

zens of Hornell, N. Y., in favor of a bone-dry Nation for the duration of the present war; to the Committee on the Judiciary.

By Mr. RODENBERG: Resolutions adopted by committee of 100 citizens, and transmitted to Congress by C. E. Pope, chairman, and N. C. McLean, secretary, petitioning for a Federal inquiry into the recent race riots at East St. Louis, Ill.; to the Committee on the Judiciary.

SENATE.

MONDAY, July 23, 1917.

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

Almighty God, we lift our hearts to Thee for Thy guidance and blessing this day. In the important and fateful business into which we have been drawn we pray that we may be found worthy of entering into the Divine plan, working together with God for the accomplishment of Thy purpose in us as a Nation. The work that Thou hast committed to us must last not only during the period of conflict but in the making of public opinion and the shaping of the spirit, the new spirit, of this land of ours. O God, grant that all our plans and purposes may be worthy the larger life and the diviner ideals which we trust will be born of the conflict of the present time. To this end we pray Thee to guide us and bless us. For Christ's sake. Amen.

The Vice President being absent, the President pro tempore [Mr. SAULSBURY] took the chair and directed the Secretary to read the Journal of the proceedings of the previous day.

The Journal of the proceedings of the legislative day of Wednesday, July 18, 1917, was read and approved.

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

The PRESIDENT pro tempore. The absence of a quorum is suggested. The Secretary will call the roll.

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

Ashurst	James	Nelson	Smith, Mich.
Bankhead	Johnson, Cal.	New	Smoot
Brandegee	Jones, N. Mex.	Norris	Sterling
Broussard	Kellogg	Overman	Stone
Chamberlain	Kenyon	Page	Swanson
Culberson	King	Penrose	Thompson
Cummins	Kirby	Phelan	Trammell
Curtis	Knox	Pittman	Underwood
Dillingham	La Follette	Poindexter	Vardaman
Fernald	Lodge	Ransdell	Wadsworth
Fletcher	McCumber	Reed	Warren
Frelinghuysen	McKellar	Robinson	Watson
Hale	McLean	Saulsbury	Weeks
Harding	McNary	Sheppard	Williams
Hardwick	Martin	Sherman	
Hollis	Myers	Smith, Ariz.	

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague [Mr. HUGHES] owing to illness. I ask that this announcement may stand for the day.

Mr. SMITH of Michigan. My colleague [Mr. TOWNSEND] is unavoidably absent from the Chamber. I desire this announcement to stand for the day.

Mr. THOMPSON. I desire to announce that the Senator from Wisconsin [Mr. HUSTING] is necessarily absent. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Sixty-two Senators have answered to their names. There is a quorum present. The presentation of petitions and memorials is in order.

MEMORIAL ADDRESSES ON THE LATE SENATOR LANE.

Mr. CHAMBERLAIN. Mr. President, some days ago the Senate fixed August 12 as the time for memorial exercises in memory of my late colleague. I wish to ask unanimous consent that the time be fixed for the 19th of August instead of the 12th.

The PRESIDENT pro tempore. Without objection, it is ordered that the change shall be made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1811) providing for the counting of service in the Army or Navy of the United States as equivalent to residence and cultivation upon homestead entries and in the event of the soldier's death in such service providing for the issuance of patent for such land to his widow or minor children.

ENROLLED BILLS SIGNED.

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

H. R. 646. An act for the relief of Mrs. Nancy E. Mullins; and

H. R. 5326. An act to authorize the President to increase temporarily the Signal Corps of the Army and to purchase, manufacture, maintain, repair, and operate airships, and to make appropriations therefor, and for other purposes.

PETITIONS.

Mr. PHELAN presented a petition of the Woman's Club of Rialto, Cal., praying for the establishment of a moral zone around the concentration camps of the Army, which was ordered to lie on the table.

He also presented a petition of the Council of Defense of Alpine County, Cal., urging that certain lands within the county of Alpine, which have been withdrawn for reclamation purposes, be restored to entry, which was referred to the Committee on Public Lands.

Mr. COLT presented a petition of the Christian Endeavor Society of Carolina, R. I., praying for national prohibition, which was ordered to lie on the table.

He also presented a petition of Eagle Council No. 8, Junior Order United American Mechanics, of Providence, R. I., praying for the enactment of legislation to prevent the inflation of prices charged for commodities, which was ordered to lie on the table.

He also presented a petition of the National Association of Fisheries Commissioners, praying for the protection of the tidal waters of the country, which was referred to the Committee on Fisheries.

Mr. SHEPPARD presented a petition of the Woman's Missionary Society of the Methodist Episcopal Church of Grand Saline, Tex., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. SMITH of Michigan. I present resolutions adopted by the Common Council of the City of Detroit, Mich., which I ask may be printed in the Record without reading.

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

CITY OF DETROIT,
OFFICE OF CITY CLERK,
July 18, 1917.

HON. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.

DEAR SIR: By direction of the common council, I am transmitting herewith copy of resolution adopted by said body on the 10th instant relative to the independence of Bohemia:

[By Alderman Littlefield.]

"Whereas President Wilson declared that by entering the war 'we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free'; and

"Whereas the man who is now our President, writing about the Bohemians many years ago, stated that 'no lapse of time, no defeat of hopes, seems sufficient to reconcile the Czechs of Bohemia to incorporation with Austria. Pride of race and memories of a notable and distinguished history keep them always at odds with the Germans within their gates and with the government set over their heads'; and

"Whereas the powers with which our country is now allied in its fight against dynasties ruling by divine grace have declared the liberation of Czechs (Bohemians) and Slovaks from foreign domination to be one of the conditions of future peace: Therefore be it

"Resolved by the Common Council of the City of Detroit, That Bohemia ought to be of right free and independent; and be it further

"Resolved, That this council appeal to the President and to the Congress of the United States to insist on Bohemian independence as an essential part of any just and democratic reconstruction at the end of the war; and be it further

"Resolved, That the city clerk transmit copies of this resolution to the President of the United States, to the Vice President as Presiding Officer of the Senate, to the Speaker of the House of Representatives, to the chairman of the Committee on Foreign Affairs of both Houses of Congress, to the United States Senators from the State of Michigan, and to the Representatives in Congress for the city of Detroit."

Adopted.

Respectfully,

RICHARD LINDSAT, City Clerk.

SUPREME COURT OF THE DISTRICT OF COLUMBIA.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 2489) to create two additional associate justices of the Supreme Court of the District of Columbia, reported it without amendment.

DESERT-LAND ENTRIES (S. REPT. NO. 87).

Mr. MYERS. From the Committee on Public Lands, I report back favorably without amendment the bill (H. R. 3331) for the protection of the owners of desert-land entrymen who enter the military or naval service of the United States in time of war. It is a war measure, and I ask unanimous consent for its consideration. I ask that it be read first and that then it be considered.

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

The Secretary read the bill, as follows:

Be it enacted, etc., That no desert-land entry made or held under the provisions of the act of March 3, 1877, as amended by the act of March 3, 1891, by an officer or enlisted man in the Army, Navy, Marine Corps, or Organized Militia of the United States shall be subject to contest or cancellation for failure to make or expend the sum of \$1 per acre per year in improvements upon such claim, or to effect the reclamation thereof, during the period said entryman or his successor in interest is engaged in the military service of the United States during the present war with Germany, and until six months thereafter, and the time within which such entryman or claimant is required to make such expenditures and effect reclamation of the land shall be exclusive of the time of his actual service in the Army, Navy, Marine Corps, or Organized Militia of the United States: *Provided*, That said desert-land entry shall have been made by the said officer or enlisted man prior to his enlistment: *Provided further*, That each such entryman or claimant shall, within six months after the passage of this act, or within six months after he is mustered into the service, file in the local land office of the district wherein his claim is situate a notice of his muster into the service of the United States and of his desire to hold said desert claim under this act: *Provided further*, That the term "enlisted man," as used in this section, shall include any person selected to serve in the military forces of the United States as provided by the act entitled "An act authorizing the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917.

The PRESIDENT pro tempore. The Senator from Montana asks unanimous consent for the immediate consideration of the bill. Is there objection?

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.

The title was amended so as to read: "A bill for the protection of desert-land entrymen who enter the military or naval service of the United States in time of war."

BILLS INTRODUCED.

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

By Mr. PHELAN:

A bill (S. 2657) authorizing the President to nominate and, by and with the advice and consent of the Senate, appoint Henry S. Kiersted, late a captain in the Medical Corps of the United States Army, a major in the Medical Corps on the retired list, and increasing the retired list by one for the purpose of this act; to the Committee on Military Affairs.

By Mr. PITTMAN:

A bill (S. 2658) for the relief of settlers and town-site occupants of certain lands in the Pyramid Lake Indian Reservation, Nev.; to the Committee on Public Lands.

By Mr. BROUSSARD:

A bill (S. 2659) to provide for the selection of osteopathic physicians in the medical service of the Army and Navy of the United States, and to provide for their official status, rank, and pay, and for other purposes; to the Committee on Military Affairs.

A bill (S. 2660) amending the act entitled "An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1918"; to the Committee on Post Offices and Post Roads.

By Mr. MYERS:

A bill (S. 2661) modifying and amending the act providing for the disposal of the surplus unallotted lands within the Blackfeet Indian Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. WARREN:

A bill (S. 2662) granting examination privileges to certain enlisted men of the Regular Army and officers of Philippine Scouts; to the Committee on Military Affairs.

By Mr. POMERENE:

A bill (S. 2663) granting the consent of Congress to the Wolf Creek Lumber Co. to construct a bridge across Tug River; to the Committee on Commerce.

By Mr. CUMMINS:

A bill (S. 2664) granting a pension to Ina L. Murdock (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 2665) for the relief of William Crawford; to the Committee on Military Affairs.

By Mr. ROBINSON:

A bill (S. 2666) granting the consent of Congress to the Sebastian bridge district to construct a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark. (with accompanying paper); to the Committee on Commerce.

By Mr. RANSDELL:

A bill (S. 2667) granting the consent of Congress to the Pritchard-Wheeler Lumber Co., of Wisner, La., to construct a bridge across Bayou Macon, in Louisiana, at a point east of the town of Wisner, La.; to the Committee on Commerce.

NATION-WIDE PROHIBITION.

Mr. SHEPPARD. I ask unanimous consent that the Senate proceed to the consideration of the joint resolution (S. J. Res. 17) proposing an amendment for nation-wide prohibition to the Constitution of the United States, with a view to ascertaining whether a date can be agreed upon for a vote.

Mr. LODGE. The Senator from Pennsylvania [Mr. PENROSE] is very much interested in the measure. I do not see him in the Chamber. I think it would be well if the Senator from Texas would withhold it until his return.

Mr. SHEPPARD. I shall withhold the request for the present. The PRESIDENT pro tempore. The morning business has closed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER and Mr. SMITH of Arizona addressed the Chair.

The PRESIDENT pro tempore. The Senator from Florida.

Mr. FLETCHER. I move that the Senate proceed to the consideration of House bill 4285, the river and harbor bill.

Mr. SMITH of Arizona. The morning hour is not over. A parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator from Arizona will state it.

Mr. SMITH of Arizona. I desire to know whether or not I can move to substitute another bill for the river and harbor bill, the consideration of which is moved by the Senator from Florida? I should like to get up a measure during the morning hour involving an international question embodied in a treaty between the United States and Great Britain. It was at our suggestion that the negotiations were entered into, and the negotiations have been pending for more than a year.

The PRESIDENT pro tempore. The Chair will say to the Senator from Arizona that the Chair announced that the morning business had closed, and recognized the Senator from Florida.

Mr. SMITH of Arizona. I was attempting to get recognition before the Chair made the announcement.

The PRESIDENT pro tempore. The Chair regrets that the announcement was made.

Mr. FLETCHER. The announcement was made that the morning business had closed, and I moved to take up the river and harbor bill.

Mr. SMITH of Arizona. I know that; but I was standing, waiting to be recognized, and did not know that any other Senator has risen. I understood that morning business and not the morning hour had closed, and I thought it would be proper for me to make my motion.

Mr. KENYON. I should like to ask the Senator from Arizona a question.

Mr. SMITH of Arizona. Very well.

Mr. KENYON. I want to know if the Senator from Arizona does not realize that the river and harbor bill is a great war measure and should be disposed of at once? [Laughter.]

Mr. SMITH of Arizona. I do not propose to enter into that question. I do not want to create any difficulty in relation to the river and harbor bill, or as to any other bill, but I should like the Senator from Florida to yield to me until I can get the bill for which I desire consideration passed this morning. I am extremely anxious to get away from the city, if I can.

Mr. FLETCHER. May I inquire of the Senator from Arizona how long it will take to dispose of the bill for which he desires consideration?

Mr. SMITH of Arizona. It is a bill which ought to pass; and I do not think there is objection to the bill, except on the part of one Senator.

Mr. FLETCHER. Mr. President, I am willing to accommodate the Senator from Arizona. If the river and harbor bill be taken up, I will then agree that it be laid aside for a limited time to enable the Senator to test the question as to the disposition of the bill which he desires considered.

Mr. SMITH of Arizona. Can the Senator from Missouri, who is opposed to the bill, inform me whether or not we shall be able to obtain a vote on the bill before 2 o'clock?

Mr. REED. I do not know whether we can or not, Mr. President. I am opposed to the bill until the Supreme Court of the United States in a case before it has decided as to the constitutionality of this sort of legislation.

The PRESIDENT pro tempore. The motion before the Senate is the motion of the Senator from Florida.

Mr. FLETCHER. The motion is not debatable, Mr. President.

The PRESIDENT pro tempore. The Senator from Arizona, of course, could not move to substitute his bill for that of the

Senator from Florida. The motion of the Senator from Florida is to take up House bill 4285, being the river and harbor bill.

Mr. KENYON. Mr. President, I think that motion is debatable, is it not?

The PRESIDENT pro tempore. The Chair thinks the motion is not debatable during the morning hour.

Mr. FLETCHER. The question is not debatable.

Mr. KENYON. I addressed the question to the Chair.

The PRESIDENT pro tempore. The recollection of the Chair is that, under the rule, the question is not debatable before 2 o'clock.

Mr. KENYON. I know the matter was taken up on Saturday, Mr. President, and the Chair then held that it was debatable; but it is true that that was after 2 o'clock.

Mr. FLETCHER. That was after 2 o'clock, and therefore it came.

Mr. SMITH of Arizona. I hope the motion to take up the river and harbor bill will be voted down, so that I can get my bill up.

Mr. FLETCHER. I will be perfectly willing to yield to the Senator from Arizona for a limited time after the river and harbor bill shall have been taken up.

Mr. THOMPSON. Under Rule VIII a motion to take up a matter before 2 o'clock must be put without debate.

The PRESIDENT pro tempore. That is in case the morning hour continues, the Chair thinks.

Mr. SMOOT. Mr. President, I desire to say to the Senator from Arizona that the only way in which to get his bill before the Senate at this time would be for the Senate to vote down the motion of the Senator from Florida.

Mr. SMITH of Arizona. I will state to the Senator from Florida that if I do not get the bill through before 2 o'clock I will yield to him to call up the other bill.

Mr. FLETCHER. I do not see that it will be the Senator's privilege exactly to yield to me. I had the floor, and I made my motion in regular order and in regular time.

Mr. SMITH of Arizona. Then let us have a vote upon it.

Mr. FLETCHER. I am willing to lay aside the river and harbor bill temporarily, if it is taken up by the Senate, and allow the Senator from Arizona a reasonable time within which to have his bill considered, but I want to have my motion to take up the bill first disposed of.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Florida to proceed to the consideration of the river and harbor bill.

Mr. KENYON. Mr. President, on that question I ask for the yeas and nays.

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

Mr. JAMES (when Mr. BECKHAM's name was called). I desire to announce that my colleague [Mr. BECKHAM] is absent from the city on important business.

Mr. McCUMBER (when his name was called). I have a pair with the senior Senator from Colorado [Mr. THOMAS], who is absent on account of sickness. I am therefore compelled to withhold my vote.

Mr. STERLING (when his name was called). I have a pair with the Senator from South Carolina [Mr. SMITH]. Not seeing that Senator in the Chamber, I withhold my vote.

Mr. SHAFROTH (when the name of Mr. THOMAS was called). I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of sickness, and to state that he is paired with the senior Senator from North Dakota [Mr. McCUMBER].

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the Senator from Wisconsin [Mr. HUSTING] and vote "yea."

Mr. ROBINSON (after having voted in the affirmative). I have a pair with the Senator from Michigan [Mr. TOWNSEND]. I transfer that pair to the senior Senator from Illinois [Mr. LEWIS] and allow my vote to stand.

Mr. MYERS (when Mr. WALSH's name was called). My colleague [Mr. WALSH] is necessarily absent from the Senate on account of illness in his family. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. This announcement may stand for the day.

The roll call was concluded.

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

Mr. WATSON (after having voted in the negative). My pair, the junior Senator from Delaware [Mr. WOLCOTT], not having voted, I withdraw my vote.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH], which I transfer to the junior Senator from Maryland [Mr. FRANCE] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY]; and

The Senator from West Virginia [Mr. SUTHERLAND] with the Senator from Kentucky [Mr. BECKHAM].

Mr. FLETCHER (after having voted in the affirmative). I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. While I am satisfied he would have voted, if present, as I have voted, I transfer that pair to the Senator from New Jersey [Mr. HUGHES] and will allow my vote to stand.

Mr. STERLING. I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Washington [Mr. JONES] and vote "nay."

The result was announced—yeas 44, nays 23, as follows:

YEAS—44.

Bankhead	James	Nelson	Sheppard
Broussard	Johnson, Cal.	Overman	Simmons
Chamberlain	Jones, N. Mex.	Page	Smith, Ga.
Culberson	Kellogg	Penrose	Smith, Mich.
Fernald	Kirby	Phelan	Stone
Fletcher	Knox	Pol Dexter	Swanson
Gronna	Lodge	Ransdell	Trammell
Hale	McKellar	Reed	Underwood
Harding	McNary	Robinson	Vardaman
Hardwick	Martin	Saulsbury	Weeks
Hollis	Myers	Shafrath	Williams

NAYS—23.

Ashurst	Frelinghuysen	McLean	Smith, Ariz.
Borah	Gore	New	Smoot
Brandegge	Kendrick	Norris	Sterling
Colt	Kenyon	Pittman	Thompson
Cummins	King	Pomerene	Wadsworth
Curtis	La Follette	Sherman	

NOT VOTING—29.

Beckham	Goff	Newlands	Townsend
Brady	Hitchcock	Owen	Walsh
Calder	Hughes	Shields	Warren
Dillingham	Husting	Smith, Md.	Watson
Fall	Johnson, S. Dak.	Smith, S. C.	Wolcott
France	Jones, Wash.	Sutherland	
Gallinger	Lewis	Thomas	
Gerry	McCumber	Tillman	

So Mr. FLETCHER's motion was agreed to.

Mr. McLEAN. Mr. President, I understand that the Senator in charge of the river and harbor bill is willing that it shall be laid aside until 2 o'clock for the consideration of the measure in charge of the Senator from Arizona [Mr. SMITH].

Mr. FLETCHER. I will wait a minute and allow the bill to be laid before the Senate. The Senator from Connecticut voted against the motion to take up the river and harbor bill, so that I do not know that I am under any obligations to proceed in that direction.

Mr. McLEAN. The vote on this side was largely influenced by the understanding that the Senator from Florida would consent to allow the bill in charge of the Senator from Arizona [Mr. SMITH] to be considered until 2 o'clock.

The PRESIDENT pro tempore. The Chair lays House bill 4285 before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4285) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. FLETCHER. Mr. President, as stated before the vote was taken, I am perfectly willing, in order to accommodate the Senator from Arizona, to yield to him until 2 o'clock. I therefore ask unanimous consent that the river and harbor bill be laid aside temporarily until that hour.

Mr. REED. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. SMITH of Arizona. Mr. President, I understand, then, that the river and harbor bill is now before the Senate?

The PRESIDENT pro tempore. The Chair has laid that bill before the Senate.

Mr. SMITH of Arizona. Mr. President, I did not hear the proposition made by the Senator at the time; but I knew that it would require unanimous consent to lay the river and harbor bill aside after it had been taken up by the vote of the Senate, and I also knew that if it required unanimous consent the Senator would object who did object.

I am a little unfortunate, probably, in coming in conflict with the river and harbor bill. I have been in sympathy with that bill always, and hope to remain so. I should like, however,

to give notice to those having that bill in charge that I shall ask the Senate to take an adjournment this evening so that we may have a morning hour to-morrow, at which time I hope to be able to call up the bill to which I have referred, affecting a treaty between the United States and Great Britain. I am only asking for its consideration in the morning hour, and if I can not secure its passage in the morning hour I shall always give way to the regular order. If I could have to-morrow morning for the consideration of the bill which I have sought to have considered, I would be gratified; but that matter will come up on the question of adjournment this evening.

CONSERVATION OF FOOD AND FUEL.

Mr. TRAMMELL. Mr. President, on Saturday during the consideration of the food-control measure, when a motion was made to strike out the provision fixing a minimum price of \$2 per bushel for wheat in certain primary markets throughout the country, I was among the Senators who voted to strike out the minimum price. I did not believe that we should make an exception in the case of wheat and fix a price for that commodity which would cause the consuming public of this country, a great many of whom are people engaged in other agricultural pursuits than that of producing wheat, to pay possibly from \$12 to \$14 or \$15 per barrel for flour in the retail markets. I voted to strike out that minimum price because I felt that it would establish a price for flour in the retail markets of this country which would be possibly far more than the people of this country should pay for flour when conditions readjusted themselves under the other provisions of the bill. However, Mr. President, a minority of the Senators only voted to strike out the minimum price. I feel that the great consuming public of this country, including those engaged in labor working for a wage, and including a great host of the farming people of this country who do not produce wheat, should not have enacted into law a provision which will mean that during the next two years they shall pay, if I am correctly informed, what seems to me an exorbitant price for the flour which they consume. Flour is the one food consumed more or less by everybody.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Missouri?

Mr. TRAMMELL. I do.

Mr. REED. The \$2 minimum guaranty applies only to this year's crop. It does not apply to the crop of next year.

Mr. TRAMMELL. I should like to ask the Senator from Missouri if the fixing of that minimum price until July, 1919, does not mean that the consumer will have to pay for his flour upon the basis of that minimum until July, 1919?

Mr. REED. If the price of wheat is raised above where it otherwise would be in the market, undoubtedly the consumer will have to pay more for his flour. The price of wheat at \$2 minimum, however, is considerably less than wheat is now commanding in the market. There are many other observations I might make, but I do not want to interrupt the thread of the Senator's discourse. I know the Senator wants to be right as to his facts; and the \$2 minimum guaranty applies only to this year's crop.

Mr. TRAMMELL. Mr. President, that may be true in its application as far as the price of the wheat is concerned; but in its application to those who are consuming the wheat products it will fix the minimum price up to July, 1919. I am very forcibly impressed that it means that the consumer will have to purchase his wheat products—flour—upon a basis of \$2 wheat up to July, 1919, because this as a minimum price is guaranteed until that date.

Mr. President, as I have understood the situation, the great clamor throughout this Nation of ours for food control has been largely in order that the exorbitant prices which were being paid by the consumer should be hereafter barred and controlled, so that the people of this country would no longer be subjected to the extravagant prices. I feel, Mr. President, that if we start out upon the only article of food upon which we fix a price by fixing a minimum price far above the normal price, fixing the price where we know that the consumers will have to pay a great deal more than they have been paying in time of peace, we shall have defeated one of the very objects and purposes of food control. I believe that the wheat farmer should be allowed reasonable returns, reasonable profits for his products, and I shall always stand up to allow him reasonable returns for his efforts, and a reasonable percentage of income upon his capital invested; but I do not believe that it is a proper policy to pick one class of our producers in this country from among the great masses of producers, fix their price at what it seems to me is going to be exorbitant, and then say to the great masses of the farmers engaged in other agricultural pursuits

in this country and those who are engaged in the industrial world, "You must pay these exorbitant prices for the products of wheat."

I voted for the bill. I did it very reluctantly, on account of this provision which I had sought to eliminate by my vote. In fact, I would have voted against the bill containing this provision if my vote would have defeated the bill and forced another food-control measure with this very objectionable feature eliminated. I am firmly impressed, Mr. President, that the conditions in this country are such that we need some regulation and control of the prices of most all necessaries. Practically all food products are unreasonably high. The speculators have been feasting at the expense of the farmers and consumers of this country. Legislation is necessary to force prices down to within reason to prevent the manipulation from forcing prices even higher. I realize the necessity for such legislation, but I am unqualifiedly opposed to fixing a price for wheat which will require hundreds of thousands of people in my State to pay such high price for flour. The farmers and growers of my State under this measure will have no guaranty of a reasonable price for their products, yet under its provisions will have to pay for flour made from wheat costing at least \$2 a bushel. How much more we do not know.

Mr. President, it is not my desire to delay further consideration of this matter, but, on account of this one feature of the bill, which to me is very objectionable, and I believe will be found to be very objectionable to a great majority of the American people, I desire to make a motion to reconsider the vote by which the food-control bill was passed; and if it has been sent to the House, that it be returned to the Senate for further consideration. My object in making this motion is for the specific purpose, and that only, of having further consideration upon the question of the minimum price which was fixed for wheat. I think this provision should be stricken from the bill.

Mr. President, I desired to make this motion on Saturday, immediately after the vote on the bill, and tried to get recognition of the Chair for this purpose, but, due to the desire of a majority to go into an executive session, I failed to get recognition by the Chair; consequently my delay until this morning to make this motion.

Mr. POINDEXTER. Mr. President, I make the point of order that the motion is not in order. The business before the Senate is the river and harbor bill.

The PRESIDENT pro tempore. The Chair understands the Senator from Florida to accompany his motion to reconsider with a request of the House to return the bill. The Chair thinks that the motion, because of the limited time within which it can be made, is a privileged question. The motion to reconsider, however, does not come before the Senate until the request is made of the House, when that becomes debatable. The motion to request the House to return the bill is not debatable and must be decided immediately.

Mr. CHAMBERLAIN. Mr. President, I move that the motion of the Senator from Florida be laid on the table.

Mr. POINDEXTER. Mr. President, I make the point of order against the motion to reconsider that it can not be made while another bill is pending before the Senate for consideration.

The PRESIDENT pro tempore. The Chair understands that the motion to reconsider is merely entered or filed, as it has been expressed frequently; that the motion of the Senator from Florida is to request the House to return that bill from the House. That, the Chair rules, is a privileged motion and is in order.

Mr. POINDEXTER. Mr. President, may I be heard just a moment further? I should like to have a clear understanding of what the motion is. The motion, as stated by the Senator from Florida, was to reconsider the vote by which the food-control bill was passed. That was the way in which the author of the motion stated it.

Mr. TRAMMELL. Mr. President—

Mr. POINDEXTER. I make the point of order against that motion, as stated by its author, that it is not in order, because the river and harbor bill is now pending before the Senate, and that a motion to reconsider another bill can not be entertained by the Senate.

The PRESIDENT pro tempore. The Chair does not think the point of order is well taken, and the Chair will refer the Senator to paragraph 2 of Rule XIII. The motion which is up now for immediate discussion, subject to the motion of the Senator from Oregon to lay upon the table, is the motion to request the House to return the bill.

Mr. POINDEXTER. What is the business before the Senate at this time?

The PRESIDENT pro tempore. The Chair has ruled that the motion made by the Senator from Florida is privileged.

The Senator from Oregon has moved to lay that motion upon the table. The question is upon the motion of the Senator from Oregon.

Mr. POINDEXTER. I understand, then, that it has displaced the river and harbor bill.

The PRESIDENT pro tempore. The Chair does not so understand. It is a privileged question.

Mr. POINDEXTER. May I inquire how it is possible for two matters to be before the Senate at identically the same time?

The PRESIDENT pro tempore. The Chair has made a ruling, in regard to which it requests the Senator from Washington to consult paragraph 2 of Rule XIII. The question is on the motion of the Senator from Oregon to lay on the table the motion made by the Senator from Florida, to request the return from the House of the food-control bill.

Mr. TRAMMELL and Mr. KENYON called for the yeas and nays, and they were ordered.

Mr. GRONNA. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum is suggested. The Secretary will call the roll.

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

Ashurst	Johnson, Cal.	New	Simmons
Bankhead	Jones, N. Mex.	Norris	Smith, Ariz.
Borah	Kellogg	Overman	Smith, Ga.
Colt	Kendrick	Page	Smith, Mich.
Culberson	Kenyon	Phelan	Smoot
Cummins	King	Pittman	Sterling
Curtis	Kirby	Poindexter	Swanson
Fernald	Knox	Pomerene	Thompson
Fletcher	McCumber	Ransdell	Tillman
Frelinghuysen	McKellar	Robinson	Trammell
Gore	McLean	Saulsbury	Warren
Gronna	McNary	Shafroth	Watson
Hale	Martin	Sheppard	Weeks
Harding	Myers	Sherman	Williams
Hardwick	Nelson	Shields	

Mr. THOMPSON. I desire to announce that the senior Senator from Kentucky [Mr. JAMES] is detained from the Senate on official business.

Mr. FLETCHER. I desire to announce that the junior Senator from Mississippi [Mr. VARDAMAN] is temporarily absent on official business.

The PRESIDENT pro tempore. Fifty-nine Senators have answered to their names. There is a quorum present.

Mr. PITTMAN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator from Nevada will state it.

Mr. PITTMAN. I raise a point of order against the motion of the Senator from Florida on the ground that it is a violation of the unanimous-consent agreement under which the food-control bill was disposed of. The unanimous-consent agreement provided that it should be finally disposed of upon Saturday. If this motion should be carried, it would not be finally disposed of.

The PRESIDENT pro tempore. The Chair thinks that at this time it is not necessary to rule or attempt to rule upon that point of order and would leave the question to the Senate if it should be raised. The motion before the Senate is to lay on the table the motion of the Senator from Florida. Unless the Senator from Nevada insists on that point of order being left to the Senate, the Chair will put the motion of the Senator from Oregon. If the Senator insists on that question being put before the Senate—

Mr. PITTMAN. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. PITTMAN. If the motion is lost, will the Senator from Nevada have an opportunity to interpose the point of order again?

The PRESIDENT pro tempore. The Senator from Nevada will have an equally good opportunity. The question is on the motion of the Senator from Oregon to lay on the table the motion of the Senator from Florida. On that motion the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). Announcing my pair with the Senator from New Hampshire [Mr. GALLINGER], I withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. THOMAS]. The junior Senator from Wyoming [Mr. KENDRICK] has a pair with the senior Senator from New Mexico [Mr.

FALL]. We have arranged to transfer our pairs so that the Senator from New Mexico will stand paired with the Senator from Colorado, which will allow the Senator from Wyoming and myself to vote. This announcement will stand for the day. I vote "yea."

Mr. ROBINSON (when his name was called). I am paired with the junior Senator from Michigan [Mr. TOWNSEND]. I transfer that pair to the senior Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. STERLING (when his name was called). Making the same announcement of my pair and its transfer as on the former vote, I vote "yea."

Mr. WATSON (when his name was called). I have a pair with the junior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the Senator from Connecticut [Mr. BRANDEGEE] and vote "yea."

The roll call was concluded.

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDENT pro tempore. He has not voted.

Mr. MYERS. I have a pair with that Senator, which I transfer to the Senator from South Dakota [Mr. JOHNSON] and vote "yea."

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Wisconsin [Mr. HUSTING] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Idaho [Mr. BRADY] with the Senator from Mississippi [Mr. VARDAMAN];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

Mr. THOMPSON. I desire to announce that the senior Senator from Kentucky [Mr. JAMES] is detained from the Senate on official business.

The result was announced—yeas 51, nays 8, as follows:

YEAS—51.

Ashurst	Jones, N. Mex.	Overman	Smith, Ariz.
Bankhead	Kellogg	Page	Smith, Ga.
Borah	Kendrick	Phelan	Smith, Mich.
Chamberlain	Kenyon	Pittman	Smoot
Colt	Knox	Poindexter	Sterling
Culberson	La Follette	Ransdell	Swanson
Cummins	McCumber	Reed	Thompson
Curtis	McNary	Robinson	Tillman
Frelinghuysen	Martin	Saulsbury	Warren
Gore	Myers	Shafroth	Watson
Gronna	Nelson	Sheppard	Weeks
Hale	New	Shields	Williams
Harding	Norris	Simmons	
Hardwick			

NAYS—8.

Fernald	Hardwick	Kirby	Sherman
Hale	King	McKellar	Trammell

NOT VOTING—37.

Beckham	Gerry	Lodge	Thomas
Brady	Goff	McLean	Townsend
Brandegge	Gore	Newlands	Underwood
Broussard	Hitchcock	Owen	Vardaman
Calder	Hughes	Penrose	Wadsworth
Dillingham	Husting	Pomerene	Walsh
Fall	James	Smith, Md.	Wolcott
Fletcher	Johnson, S. Dak.	Smith, S. C.	
France	Jones, Wash.	Stone	
Gallinger	Lewis	Sutherland	

So Mr. CHAMBERLAIN'S motion to lay on the table was agreed to.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER. I ask that the river and harbor appropriation bill be now proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4285) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. FLETCHER. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for the purpose of amendment, the amendments of the committee to be first considered.

Mr. KENYON. I object to that unanimous consent and ask to have the bill read in full.

The PRESIDENT pro tempore. The Secretary will proceed with the reading of the bill.

The Secretary read the bill.

Mr. KENYON. Mr. President, I think that completes the reading of the bill, does it not?

The PRESIDENT pro tempore. The reading has been completed.

Mr. KENYON. Mr. President, I want to say just a word before the chairman of the committee, I assume, will go ahead with an explanation of it; and I am going to suggest the absence of a quorum so that he can be heard. I want first to say this, Mr. President, so far as I am concerned I am not going to seek to delay this bill in any way. I am going to argue it as thoroughly as I can, and I think perhaps there may be a few other Senators who will argue it. I realize that it is perfectly impossible to defeat a bill of this kind. I believe it is the worst river and harbor bill that has ever been presented to Congress since I have been here because of its grouping of subjects so that no one can get at just how much money is to be expended for a particular subject.

I did not rise, however, to discuss the bill at this time, but merely, in order that the chairman might have somebody here to hear him if he was to explain the bill, to suggest the absence of a quorum, which I now do.

The PRESIDENT pro tempore. The absence of a quorum is suggested. The Secretary will call the roll.

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

Bankhead	Johnson, Cal.	Overman	Smoot
Borah	Jones, N. Mex.	Page	Stone
Chamberlain	Kellogg	Penrose	Swanson
Cummins	Kendrick	Poindexter	Thompson
Curtis	Kenyon	Ransdell	Tillman
Fletcher	King	Robinson	Trammell
Frelinghuysen	Knox	Saulsbury	Wadsworth
Gore	Lewis	Shafroth	Warren
Gronna	Lodge	Sheppard	Watson
Hale	McCumber	Sherman	Weeks
Harding	McKellar	Shields	Williams
Hardwick	McNary	Simmons	
Hollis	New	Smith, Ariz.	
James	Norris	Smith, Mich.	

Mr. THOMPSON. I desire to announce that the Senator from Wisconsin [Mr. HUSTING] is necessarily absent on important business. This announcement may stand for the day.

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. There is a quorum present.

APPROPRIATIONS FOR AVIATION.

The PRESIDENT pro tempore. The Chair announces the signature of the Vice President of the United States to the following enrolled bill:

The SECRETARY. H. R. 5326. An act to authorize the President to increase temporarily the Signal Corps of the Army and to purchase, manufacture, maintain, repair, and operate airships, and to make appropriations therefor, and for other purposes.

SUGGESTED PEACE BASES.

Mr. LEWIS. Mr. President, the Senator from Florida, the eminent chairman of this committee, allows me to intrude myself at this moment for a very short time.

Mr. President, I want to submit to the Senate a suggestion which is intimated to me by telegrams received by me this morning and last night—received from very fair representative German citizens of my city of Chicago, and whose loyalty in the present trying hour I can assure the Senate I myself can attest.

Mr. President, I want to call the attention of the Senate to the phraseology in the speech of the new chancellor of Germany, Dr. Michaelis, particularly respecting the proposal of peace. I do not know how other Senators were impressed with the speech of this new chancellor. After carefully reading the speech I am wholly of a different view than seems to be the view of Mr. Lloyd-George, speaking for Britain.

Mr. President, I am strongly struck with that which must be apparent to any reflective reader of the speech of the German chancellor. It is on this point: That it is a direct bid to the United States of America to use its influence with its co-partners in conflict to have them make a request for peace. It is palpable to me in the expression that "Germany is ready for an honorable peace, but having previously offered it, it will now wait for the terms of peace to be suggested by the others"; that the term "others" is meant ourselves, as voice of the allies.

To my mind, sir, it is a bid to the United States, which was the one Nation which had asked for terms of peace, and the one Nation which at one time had submitted the humane proposition of peace without victory. It is a bid to us to again ask either for ourselves or in behalf of those with whom we are cooperating for peace.

Mr. President, I am satisfied that the deduction from the speech of Chancellor Michaelis is justified, which would read as follows: That if peace will be asked by the allies, the mere

asking of that peace by the allies is a sufficient excuse for Germany yielding to the terms that will be asked by the allies. I am impressed at this time, sir—

Mr. BORAH. Mr. President—

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

Mr. LEWIS. Certainly.

Mr. BORAH. What is the language in the German chancellor's speech which gives the Senator reason to assume that that would be true? I ask this because I did not get that impression.

Mr. LEWIS. Mr. President, I can understand that an impression at variance from my own could readily have been obtained. The atmosphere was against my construction. Another reason for the opposite viewpoint is the suggestion of their construction from eminent statesmen who are opposed to my view. All this leads to an opposite conclusion. I reply to the eminent Senator from Idaho by reading the words of the speech quoted, that Germany is ready for an honorable peace, and the phrase afterwards used that she will not now ask it, having asked it before, or, as is gathered, that she will wait for others to ask it who are interested more in the terms and the details of it, particularly the following. I read:

SEEK HONORABLE PEACE.

The burning question in our hearts, however, is how much longer the war is to last. With this I come to a matter which stands in the center of all our interest and all our proceedings to-day. Germany did not desire the war in order to make violent conquests, and therefore will not continue the war a day longer merely for the sake of such conquests if it could obtain an honorable peace.

The Germans wish to conclude peace as combatants who have successfully accomplished their purpose and proved themselves invincible. A condition of peace was the inviolability of German territory. No parley was possible with the enemy demanding the cession of German soil.

We must, by means of understanding and in a spirit of give and take, guarantee conditions of the existence of the German Empire upon the continent and overseas.

Peace must offer the foundation of a lasting reconciliation of nations—

Then proceeding to say that Germany will continue to fight, and so forth, as the Senator recalls. I construe that latter statement as meaning that if these requests are not made from any of those who are called allies Germany will then continue to fight for that which she will not ask—peace.

But I also gather, Senators, that if peace shall be asked for by any of the allies, or the United States in behalf of the allies, which would set forth the terms upon which we should deem peace could be had, Germany would then yield the peace upon the theory that she would not be humiliated by accepting the terms proposed by the allies, for the reason that if peace was asked by the others she was compensated on her part in accepting the terms on which they demanded it from the fact that it was the others who asked for it.

Now, Mr. President, I am strongly moved to feel that we in the United States have not given the construction to the speech of Chancellor Michaelis which it would bear, and which, if I am not altogether in error, it was intended to suggest.

Mr. President, I take the liberty to inform the Senate that at a later time, when I shall not be interrupting the program which has been very carefully prepared upon this river and harbor bill, I shall tender to the Senate such form of resolution as will give appropriate opportunity for the discussion of my views in more detail.

Mr. President, at this particular time I wish to suggest to the Senate the propriety of our considering the speech of the chancellor, considering it to the extent that it is meant peculiarly as I see it as addressed to the United States. I refer to that particular phraseology that is evidently intended wholly for us. I have quoted it. I therefore, sir, am of the impression that if the United States, in view of this speech and in view of the fact that it comes from the new chancellor as his very first utterance after having been put in power—also, sir, note the fact palpable to you, Mr. President, and to every Member here that it was a composite speech; it was not a speech only written by the chancellor, it was a speech contributed in several parts by several agencies and then mosaiced together as an expression of the military, the legislative, and the reform parties as those who sought peace, and then, sir, was embodied the impression particularly addressed to the allies or friends of the allies touching peace terms.

Mr. President, my judgment is, sir, that now is a time when Germany will accept the offer of peace based upon the terms, first, the restoration of Belgium; second, the restoration of the possessions which she has held of France; third, the return to the countries of Serbia, Bulgaria, and Roumania to their previous status; in consideration for that the return to Germany

by the allies of those particular parts of the German country which have been taken, to wit, her colonies in Africa.

Then, Mr. President, there can be a board constituted upon which there shall be the representatives of the different warring countries, and before this board the respective countries to present their terms as to all the other details, then that board to give hearings and finally to reach conclusions as to what would be equitable under all the circumstances looking to peace, and with a view of preventing a return of the conflict, harmonizing the situation and avoiding years and generations of hatred, that board to finally submit its conclusions in that light upon the theory that as to those details they may be accepted as matters of compromise and adjustment.

Mr. McCUMBER rose.

Mr. LEWIS. Did the Senator rise to interrupt me?

Mr. McCUMBER. For a moment.

Mr. LEWIS. I yield gladly.

Mr. McCUMBER. Does the Senator give vent to those sentiments as an expression of what he thinks would be right and just and what ought to be done, or does he gather from the speech of the chancellor an inspiration that the chancellor intends to convey to the world the acceptance of peace precisely along that line?

Mr. LEWIS. I answer the Senator I am not able to deduce from the speech itself that those terms would be accepted, nor am I able to say that the speech conveys to the world that those are the terms in the mind of the chancellor. I am suggesting that this is the time in which, if peace be asked by the allies or the friends of the allies, those terms which we regard at the outset just and necessary would be accepted upon the theory that they would allay all friction of the present and would make prospective harmony in future years possible.

Mr. McCUMBER. The Senator will recall that in that speech the chancellor stated that the U-boat has accomplished even more than was expected, and it would bring Great Britain to her knees in a very short time, and that the support that the United States could give to the allies would be very negligible in every respect. Does that look to the Senator as though it was addressed to the United States as a basis for peace, as a request that we interpose for peace, after having paid that tribute to our ability as a warring nation?

Mr. LEWIS. Mr. President, strange to say, sir, it is among those very expressions on which I found the conviction which I am now expressing.

Let me say, sir, my view: In the first place, with reference to the U-boat, I say to the Senator from North Dakota it was a mere indication that if the peace which Germany says she is now ready to make, an honorable peace, shall not be acceptable, that the future course as the penalty for not accepting the opportunity of peace would be that which the U-boat could inflict. Second, the reference to the United States as being a negligible quantity in war, so far as aid to the allies, I might say, is the sentence carefully framed, refined, changed, reduced, and revised before it ever found its way to final expression, because it does not say that the United States is not competent in war, nor does it say we are not a potent power, nor does it make reflection upon us as a power to be reckoned with by Germany, but speaks of us as being negligible as to our aid to Britain, making specific qualifications, I say to the eminent Senator from North Dakota, as I think, and calling attention to Britain, indicating that if Britain should conclude that she will now not again accept any advances of peace she must keep in mind that she herself may be overrun eventually by U-boats, and however potent in other directions as to her our aid would be a negligible matter. It carried to my mind, I will say to the Senator, the direct statement that they look to the United States as turning the power it would have to its own necessities and its own uses and could be of little value as a mere aid to Britain.

Such, sir, was my conclusion; such, sir, is my view.

Therefore, Mr. President, with the view that I have, I am of the conclusion that this is a righteous and appropriate hour for us seriously to consider the bid that Germany made for peace.

Mr. PENROSE. Mr. President, I should like to address an inquiry to the Senator, if it does not interrupt him.

Mr. LEWIS. It does not.

Mr. PENROSE. The Senator states as a part of the program of peace that France should have returned her possessions. Does he refer to that portion of the territory of France now in possession of the Germans as a result of the present war or does he mean the return of Alsace and Lorraine?

Mr. LEWIS. I refer to both. I may say to the Senator that Alsace and Lorraine I treat as a possession of France, as she

so regards it, and also that part of France now in the possession of Germany as a part of the battle field and battle operations.

Mr. PENROSE. The surmise, then, from reading the speech is that Germany will be ready to hand back Alsace-Lorraine to France?

Mr. LEWIS. I would rather answer that by saying it is my judgment that if terms of peace should be asked by the allies the present condition of Germany is such that she would be willing to return Alsace-Lorraine and the other part of the French possessions back to France in consideration of the allies returning her her colonies which have been seized in Africa and other places.

Mr. PENROSE. Now, one more question. The Senator does not refer to the status of Italy. What would be done in the case of Italy? Would she have her frontiers realigned? What would be done in that connection?

Mr. LEWIS. The Senator has apprehended correctly one of the many things which were in my mind when I said it is my judgment when the principal terms of peace have been settled upon, such as the return of the French possessions through the restoration of Belgium, the freeing of the open seas, that then a board would be constituted made up of representatives of the warring powers, and before this board each of the contestants would present their respective claims, and that finally that board would adjust the matters upon such an equitable basis and submit it to the world. In that respect the claim of Italy to the Trentino would undoubtedly be included. That was a suggestion of mine as one of the ways and means in which those dispositions might be reached. The United States would be represented to protect the rights and claims of little nations.

Mr. PENROSE. The Senator has not reached any distinct conclusion as to the status of Italy that would go before this board?

Mr. LEWIS. Such is my judgment: If Italy and other countries offer at this time what I think would be a satisfactory solution to them, then I do not know what would be—

Mr. PENROSE. Then one further question and I am done.

Mr. LEWIS. The Senator may take the time, unless I am intruding upon my eminent friend from Florida.

Mr. PENROSE. Has the Senator any thought of compensation to Belgium?

Mr. LEWIS. Since the Senator has asked me—that I may startle the Senator by saying I have often felt and dwelt on this, as I have often dwelt on the prospect of peace, fearing if we did not have an early peace we would have a very long war—I have felt that if peace could be reached within possible distance, and terms of peace, there would be a fund raised from all the participants in the peace terms for the rehabilitation of Belgium, and that that fund would come from all the parties participating in the adjustment rather than any one solely of the belligerents.

I say to the Senator my desire is that Belgium should have her future peace restored and assured, and one of the ways to assure it is that the fund that should restore it should be made up from all the contributing agencies participating in the peace, that thereafter they would stand something as a sponsor for the permanent peace for all times, and the permanent security and friendship of Belgium at all times.

Mr. BORAH and Mr. McCUMBER addressed the Chair.

Mr. McCUMBER. Will the Senator allow me?

Mr. LEWIS. The Senator from Idaho rose first. I yield first to the Senator from Idaho.

Mr. BORAH. Mr. President, the Senator is speaking of the distribution or the redistribution of territory, but does the Senator take into consideration what seems to be now the great controlling question with reference to the war, and that is as to the future form of government of the German Empire? It has been stated repeatedly that the world could not be safe for democracy so long as the powers which now control Germany continue to dominate that Empire. It seems to me—and I suggest this in order that I may have the views of the Senator—it seems to me that Germany has by no means approached the point where she would permit any outside power to modify in the least her form of Government or interfere with the controlling, ruling powers of Germany.

Mr. LEWIS. Mr. President, the Senator strikes a very live chord, and it should respond with freedom and frankness. This, sir, is my view. It was not my intention to express it at this time, but I am content to do so.

Mr. President, I do not think that the President of the United States, historian and scholar of government as he is, ever intended by any remark of his to intimate that the United States would direct the form of government of Germany in con-

duct of purely internal affairs, but that it was his wish expressed that some conditions should arise within Germany itself that would dictate the transformation of government and install in the present place of the Imperial Government some republic in future.

I now answer the Senator's query. I say, sir, my judgment is that if peace can be approximated, and we arrive at peace, we can trust to the new civilization of Germany, the new aroused sentiment of Germany, that new spirit that has been awakened by the example of forcible speech, particularly in Russia, to take care of that situation and to take its own future by its own reformation.

I say to the Senator from Idaho that it is my judgment that one of the things which moved the chancellor in that composite speech made up of the careful, deliberate views of many to make the suggestion which I see as an offer of peace, a request of the Germans, was a fear that unless something is done some inherent and subtle force would arise in Germany that will remove the Government from out the control of the Hohenzollerns, without regard to what other form it may take, and that the fear of that, sir, is one of the things which incited, in my judgment, that message, for it is my opinion, and I express it solemnly, that the present house of Hohenzollern would rather have peace upon the terms of the allies and retain power than to have a peace which would put it out of power and be succeeded by another power in Germany.

Mr. BORAH rose.

Mr. LEWIS. I again yield to the Senator from Idaho if he desires to interrogate me.

Mr. BORAH. If it be true that the present chancellor of Germany, who is distinctly representative of the bureaucratic power in Germany, has come to feel great uneasiness about the danger to the governing and ruling powers of Germany and has been moved by reason of that uneasiness to suggest possible terms of peace which will preserve that ruling power, while I have never been in favor of our Government interfering with the Governments of Europe, I should really feel if kaiserdom is near a fall that the Government of the United States would be doing a service to mankind and to the people of Germany if it stayed in the fight until that breakdown came.

Mr. LEWIS. I would say to the Senator that while that is very commendable, if we did no other service to mankind as a result of the war than to break down the imperial military dynasty of Prussia and give to Prussia and the German people a liberty of action and freedom of government such as we ourselves enjoy, we would do a great service to civilization. It is my conviction, sir, that already the spirit aroused in Germany is such that whatever control the power would possess of Germany would be forced to yield to many of those instrumentalities and operations of legislative reform and elective reform such as we are now enjoying and such as we hope for Germany.

I now yield to the Senator from North Dakota.

Mr. McCUMBER. The Senator having by some occult power which I confess I do not possess derived from the speech of the chancellor some hope and some basis for a peace, and the Senator already having expressed himself as to what he thought might be acceptable terms of peace, I would like to ask the Senator what he thinks would be the terms with reference to the Turkish power in Europe. The Christian civilization having responded to the support of the orphans and widows caused by the periodical massacres by Turkish fanatics feel quite deeply interested on that phase of the question, and it does seem to be an important question.

May I also at this time call the Senator's attention to what I rather gleaned for myself from the speech of Lloyd-George some time ago, indicating a willingness on the part of Great Britain to allow the colonies wrested from Germany to determine for themselves what country they might desire to be attached to, if any. The colonial question possibly might be settled without serious difficulty, but it does seem to me that it would probably require some change of geographical lines, some realignments in southern Europe. I should be glad, and I am earnest in my desire, to find an early peace, if the Senator can tell us what he thinks ought to be done and what probably could be done by diplomacy and without the further force of arms and before the annihilation of any of these powers in bringing about a satisfactory solution of the Balkan question.

Mr. LEWIS. The United States would be present to protect the demands and rights of the little nations. Mr. President, referring first to Turkey, the Senator from North Dakota heard me express my viewpoint as to this board of mediation and arbitration, before which all claims would be presented, and which would in its adjustment suggest the solution for all the minor questions other than the mere restoration of the greater territory to which I have referred.

I say to the Senator the question he has put me has given me serious concern. I dwelt upon it this morning, reflecting on the subject, and this, then, was my conclusion, and it is now my statement.

This board, which would be made up of adjusters representing the different countries engaged in the conflict, if the Senator reflects, would be Christian by a very large majority. The dominant Christian churches, dominant in numbers, I refer to, would have representatives from those countries that are distinctively Christian. I assume they would regard this question, as the Senator has well put it, one of a Christian civilization to be preserved. That Turkey would be taken charge of in the form of a protectorate supervised or superintended by representatives of the largest Christian countries which have heretofore shown great interest and much knowledge of Turkey; that that form of supervision or protection would then open up the Dardanelles and the seas to all those countries and all of civilization that would use the same for the betterment of mankind; and that then out of this would come the proposition for the government of Turkey in such way and such manner as would not destroy the right of Turkey merely because it was not a Christian country, nevertheless completely preserve Christianity to the extent that it is exercised and preserve those who are Christian people to the full extent of their right.

Such was my viewpoint as to that.

Now, as to the Balkan States, I assure the Senator there is some confusion as to what shall become of the Balkan States. I am unable to satisfy myself as to any solution. I feel that those States, some of them being Slav and having sympathy with Russia, some of them bearing a more southerly relation and having their sympathy in other directions, these with Italy should be left to themselves as much as possible to determine among themselves what is for the best welfare of its people. And that being my creed and the creed of every Senator here where American sentiments will dominate them, and that applies to every Senator, I can go no further than to say I would be in favor of an agency that would leave to each of these independent governments some method of carving out for themselves the form of government applicable to themselves, the United States having at heart the rights of Ireland and Poland and the other little nations.

Mr. President, I have taken in these views considerable time, far beyond the excess of speech I had intended to throw out. I have made these statements so that Senators who are interested in the subject may reread the speech of Chancellor Michaelis, and that they may gather my views now and see if they can find in that speech any similar conclusions from that which they draw; if they can find it in justice to their own views, and if they can not find it that way consistent with our position, to make a suggestion as to what terms of peace from the American standpoint would be consistent with our institutions and the object for which we have entered into this conflict.

Mr. President, the time is ripe, as I see it, where a truce could be had and peace within the next six months assured the world through the condition that Germany is now in; and, sir, if I am in error and the truce and the peace which are hoped for shall not transpire within the next six months and the present atmosphere be availed of, I fear, sir, war for six years, with all its indescribable horrors, untold atrocities, and consequences beyond the depiction of tongue or pen. Out of deep solicitude for my own people, the sons and the mothers of America, the boys and the fathers of our land, and the future peace of the world, I am deeply solicitous, if there be any real foundation for my hopes, that I may enjoy the cooperation of the thought and reflection of my brother Senators upon this subject.

Mr. KING. Mr. President, as is known, all Senators are always so deeply solicitous (?) for the passage of the river and harbor bills, a bill of that character now being under consideration, that I am tempted to make a few observations, of course not for the purpose of obstructing its passage nor with respect to such measure, but apropos of the suggestions which have just been made by the distinguished Senator from Illinois [Mr. LEWIS].

I did not know, Mr. President, but that my good friend the Senator from Illinois, with prophetic instinct, having solved the war questions, and having prepared a treaty of peace, would move before we adjourn this afternoon that we go into executive session for the purpose of approving the workmanship of his hand.

It seems to me, Mr. President, that it is folly for our Nation to talk about peace now. We are at war, and the thing to talk about is not peace but war—war with the most formidable foe that any nation ever confronted. Germany is waging the most cruel and devastating war of all time. She is not fighting for

liberty or for existence but for conquest and indemnities. Our country, the great democratic nation of the world, was challenged by this autocratic military power and forced into this awful conflict. I can not agree with the Senator from Illinois in the construction which he places upon the recent speech of Dr. Michaelis.

The chancellor, in his memorable address, extols his predecessor, Dr. Bethmann-Hollweg, and, in effect, approves his war policies and his general administrative methods. As I read his address almost every sentence is an indorsement of the policy of brutality, blood, cruelty, and rapacity that has characterized Germany in the prosecution of the war from the day when she set her foot upon helpless Belgium down to the very hour the address was delivered. Dr. Michaelis not only indorsed the ruthless submarine warfare pursued by Germany, but he boasted of the success which had attended the execution of this atrocious, wicked, and cowardly policy. So indurated is the chancellor in Prussian barbarism and inhuman methods of warfare that he regards them as proper, and so lost is he to the instincts and sensibilities that find repose among civilized nations that he boldly declares that submarine warfare is not contrary to international law and is not violative of the rights of humanity.

I have hastily glanced at portions of the chancellor's speech, as reported in the press, since the Senator from Illinois began his address, and I repeat that I can find nothing in the reported language of the chancellor to warrant the conclusion drawn by the distinguished Senator. Instead of indicating a desire for peace, the chancellor boasts of Germany's invincibility and triumphant victories. Indeed, he declares that Germany can not again offer peace, although it must be known to everyone that Germany at no time has made an offer of peace. The chancellor boasts that France and England are unable to supply their armies, and he further declares that Germany can look forward to the further labors of the submarine with complete confidence. He speaks derisively of the entrance into the war of the United States, and clearly conveys the idea that this Nation is no factor of any importance to the great contest. He further declares, in substance, that Germany has been victorious and that she and her allies look forward with the greatest confidence to ultimate victory. As I read the speech, it is in consonance with the predetermined policy of the military caste of Germany. There will be no departure from the methods of warfare formerly employed, and, indeed, greater efforts will be made than have characterized Germany's course in the past. There is not a gentle word, a sympathetic expression, or a humanitarian view in the entire speech. It is a bloodless, cruel, iron speech; and he gives no hope of an honorable peace to the warring nations.

It seems to me, Mr. President, that my friend from Illinois, in his desire to have peace, has been more interested in reading into the statement of the chancellor meanings that were never expressed than in placing upon the words the true and correct import which they bear.

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

The PRESIDING OFFICER (Mr. WEEKS in the chair). Does the Senator from Utah yield to the Senator from Minnesota?

Mr. KING. I yield.

Mr. NELSON. Does the Senator not think that it will be time enough to talk about peace after Germany has vacated Belgium and northern France?

Mr. KING. So far as I am concerned, Mr. President, I shall not care to talk peace until Germany solicits peace at our hands and the hands of the nations she has robbed and despoiled; until she returns to Belgium and to France the thousands of helpless women, children, and men carried away by her into cruel and inhuman slavery; until she withdraws her military forces from Belgian soil; until she makes reparation to the bleeding, crucified people of Belgium and France for the foul and wicked crimes that lie at her door.

The allies desire peace, our country desires peace, but peace is impossible until Prussianism is vanquished and the German people seek peace and in good faith meet their opponents in a spirit of amity to write the treaty that will end the war.

The suggestion of the learned Senator that the nations of the world, or at least the participants in the war, contribute a fund to indemnify Belgium strikes me with abhorrence. The allies and our country indemnify Belgium? And for what? For the crimes—the ruthless, wicked, and fiendish crimes—committed by Prussian militarism. Assess the people of America, assess the people of France, Great Britain, Italy, and Russia, who have been battling for liberty, for territorial integrity, if not for the existence of their nations, and for the democracy of the world, in order to recompense poor, ravished, and stricken Belgium

for the atrocities and crimes that lie at the door of Germany! That Belgium shall be restored and compensated, the civilized world demands, and Germany must make such restoration and give compensation. We want no indemnity, no territory; but, if I mistake not, the United States will demand that our rights as a Nation and the rights of the American citizens upon the high seas and in all the world shall be respected; that the unspeakable, barbarous crimes against Belgium and France shall be expiated, and that a righteous peace shall be secured.

Why, Mr. President, Germany for years has been preparing for war in the interest of pan-Germanism, which she has asserted as a national creed. Since Bismarck's time she has founded her national and political policies upon the doctrines of Bernhardt, Nietzsche, Treitschke, and Haackel. The military caste controlling her has forgotten the glorious philosophy of Kant, the high spiritual ideals of Goethe, the ethical concepts and generous sympathies and altruistic faith of many of the German people. Her military leaders, the Kaiser, and the bureaucratic caste who have controlled the destiny of Germany have accepted the biological theory of Haackel and the extreme natural selection views of Darwin and sought to apply them to the social, political, and governmental policies of their nation. Might has been deified and physical power has been taught to be the dominant factor in the civilization of the world. The philosophy that finds expression in the teachings of extreme revolutionists and finds more or less exemplification in the animal and vegetable kingdoms and the theory of the survival of the fittest were sought to be applied to the social organism and to the industrial and political institutions of the State. In the biological world the strong and the predatory, by natural selection, become the fittest to survive. The ethical, the moral, and spiritual forces find no justification in this creed. Bernhardt, with a brutal callousness that is wholly incompatible with a Christian civilization, has glorified force and power and might, and many of the teachers and philosophers of Germany have sought to inculcate this inhuman and materialistic philosophy into the minds of the German people. They have challenged attention to the history of the past and contended that in all ages there was one dominating, overpowering, and overshadowing nation, the nation which was, by reason of its strength and its power, arbiter and controller of the world.

These teachers have pointed to the nations of antiquity and to the powerful ones such as Babylon, Greece, and Rome, which held the small and helpless nations within the hollow of their all-powerful hands. They have argued that it was the philosophy of life and of nations that always and at all times there should be one overlord, one nation, that should dominate the world. Charlemagne and other mighty figures since the fall of Rome have been pointed to by the German teachers as illustrations of the philosophy which they so learnedly expounded. Indeed, German textbooks and German publications during the past 30 years contained the subtle creed, which in the end must undermine the spiritual and the best that is within humanity, that physical power and military greatness are of the greatest, and indeed the highest, importance, and that Germany was destined to rule the world. I repeat, Germany, particularly during the past 30 years, has held that there can be but one dominating and controlling nation in the world at a time, and that Germany was destined to control the world politically and to determine its philosophy and dictate its culture.

Li Hung Chang, after visiting Bismarck and Germany, wrote substantially in his diary the words—

I am convinced from all that I have seen in Germany that Bismarck and the Kaiser meant what they said when they averred that the German Empire was destined to become a dominant factor in Europe.

And the imperial chancellor said in the Reichstag in 1912 that the German people were living in an atmosphere of passion; that at the root of this feeling was the determination of Germany to make its strength and capability prevail in the world.

Everybody knows that has been the dream of German teachers and philosophers for years—that Germany would dominate industrially and politically the nations of the world. She has built an efficient industrial machine, and the greatest and most powerful military organization the world has even seen. All efforts have been directed toward military efficiency, and everything has been subordinated to the elevation of the military power and to the building up of a strong military machine, that in the end would smite the world and rivet the chains of servitude upon the helpless nations of Europe. There are millions of the German people who do not share these aims; there are millions who are unacquainted with the ambitions and hypocrisy that led to the war. They want no conquests, no indemnities, but think they fight for their country. It is not of them I speak.

So far as I am concerned, I would say that we are in this fight to win, and we shall not talk peace until Germany sues for peace; until she rights the wrongs she has committed; until the foul crimes of which she has been guilty are "burnt and purged away" by sacrificial confession, restorations and compensations, or upon the battle field; and in the accomplishment of this end there will doubtless be shed the blood of patriotic boys who will go from this land carrying the Stars and Stripes across the sea; and they, by the supreme sacrifice of their lives, will vindicate the rights of the American people and the rights of democracy in all the world. Let us talk no more of Michaelis and no more of peace. Let us further prepare for war and fight on until we and our heroic allies win a righteous and a lasting peace for our country, for democracy, and for the world.

Mr. LEWIS. Mr. President, I regret that my excellent friend, Judge KING, the eminent Senator from Utah, should have viewed my observation as one for the purpose of executing a treaty of peace. While I appreciate his delicate satire, I would have advised him that the splendid speech he seems to have written with a view of delivering it upon my resolution when it came up might have been withheld for a while.

Mr. President, surely the Senator from Utah does not mean to tell America that, as a representative of his sovereign State, he would be in favor of continuing this war, notwithstanding Germany's willingness, if it was such, to make peace upon our terms. Surely no Senator will have his people understand that he wants the children of his land to go to their death, and their land to the misery of its human hearts, merely for revenge. Surely, sir, no Senator would say that he wants the country kept at war and continued at war merely because it had entered the war. But if it be true, as I have assumed to apprehend, that Michaelis meant to speak for Germany, that she was ready now to take the terms of the allies if proposed through the United States, or Britain merely in exchange for the United States or the allies asking for them—surely, sir, we shall have then reached the full conclusion of my eminent friend from Utah; we shall have vindicated all of our principles and saved our men in millions from death; sustained our land in glory and encouraged all civilization by the result. Where is that man, if such a result could be obtained without the destruction of our people and the death of our people, who would not welcome it? Sir, I was merely suggesting, as I shall continue to suggest, what we should do if Germany should send us this lead of thought, that she would accept our terms of peace. We did not go into this war to fight perennially, ceaselessly, endlessly, for at some point peace is to be, but if it can be had at the outset rather than at the end of the great conflict with the universal death or general slaughter of mankind, surely there is no Senator who would decline it.

Now, sir, such was my view. If the able Senator is right, that Germany is merely tendering a ruse through Michaelis, and that her purpose is merely the domination of the world by power that she shall command, then I was wrong in my apprehension of that speech and in my deductions from it; but if I am right in my deductions from it, as I have given them to the Senate, that Germany would now accept peace and indicates very clearly that she would accept the terms of the allies and the United States if we but propose them, then, sir, I would ask, if such proposal could be accepted by the mere proposing of it, where is the man who would decline to do so?

I have concluded. I regret to so stir the heart of my distinguished and rather ferocious friend from Utah, but I am still a profound believer in the doctrine of the eminent poet Milton that

Peace hath her victories
No less renown'd than war.

Mr. PHELAN. Mr. President, I am very glad that this digression has intervened, as it gives me an opportunity to call the attention of the Senate to the fact that under the guise of peace there has been a great deal of discussion that might savor of treason. When a country is engaged in war and calling upon its resources of men and treasure, at the very time when the moral effect is most desired, a futile discussion of peace, no matter how much we may desire it, is out of place and probably embarrassing, not only to the Executive, but to the Army and the Navy in the field and on the sea.

I received yesterday a letter from an alarmed constituent, who inclosed me a paper published in Los Angeles, the American Woman, edited by Clara Shortridge Foltz, a brave and loyal woman, in which former Senator John D. Works has an article in answer to a patriotic appeal made by the editor to change his views on the war.

He replies that it is a pretense to claim that the war is one waged for democracy; that it was inaugurated by us for the

purpose of supplying a market for the manufacturers of munitions and was inspired by corporate greed, and that it is "a disgrace to humanity and a crime against civilization." I suppose a Senator after he has departed from this body carries with him a certain amount of prestige, certainly among his neighbors and his friends, and the responsibility which is upon him for his utterance is not removed by the fact that he no longer sits in this Chamber. His service here was too recent for me to expatiate upon the character of the man. We know his pacifist views, and those views, sir, were for the most part expressed before we were engaged in war and during the period of proposed preparedness. But now that we are actually at war, I must say that any comment of the character contained in this article, from which I will briefly quote, not only involves great danger to his country by undermining that sentiment upon which this war must be conducted and that public opinion upon which our Government rests; but in conveying to the enemy even the intimation that among a considerable body of our citizens—claimed by him to be 75 per cent, if you please—there is disloyalty and lack of harmony in prosecuting the war upon which we have embarked, and which is no longer a debatable question.

I presume a man has a right to express his own sentiments whether in the Senate or out of the Senate; and, although it would be very easy to construe this matter as treasonable, I do not believe that the ex-Senator will be prosecuted for seditious utterances; but I am not quite sure whether an attempt will not be made by the post-office authorities to exclude the publication from the mails, because in the city of San Francisco a paper was excluded from the mails for containing very much less, in measure and in quality, of treasonable matter. The former Senator from California says:

I look upon our entry into the war between foreign nations, involving issues in which our country had, and still has, no concern, as the most colossal mistake the Government has ever made. * * * It is a disgrace to civilization and a crime against humanity. * * * It is loudly declared that we entered the war to protect and defend democracy. What democracy? Not the democracy of our own country. It needs no protection against foreign aggression. It should confine its warlike efforts, if any are necessary, to the defense of American democracy and American rights on American soil. Did we enter the war in defense of democracy or to uphold any great governmental principle of liberty and justice? Not at all. * * *

There is much more to the same effect. In this manner, propounding questions to himself and answering them himself, the learned ex-Senator makes it appear that the war was unnecessary and was entered into not for the purpose of preserving democracy, liberty, and justice but of protecting merchants and manufacturers engaged in international trade, principally in war materials. In the pursuit of his argument he attacks the change of front of the President, ignoring the fact that it was the front that changed and not the President.

Former Senator Works has been fairly consistent in opposing measures of preparedness and has generally taken the pacifist view of nonresistance. The Spaniards, in their ruthless campaign against the aboriginal natives of America, called the people "pacificos" who bowed their necks without resistance to the Spanish yoke, and they were treated with the contempt which they deserved and suffered for centuries from the oppression which overwhelmed them, until the armed democracy, in 1898, unshackled them in Cuba and the Philippines. The Belgians, the French, the Russians, the English, the Italians, and the Irish have preserved their dignity and self-respect by resisting oppression, and they have bequeathed this priceless possession—honor and courage—to their descendants, who have largely peopled the United States. In order to preserve liberty and justice they have never hesitated to make the supreme sacrifice.

When Richelieu directed De Mauprat to deliver at any cost an important message, De Mauprat protested the difficulty and the danger, in which his life might be lost. Then thundered the great cardinal-statesman:

I bade thee grasp that packet as thy honor, a jewel worth whole hecatombs of lives."

I bring this matter up because there is in the minds of the people a question whether we are making too great a sacrifice in entering a war prosecuted by our allies, and in which it is claimed we have no direct concern. President Wilson has demonstrated that this is a war against mankind, and therefore it is our concern and more intimately that it affects the honor, aye, the life, of the Republic.

President Wilson, sincerely committed as he is to peace, criticized by his countrymen from one end of the land to the other for "watchful waiting" and "intolerable delay" and for being "too proud to fight," said in his message to Congress,

February 3, 1917, announcing the severance of diplomatic relations with Germany:

I think that you will agree with me that, in view of this declaration, which suddenly and without prior intimation of any kind, deliberately withdraws the solemn assurance given in the Imperial Government's note of the 4th of May, 1916, this Government has no other alternative, consistent with the dignity and honor of the United States, but to take the course which, in its note of the 18th of April, 1916, it announced that it would take in the event that the German Government did not declare and effect an abandonment of the methods of submarine warfare which it was then employing and to which it now purposes again to resort.

Patience exhausted and driven to the wall, the President declared at last for resistance. He is a pacifist—patriot,—but not a poltroon.

But Senator Works says that only a comparatively few people were affected by the lawless and barbarous acts of the Germans not only in violation of international law but in violation of their own voluntary agreements. The freedom of the seas is an established doctrine, and the right of our citizens in the pursuit of peaceful commerce to use the seas is fundamental. Commerce has been described as "the calm health of nations," and it is erroneous to say that only a few people are interested in it. Every farmer and artisan—every producer—as well as every merchant, manufacturer, shipbuilder, and shipowner, is interested in keeping the seas open, and when the Senator intimates that it is a national right which might easily be surrendered to avert war it would be interesting to know at what stage he would begin to resist encroachment upon national rights. I gather from his article that he would wait until the enemy had actually invaded the continental United States, and then, if he could not compromise, like the natives of Cuba and the Philippines with the Spaniard, he would, in order to prevent absolute extinction, put up some sort of a fight with sticks and staffs. Having neither the means of fighting nor the disposition to fight, the American democracy, according to the ideals of Senator Works, would not only be a pusillanimous and helpless thing but would not be a democracy at all. If we did not bow our neck to the oppressor, our neck would be broken by the oppressor. We either have to effectively defend our house or take the place of the doorman.

Some one has said:

There are two kinds of government—one in which the people show their teeth at one another, and the other in which they show their tongues and lick the feet of the strongest.

As between the armed, virile, and vigilant democracy showing its teeth, and the craven population, cowering under the lash of the aggressor, there can be no choice in the minds of free men.

Is life so sweet and peace so dear that they are to be bought at the price of chains and slavery?

Germany showed her set purpose to break down international law, flout international rights, violate international treaties, enslave and destroy innocent people by land and sea, disregard solemn obligations, and ignore the protests which were made in courteous yet firm language by the President of the United States, speaking for the American democracy, until the President, in his boundless patience, gave notice that, however great was our reluctance to engage in costly and murderous warfare, if Germany persisted in her aggression, there was only one course for a self-respecting people to pursue. Germany chose war. Here was the stage at which we either had to stand fast or run away. If we stood fast, there was a reasonable expectation of defending our place, our position, our rights, our dignity as a sovereign nation, under whose sheltering aegis the people of the world were free to come, untrammelled by tyranny, and pursue life and happiness. If we ran away, we would not have avoided war, because war unfailingly would have pursued us. If democracy, liberty, and human rights are locked up in the fortunes of the United States, then democracy, liberty, and human rights, and their survival become the issue of the war, and it was the part of wisdom to enter the war against Germany and German pretensions in alliance with the other powers, because sooner or later, in case of the success of German arms, we would have had to meet the enemy alone.

Has the Senator forgotten the Holy Alliance and the treaty of Verona, where the autocratic powers, after the Napoleonic wars, banded together for the purpose of preventing the spread of democracy at home and abroad? The South American Republics had declared their independence, and the powers had allied themselves to destroy them and destroy the democratic sentiment which had sprung up in Europe and which threatened to overthrow the domination by the few of the lives and happiness of the many.

Has the Senator so soon forgotten the bold attempt of the German Secretary of Foreign Affairs Zimmerman, before the

declaration of war, to establish a secret alliance with Mexico and Japan to invade our rights and to turn friendly nations against us and transfer the war to this continent? Was not the wicked design to restore the border States to Mexico and give the Philippines, and, perhaps, the Pacific Slope, to Japan? Does the Senator forget the actual invasion of our peaceful land, before the severance of diplomatic relations, by murderous spies and dynamiters, who destroyed both property and life, which led to the expulsion of officers accredited to the German Imperial Embassy? Does he not see in these things an attempt on the life of free government on the American Continent?

This has therefore developed into a war for democracy, because Germany, the sternest military autocracy in Europe, had set out to Prussianize the world. If victorious its first attack would be upon the Monroe doctrine, and it would put every land south of the Mexican border under its rule and establish in this hemisphere that condition which would ultimately involve irrepressible conflict and make us permanently a militaristic nation.

No one can read the message of the President delivered to the Houses of Congress on April 2, 1917, without finding ample justification for the war, and believing that the very existence of America as a peaceful democracy was involved in its outcome. We might have stayed out, abandoned France, England, Italy, and Russia to their fate, accumulated great wealth, and bided our time, but that our time would come there can be no manner of doubt. Our national humiliation, however, the consciousness of cowardice, the pusillanimity of our Government would have so undermined our national self-respect and so impaired our powers of organization and resistance, if not our very national spirit itself, that we would become as easy victims to the aggressor as the lamb is to the wolf. I can not think of Senator Works—amiable, benevolent, and optimistic—but that I recall the lines of Alexander Pope:

The lamb thy riot dooms to bleed to-day,
Had he thy reason would he skip and play?
Pleased to the last, he crops the flowery food
And licks the hands just raised to spill his blood.

Such leadership as his would lead us into the shambles. The President in this message said:

The present German warfare against commerce is a warfare against mankind. It is a war against all nations. * * * Each nation must decide for itself how it will meet it. We must put excited feeling away. Our motives will not be revenge or the victorious assertion of physical might of the Nation, but only the vindication of right, human right, of which we are only a single champion. There is one choice we can not make, we are incapable of making; we will not choose the path of submission and suffer the most sacred rights of our Nation and our people to be ignored or violated. Wrongs against which we now array ourselves are not common wrongs; they cut to the very roots of human life.

Judge Works was once a committing magistrate and punished offenders, and still says the law must be obeyed, even though he personally dissents from the wisdom of the law. What answer has he, then, to this sentiment taken from the same message of President Wilson?—

We are at the beginning of an age in which it will be insisted that the same standards of conduct and of responsibility for wrongdoing shall be observed among nations and their governments that are observed among the individual citizens of civilized States. * * * The steadfast concert for peace can never be maintained, except by a partnership of democratic nations. No autocratic government could be trusted to keep faith within it or observe its covenants. * * * Only free people can hold their purpose and their honor steady to the common end and prefer the interests of mankind to any narrow interests of their own.

The Senator from Illinois [Mr. Lewis], ingenious as he is, confiding, believing what he hears, is disposed to regard the oracular utterances of the new minister of state of the German Empire as opening the doors of peace. The President gravely questions whether an iron and autocratic Government, whose methods are those of tyranny, can sit down in a council of democratic nations and cease to be a disturbing and a disorganizing element. So there will have to be more than oracular intimations; there will have to be written in black and white terms of peace before they can be considered as being offered in good faith; and if they are offered in black and white they may become, alas, a "scrap of paper," and they may be introduced merely for the purpose of disarming the more confiding and honorable nations in order to make the final blow more effective. We must be on our guard.

Germany has put herself out of the pale of civilized nations, and the Senator from Illinois must certainly bring to the Senate greater assurances of good faith than are indicated in the press dispatches.

But the President's message, which I have just quoted, gives a forecast of that concert of nations, loving freedom and willing to make sacrifices for it, which can alone insure the permanent peace of the world.

We are glad—

The President says—

to fight thus for the ultimate peace of the world and for the liberation of its peoples, the German people included; for the rights of nations great and small; and the privilege of men everywhere to choose their way of life and of obedience. The world must be made safe for democracy. Its peace must be planted upon trusted foundations of political liberty.

It is a glorious thing, Mr. President, to see this free Nation, after having built its structure of liberty deep and strong in the hearts of its citizens, to shelter the hopes of mankind, maintain the power and at the same time the spirit to fight for its ideals in a world at war, not for the purpose of its greater enrichment or for the acquisition of territory, but simply to preserve what it has won in the past by the blood of its martyrs. It can not allow the world to recede under the dictation of a German Kaiser, having for his purpose greater power and further domination, trampling under his feet, in his unholy ambition, the rights of the humble and defenseless. America, dauntless and determined, resolute and resourceful, says, in the name of human rights which are epitomized in democracy, "Thus far shalt thou go and no farther."

I am glad to have had this opportunity of making these reflections, because I have been in receipt, from my fellow citizens of various European extraction, of expressions of grave doubt as to not only the wisdom but the necessity of our having gone to war. I have not often obtruded my views upon the Senate, and I doubt if I have ever spoken at a time when a measure was before this body not strictly relating to the subject of my remarks; but receiving from my constituents this treasonable comment by the former Senator from California, I should like to stigmatize it as it deserves, and yet I would not stigmatize him.

Thomas Jefferson, in defense of the privilege of free speech, free thought, and free press, as I recollect, said that it did not affect the welfare of the Republic where reason was left free to combat error and every hostile and even treasonable utterance. Jefferson would bring before the forum of conscience every fact, every shred of evidence; and he says a man will be judged not by the rightness but by the uprightness of his decision. I believe the former Senator from California is wholly conscientious, that he believes exactly what he says; and as long as we are free here, without censorship in the Senate or in the press or on the platform, to answer him, I would give him the greatest freedom in his charter to speak. It was said of the British Parliament that, "Girt around by friends or foes, a man may speak the thing he will"; and, at any rate, he can be as wrong as he likes and as long as he likes in this Chamber.

I acquit ex-Senator Works, but I answer him. I hope the Post Office Department will not visit punishment upon the press that gave expression, without approval, to his utterance by denying it post-office facilities, because wherever this paper has gone I am going to see, if that is possible, that an adequate answer goes. That is the best way to meet treasonable utterance, and I can not say that any utterances possible in this land are more reprehensible than treasonable utterances, which give comfort to the enemy and demoralize our citizens and soldiers; and yet let us even tolerate the ebullitions of the former Senator from California, though they be manifestly not only in bad taste but dangerous and unpatriotic at this time, because he is by conviction and conscience a pacifist; he is a noncombatant; he will offer no resistance, no matter what humiliation is put upon him. He can not conceive that any insult would under any circumstances—and he so says—justify the blow. Feeling that way, we have more of pity than of blame to express; and when it is made known of men that such are his convictions, then his influence will just in that proportion be of little value. They may even evoke patriotic reaction by the apathetic. But no treason should be allowed to go unchallenged; and any incitement against the enforcement of the law should be suppressed because it is the law. This is a Government of law, and the Government has spoken.

I trust that my constituents who look dubiously upon this war under suggestions of that kind will realize when they hear the answer of their President, which I have quoted, that pacifist though he is, patriot he also is; that there is a time when resistance becomes absolutely necessary for the existence of the individual or of the State.

They say that self-defense is the best of all laws because the lawyers have not made it.

Whatever we have done in this Chamber by way of legislation for preparedness for war and providing the means for war, it counts as nothing compared with the primal and instinctive right of a man, and equally of a State, to defend himself or itself. Therefore I claim that this is a war of self-defense, a war of self-preservation, untainted by the unholy ambition of any Kaiser, unaffected in any degree by aggran-

dizement sought or advantage to be gained, and that we have come to look upon it, under the leadership of our President, as entitled in this world crisis of democracy to the help and support of our arms.

If we had remained out of the war and saved our sons and saved our treasure, we would be very rich in pocket and secure, temporarily at least, in the possession of our boys; but, as I heard a Senator say the other day, he could not explain without shame to his posterity that living in this time, with a family of boys, that they had failed to respond to the call of the colors—failed to respond to the call of country. "It is not all of life to live, nor all of death to die." No man who survives this war, having participated in it, shall ever regret it. As Henry V said before the Battle of Agincourt, so says the Republic, "He to-day who sheds his blood with me shall be my brother." No man who is a slacker and avoids his duty and who "holds his manhood cheap" can hold up his head among his fellows when history shall record the heroic events of this heroic year.

Mr. FLETCHER obtained the floor.

Mr. McCUMBER. Mr. President—

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

Mr. McCUMBER. I thank the Senator. I will only take a very few moments, Mr. President.

Mr. JOHNSON of California. Mr. President, will the Senator permit me one minute?

Mr. McCUMBER. I was about to present a matter in the time of the Senator from Florida, and as he has the floor the Senator will be compelled to address his request to him.

Mr. JOHNSON of California. May I ask the Senator from Florida, then, if he will give me just one minute? There are two sentences I should like to say just at this point.

Mr. FLETCHER. It is entirely agreeable to me, Mr. President. I shall be very glad to yield.

Mr. JOHNSON of California. Apropos of what has been said by my colleague from California [Mr. PHELAN].

Mr. President, there are very few of the views of John D. Works with which I am in sympathy. There are fewer still of my views with which he is in sympathy. I am in little sympathy with what has been quoted to-day by my colleague from California; but I feel that there is one thing that ought to be said:

When this Nation was in danger, when the call came from the President of the United States for volunteers in 1861, John D. Works shouldered a musket, and, in the old uniform of blue, he fought through that war for the preservation of the United States of America.

Mr. PHELAN. I am very glad the Senator has reminded me of that, and I am pleased to have it in the Record.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. BORAH. Will the Senator yield to me for just a moment?

Mr. FLETCHER. I will.

Mr. McCUMBER. I will also yield my time to the Senator, if he desires it.

Mr. BORAH. If the Senator will pardon me a moment, Mr. President, like the Senator from California [Mr. JOHNSON], I am not in entire harmony with some of the views of ex-Senator Works, and with some of his views I am quite out of harmony. But during the time that ex-Senator Works was in this Chamber as a representative of his State I regarded him as one of the most sincere, one of the most conscientious, and one of the most courageous men in the Senate, and I have no doubt but that when he wrote this article he wrote it from motives quite as patriotic as the motives which actuated him when he shouldered his musket and went to fight for the flag.

We may be wholly in disagreement with him, as I am, with reference to the views which he entertains with reference to war under the circumstances which confronted us at the time war was declared. Nevertheless I pay to former Senator John D. Works the tribute of my sincere respect, and I wish that all men were at all times in their public service actuated by as high and courageous motives as those which actuate John D. Works. He is, in my judgment, the proud possessor of a clean conscience and of a fearless and upright mind. We may wholly disagree with some of his views, but no man can doubt his sincerity.

DISLOYAL UTTERANCES IN NORTH DAKOTA.

Mr. McCUMBER. Mr. President, I have received a large number of letters from constituents in my State appealing to me to ascertain some means by which they could rid themselves

of copperheads and traitors in their midst. I have felt that there was no better or more appropriate time than this time to read one of those letters into the RECORD, that I may speak to the President of the United States, and through the President of the United States to the Postmaster General concerning the loyalty and patriotism of some of those whom they have appointed and who are now holding Federal positions in my own State, and leave it with the President and the Postmaster General to determine whether or not the latter—because I do not hold the President himself responsible for these appointments—will be as active in putting traitors out of the post offices as he was active in getting Republicans out, that their places might be filled by others.

I want to call attention to one little incident in one of the small towns in my State where a lecturer was entertained and dined by the postmistress the next day after the lecture. In this lecture she referred to the American mothers who had sent their sons to die in France as brood sows, producing only for slaughter for the protection of J. P. Morgan's millions, or words of like import. She referred to the soldiers who had responded to the call of President Wilson, who did not wait to be drafted but who answered his first call and enlisted as volunteers in the Army and Navy, as fit only for use in France as fertilizer.

I ask that one of these letters may be read without the name. I will read one other letter, or a portion of it, and let the Postmaster General know in this way that unless he takes cognizance of matters of this kind there are patriotic people in the State of North Dakota who are liable to take the matter into their own hands and deal with it in their own way.

I ask that the Secretary may read this letter, omitting the name. I want to say that I omit the name simply because I have not had authority to use it; but I know the gentleman who writes, and I am positive that he would be willing that I should use the name, as he is not lacking in courage.

The PRESIDING OFFICER. The Senator from North Dakota asks that a letter may be read without using the name. Is there objection? The Chair hears none.

The Secretary read as follows:

BOWMAN, N. DAK., July 18, 1917.

Hon. P. J. McCUMBER,
Senate Chamber, Washington, D. C.

DEAR SIR: The people out in this part of the State of North Dakota, who are really Americans and who feel it their duty to support the Government, and who are doing their utmost to support the Government and assist in any way possible during these critical times, have been consulting together relative to what steps should be taken in order to suppress sedition and disloyalty toward the Government. It seems that the authorities in this immediate vicinity either do not want to or else do not understand how to render such aid and assistance to the Government as should be at this time. After consultation these citizens requested me to take the matter up with you in hopes that you may be able to break through or get behind the breastworks of the coterie which upholds such disloyalty. I do not know whether or not you have any means of bringing the condition which exists here directly before the authorities who should deal with them, but the condition has become such that unless the Federal Government takes a hand in the matter the good citizens of this community, those who are real Americans, will take matters into their own hands with possible serious results.

Last night we had a speaker here in town by the name of Kate Richards O'Hare, who, I was informed, was a former editor of the National Rip-Saw. Her entire speech, I was informed, as I was not myself present, was of an anarchistic variety, tending in its entirety toward the discouraging of enlistment and resistance of draft. Among other statements, she stated that it was a good thing that those who enlisted did so, as they were no good and only fit for fertilizer anyhow. Those few from here who have enlisted in the Navy and are not yet called into active service are to-day being ridiculed and made the object of derision by this same coterie of traitors, and it really seems to us that after these young men have offered their services to the Government and have been accepted—and they are splendid young men, the kind that make American citizens that we are proud of—that the Government owes them the duty of protection from attacks of this kind, and the sentiment here is such that if the Government refuses, fails, or is unable to do so, the citizens here who are friends of these volunteers and who recognize their sterling and honorable qualities, will do so. These citizens, however, are peaceful and law-abiding citizens and desire to bring the matter before the constituted authorities. A telegram has been sent to our United States district attorney, also to lieutenant commander of the Navy at Minneapolis, Minn. We do not know of any further steps to take and we are appealing to you as our representative in Washington in hopes that you may be able to do something for us.

Another statement by this speaker last night was to the effect that the American women who did not oppose the war and resist the Government in taking of the young men for the purposes of war were no better than the American brood sow, as they willingly raised sons for the purpose of being murdered in the defense of the \$4,000,000,000 that J. P. Morgan owned. Now, we do not feel that the Government should ask us to submit not only to the insults to our young men who have the patriotism and courage to lend themselves for the protection of our Government but also submit to the vulgar insults to our wives, mothers, and sisters.

It is also an unfortunate thing that the only representative of the Federal Government which reaches every small town and hamlet, namely, the postmaster, is here well known to be in sympathy with speakers and principles of this kind. As a matter of fact, the husband of the postmistress here, and who is really the controlling influence in the post office, is one of the leaders for the distribution of propaganda of this kind. In fact, he has right in the post office made slur-

ring remarks about the American flag to a patron who came into said post office wearing an American flag in the lapel of his coat. The speaker last night was brought here by the bunch spreading this seditious propaganda. A bill announcing the meeting, with a large picture of the speaker, was conspicuously posted in the post office—the postmistress and her husband both attended the speech and enthusiastically applauded the seditious utterances of the speaker. It is common knowledge in this village as well as the surrounding community that all the employees in the post office are opposed to the aims and efforts of the Government. I am a member of the executive committee of the chapter of the Red Cross that we have organized. We are going to do our utmost, but it does not seem to us that the Government should permit such obstacles to exist and to be thrown in the path of those who are endeavoring to do what they can in assisting the Government. Secret meetings are being held by the people who are spreading this propaganda almost nightly. We have almost reached the limit of our endurance and we feel the Federal authorities should make an investigation and take drastic action.

I have been informed that the present postmistress is intending to resign and that the frame up is to have a nephew of her husband appointed in her place. This young man was just naturalized as an American citizen during the month of June last. His registration card would scarcely hold all the reasons he gave for being exempt from military service. He was formerly editor of the Bowman Citizen here, and the files of this newspaper which he edited will indicate his feeling toward the Government and his ideas of patriotism. We believe that our community needs attention from the Federal authorities, and we hope that you may be able to assist us in bringing this about.

Will you not kindly let me know whether or not you will be able to be of any assistance to us; and if not, would you direct our efforts into such a channel that they would receive attention?

Very truly, yours,

Since writing this letter I have learned that our postmistress has been entertaining last night's speaker to-day; that they had dinner together at the hotel and visited and hobnobbed together.

Mr. McCUMBER. Mr. President, I think it just to say at this time that as I understand it neither the postmistress nor the husband is German or German born. It is not a German question at all. They are, as I understand it, simply socialists, with anarchistic tendencies, if the information which I have received is correct. The German people of the State of North Dakota, while they very naturally regret that there exists a state of war between their fatherland and this country, are nevertheless patriotic American citizens, and will do their whole duty in this war, and this propaganda is not stirred up by them, nor are they in any way responsible for it.

Now, Mr. President, I ask that another letter coming from the same town, but from another source, or a copy of the letter, which has been sent to the district attorney, may be read into the RECORD. I am taking this method of presenting the case to the Postmaster General. I am certain that President Wilson would not knowingly retain in official positions those guilty of sedition or who countenance the traitorous words charged in these letters.

Mr. BRANDEGEE. Before the letter is read, will the Senator mention the name of the village or town?

Mr. McCUMBER. Bowman, N. Dak.

Mr. BRANDEGEE. What is the name of the postmistress and what is her husband's name?

Mr. McCUMBER. The name is given there. Potter, I believe. It is in one of those letters.

The PRESIDING OFFICER. Does the Senator from North Dakota wish to have the letter sent to the desk read or ordered printed in the RECORD?

Mr. McCUMBER. I wish to have the letter read, Mr. President. It is a copy of a letter that was sent to the district attorney of the State.

The PRESIDING OFFICER. Unless there is objection, the letter will be read.

The Secretary read as follows:

JULY 19, 1917.

Mr. M. A. HILDRETH,
United States District Attorney, Fargo, N. Dak.

DEAR SIR: On Tuesday evening, July 17, as I understand it, an alleged socialist, Kate Richards O'Hare, formerly editor of the National Rip-Saw, gave a lecture in the Cozy Theater at Bowman under the auspices of local Socialists, which includes the husband of the Democratic postmistress at this point. In the course of this woman's remarks it is stated to me on good authority that the woman said in her lecture that "It was a good thing that those who enlisted as soldiers in the present crisis did enlist, because they would be converted into fertilizer, and that is all that they were good for, anyway." And further on she made a remark to the effect that "American women were being used simply as brood sows in the rearing of men to be used as soldiers."

A person coming into a town and being allowed to talk that way at the present time, you can realize, arouses a good deal of honest indignation among loyal citizens. The matter was put up to W. A. Fleming, county attorney for Bowman County, asking to have a warrant issued for the woman's arrest, but, as I understand it, he read over the telephone a letter purporting to have been received from your office advising against arresting people for such an offense, because it might stir up trouble among the foreign population. I am certainly surprised at this and really do not know what to think of it.

I am submitting the above to you as it was related to me at my office at Bowman yesterday morning, and I was asked for my advice in the premises. My advice was to the effect that this should be put up to the proper authorities, but in the event of the proper authorities not acting, an exhibition of that kind should not be tolerated in Bowman in the future but should be prevented by the loyal and law-

abiding citizens of this community. I am satisfied that you will agree with me that this is no time for cowardice. Discretion at all times is advisable and commendable, but there is a limit to toleration along such lines. The Goldman woman and her partner have just been sent to Federal prison for a similar offense, and I do not know of any reason for showing partiality in that line. I will be glad to hear from you on the subject.

Very truly, yours,

Mr. McCUMBER. I hope the Postmaster General will investigate this matter upon the statements as they will appear in the Record.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER. Mr. President, I do not know but that it might be in order now to take up the river and harbor bill. The Senate has been engaged in discussions which are all very interesting in many ways, but at the same time foreign to the bill that is pending before the Senate. I hope the relief upon the mental pressure will be sufficient now to enable us to get down to a cool and deliberate consideration of what is before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4285) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. FLETCHER. Referring to the observation of the Senator from Iowa [Mr. KENYON], made some time ago and applicable now, it is incumbent upon me to make a statement regarding the nature and provisions of the bill.

Mr. KENYON. Will the Senator pardon me for a moment?

Mr. FLETCHER. I yield to the Senator.

Mr. KENYON. I think there are some Senators out of the Chamber who desire to be present when the Senator speaks. I made the point of no quorum a while ago, when I thought the Senator was about to take the floor, and I now make the point of no quorum.

Mr. FLETCHER. I wish the Senator would not make it, as far as I am concerned.

Mr. KENYON. There are only about 20 Senators here.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Bankhead	James	Norris	Sheppard
Beckham	Johnson, Cal.	Overman	Sherman
Borah	Jones, N. Mex.	Page	Smith, Ariz.
Broussard	Kendrick	Phelan	Swanson
Culberson	Kenyon	Pittman	Thompson
Curtis	King	Poin Dexter	Tillman
Fletcher	Kirby	Ransdell	Underwood
France	Lewis	Reed	Vardaman
Hale	McCumber	Robinson	Wadsworth
Harding	Martin	Saulsbury	Watson
Hollis	Nelson	Shafroth	Weeks

Mr. BORAH. I desire to announce the absence of my colleague [Mr. BRADY] on account of illness, and to let this announcement stand for the day.

Mr. PAGE. I wish to announce the necessary absence of my colleague [Mr. DILLINGHAM]. He has a general pair with the senior Senator from Maryland [Mr. SMITH]. I will ask that this announcement stand for the day.

Mr. ROBINSON. The Senator from Nevada [Mr. NEWLANDS] and the Senator from Iowa [Mr. CUMMINS] are engaged on a conference committee.

The PRESIDING OFFICER. Forty-four Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. COLT, Mr. MCKELLAR, Mr. NEW, Mr. SMITH of Georgia, Mr. SMOOT, and Mr. WILLIAMS answered to their names.

Mr. LODGE, Mr. STERLING, and Mr. FRELINGHUYSEN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. There is a quorum present.

Mr. FLETCHER. Mr. President, I shall attempt to present as concisely as I can the characteristics of the bill. The further observation of the Senator from Iowa to the effect that the bill is, I believe as he characterized it, one of the worst ever presented to the Senate, arises, I am quite sure, from an entire misapprehension on his part of the nature and character of the bill. I must believe that the Senator has misconceived the whole purpose of the bill and its provisions. I think he has a misconception of the plan upon which the bill is framed, the policy back of the bill, and the purposes of the bill. Otherwise it is incomprehensible to me how he could reach the conclusion that the bill ought to be condemned.

Perhaps just at this point I ought to make reference to the history of the bill, how the bill originated, and that will indicate what was in the minds of the framers of the bill and to

a considerable extent the nature of the bill. I do not know that I had better do that than to give as authority upon that subject the statement made by the distinguished chairman of the Committee on Rivers and Harbors of the House when the bill was presented there. It is so clear and so admirable in itself that I could not hope to improve upon it, and I will just say it comes with additional force—it is what might be said to be ex cathedra. Mr. SMALL, when the bill was presented, said:

Every appropriation made in this bill is made for purposes which are not covered by the available balances on hand.

That, I believe, is the basis of some criticism of the bill and has given rise to some misapprehension that there appear available balances on hand yet unexpended which have been appropriated in past years, and it is argued that they are sufficient to meet the present emergency. Of course if it were true that argument would be sound and we could not find fault with our friends who oppose the bill if they felt really and could show that the appropriations already had been made and there were available funds already on hand to take care of the matters which need attention at this time. The report of the committee, however, will show the fact to be that these alleged available balances are in no wise applicable to a single item in the bill. They are largely available balances which are dependent upon cooperation or conditions precedent before they can be used. They are available balances for carrying on projects outside of the bill, and none of those available balances can be employed in the improvements mentioned in the bill. So when you consider that fact the criticism that available balances are already on hand sufficient to accomplish this work, and therefore there is no need of the bill, falls absolutely to the ground. Yet I can see how people, giving a casual attention to the bill, might reach a conclusion such as I have indicated, that there is no absolute necessity for the bill because available balances are still on hand.

It must be remembered, as I said, that those available balances shown by the report to be on hand can not be applied, not one dollar's worth, toward the improvements specified in the bill; that they are available balances which can not be used until certain conditions are complied with, as specified in the appropriations which provided them, on the one hand, and available balances that must be applied to projects entirely outside of the bill and that are not mentioned in the bill.

Another ground of criticism has been that there is a group system provided for in this bill. I shall refer to that somewhat later. That group system has been in operation and has been the practice, the plan, or provision in every river and harbor bill since Mr. Burton was chairman of the Rivers and Harbors Committee of the House and established that practice there. It is enlarged upon somewhat here for reasons which I shall give, purely because of being beneficial in the administration of the act. I will mention that somewhat later.

Mr. NELSON. Does not that very grouping, as a matter of fact, lead to greater economy and to the lessening of appropriations?

Mr. FLETCHER. Precisely; that is the object of it; and undoubtedly it had the approval of the Chief of Engineers and the War Department upon the conviction that it leads to economy and efficiency in the matter of administration of the river and harbor act.

Now, Mr. SMALL went on to say:

Every appropriation made in this bill is made for purposes which are not covered by the available balances on hand. I will ask gentlemen, if they will kindly do so, to wait until I present the general features of the bill, although I will be very glad in the meantime, if gentlemen think it proper, to submit to an interruption.

If there should be a lapse of a year, there will be great loss ensuing to the country. There will be deterioration of channels. There will be loss in the laying up of tugboats, of dredge boats, snag boats, and other vessels; the discharge of trained crews; the disorganization of other trained forces in the different engineering districts connected with permanent river and harbor works. Many improvements which have heretofore been adopted, other than channels, such as jetties, dikes, retaining walls, piers, breakwaters, and revetment work, will disintegrate and decay unless they are kept in repair. It will cost less to make those repairs promptly than if postponed. The passage of this bill at this session is distinctly in the interest of economy.

He was speaking first of the need and demand for this legislation at the present time. Then he says:

I do not hesitate to say that at the beginning of this session it was my opinion that we should pass a river and harbor bill similar to the bill which passed at the last session of Congress, subject only to such modifications as might have been made necessary by the lapse of time or by war emergencies. But it seemed to be the opinion of the House—

And here we get to the origin of this bill, the foundation upon which it has been built—

upon both sides that this bill should be confined to such items as could be considered emergencies, so that the River and Harbor Committee at its first meeting, after full discussion, directed the chairman to confer

with the Secretary of War and ask him to make specific recommendations within those limitations. And it is not improper to state that the Secretary called upon the Chief of Engineers and directed him to make specific recommendations covering—

Now, this is the gist of the whole matter—first, the necessary maintenance items—

That is, to maintain projects already adopted and in the course of improvement and completion, maintenance pure and simple, to see that the work they have done does not go to pieces and become a total loss and waste. That is the first item covered in this bill—maintenance of the completed projects—

second, such items for the further improvement of projects as have been heretofore adopted where great loss would ensue if there was a lapse of a river and harbor bill, or were connected with national defense.

That is the second item, where there are improvements under way and where there would be a deterioration of the channel, where there would be waste and loss unless those improvements were continued. That item is taken care of here.

Third, such new projects as might be necessary as war emergencies or connected directly or indirectly with the successful prosecution of the war:

Those are the only three heads by which this legislation is to be classified. It is upon one of those three propositions that every item in this bill is based. Can you find any objection to it? The bill provides, first, for the maintenance of projects already completed; second, the improvement of projects under way, so as to prevent waste and loss of what has been done, and all of them heretofore approved by the engineers and adopted by Congress; and, third, those which are considered as war emergencies or connected directly or indirectly with the successful prosecution of the war.

Can a bill which takes care of these three propositions be denounced as a "pork-barrel bill"? Can it be condemned as the worst bill ever submitted to Congress? It is an absolute emergency measure, and was framed for the purpose of accomplishing the three essential necessary objects which I have mentioned.

The last river and harbor appropriation act was approved July 27, 1916. It carried appropriations aggregating \$40,598,135. The amount yet to be appropriated of the balance unappropriated for contracts authorized by previous acts is estimated to be \$2,500,000.

The act of July, 1916, provided the appropriations estimated to be necessary for maintenance and improvement of the rivers and harbors to the end of the fiscal year, June 30, 1917. That has already passed.

Another bill was due before the close of the Sixty-fourth Congress, second session. Such a bill was reported to the House on January 13, 1917, and passed by the House of Representatives on January 26, 1917. With some amendments it was reported to the Senate February 10, 1917; but, with several other annual appropriation bills, it was not reached for consideration before the session came to a close March 4, 1917.

This bill is absolutely necessary, if we are not to abandon our rivers and harbors, in order to provide for the essential maintenance and improvement of these highways of transportation.

On the advice of the War Department some new projects have been included which have been surveyed, estimated for, and approved as being closely related to the national defense. They are shown by the reports which are before you and will be mentioned more particularly later.

NEW PROJECTS.

The bill approved March, 1913—March, 1913, mind you; four years ago last March—was the last river and harbor bill which made appropriations for new projects, except the Senate inserted a few carrying less than \$2,000,000 in the bill of 1916.

Please do not forget that the last river and harbor bill which carried an appropriation for new projects was the bill of March, 1913. I believe that in 1916 there were a few projects placed on the bill after it came from the other House and got to the Senate, but they did not amount to a great deal.

The bill which passed the House January, 1917, carried appropriations for 81 new projects selected from a list of 167 unadopted projects which had been favorably reported on and accumulating, demanding attention, since March, 1913. It was estimated it would require to complete these 81 new projects, \$47,050,112, with initial appropriations of \$8,967,839, or 19 per cent of total estimate. The total of appropriations in that bill for new projects amounted to \$8,967,839. If that bill had passed the Senate and been approved, the total of appropriations for new projects since March, 1913, would have been only about \$10,000,000. That bill, as stated, was not reached on the Senate Calendar.

The pending bill carries appropriations for 36 new projects selected from a list of 187 which have up to this time been recommended by the Chief of Engineers as worthy of improvement. The estimated cost to complete all those 187 projects is approximately \$144,000,000.

To complete the 36 new projects adopted and provided for in this bill the estimate is \$37,978,573. To complete those new projects in New York Harbor alone the estimate is \$19,240,000. So that the New York Harbor improvements under this bill will cost nearly half of the total of the new projects provided for in the bill.

Mr. POMERENE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Ohio?

Mr. FLETCHER. I do.

Mr. POMERENE. I should like to ask the Senator how much is appropriated in this bill for the 36 new projects of which he speaks?

Mr. FLETCHER. The initial appropriation carried in this bill for new projects amounts to \$6,719,000.

As to surveys, as indicating that we have nearly reached the limit—and this is important, I think; the country ought to understand it, and the Senate ought to understand it—as indicating that we have nearly reached the limit of the necessity and the demand for new improvements it is interesting to note the diminution in the surveys required. The act of 1915 provided for 215 surveys. That of 1916, for 128 surveys. The surveys in this bill are practically the same as in the bill which passed the House in 1917 and was not reached in the Senate, to-wit, 76.

So in the last three years we have gone from 215 surveys in the river and harbor bill to 76. Remember that only about 33 per cent of the surveys which have been ordered by Congress have been favorably reported by the engineers.

Only about 33 per cent of all the surveys for the six years prior to 1915 were favorably reported. Of all the surveys ordered in past river and harbor acts, 147 have not been reported on by the Chief of Engineers.

Mr. POMERENE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Ohio?

Mr. FLETCHER. I do.

Mr. POMERENE. If I may ask a question for information, the Senator has referred to a given number of projects which have been reported upon favorably by the Board of Engineers. I have forgotten the number.

Mr. FLETCHER. There have been 187 such reports up to this time.

Mr. POMERENE. Can the Senator advise me what number of such projects were reported unfavorably by this commission during that time?

Mr. FLETCHER. I was just stating that.

Mr. POMERENE. Very well.

Mr. FLETCHER. If the Senator will recall, that was the exact point that I was making—that of the surveys which have been ordered by Congress, only about 33 per cent have been reported on favorably, and that of all the surveys ordered under river and harbor acts, 147 have not been reported on by the Chief of Engineers at all as yet. Of these 5 were ordered in the act of 1912, 4 in that of 1913, 43 in the act of 1915, and 95 in the act of 1916. We are therefore fast approaching the end of new projects. It will soon be simply a question of maintaining those which have been adopted and improved. No new rivers are being created. No new harbors are being discovered. Soon all we possess will have been examined and those considered worthy of improvement will have been improved. The rivers and harbors act of 1914 carried a lump-sum appropriation of \$20,000,000.

Senators will recall that the bill of 1915 carried \$25,000,000. Then came the bill of 1916, which I have mentioned, which carried a few new projects, which were put on in the Senate. Then came the bill of 1917, which failed because it was not reached. Now we have this bill, which is purely an emergency proposition.

The total of appropriations provided for in the bill which passed the House last January amounted to \$38,362,339 and authorizations aggregating \$1,125,000. The total carried by this bill as it passed the House June 26, 1917, is \$27,696,150, and as reported to the Senate by the Committee on Commerce July 10, 1917, \$27,826,150.

We have added \$136,000, in other words, \$100,000 of which is to take care of the commerce provided for under section 16 of the bill.

Mr. KENYON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Iowa?

Mr. FLETCHER. I yield.

Mr. KENYON. I should like to ask the Senator a question concerning the Mississippi River. The river and harbor bill generally carried, did it not, five or six million dollars for the Mississippi River, which in the flood-control bill now takes an appropriation under the sundry civil bill, so that the Mississippi is not covered, as I understand, by this bill except the upper part of it?

Mr. FLETCHER. The Senator from Iowa is entirely right. The lower portion of the Mississippi River, which is taken care of in the flood-control bill, was not included in this bill.

Mr. KENYON. I should like to ask the Senator if it was \$5,000,000 which we appropriated in this last Congress?

Mr. FLETCHER. That is my recollection—\$5,000,000.

Mr. KENYON. With \$27,000,000 in this bill, it would bring it up to \$32,000,000.

Mr. FLETCHER. That was formerly taken care of in the river and harbor bill, until the flood-control bill was passed.

NECESSITY FOR THE LEGISLATION.

As stated, the bill is required to provide for the necessary maintenance and improvements of rivers and harbors for the period ending June 30, 1918. I need not argue the wisdom of such legislation. It would be sheer folly to exhibit indifference, let alone opposition, to the measure. It would be almost a crime to permit the measure to fail. I can not conceive of any such attitude on the part of any Member of this body.

It must be recognized that the people of this country rightfully insist on the improvement by the Government of the navigable waters and the harbors, over which the Government has jurisdiction and exercises control, as instrumentalities of commerce. This has been our policy for a century. It is the policy of every great country. Even now, in the midst of the most distressing war in all history, Germany and France continue the work on their waterways. When there is an appalling car shortage, when the very necessities can not move to markets as needed, when railroads are inadequate to transport the freights tendered to them, when there is insistent demand for the utilization of every available means of transportation in order that producers and consumers may be served, when ships are needed and being sought to carry our products across the sea and bring to us those we require from other lands, we can not afford to abandon our waterways and our harbors. It would be difficult to conceive a course that would lead to greater injury to the country and more serious inconvenience and harm to the people generally.

That is putting it purely on the commercial feature and saying nothing of the necessity for these projects in this bill as military needs and as national-defense measures.

Mr. POMERENE. Mr. President—

Mr. FLETCHER. I yield to the Senator.

Mr. POMERENE. Perhaps I did not make my question clear. The Senator answered, but I did not quite understand his answer. The Senator has stated that certain surveys have been authorized by the Congress and a certain number have been reported upon favorably. The question I intended to ask the Senator was, How many of the surveys which have been authorized by the Congress have been reported by the engineers unfavorably?

Mr. FLETCHER. The Senator will recall my statement that the surveys provided for in all previous acts and not yet reported on amount to 147.

Mr. POMERENE. I recall that.

Mr. FLETCHER. As to the total number that have been provided for and favorably reported on, I do not believe I have the figures before me. I think, however, they are in the report. I stated that only about 33 per cent of those that had been ordered were favorably reported on.

Mr. POMERENE. Yes; I understand that; but, to put the question in another way, how many surveys have been made which were reported on unfavorably?

Mr. FLETCHER. I do not know that I can give the precise number. I will be glad to look that up for the Senator. It may be possible that I have the figures somewhere of the precise number of surveys that have been ordered—does the Senator mean from the beginning down to date?

Mr. POMERENE. Well, the Senator has dwelt upon the number of surveys which have been authorized since the present plan of river improvement was adopted. I am interested in knowing with what circumspection this board of engineers goes about its work. Are these projects favorably reported upon as a matter of course, or are they really decided upon their merits? I have heard so many things about them that I would like to know with what care the examining authority has proceeded.

Mr. NELSON. Mr. President, if the Senator from Florida will allow me, and if I am not anticipating the chairman of the committee, I desire to call the attention of the Senator from Ohio to the fact that while in this bill we provide, as in other river and harbor bills, in a general way for new surveys, yet at the end of the provision there is found this language:

Provided, That no examination or survey herein provided shall be made until after the close of the war with Germany, except such as the Secretary of War shall direct.

In other words, while there are a large number of surveys provided for in this bill, yet none of them may be made or will be made unless the Secretary of War especially directs.

Mr. POMERENE. I think it is well to have that safeguard; but still that does not answer the question about which I was seeking information.

Mr. NELSON. None of them can be made during the war, unless the Secretary especially so directs.

Mr. POMERENE. I think that is right.

Mr. NELSON. The Senator will find that on page 41 of the bill. It is a provision that has never been in any river and harbor bill heretofore.

Mr. RANSDELL. Mr. President, if the Senator from Florida will yield to me, I should like to answer, if I can, a portion of the question of the Senator from Ohio in regard to the circumspection with which the surveys are made.

I beg to say to the Senator from Ohio that it seems to me they are as carefully made as it is possible for human beings to make anything. To illustrate the process: In the first place, before a survey can be made by the Engineer Corps an act of Congress ordering it is required. The Chief of Engineers then sends to the local engineer in the locality ordering him to make an examination. Say there is a survey, for instance, ordered in the vicinity of Cincinnati or Cleveland in the State of the Senator from Ohio. The United States engineer located at either of those places is instructed to make, first, a preliminary examination of the project. He makes that, finding out all he can on what might be called a preliminary reconnaissance. He goes over the ground; he goes over it in a boat, if he can, or on horseback, if he can not go in a boat; he looks into it as carefully as possible and finds out all he can. If it looks good to him, he reports to the division engineer that he thinks the project is worthy of being very carefully surveyed. That preliminary report is then sent to the Board of Engineers for Rivers and Harbors, a body composed of seven engineers of the United States Army, officers with the rank, usually, of major up to colonel, most of them being lieutenant colonels and colonels. They examine the preliminary report, and, if they think well of it, report to the Chief of Engineers that, in their judgment, a survey should actually be made of that project. Then the Chief of Engineers sends an order back to the local engineer with instructions to make the survey. Thereupon, the local engineer sends a surveying party into the field, and frequently it takes a year or two to make the survey. It is gone into in very great detail and circumstance. Every physical fact connected with the project is ascertained; everything in connection with the commerce, present or prospective, is ascertained by this engineer, and when all of this is found out he makes his report to the division engineer, an officer with the rank of colonel, who passes upon the project. If the local engineer is adverse to it, that usually ends it. If he is favorable, the division engineer passes upon it, and sends it back to the Board of Engineers for Rivers and Harbors, who then pass upon it.

It is customary for the Board of Engineers for Rivers and Harbors to give a hearing to the local people. The Senator from Ohio would probably be called upon, if it were in his State, to appear before the Board of Engineers for Rivers and Harbors, accompanied by the citizens of the locality, and be requested to assist the board by giving all the facts in his possession relating especially to commerce and to the need of the project. I have attended many of these hearings where large bodies of citizens have come long distances in order to convey to the Board of Engineers for Rivers and Harbors everything that it was possible for them to tell about a project.

With the reports of the local engineer, the division engineer, and the statements of citizens, briefs, and everything the men can possibly bring to bear on the project, the Board of Engineers for Rivers and Harbors finally says, "This is good" or "This is bad." If they say it is good, it then goes before the Chief of Engineers, who, if he also approves it, recommends it to the Secretary of War, and then the report is made to Congress.

Mr. POMERENE. Mr. President—

Mr. RANSDELL. In just one moment I will yield. The local engineer is 1, the division engineer 2, the 7 engineers

who constitute the Board of Engineers for Rivers and Harbors make 9, and the Chief of Engineers makes 10; in other words, 10 men must pass upon a project and approve that project before it has any status before Congress. It seems to me it would be impossible to devise a scheme more carefully worked out and safeguarded.

Mr. POMERENE and Mr. KENYON addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. RANSDALL. I yield to the Senator from Ohio first.

Mr. POMERENE. The Senator's recital as to the course of procedure is all very interesting, and I have no doubt it gives opportunity for the exercise of very great care. Ten engineers are required to pass on these projects, according to the statement made by the Senator from Louisiana. They have passed upon a given number of these projects, and my question is up to date. Since the adoption of this plan of procedure how many of these projects have been favorably reported upon by the 10 engineers, and how many have been rejected?

Mr. RANSDALL. I can not answer the Senator how many have been favorably reported upon and how many have been rejected, but I think I can get the information by to-morrow. It is found in the reports of the engineers. The engineers make their reports in three large volumes, such as I have before me.

Mr. FLETCHER. Mr. President, I think I can answer what is in the Senator's mind. He is not concerned so much about the precise number of projects that have been ordered surveyed from the beginning of time to date—

Mr. POMERENE. Oh, no.

Mr. FLETCHER. What he wants to know is how many of the projects which have been reported on by the engineers favorably, perhaps, have not been adopted by Congress and how many of them are pending.

Mr. POMERENE. No; that does not quite answer my question. I recognize that propositions of this kind are presented to Representatives and to Senators, and they are urged to use their good offices in getting surveys made and having these improvements authorized and appropriations made therefor. Now, let me just give a single instance that disturbed me a good deal. Several years ago I was written to concerning a certain project in my State. I immediately wrote that I would oppose it. I was advised at that time that a certain candidate for the lower House would favor it, although it was a little bit of a creek that never had even a toy boat on its placid and muddy bosom.

Mr. KENYON. I should like to ask the Senator if that is among the survey items in this bill?

Mr. POMERENE. No; I do not think it ever got that far. It was used for campaign purposes more than anything else.

Mr. RANSDALL. Mr. President, I should like to say to the Senator that if such a proposition had gone to the Board of Engineers for Rivers and Harbors it would have been turned down cold and hard, and it should have been turned down cold and hard.

Mr. POMERENE. I am sure that is true.

Mr. RANSDALL. These engineers are as high class a set of men as there is in this country. They are the most independent men I have ever had to deal with. I have never asked them to do anything improper; but if I had, I am sure that they would have turned it down. I can say to the Senator that they have turned down considerably more than one-half of the projects upon which they have been asked to make surveys. That is my understanding of the matter.

I will say further that authorizations for surveys are placed in the bill without a very great deal of difficulty, because we do not have a chance to examine them. We put them in frequently on the request of a Senator, who comes before the committee and says, "This project in my State is a good one." We take what he says about it, and leave it to the engineers to decide; but we know that they are a disinterested set of men; we know that they are under oath when they make their reports on these projects; and, as a matter of fact, they have reported adversely on more projects than they have reported favorably. I think I can find the exact number for the Senator.

Mr. POMERENE. I will be glad to know that.

Mr. RANSDALL. Before I close I should like to show the Senator how elaborate these reports are. The three large volumes I hold in my hand [exhibiting] are the reports of the engineers for just one year. Every year we have three large volumes from the Engineer Corps in regard to river and harbor improvements.

Mr. KENYON. Mr. President—

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

Mr. FLETCHER. I yield.

Mr. KENYON. I think it ought to be added to the graphic description of the Senator from Louisiana as to the course that one of these projects goes through, that it seems to have been the custom when the Board of Army Engineers reported against some of these important projects for the Senators and Representatives from the State affected to assemble and argue the matter out before the Board of Army Engineers; and, of course, even though they are the most honorable men, strong men, they could not always stand against the persuasion—the legitimate persuasion, undoubtedly—of Members of the Senate and Members of the other House. That has happened many times as the records show.

Mr. RANSDALL. Mr. President, I should like to have the Senator put in the Record the facts in that case, because I think he is mistaken about it.

Mr. KENYON. I will show when I get to it that the Senator from Louisiana was interested in some of these projects. I am not criticizing the Senator; it was a perfectly legitimate thing to do; but those things do influence the Army engineers. There is not any question about that.

Mr. RANSDALL. I will say, Mr. President, in regard to that, that I have appeared before the Board of Engineers for Rivers and Harbors, composed, as previously stated, of seven men, who act, in a sense, as an appellate court. I do not know any reason why a Senator, representing his State, or a Member of the other House, representing some interest in his State, should not appear before such a court to present facts and arguments. I have done that, and probably every other Senator and Representative interested in river and harbor improvements has done it; but I have never appeared, and I do not believe it can be shown that any Senator has appeared, before the local engineer or before the division engineer. We do not have an opportunity to appear until the case is presented before the Board of Engineers, sitting as a supreme court, with the record made up from the district and with the understanding that any new facts can be brought out. Citizens' committees and Senators and Representatives usually attend such hearings. Thank God, I am not so suspicious as to suppose that these seven engineers, these men trained at West Point, these men who have had but one scandal in their ranks in all the history of this country, these honorable men who retire with a big salary at the age of 64, honored by the American people, are going to forget themselves so far as to be unduly influenced by the argument of some Senator or Representative who holds his position for a brief time.

Mr. FLETCHER. Mr. President, it may be helpful to the Senator to draw his attention to the fact that there are at this time, as the record shows, 187 projects which have been approved by the engineers, and we are taking care of 36 of those in this bill—36 selected out of the 187 as being emergency projects. There are, as I stated a moment ago, 147 surveys ordered which have not yet been reported on by the engineers.

Mr. STERLING. Mr. President—

Mr. FLETCHER. I will yield to the Senator in a moment. The records show that not exceeding 33 per cent of the surveys ordered by Congress are reported on favorably by the engineers. The records further show—that is the statement of Gen. Bixby, former Chief of Engineers, one of the best we ever had—that not exceeding 14 per cent of all the projects adopted by Congress have proven of doubtful merit.

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from South Dakota?

Mr. FLETCHER. I do.

Mr. STERLING. The Senator from Florida has stated that 187 projects have been approved. Will the Senator state within what time those 187 projects have been approved by the Board of Army Engineers? What period does it cover?

Mr. FLETCHER. That is the number remaining, not acted on by Congress and approved by the engineers. It covers all the period of the past, clear up to date—all that have not been acted on by Congress.

Mr. STERLING. Can not the Senator from Florida in that connection state how many have been disapproved by the Board of Army Engineers? He states that 187 have been approved.

Mr. FLETCHER. I can not give the Senator that figure; but estimating 33 per cent of all the surveys that have been ordered as approved, and having now a balance of 187 which have been approved, we know about how many have been rejected—not as a total, perhaps. I can not give the figure from the time we began to legislate on this subject, but that is the situation now—187 approved; and the records show that 33 per cent of all the surveys that have been ordered have been approved. Out of those 187, 60 are covered in this bill, and there are still remaining 147 which have not been reported on by

the engineers. So that that covers the entire amount of our standing surveys.

Mr. STERLING. I regard that as a very important piece of information. The Senator from Iowa has been seeking to elicit that information, for we can then determine from the projects that have been disapproved as to the feasibility of some of the projects that are being proposed. We can make a comparison between those that have been disapproved and some of those that have been proposed.

Mr. FLETCHER. Exactly. As the Senator from Louisiana [Mr. RANSDALL] has said, it is not a very difficult matter to have a survey ordered in a river and harbor bill. If a Senator or a Representative reports to a committee of Congress that a waterway is worthy of improvement, Congress simply says, by ordering the survey: "We will let the engineers investigate the matter." It simply amounts to a decision to investigate, to inquire. Congress only commits itself so far as to say that it is worth looking into; that is all.

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

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Kansas?

Mr. FLETCHER. I do.

Mr. THOMPSON. I simply wanted to ask the Senator from Florida in that connection how many projects in this bill, if he can tell me, have been rejected by the engineers?

Mr. FLETCHER. Absolutely none. Every project in this bill has not only been approved by the engineers but has been reported to the Senate and to the House as an emergency matter that needs to be taken care of right now, as directly or indirectly connected with the national defense, except such as are purely maintenance items. There is not an item here that has not the approval of the engineers—not one.

Mr. KENYON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Iowa?

Mr. FLETCHER. I do.

Mr. KENYON. I ask the Senator in no controversial spirit, but because I am anxious to know this fact: Does the Senator say that every item in this bill has been approved by the Army engineers as an emergency war measure?

Mr. FLETCHER. Every item in this bill, except as to maintenance matters and improvements on projects heretofore adopted and actually being improved now in order to save loss. I read to the Senate some time ago the three features of this bill.

Mr. KENYON. Somebody interrupted me at that time and I am sorry to say I lost it. I want to ask the Senator if he was reading from the speech of Congressman SMALL in the House? I so understood him.

Mr. FLETCHER. Yes; at page 3361 of the RECORD.

Mr. KENYON. I have seen the statement made that the Secretary of War had approved these projects, but I also saw in the record of the House proceedings a denial of that statement. I wish that that were a fact that we might have established to a certainty, as to whether or not the Secretary of War has said that all of the projects in this bill are necessary war-emergency projects. That would make a great deal of difference with my view of the situation.

Mr. FLETCHER. I will say to the Senator that he does say that as to all the new projects in the bill. As to the projects which have been previously adopted and completed, of course, he says nothing, because there the only provision in the bill is for maintenance.

Mr. KENYON. I understand.

Mr. FLETCHER. Then, the next class of items consists of projects which have been adopted by Congress and partially completed, and the appropriation is made and recommended by the War Department as being necessary to save from waste and destruction what has been done. Those are the three classes.

Mr. KENYON. Then, I understand the Senator to say, as to the first two propositions, that there is no question of war emergency about them?

Mr. FLETCHER. No; absolutely none.

Mr. KENYON. The other propositions are war-emergency measures?

Mr. FLETCHER. Precisely.

Mr. KENYON. That does not apply in any way, I take it, to the surveys provided for in this bill. They are not war emergencies?

Mr. FLETCHER. Oh, I do not think that has been considered in connection with surveys, because, as I was just saying, when a survey is ordered by Congress included in the bill, it simply means that Congress thinks it is worth while to look into the matter.

Mr. KENYON. Let me ask the Senator another question, because he probably has more information about it than anyone else. The Senator says that there are no projects in this bill against which recommendations have been made by the engineers. I want to ask the Senator—I am not certain about it—whether it is not true that a resurvey was ordered, for instance, of Fishing Creek, and that the Army engineers reported against that project, and is not that project in this bill?

Mr. FLETCHER. Fishing Creek? In what State is that?

Mr. KENYON. North Carolina. I think it will hardly be claimed that the improvement of Fishing Creek is a great war emergency.

Mr. FLETCHER. There is a survey ordered for it now, is there?

Mr. KENYON. There was a survey ordered, and a resurvey ordered in the last river and harbor bill that was passed, and then an adverse report from the Army engineers. That is my recollection of it, and that Fishing Creek is taken care of in one of these lump-sum appropriations in this bill, and also that a new survey is ordered of Fishing Creek. The Senator can look up that.

Mr. FLETCHER. I have no recollection of that specific item, I think I can turn to it in a minute.

Mr. KENYON. I think there are one or two others of the same kind in the bill, and I feel quite confident as to Fishing Creek.

Mr. RANSDALL. Can the Senator refer me to the page?

Mr. KENYON. Fishing Creek is in the North Carolina items.

Mr. FLETCHER. I can find it in a minute, then.

Mr. KENYON. I have not a copy of the bill before me.

Mr. FLETCHER. On page 12 of the bill is the following item:

Manteo Bay, Scuppernong, Pamlico, Tar, South, Bay, Neuse, and Trent Rivers, Fishing, Contentnia, Swift, and Smiths Creeks, and waterway connecting Swan Quarter Bay with Deep Bay, N. C.: For maintenance, \$15,500.

I suppose that is what the Senator has reference to. That is the only reference I see in the bill to Fishing Creek; and I will state to the Senator in that connection that there is no appropriation whatever in this bill for Fishing Creek. Where they are grouped in that way—and I will give the Senator the precise amount of appropriation for each one of those items—the money must be used in pursuance of the estimates which the engineers have sent in.

In the case of those items, from line 12 to line 16, page 12, the following amounts will be spent by the engineers out of that \$15,500 for the following projects:

Manteo Bay, \$500.
Scuppernong River, \$3,500.
Pamlico River, \$4,500.
Nothing for Tar River.
Nothing for South River.
Nothing for Bay River.
Neuse River, \$2,000.
Trent River, \$4,000.
Nothing for Fishing Creek.
Contentnia Creek, \$1,000.
That makes up the total of \$15,500.

Mr. KENYON. Anything for Swift or Smiths Creeks?

Mr. FLETCHER. Nothing at all for those; nothing for any of those items except those I have mentioned, and that takes up the \$15,500. Those are shown by the reports of the engineers to be the estimates for the specific items I have mentioned; but they are grouped in connection with those various other tributaries, in pursuance of this policy of grouping, for the reason that if there should be left over \$500, say, out of this \$15,500, and it could be economically and wisely spent for Swift or Smiths Creek or Fishing Creek, for instance, the engineers would be authorized to do it in that event. They would be authorized to use that unused portion of this appropriation for the specific items I have mentioned in some of the other tributaries connecting the waterways that are specified.

Mr. STERLING. Mr. President—

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

Mr. FLETCHER. I yield.

Mr. STERLING. I suppose the Senator's theory is that wherever an improvement has once been made, that improvement must be maintained thereafter. Am I correct in that?

Mr. FLETCHER. Generally speaking, that would be so. Of course there might be some instances where it would be wise to abandon a completed project; but, generally speaking, as I say, the records show that less than 1½ per cent of all these projects have turned out to be failures; and wherever we have a failure, I take it that we had better not keep up the maintenance of that failure. That, however, is a very rare case.

Mr. STERLING. My thought was, Mr. President, that some of these improvements might have been made without any real demand for them from the commercial standpoint. If so, an appropriation for their further maintenance would hardly be justified.

Mr. FLETCHER. Precisely. I quite agree with the Senator that if that appeared we ought to drop the appropriation; but the engineers would not recommend the appropriation in that case.

Mr. RANSDALL. I will say that this provision was adopted, according to the report of the engineers, under the river and harbor act approved September 19, 1890. It was to clear the stream of logs, snags, trees, and so forth, and improve it for 50 miles above its mouth. The commerce on the river is not very large, I must admit; but the project was formally adopted by act of Congress as far back as 1890; and some little work has been done on it from time to time since then.

Mr. STERLING. I will ask the Senator from Louisiana if he can state the amount of the commerce?

Mr. RANSDALL. This report shows that in 1913 there was a commerce of 2,459 tons. In 1914 the commerce was 1,096 tons. In 1915 the commerce was 2,450 tons. It is not a very large commerce, but the appropriation is very small, and no specific appropriation for it is carried in this bill.

Mr. STERLING. Does the statement show the value of the commerce?

Mr. RANSDALL. Yes, sir. The value of the commerce of the last year given, 1915, was \$34,926—2,450 tons, valued at \$34,926. The commerce consisted principally of cotton seed, cottonseed meal, fertilizer, lumber, and timber, and there is no appropriation at all provided in this bill. It is just carried in that lump sum, as the Senator from Florida has explained, so that if the condition of the stream should get bad some of the money might be utilized to carry on the work.

Mr. FLETCHER. I was going to speak of this grouping plan, and perhaps I might do so right at this point, although it interrupts my line of thought in presenting the bill. This is an illustration of what the grouping plan means, and perhaps we might just as well consider it at this point.

That plan has been criticized somewhat. Some people seem to think that it is a scheme to cover up unworthy projects and put them in with good projects, and take care of the bad with the good; but there is no such purpose as that at all.

In the case of these very items on page 12 of the bill, between lines 12 and 16, while there are 12 projects mentioned, only 6 of them would get the benefit of this appropriation, because only 6 of them have been estimated for by the engineers and the amount specified for each, so that that \$15,500 will have to go to the 6 projects for which estimates have been made. There are six others included in this provision which will get nothing under this bill unless and perchance there should be an excess of this appropriation not needed to take care of those specified. In which case the most worthy of those not specified, but covered by the general provision, would be taken care of by the engineers. Otherwise, they would not have authority to spend a dollar of the money for them. The engineers must spend it for the specific purpose and for the specific project for which the estimate is made.

Mr. STERLING. I will ask the Senator, merely for information, now, as to the reason for grouping so many of these in this one paragraph, to be covered by this one general appropriation of \$15,500. Do they all form one connected system of waterways?

Mr. FLETCHER. They are all connected, but they have to be specified and an estimate made for each by the engineers, and then the money must go precisely as appropriated by Congress. They are grouped in this way so that the engineers will have some latitude in administering the fund.

Mr. VARDAMAN. Mr. President, I think the Senator from Florida misunderstood the question of the Senator from South Dakota. All of these waterways are not necessarily connected physically.

Mr. FLETCHER. I take it that they are.

Mr. VARDAMAN. Not at all. They are different projects that are grouped, put together, so that when the money appropriated is not needed for one, and a little more is needed for another, the Government work may be kept up, and in that way prevent deterioration for lack of appropriation. For instance, one waterway may have \$500 more than it needs and another may have \$500 less than it needs, and by transferring the appropriation the Government work could be kept going, and in that way render a substantial service to the public.

Mr. STERLING. I will say that the Senator from Mississippi understood the sense in which I asked the question, and I thought

the Senator from Florida was answering it in the same sense; namely, that these different streams were connected together as one system of waterways.

Mr. FLETCHER. I think undoubtedly that is generally the case, but perhaps there may be instances where there is not one river flowing into a bay, or another river actually flowing in, but of the same community; so that if the Government has a plant in that vicinity—a dredge, for instance—it can put it right to work without any great expense in moving it about from place to place.

Perhaps I could not do better than to quote just here from the very splendid statement made on that subject by the chairman of the Rivers and Harbors Committee of the House, at page 3362 of the Record.

Mr. STERLING. May I ask the Senator what is the date of that Record?

Mr. FLETCHER. This is the RECORD of June 11. Mr. SMALL said:

In this bill what is known as the grouping system is amplified. Gentlemen who have studied the bill will observe that there are a large number of items of maintenance and some items of improvement, which are grouped together. This is not a new method in a river and harbor bill. The grouping system dates back as far as the time when Mr. Burton was chairman of the committee, in the early days of his service, and this bill only increases or amplifies the plan. This is criticized in the minority report, and I would like to explain briefly to the committee the reasons for amplifying it. It makes for more economical administration in the expenditure of the appropriations.

To illustrate, there are in this bill a number of groups containing three, four, five, six, seven, and eight projects, carrying a gross sum for maintenance. Out of a group of eight it may be that estimates have been made for only two or three, and yet in the expenditure of the gross appropriation during the fiscal year it may become necessary to expend a part of the sum on one or more of the projects for which no estimate was submitted because some deterioration not anticipated had occurred, due to storm or flood. The grouping plan permits this to be done; otherwise there would be a delay of a year or more, awaiting another river and harbor bill.

Some gentlemen have asked what limitation there was upon the engineers in the expenditure of this money. In answer I may say that the engineers are limited in the expenditure of the gross appropriation for maintenance to those items for which estimates have been made, unless in the meantime some necessity of expenditure for maintenance upon the items for which estimates have not been made shall have occurred.

So that this grouping system makes, as I said, for better and more economical administration.

I think it is perfectly plain, if the Senator will take these items that have been referred to in North Carolina, 12 of them grouped, that if we followed strictly the nongrouping plan we would make a separate appropriation, for instance, of \$500 for Manteo Bay. That is recommended by the engineers and said to be necessary. We would make another separate appropriation of \$3,500 for the Scuppernon River. We would make another one of \$4,500 for the Pamlico River. We would make a separate one of \$2,000 for the Neuse River, and then another separate one of \$4,000 for the Trent River, and another separate one of \$1,000 for Contentnia Creek; and there you would have the \$15,500, each sum required to be spent for that particular separate project. Where can there be any objection to putting all those projects together, and then adding to them others in the immediate vicinity that may possibly need the attention of the Government while the work is progressing on these projects?

For instance, one channel has been filled up by sand; logs have drifted in, or something, and stopped it up. Why can not the Government use a dredge to open that channel and render useful that waterway, which otherwise would have to wait another year before it could be opened up, or another appropriation, and cover the whole thing under one clause like this? You have not burdened the Government at all, you have not wasted any money, you have not appropriated a dollar more than you would have appropriated without the grouping plan; but by grouping them you have appropriated the money in such a way that the engineers have a latitude to use it where it is most needed within the limitations of the group, each group being under one engineer.

Mr. STERLING, Mr. KENYON, and Mr. RANSDALL addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Florida yield, and to whom?

Mr. FLETCHER. I yield to either of the Senators.

Mr. STERLING. I just wanted to ask one question to follow up the last statement made by the Senator from Florida. As I understood the Senator from Florida a while ago, in the case of these 12 several projects certain estimates are made, and those estimates for a part of the 12 only amount to \$15,500.

Mr. FLETCHER. Precisely; for six of them.

Mr. STERLING. For six of them?

Mr. FLETCHER. Yes; six of them. I used the names when I illustrated the point a while ago.

Mr. STERLING. No part of the \$15,500 could be used, then, for any other improvement than the six for which the estimates have been made, could it?

Mr. FLETCHER. That could not be done except by grouping them here, and in this way we appropriate the \$15,500 for the whole 12; but primarily the estimates must be followed, of course, and by those estimates we know what the engineers have it in mind to spend, what they have pledged to spend for these particular 6.

Mr. KENYON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Iowa?

Mr. FLETCHER. I do.

Mr. KENYON. I should like to ask the Senator if this system of grouping has been used in bills before, or does it commence with this bill?

Mr. FLETCHER. It has been used ever since former Senator Burton was chairman of the Rivers and Harbors Committee of the House.

Mr. KENYON. Not to the same extent, has it?

Mr. FLETCHER. Not to this extent, but that has been the practice. It began during the time he was serving as chairman of that committee in the House.

Mr. KENYON. I should like to ask the Senator one more question. Is this grouping system the result of recommendations of the Army engineers or is it the thought of the committee?

Mr. FLETCHER. I think the Army engineers recommend it. At any rate, my understanding is that they have found no fault with it. I am not sure whether there is a specific recommendation to that effect or not. I do not know that they were asked about it, but the Rivers and Harbors Committee of the House and the Commerce Committee of the Senate have approved it.

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

Mr. FLETCHER. I yield.

Mr. NELSON. I desire to say, with reference to this grouping matter, that it began in a small way years ago. I have been connected with the Rivers and Harbors Committee for over 20 years, and my recollection is that the first grouping was at the instance of the War Department, as being in the interest of economy, and because it enabled the War Department to use the appropriations where they were most needed, and it would entail less expense. It has been found to work so well that they have been gradually increasing it and extending it, most of all in this bill, and it meets with the hearty approval of the War Department.

Mr. FLETCHER. I can say further, in answer to that question, that this bill was prepared in the office of the Chief of Engineers, and this grouping was prepared there likewise. This is the plan of the department, the plan of the Chief of Engineers, recommended by him and submitted to Congress; and every group here has been approved, therefore, by the department.

Mr. President, proceeding to a conclusion about this matter as fast as I can, I submit a letter from the Chief of Engineers, written just before Congress adjourned last March, on the subject of what it would mean if there were a failure of the bill at this time and Congress did not take care of these matters up to June 30, 1918, as provided in this bill.

The pending bill now under consideration takes the place of the bill which was passed by the House and was never reached in the Senate before Congress adjourned. In this letter—and I shall not take time to read it—the Chief of Engineers said it would be a direct loss to the Government of hundreds of thousands of dollars unless this appropriation was made, because there were numerous plants of the Government, owned by the Government and operated by the Government in carrying out this work, that would be idle. Thousands of men would be thrown out of employment, and work under way would have to wait until Congress took care of the situation later on. I will just ask to put it in the RECORD without reading. It meets the situation at this time.

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

The letter is as follows:

1. It is practically impossible to give any reliable estimate of the loss to the Government or of the damage to navigation interests that might be caused by the failure of the pending river and harbor bill to become a law, but it can be positively stated that the loss would run into hundreds of thousands of dollars, and that serious consequences to shipping would result. The loss in dollars and cents results from disorganization of working forces, as well as loss of work partially done. Every large work which involves the employment of day labor is much more effectively prosecuted after the work is well organized and the men are accustomed to their various duties, and the closing down of the various works involves the scattering of the well-organized forces and the loss of competent men. The competent men find employment elsewhere, and it is only by a long process of sifting, requiring several months upon resumption of the work, that the forces again become well organized and as effective as when the work was closed down. This fact is so well recognized that in many districts the

nucleus of the main organization has been held as long as possible, even though higher priced employees are performing work which might equally well be done by lower priced employees.

2. In some cases it is especially important that the work proposed in the bill be carried on without loss of time. This is particularly true, for instance, with reference to such an item as that relating to East River, which is of urgent importance on account of its relation to national defense. The joint board has recommended as immediately needed for operations of the fleet of defense that there be provided a depth of 40 feet to the Brooklyn Navy Yard and a depth of 35 feet through East River. The pending bill, as amended by the Committee on Commerce of the Senate, makes provision for this important work. If the channel to the navy yard is first deepened to only 35 feet, as now authorized, and later to 40 feet, it is probable that the loss on this one item will be over a million dollars.

3. There is also work of urgent importance carried by the bill with reference to the Hudson River Channel, in order to provide access to the new piers being built by the city to accommodate the steamships of great length that come to this harbor. Another urgent item relates to the Narrows of Lake Champlain, where improvement is necessary in order to take advantage of the facilities that the State of New York has provided in its new Champlain Barge Canal, after an expenditure of millions of dollars. Another item of special urgency is that relating to the Passes of the Mississippi River, where work has just been inaugurated under modified plans to secure a project depth of 35 feet through Southwest Pass.

4. There are many cases where work of maintenance is essential in order to accommodate commerce of great importance which may be seriously affected by deterioration of the channels. This is illustrated on the Delaware River, where continuous operation of Government dredges is necessary to keep open the channel to the port of Philadelphia. The maintenance to full project dimensions is doubtless more important now than ever before on account of the shortage in tonnage of shipping available and the necessity of employing it to the maximum draft to which it can be loaded.

5. There are a number of other improvements where work has been under progress and the benefits of the improvement can not be obtained until the project is completed. The delay in carrying on the work postpones securing any return on the investment made. Some improvements, such as that of the Ohio, the Missouri below Kansas City, and the upper Mississippi, are being prosecuted with large annual expenditures in accordance with programs of construction, to which Congress has practically pledged itself, with a view to completion within a definite term of years. The large forces engaged on these rivers would, of course, become scattered if no funds are provided, and the enforced delay, due to lack of appropriations, would be still further prolonged by loss of time in getting the forces organized again. On the Mississippi and Missouri Rivers a stoppage of work will cause an absolute loss of many revetments and levees now in place. This, to a greater or less extent, will also be the case for all unfinished work of construction, such as locks and dams.

6. The monthly cost of the operation of Government seagoing dredges runs from \$3,000 to \$10,000 per month, according to the size of the dredge. Many of these dredges would have to be laid up on account of exhaustion of funds. New crews would therefore be necessary when the dredges resume work. It takes at least two or three months to break in a dredge crew properly so that they can do effective work. This therefore is equivalent to the loss of one or two months in the cost of operation of each dredge which is laid up.

7. It may be of interest, in this connection, to give the results of an inquiry made in 1915 to ascertain the loss to the United States caused by the delay of about three months in the passage of the river and harbor act which was approved on October 2, 1914. A tabulation of the data submitted by the various district engineer officers throughout the United States indicated that the late passage of the act caused a definite loss to river and harbor appropriations of \$395,554.23 and an indefinite loss of \$486,911.86, making a total of \$882,466.09.

8. The definite losses included such items as the dismantlement of plant, its storage and care during period of suspension of work, and re-installation; definite increased cost of work due to unfavorable conditions during which it was prosecuted later in the season; losses of work which was partially completed and which had to be replaced; and other similar definite items.

9. The indefinite losses included such items as a higher percentage of cost of office expenses, superintendence, etc., due to the smaller amounts available for work, losses in efficiency due to the training of new crews, depreciation of plant while laid up, and other similar items.

10. From an examination of the data available it was believed that the total was an underestimate rather than an overestimate of the actual loss due to the failure of the bill to become a law at the proper time.

11. Attention is also invited to the importance of some of the items of general legislation, particularly with reference to section 9, which gives the Secretary of War much needed authority to prescribe regulations for navigable waters of the United States. Lack of this authority has prevented action that should be taken to safeguard life and property and the interests of navigation, especially in congested waterways.

W. M. BLACK,
Brigadier General, Chief of Engineers.

Mr. FLETCHER. Regarding the importance of this work and what has been accomplished in the past, and how we should be impressed by experience, I can not do better than to quote from the speech of Hon. S. M. Sparkman, then the honored chairman of the Rivers and Harbors Committee of the House, when he reported the bill in January, 1917. He said:

Mr. Chairman, 22 years ago I entered this body and soon thereafter sought and obtained a position on the Rivers and Harbors Committee—not that the class of work a position on that committee entails was especially congenial to me; on the contrary, my vocation in life had been such that I would, in other circumstances, have preferred a different committee assignment; but I sought and accepted a position on that committee because I thought I could be of more service there to the people of Florida and to the country than on any other committee.

During the years I have remained here Congress has appropriated more than half a billion dollars for waterway improvement, the most of which has been expended on more than 200 harbors and upward of 25,000 miles of navigable waters, including canals, with the result that the waterways of our country have been improved from original and unserviceable conditions to the point where many of them are meeting the demands of even our fabulous commercial growth. During this time our commerce has grown from less than 250,000,000 to nearly

1,000,000,000 tons, valued at \$30,000,000,000, while freight rates have been reduced, it has been estimated by some, as much as \$1 per ton on water-borne commerce alone. Placing it, for the sake of argument, at 50 cents per ton—and we are carrying 900,000,000 tons each year—you can readily see the saving thus made to the producer, to the shipper, and to the consumer.

All this shows more clearly than any logic or language at my command can demonstrate the absurdity of the claim that the money, or even any considerable part of it, thus expended has been thrown away. But suppose a portion of it has been unwisely spent, and it would be a wonder if some waste did not occur, because in the expenditure of that large sum of money in any kind of work mistakes will be made resulting in loss. It may be that improper projects have, from time to time, been adopted, and I think they have been, but in going over the various river and harbor bills for the purpose of determining as best I could the merits of all the projects undertaken during the past 20 or 22 years I have come to the conclusion that not more than 2 per cent of these projects, if so much, has, in the light even of subsequent events, proven to be without merit. I venture the assertion that in no line of governmental activity has there been as little waste as in our waterway improvements. Still, with the great benefits coming to the people from those expenditures, what difference does it make if a few thousands or even a few millions of the money used has not been properly expended? The people even then are largely the gainers and can well afford the loss, for the producers, the shippers, and the consumers of our country have been paid a hundred times over for every dollar of this great expenditure in increased shipping facilities and the reduction of freight rates, which, while lowering the cost to the consumers, has increased the value of the product to the producer.

This, Mr. Chairman, has been a great work and is an honor to the membership, Democrats and Republicans, who have responded so generously during the past quarter of a century to the demands of the people for improved water transportation facilities. And, Mr. Chairman, in leaving Congress, as I will after the 4th of next March, I shall look back upon even the small and inconspicuous part I have taken in this work as the most important of the services I have rendered as a Member of this distinguished body. I could ask no greater honor or higher privilege than an humble place in the ranks of those who have thus added to the Nation's wealth and to the happiness and prosperity of the people.

On this subject there is ample authority, but I will only refer to one more: Gen. William H. Bixby, retired, who made one of the ablest and best Chief of Engineers the country ever had, from 1910 to 1913, said, in an address delivered December 7, 1916:

On one particular occasion I remember distinctly when I was called upon to say whether the bill was an improper bill, the question being whether it should be turned down by a veto, and I was able to say on that occasion that when that bill left the Rivers and Harbors Committee there was not a single item anywhere in it against which there could be the slightest ground for accusation of impropriety, and that when that bill had got through both the House and the Senate and was before the President for signature there was not one-half of 1 per cent of the items in it as to which there was any good ground for discussion. Moreover, during the three years that I was Chief of Engineers and officially watched those river and harbor bills go through, and also during the three years since then, none of the river and harbor bills which have gotten before the President for signature have contained over 1 per cent of items as to which there was any good reason for doubt or discussion. I would like to see anybody find anywhere in ordinary business life in these United States anything that is better than that; if the ordinary business man can get along in ordinary business with 5 per cent, about which there is some doubt or discussion, he is doing very well. There has never been 2 per cent, and hardly ever has there been one-half of 1 per cent of seriously doubtful items in river and harbor bills for the past six years, and those items, when carefully discussed as to all their pros and cons, have been shown to be allowable.

The bill referred to was that approved March 4, 1913, and the projects adopted and undertaken in that bill are the projects calling for most of the appropriations carried in this bill.

Gen. Bixby further said:

The men that fight the hardest against river and harbor appropriations are often those gentlemen who represent districts where there are no rivers or harbors, and because they or their constituents are not to receive direct benefits themselves they object to seeing other people get any. They forget the many other appropriations where they are the principal beneficiaries. They ought to be told by you every time you get a chance at them that they are lacking in that national spirit which you have just heard about a few moments ago from one of the preceding speakers. They are selfish and lacking in national spirit, and you should tell them so. [Applause.]

And again:

Then the men that object next strenuously are usually those who have gotten everything that they want for their districts or State; they do not see any chance of getting anything more, and therefore they do not see why their State being already provided for, they should contribute to other States which have not yet got theirs. [Applause.] Those gentlemen are another set of men that should be told by you that they are selfish and lacking in national spirit. They ought to know that they are selfish and lacking in national spirit without being told of it, but it would not do any harm to have them told so in the public press.

Then there is another set of men who object to small-river improvement appropriations, asking "Why should we pay for the improvement of any river or creek around the country that is dry in the summer time?" We have heard that sort of an outcry a great deal in the last two or three years. "Why should we do anything for such and such a stream when it has not got any water?" Well, generally they make a mistake, because the stream they ridicule does have water enough for its useful navigation, only they do not know it. I know personally of a great many streams along the north Atlantic coast, the south Atlantic coast, the Gulf coast, and out on the Pacific coast where in parts of that stream there may not be, in summer time, more than enough water to float a skiff that only draws 2 inches. I have been on some of them where the flow was not any more than that, but it had much more in the navigation season. I have also been on some large streams and on the Great Lakes, in the northern part of the United States, which were frozen up so tight in the winter time that

you could not run any boat at all, not even a 3-inch-draft boat, through them at that time; yet nobody questioned the justice of looking after the navigation of those northern streams, even if they were icebound for three or four months of the year. Then why should they question the justice of improving some southern streams just because they lack water for three or four months in the year?

There is no need of water for navigation purposes at a season of the year when you do not need navigation. All along the Atlantic coast you will find streams, many of them, possibly, small streams, for which money has been appropriated for their improvement, where such section of the country could not have been developed except by water transportation. If the farmer can get his fertilizer sent upstream in the spring and his crops sent downstream in the fall he often does not care a rap what happens in the summer or the winter, when there is no special need of transportation; and he ought to have all the benefits of the transportation that he does need, so that his section may grow up into settlements or towns large enough to make it profitable for the railroads to build spur tracks thereto.

And again:

It is unfair to expect much increase of travel and commerce until the increased depth and width of waterway is extended over the entire length of the water route. Half-finished transportation routes, even on land, rarely show any increase of business; neither do half-built houses or factories. Why expect more from half-built waterways?

The present Chief of Engineers, Gen. William M. Black, on the same occasion, in an able address, said:

To my mind we have hardly any need of greater importance to society in general than the need for better transportation facilities—transportation facilities which will, at the least cost, transfer from the point of production, no matter where in the world, to the point of consumption, no matter where in the world.

And:

So there is ample room, as well as the utmost need, for the development of all routes of transportation, be they by rail or by water.

And again:

They take all possible care; as stated to you frequently before, there is no bill that passes through Congress which has more careful scrutiny or more care devoted to its composition than the river and harbor bill.

And again:

No matter how good theoretic consideration you show for a single investment, or the putting of all the appropriation in any one improvement, be it New York Harbor, be it San Francisco, be it the Mississippi, the people simply will not have it so; and as long as they will not have it so, it can not be.

There are certain things about our popular government which may be considered drawbacks, if you will; but we know there are so many great and glorious things about it that we love it with all the drawbacks. [Applause.] But we must see the drawbacks, and it is perfect nonsense to expect that altruism shall be carried so far that any section will be found perfectly willing to give up the things it thinks it needs, for the time being, on the ground that another section needs the money more. The people say, "It is our money that you are spending. We all give to it and we must all get a return."

You have to consider local claims; and the utmost that can be done, I think, is to see that no improvement of any kind is recommended unless it is a good investment, unless the returns to the people annually are equal to, or greater than, the interest on the money invested plus cost of maintenance. If that be so, it is a good investment. It may not be so good as another, but it is a good investment and is a proper one to put the people's money into.

Admiral Benson, before the same convention, the day before, said:

Now, as I said in the beginning, we have a great number of small craft and our coast is so formed that its defense must necessarily depend very largely on the submarines and the smaller craft; and in order to utilize what we have to the fullest extent there should be some means of moving this craft from one part of the coast to the other.

Our national means of defense, particularly from Key West north, would be through our inland waterways by our submarines. Not that the submarines are not able to go outside, for they are; and even our coast submarines are able to go to sea and cruise a hundred miles offshore successfully. They can go even farther; but what I refer to is the fact that they want to be protected. We do not want them exposed to the attacks of the enemy on the outside in case we desire to move them from one point of the coast to another, or in order that they may go out from various openings and attack the enemy. So you can readily see the tremendous advantage that improved inland waterways would be to the Navy in the event of war in moving submarines and destroyers through the inland waterways.

Of course, anything that helps commerce helps the Navy; anything that helps the Navy helps commerce; and whatever helps both helps the country. [Applause.]

There is one feature of the development of the inland waterways that has impressed me very deeply in my study of it, and I would presume to suggest it to you gentlemen who have given this subject more careful thought; that is, the study of the map of our country, and particularly the eastern part of it, and you will see a complete network of rivers leading down to the coast.

Mr. Joy Morton, of Chicago, in a strong address before the same convention on the subject of the "Potentiality of waterways," expressed his conclusions thus:

There is no means of transporting freight so cheaply as to float it. The potential advantages of canals to the Commonwealth have been overlooked in the craze for railroads, and it is time in these days of congested lines and choked-up railroad terminals to consider the waterway as a relief.

"PORK."

The public has been misled by the slander which certain scribblers started by the term "pork barrel" in connection with rivers and harbors legislation, public-buildings bills, and the like. It was catchy and sensational and came into such

extended use that it has had the effect of poisoning the public mind to some extent, and created a prejudice against a bill the sole purpose of which is to confer the greatest benefit to the largest number of citizens. I will not dwell on that kind of criticism of the bill—I have neither the time nor patience.

When the last bill was before the House the leader of the minority in the House had this to say, which seems to me unanswerable [CONGRESSIONAL RECORD, pp. 1976-1977]:

Whatever men may think about the merits of particular propositions in a bill, there is no legislation which comes before Congress which is so critically scanned by experts as are the river and harbor bills before they reach the House. In the first place, the War Department itself can not institute any recommendation upon its own motion. It is the only branch of the Government that is not permitted to do so. The Executive can not order the War Department to make a report or an estimate or a recommendation to Congress in reference to a river and harbor improvement. You can not reach the War Department through political influence exercised upon the President or the Secretary of War. A provision in the river and harbor bill begins with an item for a survey, and under the law the engineers can not make a survey until as experts they have made an examination as to the probable economy of the improvement, the use that will be made of it, and the benefit that it will be to the shipping industry and to the public.

The Board of Engineers of the United States Army are selected men from West Point, who hold their office for life, or for good behavior if they do their work. They are the least subject to political influence of any body in the United States by reason of their position. [Applause.] They can not go to the political activities which exist in the War Department with reference to promotions, because all of their promotions are automatic except as to the Chief of Engineers. When we determine by reason of the activity of a Member of Congress representing his constituents to ask that board to make an examination, they have to first determine whether it will be a profitable adventure if entered upon, and then they are permitted to make an estimate of the cost and present the project to the House. The House itself can not order them to do this. It could at one time by a resolution. The Senate itself can not order them to do this. It is the only case in the Government service where the House can not by resolution ask Government officers to render a service, or where the Senate can not by a resolution ask Government officers to render a service. After they make their estimate, made by the local engineer aided by a civilian engineer working under him, also permanently employed, they have to go through the form—in many cases it is a form, though in some cases it is the real thing—of having the report pass through the district engineer and the engineer of the enlarged district, whose title I do not now remember. Then the matter goes before the Board of Engineers. Then it comes before the Chief of Engineers. Then it comes before the Committee on Rivers and Harbors. There are more processes involved, and far more expert men, wholly disinterested, unbiased, uncontrolled by politics, in reference to a river and harbor item than any other legislation provided by any legislative assembly in the world. [Applause.]

Some suggestion has been made of its being a questionable practice about Senators and Representatives appearing before the Board of Engineers on an appeal from the district engineers. The only instance where they appear there is where the district engineer has reported on a project, for instance, we will say, adversely, and that is passed up to the division engineer, and the division engineer has passed on it adversely, and the friends of the enterprise feel that all the subject has not been exhausted. There may be new facts that have developed in the meantime, and they want to present them to the Board of Engineers. The Board of Engineers sits, and they have these hearings in a formal way, and they consider such new facts and such arguments as may be presented and the reports which

have been sent up to them, and then they take it under advisement and render their opinion according to the rules that govern them, absolutely always true to the public interest. I do not believe there is any such thing as that board recommending a profligate waste of money. I do not believe that there is any such thing as that board recommending a proposition that has not merit in it, justification, commercial and otherwise. There is no reason to do it. They are under no obligation to anyone who appears before them, either for their position or to maintain their position. They are perfectly independent. They are high-class, intelligent men, the best-trained minds of the country, and of the highest integrity, and why should they betray their trust? There is no temptation to betray their trust, no reason for betraying their trust. There is every reason why they should conduct themselves as honorable men of integrity and strength of character, and they do. There is no question about that at all. It is simply ridiculous and absurd to intimate or charge anything to the contrary.

There has been some intimation that this is a sectional measure. I would not go into that. It is nonsense to claim that the bill is framed to advantage some particular section of the country to the prejudice of some other section. I want to refer, though, in this connection to a statement made by Mr. Sparkman and to a table he furnished, and I shall drop the subject there. Mr. Sparkman is giving his experience of 22 years in Congress. He says:

Mr. Chairman, I can say of a truth that during the 22 years of my membership here and the more than 20 years that I have been on the Committee on Rivers and Harbors I have never thought that any member of that body was influenced in the least by sectional motives in the making up of river and harbor bills. Each member of that important committee, no matter from what section he came, whether from the North, South, East, or West, has in that great work been influenced alone, in my judgment, by the merits of the project under consideration and what he considered his duty to the whole country.

In this connection I wish to call attention to a table I have here, and which I will print with these remarks, showing the amounts appropriated for projects in the different sections since I have had the honor of presiding over the deliberations of the Committee on Rivers and Harbors. I find that \$45,899,056 have gone to projects in what might be called the Northern States, \$41,181,721 to those in the Southern States, and \$19,000,000 for projects in the Pacific Coast States, which in the sectional sense meant by such critics are properly classed with the Northern States, so that we would have \$65,000,000, in round figures, as the amount appropriated for works in what you might call the Northern States since I have been chairman of the committee and \$41,000,000 for the Southern States.

These figures do not include the Mississippi, Ohio, and Missouri Rivers, which, being essentially and broadly national, should, in my opinion, not be charged to any section. The projects for the improvement of these rivers were adopted prior to the time I became chairman of the committee, which was subsequent to the passage of the bill of 1911; but since and including the bill of 1912 there had been appropriated for these streams, as will be seen, sums ranging as follows: \$36,353,000 for the Mississippi, \$7,175,000 for the Missouri, and \$22,068,500 for the Ohio, or upward of \$65,000,000 in all.

I may add, further, that appropriations for these three rivers have for the past several years made up more than a third of each river and harbor bill, and that more than one-half of the amounts yet to be appropriated for old projects is to go toward the completion of the projects for their improvement adopted in the bill of 1910. So that, eliminating them, you dispose of the larger part of the work yet to be done outside of the new projects in this measure.

Table showing amounts appropriated and allotted under river and harbor acts from 1912 to 1916, inclusive, for the country by sections.

Year.	North.	South.	Pacific coast.	Alaska, Hawaii, and Porto Rico.	Mississippi River.	Missouri River.	Ohio River.
1912.....	\$7,429,070	\$7,619,050	\$3,196,750	\$306,000	\$8,945,000	\$1,025,000	\$5,600,000
1913.....	13,010,855	12,040,321	6,051,218	225,000	9,001,000	2,325,000	5,550,000
1914.....	4,125,530	5,103,750	2,442,500	100,000	4,954,000	900,000	1,760,000
1915.....	6,863,246	5,678,050	3,483,175	43,000	5,371,000	1,100,000	3,640,000
1916.....	14,470,355	10,740,550	4,242,200	376,800	8,082,000	1,825,000	5,509,500
Total.....	45,899,056	41,181,721	19,415,843	1,050,800	36,353,000	7,175,000	22,068,500

So you will see, Mr. Chairman and gentlemen of the committee, that there is no ground whatever for this charge of sectionalism. Every section of the country has received the same treatment, the purpose always being to adopt projects and make appropriations upon the merits of a proposition and in accordance with the demands of the commerce to be accommodated. To these considerations we have looked, and to nothing else, and as long as I remain in this body and have responsibility here I shall adhere to that rule and never consciously depart from it. [Applause.]

Mr. President, I challenge criticism of any item in this bill. I am prepared to answer in detail any question that may be asked respecting any item in so far as the information can be gathered from the official documents dealing with such items.

Regarding the commission provided for in section 16, I may say that the work and function of such commission are the same as that provided in the bill as it was reported to the House.

The composition of the commission was changed by the Committee on Commerce. The subject is discussed in the House report, page No. 6, and I will submit at another time some further observations on the desirability and need for such a commission.

Instead of having it a departmental commission, the commission is made up as shown by section 16 of the bill, and in that respect it differs from the provision in the bill as it was reported from the Committee on Rivers and Harbors of the House originally.

Mr. President, I am going to leave the matter there for the present, but I challenge criticism of every item in the bill from start to finish. I am prepared to furnish the detailed information regarding every item as shown by the document, and I

submit that the bill ought to be passed, and passed speedily. It is surely an emergency measure. I now move that we proceed to consider first the committee amendments.

Mr. KENYON. I ask the Senator from Florida if he proposes to go on with the bill to-night?

Mr. FLETCHER. I will say, as far as I am concerned, I want to suit the convenience of other Senators. If anyone wants to go on to-night, I am willing, but I believe an executive session is desired.

Mr. KENYON. The Senator from Utah [Mr. SMOOT] wanted to proceed, but I am sure he would not want to proceed with only seven or eight Senators in the Chamber. I suggest to the Senator from Florida that we adjourn until to-morrow.

Mr. FLETCHER. Let us first have an executive session.

Mr. SHEPPARD. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Texas?

Mr. FLETCHER. I do.

Mr. SHEPPARD. I have here a report from the Committee on Commerce on a bridge bill which the Senator from Arkansas [Mr. ROBINSON] is very desirous of having passed this afternoon. It is to meet a certain emergency which exists that demands immediate passage. Out of order, I ask that the bill be considered and passed. It is an ordinary bridge bill, in ordinary terms.

The PRESIDENT pro tempore. The Chair understands that the Senator from Texas requests the Senate to proceed to the consideration of a bill.

Mr. SHEPPARD. I ask out of order, without displacing the pending bill, to report the bill and to have it put on its passage.

The PRESIDENT pro tempore. The Chair will call the attention of the Senator from Florida to the request of the Senator from Texas and the ruling which has been made heretofore as to matters of this character.

Mr. SHEPPARD. I will withdraw the request for the present and attempt to have the bill passed during the morning hour to-morrow.

Mr. FLETCHER. Yes; that is better.

Mr. MCKELLAR. Will the Senator from Florida yield to me?

Mr. FLETCHER. Certainly.

Mr. MCKELLAR. I offer an amendment to the pending bill, which I ask to have printed.

Mr. FLETCHER. I have no objection.

The PRESIDENT pro tempore. It will be so ordered.

MRS. NANCY E. MULLINS.

The PRESIDENT pro tempore. The Chair announces his signature to the following enrolled bill:

The SECRETARY. H. R. 646. An act for the relief of Mrs. Nancy E. Mullins.

EXECUTIVE SESSION.

Mr. FLETCHER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

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

The motion was agreed to, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 24, 1917, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 23, 1917.

RECEIVERS OF PUBLIC MONEYS.

Mrs. Annie G. Rogers, of Colorado, to be receiver of public moneys at Leadville, Colo., her term of office having expired. (Reappointment.)

Edward J. McLean, of Montana, to be receiver of public moneys at Billings, Mont., his term of office having expired. (Reappointment.)

Edward C. Hargadine, of Montana, to be receiver of public moneys at Glasgow, Mont., his term of office having expired. (Reappointment.)

John T. Hamilton, of Montana, to be receiver of public moneys at Miles City, Mont., his term of office having expired. (Reappointment.)

REGISTERS OF LAND OFFICES.

Albert F. Browns, of Colorado, to be register of the land office at Sterling, Colo., his present term expiring August 26, 1917. (Reappointment.)

Fred H. Foster, of Montana, to be register of the land office at Billings, Mont., his term of office having expired. (Reappointment.)

Fletcher W. Appleton, of Montana, to be register of the land office at Bozeman, Mont., his term of office having expired. (Reappointment.)

Thomas R. Jones, of Montana, to be register of the land office at Glasgow, Mont., his term of office having expired. (Reappointment.)

PROMOTIONS IN THE ARMY.

FIELD ARTILLERY ARM.

To be major with rank from May 15, 1817, to fill a casual vacancy.

Capt. William F. Morrison, Field Artillery, detached officers' list, vice Maj. Frank E. Hopkins, promoted.

To be captains with rank from May 15, 1817, to fill original vacancies.

First Lieut. Donald M. Beere, Field Artillery.
First Lieut. Herman Erlenkotter, Field Artillery.
First Lieut. Claude B. Thummel, Field Artillery (Ordnance Department).

First Lieut. Edwin M. Watson, Field Artillery.
First Lieut. Harold E. Miner, Field Artillery.
First Lieut. Joseph A. Rogers, Field Artillery.
First Lieut. Charles T. Griffith, Field Artillery, subject to examination required by law.

First Lieut. Jacob L. Devers, Field Artillery.
First Lieut. Lucien H. Taliaferro, Field Artillery, detached officers' list.

First Lieut. Harold H. Bateman, Field Artillery, detached officers' list.

First Lieut. Frank A. Turner, Field Artillery.
First Lieut. George G. Seaman, Field Artillery.
First Lieut. Charles C. Reynolds, Field Artillery, detached officers' list.

First Lieut. George S. Gay, Field Artillery.
First Lieut. Fred C. Wallace, Field Artillery, detached officers' list.

First Lieut. Philip Hayes, Field Artillery.
First Lieut. Franz A. Doniat, Field Artillery (Ordnance Department).

First Lieut. Carl A. Baehr, Field Artillery.
First Lieut. John M. McDowell, Field Artillery.
First Lieut. Raymond E. Lee, Field Artillery.
First Lieut. Jason McV. Austin, Field Artillery.
First Lieut. Burton O. Lewis, Field Artillery (Ordnance Department).

First Lieut. Herbert R. Odell, Field Artillery.
First Lieut. Clyde A. Selleck, Field Artillery, detached officers' list.

First Lieut. Ernest J. Dawley, Field Artillery.
First Lieut. Louie A. Beard, Field Artillery, detached officers' list.

First Lieut. Ivens Jones, Field Artillery, detached officers' list.
First Lieut. William A. Pendleton, jr., Field Artillery (Ordnance Department).

First Lieut. Robert C. F. Goetz, Field Artillery, detached officers' list.

First Lieut. Bernard R. Peyton, Field Artillery.
First Lieut. John Magruder, Field Artillery.
First Lieut. Whitmon R. Conolly, Field Artillery.

First Lieut. E. Francis Riggs, Field Artillery, detached officers' list, subject to examination required by law.
First Lieut. Curtis H. Nance, Field Artillery, detached officers' list.

First Lieut. Freeman W. Bowley, Field Artillery (Ordnance Department).

First Lieut. Gustav H. Franke, Field Artillery.
First Lieut. John C. Beatty, Field Artillery (Ordnance Department).

First Lieut. Hubert G. Stanton, Field Artillery (Ordnance Department).

First Lieut. John E. Hatch, Field Artillery, detached officers' list.

First Lieut. Charles A. Walker, jr., Field Artillery (Ordnance Department).

First Lieut. Bethel W. Simpson, Field Artillery (Ordnance Department).

First Lieut. Neil G. Finch, Field Artillery (Signal Corps).
First Lieut. William E. Larned, Field Artillery.
First Lieut. Charles L. Byrne, Field Artillery.
First Lieut. Roscoe C. Batson, Field Artillery.
First Lieut. Alvan C. Sandeford, Field Artillery.
First Lieut. Ira T. Wyche, Field Artillery.
First Lieut. Harvey M. Hobbs, Field Artillery.
First Lieut. Joseph Andrews, Field Artillery (Signal Corps).
First Lieut. Thomas G. M. Olphant, Field Artillery.

First Lieut. Mert Proctor, Field Artillery, detached officers' list.
 First Lieut. William J. Wrona, Field Artillery, detached officers' list.
 First Lieut. Lewis H. Brereton, Field Artillery (Aviation Section, Signal Corps).
 First Lieut. Vincent P. Erwin, Field Artillery, detached officers' list.
 First Lieut. Frank Bloom, Field Artillery, detached officers' list.
 First Lieut. Vincent Meyer, Field Artillery, detached officers' list.
 First Lieut. Edward H. Hicks, Field Artillery, detached officers' list.
 First Lieut. Norman P. Morrow, Field Artillery, detached officers' list.
 First Lieut. Lloyd E. Jones, Field Artillery, detached officers' list.
 First Lieut. Newton N. Polk, Field Artillery, detached officers' list.
 First Lieut. Edward A. Millar, jr., Field Artillery.
 First Lieut. Clyde J. McConkey, Field Artillery.
 First Lieut. Follette Bradley, Field Artillery (Ordnance Department).
 First Lieut. Jonathan W. Anderson, Field Artillery.
 First Lieut. Robert S. Oberly, Field Artillery (Ordnance Department).
 First Lieut. Leon R. Cole, Field Artillery.
 First Lieut. Paul L. Ferron, Field Artillery (Aviation Section, Signal Corps).
 First Lieut. Percy Deshon, Field Artillery, detached officers' list, subject to examination required by law.
 First Lieut. Julian F. Barnes, Field Artillery, detached officers' list.
 First Lieut. Harold C. Vanderveer, Field Artillery.
 First Lieut. Clift Andrus, Field Artillery, detached officers' list.
 First Lieut. George E. Arnemann, Field Artillery.
 First Lieut. Clarence D. Lang, Field Artillery.
 First Lieut. Russell L. Maxwell, Field Artillery (Ordnance Department).
 First Lieut. Charles J. Browne, Field Artillery (Ordnance Department).
 First Lieut. John N. Hauser, Field Artillery, detached officers' list.
 First Lieut. Karl C. Greenwald, Field Artillery, detached officers' list.
 First Lieut. Richard E. Anderson, Field Artillery (Signal Corps).
 First Lieut. James A. Gillespie, Field Artillery, detached officers' list.
 First Lieut. Wesley M. Bailey, Field Artillery, detached officers' list.
 First Lieut. Isaac Spalding, Field Artillery.
 First Lieut. Harry J. Malony, Field Artillery.
 First Lieut. Robert F. Hyatt, Field Artillery.
 First Lieut. Archibald V. Arnold, Field Artillery.
 First Lieut. Earl B. Hochwalt, Field Artillery.
 First Lieut. John D. von Holtzendorff, Field Artillery, detached officers' list.
 First Lieut. Walter F. Winton, Field Artillery, detached officers' list.
 First Lieut. Francis T. Armstrong, Field Artillery.
 First Lieut. Hamilton Templeton, Field Artillery.
 First Lieut. Bertram Frankenberger, Field Artillery.
 First Lieut. Raymond B. Austin, Field Artillery, detached officers' list.
 First Lieut. Joseph O. Daly, Field Artillery, detached officers' list.
 First Lieut. Edwin P. Parker, jr., Field Artillery.
 First Lieut. John M. Eager, Field Artillery, detached officers' list.
 First Lieut. William R. Gruber, Field Artillery.
 First Lieut. Richard C. Scott, Field Artillery, detached officers' list.
 First Lieut. Howard Eager, Field Artillery, detached officers' list.
 First Lieut. William C. Young, Field Artillery, detached officers' list.
 First Lieut. William C. Crane, jr., Field Artillery, detached officers' list.
 First Lieut. Carlos Brewer, Field Artillery, detached officers' list.

First Lieut. David E. Cain, Field Artillery, detached officers' list.
 First Lieut. John E. McMahon, jr., Field Artillery, detached officers' list.
 First Lieut. Eugene T. Spencer, Field Artillery.
 First Lieut. Falkner Heard, Field Artillery.
 First Lieut. Herbert S. Clarkson, Field Artillery, detached officers' list.
 First Lieut. Louis A. Craig, Field Artillery.
 First Lieut. Charles G. Helmick, Field Artillery, detached officers' list.
 First Lieut. Ernst Sedlacek, Field Artillery.

To be captains with rank from May 15, 1917, to fill casual vacancies.

First Lieut. Philip L. Thurber, Field Artillery, vice Capt. Burton O. Lewis, retained in Ordnance Department.
 First Lieut. William C. Houghton, Field Artillery, vice Capt. William A. Pendleton, jr., retained in Ordnance Department.
 First Lieut. John C. Wyeth, Field Artillery, vice Capt. Freeman W. Bowley, retained in Ordnance Department.
 First Lieut. Arthur R. Harris, Field Artillery, vice Capt. John C. Beatty, retained in Ordnance Department.
 First Lieut. John G. Burr, Field Artillery, vice Capt. Charles A. Walker, jr., retained in Ordnance Department.
 First Lieut. John B. Anderson, Field Artillery, vice Capt. Bethel S. Simpson, retained in Ordnance Department.
 First Lieut. William E. Burr, Field Artillery, vice Capt. Neil G. Finch, retained in Signal Corps.
 First Lieut. James A. Lester, Field Artillery, vice Capt. Charles J. Browne, retained in Ordnance Department.
 First Lieut. Herman Beukema, Field Artillery (Signal Corps), vice Capt. Richard E. Anderson, retained in Signal Corps.
 First Lieut. Herbert S. Struble, Field Artillery, subject to examination required by law, vice Capt. Herman Beukema, retained in Signal Corps.
 First Lieut. Francis J. Dunigan, Field Artillery, vice Capt. William I. Westervelt, promoted.
 First Lieut. Edwin A. Zundel, Field Artillery, vice Capt. Upton Birnie, jr., promoted.
 First Lieut. Clinton W. Howard, Field Artillery (Aviation Section, Signal Corps), vice Capt. James P. Robinson, promoted.
 First Lieut. Charles M. Busbee, Field Artillery, vice Capt. Clinton W. Howard, retained in Aviation Section.
 First Lieut. Albert W. Waldron, Field Artillery, vice Capt. Augustine McIntyre, promoted.
 First Lieut. John H. Wallace, Field Artillery, vice Capt. Charles M. Bunker, promoted.
 First Lieut. Raymond Marsh, Field Artillery, vice Capt. Francis W. Griffin, promoted.
 First Lieut. Joseph M. Swing, Field Artillery, vice Capt. Howard L. Landers, promoted.
 First Lieut. Stanley E. Reinhart, Field Artillery, vice Capt. Norton E. Wood, promoted.
 First Lieut. Dean Hudnutt, Field Artillery, vice Capt. Albert S. Fuger, promoted.
 First Lieut. Louis E. Hibbs, Field Artillery, vice Capt. William N. Michel, promoted.
 First Lieut. Jesse F. Tarpley, jr., Field Artillery, vice Capt. Ernest S. Wheeler, promoted.
 First Lieut. Horace L. McBride, Field Artillery, vice Capt. John B. W. Corey, promoted.
 First Lieut. Hamilton E. Maguire, Field Artillery, vice Capt. William F. Jones, promoted.
 First Lieut. Ray C. Rutherford, Field Artillery, vice Capt. Charles G. Mortimer, promoted.
 First Lieut. William R. Woodward, Field Artillery, vice Capt. Robert Davis, promoted.
 First Lieut. Alfred K. King, Field Artillery, vice Capt. Joseph E. Myers, promoted.
 First Lieut. Henry C. Jones, Field Artillery, vice Capt. William S. Wood, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 23, 1917.

UNITED STATES ATTORNEY.

Francis M. Wilson to be United States attorney, western district of Missouri.

BOARD OF CHARITIES, DISTRICT OF COLUMBIA.

George E. Hamilton. (Reappointment.)
 Rev. John Van Schaick. (Reappointment.)

POSTMASTERS,

ALABAMA.

John W. Barnes, Prattville.
Mary E. Cain, Wetumpka.
W. L. Crew, Good Water.
A. A. Leach, Dadeville.
J. L. Thornton, Alexander City.
Dora G. Wendel, Tallassee.

KANSAS.

Lottie R. Boulls, Jennings.
Gus C. Buche, Miltonvale.
Ida J. Butler, Morland.
Alfred D. Carpenter, Oswego.
L. D. Cassler, Canton.
Frederick M. Cook, Jamestown.
Edward Corrigan, Effingham.
Caroline Doerschlag, Ransom.
Jefferson Dunham, Little River.
Elmer A. Dye, Logan.
Axel Ellingson, Scandia.
J. O. Ferguson, Independence.
Frank S. Foster, Ellsworth.
Agnes H. Gallagher, Summerfield.
Robert V. Grattan, Burden.
Viola Hamilton, Altamont.
S. J. Hampshire, Overbrook.
Charles Hewitt, Wakefield.
Emma L. Hoopman, Lucas.
E. C. McDermott, Spearville.
John McKee, Clay Center.
C. C. McKenzie, Morrill.
W. A. Matteson, Abilene.
R. H. Miles, Lyndon.
Martin Miller, Fort Scott.
Thomas O'Mara, Colony.
E. L. Pepper, Conway Springs.
Claude Rowland, Protection.
Mary E. Shaffer, Fulton.
Leonard Shamleffer, Douglass.
Eugene Skinner, Cherokee.
P. D. Spellman, Plainville.
J. H. Stanbery, Attica.
James A. Thompson, White Water.
L. G. Wagner, Sylvia.
William Walker, jr., Goodland.
Cora M. Waters, Bird City.
J. J. Wilson, Moran.

MAINE.

Joseph D. Chamberland, Jackman Station.
Ned W. Coombs, Castine.
Harold M. Crockett, North Haven.
Irenee Cyr, Fort Kent.
R. T. Flavin, West Paris.
S. H. Frost, Pittsfield.
William N. Gough, York Beach.
Reuben A. Huse, Kingfield.
Frederick H. Macomber, Seal Harbor.
Delbert M. Story, Washburn.
Milford A. Waite, Canton.

OKLAHOMA.

Wharton H. Breedlove, Muldrow.
Cassius L. Byrne, Ardmore.
J. R. Capshaw, Chattanooga.
J. W. Chism, Medford.
Bonnie A. Coley, Davidson.
Milton B. Cope, El Reno.
K. C. Cox, Granite.
Sydney A. Doyle, Maud.
Joseph H. English, Walters (late Walter).
J. M. Ennis, Antlers.
Hattie Gore, Nowata.
Andrew J. Grayson, Blanchard.
D. M. Hamlin, Newkirk.
George H. Hancock, Welch.
Della Hickman, Spiro.
Frank E. King, Braman.
J. F. Larecy, Hugo.
Ira B. McCrary, Dewey.
Robert Burton Mayfield, Blair.
W. F. Parker, Davis.
Francis M. Reed, jr., Afton.
N. L. Sanders, Broken Arrow.

Bettie Smythe, Marlow.
C. E. Steele, Sayre.
Simon Peter Treadwell, Ryan.
T. I. Truscott, Olustee.

SOUTH DAKOTA.

Fred W. Hink, Raymond.
O. M. Iverson, Hudson.
Charles F. Jenks, Egan.
J. I. McNeil, Wessington.
W. M. Walters, Fairfax.

HOUSE OF REPRESENTATIVES.

MONDAY, July 23, 1917.

The House met at 12 o'clock noon.

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

Almighty and most merciful Father, in whose all-encircling love we dwell, strengthen us, we beseech Thee, for the duties of the new day. Widen the scope of our vision. Give to us great thoughts and a firm resolve to follow in the wake of duty whithersoever it leads.

Now and always in the spirit of the Lord Christ. Amen.

The Journal of the proceedings of Saturday, July 21, 1917, was read and approved.

THE LATE BO SWEENEY.

Mr. MILLER of Washington. Mr. Speaker—
The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. MILLER of Washington. I rise for the purpose of asking unanimous consent to address the House for five minutes on the life and character of Hon. Bo Sweeney, late Assistant Secretary of the Interior, who died on Monday last.

The SPEAKER. The gentleman from Washington [Mr. MILLER] asks unanimous consent to address the House for five minutes on the life and character of the Hon. Bo Sweeney, late Assistant Secretary of the Interior. Is there objection? [After a pause.] The Chair hears none.

Mr. MILLER of Washington. Mr. Speaker and Members of the House of Representatives, the Hon. Bo Sweeney, Assistant Secretary of the Interior, was born in Henry County, Mo., on September 20, 1863, and died at Washington, D. C., July 16, 1917.

It is fitting that at this time the House of Representatives should suspend its regular course and pay honor to the memory of not only an exceptionally able man but a patriotic and faithful public officer.

He was my fellow townsman and my friend. It is easy to flatter the dead, far easier than to flatter the living. In the life and public service of Bo Sweeney there is no necessity, no need of flattery. The history of his life, the record of his public acts, the uprightness of his daily association with men, speak in far more eloquent terms than any poor words of mine. Of such a man it would be unpardonable to use a single sentence of false and pleasing praise.

Mr. Sweeney was essentially a man out of the West. He loved the mountains; he longed to be in the hills of the great, far West. That had been his home since almost boyhood, and it was from these he came to the Nation's Capital to do his duty here, as he had always done it amidst his friends at home.

Born on a farm near Clinton, in Henry County, Mo., in the year 1863—a year not noted for gentleness and sentiment—he grew to young manhood in Missouri and Texas. His boyhood life was not one of easy swing. He was taught to know that the things worth while in life were not extended with lavish hand except to those who should deservedly gain them. He was early taught to appreciate the truism that he who wears the spurs should wear them in the open field.

Like most successful men and women, he had the guidance in childhood of conscientious and upright parents. The stress of the times early brought the element of economy into his life, a trait he always reasonably and consistently followed, though in after years he reached a bountiful competency—the reward of his own industry and ability.

He was educated for the bar, at which he soon gained singular distinction. His first years of mature manhood were passed in the State of Colorado, where he commenced the practice of the law. It was in that State that his first political honors came by being elected to the lower house of the legislature. The construction of the new State capitol building was projected while he was thus in office, and to this he gave singularly valuable service. Though a member of a political party then in hope-