing" and substituting "marking."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 78, line 23, it is proposed to strike out "marketing" and to insert in lieu thereof "marking."

The amendment was agreed to.

The VICE PRESIDENT. The question is, Shall the amendments be engrossed and the bill be read a third time?

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

The bill was read the third time and passed.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. Mr. President, I move that the Senate proceed to the consideration of House bill 19119—the District of Columbia appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider 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, which had been reported from the Committee on Appropriations with amendments.

Mr. SMITH of Maryland. I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, giving preference to the committee amendments.

The VICE PRESIDENT. The Senator from Maryland asks unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, the committee amendments to be first considered. Is there any objection? The Chair hears none.

Mr. POINDEXTER. Mr. President, reserving the right to object, I was going to inquire of the Senator from Maryland whether he expects to go ahead with the bill this afternoon?

Mr. SMITH of Maryland. There is no reason that I can see why we should not proceed with it. We can do an hour's work or more on it. I do not see any reason why we should not. I have been trying to get the bill up for the last four or five days, and when I reported the bill to the Senate I gave notice that when the Agricultural appropriation bill was disposed of I would bring it up.

Mr. POINDEXTER. I think it is pretty nearly time to adjourn, but I will not object to the request of the Senator.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "General expenses," on page 4, after line 14, to strike out:

Assessor's office: Assessor, $3,500; assistant assessors—3 at $3,000 each, 2 at $2,000 each; 5 field men at $2,000 each; record clerks—1 $1,800, 2 at $1,500 each, 1 $1,200; clerks—4 (including 1 in arrears division) at $1,400 each, 4 at $1,200 each, 8 (including 1 in charge of records) at $1,000 each, 2 at $900 each, 2 at $720 each; draftsmen—1 $1,600, 1 $1,200; 2 stenographers and typewriters at $1,200 each; assistant or clerk, $900; license clerk, $1,200; inspector of licenses, $1,200; assistant inspector of licenses, $1,000; 2 messengers, at $600 each; board of assistant assessors—clerk $1,500, vault clerk $900, messenger and driver $600; temporary clerk hire $500; in all, $68,340.

And insert:

Assessor's office: Assessor, $3,500; assistant assessors—3 at $3,000 each, 2 at $2,000 each; 5 field men at $2,000 each; record clerks—1 $1,800, 2 at $1,500 each, 1 $1,200; clerks—3 (including 1 in arrears division) at $1,400 each (1 transferred to license bureau), 4 at $1,200 each, 7 (including 1 in charge of records) at $1,000 each (1 transferred to license bureau), 2 at $900 each, 2 at $720 each; draftsmen—1 $1,600, 1 $1,200; 2 stenographers and typewriters at $1,200 each; assistant or clerk, $900; 2 messengers, at $600 each; board of assistant assessors—clerk $1,500, vault clerk $900; messenger and driver $600; temporary clerk hire $500; in all, $62,540.

So much of existing law as provides that the assessor of the District of Columbia and the members of the permanent board of assistant assessors shall not be removed except for inefficiency, neglect of duty, or malfeasance in office, is repealed: *Provided*, That on and after the date of the approval of this act all records and accounts in any way relating or pertaining to the bookkeeping, accounting, and collection of taxes and assessments now prepared and kept in the office of the assessor of the District of Columbia shall be transferred to and kept in the office of the collector of taxes of said District; and the collector of taxes shall hereafter be charged with the duties heretofore required of the assessor in relation to the preparation and issuance of tax bills and bills for special taxes and assessments; the preparation for public inspection of lists of all real estate in the District of Columbia heretofore sold, or which may hereafter be sold, for the nonpayment of any general or special tax or assessment; and said collector shall furnish, whenever called upon, a certified statement, over his hand and official seal, of all taxes and assessments, general and special, that may be due at the time of making the said certificate; and he shall prepare the lists of taxes on real property in said District subject to taxation on which taxes are levied and in arrears on the 1st day of July of each year: *Provided further*, That on or before November 1 of each year the assessor shall prepare and deliver to the collector of taxes of said District tax ledgers in completed form, showing the assessed owners, amount, description, and value of real property listed for taxation in the District of Columbia; and on or before April 1 of each year the assessor shall prepare and deliver to the said collector personal-tax ledgers in completed form, showing the names and addresses of assessed owners and the location and value of property assessed: *And provided further*, That the register of wills of the District of Columbia shall hereafter furnish copies of wills, petitions, and all necessary papers wherein title to real estate is involved to the collector of taxes and the assessor of said District.

Mr. SMOOT. Will the Senator from Maryland briefly explain what change is made in existing law by this paragraph?

Mr. SMITH of Maryland. Instead of having the license department and the assessor's department together they are made two departments. As the Senator is aware, last year we changed the law requiring assessments every three years and provided that the assessments should be made every two years. The commissioners think that very much better service can be obtained by making them separate departments and having them act separately.

Mr. SMOOT. Does not this also provide for an annual assessment?

Mr. SMITH of Maryland. No; it does not change the assessments. The assessment period was changed last year from three to two years. It had formerly been every three years, and it is now every two years. The duties of the assessor's department and the license department are entirely different, and they want separate departments under separate guidance.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 7, after line 14, to insert:

License bureau: Superintendent of licenses (who shall also be secretary to the automobile board without additional compensation), $2,000; clerks—one $1,400 (transferred from assessor's office), one $1,200 (formerly license clerk, assessor's office), one $1,000 (transferred from assessor's office), one $900 (formerly index clerk and typewriter, engineer commissioner's office); inspector of licenses, $1,200 (transferred from assessor's office); assistant inspector of licenses, $1,000 (transferred from assessor's office); in all, $8,700.

All the authority, duties, discretion, and powers now vested by law in the assessor of the District of Columbia with respect to licenses and the issuance thereof, shall, on and after July 1, 1917, be transferred to and vest in the superintendent of licenses provided for in this act.

The amendment was agreed to.

The next amendment was, on page 8, line 7, after "$11,800," to insert: "*Provided*, That the term of office of any member of the excise board whose nomination has been or may be rejected by the Senate shall be terminated by such rejection, and no part of this appropriation shall be used to pay the salary of any member of the board whose nomination has been rejected by the Senate," so as to make the clause read:

Excise board: Three members, at $2,400 each; clerk, $1,500; inspector, $1,500; messenger, $600; hire of means of transportation, $1,000; in all, $11,800: *Provided*, That the term of office of any member of the excise board whose nomination has been or may be rejected by the Senate shall be terminated by such rejection and no part of this appropriation shall be used to pay the salary of any member of the board whose nomination has been rejected by the Senate.

The amendment was agreed to.

The next amendment was, on page 13, line 17, after the side heading to strike out "Two members at $300 each, $600" and insert "Three members, at $300 each, $900," so as to make the clause read:

Board of examiners, steam engineers: Three members, at $300 each, $900.

The amendment was agreed to.

The next amendment was on page 13, after line 18, to strike out:

Automobile board: Secretary or acting secretary, $300.

The amendment was agreed to.

The next amendment was, under the head of "Contingent and miscellaneous expenses," at the top of page 23, to insert:

Hereafter the register of wills of the District of Columbia shall be appointed by the justices of the supreme court of said District.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. HUGHES. Mr. President, I desire, first, to make a point of order against the amendment. It is clearly a change of existing law.

Mr. SMITH of Maryland. Mr. President, in regard to the point of order, I desire to say that a bill on the subject embraced in the amendment was introduced in the Senate and referred to the Commitee on the District of Columbia. It was there approved; it has been reported, and is now on the calendar.

Mr. HUGHES. That does not change the fact that this is clearly an attempt to pass general legislation on an appropriation bill.

Mr. SMITH of Maryland. I will say to the Senator from New Jersey that this legislation was asked for by the Supreme Court of the District of Columbia. This officer is strictly under the jurisdiction of the court, and the impression is that better officers probably would be secured if appointed by the court than if appointed by the President of the United States.

Mr. JAMES. Mr. President, in regard to the statement of the Senator from Maryland that the District Committee at one time approved this bill, I desire to say that I have a very definite recollection that a bill of this character was called up in the committee, of which I was a member at that time, and I then moved to lay it on the table, and that motion prevailed.

Mr. SMITH of Maryland. The bill was not disposed of at that time, I will say to the Senator from Kentucky, but was disposed of later, when there was a favorable report made upon it.

Mr. JAMES. I think, if the Senator from Maryland will look up the minutes of the committee he will find that I am correct. I am told, however, that the Senator from Washington was then present.

Mr. JONES. Mr. President, my recollection now is that the measure to which the Senator from Kentucky refers was a bill proposing to give to the Commissioners of the District of Columbia the power to appoint this officer.

Mr. SMITH of Maryland. There were two bills. There was one providing that the Commissioners of the District of Columbia should appoint the recorder of deeds and another that the justices of the Supreme Court should appoint the register of wills. Both those bills were laid on the table.

Mr. JAMES. My recollection may be at fault, but it is very clear that this very proposition was before the Committee on the District of Columbia, to change the appointing power from the President and taking the right of confirmation from the Senate, and placing the appointing power in the justices of the District Supreme Court.

The VICE PRESIDENT. What is the law?

Mr. GALLINGER. I will say that the amendment proposes a change of existing law. The President now appoints this official, and he is confirmed by the Senate.

Mr. JAMES. The Senate confirms him.

Mr. GALLINGER. The Senate confirms him.

Mr. JAMES. And the amendment proposes to take from the President and the Senate their power and to lodge it in the hands of the District judges.

Mr. GALLINGER. That is precisely what is contemplated.

Mr. JAMES. Of course it is a change of existing law.

Mr. HUGHES. There is no question about it being a change of existing law. I will read the rule on the subject if the Chair has any doubt on that point.

The VICE PRESIDENT. No; the Chair knows what the rule is, or he ought to know by this time; but as to District of Columbia matters the Chair last year was of the opinion that there was far more power in the Senate than there was as to other bills. If, however, there is a statute creating the office of register of wills and giving the appointment to the President of the United States, then the Chair sustains the point of order.

Mr. JAMES. That there is such a law will not be denied, Mr. President.

The VICE PRESIDENT. Well, then, the Chair sustains the point of order.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 23, after line 3, to insert:

Office of recorder of deeds: For the purchase and exchange of 25 Elliott-Fisher bound-book recording typewriters and desks for the same, $5,409.

The amendment was agreed to.

The next amendment was, on page 23, after line 6, to insert:

The recorder of deeds of the District of Columbia is authorized and directed to pay for copying instruments filed for record in his office 40 per cent of the fees collected by him for filing, indexing, and recording said instruments, and the same rate of compensation for making copies of the records of his office, and employees of the office of the recorder of deeds of the District of Columbia when employed therein by the day shall receive compensation at the rate of $2.50 for each day so employed, payable out of the fees and emoluments of said office.

The amendment was agreed to.

The next amendment was on page 25, after line 6, to insert:

For miscellaneous repairs to Eastern and Western Markets, $500.

The amendment was agreed to.

The next amendment was, under the head of "Improvements and repairs," on page 28, after line 15, to insert:

That part of the District of Columbia appropriation act for the fiscal year 1917 providing to "Repave with asphalt the roadway of Fourteenth Street NW., from Pennsylvania Avenue to F Street, 70 feet wide, $7,500," is hereby suspended until further action of Congress.

Mr. MARTINE of New Jersey. Mr. President, I shall raise the point of order as to that amendment.

Mr. SMITH of Maryland. Will the Senator pardon me just a moment?

Mr. MARTINE of New Jersey. I will ask that the amendment go over until to-morrow. I inquire if that is satisfactory to the Senator from Maryland?

Mr. SMITH of Maryland. Yes.

Mr. MARTINE of New Jersey. I ask, then, that the amendment go over until to-morrow.

Mr. SMITH of Maryland. I desire to say, in regard to this amendment, that members of the subcommittee investigated the situation. Some of the members of the committee, including myself, had the same idea regarding it as the Senator from New Jersey seems to have, but after investigation, when we saw the enormous outlay that has been made under an order of the Secretary of War and realized the enormous expenditure that would grow out of any change, we felt that this matter ought to have further consideration. It is a very serious matter to interfere with business interests without considering what it is going to cost them. I will let the amendment go over until to-morrow, however.

Mr. MARTINE of New Jersey. I shall not now argue the matter further, but I ask that it go over, and I shall reserve the right to renew my point of order then.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 30, after line 9, to insert:

Damages and payment for ground on account of condemnation proceedings: To pay Thomas W. and Alice N. Keller for ground taken and damages on account of condemnation proceedings in square No. 2838, in the city of Washington, $3,820.

The amendment was agreed to.

The next amendment was, on page 34, after line 20, to insert:

Northwest and northeast. Longfellow Street from Fifth Street to Concord Avenue (formerly Oregon Avenue), Concord Avenue from Longfellow Street to Kennedy Street, and Kennedy Street from Concord Avenue to First Street NE., grade and improve, $25,800.

Mr. LANE. Mr. President, I should like to ask the chairman of the committee what good or intelligible reason he can offer to the Senate for changing the name of Oregon Avenue to Longfellow Street?

Mr. SMITH of Maryland. I will say to the Senator the committee did not change the name. It had been changed previously.

Mr. LANE. How long ago?

Mr. SMITH of Maryland. I do not know as to that. I can not tell the Senator, as I did not inquire into it.

Mr. LANE. There has been a great mistake there.

Mr. SMITH of Maryland. That was the name of the street as it came to us.

Mr. LANE. It is enough to condemn the entire bill, in my opinion.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 35, to insert:

Northwest and northeast. Concord Avenue from First Place NW. to Blair Road NE., open, grade, and improve, $2,900.

The amendment was agreed to.

The next amendment was, on page 35, after line 3, to insert:

Northeast. South Dakota Avenue, Bladensburg Road to Baltimore & Ohio Railroad, grade and improve, $4,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 5, to insert:

Northeast. Vista Street, South Dakota Avenue to Franklin Street, grade and improve, $5,100.

The amendment was agreed to.

The next amendment was, on page 35, after line 7, to insert:

Northwest. Albemarle Street from Connecticut Avenue to Thirty-eighth Street, grade and improve, $8,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 9, to insert:

Northwest. Wyoming Avenue between Twenty-third and Twenty-fourth Streets, grade and improve, $3,600.

The amendment was agreed to.

The next amendment was, on page 35, after line 11, to insert:

Northwest. Thirty-third Street, Rittenhouse Street to Pinehurst Circle, grade and improve, $12,600.

The amendment was agreed to.

The next amendment was, on page 35, after line 13, to insert:

Northeast. Sixty-first Street, East Capitol Street to Eastern Avenue, grade and improve, $20,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 15, to insert:

Northwest. Belmont Street, Sixteenth Street to Crescent Place, pave, $7,500.

The amendment was agreed to.

The next amendment was, on page 35, after line 17, to insert:

Northwest. Crescent Place, east of Belmont Street to end of pavement, pave, $2,400.

The amendment was agreed to.

The next amendment was, on page 35, line 20, after the words "In all," to strike out "$323,500" and insert "$415,400," so as to make the clause read:

In all, $415,400.

The amendment was agreed to.

The next amendment was, on page 36, line 5, after the date "1918," to insert:

Provided, That the Commissioners of the District of Columbia be, and they are hereby, directed to suspend all proceedings looking to the condemnation of land for the widening of Woodley Road as outlined on the map of the permanent system of highways in the District of Columbia until further action by Congress.

So as to make the clause read:

To carry out the provisions contained in the District of Columbia appropriation act for the fiscal year 1914, which authorizes the commissioners to open, extend, or widen any street, avenue, road, or highway to conform with the plan of the permanent system of highways in that portion of the District of Columbia outside of the cities of Washington and Georgetown, there is appropriated, payable entirely from the revenues of the District of Columbia, such sum as is necessary for said purpose during the fiscal year 1918: *Provided*, That the Commissioners of the District of Columbia be, and they are hereby, directed to suspend all proceedings looking to the condemnation of land for the widening of Woodley Road as outlined on the map of the permanent system of highways in the District of Columbia until further action by Congress.

The amendment was agreed to.

The next amendment was, on page 37, after line 10, to insert:

Hereafter in all proceedings for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia the jury of condemnation shall not be restricted as to the assessment area, but shall assess the entire amount awarded as damages plus the costs and expenses of the proceedings as benefits upon any and all lots, parts of lots, pieces or parcels of land which they may find will be benefited by the opening, extension, widening, or straightening of the alley or minor street, or by the establishment of the building line as they may find said lots, parts of lots, pieces or parcels of land will be benefited.

Mr. NORRIS. Mr. President, I wish the Senator from Maryland would let that amendment go over. I do not know that there is any objection to it, but I should like to look into it.

Mr. GALLINGER. Mr. President, I will inform the Senator that it simply extends to the minor streets and alleys the same law that now applies to major streets.

Mr. NORRIS. Then I have no objection to it.

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

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 38, after line 19, to insert:

For painting the ironwork and repairing the fenders on the Highway Bridge across Potomac River, $10,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 21, to insert:

South Dakota Avenue Bridge: For constructing a bridge to carry vehicular and pedestrian traffic, in the line of South Dakota Avenue, over the tracks of the Washington Branch of the Baltimore & Ohio Railroad, all in accordance with plans approved by the Commissioners of the District of Columbia, $65,000. And the said commissioners are authorized to enter into a contract with the said railroad company, or other parties, for the construction of such bridge and approaches: *Provided*, That such portion of this cost shall be borne by the Baltimore & Ohio Railroad Co. as is provided in section 10 of an act entitled "An act to provide for a union railroad station in the District of Columbia, and for other purposes," approved February 28, 1903, and said sum shall be paid by said company to the Treasurer of the United States, one half to the credit of the District of Columbia and the other half to the credit of the United States, and the same shall be a valid and subsisting lien against the franchises and property of the said Baltimore & Ohio Railroad Co., and shall be a legal indebtedness of said company in favor of the District of Columbia, jointly for its use and the use of the United States as aforesaid, and the said lien may be enforced in the name of the District of Columbia by bill in equity brought by the commissioners of the said District in the Supreme Court of said District or by any other lawful proceeding against the said Baltimore & Ohio Railroad Co.: *Provided further*, That no street railway company shall use the bridge herein authorized for its tracks until such company shall have paid to the Treasurer of the United States a sum equal to one-sixth of the total cost of said bridge, one half thereof to be credited to the United States and the other half to the credit of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the head of "Streets," on page 42, after line 21, to insert:

Tidal Basin bathing beach: The Chief of Engineers of the United States Army be, and he is hereby, authorized and directed to establish and maintain at a suitable place upon the shore of the Tidal Basin, in Potomac Park, a public bathhouse, with the necessary equipment, with a sloping sandy beach in the Tidal Basin, and to install a proper equipment to purify the water entering the basin so that it will not endanger the health of those bathing in it. The direction and control of said public bathing facilities shall be vested in the Chief of Engineers of the United States Army, who shall prescribe such regulations for their use as may be necessary to insure the greatest benefit to the public: *Provided*, That no charge shall be made for the use of the bathhouse or beach, except that uniform fees may be collected for the hire of bathing suits, soap, towels, and such other conveniences as may be provided upon the request of persons desiring to use them. In order to enable the Chief of Engineers to begin construction of the bathhouse, beach, and purification plant herein provided for, the sum of $35,000, to be immediately available, is hereby appropriated, and the limit of cost of such construction shall not exceed that amount.

The amendment was agreed to.

Mr. NORRIS. Mr. President, I ask unanimous consent to insert at this point in the RECORD the letter I left with the committee. I think the clerk of the committee has it. I think we ought to insert it in the RECORD for the use of the conferees, in case it should be necessary.

Mr. SMITH of Maryland. There is no objection so far as I am concerned.

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

The letter referred to is as follows:

OFFICE OF PUBLIC BUILDINGS AND GROUNDS,
Washington, D. C., January 26, 1917.

Hon. GEORGE W. NORRIS,
United States Senate, Washington, D. C.

DEAR SENATOR NORRIS: In compliance with your verbal request of some time ago, I take pleasure in submitting herewith for your information some facts and estimates in connection with the proposed establishment of a public bathing beach in the Tidal Basin in Potomac Park. I had hoped to be able to furnish you this data at a much earlier date, but in taking up the subject for that purpose I found that certain details as to the costs involved were not in such shape as to enable me to make a satisfactory statement.

Bathing in the Tidal Basin has been authorized by law since the approval of the act of September 26, 1890, by which the first appropriation was made for that purpose. Since that time appropriations have been made regularly to maintain facilities for bathing in this locality. The existing arrangements, however, do not provide adequate accommodations for the constantly increasing numbers of persons who desire to avail themselves of the privilege of using the public baths and enjoying the pleasures of swimming. In fact, the only means of securing the opportunity for unrestricted swimming is to patronize a private equipment maintained on the shore of the basin for the accommodation of the public.

There is at present no beach in this basin and persons who are not expert swimmers are deprived of the use of its waters. There is on its northeast side an unsightly structure which is used as a boathouse, bathhouse, and refreshment stand, but which does not meet the demands for bathing facilities. It is located at that portion of the basin where there is no current and where there is the least change in the water through the tidal action. The maximum number of persons who can be accommodated there is 600 per day. The building is owned by the Government and is occupied under a lease to the highest bidder for the privilege of serving, as far as conditions permit, the convenience of the public.

The Tidal Basin was designed and constructed to provide a reservoir of fresh water for flushing the Washington Channel of the river by means of automatic gates operated by the movement of the tides. In this way one-third, approximately 100,000,000 gallons, of the water in the basin is changed every 12 hours. The object of the proposed bathing beach will be to make this large body of water available to the public as an additional source of healthful out-of-door recreation.

It is now proposed to construct on the southeastern side of the basin a sloping sandy beach and a frame bathhouse, using in this connection all of the materials in the existing building referred to above. This location is well adapted to this purpose, owing to its proximity to the street car lines and its situation on the direct course of the current of fresh water between the inlet and outlet gates to the basin, which will insure a change of water at the beach twice in every 24 hours.

The basin has been thoroughly examined by the Public Health and Marine Hospital Service, whose reports indicate that while the water is not entirely free from pollution it could easily be made absolutely safe to bathe in. It is therefore proposed to install at the inlet gates a simple chlorine system which will purify all of the water as it enters the basin. Since one-third of the volume of water is removed every 12 hours and replaced by an equal amount of fresh water, the entire volume of water in the basin will be purified and renewed every 36 hours.

The estimate given below is believed to be approximately correct and sufficient to cover the cost of constructing the proposed bathhouse, beach, and purification system. The items of the estimate are as follows:

Bathhouse to accommodate 2,000 persons daily	$12,000
Construction of sloping sandy beach 250 by 500 feet	12,000
Construction of septic tanks for sewage disposal	2,000
Installation of purification plant	4,000
Changes in the sea wall at site of the beach	1,000
Construction of floats	2,000
Contingencies	1,000
Total	34,000

It is estimated that the cost of operating the chlorine plant so as to purify 200,000,000 gallons of water entering the inlet gate every 24 hours will amount to about 50 cents per million gallons, approximately $100 per day, or $10,000 per year, for the season during which the beach will be open for public use. Assuming an average of 2,000 persons per day using the beach, this cost would amount to 5 cents for each person. The expenses of operation would be in some degree offset by the collection of small fees charged for the use of bathing suits, soap, and towels.

I can not but feel that the facilities now provided in Washington for the use of those who desire to enjoy the pleasures of swimming and out-of-door bathing are discreditable to the city as a community and as the Capital of the Nation. The large cities throughout the country furnish vastly superior opportunities for the enjoyment of this form of recreation, and it seems, to say the least, most unfortunate that Washington should be so inadequately provided for in this respect. Here is a great body of fresh water in one of the finest parks in the world, free from the dangers of traffic, dangerous currents, quicksands, treacherous holes, and other objectionable features which characterize many water sides which are used for bathing; yet no advantage is taken of this condition to provide the means of utilizing this asset for the great pleasure and benefit of the public.

I inclose herewith a draft of a bill which I have had prepared to remedy this situation, to authorize the construction of a bathing beach, as outlined above, and making appropriation with which to begin work upon the project. This is submitted in accordance with your request.

A design and plan for the proposed bathhouse and beach has been prepared in this office and approved by the Commission of Fine Arts, and which it is believed could be constructed for the amount of the suggested appropriation.

I trust that this communication may furnish you the data which you desire. If I can be of further assistance to you in this connection I shall be most happy to do so.

Sincerely, yours, WM. W. HARTS,
Colonel, United States Army.

Mr. GALLINGER. Mr. President, we seem to be getting along remarkably well with this bill. More than one-third of it has been covered already, I think. Would not the Senator in charge of the bill agree to an adjournment or a recess at this time?

Mr. SMITH of Maryland. I suggest that we run until 6 o'clock. That is the usual hour for adjournment.

The reading of the bill was resumed.

The next amendment was, on page 44, after line 23, to insert:

For the purchase of lot 61, in square 555, for a playground site, $36,000.

The amendment was agreed to.

The next amendment was, on page 44, line 26, after the word "playgrounds," to strike out "$52,415" and insert "$88,415," so as to make the clause read:

In all, for playgrounds, $88,415.

The amendment was agreed to.

The next amendment was, under the head of "Electrical department," on page 47, line 17, after the word "items," to strike out "$4,000" and insert "$4,700," so as to make the clause read:

For purchase and installation of 20 fire-alarm boxes, relocation of fire-alarm boxes, and purchase and erection of necessary poles, cross arms, insulators, pins, braces, wire, cable, conduit connections, posts, extra labor, and other necessary items, $4,700.

The amendment was agreed to.

The next amendment was, on page 47, line 24, after the word "ground," to strike out "$7,500" and insert "$9,000," so as to make the clause read:

For the erection of a brick or concrete storehouse on land belonging to the District of Columbia, to be used for the storage of material and supplies of the electrical department, including the inclosing, grading, and improving of the ground, $9,000.

The amendment was agreed to.

The next amendment was, at the top of page 48, to insert:

The Potomac Electric Power Co. is directed and required to remove all of the poles and overhead wires owned and used by it on Water Street, between Sixth and Fourteenth Streets SW., and on all reservations and public spaces adjacent thereto, and to install suitable and sufficient underground conduits, conductors, and appliances in lieu thereof. The removal of said poles and wires and the replacement thereof by underground constructions shall be upon plans to be approved by the Commissioners of the District of Columbia, and shall be completed within one year after the date of approval of this act: *Provided*, That if said company shall fail or neglect to remove such poles and wires, or shall fail or neglect to complete such underground construction within one year after the approval of this act, said company shall forfeit and pay to the District of Columbia the sum of $100 for each day of such failure or neglect.

The amendment was agreed to.

The reading of the bill was resumed, as follows:

ROCK CREEK PARK.

For care and improvement of Rock Creek Park and the Piney Branch Parkway, exclusive of building for superintendent's residence, to be expended under the direction of the board of control of said park in the manner now provided by law for other expenditures of the District of Columbia, $22,000.

Mr. LANE. Mr. President, in regard to this item, Rock Creek Park, I wish to know whether it provides for the entire care and maintenance of that institution? It is a beautiful park, Mr. President. I have an idea that it is one of the finest parks in the country.

Mr. SMITH of Maryland. I will say to the Senator that that is all that was asked for. We gave them all they asked for.

Mr. LANE. But there are some conditions which exist there which ought to be remedied. Now, this matter will not attract much of your attention and perhaps but little of your sympathy. It is very similar to the bill introduced by the Senator from Arkansas [Mr. ROBINSON] the other night, when we had a night session here, in regard to the handling of calves and their shipment about the country without feed. If you go down near the Center Market you will find those young animals packed up in a narrow pen without food, perhaps for 48 hours, and maybe longer, bleating pitifully, as you go by, for something to eat.

Mr. SMITH of Maryland. Does the Senator wish to offer an amendment?

Mr. LANE. I want to say a word about this bill. Yes; I should be willing to offer two amendments to it.

Mr. SMITH of Maryland. But the amendments of the committee are being considered now.

Mr. LANE. Then can this matter go over?

Mr. SMITH of Maryland. The Senator can offer any amendment he pleases later on.

Mr. LANE. I want to inquire of the committee with regard to some features of the management of that park as to which I did not know whether they were informed or not. Is that objectionable to the chairman, or does he wish me to do it later?

Mr. SMITH of Maryland. Not at all, sir. The only thing I thought was that we would get along as fast as we could, and that if the Senator wanted to offer any amendment he could offer it after the committee amendments have been disposed of.

Mr. LANE. I do not know that I do want to offer an amendment. I do want as many Senators as are here to know certain things about it, and it does not particularly appeal to me that we should get through with this bill quickly so much as it does that we should get through with it rightly and properly.

Mr. SMITH of Maryland. I am offering no objection to any matter that the Senator wants considered. I merely stated that the committee amendments were being considered first, and that if the Senator wanted to offer any amendment it would be in order at any time after the committee amendments were disposed of.

Mr. LANE. But if I did not, I would then have nothing to address myself to. Is it understood that I can call attention to the item at any time?

Mr. SMITH of Maryland. At any time the Senator desires.

Mr. LANE. I reserve that right, then.

Mr. THOMAS. The Senator has that right, anyway.

Mr. LANE. I reserve the right to do it later on.

The reading of the bill was resumed.

The next amendment was, under the head of "Public schools," on page 56, after line 13, to insert:

For matrons in the normal and high schools and larger grade buildings, including the following: Wilson Normal, Miner Normal, New Central High, Dunbar High, Business High, Western High, Eastern High, McKinley Manual Training, Armstrong Manual Training, Jefferson, Stevens, Birney and Annex, Emery, New Mott, Henry D Cooke, Powell, Park View, Elizabeth V. Brown, and Petworth Schools, 19 in all, at $500 each, $9,500.

The amendment was agreed to.

The next amendment was, on page 61, after line 15, to insert:

For transportation for pupils attending schools for tubercular children, $1,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 61, after line 18, to insert:

The children of officers and men of the United States Army and navy stationed outside of the District of Columbia shall be admitted to the public schools without payment of tuition.

The amendment was agreed to.

The next amendment was, on page 62, after line 17, to insert:

For the purchase of additional ground adjoining the Wheatley School and for the erection of an eight-room addition, with assembly hall, $96,000.

The amendment was agreed to.

The next amendment was, on page 62, after line 20, to insert:

For the erection of an eight-room addition, with assembly hall, to the Takoma School, $90,000.

The amendment was agreed to.

The next amendment was, on page 62, after line 22, to insert:

For the purchase of additional ground in the vicinity of the Buchanan School and for the erection of an eight-room addition, with assembly hall, $97,000.

The amendment was agreed to.

The next amendment was, at the top of page 63, to insert:

For the purchase of additional ground adjoining the Emery School, $12,000.

The amendment was agreed to.

The next amendment was, on page 63, after line 2, to insert:

For the construction of toilet rooms on the site of the Woodburn School Building in order to provide modern toilet facilities, including the cost of the necessary sewerage connections, $5,500.

The amendment was agreed to.

The next amendment was, on page 63, after line 6, to insert:

Hereafter so much of any balance of appropriations remaining after the purchase of sites for buildings as is necessary to clean up, grade, drain, fence in, and place the sites in safe and suitable condition for the purposes intended may be used for such purpose.

The amendment was agreed to.

The next amendment was, on page 64, line 2, after the word "testimonials," to strike out "or for any purposes other than for the promotion of school athletics, including school playgrounds, vocation schools, school gardens, school publications, and commencement exercises of high schools" and insert "to school officials or for any purpose except such as may be authorized by the board of education at a stated meeting upon the

written recommendation of the superintendent of schools," so as to make the clause read:

Appropriations in this act shall not be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from pupils enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the board of education at a stated meeting upon the written recommendation of the superintendent of schools.

The amendment was agreed to.

The next amendment was, on page 65, line 13, before the word "blind," to strike out "indigent," so as to make the clause read:

For instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the commissioners, $7,500, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Metropolitan police," on page 68, line 4, after the word "precincts," to strike out "$32,500" and insert "$40,000," so as to make the clause read:

For the erection of a station house on the site to be purchased in the suburban section of the District between the ninth and tenth precincts, $40,000.

The amendment was agreed to.

The next amendment was, on page 68, line 8, after the words "In all," to strike out "$94,100" and insert "$101,600," so as to make the clause read:

In all, $101,600.

The amendment was agreed to.

The next amendment was, on page 69, after line 5, to insert:

For one gasoline launch, $2,000.

The amendment was agreed to.

The next amendment was, on page 69, line 7, after the words "In all," to strike out "$7,000" and insert "$9,000," so as to make the clause read:

In all, $9,000.

The amendment was agreed to.

The reading of the bill was continued to page 70, line 3, the last paragraph read being as follows:

FIRE DEPARTMENT.

Chief engineer, $3,500; deputy chief engineer, $2,500; 4 battalion chief engineers, at $2,000 each; fire marshal, $2,000; deputy fire marshal, $1,400; 2 inspectors, at $1,080 each; chief clerk, $2,000; clerk, $1,400; 38 captains, at $1,500 each; 40 lieutenants, at $1,320 each; 40 sergeants, at $1,200 each; superintendent of machinery, $2,000; assistant superintendent of machinery, $1,200; 27 engineers, at $1,200 each; 27 assistant engineers, at $1,100 each; 2 pilots, at $1,150 each; 2 marine engineers, at $1,200 each; 2 assistant marine engineers, at $1,100 each; 2 marine firemen, at $720 each; 40 drivers, at $1,150 each; 40 assistant drivers, at $1,100 each; 183 privates of class 2, at $1,140 each; 44 privates of class 1, at $960 each; hostler, $600; laborer, $600; in all $596,460.

Mr. GALLINGER. I desire to call attention to the necessity of an amendment in this paragraph. The subcommittee made the amendment, which was proper, but afterwards agreed that all increases of salary should be stricken from the bill, and three items here were stricken from the bill upon a misunderstanding. The House made a mistake in drafting the bill, to which attention was called. It will be observed at the bottom of page 69 that privates are receiving $1,140 a year. As the bill now stands the assistant engineers, marine engineers, and drivers are receiving only $1,100 a year, so those holding a higher position are getting less than the privates. The desire is to make them all the same.

In line 21, page 69, I move to strike out "$1,100" and insert "$1,140"; in line 23, the same; and, in line 25, the same, so as to make an increase of $40 a year in the salaries of these higher officers and leave the salaries the same as those of the privates.

Mr. SMITH of Maryland. I have no objection to offer to the amendment. I think it is a proper amendment.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The amendment will be stated.

The SECRETARY. On page 69, line 21, strike out "$1,100" and insert "$1,140"; in line 23 strike out "$1,100" and insert "$1,140"; and in line 25 strike out "$1,100" and insert "$1,140," so as to read "27 assistant engineers, at $1,140 each; * * * 2 assistant marine engineers, at $1,140 each; * * * 40 assistant drivers, at $1,140 each."

The amendment was agreed to.

The reading of the bill was continued to line 11, on page 71.

Mr. THOMAS. I should like to ask the Senator in charge of the bill if it is the purpose to continue in session any longer.

Mr. SMITH of Maryland. Six o'clock is the hour we agreed upon.

Mr. THOMAS. Very well.

RECESS.

Mr. SMITH of Maryland. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 2 minutes p. m.) the Senate took a recess until to-morrow, Friday, February 9, 1917, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 8, 1917.*

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

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

"Blessed is the nation whose God is the Lord; and the people whom He hath chosen for His own inheritance." Take us, O God, and make us Thine. Hold us close to Thee that we may be able to interpret the pulsations of Thy great heart; and thus understanding, give us grace and strength to do Thy will now and evermore, in the spirit of the Lord Jesus Christ. Amen.

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

EXTENSION OF REMARKS.

Mr. SHACKLEFORD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. SHACKLEFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the migratory-bird law and to print in the RECORD a letter which I have received from the deputy commissioner of the State Game and Fish Department of the State of Missouri.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks. Is there objection? [After a pause.] The Chair hears none.

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. 20453. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 201. Joint resolution requesting the President of the United States to designate and appoint a day on which funds may be raised for the relief of the Ruthenians (Ukrainians).

The message also announced that the Senate had agreed to the amendments of the House to bills of the following titles:

S. 3699. An act to donate to the city of St. Augustine, Fla., for park purposes, the tract of land known as the power-house lot; and

S. 1061. An act to allow additional entries under the enlarged-homestead act.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 135) for the restoration of annuities to the Medawakanton and Wahpakoota (Santee) Sioux Indians declared forfeited by the act of February 16, 1863, had requested a conference with the House on the bill and amendment, and had appointed Mr. ASHURST, Mr. MYERS, and Mr. CLAPP as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 18181) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, had requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JOHNSON of Maine, Mr. HUGHES, and Mr. SMOOT as the conferees on the part of the Senate.

The message also announced that the President had approved and signed bills and joint resolutions of the following titles:

On February 3, 1917:

S. J. Res. 202. Joint resolution to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States on March 5, 1917.

On February 6, 1917:

S. J. Res. 203. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1917;

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

S. 8090. An act granting the consent of Congress to Washington-Newport News Short Line, a corporation, to construct a bridge across the Potomac River.

NATIONAL MILITARY PARK, GUILFORD COURTHOUSE.

Mr. NICHOLLS of South Carolina. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. NICHOLLS of South Carolina. Mr. Speaker, I desire to ask unanimous consent to take from the Speaker's table the bill H. R. 8229, with Senate amendments, to disagree with the Senate amendments and ask for a conference.

Mr. CARTER. What is the bill?

Mr. NICHOLLS of South Carolina. It is the bill of the gentleman from North Carolina [Mr. STEDMAN] in reference to Guilford Courthouse.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to take from the Speaker's table the Guilford Courthouse bill, to disagree to all Senate amendments and ask for a conference. The Clerk will report the bill by title.

The Clerk read as follows:

An act (H. R. 8229) to establish a national military park at the battle field of Guilford Courthouse.

The Senate amendments were read.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I intended to move to concur in the Senate amendments if the matter came before the House. What is the objection to concurring in the Senate amendments?

Mr. NICHOLLS of South Carolina. As I understand, Mr. Speaker, the Senate amendments take away the commissioners which our bill calls for and puts the whole matter in the hands of the Secretary of War, who shall appoint a caretaker there.

Mr. MANN. To appoint whoever is necessary there.

Mr. NICHOLLS of South Carolina. Well, a caretaker is absolutely necessary.

Mr. MANN. He will operate this park as he does most of the other parks of this character.

Mr. NICHOLLS of South Carolina. As I understand it——

Mr. MANN. And we authorize the appropriation to be expended under the Secretary of War for the care of the park, for the construction of the necessary roads, approaches, etc.

Mr. NICHOLLS of South Carolina. Mr. Speaker, the gentleman from North Carolina [Mr. STEDMAN] is here and is more fully acquainted with the matter, and I will ask him to explain it.

Mr. STEDMAN. Mr. Speaker, the Guilford Courthouse Battle Field Park Co. was inaugurated through the patriotic sentiment of a distinguished North Carolinian, Judge Schenk, who spent a lifetime and a great deal of money in building up the park. This is one of the most beautiful places in this country. His son has now taken charge and it has been kept up under his supervision, and as a matter of deference and gratitude to a family who have done so much for this great work and expended much time and money through patriotic motives, we thought that the bill should be so arranged that his son should be a commissioner. It is purely a matter of patriotic sentiment.

Mr. MANN. The Secretary of War would have authority to appoint this man in charge of the park.

Mr. STEDMAN. He might not do it, and what harm——

Mr. MANN. I know he might not do it, that is true; but if it should be done, he probably would do it. Now, to create a commission for this purpose——

Mr. STEDMAN. The leading parks of this country have had commissioners, as I understand.

Mr. MANN. Part of them have, and we have been trying to abolish them.

Mr. STEDMAN. We care very little about the money in this matter, but it is purely a matter of sentiment, simply and entirely.

Mr. MANN. This House on various occasions has had to reduce these commissions by abolishing commissioners whose terms have expired, which is a very difficult thing, of course, to do. Why create a new commission, why not let the Secretary of War have the management?

Mr. STEDMAN. Because we want to express our gratitude to the people who have had patriotism and sentiment enough to preserve this battle field and to recognize in some way this sentiment, not only of my own county and city but of the whole State of North Carolina and the whole people of this country.

Mr. MANN. I know; but after these gentlemen patriotically proposed to present this park to the Government I do not understand they insisted upon being paid for it in the form of a salary.

Mr. STEDMAN. They have not asked for any pay.

Mr. MANN. Would it not be paid in the form of a salary to the commissioner?

Mr. STEDMAN. If it becomes necessary and the conferees think it is better, we will strike it out; but we wish that family, who created that park as a matter of patriotic sentiment and who did the work which makes this one of the most beautiful parks in this country, and which was done at very great expense to themselves, to be represented.

Mr. MANN. For the present I shall object.

The SPEAKER. The gentleman from Illinois objects.

SEWER FOR PRESIDIO MILITARY RESERVATION.

Mr. KAHN. Mr. Speaker, I ask to take from the Speaker's table the bill (S. 7713) granting to the city and county of San Francisco, State of California, a right of way for a storm-water relief sewer through a portion of the Presidio of San Francisco Military Reservation. A similar bill has been reported unanimously from the Committee on Military Affairs.

The SPEAKER. What is the number of the Senate bill?

Mr. KAHN. It is S. 7713.

The SPEAKER. The gentleman from California [Mr. KAHN] asks unanimous consent for the present consideration of Senate bill S. 7713, a House bill of similar tenor being on the calendar. The Clerk will report the bill.

The Clerk read the title, as follows:

An act (S. 7713) granting to the city and county of San Francisco, State of California, a right of way for a storm-water relief sewer through a portion of the Presidio of San Francisco Military Reservation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of the United States is hereby given to the city and county of San Francisco, Cal., to locate, construct, and maintain a 40-inch concrete storm-water relief sewer over and across Lobos Creek and thence through a portion of the Presidio of San Francisco Military Reservation to a point where it will again reach Lobos Creek and discharge therein, upon such location and plans as the Secretary of War may approve and under such conditions and regulations as he may prescribe.

SEC. 2. That the right to amend, alter, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the bill.

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

On motion of Mr. KAHN, a motion to reconsider the vote by which the bill was passed was laid on the table.

A House bill (H. R. 19423) of similar tenor was laid on the table.

OFFER OF NATIONAL DEFENSE FROM LOUISIANA.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having read at the Clerk's desk a telegram received by me from the American Cane Growers' Association.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to have his remarks extended in the RECORD by having read at the Clerk's desk a telegram. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the telegram.

The Clerk read as follows:

NEW ORLEANS, LA., *February 7, 1917.*

Hon. WHITMELL P. MARTIN,
House of Representatives, Washington, D. C.:

This organization, representing the sugar producers of Louisiana, requests that you respectfully offer to the President of the United States and the Secretary of War the use of Louisiana sugar factories and accompanying equipments to be utilized in such manner as may be found advisable in meeting the demands which may arise in connection with national defense. Of Louisiana's total boiler horsepower capacity approximately one-half, namely, 150,000 boiler horsepower, is installed in Louisiana sugar factories.

AMERICAN CANE GROWERS' ASSOCIATION,
By H. N. PHARR, *President.*

QUESTION OF PERSONAL PRIVILEGE.

Mr. LITTLEPAGE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from West Virginia rise?

Mr. LITTLEPAGE. I rise to a question of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. LITTLEPAGE. I desire to have the Clerk read a clipping from the Cleveland Leader and also an article from the Wheeling Intelligencer, of Wheeling, W. Va., that I think reflects upon myself and other Members of the Military Affairs Committee.

The Clerk read as follows.

[From the Cleveland Leader, Feb. 6, 1917.]

GORDON ASSAILED AS "A PINHEAD"—CHICAGO TRIBUNE URGES HIS EXPULSION FROM CONGRESS AS "WARNING TO TRAITORS."

CHICAGO, *February 5.*

In an editorial to-morrow the Chicago Tribune will say:

"The first step necessary to place the land defenses of the Nation on a war footing is the increase of the General Staff of the Army.

"That step, asked by the Secretary of War from the Military Affairs Committee of the House, has been refused by the Democratic majority of the committee. Here is the list: DENT, of Alabama, chairman; MCKELLAR, of Tennessee; QUIN, of Mississippi; GORDON, of Ohio; LITTLEPAGE, of West Virginia; SHALLENBERGER, of Nebraska; FARLEY, of New York; WISE, of Georgia; OLNEY, of Massachusetts; NICHOLLS, of South Carolina; HARRISON, of Virginia.

"No one can excuse himself on the ground of ignorance. The need of a General Staff, which is the organizing mechanism of our military defense, has been explained and discussed before them fully. Only a mental defective could fail to understand and the trouble with the men is not that they are subnormal but that they are merely pin-headed, pusillanimous, peanut politicians.

"There should be more than this. The men on this roll of dishonor whose names we give here should be forthwith expelled from the House of Representatives as a sign that the House knows its duty and as a warning to all traitors that its Government is awake to the national crisis."

—

[From the Wheeling Intelligencer, Feb. 6, 1917.]

LITTLEPAGE IS GRILLED—CHICAGO PAPER IN SEVERE CRITICISM—"EXPEL THESE TRAITORS," THE CAPTION OF TRIBUNE'S EDITORIAL.

CHICAGO, ILL., *February 5.*

Under the caption, "Expel these traitors," a Tribune editorial calls for the expulsion from Congress of DENT, of Alabama; MCKELLAR, of Tennessee; QUIN, of Mississippi; GORDON, of Ohio; LITTLEPAGE, of West Virginia; SHALLENBERGER, of Nebraska; FARLEY, of New York; WISE, of Georgia; OLNEY, of Massachusetts; NICHOLLS, of South Carolina; and HARRISON, of Virginia, because they voted against increased land defense to-day in the House of Representatives at Washington.

Mr. LITTLEPAGE. Mr. Speaker and gentlemen of the House, this is the first time during my service in this House that I have craved the indulgence of the House in a matter of this character, and I hope it will be the last time. But I can not submit as a Member of this House to the accusations referred to in these papers without my humble protest, especially when they are so unjust, unwarranted, and unfounded. And I sincerely feel that I but bespeak the sentiment of the individual Members of this House without reference to politics in resenting the accusations preferred by those editorials. I am here to say to the membership of this House that there is not one scintilla of truth in either of the statements. They are wholly unfounded.

Mr. NICHOLLS of South Carolina. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. NICHOLLS of South Carolina. I want to ask the gentleman from West Virginia a question.

The SPEAKER. Does the gentleman from West Virginia yield to the gentleman from South Carolina?

Mr. LITTLEPAGE. Yes.

Mr. NICHOLLS of South Carolina. I wanted to know if the gentleman knew the name of the contemptible scoundrel who wrote that article?

Mr. LITTLEPAGE. I do not; but I wish I did.

So far as my district is concerned and so far as the representative citizens of my district are concerned, without reference to politics, I need not reply to such disgraceful publications, inasmuch as they would not be given any credence there. But these publications, gentlemen of the House, ought not to be permitted to go unnoticed, as in case they are continued no one is safe, character is valueless, and faithful devotion to service will not be appreciated.

I care not so much for myself, but there are other men—Members of this House, men of high standing and high character—who have likewise been reflected upon by the writers of these articles. I care not whether you are a Republican or a Democrat; your character and high standing in this House is as sacred to you as mine is to me. [Applause]. And the longer I stay here and the more I see of this public slander of public officials the greater I see the necessity for a statute in this Government that will brand the publishers and writers of such articles as felons and convict them as such and send them to the penitentiary. That is what ought to be done. And I rise more in defense and in protection of the good men who have been slandered along with me than I do for myself.

These publications have gone into the Wheeling Intelligencer, one of the most important Republican papers in my State, copied from the Chicago Tribune. In justice to me, in justice to every man who is reflected upon, the Republican members of the Military Affairs Committee of this House, men of high character and standing and capacity, and noted for patriotism, will testify it is a ridiculous shame, and one that the House itself ought to resent. If I had my way, the man who wrote that article would be barred from that gallery. He ought to be barred from it. [Applause.] I have struggled all my life to keep a clean character. I have struggled all my life to be honest. I have struggled all my life to be kind and obliging to people, and I resent that abominable publication which the man who wrote it knew was a mischievous, disgraceful, contemptible falsehood. [Applause.] And he does not deserve the respectful attention of any Member of this House, it matters not what his politics.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. LITTLEPAGE. Yes.

Mr. COOPER of Wisconsin. The gentleman has intimated that the article in question was written by a correspondent having a place in the House press gallery. I understood his opening statement to be that it was an editorial that appeared on the editorial page and was not a news communication written by the Washington correspondent.

Mr. LITTLEPAGE. I do not know what the facts are. I wish I did.

Mr. COOPER of Wisconsin. Well, Mr. Speaker——

Mr. LITTLEPAGE. I tried to find out.

Mr. COOPER of Wisconsin. I will inform the gentleman that I saw it on the editorial page of the Tribune, and I went to the Tribune file a moment ago, in the House lobby, and found the editorial had been cut out.

Mr. LITTLEPAGE. Yes; I saw the editorial as well. But he seemed to have gotten it in there both ways. And I take it, it went from the gallery of this House to the editorial department.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. LITTLEPAGE. Yes.

Mr. MOORE of Pennsylvania. I think a word is to be said for the active correspondent in Washington. It is not his fault that some of these pernicious editorials appear. The work is done back home, in the office. One of the great troubles with Washington is that what the correspondents do send out does not always meet the approval of the editor at home, who is wiser than the Congress of the United States—that man back there.

Mr. QUIN. Mr. Speaker, will the gentleman yield?

Mr. LITTLEPAGE. Certainly.

Mr. QUIN. I desire to state for the information of the gentleman from Pennsylvania [Mr. MOORE] that it is both. Some scoundrel from the city of Washington has sent that out, and the putrid editor of that pusillanimous paper has put in that putrid editorial. [Laughter.]

Mr. LITTLEPAGE. My rule in life has been, if I could not say something good of my fellow man, to refrain from saying something harmful [applause], and I have used stronger language in this august presence this morning than I have used in many years about a fellow countryman.

Gentlemen, I do not know how you take it, but I felt cut and hurt and resentful. It is a terrible thing to publish throughout the country a lie about a public official. No power on earth can kill it or stop it, when once put in circulation. Newspaper men ought to be careful to know what they are publishing, to know the truth of it before they scatter it to the winds. It is all over my district this morning, and doubtless all over the district of every Member who has been so reflected upon. We have to answer. We ought not to have to answer, but we shall.

In my heart I am willing to forgive the transgressor if he will do so no more and not try to hurt some other public official. But, before this House and my God, I came into this House with prayers upon my lips to God to keep me right and to keep me honest, and I have tried to so live here, and I do resent with all my heart the injustice done me and the other distinguished members of a great committee of this House. I am for preparedness. I have always been. I love my country and believe in one flag, one country, and one God. [Applause.] I love that flag and would spill my blood to defend it if it were necessary. The idea of saying of me and of other good men that we are "traitors"—gentlemen of this House, it is a hard statement to make. It is a terrific thing to say and to put

into circulation throughout the length and breadth of the country that we all love so well, that we are all willing to step into the trenches and die for when it is necessary. I thank you, Mr. Speaker and gentlemen.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. LITTLEPAGE. Yes.

Mr. MANN. It is a fact, is it not, that in the Hay national-defense bill, passed at the last session of Congress and reported and acted upon by the same members of the Committee on Military Affairs and the majority that now composes the committee, with one exception, this provision was carried in that law forbidding more than 50 per cent of the General Staff to be in Washington?

Mr. LITTLEPAGE. That is probably true.

Mr. MANN. Is it not absolutely true?

Mr. LITTLEPAGE. I am not prepared to say that it is, because I do not remember definitely.

Mr. MANN. I supposed the gentleman knew.

Mr. DENT. Mr. Speaker, if the gentleman will allow me, that is true.

Mr. LITTLEPAGE. But let me say to the gentleman from Illinois that this article concerns what occurred in this House and in the committee room within the last few days.

Mr. MANN. Very well.

Mr. LITTLEPAGE. And do you sustain it?

Mr. MANN. Oh, I do not think the gentleman that wrote the article was quite informed, nor do I think the criticism of the gentleman from West Virginia is quite well balanced. Here is a committee that in time of danger reported, and the House passed, a bill forbidding more than 50 per cent of the General Staff to be in Washington. The War Department under this present exigency has requested that that be set aside. Well, perhaps it ought to be set aside. I do not say that it ought. I was opposed to the provision in the first place; but if it ought to be set aside now, we are subject to criticism for having enacted it at the last session of Congress.

Mr. LITTLEPAGE. Let me say to the gentleman from Illinois that the very thing that this article said we did not do was done by the committee, and by a unanimous vote, and the Republican member on your own side [Mr. KAHN], who has as much ability and patriotism as any other man in this House, will tell you so. And let me say to the gentleman from Illinois, too, that it is a singular coincidence that every member on the Democratic side of that committee is attacked, with the exception of one, and put on that roll of dishonor. Let me say to you further that your own side of this House, the members of that committee who are honest—and I do not mean to say you are dishonest—will sustain my statement. I thank you, Mr. Speaker and gentlemen. [Applause.]

Mr. KAHN rose.

The SPEAKER. The gentleman from California is recognized.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to address the House on this matter for five minutes.

The SPEAKER. The gentleman from California asks for five minutes in which to address the House. Is there objection?

There was no objection.

Mr. KAHN. Mr. Speaker, the gentleman from West Virginia [Mr. LITTLEPAGE] is quite right when he says that the matter referred to in the article is false, because such a proposition was never put up to the Committee on Military Affairs by the Secretary of War. [Applause.] The article refers to a proposition for the enlargement of the General Staff. The thing that the War Department asked was a modification of the law, which prohibits more than 50 per cent of the General Staff from being located here in Washington at any time.

The Secretary of War came to me before the meeting and asked whether I would be willing to stand for a modification of that provision. I told him in this emergency I believed it was the duty of every American citizen to stand by the President and the War Department [applause], and that I would cheerfully support the modification. When the committee was in session that proposition was put before us, and that alone. We were merely asked to give authority to the Secretary of War to permit him to call all of the General Staff or such proportion of it in excess of 50 per cent as he might desire to the city of Washington to work out necessary military problems. There was some little discussion in the committee, but every member of the committee voted for the proposition, Democrats and Republicans alike. There was no division of opinion, and the thing went through unanimously and is now incorporated in the bill. [Applause.]

I think it only fair to our Democratic colleagues on the committee to state the matter just as it occurred, and I am pleased to have had this opportunity to so explain it.

Mr. BUTLER. Mr. Speaker, will the gentleman permit an interruption?

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. DENT. May I ask my colleague on the committee from California if it is not a fact that the Secretary of War came in person to the committee room on Monday morning and conferred with you, as the ranking minority member of the committee, and with me, as chairman of the committee, and that we agreed on this provision, which I submitted to the committee; and it was unanimously adopted by the committee and is now in the bill?

Mr. KAHN. The gentleman states the facts just as they occurred. [Applause.]

Mr. GORDON. Mr. Speaker, is it not a fact that the Secretary of War did not address the committee, other than the two leaders on the committee, upon the subject at all?

Mr. KAHN. He did not appear personally before the committee.

Mr. GARNER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GARNER. Then the pusillanimous part of this matter seems to be at Chicago instead of in the House of Representatives.

Mr. KAHN. Oh, the gentleman must draw his own conclusions.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. BUTLER. I did not hear distinctly the editorial as it was read. From the statement of the gentleman from California [Mr. KAHN] I understand there is no foundation whatever for that editorial.

Mr. KAHN. That is quite true.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to address the House for two minutes. Is there objection?

Mr. MANN. Reserving the right to object—about what?

Mr. FIELDS. About this proposition.

The SPEAKER. The gentleman is entitled to the floor as a question of privilege, but as he makes a request for unanimous consent the Chair will put his request. Is there objection?

There was no objection.

Mr. FIELDS. Mr. Speaker, I happen to be one of the majority members not mentioned in the newspaper article referred to. I only take this opportunity to indorse what the gentleman from California [Mr. KAHN] has said, and to express my resentment at the reflection that has been cast upon the other members of the committee. The whole thing was without foundation, and if any man in the press gallery of this House is responsible for it, he ought to be barred from the gallery. [Applause.] Of course, if the correspondent here was not responsible for it, and the man at the head of the paper in Chicago is alone responsible, that presents a condition that we just have to make the best of; but the statement is false, and should be condemned not only by this House, but by the people of this country. [Applause.]

Mr. NICHOLLS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. NICHOLLS of South Carolina. Mr. Speaker and gentlemen of the House, this article in the Chicago Tribune had not been called to my attention until it was read from the desk this morning, and I must confess that I was very much surprised that any paper in the United States, in this time of trouble and excitement, would take occasion to speak of members of one of the most prominent committees of this House in any such terms. I know that it is not a time for us to be discussing politics, and I also know, as the Member from California [Mr. KAHN] has stated, and as the Member from West Virginia [Mr. LITTLEPAGE] has stated, that the Republican members of this committee voted for the proposition which was put in the bill after finding out from Mr. KAHN and Mr. DENT that it was satisfactory to the Secretary of War. Therefore the Secretary of War has got from the committee exactly what he asked for, or exactly what he was willing to put up and have passed as a law.

Now, with reference to the Chicago Tribune, I do not know the man who wrote this article. I do not care to know the man who

wrote this article. It has always been my experience, and it has always been the custom in my part of the country, that the man who manages a paper, the man who is the editor of a paper, is responsible for what goes into that paper. Gentlemen of the House, if some little reporter writes an article reflecting upon a man's private character or reflecting upon a man's public career and it is printed in the paper, the little numskull who wrote it is not responsible, but the man who runs the paper is responsible. I am reliably informed that Mr. McCormick is one of the editors and has large control over the Tribune. I am further informed that the State of Illinois has sent Mr. McCormick to be a Member of the next Congress.

Mr. MADDEN. I beg the gentleman's pardon. The Mr. McCormick who has been elected to the House has no official relation to the Chicago Tribune. It is his brother.

Mr. NICHOLLS of South Carolina. What is the name of the Member who is to be here?

Mr. MADDEN. Medill McCormick; and the gentleman who has charge of the editorial work of the Tribune is Robert R. McCormick.

Mr. NICHOLLS of South Carolina. Do you know whether Mr. Medill McCormick has anything to do with it?

Mr. MADDEN. He has absolutely nothing to do with the management of the Tribune.

Mr. NICHOLLS of South Carolina. He has nothing to do with it?

Mr. SIMS. He is one of the owners.

Mr. NICHOLLS of South Carolina. Is he one of the owners?

Mr. MADDEN. No. His mother is, but he is not.

Mr. NICHOLLS of South Carolina. When did he sever his connection with it?

Mr. MADDEN. He has never had any connection with it as far as I know. His mother owns it.

Mr. NICHOLLS of South Carolina. It is owned in the family, and he has stock in it, has he not?

Mr. MADDEN. I do not think he has. I think it would be unfair to make the statement that Mr. Medill McCormick, the Member-elect of the House, is in any way connected by ownership with the Chicago Tribune. The paper was originally owned by his grandfather, who left the property to Mr. McCormick's mother and to another daughter, and these two women own the paper.

Mr. NICHOLLS of South Carolina. In justice to Mr. McCormick, if he is not the man, I will not read all of an article printed in the RECORD, which refers to a certain party; but a portion of that article fits this case so well that I am going to read it, and I want it to refer to the man who wrote this article or is responsible for it. I quote from the CONGRESSIONAL RECORD of July 11, 1912, the language of a Republican paper, the Chicago Inter-Ocean, which, in my judgment, fits the man who wrote this article, and I can not better express my feeling for him than to use the words of the editor of the Chicago Inter-Ocean, who says:

> We apologize to our readers for dignifying the falsehood in question—

And I apologize to this House for dignifying the falsehood that this man has written—

> for dignifying the falsehood in question by this editorial reference; but we take it that some recipients—

Of a letter that was written—

> might otherwise believe it, not realizing that it came from an alcoholic little cad who haunts sanitariums between debauches and whose pus-fed face for months turned men in disgust from the lunch tables and caused them to avoid even the tableware which touched his lips.
>
> The name of a degenerate looks as respectable on paper as that of a gentleman, and therefore we are compelled in this case to treat it not as it is but as it appears to be.

Now, Mr. Speaker and gentlemen, I want to tell this House that no Military Committee that has ever been here, in my judgment, from what I have read, have labored harder or more conscientiously to give to this Government the defense that we thought was ample and that the people of this country wanted. I speak for both sides of the House. There has been no friction. Whenever the department notified us that they had to have a thing we have gone the length to give it to them. You, gentlemen, have helped do it; we have helped do it; and I say it is an outrage and a shame for any paper, regardless of politics, to come into the public prints with an article of that kind without foundation—in other words, a bald-faced lie—for the purpose of hurting Democratic Congressmen on that committee. So far as I am concerned, it will not hurt me, because the papers in my district would not think of publishing such an article. If the papers did publish it, the people of my district would not believe a word of it, and the people of the districts of other gentlemen are not going to believe it. They have the confidence and esteem of their constituents or they would not be here to-day. We have dignified this article by giving it notice on the floor of the House. I think, possibly, it should have gone unnoticed; but, Mr. Speaker and gentlemen, when a man brazenly assaults the character of Members of the House their only way to come back, their only way of getting redress, is to come on the floor and defend themselves; and I am proud to say that the Republican members of the committee—and I knew they would do it—have come here on the floor and said that it was false. I hope the matter will not be brought any further into notice by the papers, and I hope this editor will stay in Chicago, where he belongs, because I frankly tell you that if I meet him I will hold him personally responsible for this article. [Applause.]

Mr. MANN. Mr. Speaker, I ask for two minutes.

The SPEAKER. The gentleman from Illinois asks for two minutes to address the House. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, it is quite evident that the article in the Chicago Tribune was based upon false information. It did the committee, the Democratic members of the committee, a great injustice, but it is just as true as the article read by the gentleman from South Carolina in reference to the editor of the Chicago Tribune.

Mr. NICHOLLS of South Carolina. Will the gentleman submit to an interruption?

Mr. MANN. Yes.

Mr. NICHOLLS of South Carolina. That article was written by the editor of the paper from the gentleman's own State.

Mr. MANN. No; but the gentleman read it here to the House.

Mr. NICHOLLS of South Carolina. It is in the RECORD.

Mr. MANN. If it were a shame for the Chicago Tribune to write the editorial it did, I think it is equally a shame that the gentleman from South Carolina should read the article he did about the editor of the Chicago Tribune. The editor of the Chicago Tribune, the managing editor at present, is Maj. McCormick, who has just been down on the border of Mexico, enlisted in the Government service, ready at all times to lay down his life for his country, and has proven it, which we have not—taking an active interest in military affairs. He has indulged in considerable criticism of the Hay defense bill. It has not met my approval in every respect, although I think much of it was just. He has made a mistake, but it does not do any good because of that to call him names and impute improper motives to him. He has the highest patriotic motives in behalf of the defense of the country, and is a gentleman of just as high standing as any gentleman in this House. [Applause.]

Mr. QUIN rose.

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. QUIN. To ask for seven minutes to address the House.

The SPEAKER. The gentleman from Mississippi asks to address the House for not exceeding seven minutes. Is there objection?

There was no objection.

Mr. QUIN. Mr. Speaker, I rise to a question of personal privilege, and would like to have read what appeared in the Chicago Tribune from a staff correspondent of that paper in the city of Washington, reflecting on the Democratic members of your Committee on Military Affairs.

The SPEAKER. It can be read in the gentleman's time.

The Clerk read as follows:

[From the Chicago Tribune, Feb. 6, 1917.]

"PORK HUNTERS" CRIPPLE ARMY'S GENERAL STAFF—DEMOCRATS, WITH WAR FACING NATION, REFUSE TO GIVE AID TO BAKER.

WASHINGTON, D. C., *February 5.*

A group of pork and pacifist Democratic Congressmen to-day blocked the first step proposed by the administration to put the Nation in a position to defend itself in case of war with Germany.

These Congressmen, comprising the Democratic majority of the House Military Affairs Committee, rejected an urgent request of Secretary of War Baker to insert in the Army appropriation bill a provision authorizing an increase in the General Staff of the Army from 55 to 92 members.

The Democrats who opposed the Secretary's recommendation included DENT, of Alabama, chairman; MCKELLAR, of Tennessee; QUIN, of Mississippi; GORDON, of Ohio; LITTLEPAGE, of West Virginia; SHALLENBERGER, of Nebraska; FARLEY, of New York; WISE, of Georgia; OLNEY, of Massachusetts; NICHOLLS, of South Carolina; and HARRISON, of Virginia. FIELDS, of Kentucky, was the only Democratic member of the committee who voted for the increase.

BAKER APPEALS IN PERSON.

Mr. Baker journeyed to the Capitol to make his request in person. He called on Chairman DENT just prior to a scheduled meeting of the committee and informed him that the present General Staff, handicapped as it is by a provision in the Hay law that not more than one-half of its members shall be in Washington at one time, is too small to handle the work confronting it.

Mr. DENT, after advising Secretary Baker that his request would be rejected, submitted it to the Military Committee, where the Democratic majority, as he predicted, voted it down.

Mr. QUIN. Mr. Speaker and gentlemen, you can not lay all of this lie at the door of the editor of the Chicago Tribune. I have the utmost respect for gentlemen who represent the press here in the Press Gallery. They have always been fair to Members of Congress. I do not know whether the creature who sent this miserable and contemptible lie to the Chicago Tribune has the honor to be a member of the respectable brotherhood that compose the fraternity who sit in the Press Gallery. If that miserable creature is in the Press Gallery, if this House has any respect for itself, and if the gentlemen who compose that fraternity have any respect for themselves, they will bar that miserable cur from association with gentlemen. [Laughter and applause.]

The Chicago Tribune, the pusillanimous paper that published this fuzzy lie, went further and published a scathing, slanderous, and libelous editorial reflecting on the manhood, the integrity and ability and patriotism of the Democratic majority on the Military Affairs Committee. So far as that paper is concerned, every man who is familiar with its record knows that it is a blatherskite, South-hating, billingsgate sheet. We know from editorials which appeared in that paper anent the Frank case, in the State of Georgia, the good citizenship of the State of Georgia was reflected upon, as well as the manhood and patriotism of the entire South. That paper is not worthy to go into the home of any patriotic citizen in the Republic.

It is easy enough for a buzzard to fly high in the air and puke the filthy, slimy contents of his nasty bowels on the head of a prince. [Laughter and applause.] It is easy enough for some editorial buzzard to sit back in the private editorial room of the paper and puke out his vomit on worthy and distinguished men who are representing the people as patriotic Members of the American Congress. My friends, it is time for the manhood of this House to resent such an imputation. Has it come to the pass that if any Congressman stands up for the plain people, if any man throws himself across the path of the onward rush of the plunderers and dollar hunters of the country, is he to be called a traitor? If, forsooth, the editor had told the truth, if the members of the committee had manhood enough to place themselves on record against increasing the Staff Corps, he would have had no just ground for criticism.

Is a Congressman to be branded as a traitor because he refuses to stand for all of the rot of militarism and all of the dangerous propaganda advocated by plutocracy? We know that the bill that the committee reported out to this House shows that all of the staff in an emergency can be called into Washington or the District of Columbia on the order of the President. We as members of the committee voted for it. Is there any man of sense in the United States who doubts that this is the correct thing? Not only the Chicago Tribune, the nasty thing that ought not to be mentioned in the presence of gentlemen, but other plutocratic papers throughout this country have seen fit to vilify members of the Committee on Military Affairs and other Members of this House who have seen proper to stand against the great powers of selfish wealth and the undermining dangers of a great standing army. We all know that so far as any impending danger is concerned with any foreign country at this time this bill could do nothing to confront it. We all know that the American citizenship is ready at all times to go to the front with flying colors to defend their country against aggression. Your committee has worked with patriotic devotion and fidelity to this House and to the Nation to give the proper implements and nucleus around which an Army may be built. We all know that if a real contest comes it would be the men from the ranks of private life who would go to the front as men of great virility to defend this country. [Applause.]

Mr. LONDON rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. LONDON. Mr. Speaker, I ask unanimous consent to address the House for five minutes in connection with this matter.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for five minutes. Is there objection?

Mr. BROWNING. Mr. Speaker, reserving the right to object, we have a very important bill before this House and we are wasting time now. I shall not object to the gentleman from New York proceeding for five minutes, but I give notice that I shall object to any other similar request.

The SPEAKER. Is there objection?

Mr. ROGERS. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONDON. Will it be in order to announce that I shall object to every unanimous request that comes from the Republican side?

DIVERSION OF WATER OF THE NIAGARA RIVER.

The SPEAKER. The unfinished business is the bill (H. R. 20047) for the control and regulation of the waters of Niagara River above the Falls, and for other purposes, which the Clerk will report.

The Clerk reported the bill by title.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

Mr. HUDDLESTON. Mr. Speaker, I offer the following motion to recommit, which I send to the desk and ask to have read.

The Clerk read as follows:

Motion by Mr. HUDDLESTON: That H. R. 20047 be recommitted to the Committee on Foreign Affairs with instructions to forthwith report as a substitute therefor the following:

"*Be it enacted, etc.*, That the short title of this act shall be 'The Niagara power commission act.'

"SEC. 2. That the Niagara power commission be, and the same is hereby, chartered as a public corporation with the powers hereinafter granted.

"SEC. 3. That said Niagara power commission shall be governed, controlled, and operated by a board of three commissioners, subject to the general supervision of the Secretary of the Interior, to whom they shall make reports, and who shall make and prescribe suitable rules and regulations for the performance of their duties under this act. Said commissioners, not more than two of whom shall be members of the same political party, shall be appointed by the President of the United States, by and with the advice and consent of the Senate. One of said commissioners shall be designated by the President to serve for two years, one for four years, and one for six years, and thereafter each commissioner so appointed shall serve for six years unless sooner removed for cause by the President. The President shall at will designate one of said commissioners as chairman, who shall receive an annual salary of $6,500, and the two other commissioners shall receive annual salaries of $6,000 each, all salaries being payable monthly. Each commissioner shall within 15 days after notice of his appointment take and subscribe the oath of office. No commissioner during his continuance in office shall be an officer or director of any other institution.

"SEC. 4. That the business of said Niagara power commission shall be the production of electric energy from the waters of Niagara River and the distribution of same as hereinafter provided.

"SEC. 5. That said Niagara power commission shall have, hold, and enjoy for the production of electric energy the exclusive right to use and divert water in the United States in and from the Niagara River above, at, and below the Falls thereof, to the limit fixed by and under the provisions of the treaty between the United States and Great Britain proclaimed May 13, 1910, and to that end said Niagara power commission shall have succession until it is dissolved by act of Congress and shall have the powers under such rules as the Secretary of the Interior shall prescribe, to adopt a seal; to sue and be sued; to make contracts and incur liabilities; to buy, sell, and acquire property; to condemn lands, generation plants, works, and other property and easements therein; to construct works, dams, stations, and transmission lines; to lease, contract for, produce, and distribute electric energy; and generally to have all such powers of similar corporations as may be within the reasonable intendment hereof, and as may be reasonably necessary to carry on its said business; and for said purposes and upon approval by the Secretary of the Interior, may issue bonds and obligations bearing interest at not more than 5 per cent per annum, secured by mortgages on its property.

"SEC. 6. That the said Niagara power commission shall transmit and distribute, in the United States only, electric energy to municipalities and consumers convenient to its works and lines, justly and without unreasonable discrimination and as nearly as may be at the cost of delivery plus reasonable charges to cover the expenses of its operations, including the salaries of the commissioners, and plus such further annual charges as will be reasonably sufficient to discharge all of the obligations of said Niagara power commission so as to leave same free from debt at the end of a period of 50 years: *Provided*, That no distribution or sale of such energy shall be made for consumption within the corporate limits of any municipality which may be able, willing, and ready to assume the distribution of same therein.

"SEC. 7. That all municipalities receiving electric energy from said Niagara power commission shall in turn distribute so much of same as may not be required for municipal purposes to consumers within their corporate limits for a fair, just, and reasonable charge and without unreasonable discrimination therein, failing which such municipality shall not be entitled to receive such electric energy.

"SEC. 8. That said Niagara power commission shall use said waters at an efficient head and with reasonable economy, and shall pay into the Treasury of the United States for all electric energy which may be generated from said waters at the rate of $1 per annual horsepower, and no franchise or property taxes, license, or charge shall be levied upon or collected from it by any State on account of the rights and franchises granted hereby, but the power of any State to levy valuation taxes on its other property is preserved.

"SEC. 9. That said Niagara power commission may license and authorize the use and diversion of said waters for the production of electric energy for not more than five years after the passage of this act, in which event said Niagara power commission shall have the prior right to take so much of the electric energy produced therefrom as it may require, paying a reasonable charge therefor not exceeding at the rate of $15 per annual horsepower, such electric energy to be distributed by said Niagara power commission as provided by section 6 of this act.

"SEC. 10. That the use or diversion in the United States of water from said Niagara River above, at, or below the Falls for the production of hydroelectric energy except as provided by this act shall be unlawful, and each act thereof shall constitute a separate offense and be punishable by fine of not more than $5,000.

"SEC. 11. That this act shall take effect January 1, 1918, and the right to alter, amend, or repeal this act is hereby expressly reserved."

Mr. MILLER of Minnesota. Mr. Speaker, I make the point of order that the proposed substitute is not germane. The same motion was made in the Committee of the Whole when we began the consideration of this bill. The text of the bill which the Clerk has just read in the motion to recommit was offered as a substitute for the first paragraph of the bill under consideration. The point of order was made and quite considerably debated, and, as a result, the Chair ruled that it was not germane. If the Chair is in doubt, I shall be glad to proceed with the authorities. They are all in point, distinct and clear. The purpose of the bill under consideration is to authorize the Secretary of War to issue permits for the development of the water power at Niagara Falls. The purpose of the substitute which the gentleman offers is to create a Niagara Falls commission. The two may be related to the same subject, namely, that of water power at Niagara Falls, but they are certainly not the same subject and bear no other relation to each other. The authorities are distinct and clear.

The SPEAKER. The gentleman need not read the authorities, as the Chair has read them time and again. Does the gentleman from Alabama desire to be heard?

Mr. HUDDLESTON. I do. Mr. Speaker, the purpose of the bill has been inaccurately stated. The purpose of the bill under consideration—H. R. 20047—as stated in its title, is "for the control and regulation of the waters of Niagara River above the Falls, and for other purposes." As an incident to such control and diversion, it is provided that the Secretary of War may issue permits to various parties, private corporations, public corporations, and other agencies, and it is further provided how these agencies shall manage and conduct themselves after the permits are issued, and the terms for the permits are specified.

It is very important in considering this question of order that we consider exactly what it is that is being attempted to be done by the bill, and it is quite desirable that we should have in view the situation at Niagara. The proposition is to authorize the use of the waters of Niagara for the generation of power. That is the real matter before the House. The detail as to whether it shall be done in one way or another is a secondary consideration. The purpose of the substitute is identical with the purpose of the bill; that is, to provide for the conversion of the waters of Niagara into power. That is the real purpose of both bills and therefore they are absolutely identical. So far as the method whereby this water is to be converted into power is concerned they are radically different, but that is a secondary matter and it is a mere detail of the main purpose which relates to the conversion of this water into power. The diversion of water, the regulation of the amount of water that is to be diverted, and how it shall be converted into power, is the real subject of both bills. The bill we have before us provides that this water may be used by a public-service agent, a public corporation, if you please, or that it may be used by a private grantee or permittee. The substitute which I offer excludes all other generating agents from using this power except one; that is, it provides for the creation of a public corporation by the Congress of the United States which shall have the duty and the business of converting this water into power. Therefore the purposes of the measures are identical, the differences are merely matters of detail and secondary, and I can not very well see how it can be held that the bill is not germane.

Mr. FLOOD. Mr. Speaker, the purpose of the pending bill is to authorize the Secretary of War to grant permits for the use of the quantity of water that the United States under the treaty with Great Britain can authorize the use of, and for the regulation of the price by the public-service commission of New York State. It also provides that this Government shall make a charge for the use of the water. It is entirely a leasing bill. It has nothing to do with Government ownership of a utility of that kind. The substitute provides that the Government can utilize this water, own the generating plants, and sell the power. It is a Government-ownership proposition. One is a leasing proposition and the other is ownership by the Government of these plants that generate power from this water. The one is not germane to the other. The substitute provides for the establishment of a Government bureau to use this water and to dispose of the power generated from it. The same question was raised in the committee the other day, the very identical proposition, and the Chairman of the committee ruled as follows:

As the Chair understands the rule, two subjects are not necessarily germane because they are related or belong to the same general class, and the question that the Chair is called on to decide is whether or not the amendment offered by the gentleman from Alabama is a substitute for the pending bill embodies a proposition different from the bill under consideration, and after due consideration the Chair is of the opinion that, under the rule and the precedent cited by the gentleman from Kentucky [Mr. SHERLEY], the amendment is not in order, and therefore the Chair sustains the point of order.

The precedent cited by the gentleman from Kentucky was a bill authorizing a right of way for a railroad, and a substitute was offered authorizing the Government to build the railroad. The Chair held that it was not in order, as it was not germane to the bill. The gentleman from Missouri [Mr. ALEXANDER], chairman of the committee, held that that was a similar proposition to this, that this was a leasing proposition and the substitute provided for Government ownership, and that the substitute was not germane. If it was not germane then, it is not germane as an amendment to the bill at this time.

Mr. HUDDLESTON. Mr. Chairman, I omitted to call the attention of the Chair to an authority which I have on this subject. I wish to refer the Speaker to section 5909 of Hinds' Precedents.

The SPEAKER. What is it?

Mr. HUDDLESTON. Section 5909 of Hinds' Precedents. I will read the case as stated in the authority:

To a bill providing for an interoceanic canal, specifying a certain route, an amendment providing for another route was held to be germane. On January 9, 1902, the Committee of the Whole House on the state of the Union was considering the bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific Oceans, when Mr. RICHARD W. PARKER, of New Jersey, proposed an amendment providing for a canal across the Isthmus of Panama.

Mr. OSCAR W. UNDERWOOD, of Alabama, made the point of order that the amendment was not germane, because, while the bill provided for a canal at Nicaragua only, the amendment provided also for a canal at another place. After debate the chairman said:

The subject matter of this bill—the enterprise upon which the House has entered—is, in the language of the bill—

"To construct a canal to connect the waters of the Atlantic and Pacific Oceans."

The Chair is of the opinion that that is the purpose of the legislation sought; that the question of location is wholly a subordinate one, and that it is perfectly competent for Congress to reject one location and to adopt another. For instance, suppose it was a question of building a house for the purpose of storing the records of the Government and a bill was introduced to locate it on a certain square in this city. Can anybody doubt that the proposition might be amended so as to locate it upon another square?

I have examined the precedents carefully and in my opinion no precedent can be found which is so nearly like this case as the one I have just read. The precedent cited by the gentleman from Kentucky the other day—section 5887 of Hinds'—was not on all fours by any means with the question we have before us here. That was a case in which the proposition was made to grant a railroad a right of way, and an amendment was offered that the Government should on contingency own the railroad. Now, manifestly the real purpose in that bill was to grant or not to grant the railroad right of way. Hence it was wholly foreign to that purpose to propose that the Government should go into the business of owning a railroad. But we have no such antithesis in the instant case. The real purpose of the bill is to authorize the diversion of water from Niagara River for power purposes. That is the real purpose of the bill. The gentleman beclouds the issue by insisting that the real purpose has to do with granting permits; but the real purpose is to fix terms on which Congress is willing to authorize water to be taken from Niagara River for power purposes so that the rights of the Government be protected and the public welfare will be served.

That is the purpose. Now, then, it makes no difference whether that diversion is by some private agency or some public corporation, or whether the Government itself does it. That is wholly immaterial and is secondary to the main purpose of the bill.

Mr. FLOOD. Mr. Speaker, just one moment. Certainly the precedent cited by the gentleman from Alabama does not apply to this bill. The one I cited does apply.

The SPEAKER. Now, why not?

Mr. FLOOD. Because he recites a case where the change was of location—simply a change of location of the canal. The case of the railroad was a proposition to grant a right of way for the railroad. We have a bill here providing for the granting of permits to use water. The amendment offered in the railroad case was for the Government to build the railroad. It was ruled out of order. The proposition the gentleman from Alabama submits is for the Government to take this water and build a power plant, which the Government will do. The two cases are on all fours. This amendment is no more germane to the main proposition than the amendment to the railroad bill was to the original bill.

The SPEAKER. Is it not a change of agency?

Mr. FLOOD. It is not at all; it is a change of proposition.

Mr. MILLER of Minnesota. Mr. Speaker——

The SPEAKER. Does the gentleman from Minnesota desire to be heard further?

Mr. MILLER of Minnesota. Not unless the Chair is in doubt.

The SPEAKER. The Chair will hear the gentleman, although he has his mind made up.

Mr. MILLER of Minnesota. I desire to submit simply that the case cited by the gentleman from Alabama is clearly out of point—ridiculously out of point.

The SPEAKER. The Chair agrees with the gentleman from Minnesota about that.

This original bill that the House has been considering was simply to grant permits for some water above the Falls. The Chair has forgotten the number of cubic feet, but that does not make any difference. That was the sole purpose of that bill.

The gentleman from Alabama [Mr. HUDDLESTON] comes in with a proposition to create a corporation, and so forth and so on. Because both of these bills happen to have to do with the waters of Niagara River, is no reason why one proposition is germane to the other.

Fifty-eight hundred and eighty-seven of Hinds' Precedents says:

To a bill granting a right of way to a railroad, an amendment providing for the purchase of the railroad by the Government was held not to be germane. On February 28, 1898, Mr. Richard Bartholdt, of Missouri, by unanimous consent, presented the bill (H. R. 6358) authorizing the Nebraska, Kansas & Gulf Railway Co. to construct and operate a railway through the Indian Territory, and for other purposes.

To this Mr. Albert M. Todd, of Michigan, proposed as an amendment a provision as follows:

"That the United States of America shall have the right to purchase the franchise rights and other property herein granted, with the roadbed, bridges, telegraph lines, and tracks, together with such other property and rights as the Government may deem necessary for the proper operation of the road, at any time after 10 years from this date, whenever the Government shall elect to exercise such right, by giving the railroad company or its assigns two years' notice of such intention to purchase," etc.

Mr. Bartholdt made the point of order that the amendment was not germane.

The Speaker, Mr. Thomas B. Reed, of Maine, said:

"The Chair understands that the Government does not grant a franchise to the road, but simply gives a right of way. It does not give a charter to the road. * * * The Chair will have to sustain the point of order."

The case that the gentleman from Alabama [Mr. HUDDLESTON] cited was on a bill to construct a canal connecting the waters of the Pacific and the Atlantic Oceans. One crowd was squabbling in favor of the Nicaragua route and another in favor of the Panama route, and if there had been anyone around that happened to think it, and had suggested——

Mr. MANN. He might have mentioned the San Blas route.

The SPEAKER. Yes. So it was nothing except a squabble in that case about where they would have it.

This proposition before the Chair is an original bill simply providing for the diversion of some water above the Falls. The gentleman from Alabama [Mr. HUDDLESTON] comes in with an elaborate scheme creating a bureau, and so forth and so on, which the Chair does not think is germane, and therefore sustains the point of order that the motion is not in order.

Mr. HUDDLESTON. Mr. Speaker, I make another motion.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Motion of Mr. HUDDLESTON: That H. R. 20047 be recommitted to the Committee on Foreign Affairs.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the motion was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HUDDLESTON. Mr. Speaker, I ask for a division, and pending that I make the point of no quorum.

The SPEAKER. The gentleman makes the point that there is no quorum present. The Chair will count. [After counting.] Two hundred and seventy-eight gentlemen are present, a quorum.

Mr. HUDDLESTON. Mr. Speaker, I withdraw the demand for a division and ask for the yeas and nays.

The SPEAKER. The gentleman demands the yeas and nays. All in favor of taking the vote by the yeas and nays will rise and stand until they are counted. [After counting.] Thirty-two gentlemen have arisen, not a sufficient number.

So the bill was passed.

On motion of Mr. FLOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. CLINE. Mr. Speaker, I ask unanimous consent that those Members who desire to do so may extend their remarks in the RECORD for five legislative days.

The SPEAKER. The gentleman from Indiana asks unanimous consent that such gentlemen as desire to do so have leave to extend their remarks in the RECORD for five legislative days.

Mr. GARNER. On this bill.

The SPEAKER. On this bill. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the Chair lays before the House——

Mr. CLINE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD on this bill.

Mr. AUSTIN, Mr. SMITH of New York, and Mr. FLOOD made similar requests.

The SPEAKER. Is there objection to the request made by the gentlemen? [After a pause.] The Chair hears none.

Mr. OAKEY. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a resolution passed by the General Assembly of Connecticut indorsing the action of the President.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HOPWOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the naval appropriation bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on the naval appropriation bill. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein two resolutions adopted by the Legislature of the State of Oregon.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LINDBERGH. Mr. Speaker, I ask for the same privilege.

The SPEAKER. The gentleman from Minnesota [Mr. LINDBERGH] makes the same request. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting certain resolutions adopted by the Legislature of California.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MANN. Mr. Speaker, we could not hear what was said.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by inserting certain resolutions adopted by the Legislature of the State of California. Is there objection?

There was no objection.

BRIDGE BILLS.

Mr. ADAMSON. Mr. Speaker, there was a special order made to consider the bridge bills on the Unanimous Consent Calendar.

WITHDRAWAL OF PAPERS.

Mr. SMITH of New York, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Eliza M. Baxter, widow's pension bill, H. R. 5982, Sixty-third Congress, no adverse report having been made thereon.

BRIDGE ACROSS THE CUMBERLAND RIVER, TENN.

Mr. ADAMSON. The first bill is, on page 46 of the Unanimous Consent Calendar, No. 413, H. R. 18551, House Calendar No. 205.

Mr. MANN. What has become of House Calendar No. 198?

The SPEAKER pro tempore (Mr. GARNER). The gentleman from Georgia has called attention to a certain bill, and——

Mr. MANN. What has become of No. 198? The order was to call bridge bills on the calendar.

The SPEAKER pro tempore. The gentleman from Georgia will give attention to the gentleman from Illinois.

Mr. MANN. Calendar No. 198 was the first bill.

Mr. ADAMSON. It escaped my attention, because it is not on the Unanimous Consent Calendar. I do not know whether it was passed over or not.

Mr. MANN. I assume this bill has not been passed, because otherwise it would not be on the calendar.

Mr. ADAMSON. It escaped my attention; but I am willing that it should be considered.

Mr. MANN. That is the order of the House. I do not care anything about the bill.

Mr. ADAMSON. I am perfectly willing that any bill on the Unanimous Consent Calendar not contested may be called.

BRIDGE ACROSS TALLAPOOSA RIVER, ALA.

The SPEAKER pro tempore. The Clerk will call the first one.

The Clerk read the title of the bill, as follows:

A bill (H. R. 17710) authorizing the construction of a bridge across the Tallapoosa River, dividing the counties of Montgomery and Elmore, in the State of Alabama, at a point somewhere between Judkin Ferry and Hughes Ferry.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the counties of Montgomery and Elmore, in the State of Alabama, be, and are hereby, authorized to construct, maintain, and operate a bridge across the Tallapoosa River, dividing the counties of Montgomery and Elmore, in the State of Alabama, at a point suitable to the interests of navigation, at a point somewhere between Judkin Ferry and Hughes Ferry, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With committee amendments, as follows:

On page 1, line 5, after the word "bridge," insert the words "and approaches thereto," and on page 1, line 6, strike out the word "dividing" and insert the word "separating."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill authorizing the construction of a bridge across the Tallapoosa River, separating the counties of Montgomery and Elmore, in the State of Alabama, at a point somewhere between Judkin Ferry and Hughes Ferry."

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. MANN. It is House Calendar No. 199.

BRIDGE ACROSS ST. FRANCIS RIVER, ARK.

The Clerk read the title of the bill, as follows:

A bill (H. R. 17603) to authorize the construction, maintenance, and operation of a wagon bridge across the St. Francis River at a point one-half mile northwest of Parkin, Cross County, Ark.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. ADAMSON. Mr. Speaker, I think there is a Senate bill identical with this on the Speaker's table.

The SPEAKER pro tempore. Does the gentleman know the number of the Senate bill?

Mr. ADAMSON. Yes; Senate bill No. 6956.

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill in lieu of the House bill. Is there objection?

There was no objection.

The Clerk read as follows:

A bill (S. 6956) to authorize the construction, maintenance, and operation of a wagon bridge across the St. Francis River at a point one-half mile northwest of Parkin, Cross County, Ark.

Be it enacted, etc., That improvement district No. 1 of Cross County, Ark., be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the St. Francis River at a point one-half mile northwest of Parkin, Cross County, Ark., and at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construcion of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. Without objection, the committee will be discharged from the consideration of the House bill.

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MANN, the House bill (H. R. 17603) of similar tenor was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. MANN. It is Calendar No. 200.

BRIDGE ACROSS RED RIVER OF THE NORTH.

The Clerk read the title of the bill, as follows:

A bill (H. R. 17602) granting the consent of Congress to the county commissioners of Polk County, Minn., and Grand Forks County, N. Dak., to construct a bridge across Red River of the North on the boundary line between said States.

Mr. ADAMSON. Mr. Speaker, I will ask if this bill is not passed? It was placed on the Unanimous Consent Calendar by order of the House. I thought it was passed.

The SPEAKER pro tempore. The Chair does not understand the interrogatory of the gentleman from Georgia.

Mr. ADAMSON. I said that I thought that that bill was already passed by the House.

Mr. MANN. It is on both calendars.

Mr. DILLON. Mr. Speaker, it has not been passed.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report it.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county commissioners of Polk County, Minn., and Grand Forks County, N. Dak., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red River of the North at a point suitable to the interests of navigation, at or near where the town line between section 3, township 149, and section 33, township 150 north, range 49 west, fifth principal meridian, runs into said river, and on the boundary line between said States, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

BRIDGES ACROSS CUMBERLAND RIVER, MONTGOMERY COUNTY, TENN.

The next bridge bill on the House Calendar was the bill (H. R. 18551) granting the consent of Congress to the county of Montgomery, in the State of Tennessee, to construct a bridge across the Cumberland River.

The Clerk read the title of the bill.

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

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I will ask the gentleman from Georgia [Mr. ADAMSON] whether he intends to call up by unanimous consent this morning anything except bridge bills?

Mr. ADAMSON. No; nothing was included in the order except unobjected bridge bills.

Mr. MOORE of Pennsylvania. As I understand it, after looking up the matter, the gentleman has no bridge bill for the Hudson River?

Mr. ADAMSON. No. In my previous conversation with the gentleman I had in mind a bridge over the Allegheny River.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Montgomery, in the State of Tennessee, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation, at or near the city of Clarksville, in the county of Montgomery, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

The next bridge bill on the House Calendar was the bill (H. R. 18550) granting the consent of Congress to the county of Montgomery, in the State of Tennessee, to construct a bridge across the Cumberland River.

The Clerk read the title of the bill.

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

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Montgomery, in the State of Tennessee, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation at a point 7 or 8 miles from the city of Clarksville, in the county of Montgomery, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

BRIDGE ACROSS ST. FRANCIS RIVER, PARKIN, ARK.

The next bridge bill on the House Calendar was the bill (H. R. 18534) to authorize the construction, maintenance, and operation of a bridge across the St. Francis River at or near Parkin, Ark.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objction to the present consideration of this bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That O. N. Killough, and his successors and assigns, be, and he is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the St. Francis River at or near the town of Parkin, in Cross County, Ark., at a point suitable to the interest of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressely reserved.

Mr. ESCH. Mr. Speaker, in line 7, page 1, I move to add the letter "s" to the word "interest."

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 7, after the word "interest," add the letter "s."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

BRIDGE ACROSS ALLEGHENY RIVER, CATTARAUGUS COUNTY, N. Y.

The next bridge bill on the House Calendar was the 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 Allegany, County of Cattaraugus, N. Y.

The Clerk read the title of the bill.

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

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Western New York & Pennsylvania Railway Co., a railroad corporation organized and existing under the laws of the States of New York and Pennsylvania, be, and it is hereby, authorized to reconstruct, maintain, and operate a bridge and approaches thereto across the Allegheny River on the location of the existing structure, and suitable to the interests of navigation, in the town of Allegany, County of Cattaraugus, and State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

BRIDGE ACROSS RED RIVER, BOYCE, LA.

The next bridge bill on the House Calendar was the bill (H. R. 18529) granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce, La.

The Clerk read the title of the bill.

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

There was no objection.

The bill was read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the police jury of Rapides Parish, La., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red River at a point suitable to the interests of navigation at or near Boyce, La., in the parish of Rapides, in the State of Louisiana, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

Mr. ASWELL. Mr. Speaker, I move to reconsider the vote by which the bill was passed, and I move to lay that motion on the table.

Mr. ADAMSON. I will make one motion to cover all these bills.

Mr. ASWELL. Very well.

BRIDGE ACROSS RED LAKE RIVER, PENNINGTON COUNTY, MINN.

The next bridge bill on the House Calendar was the bill (H. R. 18725) granting the consent of Congress to the board of supervisors of Kratka Township, Pennington County, Minn., to construct a bridge across Red Lake River.

The Clerk read the title of the bill.

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

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the board of supervisors of Kratka Township, Pennington County, Minn., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red Lake River at a point suitable to the interests of navigation at or near the section line between sections 20 and 21, township 153 north, range 41 west of the fifth principal meridian, in the county of Pennington, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, lines 3 and 4, strike out the words "the board of supervisors of."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

By unanimous consent, the title of the bill was amended so as to read: "A bill granting the consent of Congress to Kratka Township, Pennington County, Minn., to construct a bridge across Red Lake River."

BRIDGE ACROSS MISSISSIPPI RIVER, BEMIDJI, MINN.

The next bridge bill on the House Calendar was the bill (H. R. 18720) permitting the building of a railroad bridge across the Mississippi River at Bemidji, in the State of Minnesota.

The Clerk read the title of the bill.

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

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Minneapolis, Red Lake & Manitoba Railway Co., a railway corporation organized under the laws of the State of Minnesota, to construct, maintain, and operate a railroad bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, from a point on the east bank of said river in lot 2 of section 16, township 146, range 33 west, to a point on the west bank of said river in lot 1 of said section 16, all in Beltrami County, Minn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 6, strike out the word "railroad."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

BRIDGE ACROSS ST. FRANCIS RIVER, CRAIGHEAD COUNTY, ARK.

The next bridge bill on the House Calendar was the bill (H. R. 18815) to authorize the construction and maintenance of a road across the St. Francis River at or near intersections of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark.

The Clerk read the title of the bill.

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

There was no objection.

Mr. ADAMSON. Mr. Speaker, a Senate bill of like import is on the Speaker's table, and I ask that that be taken up and considered in lieu of this bill.

The SPEAKER pro tempore. What is the number of the Senate bill?

Mr. ADAMSON. S. 7367.

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill in lieu of the House bill.

There was no objection.

The bill (S. 7367) to authorize the construction and maintenance of a bridge across the St. Francis River at or near intersections of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark., was read, as follows:

Be it enacted, etc., That the county of Craighead, a corporation organized and existing under the laws of the State of Arkansas, its successors and assigns, be, and they are hereby, authorized to construct and operate a bridge and approaches thereto across the St. Francis River at or near the intersection of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark., at a point suitable to the interest of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

By unanimous consent, at the request of Mr. ADAMSON, the bill (H. R. 18815) was ordered to lie on the table.

DAM AND BRIDGE ACROSS MAHONING RIVER, LOWELLVILLE, OHIO.

The next bridge bill on the House Calendar was the bill (S. 7556) to grant to the Mahoning & Shenango Railway & Light Co., its successors and assigns, the right to construct, complete, maintain, and operate a combination dam and bridge, and approaches thereto across the Mahoning River near the borough of Lowellville, in the county of Mahoning and State of Ohio.

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

There was no objection.

The bill was read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Mahoning & Shenango Railway & Light Co., and its successors and assigns, to construct, complete, maintain, and operate a combined dam and bridge, and approaches thereto, across the Mahoning River, near the borough of Lowellville, in the county of Mahoning, in the State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, and amended June 23, 1910, and the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the parts thereof constructed prior to June 14, 1916, are hereby legalized, subject to the provisions of this act.

SEC. 3. That in addition to the provisions of the above-mentioned acts respecting alterations or removal of the structure herein authorized the right is hereby reserved to require its alteration or removal, at the expense of the persons owning, controlling, or operating the structure, in the event that the United States improve the Mahoning River for navigation or participate in the improvement thereof, and in the event that interests other than the United States improve the river for navigation the right is reserved to require alteration or removal of that portion of the structure built subsequent to June 14, 1916, the expense thereof to be a matter for adjustment between the persons owning, controlling, or operating the structure and those making the improvement.

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. This bill is different from the ordinary, in that it provides for the authorization of a dam. I wish to inquire whether this is for the purpose of generating water power, or merely as an incident to the bridge?

Mr. COOPER of Ohio. The concrete structure is placed there to back up the water so that they can use it for the plant. The river is very shallow, and they have to have a dam to back up the water in order to get the water to use. It is not for any hydroelectric purpose at all.

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

BRIDGE ACROSS PEARL RIVER, MISS.

The next bridge bill on the calendar was the bill (H. R. 19239) granting the consent of Congress to the county of Pearl River, Miss., and the fourth ward of the parish of Washington, La., to construct a bridge across Pearl River, between Pearl River County, Miss., and Washington Parish, La.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Pearl River, Miss., and the fourth ward of the parish of Washington, State of Louisiana, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Pearl River at a point suitable to the interests of navigation, at or near the fourth ward of the parish of Washington, State of Louisiana, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

BRIDGE ACROSS FLINT RIVER, BAINBRIDGE, GA.

The next bridge bill on the calendar was the bill (H. R. 20574) granting the consent of Congress to the county commissioners of Decatur County, Ga., to reconstruct the bridge across the Flint River at Bainbridge, Ga.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county commissioners of Decatur County, Ga., and their successors and assigns, to reconstruct, maintain, and operate a bridge and approaches thereto across the Flint River, at a point suitable to the interests of navigation, at or near Bainbridge, Ga., on the location of the existing structure, in the county of Decatur, in the State of Georgia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

BRIDGE ACROSS ARKANSAS RIVER.

The next bridge bill on the calendar was the bill (H. R. 20535) permitting the Conway County bridge district to construct, maintain, and operate a bridge across the Arkansas River, in the State of Arkansas.

The SPEAKER pro tempore. Is there objection?

Mr. ADAMSON. Mr. Speaker, I think there is a Senate bill, S. 8105, on the Speaker's table. I ask that it be laid before the House in lieu of the House bill.

The SPEAKER pro tempore. The Clerk does not find it, and it is possible that it has been referred to the gentleman's committee.

Mr. ADAMSON. Then, I ask to have the committee discharged and the bill considered.

Mr. MANN. We can not do that.

The SPEAKER pro tempore. Without objection, this bill will be laid aside temporarily.

BRIDGE ACROSS MISSISSIPPI RIVER, MINN.

The next bridge bill on the calendar was the bill (H. R. 20297) granting the consent of Congress to the county of Beltrami, Minn., to construct a bridge across the Mississippi River in said county.

The SPEAKER pro tempore. Is there objection?

Mr. ADAMSON. Mr. Speaker, a similar bill, S. 7924, is on the Speaker's table.

The SPEAKER pro tempore. Without objection, the Senate bill will be laid before the House instead of the House bill.

The Clerk read the Senate bill (S. 7924), as follows:

Be it enacted, etc., That the county of Beltrami, in the State of Minnesota, be, and it is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, in section 22, township 146 north, range 30 west, fifth principal meridian, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The House bill (H. R. 20297) was laid upon the table.

BRIDGE ACROSS FOX RIVER, LAKE COUNTY, ILL.

The next bridge bill on the calendar was the bill (H. R. 14074) granting the consent of Congress to the village of Fox Lake, in the county of Lake, State of Illinois, to construct a bridge across both arms of the Fox River which passes through Pistakee Lake and Nippersink Lake, a point suitable to the interests of navigation, at or near their point of intersection, in the county of Lake, State of Illinois.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the village of Fox Lake, in the county of Lake, State of Illinois, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across both arms of the Fox River which passes through Pistakee Lake and Nippersink Lake, a point suitable to the interests of navigation, at or near their point of intersection in the county of Lake, in the State of Illinois, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The following committee amendments were read:

Page 1, line 7, strike out the words "Which passes through" and insert in lieu thereof the words "where it connects."

Page 1, line 8, after the word "Lake" insert the word "at."

Page 1, lines 8 and 9, strike out the words "at or near their point of intersection."

At the end of section 1 insert the following:

"SEC. 2. That the act approved October 22, 1914, entitled "An act to authorize Frank H. Gardiner to construct a bridge across the waters of Pistakee Lake and Nippersink Lake at or near their point of intersection," is hereby repealed."

Renumber section 2 to be section 3.

Amend the title to read as follows: "Granting the consent of Congress to the village of Fox Lake, in the county of Lake, State of Illinois, to construct a bridge across both arms of the Fox River where it connects Pistakee Lake and Nippersink Lake at a point suitable to the interests of navigation, in the county of Lake, State of Illinois."

The committee amendments were agreed to.

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

Mr. ADAMSON. Now, Mr. Speaker, in the case of the bill S. 8105, I ask unanimous consent to discharge the committee from the consideration of the Senate bill and consider it now.

The SPEAKER pro tempore. But the engrossed copy is not here.

Mr. ADAMSON. I ask that when the bill is found it may be considered.

Mr. MANN. We can not make any agreement of that sort now.

Mr. ADAMSON. The gentleman from Arkansas desires to pass the House bill for fear that the other may not turn up. The trouble is he does not know whether it has been passed by the Senate at all, and I ask that the House bill be now considered.

Mr. MANN. I object.

On motion of Mr. ADAMSON, a motion to reconsider the votes whereby the several bridge bills were passed was laid on the table.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 18542, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table the legislative, executive, and judicial appropriation bill, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I suggest to the gentleman that he make his request to take the bill from the Speaker's table and disagree to all of the Senate amendments except amendments numbered 5, 20, 61, 62, and 71. Then, I think, some one the other day asked also that Senate amendment No. 58 be excepted.

Mr. BYRNS of Tennessee. The gentleman from Pennsylvania made some inquiries about it, but I do not think he asked for a separate vote upon it.

Mr. MANN. Very well.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 18542, the legislative, executive, and judicial appropriation bill, and disagree to all of the Senate amendments except amendments numbered 5, 20, 61, 62, and 71.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report Senate amendment No. 5.

The Clerk read as follows:

Page 20, of the printed bill, strike out all of lines 1 to 19, inclusive, which reads as follows:

Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner, for clerk hire, necessarily employed by him in the discharge of his official and representative duties, $2,000 per annum, in monthly installments, $880,000; or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled to payment under this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments.

And insert in lieu of the matter stricken out the following:

Clerks to Members and Delegates: For clerk or clerks to each Member, Delegate, and Resident Commissioner, $2,000 per annum, in monthly installments, $880,000, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, are authorized to appoint a clerk or clerks from the date of the commencement of their terms respectively whose compensation shall be paid from this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointment and be paid in the same manner as other employees of the House are paid.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House disagree to the Senate amendment.

Mr. SIMS. Mr. Speaker, I have a preferential motion. I move to concur in the Senate amendment with an amendment, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] moves to concur in the Senate amendment with an amendment, which the Clerk will report.

The Clerk read as follows:

For a clerk to each Member, Delegate, and Resident Commissioner, at $1,500 per annum, in monthly installments, $660,000, or so much thereof as may be necessary: *Provided*, That such clerks shall be placed on the roll of employees of the House and be paid in the same manner as other employees of the House are paid and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and to pay each Member, Delegate, and Resident Commissioner for stenographic or other clerical services during the session at the rate of $75 per month, so much as may be necessary is appropriated. And Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes, are hereafter authorized to appoint the clerk at $1,500 per annum from the date of the commencement of their terms, respectively, and shall be entitled to the payment for stenographic or other clerical services during the session at the rate of $75 per month. That all laws and parts of laws in conflict with this amendment are hereby repealed.

Mr. STAFFORD. Mr. Speaker, I reserve the point of order upon the amendment proposed by the gentleman from Tennessee.

Mr. IGOE. Mr. Speaker, I make the point of order.

Mr. SIMS. What is the point of order?

Mr. IGOE. That the amendment is not germane; that it seeks to change the matter that has been agreed upon by the two Houses.

Mr. STAFFORD. Mr. Speaker, the gentleman from Missouri [Mr. IGOE] has stated the grounds of the objection to the amendment offered by the gentleman from Tennessee [Mr. SIMS]. The amendment under consideration is one solely related to clerk hire, providing for the annual compensation of $2,000 per annum. The Senate in their judgment placed a limitation upon that, providing that these clerks should be placed upon the roll of the House and making them employees of Congress. The amendment offered by the gentleman from Tennessee [Mr. SIMS], which is now under consideration, to which objection is made that it is not germane, goes to the extent of creating an additional employee, namely, that of a stenographer during the sessions of Congress, who shall receive a special salary during that time. There is only one subject under consideration here, and that is Members' clerks receiving $2,000 per annum. The only thing in disagreement between the two Houses is not the salary——

Mr. MANN. There is nothing in disagreement between the two Houses in this amendment. The gentleman from Tennessee has moved to disagree, but there is nothing in disagreement yet.

Mr. STAFFORD. The only thing wherein there is any difference between the two Houses is that the Senate has seen fit to place these clerks on the permanent roll of Congress. The gentleman from Tennessee [Mr. SIMS] attempts to divide up the subject and create, instead of one clerk, a clerk and an additional stenographer. That is not germane. Suppose there was a bill brought into the House providing merely for one clerk at $2,000 a year. The gentleman could not then come in and provide for an additional clerk, more than one, of a different character entirely, the employment being sessional. This provision relates to a clerk during the entire Congress. He might amend the provision so far as placing them upon the roll is concerned, but he could not create two or three or four additional clerks or stenographers to Members of Congress, to be employed during the session, as he seeks to do in the amendment which he offers.

Mr. FITZGERALD. Mr. Speaker, what is pending before the House now is the Senate amendment, not the House provision alone. The Senate amendment strikes out the House provision and provides for clerical services to Members of the House. The Senate amendment proposes to appropriate a sum of money to be paid in certain ways and provides that the persons designated by the Members shall be placed upon the rolls and that the Member may designate one or more persons to be placed upon the rolls to be paid as clerks out of this fund, so that the provision that is now pending before the House—the Senate amendment—provides for one or more clerks as the Members may indicate. The gentleman from Tennessee [Mr. SIMS] simply proposes to amend the pending provision by limiting the amount that may be paid to the persons who may be employed by the Members. It is clearly germane; it is modifying and carrying out the proposal of the Senate. The gentleman from Wisconsin [Mr. STAFFORD] makes the mistake of arguing that the House provision is before the House. It is not. It is stricken out.

Mr. MANN. Yes; but the gentleman will admit, on a motion to disagree, which is pending now, on a preferential motion, the question is whether the House insists upon its original provision or takes the Senate provision; and that gives us, under the guise of an amendment to the Senate, an opportunity to consider both questions.

Mr. FITZGERALD. The gentleman is correct; but the Senate provision broadens the provisions of the original House provision to such an extent that amendments that might not be germane to the House provision are germane as amendments to the Senate amendments because of the character of the provision.

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MANN. Did not the Chair hold when this bill was up for consideration in the Committee of the Whole House on the state of the Union under the item which is now in the bill as a House provision, or practically the same item, it was in order to offer as an amendment to that a germane amendment, to wit, the stenographic item?

Mr. FITZGERALD. I believe the Chair did, but I have not said much about that decision.

Mr. MANN. Well, I know I thought it was a bad decision at the time, but that is a precedent.

Mr. FITZGERALD. That ruling was made, but the provision inserted by the Senate is so different and so much more comprehensive—not for one clerk, not a payment of Members' allowance for clerk hire, but a provision for the payment of clerks to be designated by the Member, either one or more as he may see fit. That is the difference from the original House provision which makes in order the provision of the gentleman from Tennessee.

Mr. PAGE of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. PAGE of North Carolina. I want to call the attention of the gentleman to the fact that the language placed in the bill by the House in the last four lines:

And any Member, Delegate, or Resident Commissioner may appoint one or more clerks.

Under that language the language before in the House amendment was under consideration.

Mr. FITZGERALD. The Senate amendment is radically different in that it provides for the payment of clerks rather than the payment to the Member of the allowance, and provides that the Member may designate one or more clerks, so that the limitation of the gentleman from Tennessee upon the compensation and the time during which the same may be employed, in my opinion, is clearly germane.

Mr. SIMS. Mr. Speaker, the gentleman from Wisconsin [Mr. STAFFORD] did not seem to understand the language of my amendment as to the second part of it. I did not provide in my amendment for the appointment of additional clerks or any clerk except one. The Senate amendment authorizes the appointment of one or more clerks. My amendment authorizes the appointment of one at $1,500, he to go on the rolls of the House, like the Senate amendment. Then my further amendment is that an allowance for stenographic and other clerical services be allowed to each Member of the House. The existing law is an allowance of $1,500 to Members for clerical services; but I propose in this amendment to change the Senate amendment in the amount paid to one clerk to be appointed by the Member as the clerk whose name goes on the rolls of the House, and an appropriation of $75 a month during the sessions of Congress to each Member for stenographic and other clerical services.

Mr. MANN. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. MANN. The gentleman's amendment provides that a Member-elect may appoint clerks whose compensation shall be paid from this appropriation?

Mr. SIMS. There is no change in the Senate language except making it only one clerk and making it $1,500, as far as that part of the amendment is concerned.

Mr. MANN. I suppose the gentleman has carefully considered it, and I have a conundrum to propound to him. The Senate language is with relation to Members-elect who have filed their certificates, and they are authorized to appoint immediately a clerk or clerks from the date of the commencement of their terms, respectively, whose compensation shall be paid from this appropriation. The date of the commencement of the term of the Member-elect who has filed his certificate is March 4 next. Now, the Senate amendment—nothing is ever carefully considered in the Senate relating to the House; it is a sloppy amendment at best in form—but the Senate amendment clearly provides that this increase in compensation shall commence on March 4. Does the gentleman's amendment do that, too?

Mr. SIMS. My amendment is simply a copy of the Senate amendment, except to the extent that I have mentioned. I suppose the Senate intended by its amendment that the payment of salaries should begin earlier than the House bill provided.

Mr. MANN. I do not suppose the Senate knew what it intended.

Mr. SIMS. I do not care to discuss the point of order further if the Chair is ready to rule.

The SPEAKER. The Senate provision or amendment is:

Clerks to Members and Delegates: For clerk or clerks to each Member, Delegate, and Resident Commissioner, $2,000 per annum, in monthly installments, $880,000, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, are authorized to appoint a clerk or clerks from the date of the commencement of their terms, respectively, whose compensation shall be paid from this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointment and be paid in the same manner as other employees of the House are paid.

That does two things. In the first place, it raises the clerk hire to $2,000. Then it provides that this shall be split up, if the Representatives so desire, and paid to a number of clerks. Now, let us see what this amendment does. It says:

For a clerk to each Member, Delegate, and Resident Commissioner, at $1,500 per annum, in monthly installments, $660,000, or so much thereof as may be necessary: *Provided*, That such clerk shall be placed on the roll of employees of the House and be paid in the same manner as other employees of the House are paid and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and to pay each Member, Delegate, and Resident Commissioner for stenographic or other clerical services during the sesion at the rate of $75 per month, so much as may be necessary is appropriated—

And so forth.

This amendment of the gentleman from Tennessee [Mr. SIMS] does two things. In the first place, it cuts the $2,000 down to $1,500, which is undoubtedly germane, and then it creates a kind of a new fund for stenographic purposes. It says:

And to pay each Member, Delegate, and Resident Commissioner for stenographic or other clerical services during the session at the rate of $75 per month, so much as may be necessary is appropriated.

It creates a new office. The Chair does not think it is germane.

Mr. COX. Mr. Speaker, I move to recede and concur by striking out the figures "$2,000," in line 22, page 20, and striking out the figures "$880,000," in the same line, and inserting the figures "$660,000."

Mr. AUSTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. Would the motion to concur in the Senate amendment be a preferential motion?

The SPEAKER. It would not.

Mr. IGOE. I make the point of order against the amendment that it seeks to change matter which has been agreed upon by both Houses.

Mr. AUSTIN. It has not been agreed upon.

Mr. IGOE. The amount of $2,000 which he wants to change has not been altered by the Senate. That has not been changed by the Senate, nor the total amount. It has been agreed upon by the two Houses, and the gentleman can not now by a motion to amend change what has been agreed upon by both Houses.

The SPEAKER. Does the gentleman make the point of order it is not germane?

Mr. IGOE. I make the point of order that it is not in order, for the reason that the gentleman is trying by his amendment to change a matter which has been agreed upon by both Houses.

The SPEAKER. How did they agree upon it?

Mr. IGOE. Because in both amendments the amount of $2,000 and the amount of $880,000 have been agreed upon and passed by both Houses. The amounts are exactly the same in both bills.

The SPEAKER. The House is trying to do exactly what the gentleman from Missouri seems to assert that it has done.

Mr. IGOE. The House has already in its amendment fixed $2,000 in its bill. The Senate has passed the $2,000. Now, the gentleman is trying by his motion to bring the House back again to a consideration of a matter which has been agreed upon by both Houses.

Mr. MANN. It has neither agreed nor disagreed yet.

Mr. IGOE. But if the two Houses have agreed upon something——

Mr. FITZGERALD. But they have not agreed.

Mr. IGOE. Why have they not? Mr. Speaker, we have a bill here which the Senate——

The SPEAKER. The House will be in order. The Chair has to hear this argument even if nobody else does. The trouble with the gentleman from Missouri [Mr. IGOE] is that he is trying to apply the rules to the next stage of the conference report.

Mr. IGOE. The gentleman from Indiana [Mr. Cox] moves to concur with an amendment, and I make the point that his amendment is not in order. I submit he can only offer an amendment to a matter in dispute which has not been agreed upon by both Houses.

The SPEAKER. Now, what is it the gentleman contends that both Houses have agreed on?

Mr. IGOE. I contend they have agreed upon the clerk hire to the amount of $2,000 in monthly installments, and $880,000, and the gentleman is trying to change that by amendment.

The SPEAKER. What is the situation? The House passed the bill, and any amendment of the Senate that is germane is in order.

Mr. IGOE. The Senate did not change it as to the amount.

Mr. MANN. Mr. Speaker, the gentleman's difficulty is, I think, just as though the House had passed a bill fixing $1,000,000 appropriation, and the Senate had passed a Senate bill for the same purpose, fixing $1,000,000 appropriation, and the gentleman would contend that inasmuch as both Houses had fixed $1,000,000 appropriation, hence neither House could amend the action of the other House. We have not agreed on the language.

The SPEAKER. We have not agreed on the language.

Mr. MANN. They have stricken out our language and inserted other language. There has been no agreement or disagreement as yet.

The SPEAKER. The gentleman from Indiana will report his amendment.

Mr. COX. On page 20, strike out "$2,000" and insert in lieu thereof "$1,500," and in the same line strike out "$880,000" and insert "$660,000."

Mr. MANN. Now, what is the motion?

Mr. COX. To recede and concur.

The SPEAKER. The motion is to recede and concur.

Mr. MANN. Not recede, but concur with an amendment. On that I ask for a division of the question.

The SPEAKER. In the first place, the Chair overrules the point of order made by the gentleman from Missouri [Mr. IGOE].

Mr. MANN. All there is to it is a difference between receding and concurring; that is all.

The SPEAKER. The Chair did not understand the gentleman.

Mr. MANN. The gentleman's motion is to concur with an amendment.

The SPEAKER. Yes.

Mr. MANN. I ask for a division of the question so as to have the amendments voted on separately and then the question of concurrence voted on separately.

The SPEAKER. The question would come first on the amendment, then.

Mr. MANN. Certainly.

The SPEAKER. The question is on the amendment offered by the gentleman from Indiana [Mr. Cox].

Mr. BYRNS of Tennessee and Mr. CALDWELL rose.

The SPEAKER. The gentleman from Tennessee is in charge of the bill. The Chair will recognize him first.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. Cox].

The SPEAKER. The gentleman from Indiana is recognized for five minutes.

Mr. COX. Mr. Speaker and gentlemen of the House, I do not know that I will consume the five minutes allowed me.

When this bill with this amendment was going through the House I took occasion to express my views very forcibly against the amendment. I can not bring my mind to the conclusion that we are justified in voting to increase the salary of our clerks. I have no words of condemnation against the clerk of any Member of this House. On the other hand, I know that these clerks do splendid work. I know in addition that a great many Members undertake to justify their vote on this increased salary upon the ground that our clerks and stenographers do not get as much pay as the clerks and stenograhpers of the Senate. And yet I undertake to say that the clerks of the Senators and their stenographers are now being paid more than 99 out of every 100 of them can get in private employment to save their lives. I undertake to say that the vast majority of our clerks and our stenographers are to-day getting more money and better salaries for shorter hours of labor than they can get the private establishments to pay to save their lives.

In my opinion this is nothing in the world but an absolute voluntary contribution, deliberately voted out of the Treasury of the United States into the hands of our private secretaries, and voted at a time of impending danger, when the patriotism of every Member of the House wells to the front and compels him to vote every dollar of money that may be needed in order to support our Army and our Navy. This increase of $260,000 or $270,000 to our secretaries, of course it will be argued, is not much. It is not much as we count appropriations here, teeming into the millions. But in my judgment the time has come—it is here now; it is knocking at the door of every Member of this House; it is appealing to his conscience as well as to his patriotism—to conserve the resources of our Treasury in every way we possibly can, and we can conserve those resources here by adopting my amendment, which will save $260,000 or $270,000. If it would do any good, if it would bring any more effective or any more efficient service to us that would enable us to do more work, that would be a different proposition entirely, but it will not. If given this increase of salary from $1,500 to $2,000 per year, they will be no more efficient than they are now; not one whit more.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

Mr. COX. I will yield for a question.

Mr. LANGLEY. Does the gentleman mean to say that he gets all of his work done for the present allowance?

Mr. COX. No; I do not mean say that at all. I have not kept an accurate account of it, but I am satisfied that I pay out in every year something like $500 out of my own pocket; but I am willing to do it. There is nothing compulsory upon me to stay here in Congress at all. I can quit at any time I desire, and I am not willing to vote this additional burden upon the people of my district and the country that brings to me no help, no relief, if this $2,000 is voted in here to-day. Suppose the secretary gets it all? Can he do any more work for that $2,000 than he is now doing? I undertake to say he can not.

Now, as to the first proposition offered by the gentleman from Tennessee [Mr. SIMS], I was opposed to it in committee and I am opposed to it yet. But that would not be so vicious if they were put on the salary roll. I am heartily in favor of the amendment which I have offered, which will reduce this pay from the proposed amount, $2,000, to $1,500 a year, and I am most earnestly in favor of putting our secretaries on the roll and letting them draw their own money. So far as I am concerned, I hold my check just long enough to indorse it and then hand it over to my secretary and never see it any more. It is her money, and she has the right to have it. But I am in favor of putting these secretaries on the roll, and I am in favor of saving this $260,000 or $270,000.

The people should expect of us in these trying times to economize in every way we can, even though we do it at our own expense of doing more work or paying for the extra work out of our own pockets. If our secretaries are not satisfied with their present salaries they can quickly quit and enter private employment, and when they do this few, and very few of them, will be able to earn $1,500 per year.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to my colleague [Mr. SIMS].

The SPEAKER. The gentleman from Tennessee is recognized for five minutes.

Mr. SIMS. Mr. Speaker, I offered my amendment because I thought it was in the public interest and that it would promote the public interests by serving the Members when they have the greatest amount of public work to do.

Of course, I bow to the ruling of the Speaker, because I have to, but the remark of the Speaker was that my amendment created a new office. Undoubtedly the Speaker could not have read the language carefully. My amendment provides that $75 a month be paid to each Member of the House for stenographic or other clerical services. That does not create a new office.

The amendment proposed by the Senate puts the clerks on the rolls of the House directly, and my amendment allows $75 a month to each Member during the sessions of the House. I think the gentleman from Indiana [Mr. Cox] is exactly right about it. When you appoint a $2,000 clerk you are going to pay him $2,000, because it is the will of Congress that you should do it; and when a clerk is put on the roll at $2,000 and you are obliged to pay out any money for clerical services out of that sum you have to do it with the consent of the clerk, and the result will be that a Member will probably appoint a member of his family when he can, so that he can use that fund for the public interest by paying it out for expenses incurred in the discharge of his official duties.

Mr. COX. I will say to the gentleman that I have had opposition every two years in my district since I have been in Congress, but that opposition has not been successful.

Mr. SIMS. Everyone knows the old rule providing that you certify that you have paid or agreed to pay $125 each month is not a clean-cut fact, as we all know that our work is heavier some months than it is during other months. At the close of the session, for example, you must get through with your correspondence rapidly and you must have a lot of extra stenographic work and typewriting done, and you must have a lot of things attended to at the departments, and if we have only our clerk to depend upon for all that work we are compelled to pay for the extra work out of our own pockets.

Now, it is in the interest of the public that each Member shall serve his people expeditiously and well, and the idea is not simply to give some man in your district a job. When a

Member has a $2,000 clerk, he will have an application from every county in his district for the place. I do not see that the public are interested in having a man worried to death about appointing some one who thinks by reason of this action of Congress that when he gets the appointment he can only be removed by the Member, and the Member would not dare remove him except for such a cause as would be so patent as to appeal to everybody in his district as being a just cause for such removal. It is wholly impracticable. The Senate amendment ought to be disagreed to. [Applause.] I voted against both amendments when they were offered in the House. But the other body, through a thinly disguised purpose to force us to be honest, have undertaken to legislate for this body along the lines involving an implication of dishonor and discredit to us. [Applause.] There are 33 ex-Members of the House in the other body, and I am surprised that they should send over such an amendment as they have. The Senator who had charge of the amendment pointed out about a dozen committees in that body that were absolutely useless, as he said, that carried a clerical allowance of about $5,000 to each Senator, upon such a useless, unnecessary, archaic committee; and then, to save us from discredit and dishonor they provided that we might appoint and remove our clerks, but that it would not do to trust us with the actual handling of the money with which to pay our clerical expenses. I repudiate and resent any such implication as that. And while the provision as it passed the House did not suit me, and does not now, and I voted against both, we certainly ought to be trusted to look to the integrity of our own Members, and we do not propose to concur in an amendment which if concurred in will be regarded all over the country by implication as in the nature of a confession, and that we are afraid to face the music. If there are any dishonest Members in this House who pocket this money, let us get rid of them. Let us have an investigation, for that seems to be the order of the day, by a special committee or otherwise, and bring out the facts before we legislate in a way that tacitly admits by such legislation that this charge or implication is true. I hope the Senate amendment will be disagreed to with energy and emphasis, and let us look after our own affairs in our own way, as they do. I think it is necessary to the proper cooperation of these coordinate legislative bodies that they should not act in such a way as by implication or otherwise to bring discredit on a single Member of either body. Let there be absolute proof of misuse of these funds before any such legislation is enacted. But in the interest of the public service, we need the most money for clerical assistance when we are doing the most work. Under the Senate amendment our clerks during the summer vacations would be getting $2,000 a year to stay at home and do absolutely nothing, while during the sessions of the House they would be getting all of the $2,000 allowed by the Senate amendments, while Members are paying out of their own pockets for every dollar's worth of extra clerical work they have done, and which they must have done or else neglect their official business.

Mr. HAMLIN. Will the gentleman yield?

Mr. SIMS. I yield to the gentleman.

Mr. HAMLIN. If I get the gentleman's idea, from what he says he objects to the Senate amendment because it places the clerks on the roll. Am I right?

Mr. SIMS. I object to the amount as well.

Mr. HAMLIN. The gentleman objects to putting them on the roll.

Mr. SIMS. I do not object to putting them on the roll if it is done on our own initiative.

Mr. HAMLIN. I was going to say that the gentleman's amendment, as I understood it, did provide for placing them on the roll.

Mr. SIMS. One clerk at $1,500.

Mr. HAMLIN. What is the difference between putting a clerk on the roll at $1,500 and putting him on at $2,000, so far as putting him on the roll is concerned?

Mr. SIMS. There is no difference in so far as the implication is concerned. I admit that. But I wanted to have an opportunity to offer an amendment providing for extra money during the sessions of the House, and I did not think I could do it in any other way except by concurring in the amendment with an amendment without it being subject to a point of order. That is the only reason on earth I did it. Had it been held germane, in discussing it I would have said just what I have said now, not that I was concurring in the action of the Senate in saying that our clerks should be put upon the roll on the implication that it was not safe to trust us with the money.

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from New York [Mr. CALDWELL].

Mr. CALDWELL. Mr. Speaker, this matter has been very thoroughly discussed in this House. I think practically every Member has made up his mind what he is going to do about it. There is only one thing that presents itself to my mind now, and that is that when this question was being discussed in the Senate a certain Senator stated that the reason why this amendment was proposed was because a certain Representative over here, the chairman of one of our most important committees, had said this House would agree to it, or words to that effect. I understand from the Member of this House that that statement was not true, and I want to call attention to it now to give him an opportunity, without naming him, to come on the floor of this House and denounce the statement as not having been made by him. That is all I have to say about it.

Mr. BYRNS of Tennessee. Will the gentleman yield back the balance of his time?

Mr. CALDWELL. I yield back the remainder of my time.

The SPEAKER. The gentleman yields back three minutes.

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, when this matter was discussed in another place, which can not properly be referred to under the rules of this House, even in temperate and moderate language, this statement was made:

> I desire to say that nothing was done until after I conferred with the chairman of the Appropriations Committee of the other House [Mr. FITZGERALD]. I knew it was a very delicate matter, and so I conferred with him. He said he did not think the House would have any objection to the provision, and we would go into conference and thresh it out.

That is all that is pertinent to what I wish to say. Mr. Speaker, I myself do not make a habit of repeating what is said in private conference with another person when I appeal to him, or when an appeal is made to me for information about any matter. Whenever I do believe it to be necessary to state what occurred in such conference I take particular care to see that what I say accurately represents what was said.

The statement which I have just read is inaccurate. It is not only inaccurate as to what I said, but it is inaccurate as to what actually happened. After the Senate committee had determined to amend this provision a Member of that body called at the room of the Committee on Appropriations and stated that the Senate was proposing to make this modification; that some Members of that body were fearful that the House would resent any attempt on the part of the other body to interfere or to regulate its affairs; that before doing anything definite he desired to ask my opinion as to what the attitude of the House would be. I stated to him that there was very emphatic opposition among Members of the House to a provision placing the clerks of Members on the rolls. I named two Members of the House, prominent Members, one upon each side, who, I informed him, had repeatedly in the past vigorously opposed any such provision, and that I was confident if the matter were brought up in this way they would follow their course on former occasions. I said that my own personal opinion, as far as I was personally concerned, was that I was indifferent and would as lief have clerks on the rolls as not, but I made no attempt whatever either to commit the House or to indicate in any way that Members of the House desired the Senate to interfere in the matter or would acquiesce in any action taken by the Senate.

Of course, Mr. Speaker, I know that Members of the House resented the suggestion that I had attempted in any way to have the affairs of this House regulated by the other body, and if I had done so, their resentment would have been justified. I have some cause for resentment myself, that anyone should quote me as favoring action upon the part of another body to do something that I knew would be resented, and that I made it as clear as I could, would be resented if attempted. [Applause.]

I suppose one moral that recent events in the Capitol seem to emphasize is that whenever the chairman of any committee of this House holds a private conversation with another person he should make certain to have witnesses present. [Applause.] But, Mr. Speaker, so that there may be no misunderstanding—and I regret that it is necessary to repeat the statement—the reported conversation with myself upon which the remarks of my colleague from New York were based was wholly inaccurate, and an unjustifiable report of the conversation that took place. [Applause.] I wish to make it as clear as I can that I attempted so far as I could, so far as I know the English language, so far as I understand the meaning of words, to make it clear that if the Senate attempted to do what it has always resented emphatically when done by the House—that is, to attempt to interfere with the affairs of the House, that the Members of the House would be equally sensitive and perhaps

somewhat more emphatic in resenting the action of their body than the Senate has been on similar occasions. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield four minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, there is involved in this matter a good deal more than the question of clerk hire. The rules of the two Houses that provide that Members of one House shall not in debate speak of what occurs in the other, and the practice that has always existed of one House not interfering with matters peculiarly relating to the other, has a basis of sound reason, as was well set forth in that unfortunate debate that was held in the Senate. The very moment each House undertakes to be the guardian of the morals of the other House there will be engendered bitterness between the two Houses that will result in the energy and time of Congress being expended in personal quarrels rather than in the consideration of the public business.

And this House, without regard to the amendment of the Senate, ought to say that it is able to take care of its own affairs [applause], and emphatically disagree to the amendment of the Senate; and that position should be maintained until the Senate proceeds to acquiesce in the House position touching matters that relate solely to the House. [Applause.]

Just another word further. It seems to me that Members of Congress ought to have reached the point where they are not willing by their action to express the view that they believe they are men of such doubtful character and such doubtful honesty that all manner of safeguards must be thrown around them to prevent their misappropriation of money. Men here are required to deal with matters involving millions of dollars. If they are fit to be Members of this body, they at least ought to be men of such character that they can be trusted to honestly expend $1,500 or $2,000 in connection with clerical hire in the performance of their public duties. [Applause.] I for one resent the imputation, no matter where it comes from, that unless provision is made for putting clerks upon the rolls they will not receive the money that is due them. If there be any Member who has not paid to his clerk the money that was due him, I do not know it, and I am quite sure that if the fact became known his constituency can be depended upon to deal with him as the facts may warrant. This I do know, that there have been a number of gentlemen, myself among them, who have not believed in the wisdom of placing clerks upon the rolls. A clerk to a Member bears a confidential relation; he must be a man with whom he may think aloud, and if for any cause there arises a situation whereby that man is no longer desirable or suitable as a clerk, the Member ought to be in a position to instantly terminate that very confidential relationship. To require him to have to send word and to go through the inconvenience and delay of having the name taken from the roll and another one substituted is to require something there is no reason for, unless you believe that you and your colleagues are unfit to be trusted with the expenditure of $1,500 or $2,000. I have not yet reached that point where I am willing to think that either of myself or of my colleagues in this body. [Applause.]

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. COOPER of Wisconsin. I have just come in, and have listened with interest to the gentleman from Kentucky. I notice there is this proviso on page 21, line 5:

Provided, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed.

I understood the point that the gentleman was making was that they could not be removed. What does the gentleman say respecting the impossibility of removing them?

Mr. SHERLEY. I did not say it was impossible to remove them, but I said a Member ought not to be put to the inconvenience of going through that prescribed process. Congress has adjourned, for instance, we will say, and a Member has reason to change his clerk—be the reason a good one or a bad one. He is required under the form that has been prescribed to send word to the Clerk of the House to have the name of the clerk changed on the roll, and, presumably, if this does not come at the end of the month there must be an apportionment of salary and a good deal of inconvenience and nuisance. The only basis that I can find for doing such—and it was, unfortunately, made the whole basis of the speeches in the Senate—is that there are some men here in Congress—and the newspapers and magazines have so stated—who are not honestly spending this money, and in order to make these men honest they propose to have this regulation. Men who are charged with matters of the highest responsibility, matters involving the honor and the safety of the Nation, have come to such poor estate that, forsooth, they must be tied with restrictions to keep them from misappropriating $1,500!

Personally, I voted against the increase of salary of clerks, and am still opposed to it. The House decided otherwise, and I accept its action, and I insist we do not need the Senate's advice.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Speaker, I am opposed to the amendment offered by the gentleman from Indiana. This provision is somewhat complicated. I think it ought to go to conference. The motion made by the gentleman from Tennessee [Mr. BYRNS] ought to prevail, in my opinion. But I am not in sympathy with what is stated by the gentleman from Kentucky [Mr. SHERLEY], that we always ought to follow this rule of courtesy and that the House should never object to an item which the Senate puts in for its own employees, and that the Senate should never question an appropriation for House employees, no matter how vicious it might be. We have followed that courtesy, and I am glad, for one, that the Senate has violated it and has established a new basis for operation as between the two Houses of Congress.

Let us see how it is operated as a matter of fact. Ten years ago we appropriated for clerk hire and messenger service for the committees of the Senate $132,240. Last year we appropriated $426,380 for the same purpose. For assistants to Senators who are not chairmen of committees, 10 years ago we appropriated $57,000, and recently because of this courtesy we have increased this appropriation to $105,000. What is the net result? Ten years ago we appropriated for clerk hire for Senators and for committees in the Senate a total of $225,840, or an average per Senator of $2,508. Last year we appropriated for the same purpose $533,980, or an average per Senator of $5,562. That is what courtesy has done so far as these two branches are concerned. We have been stingy with ourselves; we have gone down into our own pockets and paid for work that the Government received the benefit of, and we have allowed the Senators to take all they wanted, and they have wanted a good deal.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I have not the time.

Mr. CLARK of Florida. It will take only a moment.

Mr. GOOD. There is another item in this bill to which I desire to refer. Take the great committees of the two Houses on the Post Office and Post Roads. Everyone knows that the House committee conducts the hearings, considers the legislation, and reports to this House, and that it does the work. What are the relations as between the two bodies so far as clerks and assistants are concerned? The Senate Committee on the Post Office has a clerk at $2,500, an assistant clerk at $2,000, two assistant clerks at $1,440 each, and a messenger at $1,440, or a total of $8,820. The House committee, which does the work, is provided with a clerk at $2,500 a year, an assistant clerk at $1,500, and a janitor at $1,000 a year, or a total of $4,900. The Senate this year by an amendment to the bill added another assistant clerk to this committee at $1,440, which will give them in all a total of $10,260, as against $4,900 for the House. So far as I am concerned, Senatorial or House courtesy will not permit the Senate to get away any longer with that kind of outrage upon the Treasury. [Applause.]

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. SHERLEY. It is not that I question the need of reform in the Senate. We could spend days pointing out similar instances, but because in undertaking to correct in this way one abuse you will run into much greater ones that will involve very seriously the proper conduct of the public business.

Mr. GOOD. I agree with the gentleman. I wish it could be done in some other way, but now that the Senate has initiated the reform the House can well afford to carry it on. They have cleaned house for us, and I agree to their proposition. Now we should clean house for them. [Applause.] Ten years ago, for each Member of the House, counting committee employees and the clerk hire in committees, there was an average allowance per Representative of $1,887. Last year we appropriated an average per Representative of $1,910. Ten years ago there was a like average allowance per Senator of $2,508. For the same purpose this year the Senate gets $5,562 per year per Senator. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. Will the gentleman from Tennessee yield me one minute more?

Mr. BYRNS of Tennessee. I yield one minute more to the gentleman.

Mr. GOOD. Now, Mr. Speaker, so far as I am concerned, I have no objection at all to these clerks and employees being placed upon the rolls—I think they should be—but I do insist that this provision ought to be gone over carefully. It ought to be ironed out by the conference committee. I think we ought to vote down this amendment and motion and support the motion of the gentleman from Tennessee [Mr. BYRNS]. [Applause.]

Mr. MANN. Will the gentleman from Tennessee yield me five minutes?

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, friendly relations officially between the two houses of a legislative body consisting of two houses are quite essential for orderly legislation and to the enactment of good legislation. It is an easy matter to get up some controversy between the two Houses, and it would be a constant matter of controversy if either of the two Houses should undertake to run or manage the other House. The Senate is the most extravagant legislative body on earth. [Applause.] And I think that this amendment shows it is the most impudent legislative body on earth. [Applause.] And yet after this effort of the Senate to regulate our affairs I do not think we can afford to make up our minds to regulate their affairs. We necessarily have to pass in the first instance, because bills originate here, upon the number and pay of the employees of the Senate. But we ought never to think that it is our duty to regulate the extravagance in the Senate because, while we might save a few dollars out of the Treasury, the resultant effect would be controversy and ill feeling between the two Houses which might cost the Government not only millions of dollars but defeat proper and needed legislation. You can not do well with two partners who are constantly quarreling personally, and no legislative body can do good work with the two partners engaged in personal quarrels. If I had my way about it, I would not only disagree to the Senate amendment but I would adhere to the disagreement [applause], and tell them to attend to their own knitting and we will protect our own honor. There is not as much danger of our honor being injured as theirs. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield four minutes to the gentleman from Georgia [Mr. HOWARD]. [Applause.]

Mr. HOWARD. Mr. Speaker, far be it from me [laughter] to reflect in the least on that august body at the other end of the Capitol. I would not say anything on this earth about their extravagance. I do not say they are extravagant; other gentlemen say that. I would not mention anything about the little luxuries they have that we poor Congressmen can not have, because we would be ashamed to spend the people's money for them. I would not mention that mineral water nor free shaves and violet-water baths and things of that sort in the same breath with them. I would not say anything about that, but the gentleman from Illinois [Mr. MANN] is right about this thing, nevertheless. [Applause.] It is a ticklish piece of business you are fooling with here. Be ye careful. Temper even your thoughts. Above all, humble yourselves. I know, as every other Congressman in this body knows, that the people of this country are not fooled about their public servants. They know that the House of Representatives is a sort of clearing house for all legislation initiated in this Government. All good legislation originates here, and they know it. [Applause.] They know that we do most of the work, and they are not fooled about it. They know that 90 per cent of the legislative brains of this country are in this end of the Capitol. [Applause.] They not only know it now, but they have known it for 20 long years, that the real wheel horses that do the drudgery of legislation are in this end of the Capitol.

I want to address myself to the amendment of the gentleman from Indiana [Mr. Cox]. He wants to reduce our clerk hire to $1,500. I say the people of this country realize that the Members of the House are the dynamic forces of legislation; that all this legislation that has been mentioned by the gentleman from Illinois originates here, and we have got to pass on it, and that the Senate has practically nothing to do but what the distinguished gentleman from Texas does on a great many occasions on this floor, and that is say "Amen." [Laughter and applause.] Now, I realize that the people of this country want efficiency. I am speaking for myself and my people when I say that the people of the fifth congressional district of Georgia will not begrudge me an adequate amount to get efficient clerk hire to transact their business, and I am not afraid to vote for the $2,000, and I am going to do it. [Applause.] Another thing. I never had any guardian appointed for my honesty before I came to Congress, and I am not going to have the Senate appoint one for me now. [Applause.] If I can not spend $2,000 honestly that is intrusted to me, I think you ought to remove me from the Committee on Appropriations, where I participate in spending millions for the benefit of the Nation. Now, there is no use being afraid of this thing. I know that two-thirds of the House here are not 30 seconds ahead of the sheriff with a common-law judgment. They are poor men. [Laughter and applause.] There is no use to deny that. There used to be a time in the Congress of the United States when it did not make any difference whether a Congressman got $500 or $5,000 for clerk hire. This used to be the millionaires' club. It is to-day the poor man's retreat. [Laughter and applause.] I am not able to spend $500 or $600 out of my salary for clerk hire, and my folks do not want me to do it, and I do not propose to vote for any amendment put on this bill in the Senate. Repudiate it! Their arrogance and pretended dignity needs a severe shock. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield four minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, just a moment on the amendment of the gentleman from Indiana [Mr. Cox] reducing the clerk hire from $2,000 to $1,500. I thought that matter was settled in the discussion had in the House some time ago. It should have been settled. There may be Members who have been able to employ a sufficient number of clerks or clerks of sufficient caliber or ability to do the work incumbent upon Members' clerks for $1,500 a year, but most of us who have been here for any considerable length of time have found it very difficult to employ a really first-class clerk for $1,500, and many of us have been compelled, year after year, to pay a very considerable sum out of our private funds for the purpose of carrying on the public business intrusted to our charge.

There has been some comparison made here between the allowance of Members of the House and of the Senate for clerical help. There are some Members of the House who represent the same territory and the same population as is represented by two Senators. Such Members have been struggling along with an allowance of $1,500 a year for clerical assistance, while Senators have been assisted by a clerical force drawing a total of from $5,000 to $8,000 a year for much the same services that Members are required to perform for their constituents. I do not complain because the Senators have been thus provided for, but I think the House has been exceedingly parsimonious. It has been very difficult for those of us who represent large areas and scattered populations to take care of the interests of our constituents as they should be cared for. In fact, most Members thus situated have been compelled to pay from their private funds for additional clerical help. I regret that we did not provide, in addition to the $2,000 for a clerk, $75 a month for a stenographer, at least during the session. If that provision were made, we would then make such provision with regard to clerk hire as many Members have been compelled to make by paying out of their private funds enough to make up the necessary expenditure for clerk hire above the allowance of $1,500.

Mr. BYRNS of Tennessee. Mr. Speaker, how much time is there remaining?

The SPEAKER. Twenty minutes.

Mr. BYRNS of Tennessee. I yield four minutes to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, I just wanted to have a minute to call attention to some expenditures made in the Senate. The report of the Secretary of the Senate shows as follows:

May 4, 1916 (p. 337), dinners for 16 pages	$8.00
June 23 (p. 336), heirs Head Waiter Shaw (S. Res.)	450.00
Apr. 22 (p. 285), 20 cases Manitou sparkling water, splits	160.00
Apr. 18 (p. 283), dinners for 18 pages	9.00
Apr. 3 (p. 281):	
4 cases Still Rock water	11.97
10 cases White Rock water, splits	66.50
Mar. 8 (p. 278), 5 cases Manitou, splits	40.00
Apr. 12, 10 cases Manitou water, pints	90.00
Mar. 21 (p. 277), dinners for 14 pages	7.00
Mar. 3 (p. 277):	
4 cases Celestine Vichy water	36.40
1 case Poland water	7.00
Mar. 9, 4 cases Celestine Vichy	36.40
Mar. 14, 2 cases Celestine Vichy, splits	18.20
Mar. 17, 3 cases Poland water	21.00
Mar. 18, 4 cases Celestine Vichy, pints	49.40
From Jan. 31 to Feb. 29 (p. 274), 20 cases White Rock, splits	138.00
Jan. 11 (p. 273), 4 cases Celestine Vichy	36.40
Jan. 13, 2 cases Poland water	14.00
Jan. 18, 2 cases Celestine Vichy, pints	24.70
Feb. 1 to 19 (p. 269), 11 cases Celestine Vichy, pints	135.85
Nov. 10–11 (p. 267), lunches for firemen	10.50

If the House can beat that, it is traveling some. That comes out of the United States Treasury.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, I hope the House will agree to the motion made by the gentleman from Tennessee [Mr. BYRNS], the chairman of this subcommittee, and send this item to conference. There will be no question but that so far as the two

conferees are concerned the Members at the other end of the Capitol will never get that proposition in this bill. I think it is an unwarranted piece of interference, and I am delighted to see the House so unanimous on this one proposition.

Mr. MILLER of Minnesota. Will the gentleman yield for an inquiry?

Mr. SISSON. I will.

Mr. MILLER of Minnesota. Can the gentleman inform the House whether the Senate conferees refuse to recede from their amendment to this?

Mr. SISSON. This has never been to conference, and I will say without hesitation I am absolutely sure the Senate will not insist for one single moment on that amendment. I do not imagine it would do any good, because the position which they occupy in this matter was clearly stated by the gentleman from Kentucky [Mr. SHERLEY], that although the Senate end of the Capitol is extravagant, at the same time we have respected in the committee and we have respected in conference every item they have put in the bill and have never questioned it heretofore. And I am glad that the criticism is now made of that end of the Capitol.

It is not our province under the law, under the organization of the two Houses, under the Constitution itself. We are the judges of our own organization, of our own expenses, and the judges of our own relations. It is up to those gentlemen at that end of the Capitol to deal with their constituencies as to the expenses of their own body, but it is equally true that that right is our own. What I most resent is that there were statements made on the floor of the Senate which insinuated that there were Members of the House who were acting dishonorably and dishonest with their clerk hire. I do not know how other people feel about it, but so far as I am concerned I will never agree to put these clerks on the pay roll of the House, and especially under the circumstances that now confront us. I do not care so far as my own clerk is concerned, because I have always indorsed the check to him, and he collects every cent of it and I do not see a cent of it. But I am unwilling that the Senate shall be the custodian of the conscience of the House or any Member of the House. And I agree pretty generally with what the gentleman from Georgia [Mr. HOWARD] said, that when you take the honesty of the Members of the House and their reputation throughout the country, and measure it with that of the Senate, it stands comparison, and I do not think we will be called upon to make as many explanations as they are.

Mr. BYRNS of Tennessee. I yield three minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Mr. Speaker, a man who will not respect himself will hardly command respect in other quarters. The amendment which the Senate has seen fit to write into this bill is unwarranted, inexcusable, and almost inexplicable; but if the gentlemen here will undertake and take occasion to read the record of the discussion in the Senate at the time this amendment was made, they will find some Senators who favored it did so because they were earnestly importuned to do so by certain Members of the House. Now, I do not know who those Members were. I do not know how many of them there were, whether there was one, or a dozen, or one hundred. But apparently some of the suggestions, at least, for this unparalleled amendment came from some of the membership of the House. It is for that reason I wish to voice my protest against it, and particularly against some of the remarks that were made on the floor of the Senate when this was up for discussion. If some of those remarks had been made by a private citizen, he would either have to make good on them or stand as a defendant under a warrant for criminal slander. The remarks made by certain Senators transcended all the proprieties of decency or legislative courtesy. I trust the membership of this House will, without a dissenting vote, with disapproval say that this kind of unwarranted interference will not again occur. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. WHEELER].

The SPEAKER. The gentleman from Illinois is recognized for two minutes.

Mr. WHEELER. Mr. Speaker, after I had introduced this amendment, increasing the salaries of the secretaries to Members, quite a number of Members on both sides of the House expressed themselves that they would be glad to support that amendment if we would certify the names of the secretaries and place them on the roll. Had such an amendment been introduced at any time while that bill was under consideration I would have supported it, and had it occurred to me when I introduced that amendment, in all probability I would have embodied it in my amendment. But under no circumstances would I support that proposition now as coming from the Senate.

It is not a question of expenditure at this time, but it is a reflection upon every Member of this House for the Senate to attempt to dictate as to how we should manage our affairs; and it does seem to me that if the Senate should devote one-half of its time to its own affairs and the other half of its time in keeping out of affairs which pertain only to the House, it would be busy all the time. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I made a motion to disagree to Senate amendment No. 5 for the purpose of putting the bill and all the Senate amendments into conference, and as one of the conferees of the House it will, of course, be my duty to represent the views of the House without regard to any personal views I may have with reference to this or any other amendment.

So far as I am personally concerned, I take it that most of the Members know where I stand. I was opposed to the increase in the clerical allowance for Members of Congress, and I voted against the increase for clerical allowance. I did so for reasons that are not necessary to enumerate here now. One was that I did not think the condition of the Treasury at this particular time would justify an increase of that kind. I voted that way contrary to my own personal interests, because I say to you gentlemen that ever since I have been a Member of Congress I have paid a second clerk out of my own pocket. I have found it necessary to do that in order to properly and promptly carry on and perform the business of my constituents who have the right to command my time and attention and also to look after my many legislative duties here.

In addition to that I have always believed that Members' clerks ought to be on the roll. [Applause.] Not because I think it is necessary to protect the honesty of any Member of this House. I do not believe there is any foundation for the insinuations that are made in the newspapers throughout this country or the statements which found expression in another place in this Capitol with reference to some Members not using all the clerical hire for the purposes for which it was appropriated. I believe that the Senate did the House a service when it put the amendment on this bill. [Applause.]

I dissent from the statement of the gentleman from Minnesota [Mr. MILLER] when he said that it was possibly inspired by Members of this House. I take it that there was not a single Member of this House who approached any Senator upon the subject. The clerks to Senators are upon the roll. They are paid directly out of the Treasury. Why should not the clerks of Members be paid directly out of the Treasury? [Applause.] I say that this should be done not in order to see to it that these clerks get the money actually appropriated, because I repeat that I do not believe there is foundation for the statements made in the newspapers—and we have all seen them—to the effect that there are Members who do not use all the money for the purpose for which it is appropriated. But in view of these statements in the newspapers and in view of the insinuations that are made here and there, I believe the Members of Congress owe it to themselves to put these clerks on the roll and put a quietus forever on such statements.

I have in my hand a clipping from a daily newspaper printed a few days ago, to the effect that Members of the House would get $2,000 more salary, while the Senators would be compelled to eke out on a salary of $7,500. Therefore I say, in justice to ourselves and in order to put a quietus on statements of that kind, that these clerks should be put on the roll. If we do not, then those who have professed to entertain suspicions of some Members, will have their suspicions strengthened by our failure to do so. And those who fail to vote to have their clerks paid directly out of the Treasury, rather than through the Members themselves, may have to answer in the future as to why they insist on this allowance being paid directly to them, rather than to the clerks for whom it is appropriated and to whom it belongs. I call for a vote, Mr. Speaker.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman permit a question right there?

Mr. MANN. I withdraw my demand for a division of the question.

The SPEAKER. The gentleman from Tennessee demands a vote. The gentleman from Illinois [Mr. MANN] withdraws his request for a severance of the proposition. The question is on agreeing to the motion of the gentleman from Indiana [Mr. COX] to concur in the Senate amendment No. 5 with an amendment.

Mr. BURNETT. Mr. Speaker, I ask that that amendment be read.

The SPEAKER. Without objection, the Clerk will again read the amendment.

The Clerk read as follows:

Amendment offered by Mr. COX: To concur in the Senate amendment with an amendment, striking out "$2,000," on page 20, line 22, and inserting in lieu thereof "$1,500," and in the same line striking out "$880,000" and inserting in lieu thereof "$660,000."

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

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

Mr. COX. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 52, noes 196.

So the motion was rejected.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask for the reading of the other amendment, numbered 20.

Mr. MANN. Oh, no. We have not disposed of your motion yet.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Tennessee [Mr. BYRNS] to nonconcur in Senate amendment numbered 5.

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

Mr. MANN. Mr. Speaker, I move that the House adhere to its disagreement to Senate amendment numbered 5.

The SPEAKER. The gentleman from Illinois moves that the House adhere to its disagreement to Senate amendment numbered 5. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. COX. Division, Mr. Speaker.

The House divided; and there were—ayes 221, noes 13.

Mr. COX. I ask for the yeas and nays, Mr. Speaker.

The yeas and nays were refused, seven Members, not a sufficient number, rising to second the demand.

Accordingly the motion was agreed to.

The SPEAKER. The Clerk will report Senate amendment No. 20.

The Clerk read Senate amendment No. 20, as follows:

Page 37, in line 25, after the figures "$12,000," insert "Assistant to the Secretary, at the rate of $5,000 per annum, from March 1, 1917, to June 30, 1918, both dates inclusive, $6,666.67."

Mr. BYRNS of Tennessee. I move that the House nonconcur in the Senate amendment.

The SPEAKER. The gentleman from Tennessee moves that the House nonconcur in the Senate amendment No. 20.

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 197, noes 4.

Accordingly the motion to nonconcur was agreed to.

The SPEAKER. The Clerk will report Senate amendment No. 61.

The Clerk read Senate amendment No. 61, as follows:

On page 120, line 4, insert the following:

"The office of postmaster in each class shall hereafter be a nonpolitical office and shall be within the classified civil service, and appointments thereto shall be made in accordance with the civil-service rules and, so far as practicable, by promotion or transfer upon merit, without regard to politics, from the employees of the Post Office Department, subject to the permanent civil-service regulations and requirements."

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House nonconcur in the Senate amendment.

Mr. MANN. I offer a preferential motion. I move that the House concur in the Senate amendment.

Mr. MOON. I move to concur in Senate amendment No. 61 with an amendment.

Mr. MANN. The gentleman's motion is preferential.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] moves to nonconcur. The gentleman from Illinois [Mr. MANN] moves to concur. The gentleman from Tennessee [Mr. MOON] moves to concur with an amendment, which is a preferential motion. The Clerk will report the motion of the gentleman from Tennessee [Mr. MOON].

The Clerk read as follows:

Mr. MOON moves to concur in Senate amendment 61 with an amendment, as follows:

Insert, following the word "retirements," line 10, page 120, the words: "*Provided*, That postmasters now in office or who may be appointed before the 30th day of December, 1917, shall not be subject to removal except under the laws, rules, and regulations now existing, or subjected to examination under civil-service rules and regulations: *Provided, however*, That in special cases, at any time where the Postmaster General deems the same necessary, he may direct a civil-service examination of any postmaster in the service, and if such postmaster on examination be found incompetent the Postmaster General shall then order a competitive civil-service examination for postmaster at such office, and shall designate an acting postmaster to serve until such examination is had and permanent appointment made: *Provided further*, That from and after the taking effect of this act no postmaster shall serve as such for more than eight years of continuous service, and no person shall be designated as postmaster who has not been a patron for 12 months of the local office to which he is appointed immediately prior to appointment."

Mr. FITZGERALD. Will the gentleman permit me to suggest that the amendment should be modified to read "after the Senate amendment"?

Mr. MANN. "By adding."

Mr. FITZGERALD. The amendment should read "by adding to the Senate amendment."

Mr. CLARK of Florida. Mr. Speaker, I desire to offer a motion to concur with an amendment, which should come in the first line of the Senate amendment. Can I offer that now?

Mr. MANN. There is only one way in which that amendment can be offered, and that is by demanding a division of the motion to concur with an amendment. Then, when the division is ordered, the Senate amendment is open to amendment.

Mr. CLARK of Florida. Mr. Speaker, I demand a division of the question.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] moves to nonconcur in the Senate amendment, and the gentleman from Tennessee [Mr. MOON] makes a preferential motion to concur in the amendment with an amendment. Now, the gentleman from Florida demands a division of the question. The question is on the amendment offered by the gentleman from Tennessee [Mr. MOON].

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

Mr. COX demanded a division.

Mr. MOON. Mr. Speaker, is not this amendment subject to debate? I understood the gentleman from Tennessee that he would yield some time for debate.

The SPEAKER. No one seemed to want to debate it. How much time does the gentleman from Tennessee yield to his colleague?

Mr. BYRNS of Tennessee. I will yield 10 minutes.

Mr. BURNETT. Mr. Speaker, when the House is dividing how can there be debate?

Mr. BYRNS of Tennessee. Mr. Speaker, I was on my feet to yield to the gentleman from Tennessee and had turned to him, asking him how much time was wanted, when the Chair put the question.

The SPEAKER. The Chair thinks that the House is entitled to debate the amendment.

Mr. BURNETT. I make the point that debate is not in order.

The SPEAKER. The point of order of the gentleman from Alabama does not apply until after the division. The Chair likes to be fair with everybody. No one seemed to want to debate it, the Chair thought, and the Chair wanted to expedite business.

Mr. STEPHENS of Nebraska. Mr. Speaker, would a motion be in order to offer a substitute for the amendment of the gentleman from Tennessee [Mr. MOON]?

The SPEAKER. If it is germane to the amendment offered by the gentleman from Tennessee.

Mr. STEPHENS of Nebraska. Mr. Speaker, I move the following substitute for the Moon amendment.

The Clerk read as follows:

The office of postmaster in each class shall hereafter be a nonpolitical office, and shall be filled by appointment for a term of four years, said appointment to be based upon a certificate of election issued by the proper election authorities showing that the applicant for the office of postmaster had been chosen by a plurality of the legal voters who were patrons of the post office and the rural routes served thereby at a regular election when other local or county officers were chosen, and that the names of the candidates for postmaster were printed upon ballots without party designation.

Mr. MANN. I make the point of order that that is not a substitute.

The SPEAKER. The Chair sustains the point of order.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Speaker, there is one question on which I disagree with the Democratic Party and with the Republican Party. Both of those parties declare for civil service. I do not believe that the civil-service law is to the interest of the American people where that law carries with it, as does the present law, a life tenure in office. [Applause.] If the time shall ever come when this Government must fall, it will be by the work of its own employees. We now have over half a million men, nearly all under the civil service, except the marshals, collectors, and district attorneys. And when that period in the history of this country shall come, as it may come, with fanaticism running wild among thousands of voters in all the parties, as it does to-day, when this Government takes control of the administration of affairs of all the railroads, telegraph, and telephones, you will have created a power in this Government that, under the control of an ambitious presidential administration, will hand this Government down to the

party in power year after year, regardless of the will of the people, unless there is a counterbalancing influence exercised at the ballot box by the enlargement of the popular power over Federal officials.

But while that is all true, the sentiment of a few men who believe, as I do, that this civil-service doctrine, with life tenure, is violative of the fundamental principles of the American Government, can not and will not prevail. If it is proper that officers who are ministerial in their character shall under the law go under the civil service and be given a life tenure; if it is proper that that part of the postal officials of the Government that are not merely ministerial but executive, so far as a part of their duties are concerned, shall go under the civil service; if it is proper that 43,000 men now under the civil service as fourth-class postmasters should go under the civil service under Executive order, placing them in power without examination; if it is proper that hundreds of assistant postmasters, put into the civil service without examination, nearly all of them of the opposite faith from the party now in power, shall be retained under civil service, it is not unfair nor is it illogical, but perfectly logical, that the men now occupying the positions as postmasters who may occupy that position within the 12 months following, which is necessary for readjustment, should remain in office under civil service, not for life, but for a fixed term of years.

What would be the effect of it? Take this amendment No. 61 by the Senate, and what is the logical effect of that amendment? That amendment will cover into the service by operation of the civil-service law every postmaster in the United States to-day. If you adopt this amendment, it will also give an opportunity to the Postmaster General to cover first, second, and third class post offices under the civil service. Now, I do not propose for a moment to say to my friends over here that I believe in a kind of civil service that will appear exactly fair to Republicans. They have had their time. The offices ought to go to Democrats now.

I believe the law ought to treat all men of all parties fairly, but I believe that the party that is dominant, I care not which it is, that is clothed with the right and power to administer this Government, can not do it except through its friends, and therefore this amendment would enable an administration that desires to do so to put Democrats into every one of these offices, and when the Republicans come back into power there is a provision in the civil-service law by which they can all be put out and Republicans put in, by the clause authorizing the President to suspend the operation of the law. That is the exact situation. The amendment provides for nothing more, so far as that part of the amendment is concerned, than the proposed Senate amendment apparently provides.

But there is something more to this amendment, and as to that part I feel most deeply interested. I do not believe that any proposition ought to go unchallenged that puts any man in office for life, whether he be a Democrat or a Republican. [Applause.] I have, therefore, provided that these men shall not serve longer than eight years. There is another provision here. If this amendment passes, the men now in the department—and this act does not seem to discriminate between departmental employees and postal employees—may be transferred from the department down here on Pennsylvania Avenue and be made postmasters anywhere in the country. There is a diversity of opinion in regard to that. The Civil Service Commission thinks the word "department" would cover the field service. The Attorney General, I understand, thinks otherwise. But whatever their judgment may be upon this subject, it is true that we ought not to inaugurate under the law a migratory class of carpetbaggers in the post offices everywhere throughout this country. [Applause.] Therefore, I provided in this amendment that the man appointed must have been for at least 12 months a patron of the office to which he is appointed. The power of appointment is vested in the President, by and with the advice and consent of the Senate, and you can not make a law that will take from the President, under the Constitution, the right of appointment or nomination, nor can you make a law that will encroach upon his executive discretion in determining who that appointee shall be. You have no power in the premises nor the right to dictate. Whatever influence you may exercise comes as a courtesy from the President. He stated in the campaign, as did Mr. Hughes, that he favored the civil service. You ought to help the President keep his promise under the law.

If Mr. Hughes had been elected, you would need to have helped him to keep it. I believe on this question of civil service they are both wrong; but that makes no difference. The policy of this Government has been established otherwise. Let your administration keep faith with the people upon this question. The President said he is going to keep faith, and I know he will do so. I hold here in my hand a letter that I shall put into the RECORD, that shows his views upon that question. If you do not permit him to keep faith with the people in accordance with the pledges he made, he has the power to protect himself and his word. He says, I am advised, that if you do not pass a civil-service law as to first, second, and third class offices he will not nominate another postmaster to the Senate until that applicant has been examined under the rules of the civil service. It is true he could not force the Civil Service Commission to examine applicants, but he could have it done otherwise if they did not do so voluntarily. He will name not one of three highest making the best grade in an examination but he will name the first man on the list or the first woman on the list, whether Democrat or Republican, to be postmaster. That is the feeling and the attitude of the administration upon this question, as I understand it. My own judgment is that the Executive ought not to be forced to this attitude, that you ought to pass an amendment that will enable at least the selection from the first three upon the list, and that the representatives of the people should have some voice in this question, even if only by courtesy, to the end that all patronage in this Government shall not finally be placed in the hands of the Senate of the United States, without any consideration on the part of the representative American public.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield one minute more to the gentleman.

Mr. MOON. Mr. Speaker, personally, I do not care anything about this. As political good faith we ought to help carry out this policy as indicated in my amendment. It is the wisest policy under a law which itself is unwise. We ought to do the best we can to sustain the pledges of the Executive.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. MOON. Mr. Speaker, I ask unanimous consent to insert in the RECORD the letter of the President and of the Civil Service Commission upon this subject.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letters referred to are as follows:

SHADOW LAWN, N. J., *November 4, 1916.*

GEORGE T. KEYES,
Secretary Civil Service Reform League,
79 Wall Street, New York City.

SIR: In reply to your letter of September 26 I wish to state that the Postmaster General in his annual report for the fiscal year ended June 30, 1914, recommended to Congress the enactment of legislation which would permit of the extension of the classified civil service so as to include the position of postmaster at offices of the third class. The following year he not only renewed this recommendation but asked that the position of postmaster at offices of the second class be included as well, but no action has ever been taken by Congress on those recommendations. In his annual report for the fiscal year just ended he will not only renew his recommendation for the legislation mentioned but will ask that it be extended to offices of the first class as well.

I am thoroughly in accord with the recommendations of the Postmaster General, and they have my hearty approval. You understand, however, that the classification of the position does not classify the incumbent, and the person holding the position at the time it is classified will be subject to the same competitive test as others who may apply. When these positions are classified the Postmaster General will be able to fill many of them by promotion from the clerical grades; also by the promotion of postmasters who have demonstrated their ability from a smaller office to one of greater importance.

Sincerely, yours,

WOODROW WILSON.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., February 6, 1917.

Hon. JOHN A. MOON,
House of Representatives.

DEAR JUDGE MOON: In response to your verbal inquiry of this date as to whether or not the language of Senate amendment 61, page 120, classifying postmasters, would bring the incumbents within the classified service, I have the honor to invite your attention to section 6 of Civil Service Rule II, as follows:

"6. * * * a person holding a position when it becomes classified and subject to competitive examination shall have all the rights which he would acquire if appointed thereto upon examination under these rules, but he shall not be transferred without first passing the examination provided by the commission."

In the absence of any action by Congress or the President to the contrary, the incumbents would have a classified status in accordance with the provisions of the rule just quoted.

As to your second inquiry whether or not the language "employees of the Post-Office Department" refers to promotions or transfers only of those persons employed in the department at Washington, D. C., it is my opinion that the language includes all employees of the Postal Service generally. However, the construction of this act would not rest finally with the Civil Service Commission, but with the Attorney General. The act of June 22, 1906 (34 Stat., 449), prohibits a transfer from one executive department to another until after three years' service, and the Attorney General (26 Op., 254) held that the words

"executive department" referred to an executive establishment within the immediate jurisdiction of a Cabinet officer in Washington, D. C., and not to local post offices, pension agencies, etc. There are other opinions of the Attorney General with this same holding in other matters. If the language were changed to read "employees in or under the Post Office Department," there could be no question raised as to its meaning.

Very truly, yours, CHAS. M. GALLOWAY,
Acting President.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Chairman, the proposition involved in amendment No. 61 of the Senate is evidently drawn by somebody who knows very little about the subject. This is a bill to provide for the legislative, executive, and judicial expenses of the Government. In that bill is always carried the salaries of the department officials and clerks, including the Post Office Department. It is done for this purpose. The Post Office Department is not a part of the ordinary Postal Service. The ordinary Postal Service is always provided for in the Post Office appropriation bill reported by the Post Office Committee. This amendment No. 61 provides that the postmasters of the first, second, and third class shall be appointed without regard to politics from the employees of the Post Office Department, subject to civil-service regulations and requirements. The fair and reasonable interpretation of that language, in view of the separation of the two bills, would be that you would have to select every postmaster in the United States from the employees of the Post Office Department down here on Pennsylvania Avenue, because it does not provide, as stated by the chairman of the Committee on the Post Office, that the appointments shall be made from the Postal Service. I hope that was in the mind of the proponent of this amendment, but it does not say so. It seems strange that it should be offered as an amendment on the legislative bill. It has no place there. If it is proper anywhere it is on the Post Office appropriation bill, which is not yet back from the Senate. I am opposed to this proposition in this form or in the form in which the gentleman from Tennessee [Mr. MOON] offers it. Although I profess to be a friend of civil service, yet I do not believe that the people of the United States would be satisfied with being served by postmasters imported from a strange community. I do not believe we should make a law that would make it possible or necessary to appoint them from outside the community which they serve. This makes a permanent class of officeholders. They would hold for life. There are 9,191 presidential offices in the United States, and they would be added to the advocates of retirement legislation. These postmasters would be here represented by some legislative agent at the very next session, probably wanting to be retired on half pay, and instead of being a proposition for economy it is one that will impose extra expenditures upon the people. I hope that all on this side will vote to nonconcur in this proposition. It is a half-baked proposition; it is one that has no right here; and it is one that should be voted down.

Mr. BYRNS of North Carolina. Mr. Speaker, I yield four minutes to the gentleman from North Carolina [Mr. PAGE].

Mr. PAGE of North Carolina. Mr. Speaker, I rise in opposition to the amendment which the gentleman from Tennessee [Mr. MOON] offers, as well as the amendment inserted in the bill by the Senate. I doubt very seriously whether there is a Member on this side of the House who under this Democratic administration has had any greater personal embarrassment in dispensing the patronage and appointment of first, second, and third class postmasters than have I, and yet I do not believe that it is either practical or that such service can be improved in the slightest degree by placing these officers of the Government under the civil-service rules. The trouble will not come to me again, since I retire very shortly; but I do not believe that you can select for these positions men as competent or as satisfactory as those who are the patrons of the office—as satisfactory to the department of the Government or to anyone else through any civil-service examination that can be devised in the brain of man as may be obtained by personal selection. [Applause.] This is not a clerical position. Men who serve in the first, second, and third class post offices of this country hold administrative positions, and I do not believe that the civil service should extend or apply to any administrative position or office in the Government. [Applause.] I do not hesitate to say that while I would not abolish the entire civil service, I believe that when the people of this country commission one political party, whether it be this or that, to administer the affairs of this Government, that they mean that that particular political party shall administer them; and I believe that now they ought to have the privilege, if it is a privilege, of naming the men who shall administer them and that they should have the responsibility also of the Government. I do not know but what something has been said or intimated here that the President of the United States, unless the Congress places these men under the civil service, will cover them under it by some order of some kind. As one member of the Democratic Party and of this Congress, I want to know since when has one man been commissioned, whether he be the President of the United States or whoever he may be, to lay down the policies of a political party? [Applause.] It seems to me that we are going far when we acknowledge that the party is going to follow a line of principles laid down by any one man, whoever he may be or however great or high may be his office. [Applause.] That is the function of the party in convention assembled, to write the policies of the political party, and no party, so far as I know, has in this way committed itself to this extension of the civil service. I shall oppose by my vote the amendment of the gentleman from Tennessee as well as the amendment which has been placed in this bill by the Senate, and I say to the membership of this House that no method can be devised by which these men can be selected by a civil-service examination that will put men as well qualified to administer the office of postmaster in the various first, second, and third class offices as are now being placed under the present arrangement. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield four minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, I favor this amendment of the Senate. The distrust which the gentleman from North Carolina [Mr. PAGE] has expressed of the President of the United States has been expressed by the action of that side of the House in the last four years whenever a matter came up which affected the civil service. They would not leave the administration of the civil-service law to their own President. They insisted on taking out from the civil service deputy collectors, marshals, and various other offices, although the President already had the power to exempt them, if he wanted to exercise it. They would not trust him to give them what spoils they wanted, although apparently they might have trusted him, for he always approved the spoils legislation which they passed. And now, Mr. Speaker, when he has all the power which this amendment of the Senate gives him, the majority in the Senate, apparently distrusting him, again try to take it out of his hands and enact it into law. They do not trust him either way, either to exempt from the civil service or to cover into the civil service.

Now, I agree with the gentleman from North Carolina that the best way to select administrative officers is not by competitive examination. You can select better men by personal selection, if you will. But we all know we, as politicians, will not. Congressmen will not as a rule select the best men, but those who have the most influential support. And the question has long come to this: Do you get better men by examination or do you get better men by patronage? I believe you get vastly better men by examination in the long run. And you all know you will, in your hearts. You know that when you come to appoint a man you can not appoint him according to his merits, but under political pressure.

I felt skeptical originally when they began to extend the civil service outside of the mere clerical appointments. I questioned the wisdom of the first classification of fourth-class postmasters by President Roosevelt. I did not believe it would work. But experience has shown its worth. We now select scientists and specialists in various lines and fourth-class postmasters by competitive examination, and I think experience has again and again proved that while examination is not an ideal way, it is a better way than to trust it simply to politics. And I will be glad to see all of the post offices taken out of politics.

The Postmaster General will, if he is consistent, have all the present postmasters subjected to an examination, because that is what he did with the fourth-class postmasters, and I do not see how he can possibly refuse to do the same when it comes to the higher post offices. But whether he does or not, I am willing, despite my reluctance to see many present incompetent occupants of post offices continue—I am willing, for the sake of having a system established which I believe is infinitely better than the present one, to sacrifice my present feeling and allow the Democrats to stay in office. It does not make much difference in the long run; it does not make any difference in any particular place whether he is a Republican or Democrat.

Take my own city, where they appointed the chairman of the Democratic city committee as postmaster.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Speaker, I am opposed to Senate amendment No. 61, and I am not very much enamored of the amendment offered by the gentleman from Tennessee [Mr. MOON]. I do not believe that either is practicable. I do not believe that it is wise to place the post offices of the first, second, and third classes under the civil service. It seems to me that if you will only think for a moment, we must all agree that it would be a very great mistake from a business standpoint.

I have no desire to dispense patronage. No man in the House has suffered more than I on account of it. It has given me much trouble, but I am certain that placing these offices under the civil service will not afford us any relief. The fourth-class offices have been under the civil service for some years, and every time an examination has been held in my district and a postmaster appointed on his examination I have been blamed and criticized by those who were not pleased with the appointment, they pretending to believe that I could have secured the appointment of some one else if I had wanted to do so. In other words, they would not believe that the man was appointed upon merit.

There were a few disreputable newspapers in my district—papers that care nothing for the truth, but whose sole object was and has been for some time to arouse criticism of me—told the people that the fourth-class postmasters were not appointed under the civil service but that the Congressman, in fact, made the appointment. This same thing would be true if the first, second, and third class offices were placed under the civil service; but I do not care so much about that as I do about the good of the service. The management of the post offices with receipts running from several thousand to millions of dollars a year is a "man's job." Would it conduce to the efficiency of the service to throw the position of postmaster open to a competitive examination? I think not. Let me cite you one case as typical of thousands of similar cases throughout the country, and I would be glad to have Members hear what I say.

Under the civil-service rules, as I understand it, the maximum age at which an applicant could take the examination is 45 years. There is in my district an office where the receipts are approximately $60,000 a year. The postmaster in charge of that office is too old under the regulations to take the civil-service examination, but he is a successful business man of 40 years' experience. I have never heard a word of criticism of his administration of that office, notwithstanding he has been in charge of it for nearly four years. If this Senate amendment should become a law, he would have to step down and out; and even if the age limit could be waived, some young fellow just out of school, perhaps, only 21 years of age, without business experience, could run rings around this postmaster in the civil-service examination, but would that test show that he would be as competent to manage a $60,000 a year business as the man now in charge of it? The question answers itself. There is not a man in this House, if he had his money invested in a business the receipts of which amounted to $60,000 a year, would place in charge of that business a young man without business experience when in doing so he would displace a man of 40 years' successful business experience. That is just exactly what would happen if the Senate amendment should be adopted. The truth is, Mr. Speaker, that if the civil service applied to the position of Postmaster General and applicants for that place should be required to pass a competitive examination, some young fellow, perhaps without any business experience whatever, would succeed the present Postmaster General. The proposition put to us by the Senate is ridiculous in the extreme.

I trust that in the interest of the service the amendment of the Senate will be overwhelmingly rejected.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, every successful business in the world is successful because the men who conduct it are trained in the business. And the Post Office Department of America is the only great business enterprise that I know where men are appointed to conduct it who know nothing whatever about the business. And the time has come when the American people are going to insist that this great department of the Government shall be conducted by men trained in the work. You men on the Democratic side of the House owe it to the President of the United States to sustain him in his recommendation to put this department of the Government under business management. The Postmaster General, in whom you all have such great confidence, has recommended year after year that this department be taken out of politics and placed under business management. Are you going to sustain your President, or are you going to repudiate his recommendations? Are you going to continue to live under the spoils system, or are you willing to begin to conduct the affairs of the Government on a business basis? Every man in this great department ought to be promoted from place to place because of his knowledge and not because of his politics; and from the lowest to the highest place, including the First Assistant Postmaster General, the men who occupy these places should be men who have earned the right to occupy them by their knowledge and experience and not because of their political pull.

Mr. DALLINGER. Will the gentleman yield?

Mr. MADDEN. I can not yield. And so, Mr. Speaker and gentlemen of the House, the Senate amendment places before you for consideration a business proposition, and your vote will determine whether you are in favor of conducting the business of the Government along scientific lines or whether you still favor the continuation of a policy that brings the departments of the Government into disrepute and carries on the business in the slime of politics. I do not care what the man's politics may be who occupies a Government place. If he is qualified to perform the work, that is the only condition that I impose upon him. If he is clean, if he is able, if he is honest, if he has the interest of the people of America at heart, if he knows the business for which he is employed and can conduct that business along scientific, systematic business lines, I submit to the House that that policy ought to be adopted which will place and continue such a man in office. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

The SPEAKER. The gentleman from Illinois [Mr. CANNON] is recognized for five minutes.

Mr. CANNON. Mr. Speaker, five minutes afford scant time in the remaining hours of this session to discuss such a question as is now put up to the House by this amendment—half baked, somebody called it.

Think of it! The office of postmaster of the various classes shall be a nonpolitical office. Now, then, what next? If you will read it through, you will find that from the Post Office Department in Washington—not in the Postal Service, but in the Post Office Department—they shall be competent for promotion as postmasters without civil-service examination.

It is bad enough as things are now. We have got the civil service for clerical positions, letter carriers, rural carriers, great armies of people. Now, let me tell you: I believe that the Congress of the United States, legislating for the Government, should be careful about the further extension of the classified civil service. [Applause.] Why, you could select all these postmasters, according to this provision, from people in the Post Office Department.

Well, you may say it does not mean that. Perhaps not. Perhaps the wise body that placed it by way of amendment on this bill did not understand what it did mean. But I want to call your attention to the civil-service employees. We have labor unions. Take the postal employees; take the clerks in the departments; take the clerks in the post offices; take the letter carriers, the rural carriers, the railway post-office clerks, under the civil service, serving 100,000,000 people. They join Mr. Gompers's Federation of Labor. What has it led to? Without much of consideration to whatever is demanded in the increase of salaries. And you may say, "What do we care for that?" Well, I am about as courageous as any of you gentlemen [applause], but perhaps I am not courageous enough to stand against the fire of people so organized. My notion is that perhaps the first allegiance of all Government employees is to the Government. But that is another question.

Now, it does not mean in an administrative office that a man should be able to calculate the distance of the earth from the moon, and this and that and the other problem. [Applause.] A man by the name of Johnson, a farmer out in my district 50 years ago, who could not read or write, raised a family that were industrious, and he died in the fullness of time, leaving his property. There was a neighbor near by by the name of Jones. Johnson came in one day and I said to him, "Brother Johnson, how is Jones?" "Oh," he says, "Jones has got lots of land, and a good lot of steers and hogs, and he is a good farmer." I said, "I am glad to hear it." I said, "How are the children getting along?" He said, "Do you know, CANNON, he has sent those gals and boys of his over to Asbury College, at Greencastle, and," he said, "they will come out damned eddicated idiots." [Applause and laughter.] And they did. [Renewed laughter.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield three minutes more to the gentleman.

SEVERAL MEMBERS. Make it five!

The SPEAKER. The gentleman from Tennessee yields three minutes more to the gentleman from Illinois.

Mr. CANNON. Three minutes more; somebody says "five."

Mr. HULBERT. Mr. Speaker, I consent that my two minutes shall be given to the gentleman from Illinois.

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from Illinois. [Applause.]

The SPEAKER. The gentleman from Illinois is recognized for five minutes more.

Mr. CANNON. Now, a Republic like ours must succeed from time to time by the organization of people who differ about the proper policies and the majority controls. [Applause.] I want to say that in all administrative offices I believe that the party in power, being responsible, should have its friends in office. [Applause.]

Mr. BURNETT. That is the correct doctrine.

Mr. CANNON. I know I may not meet the views of the doctrinaire. The gentleman from Tennessee [Mr. MOON], speaking of our President, as I understood him to say—although that is the first I heard of it—said that unless this legislation is enacted in the closing hours of this session—and it is impossible to enact it and do it intelligently—in the future he will not appoint any postmasters. Is that right?

Mr. MOON. The Clerk has the letter of the President. If the gentleman from Illinois has no objection, it can be read.

Mr. CANNON. I have no time for that, but let me say one thing: Woodrow Wilson, your President and mine, is a great man. A wonderfully great man. [Applause.] But I want to say, with all respect and without abuse to him personally, that the House of Representatives, with 435 Members, and the Senate of the United States, with 98 Members, constitute the legislative body chosen by the people, and God knows—and it is not with malice, but with sorrow I say it—more and more under our Presidents—President Roosevelt and under our President Taft and under our present President, who can give them both cards and spades in bossing Congress [laughter]—the President has sent the flat out and is controlling legislation. Great Heavens! I want to see the House of Representatives, whether it remains permanently Democratic or not, do its own work. You are as patriotic as we are, and you think you are wiser [applause], and it may be; but whether you remain in power or we come into power I want to see the Congress of the United States do its legitimate work of legislation. [Applause.] Therefore I trust that when this legislative bill passes the Senate amendment will disappear from it. [Applause, and cries of "Vote!"]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. KITCHIN].

The SPEAKER. The gentleman from North Carolina is recognized for five minutes.

Mr. KITCHIN. Mr. Speaker, there are three propositions before the House. The first is a motion of the gentleman from Tennessee [Mr. BYRNS] to disagree to the Senate amendment. I am in favor of that. [Applause.] The second proposition is the motion of the gentleman from Illinois [Mr. MANN] to concur in the Senate amendment, which, if enacted into law, and if the law and the rules of the Civil Service Commission are lived up to, will keep in office every postmaster now in office for the balance of his life. I am opposed to that. [Applause.]

The third proposition is the motion of the gentleman from Tennessee [Mr. MOON] to concur, with an amendment. If that becomes law and the Post Office Department and the Civil Service Commission comply with that, and the rules of the commission, then every man now in office and every man who will be appointed to a postmastership between now and the 31st day of December, 1917, will remain in office for eight years. I am opposed to that. [Applause.] What reason have they given for changing the system of appointing postmasters which has been in vogue for 50, 75, or 100 years? Do they claim that under the Republican administration we did not have competent postmasters? Nobody makes that claim. Do they claim that under Mr. Wilson's administration we have not obtained efficient postmasters? Nobody makes that claim. Why, then, should the system be changed? It has given the country competent, efficient officers, who have given efficient and satisfactory service. I am opposed to the changing of this system in appointing postmasters more than I would be to changing the system of appointing any other officers under the Federal Government, because the postmaster comes nearer in touch with, is more the servant of, the people of his community than any other officer under the Federal Government, and the people in that community ought to have some voice in saying who shall be their postmaster. [Applause.] If I were going to change the system of appointment I would rather go toward a system that would give the patrons of the post office more power and more voice in the appointment than to go toward the other system, as is proposed here, that would deny to the patrons of the office any voice at all in the appointment.

Mr. MOON. Will the gentleman from North Carolina undertake to say that it takes away any privilege from the patrons of the office?

Mr. KITCHIN. Yes; for eight years under the gentleman's amendment——

Mr. MOON. Oh, no——

Mr. KITCHIN. Wait a minute. The gentleman's amendment requires that the present postmasters be put in the classified service, and that every incumbent now in office and every man whom the Postmaster General or the President shall appoint before December 31, 1917, shall remain in office for eight years.

Mr. MOON. It says this, too, which the gentleman has overlooked, that postmasters shall not be appointed except from the patrons of the office.

Mr. KITCHIN. It says that the appointee must have been a patron of the office for at least 12 months. He may be a man who could stand a better examination, if they had an examination, and yet he may be a man that no other person in the community would indorse if the people had a voice in the appointment, either directly or through their Representatives. The gentleman from Tennessee [Mr. MOON] appealed to us on this side, and the gentleman from Illinois [Mr. MADDEN] on that side appealed to us to vote for one or the other of these propositions to concur, on the ground that it is our duty to help the President keep the promises he made to the people before the election. I say to the gentleman from Tennessee [Mr. MOON] and to the gentleman from Illinois [Mr. MADDEN] that neither the Senate proposition nor the proposition of the gentleman from Tennessee enables the President to keep the alleged promise that he made, but forces him, if he acts in accordance either with the Senate amendment or the gentleman's amendment, to violate the act and rules of the Civil Service Commission or else to violate the promise which gentlemen say he made. The Senate amendment, under the rules and regulations of the civil service and under the act itself, keeps in office every man now in office during the balance of his life, without examination, without being put to the test, in violation of both the spirit and letter of every civil-service act we have ever put upon the statute books; and the proposition of the gentleman from Tennessee [Mr. MOON] if enforced according to its terms and the rules of the commission, keeps in office, without competitive examination, for eight years every man who is now in office and every man whom the President shall appoint, without competitive examination, from now until December 31.

The President never made any promise of that kind to the people, because the President would know that it would be a wrong upon all parties in the United States. Here is what the President said he was in favor of. Let me read it. This is from the letter which the gentleman from Tennessee [Mr. MOON] has put into the RECORD, a letter addressed by the President to Mr. Keyes, secretary of the Civil Service Reform League, 79 Wall Street, New York City. What is any real good civil-service reformer doing living in Wall Street? [Laughter.]

This letter was written just before the election, November 4, 1916. Speaking of the Postmaster General's report the President said:

> In his annual report for the fiscal year just ended he will not only renew his recommendation for the legislation mentioned (putting in the classified service second and third-class post offices), but will ask that it be extended to offices of the first class as well.
>
> I am thoroughly in accord with the recommendations of the Postmaster General and they have my hearty approval. You understand, however, that the classification of the position does not classify the incumbent, and the person holding the position at the time it is classified will be subject to the same competitive test as others who may apply.

Not one of the amendments before the House will enable the President to carry out that proposition he makes in the letter.

Mr. MOON. If we pass this law and make it the duty of the President to enforce it, then is it not his paramount duty to carry out the law of Congress, which will relieve him of any other promise?

Mr. KITCHIN. That is what I am telling you. You will either make him violate his pledge to the Civil Service Reform League, or else force him to violate the act of Congress.

Mr. MOON. Would you object to Democrats holding on for the next eight years?

Mr. KITCHIN. No; but I want them to get the office in the future like they have in the past. The gentleman from Ten-

nessee was appealing to this House for a law to help the President keep faith with the people, or rather with the Civil Service Reform League, and yet he is not helping him by his amendment, but in my opinion his amendment will prevent him from doing so.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. BURNETT. I ask unanimous consent that the gentleman's time be extended——

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] has charge of the time.

Mr. BYRNS of Tennessee. I yield one minute more to the gentleman.

Mr. KITCHIN. The President further says in the letter that the law he wanted of classifying the post offices would enable the Postmaster General "to fill many of them by promotion from the clerical grades" without further examinations.

Mr. BURNETT. Will the gentleman yield for a question?

Mr. KITCHIN. I yield to the gentleman from Alabama.

Mr. BURNETT. Mr. Speaker, I want to ask the gentleman a question. The President has the appointing power. Suppose the President should require that postmasters undergo an examination, how, under this law, would that prevent him from appointing those whom he says ought to be appointed after examination?

Mr. KITCHIN. You can not prevent him from doing it; but you can pass this act with Senate amendment or with the Moon amendment and put him in a position of violating the act and will of Congress and the rules of the commission, the act which he himself has signed, if he should require examination thereafter. You do not want to put him in that position, do you?

Mr. BURNETT. No.

Mr. KITCHIN. Of course, we do not. I do not want any Democrat, and I do not want any Republican devotee of the administration, to be fooled into voting for the Moon amendment or the Senate amendment, on the ground that it is helping the President to keep faith with the Civil Service Reform League. It will make him violate either that faith or this act.

Mr. MOON. Then the gentleman from North Carolina puts himself in this position, and no other—that he wants no Democrat or Republican here to sustain the President in anything.

Mr. KITCHIN. The gentleman has not prepared a proposition that will sustain the President's position taken in that letter. I am opposed to the Senate amendment, I am opposed to the Moon amendment, but I am in favor of the motion of the gentleman from Tennessee [Mr. BYRNS], who has charge of the bill. I am in favor of the system of appointing postmasters as it is right now and has been for a century. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the President of the United States made his pledge before the election and has made the same statement since the election. The amendment of the Senate carries out exactly the pledge made by the President. I have seen this House under the control of our Democratic friends change its principles on great public questions and grovel in the dust at the behest of the President of the United States. I have seen it change its position on foreign relations at the demand of the President of the United States. But after all, there is a limit to the power of the President. He may require the Democrats to bow the knee on questions of principle, but when he tries to take a job away from one of them his power is evanescent and gone. [Laughter and applause.] You are willing to yield to him your judgment, your legislative authority, your place as a representative of the people in disposing of great public questions, but you are not willing to let him keep you from appointing a man to a $900 job. [Applause on the Republican side.]

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, there must have been some unexpected recent arrangement by which the gentleman from Illinois [Mr. MANN] has been commissioned as spokesman on this floor for the President of the United States. [Laughter and applause.]

Mr. MANN. I always defend him when he is right, which is seldom.

Mr. FITZGERALD. I always fear the Greeks bearing gifts. Possibly Members on this side of the House have not been congratulating themselves as heartily as the gentleman from Illinois indicates at the freedom accorded to them in the selection of postmasters during the last three years. [Laughter.]

I have had a great number of appeals made to me to support this amendment, appeals made by eminent citizens in all parts of the country. They have been made to me because I am what is known as a civil-service reformer [laughter], and naturally the appeals which have emanated from the leading reform organizations of the country, and the leading reforms have been directed to me, to exert my influence on behalf of the Senate amendment.

Mr. Speaker, I believe that the Senate amendment is fraught with great evil to our system of government. I believe in the system of party government—a system in which political parties promulgate specific principles and policies, and, if selected, carry those principles and policies into effect. My experience has been that many distinguished civil-service reformers are engaged in a profound and comprehensive attempt to break down all political organizations and to set up the individual and the individual idea of policy in preference to the policies and principles of political organizations, and to that system of government I am unalterably opposed. [Applause.]

I have had some experience with civil-service men. For nine years I have served on the Committee on Appropriations and listened to men in responsible positions under Republican administration outlining the policy of the administrations and advocating the appropriations to be made to carry on the policies outlined. Because of the ill-devised system of civil service under which men in responsible positions, men who are compelled to determine and to dictate to a very considerable extent the policies of the administration, have been continued in office, many Republicans have been appearing before the same committee outlining the policies and dictating the manner in which the public business shall be conducted under a Democratic administration. We would have had much more satisfactory results if Democrats in harmony with the Democratic President and Democratic administration had been occupying these offices.

The gentleman from Illinois [Mr. MADDEN] stated that this is one of the great businesses in the country where men are not trained to administer it, and where men are appointed without regard to the training which they have received. Mr. Speaker, there is not an intelligent business man in the United States conducting either a great business or a small business who would contemplate for a single instant supporting legislation that would give a life tenure to the most important men in his business who had not been selected with regard to their training to conduct it, and which would deprive him of the right to change his personnel at will.

My experience has been that those selected because of political service or for partisan reasons for important public offices make better, more efficient, more competent officials than those selected through the medium of civil-service examinations. There is something else necessary than mere ability to pass an examination for efficient administration. Some of the most essential qualifications can not be ascertained as a result of examinations, and many who obtain the highest marks in examinations lack most completely the essential qualifications for successful administrators.

The SPEAKER. The time of the gentleman has expired.

Mr. FITZGERALD. I desire to add that I hope the good, sound sense of the House will save us from the disastrous effects of such legislation.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield two minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Speaker, there has been a good deal of criticism upon this side of the House of the majority side for following the President of the United States in his recommendations to Congress. Now, when the Democratic Members have gotten religion, want to depart from the error of their ways, and act in accord with our own views, they are condemned by certain Republican leaders in this House. I am not so unkind, so ungenerous. I congratulate the Democratic Members for exercising their independence upon this proposition. [Applause.]

Mr. BURNETT. Mr. Speaker, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. BURNETT. The gentlemen upon that side never did exercise that independence, did they?

Mr. AUSTIN. I am going to do it, especially where there is an appropriation or an office involved. [Laughter.] It has been mentioned here that President Wilson and Gov. Hughes both committed themselves upon legislation of this kind. I want to state that neither one of them was commissioned to make that declaration in the platforms of the political parties which nominated them. Our beloved colleague, Mr. MADDEN, of Illinois, one of the ablest and most successful business men of the Middle West [applause], we find now insisting upon civil-service examinations in selecting postmasters; but in his long and successful business career he has never inaugurated a civil-service system in his own plant. [Laughter.] We are told that

the great political leader of the administration, our former colleague, whom we all love so fondly, Postmaster General Burleson, is at the head of this great movement in the interest of the uplift and civil-service reform. I would have some faith in him as a civil-service reformer if he had inaugurated it four years ago, when these 10,217 offices were filled with Republicans. [Laughter.] I want to say in absolute good faith and frankness that four years from now we are going to make every one of those 10,217 excellent Democratic postmasters walk the plank—15 of them in the district I represent. [Applause and laughter.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield one minute to the gentleman from Missouri [Mr. DICKINSON].

[Mr. DICKINSON addressed the House. See Appendix.]

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield one minute and a half to the gentleman from Kentucky [Mr. LANGLEY].

[Mr. LANGLEY addressed the House. See Appendix.]

Mr. BYRNS of Tennessee. Mr. Speaker, I move the previous question upon the pending motion.

The previous question was ordered.

The SPEAKER. The question is first on the motion of the gentleman from Tennessee.

The question was taken, and the motion was rejected.

The SPEAKER. The question now is on the motion of the gentleman from Illinois [Mr. MANN] to concur.

Mr. MANN. Mr. Speaker, upon that I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays. Those in favor of taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Forty-three gentlemen have risen, not a sufficient number.

Mr. MANN. What makes the Chair say not a sufficient number?

The SPEAKER. On the basis of the last vote.

Mr. MANN. Oh, well, that was an hour ago.

The SPEAKER. The gentleman can demand the other side.

Mr. MANN. But I do not ask for the other side.

The SPEAKER. Those opposed to taking the vote by the yeas and nays will rise and stand until counted. [After counting.] Two hundred and thirty-four Members have risen. Forty-three is not a sufficient number, and the yeas and nays are refused. The question is on the motion of the gentleman from Illinois [Mr. MANN] to concur.

The question was taken, and the motion was rejected.

The SPEAKER. The question now recurs on the motion of the gentleman from Tennessee [Mr. BYRNS] to nonconcur.

Mr. MANN. The vote upon the motion to concur is in effect a disagreement, is it not, where the House refuses to concur?

The SPEAKER. The gentleman is correct. The amendment is not concurred in. The Clerk will report the next amendment, No. 62.

The Clerk read as follows:

In order to promote economy in the distribution of supplies and in auditing and accounting, the Postmaster General may designate districts and central offices in such districts through which supplies shall be distributed and accounts audited, but in no case shall the postmaster at the central station be given authority to abolish offices, to change officers or employees in offices included in such district.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House nonconcur in amendment No. 62.

The motion was agreed to.

The SPEAKER. The Clerk will now report Senate amendment No. 71.

The Clerk read as follows:

Page 152, strike out section 7, which is as follows:

"SEC. 7. That to provide, during the fiscal year 1918, for increased compensation at the rate of 10 per cent per annum to employees 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 who receive salaries at a rate not more than $1,800 per annum and not less than $1,200 per annum, so much as may be necessary is appropriated: *Provided*, That this section shall only apply to the employees who are appropriated for in this act specifically and under lump sums or whose employment is authorized herein: *Provided further*, That detailed reports shall be submitted to Congress on the first day of the 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."

And insert in lieu thereof the following:

SEC. 7. That to provide, during the fiscal year 1918, for increased compensation at the rate of 15 per cent per annum to employees who receive salaries at a rate per annum of $480 or less, and for increased compensation at the rate of 10 per cent per annum to employees who receive salaries at a rate of more than $480 per annum and not exceeding $1,000 per annum, 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 under lump sums or whose employment is authorized herein: *Provided further*, That detailed reports shall be submitted to Congress on the first day of the 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. BYRNS of Tennessee. Mr. Speaker, I move that the House nonconcur in Senate amendment No. 72.

The motion was agreed to.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House agree to the conference asked by the Senate.

The motion was agreed to.

The Chair announced the following conferees: Mr. BYRNS of Tennessee, Mr. SISSON, and Mr. GOOD.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20632, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. PAGE of North Carolina in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20632, the title of which the Clerk will report.

The Clerk read the title, as follows:

A bill (H. R. 20632) making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes.

The Clerk read as follows:

BUREAU OF MEDICINE AND SURGERY.

Medical department: For surgeons' necessaries for vessels in commission, navy yards, naval stations, Marine Corps, and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Naval Medical School, Washington, and Naval Academy, and toward the accumulation of a reserve supply of medical stores, $1,121,740.

Mr. SMITH of Michigan. Mr. Chairman, I think in the strenuous times we are now experiencing that there is no more important measures than the Army or Navy bills that could be brought before Congress. I am in receipt of a letter to-day from one of the companies in my district engaged in steel manufacturing, which I would like to have the Clerk read.

The CHAIRMAN. The Clerk will read the letter in the time of the gentleman from Michigan.

The Clerk read as follows:

ALBION, MICH., *February 6, 1917.*

The Hon. J. M. C. SMITH,
Washington, D. C.

MY DEAR MR. SMITH: In these strenuous times the writer rather wishes to offer his services and the services of our plant, which now has a pay roll of something over 200 men and is able to turn out wire and ironwork, such as steel equipment for the Army in the nature of racks, troughs, and other sheet-iron equipment.

Our machine shop is fairly well equipped with lathes, millers, and shapers and can handle small machine work very nicely.

If we can be of help in any way, kindly feel at liberty to call on us, and if you will, kindly notify the proper person.

Please feel at liberty to call on the writer for anything that we can do.

With very kindest regards, I remain,

Yours, very truly,

UNION STEEL PRODUCTS CO. (LTD.),
GEO. E. DEAN,
President and General Manager.

Mr. SMITH of Michigan. Mr. Chairman, this is one of the finest institutions in Michigan. In these trying hours for the Nation I commend the gentleman, Mr. Dean, for his lofty Americanism, his high citizenship, and unexcelled patriotism. It is such spirit that makes our Republic invincible. I know that the greatest peace advocate in the United States, Mr. Ford, of Detroit, has offered his plant with 35,000 employees to the Government in case of war to manufacture munitions. Now, I do not know, but I hope and pray that we will not be obliged to go to war; but if we do go into war the fiber and manhood of Michigan's best blood will fully respond, as it did in the days past, and in like manner, as during the Civil War, when it had a population of 750,000 people and sent 90,000 troops to the front from that State alone. At that same ratio and proportion it could now raise an army of 400,000 men. Now, I can not say, after listening to the argument somewhat closely of gentlemen who have spoken upon this bill, that I am in complete accord with expending so many hundred millions of dollars for warships alone, and not giving more attention to the aeroplane service, to the submarine service, to fighting with fire, to fighting with liquid air. It seems to me that these modern devices should have more attention, and I base that

upon the fact that there is nearly one-half of our present fighting force of ships that are tied up to the docks for want of men in order to operate them. Instead of building more warships and dreadnaughts, if I had my way, I think more attention should be given to recruiting the Army and recruiting the Navy, so that we could use the warships we now have but no men to operate them. Mr. Chairman, if we must strike, everything should be done that human ingenuity could do to make that war effective and our Navy and our Army successful. We are not going into any boy's play. To me it was a serious thing to break off relations with a great country, and it will not be any easy matter to establish those relations again. We are coming to a time, whether it be for the purpose of war or whether it be for the purpose of adjustment after the war, when we will need an Army and a Navy that can back up our position. It does not make any difference whether we remain neutral or whether we are called upon to fight, we will be called upon at the end of this war, whether we are in or out, to regulate our affairs to the adjustments and readjustments of the settlement made. Under any and all circumstances it behooves us to be ready. Mr. Chairman, it is an honor and a privilege to present this patriotic letter. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS.

Pay of the Navy: Pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, $15,333,156.42; officers on the retired list, $2,940,368.72; commutation of quarters for officers on shore not occupying public quarters, including boatswains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, $675,679; and also members of Nurse Corps (female), $1,000; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $4,000; pay of enlisted men on the retired list, $492,657.34; extra pay to men reenlisting under honorable discharge, $1,400,000; interest on deposits by men, $12,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineers' force and men detailed for duty with the Fish Commission, 68,700 men; and pay of enlisted men of the Hospital Corps, and for the pay of enlisted men detailed for duty with the Naval Militia, $26,835,914.67; pay of enlisted men undergoing sentence of court-martial, $225,000, and as many machinists as the President may from time to time deem necessary to appoint; and hereafter the pay of warrant officers while on shore duty during the fourth three years' service shall be $1,750 per annum; and 6,000 apprentice seamen under training at training stations, and on board training ships, at the pay prescribed by law, $950,400; pay of the Nurse Corps, $141,600; rent of quarters for members of the Nurse Corps, $12,000; retainer pay and active-service pay of members of the Naval Reserve Force, $2,000,000; in all, $51,023,776.15; and the money herein specifically appropriated for "Pay of the Navy" shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund; and hereafter advances of pay not to exceed three months' pay in any one case may be made to officers ordered to and from sea duty and to and from shore duty beyond the seas, under such regulations as the Secretary of the Navy may prescribe.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. GARDNER rose.

Mr. STAFFORD. I do not desire to take the gentleman from Massachusetts off the floor, but I assume he wants to offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment. Does the gentleman care to argue the point of order or reserve the point of order?

Mr. STAFFORD. I reserve the point of order. There are several new items of legislation in the paragraph just read which I would like to have the gentleman explain the necessity for. For instance, the last paragraph in the bill provides for an advance of pay, not exceeding three months' pay in any one case, may be made to officers ordered to and from sea duty and to and from shore duty beyond the seas. What is the occasion for that phraseology?

Mr. PADGETT. That has been going on ever since the Navy was organized. This is known as "dead horse." An officer is ordered into a foreign country, and the department advances him three months' pay, and we simply express in this language here what has been going on ever since the Navy was organized.

Mr. ROBERTS of Massachusetts. I will ask the chairman if the desire was not expressed to have it put in this language?

Mr. STAFFORD. This is nothing more than confirming a regulation of the department that has been in existence for years and years.

Mr. PADGETT. Many, many years.

Mr. ROBERTS of Massachusetts. A hundred years at least.

Mr. STAFFORD. It does not provide for any increase in salary. It only provides for an advance allowance of a part of his salary?

Mr. PADGETT. That is all.

Mr. STAFFORD. I wish to inquire as to the new phraseology at the bottom of page 33, providing for pay of warrant officers doing shore duty.

Mr. PADGETT. I can not answer that better than to read to you from the hearings:

Mr. McGOWAN. That is to correct a manifest clerical error which has existed for quite a long time in the pay of warrant officers. The pay of warrant officers is based on the first 3 years, the second 3 years, the third 3 years, and fourth 3 years. Now, after the first, second, and third 3 years it jumps up regularly every three years, because presumably a man is worth more; but there is no jump for the fourth 3 years. It remains at $1,625 until the fifth 3 years, but in the next 3-year period it takes two jumps, or goes $250 at one jump. That is evidently a clerical error, and I should very much like to correct it.

Mr. BUTLER. That does not increase the salary.

Mr. PADGETT. It increases it $125.

Mr. STAFFORD. It divides up the $250 increase over the two periods?

Mr. PADGETT. Into $125 for each one.

Mr. STAFFORD. Just one further inquiry, and that is as to the new language as found in lines 22 and 23 authorizing the President to employ as many machinists as he may from time to time deem necessary. Or is that old language?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. According to the bill I have it is new language, and I was wondering whether under that language the President would be authorized to employ large numbers of machinists.

Mr. PADGETT. That has been always the law.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order with those explanations.

The CHAIRMAN. The gentleman withdraws a reservation of the point of order. The gentleman from Massachusetts [Mr. GARDNER] offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 33, line 20, strike out "$26,835,914.67" and insert "$30,435,914.67."

Mr. GARDNER. Mr. Chairman, if this amendment is adopted it will enable each enlisted man of the Navy to receive $5 more pay a month. If it is adopted, it will be necessary to adopt two more amendments in order to complete it. One of them is subject to a point of order. If it is rejected, I shall not attempt the other amendments. The reason I believe the enlisted men of the Navy ought to receive $5 more a month apiece is this: We have authorized 77,956 enlisted men in the Navy of the United States. We were short on February 1, according to Admiral Palmer, 24,500 men. In other words, out of every three men necessary to man our ships we had only two. That is why we had to put six battleships "in reserve" on May 12 last and three more in October, in order to man our dreadnaughts and a destroyer division. We reduced the crews of those nine battleships 60 per cent each. We put three battleships "in reserve" the other day, when the *Arizona* was commissioned. Not one of the three had been in commission as long as 10 years.

Now, Mr. Chairman, the Secretary of the Navy appeared before the Naval Committee. He told the committee that the enlisted men ought to be paid more money. He said that they were worth more money than they are getting now. The base pay of the enlisted men of the Navy is only $17.60 a month.

Now, I see by the morning paper that the Secretary said yesterday that the January enlistments were far above the average. Very likely; January enlistments generally are far above the average. I notice that the Secretary testified before the Committee on Naval Affairs that in November, December, and January, during the winter, is the best period for recruiting. The fact remains we can not get men in the Navy because we do not pay them enough, and for the same reason we can not get men in the Army. If this amendment is adopted, it will cost the Government $3,600,000 more every year. That is the sum which the Secretary of the Navy estimates will be necessary in order to pay each enlisted man $5 more a month.

Mr. LONGWORTH. Can the gentleman state what the pay is in the English Navy?

Mr. GARDNER. I can not. But I know it is a great deal lower than ours. But, then, of course, the British Army is very much underpaid as compared with ours. A private in the Canadian Army, the over-seas army, is paid $33 a month, while a private in our Army is paid only $15 a month in time of peace. In the Spanish War privates received $16.50 per month.

Mr. LONGWORTH. Does the gentleman think that $5 more a month would result in increasing the number up to the desired strength?

Mr. GARDNER. I think that is what the Secretary says. I am not quite sure that that was what he said, but I shall put his exact evidence in the RECORD.

Mr. SMITH of Michigan. I want to say it is very important that we recruit up the Army and recruit up the Navy, and I think one of the ways for doing it is to give them a reasonable compensation; and I think that those of us who stay at home and get a good salary while they go to the front and enlist in the Army to perform that service can afford to pay them more, even to share a part of our salary with them, and I am very much in favor of the amendment.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. GARDNER] has expired.

Mr. GARDNER. Mr. Chairman, I should like one minute more.

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

Mr. GARDNER. Mr. Chairman, in reply to the inquiry of the gentleman from Ohio [Mr. LONGWORTH] I find that I incorrectly stated the Secretary's testimony. Here are his exact words in a colloquy with Congressman KELLEY, of Michigan, a member of the Naval Committee. Mr. KELLEY asked:

If that would get the men, it would be worth while to do it?

To that Secretary Daniels responded:

Undoubtedly. I think it would tend to still further increase the first enlistments and retain experienced men in the service.

Mr. LONGWORTH. Was the amount, $5, mentioned?

Mr. GARDNER. Yes; the amount, $5, was mentioned. But I was mistaken in saying that the Secretary expressed the opinion that that increase would attract enough recruits to bring the Navy up to its full authorized strength.

Mr. TAGUE. Mr. Chairman, I believe in the amendment offered by my colleague from Massachusetts [Mr. GARDNER]. Representing a district where it is necessary for me to come in contact a great deal with men in the naval service, I agree with what the gentleman from Massachusetts has said.

But I would go a step further, Mr. Chairman. I can readily understand why at this time it is impossible to get men to go into the Navy at the wage that is offered to them. It is because it is easier to get work with higher wages elsewhere. But this is not all. Mr. Chairman, there have been more men driven out of the Navy through the arrogance and unfair methods of officers whom this Government has educated than from any other cause connected with the naval service.

I can cite, Mr. Chairman, many, many cases of young men who have gone into the Navy intending to serve their country, but as soon as their enlistment is over no inducement could bring them back into the service because of the ill treatment they had received at the hands of some of the officers in control of our ships.

Now, I do not say that is so with respect to all the officers. Some of them are reasonable and considerate. But there are too many officers to-day in the Navy who believe they are just a little bit better than other people, simply because they wear the uniform of Uncle Sam. They do not want to believe that the young man who enlists and who comes from just as good families as they do, though with perhaps not the same opportunities, but wanting to serve his country in the Navy, to learn something, has a right to expect considerate treatment. The moment some of these officers get these young men under them they drive them in such a way that they overtax their patience and stifle their ambition, so that the moment an opportunity is presented those young men leave and never go back to the Navy.

How can they help deserting from the Navy under those conditions? And this does not apply altogether or alone to the enlisted men in the Navy. It applies also to the workmen in navy yards. I venture to say there are to-day filed in the office of the Secretary of the Navy, from me alone, at least 200 complaints concerning the manner in which men have been treated by officers placed in charge of work in the navy yards. Competent mechanics, men who know their business, are ridden over by young officers just beginning their service who do not know how to handle men and can not properly perform the service that is expected of them. I know of cases, Mr. Chairman, where mechanics, men who wanted to work in the navy yard, but who could not stand the arrogance of these young officers, have left and gone to private shipyards where they work under competent superiors.

The only consolation to-day in the Boston yard is that we have a good man, Capt. Rush, who is in command of the yard, and a first-class constructor, Capt. Baxter, who is in charge of the construction department. We are fortunate in having such men, for they at all times try to be fair to the workmen, unlike some of their assistants, who run roughshod over men who can teach them their business.

Mr. Chairman, I know of a young man who while serving in the Navy on board the U. S. S. *Memphis* was scalded and wounded so badly, and then further injured by an iron cover falling on his head, that he lay in the hospital at Charleston for 12 or 14 weeks. After leaving the hospital he was then sent aboard a ship to do light duty. As soon as he got on board the ship and found himself unable to perform the service required of him he notified his superiors of his inability to work. He was immediately put at hard labor; and being unable to perform that hard labor, he was charged with neglect of duty and discharged from the Navy with a dishonorable discharge. This young boy is now crippled for life as the result of his injuries. When I brought the matter to the attention of the Secretary of the Navy he withdrew that discharge, notwithstanding the fact that the officer on the ship had signed the order to the effect that the young man was unfit for service and had a dishonorable discharge handed to him. Thanks to the Secretary of the Navy, the dishonorable discharge has been withdrawn, and that boy to-day has an honorable discharge from the Navy.

I have to-day a case pending before the Navy Department where some mechanics in the navy yard at Boston, because they would not bow the knee to these arrogant, overbearing officers, have been blacklisted and excluded from the service for one year.

There are too many of these cases, Mr. Chairman, in the naval service. It is time some of these officers were made to realize that while this Government is willing to give them everything to work with and will do everything in its power to make them competent and able to perform the service they are expected to perform for the country the citizens and laymen of this country also have some rights. It is time this abuse of workmen should stop. This is one reason why you can not get the men necessary to build your ships. This is the reason why you can not get a sufficient number of men to serve in the Navy. The men will not serve under officers of this kind. Any Member who has a navy yard in his district knows that I am telling the truth.

Let me cite another instance. A workman in the navy yard in my district in charge of a gang of men was commended in general orders by the Navy Department. He received letters of commendation from the Secretary of the Navy, from the commandant in charge of the yard, and from the constructor in the yard for efficiency in workmanship and efficiency in conduct. Two days after he received that letter from the Navy Department a young junior officer in the Navy, to show his authority and perhaps offended because the workman had received the commendation over his head, went after the young man, found fault with his work, and had him suspended from duty for inefficiency and poor conduct.

When this was brought to the attention of the commandant of the yard he immediately reinstated the man and put him back on a Friday afternoon. On Monday morning, before he had a chance to get his crew together, this same junior officer in the Boston Navy Yard filed charges of incompetency against him, and after his discharge sent his name and that of his assistants to the Civil Service Commission with a poor conduct and poor workmanship discharge. Fifteen minutes after they left the navy yard these men went over to another shipbuilding company and were employed at wages a dollar a day higher than they were receiving in the navy yard. Nevertheless for one year these three workmen under the civil-service rules will be deprived of an opportunity of working in the navy yards of this country, or in any other branch of the Government service, unless the Secretary of the Navy shall correct this injustice.

Mr. Chairman, this is the trouble with our navy yards. This is the trouble with our Navy Department. The difficulty is not so much that you can not get the men. It is well known that men have been driven away from the Navy and good workmen from the navy yard. They have been driven away by the contemptible acts of men whom this Government has trained and supported at the expense of the people; men whom this Government has educated to know better and who do know better. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PADGETT. Mr. Chairman, I know nothing, and this House can know nothing, about the individual cases that the gentleman refers to. I do know this, though, that the officers with whom I have come in contact, a great many of them, show evidence of great interest in the enlisted men in the Navy and

in the workmen. I have talked with workmen and with enlisted men numbers of times, and they have always expressed the same sentiments.

Now, with reference to the amendment offered by the gentleman from Massachusetts [Mr. GARDNER] increasing the amount of the appropriation for the pay of the enlisted men from $26,000,000 to something over $30,000,000, I want to call the attention of the committee to the fact that that amendment would accomplish absolutely nothing except to make an excessive appropriation. The department has estimated that by June 30, 1918, the end of the fiscal year for which this appropriation is made, we shall have increased the enlistments to 70,000, and this is to take care of the pay of that number of men up to that time. Now, the gentleman has overlooked the fact that the law fixes the pay of the men in the different ratings, and if you should appropriate more money you would not give any individual any more than the law allows.

Mr. GARDNER. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. GARDNER. The gentleman can not have listened to the first part of my statement. I said if this was adopted it would be necessary to change the total later, and also to insert a provision increasing the pay of the enlisted men. That will all be done unless the gentleman raises a point of order.

Mr. PADGETT. I shall do that.

Mr. GARDNER. Ah!

Mr. PADGETT. For the simple reason that last August we passed a law giving the enlisted men many substantial and distinct advantages and increases, and under the operation of this law enlistments are moving along with good satisfaction. Until we have given that a trial, there is no good judgment in rushing forward and adding more at this session of Congress.

Mr. COX. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. COX. How much do we pay our enlisted men now?

Mr. PADGETT. The base pay at starting is $17.60 a month, and then they increase, with longevity pay and with advancement.

Mr. COX. What do they get at the end of their first three years?

Mr. PADGETT. I believe the period is a three-year period. Then on the second enlistment they get more, and then they are soon promoted up into higher grades, and the pay runs up to $75, $90, and $100 a month.

Mr. COX. In the first three years they get $17.60 a month?

Mr. PADGETT. And their board.

Mr. COX. Anything else?

Mr. PADGETT. They get their medical treatment.

Mr. COX. Do they get any clothing?

Mr. PADGETT. Yes. They get as a first outfit $60 worth of clothing.

Mr. COX. The first three years do they get their clothing?

Mr. PADGETT. Yes; when they first enlist.

Mr. COX. And their board, and things of that kind?

Mr. PADGETT. Yes.

Mr. TAGUE. Is that taken out of their pay?

Mr. PADGETT. No, sir; it is not.

Mr. COX. How does their pay compare with the pay of the men in the English Navy before the war broke out?

Mr. PADGETT. It is much larger.

Mr. COX. What was the English pay before the war broke out?

Mr. PADGETT. I do not remember definitely, but I should say not exceeding two-thirds of ours. I make that statement offhand.

Mr. BUTLER. I did not think it was half as much.

Mr. COX. Does the gentleman know what was paid in the German Navy?

Mr. PADGETT. Still less than that. It is almost conscription in the German Navy.

Mr. SMITH of Michigan. Does the gentleman think that under the present high wages that are paid by other institutions employing workmen we could ever get any perceptible increase in the Army or Navy for $17.60 a month?

Mr. PADGETT. We are getting very good increases. During the month of January the increase was 1,344, during that one month.

Mr. SMITH of Michigan. How long, at that rate, will it take to get the full complement?

Mr. PADGETT. On the 1st of July, 1918, they expect to have the enlisted strength up to 70,000 men.

Mr. SMITH of Michigan. What do they pay for enlisting each man?

Mr. PADGETT. They offer $5 to the postmaster for each enlistment, and then they have recruiting stations out gathering them up through the country.

Mr. GARDNER. Will the gentleman yield?

Mr. PADGETT. Certainly.

Mr. GARDNER. The gentleman said that they expect the Navy Department to have 70,000 men by the 1st of July, 1918. Is that true?

Mr. PADGETT. That is the information I get from Admiral Palmer.

Mr. GARDNER. Is it not true that 78,000 are required according to the bill last year?

Mr. PADGETT. Yes; we authorized 77,000.

Mr. GARDNER. Yes; 77,056. Now, the chairman said to Secretary Daniels, when he recommended the increase, that Admiral Palmer had told him that the prospects were that they would get 10,000 in the next year, and Secretary Daniels said that he hoped to do so.

Mr. PADGETT. We passed a law that became effective on the 29th of August, 1916. Under that regulations were promulgated and sent out through the country, but the people had to have time to learn about it; and the prospects since that time are very much better. Under the reserve law that we passed last year giving retirement after six years for life to go into the reserve, and with the increase of the retainer, giving grades in the reserve corps and the increase of pay, we are offering them so many more advantages under the act of August 29, 1916, that I am informed there is great satisfaction going out as it becomes known; and I hope the amendment of the gentleman will be voted down, because it would not yield one dollar to the enlisted men.

Mr. GARDNER. Mr. Chairman, I move to strike out the last two words. Now, Mr. Chairman, the gentleman from Tennessee is correct in saying that the mere adoption of this amendment would not raise the enlisted men's pay. I have here an amendment which will be offered on the next page which will raise their pay, if the gentleman does not raise the point of order.

Mr. PADGETT. I have been very frank to say to the gentleman that I would raise the point of order.

Mr. GARDNER. Precisely; I was going to call attention to it. The gentleman has stated that he will raise the point of order, but I make this prediction—if the House raises the total amount of money carried in this paragraph with the avowed purpose of giving enough funds to enable the Secretary of the Navy to pay $5 a month more to each enlisted man, when the bill arrives at the other end of the Capitol, the Senate will amend it with a provision increasing the statutory pay of enlisted men by $5 per month.

The gentleman calls attention to the great improvement in the lot of the enlisted man under the act of last August. All that improvement had taken place at the time when the Secretary gave his evidence. It was on the 11th day of December last that the Secretary appeared before the Committee on Naval Affairs and preferred that request for increasing the pay $5 per month for the enlisted men.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

Mr. GARDNER. Certainly.

Mr. WATSON of Pennsylvania. From what condition of life do you depend for recruits?

Mr. GARDNER. Many come from the country districts. The Secretary speaks exceedingly well of the character of the class of enlisted men he has got. He says that 90 per cent of them have somebody dependent upon them. He also says that the men in civil life who are doing every kind of duty are getting higher pay. Here is the amendment which I shall offer on the next page of the bill, if this amendment carries, to wit: Add at the end of the paragraph the words "and hereafter the pay of the enlisted men of the Navy shall be increased $5 each per month."

Mr. RAINEY. Mr. Chairman, I move to strike out the last two words. I do that in order to have a telegram, which I have just received, read at the desk.

The Clerk read as follows:

ROODHOUSE, ILL., *February 8, 1917.*

Hon. HENRY T. RAINEY, M. C.,
Congress Hall Hotel, Washington, D. C.:

The entire plant of Eli Bridge Co. is at the service of the United States Government in case of war. Please communicate this to proper authorities.

W. E. SULLIVAN,
President Eli Bridge Co.

Mr. EMERSON. Mr. Chairman and gentlemen of the committee, at this time, when our Nation seems to be involved in a great crisis, it is well to know how some of the German-Americans of this country feel concerning this Republic, and I desire to have the Clerk read in my time a letter from A. J. Gaehr, one of the leading German-American citizens of Cleveland, Ohio.

The Clerk read as follows:

CLEVELAND, *February 6, 1917.*

Hon. H. I. EMERSON,
Washington, D. C.

MY DEAR MR. EMERSON: May I say a personal word with reference to the delicate international relations that now exist between this country and Germany? Whatever I write is done in the spirit of sincere loyalty to this country.

I am the son of a naturalized citizen of German birth and I have no other desire than that this country shall be at honorable peace with all nations, and I believe those who violate international law must suffer the penalty. It is because I have such high regard for America and sincere attachment for it, and it is because I have not altogether forgotten the old home that I am anxious that both parties remain in friendly relations.

We must not forget that the present tension has been brought about because we permitted one nation to violate international law with impunity and held another to strict observance of it; and while I do not in any sense criticize the strict enforcement of it—quite the contrary—I sincerely indorse it. We must not be too severe when we have been in part responsible for it.

Moreover, I wish to say I shall loyally support this Government in case of a break, or if worse conditions should obtain, because I believe not in "America first," but in "America only."

I should deplore the conditions if we should permit ourselves to be drawn into the vortex of the horrible conditions that now prevail in Europe and do what the allies desire to have us do, namely, fight their battles. We pull no one's chestnuts out of the fire; we fight for no other nation. Let them settle their own grievances. We fight for this country alone.

I would urgently request that you use your utmost endeavors to prevent a hostile outbreak between this country and Germany or any other country, so long as the conditions are not incompatible with our self-respect or rights or duties. The thought that we should go abroad and kill individuals and have our citizens killed by others, who have never seen one another and have no personal grievance, is almost too horrible to bear. For that reason I urge, if at all possible or proper that peaceful relations be maintained or if war must come, that we fight for America and for no other country.

Those who would have us fight for them now are the ones who opposed the establishment of the Republic and hampered this country in every possible way during the Civil War, and those whom they would like to have us oppose and attack are the ones that sent over delegations that helped to fight, like Baron Steuben, who rendered such invaluable service to the Continental troops. And remember that those of German birth furnished a larger contingent of the Army that upheld the Nation in 1861 to 1865 than all of the foreign nations combined. At any rate, this is not the time for passing snap judgment, but for calm deliberation.

Yours, very truly, A. J. GAEHR.

Mr. BUTLER and Mr. DYER rose.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and upon the paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate upon the paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Chair will recognize the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. Mr. Chairman, I shall divide my five minutes with the gentleman from Missouri [Mr. DYER]. I thought when we began the consideration of this bill that it might be necessary to increase the pay of the enlisted men of the Navy. With that in mind, I asked the Secretary of the Navy a good many questions. Since that time I have concluded that it might be well to postpone the increase of pay until some time in the near future, when we can ascertain positively whether these recruits can be had—not to keep the pay from the men, but to see how the legislation which we passed last August may affect the enlistment. The gentleman from Tennessee [Mr. PADGETT] was wrong in the number of years of the enlistment period. It is four years, and during that time the enlisted man who behaves himself well has ample opportunity for promotion.

Mr. PADGETT. Many of them get promotion within the first year.

Mr. BUTLER. Many of them are promoted the first year and their wages increased.

Mr. COX. How much?

Mr. BUTLER. From $2 to $4 a month, depending upon the promotion. My recollection is that the first promotion is $2 per month; and I think the second is four. I will say to the gentleman that the promotions are graded, they are fixed by law and by regulations of the Navy.

Mr. COX. Then it is possible to have promotion and increase of salary during the first period of enlistment?

Mr. BUTLER. Yes.

Mr. PADGETT. And they get prizes and trophies besides.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. GARDNER. What proportion of the enlisted men are promoted in their first year?

Mr. BUTLER. I am sorry that I can not answer that question. The opportunity to be promoted and the opportunity for more of them to advance was given by the bill that we passed last August. It was then the purpose of Congress not to tempt the men to enlist in the Navy, but to help the men who did enlist. Their opportunities were doubled. They now have the chance after five or six years' service of going into the reserve, where they will draw pay as long as they stay in the reserve.

Mr. COX. How much when they get to the first reserve?

Mr. BUTLER. I will ask the chairman of the committee what is the retainer pay?

Mr. PADGETT. It is $12 a year the first year, but then they get two months' pay during the year at the rating at which they went out of the regular service, and then at the different ratings their pay increases, and it runs along through life.

Mr. TALBOTT. And besides that we provide that 100 men shall be appointed from the enlisted force to the Naval Academy.

Mr. TAGUE rose.

Mr. BUTLER. Mr. Chairman, before I yield to the gentleman from Massachusetts, this service of the Government as a Naval Reserve service gives a promise of being extremely popular because of the great number of enlistments in it.

Mr. TAGUE. What percentage of the men reenlist after their first service?

Mr. PADGETT. I have not got the last year, but the year before that 85 per cent of them reenlisted. I understand that during this year it has been reduced down to about 65 per cent or 75 per cent, but a good many went into the reserves.

Mr. BUTLER. I have always had it in mind that about three-fourths of the men reenlisted. The number may have decreased this year because of the advantages from the outside. I fear that I have taken up all of the time instead of yielding a part of it to the gentleman from Missouri, and I will ask the Chairman of the committee to open the door so that he may have five minutes.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired, and, by unanimous consent, all time has expired.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent——

Mr. PADGETT. Does the gentleman from Missouri desire to speak on the amendment or something else?

Mr. DYER. Just a couple of minutes.

Mr. PADGETT. The gentleman can get it after we have had a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. GARDNER].

The question was taken and the amendment was rejected.

Mr. PADGETT. Mr. Chairman, I am going to move that the committee rise and if the gentleman from Missouri wants his five minutes now, will the gentleman move to strike out the last word? Let him get in now if he desires, as I am going to move that the committee rise.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to address the committee for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DYER. Mr. Chairman, I want to say a word in behalf of this amendment because I believe that one of the troubles we have now with reference to securing eligible men for enlistment in the Army and Navy is the small pay as well as because of the fact that the Government of the United States does not show to the men after they have been discharged from the service the consideration which they ought to show them as compared with employment in civil life. Other countries of the world, practically all, are far ahead of the United States in that respect. But one thing I want especially to speak of while I have the floor is in reference to the suggestion that comes from the gentleman from Ohio [Mr. EMERSON] in the letter that he had read here from the desk from a citizen of German ancestry. It seems to me, Mr. Chairman, that it is an insult to the men of our Nation, born in Germany or of German parentage, to have it even intimated on the floor of this House that they are not as loyal Americans as those of any other nationality or breed. [Applause.] I recently returned from a two-day stay in my city of St. Louis and there we had the papers every hour practically containing the alarming headlines of the imminent danger of this country entering into war with Germany, and I am proud to say that in that city we have a very large population of men of German birth or of German ancestry and I had the privilege of talking with many of them while I was there and to see their views expressed in newspapers of that city, and I want to say, Mr. Chairman, that not one word did I hear or read in the newspapers, coming from any men of German birth or German ancestry, but what said in effect, "We will stand loyally behind the President of the United States in what he has done so far." [Applause.] "We believe that the President took the position that he in honor had to take in the name of the honor and glory of our great country." There is no division respecting the people of German birth or of German ancestry, and even to have it intimated here in any way that they are not

as loyal is in my judgment not only unnecessary but an insult to that great patriotic people of our land. I yield the balance of my time to the gentleman from Pennsylvania [Mr. MILLER].

Mr. MILLER of Pennsylvania. Mr. Chairman, I shall not detain the committee but a moment. I have some observations which I desire to make on this bill, and in place of speaking them I will ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of Michigan. Mr. Chairman, I make the same request.

Mr. GARDNER. Mr. Chairman, I make the same request.

The CHAIRMAN. Without objection, the requests will be granted. [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. PAGE of North Carolina, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20632, the naval appropriation bill, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles and a resolution, in which the concurrence of the House of Representatives was requested:

S. 8079. An act to amend the first and seventh paragraphs of section 4414 of the Revised Statutes of the United States as amended by the act of April 9, 1906;

S. 8105. An act granting the consent of Congress to the Conway County Bridge District to construct, maintain, and operate a bridge across the Arkansas River, in the State of Arkansas; and

Senate concurrent resolution 29.

Resolved by the Senate (the House of Representatives concurring), That the appreciation of the Government and the people of the United States is hereby expressed of the action taken by the people of Thorold, Ontario, Canada, in erecting a monument near that place to commemorate the death on the battlefield of Beaverdams, or Beachwood, of a number of soldiers in the service of the United States who there lost their lives during the War of 1812.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 8669. An act authorizing the Secretary of the Interior to extend the lease of certain land in Stanley County, S. Dak., for a buffalo pasture.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13831. An act to amend section 4464 of the Revised Statutes of the United States, relating to number of passengers to be stated in certificates of inspection of passenger vessels, and section 4465 of the Revised Statutes of the United States, prescribing penalty for carrying excessive number of passengers on passenger vessels, and section 4466 of the Revised Statutes of the United States, relating to special permits for excursions on passenger steamers; and

H. R. 15314. An act to punish persons who make threats against the President of the United States.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3699. An act to donate to the city of St. Augustine, Fla., for park purposes the tract of land known as the powder-house lot.

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. 358. Joint resolution authorizing the granting of permits to the committee on inaugural ceremonies on the occasion of the inauguration of the President elect in March, 1917, etc.

HOUSE BILL WITH SENATE AMENDMENTS.

Mr. FERRIS. Mr. Speaker, I ask the Speaker to lay before the House the bill H. R. 8492 with Senate amendments, and I move to concur in the Senate amendments.

The SPEAKER. The Chair lays before the House the bill the title of which the Clerk will report.

The Clerk read as follows:

An act (H. R. 8492) to restore homestead rights in certain cases.

The Senate amendments were read.

Mr. FERRIS. Mr. Speaker, I move to concur in the Senate amendments.

The question was taken, and the Senate amendments were concurred in.

PAYMENTS ON CHEYENNE AND ARAPAHOE INDIAN RESERVATION.

Mr. FERRIS. Mr. Speaker, another short matter. It will take but a moment to dispose of it. I ask unanimous consent to take from the Speaker's table the bill S. 7757, a similar House bill being on the calendar.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to take from the Speaker's table the bill S. 7757, a bill of similar tenor being on the House Calendar. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 7757) authorizing a further extension of time to purchasers of land in the former Cheyenne and Arapahoe Indian Reservation, Okla., within which to make payment.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to grant to purchasers of land in the former Cheyenne and Arapahoe Indian Reservation, Okla., sold in the year 1910, under the act of Congress approved June 17, 1910 (36 Stat. L., p. 533), a further extension of time to make payment; the unpaid portion of the purchase price shall be divided into five equal portions, one portion to be due November 15, 1918, and one portion thereof November 15 of each of the four succeeding years, interest to be paid on each installment or portion when due at the rate of 5 per cent per annum: *Provided*, That interest due under existing law granting extensions of time must be paid up to November 15, 1916, within 90 days from the passage of this act: *Provided further*, That failure to pay any installment, as well as the interest thereon, as the same becomes due, as herein provided, will forfeit the entry and the same shall be canceled, and any and all payments previously made shall be forfeited.

Mr. MANN. Mr. Speaker, I move to amend. I think the amendment would come on line 1 by the way the Clerk read the bill, on page 2, where it reads "interest to be paid on each installment or portion when due," by inserting after the word "paid" the word "annually," and striking out the words "when due."

Mr. FERRIS. That amendment is entirely agreeable, and makes it clearer than it was before.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Page 2, line 1, after the word "paid," insert the word "annually," and in line 2 strike out the words "when due."

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

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

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, by unanimous consent, a House bill, H. R. 19785, of similar tenor was laid on the table.

EXTENSION OF REMARKS.

Mr. MURRAY. Mr. Speaker——

Mr. MANN. Mr. Speaker, I make the point of order there is no quorum present.

Mr. MURRAY. Just a moment. I want to extend some remarks.

Mr. MANN. Very well.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on two subjects: First, the subject of "Criminal record of 'beer' and 'liquor' compared," and on "Essentials for rural-credit law."

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD on the subjects mentioned. Is there objection?

There was no objection.

LATE SENATOR BENJAMIN F. SHIVELY.

Mr. DIXON. Mr. Speaker, I ask unanimous consent that Sunday, February 18, be set apart for eulogies on the life and character of the late Senator SHIVELY, of Indiana.

The SPEAKER. The gentleman from Indiana asks unanimous consent that Sunday, the 18th of February, 1917, be set apart for eulogies on the life and character of the late Senator

BENJAMIN F. SHIVELY, of Indiana. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. DYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, February 9, 1917, 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 Postmaster General, transmitting a schedule of papers and documents which are not needed in the transaction of public business and which, in the opinion of the department, have no permanent value or historical interest (H. Doc. No. 2042); to the Committee on Disposiiton of Useless Executive Documents and ordered to be printed.

2. A letter from the Secretary of War, submitting a possible reduction of the amount provided for aviation under the heading "Signal Service of the Army" (H. Doc. No. 2043); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. NEELY, from the Committee on the Judiciary, to which was referred the bill (H. R. 15730) giving the consent of the United States for the bringing of certain suits in the Supreme Court of the United States, and for other purposes, reported the same without amendment, accompanied by a report (No. 1444), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIOIS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 7486) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors reported the same without amendment, accompanied by a report (No. 1441), which said bill and report were referred to the Private Calendar.

Mr. TILLMAN, from the Committee on Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 20827) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, accompanied by a report (No. 1442), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WEBB: A bill (H. R. 20828) to regulate the conduct of vessels in the ports and waters of the United States in case of actual or threatened war, insurrection, or invasion, or threatened disturbance of the international relations of the United States; to the Committee on the Judiciary.

By Mr. WALSH: A bill (H. R. 20829) authorizing the President to secure vessels of foreign registry from destruction and damage; to the Committee on the Judiciary.

By Mr. HULBERT: A bill (H. R. 20830) prohibiting construction of bridges and construction of additional tracks upon existing bridges over any navigable stream in the city of New York unless the elevation of said bridge at mean high water shall be sufficient to permit the free movement of such vessels as are ordinarily operated upon such navigable stream; to the Committee on Interstate and Foreign Commerce.

By Mr. PADGETT: Resolution (H. Res. 488) providing for the consideration of amendments to H. R. 20632, naval appropriation bill; to the Committee on Rules.

By Mr. SHERWOOD: Resolution (H. Res. 489) providing for pay for the examiner detailed to the Committee on Invalid Pensions from the Pension Bureau; to the Committee on Accounts.

By Mr. GUERNSEY: Concurrent resolution (H. Con. Res. 72) authorizing the Secretary of the Navy to order a ship or ships of the United States Navy to proceed to some designated port of France to bring American officials to the United States; to the Committee on Foreign Affairs.

By Mr. HUMPHREY of Washington: Memorial of the Legislature of the State of Washington, urging appropriation to reimburse the State of Washington for expenditures incurred in recruiting her military organizations to their authorized maximum war strength; to the Committee on Claims.

By Mr. JOHNSON of Washington: Memorial of the Legislature of the State of Washington, urging the construction of a military highway along the north bank of the Columbia River connecting Forts Vancouver and Canby, in the State of Washington; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Washington, urgently requesting the building and maintaining of a military highway along the Pacific coast from the Canadian border to the Mexican border for military necessities and defense; to the Committee on Military Affairs.

By Mr. HAYES: Memorial of the Legislature of California, favoring the passage of House bill 15096, to authorize an exchange of lands between the United States and the several States; to the Committee on the Public Lands.

By Mr. GLYNN: Memorial of the Legislature of the State of Connecticut, declaring the loyalty of the people of Connecticut to the Government of the United States in the present international crisis; to the Committee on Foreign Affairs.

By Mr. McARTHUR: Memorial of the State Legislature of the State of Oregon, favoring the establishment of a naval base at the mouth of the Columbia River, Oreg.; to the Committee on Naval Affairs.

Also, memorial of the Legislature of the State of California, favoring appropriation of money for the improvement of the harbor and bay at Crescent City, Del Norte County, Cal.; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of Oregon, favoring the Owyhee project in Malheur County, Oreg.; to the Committee on Irrigation of Arid Lands.

By Mr. TIMBERLAKE: Memorial of the Legislature of the State of Colorado, favoring the protection and maintenance of the oil industries of the State of Colorado; to the Committee on the Public Lands.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, favoring an appropriation for the construction of the Owyhee reclamation project, in the State of Washington; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of California, favoring an appropriation of $390,000 for the improvement of the harbor at Crescent City, Del Norte County, Cal.; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. TILLMAN: A bill (H. R. 20827) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. FOSTER: A bill (H. R. 20831) granting a pension to Thomas Binnion; to the Committee on Pensions.

By Mr. GLYNN: A bill (H. R. 20832) granting a pension to William Webster; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 20833) to appoint Leonard G. Hoffman as a past assistant paymaster in the United States Navy; to the Committee on Naval Affairs.

By Mr. OVERMYER: A bill (H. R. 20834) granting an increase of pension to Joseph Schlaffer; to the Committee on Pensions.

Also, a bill (H. R. 20835) granting a pension to Marguerite Metzger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20836) granting a pension to Jacob Gish; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 20837) granting an increase of pension to John P. Williams; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Socialist Party of Philadelphia, against the United States in War; to the Committee on Foreign Affairs.

Also (by request), memorial of Equal Rights Association of Kentucky, relative to suffrage for women; to the Committee on the Judiciary.

By Mr. ALLEN: Memorial of Methodist Ministers' Association of Cincinnati, Ohio, approving the exclusion of liquor advertisements from the mails; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petition of J. J. Bowers, New York City, favoring daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Memorial of City Council of Ironton, Ohio, relative to location of the armor plant; to the Committee on Naval Affairs.

Also, petition of Personal Liberty League of Maryland against prohibitory legislation; to the Committee on the Judiciary.

By Mr. CHARLES: Memorial of Manufacturers' Association of Amsterdam, N. Y., protesting against passage of the excess-revenue measures; to the Committee on Ways and Means.

Also, petitions of sundry citizens, of Schenectady, N. Y., against this country involving itself in war; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Petition of the Equal Rights Association of Kentucky, favoring woman suffrage; to the Committee on the Judiciary.

Also, petition of D. J. Sweeney, superintendent of the John Hancock Mutual Life Insurance Co., Boston, Mass., protesting against the increased tax against insurance companies as provided in the revenue bill; to the Committee on Ways and Means.

By Mr. EAGAN: Petition of Henry R. Kent & Co., of New York City, favoring passage of House bill 20080, relative to migratory-bird treaty act; to the Committee on Foreign Affairs.

Also, petition of Bay City's Postal Employees, favoring passage of House bill 17806, relative to salaries; to the Committee on the Post Office and Post Roads.

Also, petition of voters of the eleventh district of New Jersey, against prohibitory legislation; to the Committee on the Judiciary.

Also, petition of Kentucky Equal Rights Association, relative to suffrage for women; to the Committee on the Judiciary.

By Mr. FARR: Paper to accompany bill granting an increase of pension to Margaret Owan; to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of the Equal Rights Association of Kentucky, for legislation for universal suffrage; to the Committee on the Judiciary.

Also, petition of the City Club of Chicago, favoring the Casey bill to establish woman's division in the Department of Labor; to the Committee on Labor.

Also, petition of the Department of Illinois, United Spanish War Veterans, for the Key pension bill; to the Committee on Pensions.

Also, petition of Massachusetts State Board of Trade, for Federal regulation of railway rates, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of Herman Hallstrom, editor Labor News, Rockford, Ill., against declaration of war; to the Committee on Foreign Affairs.

Also, petition of Paul B. Reis, of Rockford, Ill., for House bill 20080, the migratory-bird treaty bill; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Petition of sundry citizens of the State of Massachusetts, protesting against prohibitory legislation; to the Committee on the Judiciary.

Also, petition of Laura A. C. Hughes, Boston, Mass., favoring the administration peace policy; to the Committee on Foreign Affairs.

Also, petition of Charles F. Hackett, Elizabeth Donaldson, Arthur A. Shurcliff, Arthur H. Delhin, Mrs. Charlotte L. Ware, J. A. Bensa, Josephine R. Harrington, and Lydia W. Howes, members of the Massachusetts Branch of the League to Enforce Peace, urging the adoption of the league's peace proposals by the United States; to the Committee on Foreign Affairs.

By Mr. GRIEST: Petition of Bay Cities postal employees (California), urging the enactment of House bill 17806, to increase the salaries of certain employees in the Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of the International Forestry Conference, urging cooperation by the Government with States and the Provinces of Canada to eradicate the pine-blister disease; to the Committee on Agriculture.

Also, petition of United Leather Workers of the World, Philadelphia, Pa., protesting against militarism; to the Committee on Military Affairs.

By Mr. HICKS: Petition of citizens of Nassau County, N. Y., favoring submission to the States of a national prohibition amendment; to the Committee on the Judiciary.

By Mr. KETTNER: Petition of W. B. Storey, vice president the Atchison, Topeka & Santa Fe Railway System, Chicago, Ill., protesting against passage of House bill 9216; to the Committee on Interstate and Foreign Commerce.

Also, petition of A. Young, Order of Railway Conductors; W. K. Ackerley, T. B. La Rue, and F. M. Klinglesmith, all of Needles, Cal., protesting against House bill 19730, the Adamson bill; to the Committee on Immigration and Naturalization.

Also petition of Walter P. Casey, Brawley, Cal., opposing rider in Post Office bill providing for a guaranty fund in lieu of surety bonds; to the Committee on the Post Office and Post Roads.

Also, petition of C. N. White, business manager San Francisco Advertising Club, San Francisco, Cal., protesting against discontinuance of pneumatic-tube service of Chicago; to the Committee on the Post Office and Post Roads.

Also, petition of Melville Klauber, wholesale grocer, San Diego, and O. P. Shepardson, Fullerton, both in the State of California, favoring 1-cent letter postage on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of Dr. John H. Mallery, La Mesa; Milton C. Shepard, San Diego; F. C. Reid, San Diego; C. B. Messenger, Los Angeles Cultivator Publishing Co.; and Frederick H. Eley, Santa Ana, all in the State of California, and John H. Cowles, secretary general the Supreme Council, Scottish Rite, Washington, D. C., protesting against postal rates according to zone system; to the Committee on the Post Office and Post Roads.

Also, petition of W. O. Talbot, secretary Merchants' Association of San Diego, Cal., favoring passage of WILLIAM P. BORLAND's bill to provide standard time for United States; to the Committee on Labor.

Also, petition of Mrs. Mina B. Brust, secretary San Diego Society for Study and Prevention of Tuberculosis, San Diego, Cal., favoring passage of Kent bill, House bill 11864; to the Committee on Interstate and Foreign Commerce.

Also, petition of E. Ellison, secretary Waterfront Workers' Federation of Pacific Coast, San Francisco, Cal., favoring new marine-hospital building at San Francisco, Cal.; to the Committee on Public Buildings and Grounds.

Also, petition of Phil V. Dewey, secretary Typographical Union No. 84, San Bernardino, Cal., favoring raise in salaries of printers employed in post offices; to the Committee on the Post Office and Post Roads.

Also, petition of W. C. Allen, secretary California State Church Federation, Los Angeles, Cal., protesting against enactment of a universal military law; to the Committee on Military Affairs.

By Mr. LINTHICUM: Petition of Frank B. Hall, of Baltimore, Md., against passage of House bill 19730; to the Committee on Immigration and Naturalization.

Also, petition of Equal Suffrage League of Baltimore, Md., favoring the Casey bill, for woman's division in the Department of Labor; to the Committee on Labor.

Also, petition of sundry citizens of Baltimore, Md., favoring national woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of Constance Smith, the Woman's Club of Kensington, and S. C. Hoover, all of the State of Maryland, favoring passage of House bill 20080, migratory-bird treaty act; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of Baltimore, Md., against United States in war with Germany; to the Committee on Foreign Affairs.

By Mr. MORIN: Petition of Mr. E. L. West, secretary of the Bay Cities Postal Employees, Oakland, Cal., with reference to increase of salaries; to the Committee on the Post Office and Post Roads.

By Mr. NORTON: Petitions of Bismarck Verein and citizens of Bismarck and Hebron and German-Hungarian Society, of Dickinson, N. Dak., asking Congress to submit question of war to vote of people of the United States; to the Committee on Foreign Affairs.

By Mr. SHOUSE: Petition of citizens of Harper County, Kans., favoring a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SNYDER: Petitions of sundry citizens of Utica, N. Y., against involvng the United States in war; to the Committee on Foreign Affairs.

By Mr. TINKHAM: Petition of William P. Everts, Mary E. Wynne, Caroline W. Davis, Alice E. Streng, citizens of the State of Massachusetts, favoring the administration peace policy; to the Committee on Foreign Affairs.

Also, petition of Emma M. George, Mary B. Core, Kate A. Coolidge, Mrs. Helen A. Emery, and Enoch Dill, members of the Massachusetts Branch of the League to Enforce Peace, urging the adoption of the league's peace proposals by the United States; to the Committee on Foreign Affairs.

By Mr. YOUNG of North Dakota: Petition of citizens of Hebron, N. Dak., and vicinity, asking that proposal to declare war be submitted to vote of the people; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *February 9, 1917.*

(*Legislative day of Thursday, February 8, 1917.*)

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

SENATOR FROM UTAH.

The VICE PRESIDENT. The Chair, out of order, lays before the Senate the credentials of WILLIAM H. KING, Senator elect from the State of Utah, which will be printed in the RECORD and filed in the office of the Secretary.

The credentials are as follows:

STATE OF UTAH,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, A. D. 1916, WILLIAM H. KING was duly chosen by the qualified electors of the State of Utah a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, A. D. 1917.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 1st day of December, A. D. 1916.

[SEAL.] DAVID MATTSON,
Secretary of State.

CALLING OF THE ROLL.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Brady	Jones	Page	Smith, S. C.
Brandegee	Kenyon	Penrose	Smoot
Bryan	Kern	Poindexter	Sterling
Chamberlain	Kirby	Pomerene	Stone
Clapp	Lane	Ransdell	Thomas
Colt	Lea, Tenn.	Reed	Thompson
Culberson	Lee, Md.	Robinson	Townsend
Curtis	Lodge	Saulsbury	Underwood
du Pont	McCumber	Shafroth	Vardaman
Fernald	McLean	Sheppard	Wadsworth
Gallinger	Martin, Va.	Sherman	Walsh
Gronna	Martine, N. J.	Shields	Warren
Harding	Myers	Simmons	Watson
Husting	Nelson	Smith, Ga.	Weeks
James	Norris	Smith, Md.	Williams
Johnson, Me.	Overman	Smith, Mich.	Works

Mr. MARTINE of New Jersey. I was requested to announce the absence of the Senator from Oklahoma [Mr. GORE] owing to illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present. The District of Columbia appropriation bill is before the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the 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.

The Secretary resumed the reading of the bill, on page 71, line 12.

The next amendment was, under the head of "Health department," on page 71, line 22, after "$1,200," to insert "serologist, $2,500; scientific assistant, $1,200," and on page 72, line 2, after the words "in all," to strike out "$74,040" and insert "$77,740," so as to make the clause read:

Health officer, $4,000; assistant health officer, $2,500; chief clerk and deputy health officer, $2,500; chief, bureau of vital statistics, $1,800; clerks—1 $1,600, 5 at $1,200 each, 4 at $1,000 each, 2 at $900 each, 1 $720; sanitary inspectors—chief $1,800, assistant chief $1,400, 8 at $1,200 each, 2 at $1,000 each, $3 at $900 each; food inspectors—chief $1,800, assistant chief $1,400, 5 at $1,200 each, 6 at $1,000 each, 5 at $900 each; chemist, $2,000; assistant chemist, $1,200; assistant bacteriologist, $1,200; serologist, $2,500; scientific assistant, $1,200; skilled laborers—1 $720, 1 $600, 2 messengers at $600 each; driver, $600; poundmaster, $1,400; watchman, $600; laborers, at not exceeding $50 per month each, $2,400; in all, $77,740.

The amendment was agreed to.

The next amendment was, on page 74, line 4, after the word "machine," to insert "to be immediately available," so as to make the clause read:

For new refrigerating machine, to be immediately available, $500.

The amendment was agreed to.

The next amendment was, on page 74, after line 5, to insert:

Apparatus, equipment, cost of installation, supplies, and other expenses incidental to the biological and serological diagnosis of disease, $1,200.

The amendment was agreed to.

The next amendment was, on page 75, line 18, after the word "maintenance," to strike out "$7,000" and insert "$10,000"; in line 19, before the word "respectively," to strike out "$5,000" and insert "$6,500"; and in line 20, after the words "in all," to strike out "$12,000" and insert "$16,500," so as to make the clause read:

Garfield and Providence Hospitals: For isolating wards for minor contagious diseases at Garfield Memorial and Providence Hospitals, maintenance, $10,000 and $6,500, respectively, or so much thereof as in the opinion of the commissioners may be necessary; in all, $16,500.

The amendment was agreed to.

The next amendment was, on page 76, after line 10, to insert:

For repairs and alterations to the building located on lot 10, square 228, formerly occupied as an emergency hospital, and now the property of the United States, in order to make it available for use as a laboratory for the Health Department of the District of Columbia, and for other uses of said District of Columbia: *Provided*, That authority to occupy said building is granted to the Commissioners of the District of Columbia by the Secretary of the Treasury, to be immediately available, $4,000.

The amendment was agreed to.

The next amendment was, under the head of "Courts," on page 77, line 7, after the word "expenses," to strike out "$500" and insert "$650," and in the same line, after the words "in all," to strike out "$7,200" and insert "$7,350," so as to make the clause read:

Probation system: Probation officer, supreme court, $2,000; assistant probation officer, $1,200; stenographer and typewriter and assistant, $800; police court—probation officer $1,500, assistant probation officer $1,200; contingent expenses, $650; in all, $7,350.

The reading of the bill was continued to line 4 on page 80.

Mr. SMITH of Maryland. On page 79, lines 24 and 25, I move to strike out the words "Government Hospital for the Insane" and insert "St. Elizabeth's Hospital." That is the name of the hospital by law. It was a mistake to put in the other name.

The amendment was agreed to.

The next amendment was, under the head of "Interest and sinking fund," on page 80, line 9, after "$975,408," to insert: "*Provided*, That any balances of revenue of the District of Columbia remaining to its credit after its share of the appropriations contained herein has been paid, and after its share of any other appropriations to which it is required to contribute on account of the fiscal years ending June 30, 1916, and June 30, 1917, has been paid, shall be credited to interest and sinking fund for application to the funded debt of the District of Columbia," so as to make the clause read:

For interest and sinking fund on the funded debt, payable one-half out of the revenues of the District of Columbia and one-half out of any money in the Treasury not otherwise appropriated, $975,408: *Provided*, That any balances of revenue of the District of Columbia remaining to its credit after its share of the appropriations contained herein has been paid, and after its share of any other appropriations to which it is required to contribute on account of the fiscal years ending June 30, 1916, and June 30, 1917, has been paid, shall be credited to interest and sinking fund for application to the funded debt of the District of Columbia.

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

Mr. SMOOT. Just one word, Mr. President. This amendment provides "and after its share of any other appropriations to which it is required to contribute on account of the fiscal years ending June 30, 1916, and June 30, 1917." Does the Senator believe that we can now adopt an amendment to an appropriation bill affecting an appropriation which has already been expended and ended on June 30 of last year?

Mr. SMITH of Maryland. I will say to the Senator that the money herein referred to has not been expended, but that it lies in the Treasury. We, therefore, felt that, inasmuch as the money has been collected from the revenues of the District of Columbia, it ought to belong to the District and should be credited to the District and used to pay off the District's debt.