

By Mr. FULLER of Illinois: Petition of members of the Chicago war-service committee of the national war-service committee of the dry goods and department stores in Chicago and Illinois, protesting against the proposed tax on certain articles of wearing apparel, etc., costing above a fixed amount; to the Committee on Ways and Means.

Also, petition of the National Automobile Chamber of Commerce, the Motor and Accessory Manufacturers' Association, the Automobile Equipment Association, and the National Automobile Dealers' Association, protesting against sales taxes on automobiles, tires, parts, and accessories as proposed in the pending war-revenue bill; to the Committee on Ways and Means.

Also, petition of Florsheim Shoe Co., opposing the proposed tax on shoes; to the Committee on Ways and Means.

Also, petition of the Attleboro (Mass.) Chamber of Commerce and of Emil Brande & Bro., of Chicago, protesting against the proposed tax on jewelry; to the Committee on Ways and Means.

Also, petition of Samuel Gompers, president of the American Federation of Labor, for the enactment of the Smith rehabilitation bill, Senate bill 4922; to the Committee on Education.

Also, petition of the pupils of the public schools of Porto Rico, that a battleship of the United States be named Porto Rico; to the Committee on Naval Affairs.

Also, petition of the Powell (Wyo.) Chamber of Commerce for the completion of the Shoshone irrigation project; to the Committee on Irrigation of Arid Lands.

Also, petition of Local Union No. 401, of Peru, Ill., of the Iron Molders' Union of North America, favoring the enactment of the McKellar-Keating retirement bill; to the Committee on Labor.

Also, petition of Leon F. Mass, favoring the construction of a system of Government owned, controlled, and maintained paved trunk-line highways across the United States, from ocean to ocean and from north to south, with necessary and convenient intersecting lines; to the Committee on Roads.

Also, petition of J. W. Shorthill, secretary of the National Council of Farmers' Cooperative Associations, favoring the control of railroads to be returned to the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, petition of H. H. Gross, president of the Universal Military Training League, for universal military training and service; to the Committee on Military Affairs.

Also, petition of George H. Higgins, factory manager Burd High Compression Ring Co., of Rockford, Ill., protesting against the enactment of the bill placing wireless telegraphy under the sole control of the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of W. B. Shafer, jr., of Norfolk, Va., advocating 12 months' extra pay for all who served in the Army or Navy during the late war with Germany; to the Committee on Military Affairs.

Also, petition of the Haddorff Piano Co., of Rockford, Ill., favoring repeal of the increased postage rate on first-class matter and opposing repeal of the zone plan for second-class mail; to the Committee on Ways and Means.

Also, petition of the Rockford (Ill.) Association of Credit Men, for equality in the levying of taxes under the pending revenue bill and for speedy enactment of the measure; to the Committee on Ways and Means.

Also, resolutions by the Republican Club of New York, against the provisions of the revenue bill providing rates of taxation beyond the current year; to the Committee on Ways and Means.

Also, memorial of the New Korea Association, for self-determination of the people of Korea; to the Committee on Foreign Affairs.

Petition of E. F. Achard, of the Federal Plate Glass Co. of Illinois, opposing an excess or war profits tax in excess of 50 per cent; to the Committee on Ways and Means.

Also, petition of district board, Division No. 4, of Boston, Mass., and local board, Division No. 1, Rockford, Ill., favoring a brevet commission and medal for members of the district and local selective-service boards; to the Committee on Military Affairs.

By Mr. LUNDEEN: Petition of representatives of Minneapolis Jewish workers' organizations in convention assembled, indorsing the Lundeen resolutions for the recall of American troops from Russia; to the Committee on Foreign Affairs.

By Mr. NEELY: Petition of Walter F. Naylor and others, of Wheeling, W. Va., urging Government operation of railroads in the United States for five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of Lodge 326, Brotherhood of Boilermakers, Iron-Ship Builders, and Helpers, of Grafton, W. Va., urging Government operation of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of Maine: Resolution of Portland (Me.) Council, United Commercial Travelers of America, favoring the return of railroads to private ownership and operation under Government regulation; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of a mass meeting of the Lithuanians of Lewiston, Me., and vicinity, favoring the national independence of Lithuania; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 11, 1919.

The House met at 12 o'clock noon.

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

We bless Thee, our Father in heaven, for that desire which Thou hast implanted in the heart of man, which is ever moving him upward and onward toward a betterment of his condition, physically, mentally, morally, spiritually; for every honest, patriotic, philanthropic measure in the home, the State, the Nation, looking to that end; and we most fervently pray that it may possess our hearts until we all come unto the measure of the stature of the fullness of Christ; and Thine be the praise. Amen.

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

REPRINT OF A BILL.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent for a reprint of the bill H. R. 13026, with the report.

The SPEAKER. What is the bill?

Mr. CLARK of Florida. It is a bill authorizing the Secretary of the Treasury to provide a hospital and sanitarium facilities for discharged and sick soldiers and sailors.

The SPEAKER. The gentleman from Florida asks unanimous consent for a reprint of a thousand copies of the bill named, with the report. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 79. An act for the sale of isolated tracts of the public domain in Minnesota;

H. R. 1423. An act for the relief of Alexander F. McCollam;

H. R. 9865. An act to authorize the sale of certain lands to school district No. 28, of Missoula County, Mont.;

H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill; and

H. R. 12194. An act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.

WAR-RISK INSURANCE.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent to speak for one minute.

The SPEAKER. The gentleman from Illinois asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. FULLER of Illinois. Mr. Speaker, I wish to call the attention of Members of the House to a matter that seems to me to be of considerable importance and that should receive early consideration. Much has been said about the alleged inefficiency of the Bureau of War Risk Insurance. I think there will be less cause for complaint under the management of the newly appointed director, who seems to take hold with a will to accomplish results. However, there is a new branch of work upon which the bureau is only just about to commence. That is the branch concerning compensation for death or disability incurred in the service. I have introduced a bill to have that business transferred from the Bureau of War Risk Insurance to the Bureau of Pensions, where it properly belongs and where all the facilities, machinery, and organization for that kind of work already exist. Whether you call it compensation or pensions it amounts precisely to the same thing. The same procedure and the same proofs are necessary as in the establishment of a right to pension under the general law for disability or death incurred in the service. It would take years and cost millions of dollars before the Bureau of War Risk Insurance could be as well organized and as well equipped

for the special work required as the Bureau of Pensions is now already organized and equipped. Millions of dollars will be saved if the bill providing for the transfer of this work to the Pension Bureau is speedily passed.

I understand that there are now some 14,000 clerks and employees in the Bureau of War Risk Insurance. Nearly or quite all of them are inexperienced, and I think every Member of Congress has had great difficulty in securing any satisfactory action or information concerning matters in that bureau. The matter of compensation for death or disability incurred in the service and the adjudication of such cases is one peculiarly within the province of the Pension Bureau. Its clerks, examiners, and medical force have had long training and experience in the questions necessarily involved; they have all the machinery and would be fully prepared to give prompt and efficient service in all cases at much less expense and with much less loss of time than would be possible in the War Risk Insurance Bureau. I believe the officials of both bureaus would welcome the change, and that it should be speedily made now when the work under that provision of the war-risk insurance act is just commencing. I ask the most careful consideration of the following statement of reasons for the passage of the bill now pending before the Interstate Commerce Committee:

Since the foundation of the Republic all of the pensions paid to soldiers, seamen, and marines have been paid through the Pension Bureau. All of the archives relating to such claims are on file in the Pension Bureau. This comprehends the War of the Revolution, the War of 1812, the Mexican War, the Civil War, the Spanish-American War, and the various Indian wars.

Thus not only the pension history of the Government in all its various forms is in the same place but also is found there the individual military and naval history of each claimant for pension. There is a continuous record with relation to such matters in the one place without a break since the beginning of this Government.

The act of October 6, 1917, for the first time in the history of the Government, takes away from the Pension Bureau the consideration of claims based upon military and naval service. It calls the bounty of the Government "compensation" instead of "pension," but the purpose and meaning of both terms are exactly the same.

The employees of the Pension Bureau are peculiarly and effectively schooled in the administration of claims for pension. The building which they occupy is the only one which is distinctly for the use of a bureau. It is arranged conveniently to accommodate that kind of work. The bureau is officered and regulated for the proper and early disposition of claims. It has a field force, the members of which have had years of experience in inquiry into and report upon claims. It has an arrangement for designating and placing the files of the bureau so as to make them readily accessible.

Its various divisions for considering and adjudicating claims, reviewing them, enrolling them, and paying those admitted have had many years of experience, and they work expeditiously and intelligently. They could easily handle the added work incident to claims for compensation.

The adjudication of invalid pension claims involves both the procuring, arranging, and weighing of the evidence necessary to determine the legal title of applicants, and the consideration of anatomical, surgical, and pathological questions, in order to determine whether a ratable degree of disability exists, and to decide upon a legal and equitable rate of pension in case of allowance. This work, especially where a combination of disabilities is alleged, is often complicated and presents many difficult and perplexing problems. The Bureau of Pensions has, in the years which have passed since its establishment, gradually built up a system for handling such claims. During this process much progress has been made in discovering and correcting mistakes of policy and practice, eliminating inconsistencies, and bringing about orderly methods. While it is not contended that the system is perfect, it is believed to be far superior to any which could be developed without years of practical training and experience along these lines.

The Bureau of Pensions has the trained force and the machinery necessary for mailing millions of checks annually with efficiency and dispatch. In its disbursing office and finance division it is supplied with the equipment necessary to make payments of amounts, large or small, in lump sums or at fixed intervals to large numbers of people, and to make adequate administrative examination of the accounts of such payments in accordance with law.

The Bureau of Pensions has a Medical Division with a trained and experienced corps of medical examiners and reviewers, whose duties are to pass on all medical questions as to patholog-

ical results and immediate cause of death, and the fixing and adjusting of rates commensurate with the degree of disability shown. This class of work is so vitally important that it is deemed wise and proper to have the concurrent opinion of at least two, and in many cases three, medical men on every case, and this has been for a long time, and is still, the practice of the Medical Division.

The local examining boards situated at convenient places throughout the United States number about 1,300, in addition to which there are about 128 single surgeons and 550 specialists. These physicians are selected by reason of their skill in medicine and surgery, and, after long experience in making examinations and giving exact pen pictures of the condition of claimants for pension, have become very proficient along these lines.

In doubtful pension cases a special investigation in the field becomes necessary to determine the merits of the claim, or whether any criminal features are involved. Examples of such cases are those in which the origin of the disability is obscure, the identity of the claimant is uncertain, or the evidence as to legal widowhood or other essential elements of title is inconclusive, or in which there are indications of fraud. This work is done by the Special Examination Division, which was organized shortly after the Civil War, and has developed a practical system of investigation, maintaining throughout the United States a skillful corps of "special examiners," as the field investigators are designated. This division has an efficient organization and superior facilities for training additional operatives, and is well equipped for the field work which will inevitably arise in connection with claims based on death or disability under article III of the act of October 6, 1917. A carefully selected and capable office force is charged with the administration of the field service, which was never more efficient than now.

The War Risk Bureau is overburdened because of its stupendous task, and it would be greatly relieved to consolidate with the Pension Bureau all the work that relates to compensation.

I have been reliably informed that all the cases where compensation can be claimed for death or disability incurred in the service can be handled expeditiously by the present force in the Pension Bureau, without any material addition to the clerical force, so that if the change can be speedily made before such an organization is built up in the War Risk Insurance Bureau it will result in a saving to the Government of many millions of dollars in addition to greatly expediting the adjudication of the many deserving cases.

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection? There was no objection.

LEAVE TO ADDRESS THE HOUSE.

Mr. DEWALT. Mr. Speaker, I ask unanimous consent that on Monday, after the reading of the Journal and the disposition of business on the Speaker's table, I be permitted to address the House for 30 minutes on the railroad problem.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that next Monday, after the reading of the Journal and the disposition of business on the Speaker's table, he be permitted to address the House, not to exceed 30 minutes, on the railroad problem. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the probabilities are that if we get through with the river and harbor bill to-day Monday will be devoted largely to general debate on the legislative appropriation bill. I take it that it is the intention of the gentleman from Tennessee [Mr. BYRNS] to call up the legislative bill when the river and harbor bill is disposed of. Last night my colleague, Mr. Mason, asked for unanimous consent to address the House for 30 minutes on Monday, and the gentleman from Tennessee [Mr. GARRETT] stated that he had announced that if he were on the floor at any time he would not be willing to give unanimous consent at the short session of Congress for addresses to be delivered outside of general debate, and I think it is a very good rule to follow. I hope the gentleman will not make the request under the circumstances.

Mr. DEWALT. Mr. Speaker, I have always yielded with due deference to the wishes of the Members of the House, and, of course, if there is any objection I will accept it in the utmost kindness in the interest of expedition of business. The gentleman from Tennessee [Mr. BYRNS] has just informed me that he will yield me time on this bill.

Mr. McCULLOCH rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. McCULLOCH. I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection?

Mr. SMALL. Reserving the right to object, we wish to proceed with the river and harbor bill to-day, and I wish the gentleman would withhold that request until later.

Mr. McCULLOCH. I think the gentleman would perhaps expedite his bill if he granted the request.

Mr. FOSTER. I object, Mr. Speaker.

The SPEAKER. The gentleman from Illinois objects.

BATTLE MOUNTAIN SANITARIUM.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13440) transferring jurisdiction of Battle Mountain Sanitarium, in South Dakota, to the Medical Department for hospital purposes during the war.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the present consideration of the bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13440) transferring jurisdiction and control over the Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

Mr. SMALL. Reserving the right to object, Mr. Speaker, if I may have the attention of the gentleman from Alabama [Mr. DENT] and the gentleman from North Dakota [Mr. GANDY], the gentleman from Alabama spoke to me about this matter and said there would be no objection to it. I will not make any objection to it if the gentleman will agree to withdraw the bill if objection develops.

Mr. DENT. I can not see how there can be any objection to it. It is recommended by the Secretary of War, and the Board of Managers of the National Soldiers' Home desire to make the transfer.

Mr. STAFFORD. Will not the gentleman withhold that until Monday?

Mr. MOORE of Pennsylvania. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania objects.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SMALL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor bill, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. The Clerk will read.

Mr. FREAR. Mr. Chairman, may I inquire what is the status of the proceedings?

The CHAIRMAN. When the House adjourned yesterday the paragraph at the bottom of page 9 had been read.

Mr. FREAR. And I had made a motion to strike out the last word. Mr. Chairman, I have had the question raised why I referred to a number of projects instead of taking several and confining my remarks to those. The reason is evident, because many of these projects in my judgment are indefensible at this time, and in response to a statement of the chairman that my position raised the question of honest intellectuality, I am endeavoring to convince the House—I realize that it may be a futile proposition—that some of these projects, whatever your action is, are immaterial. Men have sent word to me that they would like to vote on the proposition with me but that they have something in the bill. It is immaterial to me how my friends vote. Every man votes his own convictions, and I assume that he is honest in his conviction, as I am in mine.

Now, as to Beaufort Harbor, the next one we have, I read from page 3:

4. The district officer is of opinion that the locality is worthy of improvement to the extent outlined above, at a total estimated cost of \$53,100, provided a suitable public wharf, with storage facilities and mechanical equipment with rail connections, be provided by local authorities. The division engineer is of opinion that further improvement is not worthy of being undertaken by the General Government at the present time.

5. The board was not convinced of the advisability of the extensive improvement proposed at the expense of the General Government, and interested parties were so informed and given an opportunity of presenting their views.

The division engineer is of the opinion that that improvement is not worthy of being undertaken by the Government at the present time.

This resulted in a hearing before the board on April 21, 1914, which was attended by the Hon. JOHN H. SMALL, Member of Congress, who gave expert testimony to show why that project should be approved and the division engineer overruled. It is recommended for a small amount on page 2.

Taking up Thoroughfare Bay, which is in the same paragraph, and I am trying to deal with these matters, I read on page 5:

This waterway was subject to a previous examination and a report was submitted by Capt. Earl I. Brown, Corps of Engineers, dated May 29, 1909. The previous examination contemplated, in addition to the present channel, a further extension by the way of Long Bay through an old canal to Turnagain Bay, the report thereon being unfavorable to the improvement.

In addition to the information furnished by the district officer the board has had the benefit of statements and arguments submitted at a public hearing held at its office this date, which was attended by Hon. JOHN H. SMALL, Member of Congress, and a delegation of citizens from the locality, all of whom appeared in behalf of the proposed improvement.

Now, Mr. Chairman, in regard to these two projects, the gentleman from North Carolina, chairman of the committee, went before the board on these two North Carolina projects that were acted upon unfavorably by under officers, and afterwards the Board of Engineers received Chairman SMALL's expert testimony which he offered in support of it. I want to give him and the House something of information that will be of interest. When Mr. Fitzgerald left the House a distinguished gentleman rose in his place and said. I quote:

I sometimes fear that too many of our colleagues set up as the true measure of service here the amount of money which they can flitch out of the Treasury into their districts and States for creeks or rivers or public buildings. Fitzgerald's idea and effort has been to keep the money in the Treasury and not take it out except for the country's needs.

I recommend to the gentlemen to study that speech, because it comes from the distinguished gentleman from North Carolina, the Democratic leader, Mr. KIRCHIN, and should carry a moral to the chairman of the Rivers and Harbors Committee, also from North Carolina, and to every other Member of the House who would "flitch" money from the Public Treasury for worthless projects.

The Clerk read as follows:

Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance and continuing improvement of Cape Fear River below Wilmington in accordance with the existing project and in accordance with the report submitted in House Document No. 746, Sixty-fifth Congress, second session, \$498,625; continuing improvement of Cape Fear River above Wilmington, \$30,000; completing improvement of Northeast River in accordance with the report submitted in House Document No. 1356, Sixty-second Congress, third session, and subject to the conditions set forth in said document, \$25,375; in all, \$554,000.

Mr. SMALL. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 10, line 11, after the word "Wilmington" strike out "\$30,000" and insert in lieu thereof "\$51,000"; and strike out the numerals "\$554,000" in line 15, page 10, and insert in lieu thereof the following: "\$575,000."

Mr. SMALL. Mr. Chairman, the purpose of the amendment is to increase the appropriation for the upper Cape Fear River from \$30,000 to \$51,000. I have in my hand a letter from the Chief of Engineers recommending the increased appropriation, dated December 30, 1918, after the bill had been reported to the House. Unless some gentleman desires me to read the letter in extenso, I will not do so, but place it in the RECORD.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, December 30, 1918.

HON. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: 1. In response to your letter of the 12th instant in regard to the project for Cape Fear River above Wilmington, N. C., I have the honor to say that this project provides for a navigable depth of 8 feet at mean low water from Wilmington to Fayetteville, to be procured by the construction of two locks and dams and the dredging of intermediate shoals. The two locks and dams are practically finished, completing 92 per cent of the project. The work remaining to be done is the dredging of shoals in the pools.

2. The upper lock was opened to navigation in September, 1917. The only boat regularly using the upper section of the river draws about 3½ feet of water, and makes two round trips per week between Wilmington and Fayetteville. This boat had no trouble until the latter part of October, 1918, when, on account of an unusually dry season, the water was at an unusually low stage and the boat had more or less trouble for a period of two or three weeks, but it is reported that she did not fail to make a trip. Such plant as was available was put upon the work and is still engaged in snagging and dredging. The available depth at present is reported to be 5 feet.

3. There is available for dredging operations \$40,000, appropriated by the river and harbor act of July 18, 1918. With this amount and the \$30,000 estimated by the Chief of Engineers for appropriation in the pending river and harbor bill, it was expected to keep the dredging plant going until such time as further appropriation should be made at the first session of the Sixty-sixth Congress. In view of the expense

involved in transferring suitable plant to the upper Cape Fear River from Beaufort, N. C., or other points in the Wilmington district, the district engineer is of the opinion that the full amount of the estimate required for the dredging involved should be available before commencing work, and he, therefore, recommends that the item in the pending bill be increased from \$30,000 to \$51,000.

4. As stated above, it was the expectation that the amount recommended in the Annual Report for 1918 would be sufficient to continue operations until the passage of another river and harbor bill; but it is believed that it would be to the advantage of the work to have the full amount of the estimated cost available, and the recommendation of the district engineer for increase in the pending bill is therefore concurred in at this time.

Very truly, yours,

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

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

Mr. FREAR. Mr. Chairman, I move to strike out the last word. These are two very large projects inserted again by the gentleman from North Carolina, with the approval of the committee. As I said, he has the largest number of projects of any gentleman on the committee or any gentleman in the House. These two projects carry over a half million dollars. Let me say of the commerce on these two projects, that all of it put together does not amount to one one-hundredth part of one single harbor in my own State which I can name, Superior and Duluth, and I do not think that will be questioned. Yet after spending \$7,731,168 for this stream, more than for the Wisconsin harbor, you have asked here for how much? Five hundred and seventy-one thousand dollars, increasing it. I read from page 14 of Document 746:

From a careful reading of the within report and a consideration of the commercial statistics, I am convinced that an increase in depth of the river proper is necessary at the present time. It will be noted that of the tonnage given in the recapitulation of the commercial statistics, 200,000 of the 792,000 tons reported is not affected by the depth of the channel reported on.

That is from the colonel, Corps of Engineers, of the particular district in which it is situated. Reading further from page 21 of the same document I find the following:

There are no publicly owned terminal facilities—

And yet we have heard here much discussion of the Ohio River in respect to terminal facilities, but here is a project right in the gentleman's own State where there are no public facilities—but it is believed that the privately owned terminals at Wilmington are adequate at the present time for the commerce through the port. At present all of these important wharves are located on the east side of the river, leaving the western bank of the river practically undeveloped, which offers excellent opportunity for the development of public terminals. The wharf owned by the Wilmington Compress & Warehouse Co. is the only wharf on any side open to the public in Wilmington. Their rates for wharfage, handling, and storage are fixed, and equal to all, but controlled solely by themselves.

After spending over \$7,730,000 on this stream, \$571,000 are now to be added after that statement of the engineer made in the 1918 report.

Taking the next project just above, I read from Gen. Kingman's report, and it will be seen that these engineers are not very enthusiastic. That is, for a project to reach up to three fertilizer factories. The board states that the three fertilizer factories now have a tonnage that would be affected by a more commodious channel, and that such a channel would result in a material saving in the handling of their heavier commodities.

It appears that these concerns would be directly benefited, while the general public would be indirectly benefited by the work.

I want to say, in all fairness, that this is one of the cases in which a contribution is insisted upon from these three fertilizer factories, but they ought to have contributed it all. Reading now from page 14:

If the improvement is worthy of being made at all, it is worthy of being made in the way that I have described. If we spend \$50,000 in making a 150-foot channel, it is my prediction that we will spend \$50,000 more in the next 10 or 12 years in keeping it open, and we will have an unsatisfactory channel most of the time.

I am not prepared to say that the improvement is worthy of the expenditure of \$100,000 at this time, but when the improvement is made it should be as I have described it.

That is Gen. Kingman's report. Instead of following his judgment, the committee put it in and at half the amount, and, as he says, they waste the money; and that is another one of these wasteful projects in the bill, of which there are many I do not intend to refer to.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FREAR. If the gentleman will get me more time.

Mr. MOORE of Pennsylvania. Did not the gentleman say that \$7,000,000 had been expended upon this project?

Mr. FREAR. No; I said that \$7,700,000 had been expended upon this river.

Mr. MOORE of Pennsylvania. I understood the gentleman to call it a creek.

Mr. FREAR. Oh, no; the gentleman did not understand that. I object to such an interruption as that. Let me say that the loss in commerce on this project was 50 per cent inside of three years. In 1914 it consisted of 167,720 tons of everything—wood, sand, and everything else—and in 1917 it was 77,151 tons. The loss on the lower river reached 40 per cent in the last three years. Fifty per cent from 1910. There is no change in the character of improvement, and yet with that remarkable statement coming from the engineers themselves, you are going to vote to put into this bill \$571,000 more for a stream that has had \$7,700,000 already spent upon it and a relatively small commerce.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The Clerk will read.

The Clerk read as follows:

Waterway between Charleston and Winyah Bay, S. C.: Completing improvement in accordance with the report submitted in House Document No. 178, Sixty-third Congress, first session, \$20,000.

Mr. SMALL. Mr. Chairman, I ask unanimous consent, if the committee so desires, to return to this part of the bill later in the evening, providing we receive a recommendation from the Chief of Engineers, which he has not quite completed, for improvement of the Waccamaw River. If the recommendation is not received, there will be no request to return to it.

Mr. FREAR. For this item?

Mr. SMALL. For the Waccamaw River.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to return to this particular portion of the bill later in the evening. Is there objection?

There was no objection.

The Clerk read as follows:

Waterway between Beaufort, S. C., and St. Johns River, Fla.: For maintenance, \$23,000; completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, \$1,000; completing improvement of Back River, Ga., in accordance with the report submitted in House Document No. 1391, Sixty-second Congress, third session, \$5,000; in all, \$29,000.

Mr. MADDEN. Mr. Chairman, I make the point of order against the item just read. This is a canal, as the report of the engineers shows. It is what they call Generals Cut, Ga. It is proposed to build a canal through solid earth for a distance of about 2,000 feet. I claim that this committee has no jurisdiction over canals at all, and the item ought not to be in the bill. It is a new project; never has been provided for before. There is no law upon which to base the legislation, and while the Committee on Rivers and Harbors, generally speaking, assumes jurisdiction over a great many things against which a point of order would not lie, I believe that the point of order is good against the item now under consideration.

Mr. SMALL. Mr. Chairman, the point of order does not lie against the proposition. I assume that the point is directed against the part of the paragraph providing for the improvement of Generals Cut, Ga. In the first place, I may say that this is not exclusively a canal proposition. Reading from the report of the Chief of Engineers:

Generals Cut is a small, straight canal, about 2,000 feet in length, which, in connection with certain small creeks, makes a continuous waterway from Darien across the delta of the Altamaha River.

The district officer states that the depth of the cut is only about 2 feet at mean low water, but that the removal of sunken logs and stumps would increase the depth 3 or 3½ feet.

So that this improvement, instead of being a canal, is a combination of artificial and natural waterways and is an improvement of both with a view of affording better navigation.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. SMALL. I will.

Mr. MADDEN. I would like to ask the gentleman from North Carolina, if his contention should prove to be correct, whether the same logic would apply where a natural waterway stops at a point and a hundred miles from that point another natural waterway began, whether, under those circumstances, we could build artificial waterways connecting those two natural waterways?

Mr. SMALL. Well, that is an academic question and has no application here.

Mr. MADDEN. It is the same thing—

Mr. SMALL. No; the conditions are not analogous. I say if where an improved artificial waterway is combined with the improvement of natural waterways, either intermediate or at the extremities of the artificial waterway, that it is within the jurisdiction of this committee and that the point of order would not lie; but in this case Generals Cut is mingled with natural waterways or creeks in order to make up the general waterway under improvement for which the appropriation is made. It is quite evident, Mr. Chairman, that the original jurisdiction of the House Committee on Railways and Canals is frequently used

by gentlemen in the House as a buffer against projects to which gentlemen may be opposed and which can not be opposed upon their merits. That has nothing to do with the technical question of the jurisdiction of the Committee of the Whole, I admit, but it is at least applicable to this phase of this question, that the ousting of the jurisdiction of a committee which has taken jurisdiction of the subject should be rigidly construed and that the point of order ought not to be sustained unless it clearly and indubitably appears that this committee is without jurisdiction. Now, the waterway under improvement here, to repeat, and to put it in the light most favorable to the point of order which has been made, is partly artificial and partly natural, and I think the Chair would not only be justified but entirely right in deciding against the point of order made against this improvement where the nature of the improvement as I have described is partly natural and partly artificial.

The CHAIRMAN. Let the Chair ask the gentleman from North Carolina this question. The Chair did not clearly understand the gentleman: Is this an improvement of an existing natural waterway or does this improvement relate to an artificial waterway to be created in the form of a canal?

Mr. SMALL. There is a waterway there already. Presumably, originally, a part of it was artificial; presumably it was an artificial cut, and at present the waterway, to quote again from the language of the Chief of Engineers in his report:

Generals Cut is a small, straight canal about 2,000 feet in length, which, in connection with certain small creeks, constitutes a useful waterway for small boats from Darien across the delta of the Altamaha River.

It is a further improvement of the waterway already existing, the waterway consisting in part of an artificial and in part of a natural waterway.

Mr. MOORE of Pennsylvania. Will the gentleman from North Carolina yield?

Mr. SMALL. I will.

Mr. MOORE of Pennsylvania. Is there any doubt in the gentleman's mind that water already exists in this waterway, or do the reports show that there is no water in this project? The gentleman from Illinois has stated that this is a cut through solid land.

Mr. SMALL. On the contrary, the waterway does exist at the present time.

Mr. MOORE of Pennsylvania. There is an existing waterway which this appropriation proposes to improve?

Mr. SMALL. That is it.

Mr. MOORE of Pennsylvania. So it is not a new canal proposition nor is it a cut through solid land, as the gentleman from Illinois indicated?

Mr. SMALL. The gentleman is in error as to that.

Mr. MADDEN. Mr. Chairman, I wish to call the attention of the Chair, if the Chair pleases, to the statement made by the Chief of Engineers, or somebody for the Chief of Engineers:

This waterway was created by an artificial cut of some 2,000 feet in length, which connected Butlers River with a small creek entering Darien River and is said to have been cut about in 1736 by Gen. Oglethorpe. It is generally a fresh-water stream, but affected by the rise and fall of tide, which at Darien is 6.5 feet.

There can be no question about the fact that this is an artificial waterway and that it was cut through the solid earth; that there was no water except on both ends of it before the improvement was made, and whether the cut was made last week or the last century or the century before, it seems to me makes no difference. If this item is held in order, it will be perfectly appropriate for the River and Harbor Committee to report a bill favoring a cut not only of 2,000 feet but of 2,000 miles, to connect two natural waterways, because the same principle will apply regardless of what the length of the cut may be. Now, we are establishing a very unfortunate precedent if we permit this committee to report and the committee sustains that report in a matter of this sort, because while this particular item is of itself of no great importance and does not cost very much money, it may well turn out to be a very expensive experiment, for if this is sustained as in order what will prevent the next River and Harbor Committee from coming in here and calling attention to this precedent and recommend an expenditure of five or six million dollars or one hundred million dollars, if you please, for the purpose of cutting an artificial channel to connect two natural waterways? I maintain, Mr. Chairman, that the precedent established here is of the greatest danger and ought not to be established.

Mr. MOORE of Pennsylvania. I think the gentleman from Illinois is clearly wrong in his contention. He stated at the beginning that this was a cut through solid land. In that he seems to have been mistaken. This improvement is to be an improvement of an existing waterway. If the gentleman from

Illinois [Mr. MADDEN] were correct, that the River and Harbor Committee has no jurisdiction over matters of this kind, then when the problem arises as to short cutting a circuitous route or for shortening the bend in a river it would be impossible for this committee to assume jurisdiction, because in order to make that short cut from one section to another section of the same river it would be necessary to cut through solid land. If that were true, then this committee would have no jurisdiction over a river improvement whatever, and yet the purpose of the committee as contemplated in the rules is to deal with the matter of our rivers and harbors.

What does it mean? Here is a river that runs naturally like the letter "S." To navigate that river in the ordinary course would require a vessel to sail 10 miles. A cut across that "S" would mean a saving of 9 miles by a cut of 1 mile. Frequently the Army engineers have recommended such improvements. This committee has brought them to Congress and Congress has improved them. That is a function of the committee.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. But this is no such case as that.

Mr. MOORE of Pennsylvania. It is very similar.

Mr. MADDEN. The report of the Army engineers says distinctly that this is a cut across a piece of land to connect two natural creeks, running in opposite directions; not a part of the stream to be straightened at all, but a cut running straight across there, say, from here to where the Chairman sits, to connect two streams running in opposite directions.

The CHAIRMAN. The Chair would like to ask the gentleman from Pennsylvania [Mr. MOORE] and also the gentleman from North Carolina [Mr. SMALL] if the statement made by the gentleman from Illinois [Mr. MADDEN] is correct?

Mr. SMALL. To what extent?

The CHAIRMAN. As to whether or not this is a canal to connect two streams running in opposite directions.

Mr. MOORE of Pennsylvania. If it is correct, it would sustain the argument I have made. Here are two waterways, and the third in between, and the third is an existing waterway not of sufficient depth. The proposition is to improve the intervening waterway itself, the one which the gentleman from Illinois [Mr. MADDEN] complains of. If that were improved then you would have a continuous line of waterways. And it is the object and the function of the committee to recommend an improvement of that kind. To say now that this matter should be referred to the Committee on Canals comes very late, because the gentlemen on the Committee on Canals are presumed to have notice that this is a canal, if it is a canal. It is an existing waterway. There is water in it and it flows between two streams, and the problem is to improve it so that the two streams may be made continuous.

Mr. SMALL. Mr. Chairman, I wish to present another fact which is material in the determination of this matter. I repeat my former statement to the effect that this improvement comprises both natural and artificial waterways, a combination of both. And I will send up, if the Chair desires it, the report. Now, in the second place, I want to read further from the report here. The Chief of Engineers says a further survey of this cut does not seem to be necessary, as the only improvement that is deemed necessary to accommodate the limited amount of traffic would be the removal of logs. And I call the attention of the Chairman to this, namely, that the only improvement necessary is the removal of "logs and stumps and trimming of a small amount of overhanging trees."

Now, the report of the district engineer is not controlling. The final report, embodying the conclusion of the Chief of Engineers, is always controlling in these reports submitted. Now, reading from the report of the Chief of Engineers, the last paragraph, it says:

After due consideration of the above-mentioned reports, I concur with the views of the district officer and the Board of Engineers for Rivers and Harbors, and therefore report that the improvement by the United States of Generals Cut, near Darien, Ga., is deemed advisable to the extent of removing logs, snags, and similar obstructions.

This is no excavation either for further deepening or widening, but simply to remove those obstructions, including the cutting of overhanging trees. So that it is based upon those two propositions, that this is not a proposed improvement of a canal exclusively, but a proposed improvement of a natural as well as an artificial waterway, forming one continuous waterway; and, second, that the improvement only contemplates the removal of snags and overhanging trees.

I would be glad to send this report up to the Chairman if he desires.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois [Mr. MADDEN] makes a point of order on

that portion of the pending paragraph, beginning on line 24, on page 10 of the bill, and which reads as follows:

completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, \$1,000—

on the ground that a portion of it relates to the improvement of a canal.

Now, it is very clear to the Chair that the Committee on Rivers and Harbors does not in this bill have jurisdiction over the improvement of canals. Under section 56, Rule XI, bills reported from the Committee on Rivers and Harbors are given a privileged status where they relate to the improvement of rivers and harbors. As far as the Chair knows, it has been uniformly held heretofore that under this rule the Committee on Rivers and Harbors has no authority or jurisdiction to report an appropriation bill, which shall have a privileged status, for the improvement of any existing canal or to make a canal.

In the view of the Chair, this is simply a question of fact as to whether or not this paragraph relates to the improvement of a canal. It is stated by the gentleman from North Carolina [Mr. SMALL] that this is an existing waterway. But the gentleman from North Carolina also states that it does not exclusively consist of a natural waterway. The gentleman from Illinois [Mr. MADDEN] has called the attention of the Chair to the report and map submitted by the Chief of Engineers, which show that this is, for a portion of the distance, a canal; and in view of the ruling in the Hennepin Canal case, and the uniform rulings that have been made since that decision was rendered, the Chair does not think that this provision is in order, and therefore sustains the point of order made by the gentleman from Illinois.

Mr. MOORE of Pennsylvania. Mr. Chairman, I appreciate the adherence of the Chair to the precedents to which he has referred, but this is so obviously a technical decision and the whole question is so obviously technical, as against the merits, that I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Pennsylvania appeals from the decision of the Chair. The question is, Shall the decision of the Chair be the judgment of the committee?

Mr. STAFFORD. Mr. Chairman, I ask for recognition.

Mr. MOORE of Pennsylvania. I desire to be heard, Mr. Chairman.

The CHAIRMAN. The Chair will first recognize the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, no Member of the House appreciates more than I do the services which have been rendered by the distinguished gentleman who is the present occupant of the chair, and I would be the last person on earth to raise a question controverting his decision if I did not believe the merits and facts warranted it.

Since I have been in this House this question of the jurisdiction of the Committee on Railways and Canals has come forward every time a river and harbor bill has been reached. Each time the question has been raised the Chairman, whoever he may have been, has been compelled to adhere to the precedents, and improvements have stood idle by reason of that fact. The Committee on Railways and Canals has never so exercised its jurisdiction that the product of its work has been seen upon this floor. So that to refer these canal matters, which are of importance to the progress of the country, to the Committee on Railways and Canals has, up to this time, been like referring them to the refrigerating chest for cold storage.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. GARD. I want to know if this Committee on Railways and Canals has any privileged status in reporting bills?

Mr. MOORE of Pennsylvania. It could report bills.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. DEMPSEY. Was not this same question up when a Representative from Mississippi was presiding two years ago?

Mr. MOORE of Pennsylvania. This same question was up when the distinguished gentleman from Mississippi [Mr. HARRISON], now a Senator elect, was in the chair. It referred to another project, proposing to connect two existing waterways through an artificial waterway, and because of the technical question raised at that time, that the artificial waterway, on which a great public improvement depended, had not been referred to the Committee on Railways and Canals, an effort was made to throw it out of court. Then the appeal from the decision of the Chair was respectfully made, as it is most respectfully made now, and the Committee of the Whole sustained the appeal.

Now, I want to express the belief that it is not in the mind of any Member of the House, and certainly not in the mind of any chairman of the committee who makes these decisions, to halt public improvements, but that is exactly what this technical objection means—to halt public improvements and stop the internal development of the country.

Because some gentleman objects to a river and harbor bill in toto, because some man has a prejudice against river and harbor appropriations, because some editorial writer in Chicago or in Philadelphia or elsewhere terrorizes Members of Congress by writing articles about the "pork barrel," are we always, when we get to the very point of passing public measures which are of value to the community and which tend to encourage business through the United States, to be halted by this technical objection raised at the eleventh hour, when an improvement is in sight?

I rise for the purpose of making this explanation now, in order that the committee may thoroughly understand that there is no desire to personally reflect upon the gentleman who occupies the chair. He has been obliged by precedents to make this decision, but it is our province to cut the red tape which seems to hamstring the House and let these public improvements go through. More money for the United States; more money for development here, and possibly a little less as a gratuity to the people of the earth besides! A little more for the protection and development of our soldier brain and brawn and for the opening up of these new internal improvements in the United States which will give them employment. We have appropriated money to help along the canals and rivers in France, and we may appropriate money for the improvement of rivers in Germany, before we get through. We are very liberal in some things, but when it comes to our own country some editorial writer crying "pork" seems to have the power to hold us up. I beg my colleagues on the other side and my Republican friends to sustain this appeal. Let us make practical provision for the employment of our soldiers and sailors when they return to the United States.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. OVERSTREET rose.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. MADDEN. Mr. Chairman, I made the point of order, and I demand the right to reply.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia. He will recognize the gentleman from Illinois later.

Mr. OVERSTREET. Mr. Chairman, if the engineers had not made this recommendation, there would be some reason for voting this proposition down; but we recognize the fact that the distinguished gentleman from Tennessee [Mr. BYRNS] sustained the point of order purely upon technical grounds. The report of the engineers shows that this was an existing waterway from 1736. This canal was partly cut by Gen. Oglethorpe over 100 years ago. That being true, it seems to me the principle of law of immemorial usage would apply that it runneth back to a time when the memory of man runneth not to the contrary. Therefore, we should take it for granted that it is a natural waterway. To say the least, Mr. Chairman, there is merit in the project, and it only involves the small amount of \$1,000. That is all this item of the bill carries, and the time already lost in debating the proposition would come to more than the \$1,000. Without reflecting on the chairman who made this ruling, I hope this House will vote to overrule his decision.

This project is in my district. I am familiar with this stream. You could not tell that it was a canal. It is overgrown by bushes and brush. If any of it was cut artificially originally, you could not tell it by looking at it now. This appropriation of \$1,000 is for the purpose of clearing out this underbrush and cleaning out these logs. The stream is already there. There is water flowing between these two rivers. I hope the House will vote to overrule the decision of the Chair and will let this \$1,000 appropriation stand. My colleague calls my attention to the fact that when the gentleman from Mississippi [Mr. HARRISON] was in the chair the House overruled him on a similar proposition. No reflection is intended. The gentleman from Tennessee [Mr. BYRNS] understands, of course, that he had to make the ruling because there was some precedent for it, and he sustained the point of order on technical grounds. As I have said, there is merit in the proposition, and a meritorious matter of this kind ought to be allowed to stand, notwithstanding the technical objection. I hope the House will vote to overrule the decision of the Chair. [Applause.]

Mr. MADDEN. Mr. Chairman and gentleman, of course I have no feeling at all in this matter, and all the claptrap of

the gentleman from Pennsylvania [Mr. MOORE], who has just taken his seat, about his desire to find employment for the returning soldiers has no merit. To begin with, this project involves the expenditure of only \$1,000. How many soldiers could be employed on it? Will anybody rise to say? It is not a question of the employment of soldiers; it is a question of principle that is involved. It is not a question of whether this committee has jurisdiction. After all, it is a question of what may follow. Now, what may follow? In this particular case we find ourselves confronted with the fact that this committee is reporting in favor of digging a canal to connect two parallel streams 2,000 feet apart. The canal which they propose to dig is no part of a river. It does not come within the scope of the statement made by the gentleman from Pennsylvania [Mr. MOORE] that it is a winding river, across which we might make a cut to shorten the navigation. Oh, no. It connects two parallel streams 2,000 feet apart. It is a canal and nothing else. It can not be considered as anything else.

Now, I maintain that the decision of the Chair ought to be sustained, simply because if the Chair decided in any other way than that in which it did decide we would find ourselves confronted with this condition: Suppose, for example, that beyond Lake Michigan in the State of Illinois, which is a natural waterway, we find that two or three hundred miles away is the Illinois River, running south. We will assume that there is no natural waterway connecting the Illinois River and Lake Michigan. If this is permitted to go into the law, would anybody contend that it would not be permissible for us to report a bill to dig a canal at Government expense to connect Lake Michigan with the Illinois River?

Mr. JUUL. Will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. JUUL. Does not the gentleman think it would be a splendid idea if we cut the red tape and did connect the Great Lakes with the Mississippi?

Mr. MADDEN. I think it would be a good idea for us to connect the Lakes with the Mississippi River; but the State of Illinois, although asking that it be done, stands ready to contribute \$20,000,000 of its own money toward the execution of that kind of a project. But here in the State of Georgia, although the amount to be expended is small, no one pretends that the State of Georgia intends to contribute any part of the expense. We are establishing a precedent which, if followed, would permit the Government of the United States, through an act of Congress, to dig the Erie Canal from end to end.

Mr. DEMPSEY. No; that is already dug. The State of New York has spent \$160,000,000 on that already.

Mr. MADDEN. I understand that the Erie Canal is dug, but if it was not dug this would permit the digging of that canal out of funds from the Treasury of the United States. It would permit the digging of any other canal anywhere in the United States without the contribution of a single dollar by the locality to be benefited. I submit, in all fairness, that this goes beyond the realm of our jurisdiction; that the Chair ruled in accordance with justice and decency and good practice, and he ought to be sustained in his ruling, unless you want to establish a precedent that may come back to plague you in the future, and that may cost the Treasury of the United States any number of hundreds of millions of dollars without any possibility of return for the expenditure.

Mr. DUPRÉ. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN], who has just addressed the committee, has been referring to the precedents that have been established in such matters, but the gentleman has failed to refer to the last precedent which was established, not by the Chairman of the Committee of the Whole but by the committee itself. When the gentleman from Mississippi [Mr. HARRISON] was presiding two years ago the question of the Delaware & Chesapeake Canal came up for consideration. The point of order was made the same as is here contended for, that the Committee on Rivers and Harbors had no jurisdiction in the premises. The Chairman upheld that point of order, an appeal was taken from his decision, and the committee reversed the ruling of the gentleman from Mississippi [Mr. HARRISON]. I submit that the action of the committee should be as good to-day when the gentleman from Tennessee [Mr. BYRNS] is presiding as it was when the gentleman from Mississippi [Mr. HARRISON] was reversed. Here is a matter that involves \$1,000, and the point of order is made against it. Two years ago a matter involving \$3,000,000 was before us, a point of order was made against it, the Chairman sustained the point of order, and the committee overruled the Chairman, and expressed its willingness to pay that amount if it was necessary to get that waterway.

Now, is the Committee of the Whole, only two years afterwards, going to refuse to do for Georgia what it did two years ago for the Delaware & Chesapeake Canal? I appeal to the committee to be fair. [Applause.]

Mr. MANN. Mr. Chairman, the distinguished gentleman from Tennessee [Mr. BYRNS] occupying the chair has made a ruling following the rules of the House. The Constitution provides that we shall operate under the rules made by the House. The House has provided its rules. The gentleman from Tennessee has decided that under the rules of the House a certain item in this bill is not in order. The merits of the item are not properly before the House. This is a lawmaking body. The question before the House is whether it is a law-abiding body, whether it will follow the rules it has established, regardless of the merits of the particular proposition, or whether it will decide it when it comes up according to the individual preferences or lobbying of Members of the House.

I take it that this is a law-abiding body as well as a law-making body. If it is a law-abiding body, when it makes rules it will follow the rules it has made, and in this case* it must either decide that the gentleman from Tennessee, as Chairman, did not know the rules of the House, did not make a correct ruling under the rules of the House, or else it pays no attention to the rules it made itself, unless, perchance, it desires to have the rules operate in favor of individual projects.

This body can never do well unless it observes the rules of the House. The river and harbor bill always is subject to enough criticism without the criticism being made throughout the country that when the river and harbor bill is up the House pays no attention to the rules made by the House of Representatives, that Members override the rules made for other bills because they desire to interject projects into the bill which the public, erroneously of course, calls the pork-barrel bill.

We can afford in a river and harbor bill to be honest with the bill; we can afford to be honest with ourselves; we can afford to pass a river and harbor bill under the rules of the House, but we can not afford to put in an item in contravention of the rules of the House.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MOORE of Pennsylvania. Does not this body rise superior to the Committee on Rules?

Mr. MANN. I have not mentioned the Committee on Rules; I have mentioned the rules of the House, made by the House itself. The question is, Will the House override its own rules because of some little item in the bill.

Mr. JUUL. Will the gentleman permit me to ask a question?

Mr. MANN. Yes.

Mr. JUUL. If it was shown that this little improvement was not the improvement of a canal but simply the clearing out of an old cut—and I used to live within a couple of miles of this place—if this is merely the removal of trees and stumps from a cut that has served as a waterway for 200 years, or nearly that, would the gentleman say that we are violating the rules of the House by allowing this little \$1,000 to the State of Georgia?

Mr. MANN. It makes no difference whether it is "a little one thousand dollars" or \$100,000,000.

Mr. JUUL. May I repeat my question to the gentleman—if this waterway has been in existence for nearly 200 years, water having flowed through it all the time, would the gentleman say that we are digging a canal?

Mr. MANN. That is begging the question. That matter was argued before the Chairman of the Committee of the Whole, Mr. BYRNS. I did not listen closely to the arguments that were made and I do not know the merits of the proposition, but I prefer to take the judgment of the Chairman of the Committee of the Whole House, the gentleman from Tennessee [Mr. BYRNS], who tried to make a fair ruling, and, in my judgment, did make a fair ruling, rather than to impassioned utterances of Members of the House who have urged the House to overrule the Chairman regardless of the rules of the House.

Mr. DEMPSEY. Mr. Chairman, I say with no lightness of feeling that I differ, with great deference, with the minority leader of the House. It is with slowness and reluctance that I do so. I want to call the attention of the House to some things which, it seems to me, have a bearing on this question. I think the broad general ground is an important one. I think that the merits of the proposition are more important than the rules under which it is considered. Second, I think that we are all familiar with the fact that the jurisdiction of committees overlaps, and it is not at all clear, but exceedingly doubtful—it is in a nebulous condition—whether this committee had jurisdiction of such a question as that involved here.

The Chairman decides the question upon a certain state of facts and then a gentleman rises who has lived in the vicinity, who is familiar with the facts, who knows them better than any report can state, who knows the situation from personal observation, because he has lived there, and he refutes the very basic thing upon which the ruling is made. He gives us a state of facts which would make the House decide exactly contrary to the ruling of the presiding officer.

Mr. MADDEN. Will the gentleman yield?

Mr. DEMPSEY. In a moment.

Mr. JUUL. Mr. Chairman, will the gentleman allow me to ask the gentleman from Georgia a question?

Mr. DEMPSEY. I will.

Mr. JUUL. I would like to ask if the matter in controversy is the Oglethorpe Cut?

Mr. OVERSTREET. Yes; it is the cut which the gentleman referred to.

Mr. DEMPSEY. Now, we come to another question that I want to call to the attention of the House. I want to recall a scene that was enacted here only two days ago. I want to call the attention of the House to the fact that a map was presented here of a canal, and the gentleman from Pennsylvania called attention to the fact that if we made that short 13-mile cut we would afford an inland waterway from the South, from Florida, from Georgia, from all the raw-material States in the South through an inland protected waterway up north to the manufacturing public, and this House rose as one man in applause in response to that suggestion. There was no one voice dared raise the question that that also was a canal project. Why, if you are going to fight out the proposition did you not fight it then? Why did not you fight it with millions of dollars at stake, with a canal 13 miles long, and not reserve the fight where a thousand dollars only is at stake, with a waterway that has been in existence over 100 years?

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MADDEN. Does the gentleman know that nothing but rowboats are operated on any of the connecting channels, and that not even a rowboat can successfully traverse the proposed canal.

Mr. DEMPSEY. Mr. Chairman, the gentleman who preceded the gentleman from Illinois [Mr. MADDEN] said that the merits of this proposition were not before the committee.

Mr. MADDEN. The gentleman is talking about the merits.

Mr. JUUL. Mr. Chairman, will the gentleman yield for a question?

Mr. DEMPSEY. Yes.

Mr. JUUL. Does the gentleman know that even within my time there was no way for reaching Darien from Brunswick and the Atlantic Ocean except in a rowboat and a ship; that there was not any railway?

Mr. DEMPSEY. When we come to a discussion of the merits, as we will, if the House overrules this technical ruling, I believe that the statements of the last gentleman, propounded as a question, will be refuted, and that this will be shown by those who know to be a worthy project, one which should be included in the bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MOORE of Pennsylvania. Is not this a fair answer to the question of the gentleman from Illinois [Mr. MADDEN], that whereas we may put canals in this bill providing for steamships, we shall not put waterways in this bill providing for waterways where men are so unfortunate as to own only rowboats?

Mr. MADDEN. Mr. Chairman, will the gentleman let me ask a question there?

Mr. DEMPSEY. Oh, I decline to yield any more of my five minutes.

Mr. MADDEN. The gentleman is not confined to five minutes.

Mr. DEMPSEY. Oh, yes; I am. When we come to a discussion of the merits of this proposition—

Mr. MADDEN. Mr. Chairman, will the gentleman yield for one question?

Mr. DEMPSEY. In about one minute, when I finish this sentence. When we come to a discussion of the merits of this proposition, as we will, that matter can be discussed, but the merits of the proposition are not now before us, and we can not discuss them. We are discussing the question whether or not this point of order should be sustained. I point to two things: I point to the nebulous and uncertain boundaries of the rules, illy defining, uncertainly defining, the jurisdiction of committees, and I point, second, to the fact that only two days ago this House as one man rose to the Delaware Canal and

said that millions of dollars should be expended upon it, and no one even raised his voice in protest. Yet the gentleman who raises the question now, and, so far as I recollect, every one here now was present at that time and were all aware of the situation, because they are skilled and experienced men. They have been here a long time and are familiar with the rules, and they knew if they could raise the question at all they could raise it then just as well as now.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MADDEN. Of course, the statement of the gentleman from New York [Mr. DEMPSEY] is intended to be misleading—

Mr. DEMPSEY. I object, for that is not a question and I ask that it be stricken out. I decline to yield my time and surrender the floor.

Mr. MADDEN. Then I shall withdraw the statement and ask a question. The gentleman from Pennsylvania—oh, I see the gentleman from New York is resuming his seat, and he does not care to answer the question.

Mr. DEMPSEY. I am willing to answer questions, but that is a statement.

Mr. MADDEN. Then I shall take time to make the statement. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, the gentleman from New York [Mr. DEMPSEY] has just made the statement that the item connected with the purchase of the Delaware Canal was subject to a point of order. That was true last year and the point of order was made and it was sustained. Then the gentleman from Pennsylvania [Mr. MOORE], doing then what he has done now, appealed from the decision of the Chair and the appeal was sustained and legislation was enacted in connection with the item in the last river and harbor appropriation bill. It was not subject to a point of order in the bill as presented to us to-day. So that the statement of the gentleman from New York was very misleading, intentionally or unintentionally, it does not matter which. The question asked by the gentleman from Pennsylvania [Mr. MOORE] of the gentleman from New York [Mr. DEMPSEY], who has just taken his seat, "If this House is willing to let go by the project for the purchase of a canal on which steamboats can navigate, why not enact a law that will permit the navigation of rowboats?" was also intended to be misleading. It was intended that the House should be misled and not understand the facts. This item is the only item in the bill thus far reached that is subject to a point of order. The point of order was raised, and the point of order has been sustained, and now an appeal comes from the gentleman from Pennsylvania. Successful in his appeal last year, interested in the river and harbor bill as he is, and as is the gentleman from New York [Mr. DEMPSEY] and the gentleman from North Carolina [Mr. SMALL], having a bill made up of pork in which almost every State and district in the United States is interested, of course you can violate the rules of the House and appeal from the decision of the Chair and make a ruling that may cost the Treasury of the United States hundreds of millions of dollars in the future.

Mr. SANDERS of Louisiana. Mr. Chairman, when an appeal was taken last year from the decision of Chairman HARRISON in a similar case, I voted against sustaining the position of the Chair, and I intend to vote in favor of the appeal against the Chair to-day. I am going to do it now for the same reason that I did it last year. I listened with a great deal of attention to the argument of the minority leader, the gentleman from Illinois [Mr. MANN], a minute ago. I could not fail to contrast it with the magnificent argument which he made the other day in favor of passing the bill to validate otherwise invalid contracts. He seemed then to glory in the fact that the War Department had cut red tape whenever necessary, but, forsooth, we here in the House, bound by the red tape of rules, may not cut the red tape to accomplish the public weal. I take it, that the rules were made for the House and not the House for the rules. I take it, that the rules of this House were made for the purpose of doing business and not for the purpose of preventing business from being done.

And I say that the highest prerogative of the House and the Committee of the Whole alike is that whenever a rule prevents the performance of public business, then the House or the committee has the right to proceed to do business. Now, the rivers and canals of this country are as one; they are a means of transportation, and they can not be considered, in my opinion, separate and apart one from the other. And, Mr. Chairman, I want to impress this upon the membership of this committee, if I may, and that is this: That this committee in the final analysis is the judge itself of the rule. [Applause.] And that when this

committee says what the rule is that is the rule, and from the decision of this committee there is and there can be no appeal. We can appeal from the decision of the Chair when he undertakes to interpret the rule, and then the interpretation of the rule is taken from the Chair, placed in the hands of you and I, and it is for us to say what the rule is.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SANDERS of Louisiana. I will.

Mr. MOORE of Pennsylvania. I think the gentleman has very correctly interpreted the situation. I want to ask him if he recalls this instance as bearing upon the rights or prerogatives of the committee to overrule the Chair at times. A bill was brought in and the gentleman from Ohio [Mr. Burton], who has been held up as one of the great chairmen of the Rivers and Harbors Committee, having some interest in a public building in Cleveland, sought to have a proviso that the building should be constructed of granite. A point of order was made and sustained by the Chair, the Chairman at the time being no less distinguished a person than Mr. Sherman, subsequently Vice President of the United States. The gentleman from Ohio persisted, and his appeal from Mr. Sherman's decision was sustained.

The Committee of the Whole, exercising the right which we hope it will exercise here, appealed from the decision of the Chair and overruled him in a case not so meritorious as this. Now, does the gentleman think there is any impropriety in taking similar action to-day?

Mr. SANDERS of Louisiana. Far from any impropriety, in answer to the gentleman's question—

Mr. STAFFORD. Will the gentleman yield to allow me to correct—

Mr. SANDERS of Louisiana. Let me finish and then I will yield. Far from there being any impropriety in voting to overrule the Chair, I take it that it is our absolute duty, if we disagree with the Chair in his interpretation of the rule, to vote to overrule him, irrespective of who the Chair may be, where he comes from, what his intellectual attainments are, or what his knowledge of the rules may be. Now I yield to the gentleman from Wisconsin.

Mr. STAFFORD. I merely rose to ask the privilege of correcting the gentleman from Pennsylvania—

Mr. SANDERS of Louisiana. Do that on some one else's time, may I beg. Mr. Chairman, I want to add one further word, and that is this: I agree fully with the gentleman from Illinois [Mr. MANN], that we are a law-making body. I sincerely hope that we are a law-abiding body, but, Mr. Chairman, I want to say this to the membership of the committee, that there is a great difference between a law and the rules of the House. A law is something that I am obliged to obey, because it is the law of my land. The rules of this House, if I interpret them correctly, are like the rules of any other legislative body. They are simply a form of procedure. There is nothing sacred about them. They are made one day and unmade the next. They are made to govern our deliberations, not to bind our actions, and whenever those rules interfere in any way with the business of the people the rules should be changed, and there are two ways to change them. First, by action of the body in the making of rules; and, second, by the body itself declaring what interpretation the rules are entitled to. [Applause.]

Mr. JUUL rose.

Mr. SMALL. I want to ask the gentleman how much time he desires; we are anxious to close.

Mr. JUUL. Less than five minutes, but I would like to have that.

Mr. SMALL. I yield to the gentleman.

Mr. STAFFORD. I would like to have some time before a vote is taken.

Mr. JUUL. Mr. Chairman and gentlemen, it is because I am desirous of following the suggestion and advice of the minority leader [Mr. MANN] to cut red tape that I step to the front here to-day. I believe in rules, but I do not believe that rules should be permitted to cripple the power of 400 gentlemen to act in an emergency. I think this bill is chock full of appropriations that ought never to be made, but I think we are stopping at the wrong place. Now, this is a proposition to complete the improvement of General's Cut, in Georgia, in accordance with the report submitted in House Document No. 581, Sixty-third Congress. It calls for \$1,000. In lines 6 and 7 you are asked to appropriate \$35,000 for the Altamaha River. Now, imagine a body that passes on \$35,000 for the Altamaha River and must stop at the completion of an improvement connecting that river with the other river because, forsooth, 176 years ago part of the connecting link was cut with spades instead of being formed by nature. That is exactly what you are trying to hesitate at. The cut is there; it has been there for a long time. One gentle-

man said here that this was a boat connection. When I reached Georgia, about 40 years ago, there was absolutely no means for getting up to the city of Darien from the Atlantic Ocean except by boat, and I went there in a sailboat and was glad to get there that way. [Applause.] Now, we can appropriate \$35,000 for the Altamaha River and \$50,000 for the Darien River, but we can not connect the two rivers with \$1,000, because 176 years ago men used spades in connecting the two streams. I think, gentlemen, that is carrying the rule too far. I believe rules are made for the purpose of transacting business and not for the purpose of blocking business. [Applause.] And believing that I would like to be able to consider and vote for this item, and I would probably refrain from voting for half of the stuff that is in the bill, because I think it never ought to be in it. I am not in favor of voting money for the River of Jordan or the River of Doubt, but here is a proposition where gentlemen are stopping and raising an issue at the wrong time and in the wrong place. [Applause.]

Mr. SMALL. Mr. Chairman, not to interfere with the gentleman's recognition, may I ask unanimous consent that all debate on this appeal close in 10 minutes, 5 minutes to be granted to the gentleman from Wisconsin—

Mr. STAFFORD. The five-minute rule, as the gentleman knows, does not apply in discussion of questions of appeal from the decision of the Chair.

Mr. SMALL. How much time does the gentleman want?

Mr. STAFFORD. I would not want to be limited. I do not desire unlimited time, but I think 10 or 15 minutes.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN (Mr. FOSTER). The gentleman will state it.

Mr. BANKHEAD. Under the rules of the House, when we are in Committee of the Whole under the five-minute rule, I ask whether time for debate is not limited to five minutes on an appeal from the Chair?

The CHAIRMAN. On an appeal the time is one hour, in the opinion of the Chair, without close examination of rules and precedents.

Mr. BANKHEAD. Does the same rule obtain in the Committee of the Whole as to limitation of debate as obtains in the House?

The CHAIRMAN. Yes; the Chair is of that opinion now. However, the Chair will state that it is in order to close debate whenever the committee sees fit.

Mr. SMALL. Mr. Chairman, I submit the unanimous-consent request that the debate on the appeal close in 15 minutes, 10 minutes to be consumed by the gentleman from Wisconsin [Mr. STAFFORD] and 5 minutes by myself.

Mr. LARSEN. Mr. Chairman—

Mr. SMALL. Seventeen minutes, then; two minutes to be consumed by the gentleman from Georgia [Mr. LARSEN].

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] asks unanimous consent that the debate upon the appeal be limited to 17 minutes.

Mr. SMALL. May I modify that and make it 23 minutes, 10 minutes to be consumed by the gentleman from Wisconsin [Mr. STAFFORD], 5 minutes by the gentleman from Georgia [Mr. LARSEN], 3 minutes by the gentleman from Ohio [Mr. GARD], and 5 minutes to myself?

The CHAIRMAN. The gentleman from North Carolina modifies his request to the effect that the debate upon this appeal be limited to 23 minutes, 10 minutes to be consumed by the gentleman from Wisconsin [Mr. STAFFORD], 5 minutes by the gentleman from Georgia [Mr. LARSEN], 3 minutes by the gentleman from Ohio [Mr. GARD], and 5 minutes by himself. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, no more important question on the integrity of the procedure of the House can confront the Committee of the Whole than passing upon an appeal from the decision of the Chair. It is admitted by those who seek to overthrow the rules of the House that the decision of the Chair is correct, and yet we have here to-day, by those who favor river and harbor appropriations, the revolutionary doctrine proposed, that whenever a majority of this House believes that there is merit in a proposition, notwithstanding the rules of the House for its orderly procedure, the majority shall control regardless of what the House in its calm moments has determined should be the rule of procedure. If that is going to be the practice here it is to be the policy, whenever a member of the Committee on Appropriations, who happens to have some item out of order in an appropriation bill ruled out of order under the rules, because of the rule that no legislation should be carried on an appropriation bill, to rise and appeal from the decision of the Chair? Rarely has it been resorted to. I recall only three or four instances. The gentleman from Pennsylvania [Mr. MOORE], who again assumes to overthrow the rules, as he did two years

ago, cites an instance about former Representative Burton, of Ohio, when he moved to overrule the decision of the Chair. He is in error when he says it was on a river and harbor bill. He does not know the facts. If he had known the facts he would not have referred to that instance as there was an exceptional condition that might have justified the committee in then setting aside the decision of the Chair, because Mr. Burton then admitted that he was out of the Chamber and engaged in committee work at the time when the amendment which he offered to the House would have been in order. Mr. James S. Sherman, then in the chair, ruled, on the sundry civil appropriation bill, where Mr. Burton sought to have this amendment incorporated, that it would have been in order if the gentleman from Ohio had presented it in time. The House thought an unfair advantage was being taken of Mr. Burton and they made that exception. But I very well remember the late Republican leader, Mr. Sereno E. Payne, rising on the floor when a like attempt was made to overrule the decision of the Chair, and appealing to Members, regardless of party, regardless of their interest in the individual proposition, not to have them set aside all rules but calling attention to the necessity, as pointed out by former leader Dingley, of adhering to the rules of the House if they were to have good legislation.

The gentleman from New York [Mr. DEMPSEY], another member of this committee, and the gentleman from Pennsylvania [Mr. MOORE], and these other Members, rise in an attempt here to try to overrule the decision of the Chair, to set aside all precedents, and allow any character of legislation to be considered on this bill. This river and harbor bill is the one bill of all bills, when it is under attack from the country at large, where we should observe strictly the rules of the House, and where it should not be said that we lightly set aside the rules of the House to consider a project over which the committee has no jurisdiction. I am surprised and amazed that members of the committee should justify this revolutionary doctrine, that whenever they see fit, on some amendment which is out of order, immediately arise and move to overrule the decision of the Chair.

The gentleman from New York [Mr. DEMPSEY], a learned attorney, says the merits of the proposition are more important. Why, if we were to follow that idea there would be chaos and pandemonium here in this Chamber in the consideration of its legislation. If we were to follow that course and adopt the position of the gentleman from Louisiana [Mr. SANDERS], there would be no rules. The will of the majority at all times would be supreme, and the very purpose of the rules, as the purpose of all law, is to protect the minority against the present majority. The majority of to-day may be the minority of to-morrow.

Mr. MONTAGUE. Mr. Chairman, will the gentleman permit a question?

Mr. STAFFORD. Yes; I will be glad to.

Mr. MONTAGUE. The gentleman is a skilled parliamentarian. What is the difference in parliamentary law between the right to purchase and operate a canal on yesterday and the right to dig out a canal to-day?

Mr. STAFFORD. Well, I know nothing about the merits of the proposition, but I know this: That under the established precedents of this House legislation with respect to canals does not rest with the Committee on Rivers and Harbors. I know further that under the precedents of this House, respecting river and harbor bills, matters may be reported which are not privileged, over which the committee has jurisdiction, but they can not be considered on a river and harbor appropriation bill, but those matters must take their ordinary course just like any other bill.

The gentleman from Louisiana cites the case of the consideration of a bill granting to the War Department authority to adjust claims that have not been executed properly. That bill was brought in under the regular orderly procedure. There is always recourse on the part of a committee, or a majority of the House, when they desire to have a thing put in order on an appropriation bill to go to the proper committee, and that is the Committee on Rules. There is no majority in this House at this time. Three-fourths of those who are present are interested in this project, and it is to protect, perchance, the majority of this House who are absent at the present time against the raids and ravages that are being perpetrated by these sponsors of large river and harbor improvements that the rules are placed there.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Not just now. As I say, I have no concern with the merits of the propositions. What is a thousand dollars? But I am concerned with the more fundamental proposition, and that is that if we recognize now on a river and harbor bill the right to hold in order a proposition for the improve-

ment of a canal, or the building of a canal, it is a dangerous precedent that is going to come to plague us in the future. There will be nothing to prevent a Member on the floor of the House getting his friends here and offering amendments to build a canal involving the expenditure of hundreds of millions of dollars. With the power of a majority favoring it it can be rushed through despite the rules of the House providing that that legislation must first be considered by a committee. That is the object of those who now seek to have the orderly rules of the House superseded. They say, in effect, that any extraneous amendment that is not in order may be considered on the spur of the moment if supported by a majority. That is a radical departure from orderly procedure.

Mr. MONTAGUE. The gentleman from Wisconsin misunderstood my question. What I am trying to get at is the continuity of the rule. How can a rule be hot and cold? Why should the rule permit a canal to be bought or purchased on page 7 and forbid a canal to be improved on page 11? Why did not the gentleman make the point of order yesterday?

Mr. STAFFORD. I did not make the point of order on this proposition. The gentleman can not throw that at me. I am consistent. I am not concerned about the merits of the item. I would not have made the point of order. But I am rising here, independent of the merits of the proposition, appealing to Members who are in favor of maintaining the integrity of the rules of the House to stand by those rules now. It is revolutionary to attempt to override the decision of the Chair. I appeal to Members to stand by and protect the rules against the ravages that are being made against their integrity.

Mr. MONTAGUE. Here is a ravage of three millions yesterday, when the gentleman did not open his mouth, and here is a ravage of \$1,000 to-day, and the gentleman cries aloud.

Mr. STAFFORD. This is not on the merits of the proposition. This is on the question of the integrity of the rules of the House. I hope the gentleman will see the difference between the question of order and the question of merit in digging a little \$1,000 canal. I hope the gentleman has that breadth of vision.

Mr. SLOAN. If the gentleman's contention is correct, that it will prevent the building or construction of these rivers, where, then, will we be able to place our expenditures hereafter when we shall have filled up our rivers, creeks, brooks, affluents, rivulets, runnels, and all?

Mr. STAFFORD. There is no question as to the authority of the committee to report an item for the improvement of a river or harbor. This item is for the construction of a canal, and the question before the House is, Shall we maintain the integrity of the rules of the House?

Mr. LARSEN. Mr. Chairman, I desire to occupy the time of the committee a few moments, in order that I may not be subjected to the criticism which the gentleman from Wisconsin [Mr. STAFFORD] seemingly would inflict upon the House. He takes the position that we are trying to override the rules of the House. I deny the charge; we are only endeavoring to properly construe a rule made by the House.

The rule under consideration is only the expression of the will of the House as to the manner of its deliberations, and the vote that we take will be an interpretation of that expression. Two years ago the gentleman from Mississippi [Mr. HARRISON] ruled on a similar question that such a proposition was not in order. That was his interpretation of the rule, but an appeal was taken from his decision, and this House in good faith sustained the appeal.

Now, so far as I am concerned, I feel that I should be bound by the decision of the majority and by the interpretation of the rule as then expressed by the membership of the House.

I think the position of the gentleman from Illinois [Mr. MANN], for whom I have very high regard, is very much in error and does little credit to the integrity of the House. He says we should stick to the rules of the House. The inference is that the House on previous occasion violated its own rules by sustaining the appeal from the decision of Chairman HARRISON.

Gentlemen of the House, I doubt whether it is fair to take the position at this time that the House was in error two years ago. For one, I believe in the wisdom of this House and in its integrity. I believe that the vote on this proposition will be properly interpreted; that the Members of this House will vote properly on it; and whether they do, in my judgment, vote properly or not, I shall not be inclined to criticize.

Mr. Chairman, so far as the merits of the proposition are concerned, I think they are against the ruling of the distinguished gentleman from Tennessee [Mr. BYRNS]. I do not believe that he thoroughly understands the facts. I believe that if he did he would not have made the ruling. Believing

that the Chairman is in error, I shall vote in favor of the appeal. If I believed that he was right, I would vote to sustain him. I believe a majority of the membership of this House will vote to overrule him. In doing so they will vote to establish an interpretation consistent with what they conscientiously believe to be the rule. It will be without an effort to supersede any rule.

Mr. GARD. Mr. Chairman, we ought not to speak lightly of that which is properly classed as the observance of law, because we ask all our people through the length and breadth of this land to observe the law of the land. There is no higher duty of citizenship to any man than to be a law-respecting and law-abiding citizen. That is precisely the question which is presented here. The rules of this House of Representatives are the law of the Members of this House, and I submit, even though we realize the very personal interest which some Members of this House have, it is not for us to adhere to a rule when it pleases us and to violate a rule deliberately because, perchance, we have an assembly of friends here who may wish to set the rule aside. Therefore I seek to impress upon the membership of this committee that it is not a light question that you are acting upon when by an appeal you seek to override the ruling of the Chair; because, in the first place, the ruling of the Chair is right. Nobody takes the floor and says the ruling of the Chair is wrong. There is no reason, as a matter of truth and of justice and of logic, why the appeal should be sustained or why the ruling of the Chair should be overruled.

Mr. MANSFIELD. Will the gentleman permit a question?

Mr. GARD. I am glad to yield, although I have a very limited time.

Mr. MANSFIELD. The gentleman is assuming that this is a canal and not a watercourse. Now, suppose that is not the fact. Suppose this was a watercourse nearly a hundred years before these rules were made, and that it was an existing watercourse at that time?

Mr. GARD. Of course, that presents an entirely different state of fact. I assume that it is a canal, because I recall from the statement of the chairman and the statements of other gentlemen here that a part of this is admittedly a canal. Now, if it is a canal and we have a rule covering it, that rule is a law unto the membership of the House of Representatives, and to say that it should be swept aside merely because it is in somebody's interest to sweep it aside means in the last analysis that we are bordering on anarchy in the House of Representatives; because a rule is a law, and if a rule is a wrong one it should be changed, modified, or altered in proper way. It should not be peremptorily set aside merely because of the personal interest of the moment.

Mr. SMALL. Mr. Chairman, I shall be very brief in making a few comments upon this appeal from the decision of the Chair. The Chairman of the Committee of the Whole has exercised his judgment and has interpreted a point of order against the item in the bill. Members of the Committee of the Whole now have an opportunity to exercise their judgment and to say whether the point of order is well taken. The action of the Committee of the Whole on this appeal does not involve any disparagement of the Chairman of the Committee of the Whole. If the appeal is sustained, it is simply the exercise of the judgment of the aggregate body as against the judgment of one Member. I have had occasion so often to give approval to the position taken by the distinguished minority leader [Mr. MANN] upon nonpartisan questions that I was rather surprised at the emphasis which he gave to the sanctity of the rules of this House. Are these rules sacred? May I give just a few instances of how the House frequently sets aside the rules of the House. We have a day on which motions are made to suspend the rules and pass bills. Admittedly these bills would not be in order on that day unless two-thirds of the House should suspend the rules and pass them. Session after session the Committee on Rules bring in resolutions making certain bills in order, regardless of the rules of the House. We have had reports from the Committee on Rules making in order a certain bill by a committee when under the rules of the House it was not within the jurisdiction of that committee. We had in the last session, I think, a resolution from the Committee on Rules, when the Post Office bill was under consideration, making certain provisions in order on that bill when under the rules of the House they were not in order.

Mr. GARRETT of Tennessee. But the Committee on Rules brought in that resolution under the authority of the general rules.

Mr. SMALL. I understand that, of course; but I may ask, Is the Committee on Rules, created by the House, superior to the body which created it?

Mr. GARRETT of Tennessee. It is not. It can not do anything that the House itself does not authorize.

Mr. SMALL. Certainly, and nothing will be done regarding this item except what the House authorizes.

Mr. STAFFORD. Why, there is not even a quorum of the committee here—less than 100 Members. You are asking that less than a quorum shall pass upon this question.

Mr. SMALL. That has nothing to do with it. We are in Committee of the Whole. The Committee of the Whole has a right to pass on this question, and I am simply submitting this question, that if under the rules we create a committee which has the right to bring in a resolution suspending these sacred rules, even under the rigorous contention of some Members here, this Committee of the Whole may at least appeal from the judgment of the Chairman of the Committee of the Whole, and exercise their judgment, and say that their judgment is one way and the judgment of the Chairman of the Committee of the Whole another way.

Mr. DUPRÉ. Will the gentleman yield?

Mr. SMALL. I yield to the gentleman from Louisiana.

Mr. DUPRÉ. I want to ask the gentleman if every proposition in this bill for which an appropriation has been made looking to continued improvement of inland waterways has not originally emanated from the Committee on Rivers and Harbors?

Mr. SMALL. I know of no exception to it.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. SMALL. Briefly, because my time is limited.

Mr. CAMPBELL of Kansas. The gentleman from North Carolina was discussing the bringing in of rules by the Committee on Rules and making in order matters not theretofore in order. Does not the gentleman from North Carolina distinguish the difference between the bringing in of a rule for a given purpose and the overruling of a decision of the Chair for a specific purpose? The one creates a precedent to be followed thereafter; the other does not.

Mr. SMALL. I can make the distinction. Of course, the gentleman is a member of the Committee on Rules and is jealous of the jurisdiction of his committee; but the point I am making is that these sacred rules are frequently set aside by the House and by the Committee of the Whole, and that the Committee of the Whole may do so in this instance.

The CHAIRMAN. The question is, Shall the decision of the Chairman stand as the judgment of the committee?

The question was taken; and there were—ayes 40, noes 33.

Mr. DUPRÉ and Mr. CALDWELL asked for tellers.

Mr. MANN. I make the point of order that there is no quorum present. This question is being submitted to the committee. For that reason let us have a full committee.

The CHAIRMAN. The gentleman makes a point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty Members present, a quorum.

Mr. DUPRÉ. I have asked for tellers.

The CHAIRMAN. The gentleman from Louisiana asks for tellers.

Tellers were ordered, and the Chairman appointed Mr. DUPRÉ and Mr. MADDEN.

The committee again divided; and the tellers reported that there were—67 ayes and 43 noes.

So the decision of the Chair stood as the judgment of the House.

Mr. SMALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMALL. Of course, the point of order only applies to that part of the paragraph; that is to say, the part in this language—

completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, \$1,000.

Mr. MADDEN. That is all.

Mr. SMALL. Mr. Chairman, I offer the following committee amendment. The amount at the end of the paragraph should be \$28,000, and I move to strike out the figures "\$29,000" and insert "\$28,000."

The Clerk read as follows:

Page 11, line 5, strike out "\$29,000" and insert "\$28,000."

The amendment was agreed to.

The Clerk read as follows:

Altamaha, Oconee, and Ocmulgee Rivers, Ga.: For maintenance, \$35,000.

Mr. LARSEN. Mr. Chairman, I have an amendment to section 6, which I send to the desk.

The Clerk read as follows:

Page 11, line 7, after the word "maintenance," strike out the figures "\$35,000" and insert "\$40,000."

Mr. LARSEN. Mr. Chairman, in 1911 a survey of the Altamaha River system was ordered and was made by Dan C. Kingman in the early part of 1912. The engineer making the survey and report recommended an appropriation of \$635,000 and some cents for the improvement of this Altamaha River system, to be divided into and expended in five annual installments of an equal amount.

When this report came before the Board of Engineers it was disapproved, but with the recommendation, however, of the board that the annual appropriation for the system should not exceed \$40,000 per annum. For each and every year since that time, with the exception of one year, the appropriations for the Altamaha River system has been \$40,000. The exception was made three or four years ago when, by action originating in the Senate, as I understand, the appropriation was increased to \$60,000.

For the ensuing year the bill provides an appropriation of \$35,000 for the system, which reduces the amount heretofore allowed for a number of years \$5,000. The committee seeks to justify this on the theory that the same is being done in many other cases, that circumstances make it necessary, and that there remains available funds which have not been expended in previous years. The report of the engineer says there is on hand at this time something like \$54,000. I want to emphasize, if I can, very briefly, the importance of this river system. The Altamaha River is the largest river in Georgia. It is a river of considerable size and, as acknowledged by the chairman of the Rivers and Harbors Committee and by the Board of Engineers, is of considerable commercial importance.

On yesterday we voted upon a proposition authorizing an appropriation for an inland waterway between Norfolk, Va., and Beaufort, N. C. In that item the appropriation carried \$750,000. I have looked up the tonnage of the river referred to in that proposition, and its total tonnage is in round numbers 185,000 tons per annum. We also had another proposition from Norfolk, Va., to North Carolina Sound for \$250,000. The annual tonnage on that river is only 300,000 tons.

I take it, gentlemen of the committee, that the appropriations voted in the preceding sections were justified. Certainly I am not complaining of or question those items in the bill, but I wish to say that if those are justified, then the proposed appropriation for the Altamaha River system can not be justified, so far as the amount is concerned.

The Altamaha River system consists of three rivers, the Altamaha, the Oconee, and the Ocmulgee. In the aggregate they contain something like 490 miles of navigable streams. The system traverses 45 counties, all in Georgia. The navigable portion touches 25 counties. These are among the most productive of the State and have a taxable wealth of approximately \$150,000,000, with a population of 500,000 persons. The tonnage on those streams amounts annually to from 150,000 to 170,000 tons, and have a valuation of from three to five million dollars.

Now, on the Virginia-Carolina proposition, with an annual tonnage of 185,000 tons, you voted \$750,000, and on the Altamaha system, with 490 miles of navigable streams and a tonnage of from 150,000 to 170,000 tons, you propose to vote only \$35,000. I ask you, gentlemen, do you think that is right; do you think it is fair; do you think it is a proper amount? The only excuse that is offered is that the appropriation made available heretofore has not been expended. Last year the people affected demanded that improvement should be made on these rivers. They appealed to me to ask a reopening of the Kingman report. I did so, and the Rivers and Harbors Committee very generously recommended that the report be opened and reconsidered.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LARSEN. I ask for five minutes more.

Mr. SMALL. Reserving the right to object, can not the gentleman get along with at least three minutes?

Mr. LARSEN. I will try and close in three minutes.

Mr. SMALL. Let us limit the time to six minutes, the gentleman to have three and I to take three.

Mr. LARSEN. Oh, the chairman does not need over a minute. May I not have five?

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph and amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to close debate on this paragraph and all amendments thereto in eight minutes. Is there objection?

There was no objection.

Mr. LARSEN. Mr. Chairman, I presume I am entitled to five minutes.

As I said, last year we were in an unfortunate condition. People from all of the counties affected asked that relief be

granted. The rivers and harbors committee recommended to the Board of Engineers that the report be opened for investigation. Hon. John C. Melliss, engineer in charge at Savannah, was instructed to make investigation. He called meetings at several points in the district, and they were very well attended. The business men met from every section and testified under oath that they had been practically forced to abandon river transportation because the rivers had been so neglected that they could not navigate them.

I urged the engineer located at Savannah to make his report. I wired and personally requested him to do so, yet so far as I am able to learn no report has been made from the Savannah office, and no adequate relief has been granted to the people of this territory. The appropriation made last year and perhaps for previous years has not been fully expended. It seems that practically all of the boats available for work on this river system suddenly became unfit for service. I do not think it was due to overwork in my part of the country. I would not say what work was done on other parts of the stream.

Last year of the money that was expended, \$24,000 was in repairs of snag boats and other boats. There was spent, in round numbers, \$6,473.92 for inspection—ascertaining, as I understand, what was necessary to be done, trying to determine where they should work and what they should do. There was spent \$4,680 for office expenses, while for operation, exclusive of repairs on boats, \$3,706.03.

As repairs seem to have been made, we trust the remainder will be spent for operating. If this money could not be expended last year, it should be spent this year. All we want is that sufficient money be made available at this time. It can be expended by an industrious engineer at Savannah in a short while. We have a new engineer in the district now. The people in the territory demanded that the engineer shall go to work. With sufficient available funds I think it is likely that good work will be done. If we do not spend the money, certainly the Government will not be hurt. If it be spent, the returns will be good and benefit will accrue to the people. Upon the Oconee, one of this system of rivers, is located at Milledgeville, the old State capital, and Dublin, one of the most progressive cities in Georgia. Macon is at the head of navigation on the Ocmulgee, and Hawkinsville and other prosperous cities are on this stream. There is direct transportation from Macon to Darien and Brunswick on the coast. What we need is to have the snags, shoals, and rocks taken out and the system of rivers put into proper shape for navigation. It is a very important system. It is the only river system of any importance in the State of Georgia and it is being neglected. We ask now to increase the amount to the minimum appropriation that has been allowed heretofore, \$40,000. It is an increase of only \$5,000, and the money will only be made available.

I trust gentlemen of the committee will see fit to vote for the amendment.

Mr. SMALL. Mr. Chairman, just a brief reply. It would have been more appropriate if the gentleman had omitted comparisons from his remarks, particularly as the statements as to tonnage in his remarks were incorrect.

Mr. LARSEN. I will ask the gentleman to state the correct figures.

Mr. SMALL. The gentleman has the reports before him. I simply state that they are incorrect. As to the amendment to increase this appropriation from \$35,000 to \$40,000, this is a system of rivers consisting of the Altamaha, the Oconee, and the Ocmulgee. The Altamaha River is formed by the confluence of the Oconee and Ocmulgee Rivers at a point known as The Forks. The Altamaha is navigable for 37 miles. The Oconee is navigable for about 145 miles and the Ocmulgee for about 205 miles. It is one of those sluggish streams where it is difficult to maintain the channel. The project depth is for 3 feet, with an effort to increase it to 4 feet. There is now more than \$50,000 on hand, and the engineers, after careful investigation at the request of the committee, report that this additional amount of \$35,000, added to the amount which is on hand, is all that could be profitably expended to the end of the next fiscal year. If the Committee of the Whole should increase this appropriation, it will constitute an exception. There is no appropriation in this bill in excess of the sum recommended by the Chief of Engineers.

Mr. LARSEN. May I ask the chairman one question, inasmuch as he has questioned the accuracy of my statement as to tonnage?

The CHAIRMAN. Does the gentleman yield?

Mr. SMALL. Mr. Chairman, I do not care to take up unnecessary time. The gentleman endeavored to state the tonnage upon some other improvement not connected with this.

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

Mr. SMALL. I do not wish to go into an extraneous matter.

The CHAIRMAN. The gentleman declines to yield. The question is on the amendment offered by the gentleman from Georgia.

The question was taken, and on a division (demanded by Mr. LARSEN) there were—ayes 6, noes 15.

So the amendment was rejected.

The Clerk read as follows:

St. Johns River, Fla., Jacksonville to the ocean, opposite the city of Jacksonville, Jacksonville to Palatka, and Palatka to Lake Harney, Lake Crescent, and Dunns Creek, and Oklawaha River, Fla.: For maintenance, \$108,000; for improvement between Jacksonville and Palatka, \$9,000: *Provided*, That the project for this section may be extended, in the discretion of the Secretary of War, in accordance with the report submitted in House Document No. 699, Sixty-third Congress, second session: *Provided further*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, \$117,000.

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

The Clerk read as follows:

Page 11, line 16, after "Palatka," strike out "\$9,000" and insert "\$25,000"; on page 11, line 17, after "*Provided*," strike out all down to and including the word "section," in line 20, and insert the following: "that \$9,000 of the above amount shall be expended by the Secretary of War in accordance with the report submitted in House Document No. 699, Sixty-third Congress, second session"; and in line 23, page 11, strike out "\$117,000" and insert in lieu thereof "\$133,000."

Mr. LARSEN. Mr. Chairman, I move to strike out the last word. Gentlemen of the committee, inasmuch as the distinguished gentleman from North Carolina challenged the statement which I made a few minutes ago as to the tonnage of the proposition voted upon yesterday, I feel that in justice to myself and in fairness to the House I should state to the House how I arrived at the tonnage. I neglected to say the average tonnage for the last five years. To be exact, the average tonnage of the proposition for the past five years was 185,459 tons. See comparative statement, part 1. of the Report of the Chief of Engineers, United States Army, page 575.

Mr. SMALL. What improvement is that?

Mr. LARSEN. I am speaking of that one in Virginia, of this inland waterway, Norfolk to Beaufort, N. C. The average tonnage was 185,459 tons for the past five years, but the tonnage, as I find from the record for the past two years, instead of being what I said it averaged for the five years, was a great deal less. The tonnage for 1916 was 141,029 tons and for 1917 it was 148,134 tons. I take it for granted that the distinguished chairman, when I asked him to state the tonnage, would have done so except that he felt like it might possibly embarrass him and the other members of the committee. I would not desire to do that; at the same time I do not like to be embarrassed by having my integrity questioned before the House in that way. I want to be fair with this House. I try to be fair with everybody, and I would not purposely make a misstatement of facts to this House or to anyone else. Now, I am not making any criticism about the appropriation involved. I voted for it, and I am glad I did. You gentlemen did not vote for my appropriation, and I have no hard feelings on that account. I want to put myself straight before the House, that is all.

Mr. SMALL. Mr. Chairman, just a word in reference to the statement of the gentleman from Georgia [Mr. LARSEN]. A great many times in this House it has been explained, and if the gentleman could have been present and listened—

Mr. LARSEN. I was.

Mr. SMALL. He would have found it unnecessary to have made the statement which he did. Let me call attention to the fact that in the waterway from Norfolk to Albemarle Sound there are two canals. Both of these canals lead from Norfolk to Albemarle Sound, N. C., and are substantially parallel. One of these, the Chesapeake & Albemarle Canal, has been acquired by the United States and is under improvement. On both of these canals before this war the aggregate commerce was between 800,000 and 900,000 tons and of a valuation of several millions of dollars. Even during this war it amounted to between 400,000 and 500,000 tons, with a value, as the gentleman will see, of from \$5,000,000 to \$6,000,000. And so once more I make the explanation to gentlemen who every now and then make a discovery.

Mr. LARSEN. May I ask the gentleman where he got those figures and whether they are in this report of 1918?

Mr. SMALL. I will cite them to the gentleman. You only cited the commerce as to one canal.

Now, Mr. Chairman, as to the amendment offered by the gentleman from Florida [Mr. SEARS], I am sure every member of the committee will join with me in this expression, that if, as the gentleman from Florida thinks, and I have no doubt thinks sincerely, his section of Florida has not been cared for

in this bill, it is not the fault of the gentleman from Florida himself. He has diligently appeared before the committee, has made, as he always does, attractive arguments, and produced evidence which, in his opinion, would induce the committee to act favorably upon the amendments to the bill suggested by him.

The committee, however, were actuated simply by the desire to discharge their duty. A committee must have some policy, Mr. Chairman. By law we constitute the engineers as the experts to determine how much they can spend profitably and wisely during the next fiscal year. If the Committee of the Whole or if the House attempts—certainly not in a thorough way, but necessarily in a hurried manner—to say how much can be spent, it will be seen that mistakes will be made. Now, the committee appropriated here all that was recommended. There is \$108,000 carried. It is true that that is recommended specifically for the St. Johns River from Jacksonville to the ocean. But that portion of the St. Johns River from Jacksonville to Palatka is in the same group, and if it transpires that the other portion of the river above Jacksonville should require some of this \$108,000, it will be within the discretion of the Secretary of War and Chief of Engineers to determine how much shall be diverted.

Mr. SEARS. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. SEARS. The appropriation specifically reads:

St. Johns River, Fla., Jacksonville to the ocean, opposite the city of Jacksonville, Jacksonville to Palatka, and Palatka to Lake Harney.

And for several years appropriations have been made for that. Does the gentleman contend that the War Department could take a part of the money appropriated by Congress to be used to improve the St. Johns River from Palatka to Lake Harney?

Mr. SMALL. Under the consolidated item that is authorized. You will find that we carry a provision in this bill—

Mr. SEARS. The War Department has specifically stated that it will take \$108,000 and that that can be expended profitably from Jacksonville to the ocean. Then how are they going to use any money on this other part of the river?

Mr. SMALL. If the emergency arises so as to make it necessary to use any money from Jacksonville to Palatka they can divert a part of this \$108,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Mr. Chairman, I ask unanimous consent for one minute more.

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

Mr. SMALL. I call the attention of the committee to another provision in this bill. This bill carries a lump-sum appropriation of \$1,000,000 for meeting emergencies which could not be foreseen at the time that this bill was formulated and reported to the House. And if it should transpire that that portion of the river needs any expenditure, it can be taken from that lump-sum appropriation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SEARS].

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

Mr. SEARS. Division, Mr. Chairman.

The committee divided; and there were—ayes 17, noes 25.

So the amendment was rejected.

Mr. SEARS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SEARS: Page 11, line 17, after the word "section" strike out "may" and insert "shall"; and on line 18, strike out "in the discretion of" and insert "by."

Mr. SEARS. Mr. Chairman, the amendment if adopted will read:

Provided, That the project for this section shall be expended by the Secretary of War.

In other words, the section as it now reads means nothing. The Secretary of War can spend that \$9,000 on an improvement of the river from Jacksonville to Palatka, when the committee, as I understand it, intended to give that to me for improvement of Deep Creek. I believe the Congress can act and should act affirmatively. If you mean what you said, make it "shall" and direct the Secretary of War as to what he shall do. If you do not mean it, leave it just like it is, and if this motion does not prevail then I shall make another motion, one to strike out.

Mr. SMALL. If I may have the attention of the members of the committee, they will remember this phraseology was discussed, and, individually, as a member of the committee, I see no serious objection to removing it from the discretion of the Secretary and making it mandatory. It is based upon a favor-

able report. If any member of the committee thinks otherwise I would be glad to hear from him. But that is my judgment in regard to the matter.

I take the liberty, then, of accepting the amendment.

Mr. SEARS. I am glad the chairman accepts it, because I will state frankly to the House if the amendment had not been carried I would have moved to strike it out, because it should not be in there as it now reads. To stay there as it now appears would be to fool my district or fool myself, and make those people believe they were going to get something when perhaps they would not, and it would be placed in the bill by the Senate as in 1917.

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

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

The Clerk read as follows:

Removing the water hyacinth, Florida: For the removal of the water hyacinth from the navigable waters in the State of Florida, in so far as it is or may become an obstruction to navigation, \$10,000.

Mr. MADDEN. Mr. Chairman, I offer an amendment to strike out the word "hyacinth" on line 7 and the word "hyacinth" on line 8.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 12, line 7, strike out the word "hyacinth," and also on line 8 strike out the word "hyacinth."

Mr. MADDEN. Mr. Chairman, I believe this amendment ought to prevail, because there will not be anything in the way of obstruction in these channels but the water if the word "hyacinth" is stricken out. If we are going to spend \$10,000 for any purpose, I think it would be well spent if it were spent for moving the water from these channels. [Laughter.] I verily believe that there is very little water in most of these channels that this \$10,000 is appropriated for.

Mr. SEARS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. SEARS. The State of Florida having just passed a prohibition amendment and having made it an offense punishable by a fine of \$500 the first time a man gets drunk, do you think that would take the water out of Florida? [Laughter.]

Mr. MADDEN. That is the best argument I have heard made for keeping this appropriation in. In years gone by we have ridiculed the idea of appropriating money to remove weeds from navigable streams. It has been contended that if there was any navigation on the streams the weeds would not grow there. Since there is no navigation and weeds must obstruct the natural flow of the stream, in my opinion we ought not to make any appropriation at all.

These streams are all covered with hyacinths, and then they are overshadowed with trees, in which the birds and monkeys, I believe, disport during the hot summer evenings. Once in a while we hear of an alligator climbing up through the hyacinths, and perhaps it is just as well that the hyacinths should remain there in order to furnish food for the alligators. [Laughter.] It does not seem that any of the natives are willing to subject themselves to the viciousness of the alligator, and therefore we must find some way to supply food to them, and I know of no better way than to permit them to feed on the hyacinths. [Laughter.]

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. LONGWORTH. Is the gentleman's idea that when all the water is removed from these rivers their beds should be navigated by tanks? [Laughter.]

Mr. MADDEN. Well, I believe when the water is removed from these channels we should have some place to cultivate. We might cultivate the hyacinths. We might develop the water hyacinth as a native plant that could be utilized for some good purpose, and thereby we would relieve the Treasury of the United States every year from being drawn against for large sums of money for removing the hyacinths for no good purpose. If we could remove the water and permit the hyacinths to develop, we might find some chemist in the Department of Agriculture who could tell us how the hyacinths could be used for feeding the hungry in some place where the food supply is short.

The hyacinth in its natural, native form is a beautiful flower. What the hyacinth is in the Florida rivers, I hardly dare to say; but if it is an obstruction to navigation that does not exist, why should we spend the money of the United States to provide for a condition that there is no necessity for providing for?

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CALDWELL. Did you not ask that question in the Sixty-fourth Congress and a couple of times in this one already?

Mr. MADDEN. A couple of times in what?

Mr. CALDWELL. In this Congress.

Mr. MADDEN. Well, a good thing can be asked more than once, and I have not seen anybody here who had sense enough to answer the question, no matter how many times it has been asked. Not even the gentleman from New York seems to have any knowledge on the subject. The mere fact that I have asked the question and nobody can respond justifies the continuation of the question. Does anybody know what the water hyacinth is, what its value is as a food? Does anybody know why it is permitted to obstruct the navigation on the Florida rivers where there is no navigation? Does anybody know why we should spend money to remove the hyacinth?

Mr. SEARS. The water hyacinth can not live unless it has water. If you take the water out, it will die. As Members know, it is a plant that simply obstructs, like water lilies, navigation, even more than sand. It is practically out of the rivers now, those that are navigable, but if you let it accumulate it completely stops navigation.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mobile Harbor and Bar and channel connecting Mobile Bay and Mississippi Sound, Ala.: For maintenance of channel connecting Mobile Bay and Mississippi Sound, \$4,000; continuing improvement and for maintenance of Mobile Harbor and Bar, \$100,000; in all, \$104,000.

Mr. SMALL. Mr. Chairman, I have a committee amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Committee amendment: Page 12, line 23, after the word "bar," strike out "\$100,000; in all, \$104,000," and insert in lieu thereof "\$200,000; in all, \$204,000."

Mr. SMALL. Mr. Chairman, this amendment increases the appropriation for the maintenance and further improvement of Mobile Harbor and Bar \$100,000, making the total for that particular improvement \$200,000, and increasing the aggregate from \$104,000 to \$204,000. This amendment is based upon a communication from the Chief of Engineers recommending this increase in the appropriation.

Unless some gentleman desires to have the communication read, I will not read it, but will ask to have it appended to my remarks and inserted in the Record. The gentleman from Alabama [Mr. GRAY] wishes recognition.

The CHAIRMAN. Without objection, the request of the gentleman from North Carolina will be granted to insert the letter referred to in the Record.

There was no objection.

Following is the letter referred to:

JANUARY 4, 1919.

HON. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: The estimate submitted by this department of the amount that could be advantageously used for the improvement of Mobile Harbor, to be provided in the pending river and harbor bill, was \$100,000; and when Gen. Taylor was before your committee and questioned as to whether this amount would be sufficient, he stated that in his opinion it would. Further consideration of the matter, in view of data recently received as to dredges which will probably be available for this improvement for the next year and the cost of operating these dredges, indicates that in order to carry on the work at a satisfactory rate until June 30, 1920, the estimate of \$100,000 should be increased to \$200,000; and it is accordingly recommended that the pending bill be amended so as to provide \$200,000 for Mobile Harbor instead of \$100,000.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.
By H. TAYLOR,
Brigadier General, United States Army.

The CHAIRMAN. The gentleman from Alabama [Mr. GRAY] is recognized for five minutes.

Mr. GRAY of Alabama. Mr. Chairman, I take it that there will be no real opposition to this amendment increasing the appropriation from \$100,000 to \$200,000. It was thoroughly considered by the Board of Army Engineers as well as the Committee on Rivers and Harbors, and after a hearing and consideration of the matter the Board of Engineers decided to recommend an increase of \$100,000 from that which had already been recommended, to wit, \$100,000, making the total appropriation \$200,000 for Mobile Harbor improvement.

It might be well to state, gentlemen of the committee, that as a result of recent investigations on the part of the Railroad Administration it was determined that the Government should take over the canalized river that flows into Mobile Bay, the Black Warrior-Tombigbee system. This morning I obtained from the Railroad Administration, of which Mr. Tomlinson is the direc-

tor, the following data, which may prove to be of interest to some members of the committee. They are already preparing to operate and have on hand seven towboats, four being for New Orleans and three for the Mobile trade. They have practically secured 23 barges to be operated upon this canalized river. I am informed that contracts are being let by Mr. Tomlinson, who is now in Mobile, looking after this project and its contemplated development. Contracts are now being let for the construction of 20 new barges.

I am informed further that they estimate that under normal conditions 600,000 tons of coal per annum will come down the canalized Warrior-Tombigbee River from the coal fields of Alabama to the Gulf and from there out into the markets of the world. The present rate on coal per ton from the coal fields of Alabama to Mobile by rail is about \$1.60. The estimated cost by the Government barges is 90 cents per ton, and the saving per ton for Mobile will be 70 cents. The present railroad rate on coal to New Orleans by rail is \$2.20 per ton. The estimated cost by the Government barges will be \$1.57 per ton, a saving per ton for New Orleans of 63 cents. Now, gentlemen, if you will take the amount of coal alone that will likely be handled on this river—and it is estimated, as I stated, that 600,000 tons of coal will come down this river—simply multiply that by the difference in cost for transportation, which will be about 70 cents per ton on an average, and you will observe that hundreds of thousands of dollars will be saved annually to the coal consumers of this country.

So I trust, gentlemen, and am expecting that there will be no opposition to this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY of Alabama. May I have two minutes more?

The CHAIRMAN. The gentleman from Alabama asks unanimously consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. GRAY of Alabama. It may be interesting to know that the amount allotted by the administration from the revolving fund that you remember about for the new equipment for the operation of barges on the Black Warrior and Tombigbee River system is \$1,600,000. That which is now being expended on the old equipment is \$640,000, making the total outlay for the Government upon this project alone \$2,240,000. That is to be used upon the canalized river, which will bring down these great coal resources. That says nothing about the freight that is to be carried up the river to such important railroad points and competitive points as Demopolis, Tuscaloosa, and other places. So the Government is going to spend \$2,240,000 upon this river alone, and it is highly important that the channel of this great harbor should be increased to a depth of 30 feet, and rapidly, too, in order to accommodate its ever-increasing commerce, that the larger vessels drawing at least 30 feet may come into the port of Mobile. I say again, gentlemen of this committee, that I do not contemplate that this proposed amendment will meet with any opposition at your hands but will have, rather, your hearty approval. [Applause.]

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

Black Warrior, Warrior, and Tombigbee Rivers, Ala.: For improvement in accordance with the recommendation in the Annual Report of the Chief of Engineers, United States Army, for the fiscal year ending June 30, 1918, \$200,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I was very much interested in the remarks of the gentleman who has just finished [Mr. GRAY of Alabama], and I wish to say this in reference to him personally, that I regret very much that he will not longer be a member of our committee. He has been a faithful and an excellent member, and he has certainly urged very persistently and very strongly the merits of this particular project at Mobile. I know the conditions down there, and I desire to say this in passing, because I believe I have always opposed the project, believing it was inadvisable to put the project in the bill at that time until conditions required further improvement. But he calls my attention to the fact, in his statement, that the Government is spending \$2,240,000 more upon this project, and here we have in the bill that has just been read by the Clerk an appropriation of \$200,000, and I believe a project calling for \$400,000 in all. If I remember correctly, the engineers made the statement to us that the boats had been practically driven off the Black Warrior River by the railroads, notwithstanding the Government had expended so much money there. How much money has the Government put into the Black Warrior River already? I read from page 2527, where it is stated that the Government has already expended \$9,901,295. That has been pointed out to us as the one great project that was going

to determine the value of canalization in this country. So we have put into it year after year, I understand, a total of something like \$11,000,000. And with what result? If you will look at page 2530, you will see that the traffic below the locks, after deducting logs, which do not need this depth of channel, amounts to 31,000 tons. There are logs; there is some coal that is brought down; but I understand now that the boats have been driven off until the Government is obliged to build boats, just as it has been obliged to build them on the Mississippi and other places, because the railroads drive them off; and after this enormous expenditure upon this river the Government is obliged to put the money into boats to make use of it. I think, Mr. Chairman, it is an unparalleled situation, and shows what we have been doing, that we have been putting money into all these streams. We were assured that this was a completed project, and it is, but right in this bill there is an immediate appropriation of \$200,000 on a \$400,000 project to meet the necessities of these Government boats that are to be put in there.

Mr. HUMPHREYS. Will the gentleman yield for a question for information about this canalization?

Mr. FREAR. Certainly. I do not know that I can give it to the gentleman.

Mr. HUMPHREYS. When was this canalization of the Black Warrior completed? How long ago?

Mr. FREAR. The statement has been made repeatedly that the 6-foot channel was what was desired. I do not know but what it was more than that, but here is a new project added, besides the more than \$10,000,000 that has been expended already.

Mr. HUMPHREYS. But when was the 6-foot project completed?

Mr. FREAR. I can not give the gentleman the exact date, but we have been assured that this was the one project that was completed, and it was to be a fair test.

Mr. HUMPHREYS. I am asking for information.

Mr. FREAR. I can not give the gentleman the exact information. Does the gentleman say it is not completed?

Mr. HUMPHREYS. No; I do not know anything about it; I am trying to find out something about it. I want to know if this project has been completed, just how long, and whether any commerce developed from the coal mines through the locks and dams before the Government undertook it.

Mr. FREAR. I believe practically none. Let me say this in justification, that afterwards there was some commerce; they had a small amount of coal that came down the river.

Mr. HUMPHREYS. I am not talking about that; I am talking about the commerce through the locks and dams.

Mr. FREAR. Yes; through the locks and dams. Notwithstanding the cumulative method of figuring which the engineers indulge in, it shows 279,000 tons that went through the locks, but that includes logs and everything of that kind.

I want to say that I am not taking the time of the House unnecessarily, because we have passed over a number of projects that I could have discussed, but did not care to unnecessarily take the time.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. FREAR. I will.

Mr. HUMPHREYS. The point I am asking, and only for information, is as to the justification of this project. It was the hope, expectation, and belief that a great deal of coal would come down through these locks, and what I want to know is if as a matter of fact that has developed.

Mr. FREAR. No; because the Government could better afford to build a railroad and pay \$50,000 a mile for it, and then get better results. As it stands to-day, with all this enormous expenditure, the waterway is practically useless unless the Government proceeds to put boats on it.

Now, we propose to give the railroads back to the individuals. I point to this because it has been mentioned in repeated arguments that here was a project, a good test for canalization, and so let us go on with this at any event. We have done that. In this bill is the canalization of the Cumberland River, in addition to the \$7,000,000 that we have expended on that river. Now, without having established a successful case in a single instance, with possibly the exception of the Monongahela, they are going on with other projects. Now, take the amount expended for maintenance of locks, which must be borne by the Government, there is no return compared with the amount expended. The returns are insignificant.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. FREAR. I will.

Mr. OLIVER of Alabama. Is the gentleman informed of the tonnage that went down that river in 1917?

Mr. FREAR. It says here that there were 580,000 tons.

Mr. OLIVER of Alabama. That is a pretty good tonnage, is it not?

Mr. FREAR. Four hundred and fifty-seven thousand tons in 1917, 580,000 tons the year before, and that contains the logs that floated down through and practically everything else besides. Here is a duplication as in the case of the Mississippi River. You have driven off the boats; you can not maintain the boats unless the Government gets behind them, including a cost up to this time of nearly \$10,000,000. Now you ask the Government to make use of it. I do not blame the people of Alabama for wanting that; they want to make use of it; and what chance is there of doing so when the railroads can drive off water transportation unless the Government comes in and runs the boats?

Mr. HUMPHREYS. Will the gentleman let me ask him another question?

Mr. FREAR. Yes.

Mr. HUMPHREYS. Are these logs floated down the river?

Mr. FREAR. Yes. They could be floated down without the improvement. Here is a new project of \$400,000 to increase the depth from 6 to 8 feet. In the floating of logs, as the gentleman can readily understand, that could not be considered.

Mr. HUMPHREYS. No; I was interested in the canalization project and looked forward with a good deal of interest to see what the development would be when the canalization was completed. I was trying to find out after it was completed whether some substantial commerce had developed, and particularly whether or not there was a substantial commerce in coal.

Mr. FREAR. There was some, of course; the project, I learn, was completed three years ago; but I want to say that there has been expended more money there than in the Superior-Duluth Harbor, more than in that of Chicago, which had a tonnage of over 5,000,000 tons, and more than Milwaukee, with about 7,000,000 tons. Ashland, in my State, has 10,000,000 tons on an average each year, and here, with an expenditure of \$10,000,000 you have got a couple hundred thousand tons, or something of that kind.

Mr. SMALL. Mr. Chairman, can we have an understanding as to the length of debate on this paragraph and amendments thereto? How much time does the gentleman from Alabama want?

Mr. OLIVER of Alabama. I want 10 minutes; not over that.

Mr. SMALL. I ask unanimous consent that all debate on this paragraph and amendments thereto close in 14 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to close debate on this paragraph and all amendments thereto in 14 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, let us find out whether or not the gentleman is correct. The gentleman says they are going to find a saving of \$400,000 in freight rates every year after this canalization is completed. Now, we have spent substantially \$10,000,000 on that river already and little traffic is there to speak of, and the interest on that taken out of the Government every year means \$400,000, the full amount that he expects to save. But that is not the point. Two hundred and eleven thousand dollars was spent last year for lockage, for managing that canal, and that is in addition to the interest item. We are wasting money there. As I said, there was \$600,000 last year it cost the Government on this river. Now, on top of all that we are going to put in a new appropriation—I do not think the gentleman has the right description as I have it here; it is 150 feet width of the river, and they want an 8-foot depth and now want \$400,000 more. Two hundred thousand dollars contained in this bill will not go far on a \$10,000,000 proposition. He and I agree in regard to railroads, but he says that shows the absurdity of my position. For 50 years we have been spending money and we have seen all the commerce on the upper Mississippi driven from that river after we spent \$150,000,000. We have seen the commerce on the Missouri River driven away after we have spent \$24,000,000, and I have raised my voice here time and again and these gentlemen have never given any attention to the subject until now. I say it is absurd to throw money away on the gentleman's stream or any other stream unless we prevent the railroads from driving that commerce away. Here we appreciate the fact that the Government itself, not a private individual, but the Government itself, is obliged to build the boats in order to make commerce possible on the Black Warrior.

Mr. GRAY of Alabama. Mr. Chairman, why is it my good friend [Mr. FREAR] seems to be living entirely in the past? He does not seem to realize we are preparing to do something big in the near future. He talks about what has been done upon the Warrior River and what has not been done. We are preparing to do something upon that river in the future,

not trying to live altogether with the past and in the past. This great Government of ours is trying to do something with that river; in fact, has determined to do something with it. I want to ask the gentleman from Wisconsin, in view of the fact that the Government is going to undertake to develop here river transportation, what has he to say about that? It is not simply the question of the river and the small commerce which has existed upon it in the past, but here the Government proposes to spend millions of dollars to bring millions of dollars' worth of the best coal in the world and the cheapest coal in the world to the peoples of the earth. What has the gentleman to say about that? Does he oppose it; does he oppose cheap rates for hauling coal? Is he in favor of the railroads monopolizing and taking possession of the transportation systems of the country? Is he to raise his hands and say, "We give up to the railroads; we are going to let them handle all the coal from the coal fields and levy an increased rate," or does he propose to unite with his Government and mine and yours in this great scheme to utilize this river and avoid the congestion and the shortage of cars, which condition existed a few months ago? Then we had cars all congested in one section of the country to the detriment of the other. We propose to open the channels of commerce everywhere. That is what they are doing to-day in France, and even in Germany they propose to do the same thing. They are not going to sit idly down and go to sleep. What is France doing—that great country? What is England doing? England has never stopped the development of her waterways, and neither has France. We helped them with their transportation problem during the war period. We have even sent our engineers over there in order that we might help that great country. They are not going to give up, although they have bled at every vein. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY of Alabama. I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. All time has expired and, without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Tombigbee River, Ala. and Miss.: For maintenance from mouth to Demopolis, Ala., \$40,000, and from Demopolis, Ala., to Walkers Bridge, Miss., \$2,500; in all, \$42,500.

Mr. FREAR. Mr. Chairman, this is part of the same system, so I think it properly comes under the same discussion. I wish to say this to the gentlemen from Alabama, who indulge in the specious argument that they have used here—

Mr. SMALL. Will the gentleman allow me to submit a request for unanimous consent? How much time does the gentleman wish?

Mr. FREAR. Five minutes.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. FREAR. Now, Mr. Chairman, the people of this country have been liberal with waterways, with the South as well as with the North. My attention was just called to Ashtabula Harbor, where we have spent between two and three million dollars. We had about 16,000,000 tons of commerce last year. That is the kind of commerce we have. Now, these gentlemen who live upon rivers—and I live on the greatest river in the world, and it has no commerce, it is deserted—these gentlemen who live upon some of these rivers now say, "Let us canalize them and we will then proceed to show you what we can do." All right. Which river? The Black Warrior River has been held up time and again in the House of Representatives. All right. This Government has put in about \$10,000,000 on the Black Warrior River. The interest item on that to the Government amounts to \$400,000 a year and the cost of lockages to take care of it amounts to over \$200,000, which makes over \$600,000.

Mr. HUMPHREYS rose.

Mr. FREAR. I can not yield to the gentleman until I get through with this statement. After we have finished that improvement—that is all they asked for, nothing more—that was going to establish the use of waterways and the use of all waterways. Now, what happened?

The small traffic has been practically driven off of that river the same as it has off of every other river, as was predicted. What happened? The gentleman from Alabama says we are living in the past. You have lived in the past, and the Government has financed you in the past, and it is financing you to-

day, because you can not put a line of boats on that river yourselves. Gentlemen, you come to the Government, after we have given you all the money to complete the project, and ask us to put boats down there to help carry the coal down the river to you so that you can save a little money. This particular item is costing the Government \$600,000 annually. There are other projects in this bill, like the Cumberland and others that are proposed to be started here, with the same hopeless situation that you have in this case. That is what I desire to call your attention to. It is continued waste and waste, and you can not close your eyes to it, because you have some project in the bill in which you are especially interested. It is there. And you can not read these engineers' reports without coming to that conclusion.

The gentleman refers to France and Germany. I have explained several times, and the gentleman knows, if he knows anything about transportation abroad, that Germany owns its railroads, and it discriminates in favor of the waterways. France has or has arranged to take over its railroads. But the gentlemen who talk loudest on this subject, I predict, are among those who will on this floor in a few days return the railroads to their owners. They have said I am speaking for the railroads. That is just what I am seeking to control. I say this: We are wasting money in enormous amounts, and we all know it. And here is an item which, after we have spent \$12,000,000, has practically no commerce. Now, with the \$600,000 annual tax on the people for maintenance, we are still without a boat line, and the Government has got to build one if the stream is utilized.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Barataria Bay and Bayou Lafourche, Terrebonne, Grossetete, Plaquemine, and Teche, Louisiana: For maintenance, \$20,000; for improvement of Barataria Bay in accordance with the report submitted in House Document No. 200, Sixty-fifth Congress, first session, and subject to the conditions set forth in said document, \$32,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands and easements required for the purpose of this improvement; for improvement of Bayou Teche in accordance with the report submitted in House Document No. 1329, Sixty-second Congress, third session, \$100,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands or easements required for the purpose of this improvement; in all, \$152,000.

Mr. FREAR. Mr. Chairman—

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman allow me to get leave to extend my remarks?

Mr. FREAR. I will.

Mr. OLIVER of Alabama. I ask permission, Mr. Chairman, to extend and revise my remarks.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. SMALL. Mr. Chairman, if the gentleman from Wisconsin will permit, how much time does he desire?

Mr. FREAR. Probably not over two or three minutes; at any rate, not over five.

Mr. SMALL. I ask that debate on this paragraph and all amendments thereto close in five minutes.

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

Mr. FREAR. Mr. Chairman, I move to strike out the last word. This item calls for \$315,000, I believe. It is not that amount in the bill. The total amount in this bill, as I understand, is \$152,000 for a number of projects; but this item alone, when we get the project completed, will cost \$315,000. What I want to say is this: We have spent \$216,000 on this same project. At this time I can not understand why it is urged, except that different members of the committee are very glad to have their items in the bill. There may be some desire—and I presume there is—and a great deal of pressure at home. But I turn to page 7 of the report. I can not find it in the Engineers' Annual Report. But accepting this report, it says that three-fourths of all the commerce is saw logs. That is the kind of commerce mentioned here. Now, there is some commerce. I believe in cases, even on inland waters, that show a commerce there should be some help from the Government when the communities themselves are willing to help. But I do say, Mr. Chairman, that when we make a tax upon Sandusky Harbor, for instance, in this bill, and require them to make a contribution, and when we make a contribution condition on the harbor of Nawillivill, and other harbors that are handling real commerce, it does not seem right for us to dig down in the Treasury every time for some little or big project without insisting on a contribution being made. When they want flood control down on that river they contribute toward it. And then they say that they will pay

a third of the cost. That is what they contribute, the people who are having their lands protected along the Mississippi.

If the people in Louisiana can do that in one case, why should they not do it in all cases? And Louisiana should not do it any more than any other place. I believe a contribution should be asked for. We are collecting that money from the sale of liberty bonds and by increased taxes. There is not any justification for this or many other items that I have passed by and did not take time to discuss.

A few moments ago we passed a stream. What was asked for in that case? Congress is asked to give a deeper channel for one boat. You may say that that could not be possible. Here it is right here, the Boca Ciega Bay project, in Florida. Let me read:

The St. Petersburg Transportation Co. is at the present time compelled to use a boat drawing 4 feet for the trips between Tampa and Passagrille. They are very anxious that an 8-foot channel be provided so that they can use one of their larger boats. The boat that they now use is the *Manatee*, which draws 4 feet. The boat that they desire to use is the *Favorite*. The *Favorite* would make daily trips between Passagrille, St. Petersburg, and Tampa.

Think of that kind of a project, and yet that is approved by the committee. I just passed that over without discussion. What is the use of raising these points that have been brought in from one end of the country to the other? These are frequently insignificant little items. This is one of them. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Wisconsin withdraws his pro forma amendment, and the Clerk will read.

The Clerk read as follows:

Atchafalaya River, La.: For maintenance, \$30,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. TREADWAY. I do this to call the attention of the House to an evident fraud that is being perpetrated on the families of soldiers. I received yesterday a communication from the wife, or, rather, the mother-in-law, of a soldier, written for the wife, the soldier being one of those in the famous "lost battalion" in the Argonne Forest, whose commander, Lieut. Col. Whittlesey, I am proud to say, is from Pittsfield, Mass. She sent me a circular letter, which I hold in my hand, anonymous in character, headed "The American Biography Publishers," a concern evidently endeavoring through misrepresentation to secure from the families of soldiers the sum of \$1 to have the life account of the soldier appear in so-called publications of the American Biography Publishers.

I intend to take this matter up with the Post Office Department, because it seems to me it is a positive fraud and should not be permitted to be circulated through the mails. The circular calls attention to the fact that this soldier was on the casualty list, and asking for a dollar in order that his name might appear on the "honor roll" to be presented to the President of the United States. Think of such a circular as that going out to the families of our boys!

I at once made inquiry whether or not any casualty had occurred in this particular case, because the mother-in-law said that her daughter refused to believe that her husband is dead, having heard from him within a short time. I made inquiry at the War Department and found that there had been no such casualty; that the man had been slightly gassed in September, and assigned to duty at Tours on September 9, and wired the lady to that effect.

It seems to me that attention should be publicly called to such a circular letter as this, in order that the people of the country may not have the anguish of such solicitations from commercial circulars as the one to which I refer, and in order that proper publicity may be given to the matter I ask unanimous consent that these letters be printed in the RECORD.

The CHAIRMAN. Is there objection to the printing of the letters referred to in the RECORD?

There was no objection.

Following are the letters referred to:

PITTSFIELD, JANUARY 7, 1919.

HON. ALLEN T. TREADWAY,
House of Representatives.

MY DEAR CONGRESSMAN: My daughter, Mrs. Charles B. Cornell, received the inclosed letter yesterday from the American Biography Publishers and in that way learned that her husband is dead—if such is the case. She refuses to believe it until she hears from Washington. The last letter she received from her husband was dated October 10, 1918, and in that letter he (Mr. Cornell) stated he had been in that lost battalion and had been sick ever since they were rescued. At the time of Mr. Cornell's enlistment he and his wife were living at 104 Concord Street, Brooklyn, N. Y. The soldier's address in the service was: Sergt. Charles B. Cornell, Company H, 308th Infantry.

Now, dear Congressman, I am sorry to trouble you so often on this case, but you have been so kind and considerate in helping my daughter to get what rightly belongs to her, namely, her allotment, that I again appeal to you to find out if possible if Mr. Cornell is dead or anything concerning him.

Thanking you for your interest in my daughter's case and anxiously awaiting a reply,

Respectfully, yours,

91 WEST UNION STREET, PITTSFIELD, MASS.

Mrs. WM. T. GUY.

AMERICAN BIOGRAPHY PUBLISHERS,
PUBLISHERS OF INDIVIDUAL HONOR ROLLS,
Hartford, Conn., December 19, 1918.

Mrs. EVELYN CORNELL,

104 Concord Street, Brooklyn, N. Y.,

Nearest kin of Corpl. Charles B. Cornell.

DEAR FRIEND: Victory is ours. We have driven the last of the autocratic rulers from power and have given the peoples of the world an opportunity to enjoy the freedom which is ours. Once more America has fought in the cause of freedom, and our cause was expressed in the President's stirring address to Congress: "For the ultimate peace of the world and the liberation of all its peoples; for the rights of nations, great and small, and the privilege of men everywhere to choose their way of life and of obedience."

It is with deep regret we notice the name of your soldier boy in a recent casualty list. Although neither we nor anyone else can endeavor to offer you such consolation as will alleviate your sorrow, we feel sure that every person in your position harbors a great deal of pride in having offered a son, husband, brother, or relative to the noble cause for which the whole civilized world went to battle.

We desire to secure a short biography of his life to go into a book now being compiled by the American Biography Publishers, so that his name may live in history and go down in posterity. This book when completed will be presented to the President of the United States as a memorial to those who have fought in the cause of liberty and democracy.

To commemorate the deeds of your soldier boy, we have prepared an attractive honor roll, lithographed in a beautiful sepia on a high grade of paper, size 11 by 14 inches, artistically combining the different branches of the United States service, with the flags of the allies, topped by an eagle with outspread wings. This honor roll will be engrossed with the name and title of your soldier boy and other essential facts from his biography.

We are inclosing an information blank, which we ask you to kindly fill out and return to us with \$1, for which we will send you the honor roll suitably engrossed, and also enter his biography in the book we are compiling.

You owe it to your soldier boy as well as to yourself to send us this information at once.

Respectfully, yours,

AMERICAN BIOGRAPHY PUBLISHERS.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Waterway from the Mississippi River to the Sabine River, La.: For improvement from Mississippi River to Bayou Teche in accordance with the report submitted in House Document No. 610, Sixty-third Congress, second session, \$100,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement, but this proviso shall not include the acquisition of the rights of any private canal which it might be to the interest of the United States to acquire: completing improvement of Vermilion River, La., and channel to connect the Vermilion River with the inland waterway from the Mississippi River to the Sabine River in accordance with the report submitted in House Document No. 1336, Sixty-second Congress, third session, \$37,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, \$137,500.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. Mr. Chairman, I ask the chairman of the committee how much is involved in that first proposition; that is, Bayou Teche, Miss.? I am asking for information. On page 15 of the document it says \$826,000. Is that the amount?

Mr. SMALL. That is one of the sections of the intercoastal waterway.

Mr. FREAR. That is the amount that is carried in this project?

Mr. SMALL. There are estimates, as the gentleman will see, for several depths. The depth adopted on this section was 5 feet and the estimated cost is \$826,000.

Mr. FREAR. Yes; I thought that was it, but I was not sure.

I want to say in passing, Mr. Chairman, that we quietly sit here listening to the Clerk read these projects for \$100,000, and so on, not knowing that here is an \$826,000 project, a canal or waterway down there in Louisiana, that we are adopting. That is the fault of this kind of a bill. It does not give the country or the House the correct understanding of what is involved in the projects in amount or character. Eight or probably nine or ten times as much will be involved in this before the expenditures are finished as the amount in this bill, and it will never be completed as a 5-foot project, because the next item in an adjoining column, after we get the 5 and 7 foot project, will call for a 9 or 12 foot project. A good authority says, "You can not run any good commerce down there in Texas unless we have a 12-foot channel." No contribution is asked for from the local people. From \$1,000,000 to several million dollars will be

eventually expended for this section of the inland waterway down in Louisiana.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Bayous Vermilion, Nezpique, des Cannes, Plaquemine Brule, and Quene de Tortue, Mermentau River, and Calcasieu River and Pass, La.: The project for Mermentau River and tributaries is hereby extended to include Bayou des Cannes as far up as the Evangeline Bridge in accordance with the report submitted in House Document No. 1591, Sixty-fifth Congress, third session.

Mr. SMALL. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 15, strike out the numerals "1591," at the beginning of line 7, and insert in lieu thereof "1398."

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

The amendment was agreed to.

Mr. MARTIN. Mr. Chairman, I would like to ask the chairman of the committee why this item carries no appropriation?

Mr. SMALL. The reason for that is this: The report which is adopted here recommends that Bayou des Cannes be added to the project of the Mermentau or Nezpique River, so that it becomes part of that project, and any appropriations made therefor may be expended for this particular improvement.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Freeport Harbor, Tex.: Continuing improvement, \$100,000.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 15, strike out the period at the end of line 23, insert in lieu thereof a semicolon, and add the following: "for improvement, \$5,000: *Provided*, That the project in this section may be extended at the discretion of the Secretary of War in accordance with so much of the report submitted in River and Harbor Committee Document No. 3, Sixty-third Congress, first session, as recommended the dredging of the channel across the bar at the mouth of the Colorado River; in all, \$49,000."

Mr. SMALL. Mr. Chairman, the purpose of this amendment is to include in that project the dredging of the bar at the mouth of the Colorado River at an expense of \$5,000. The amount of commerce involved seems to justify the improvement. I have a letter from the Chief of Engineers recommending this amendment, which I will not read but will insert the letter in my remarks.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to insert in his remarks the letter referred to. Is there objection?

There was no objection.

Following is the letter referred to:

JANUARY 4, 1919.

HON. JOHN H. SMALL,

Chairman Committee on Rivers and Harbors,

House of Representatives.

MY DEAR MR. SMALL: 1. In reply to your letter of January 3, 1919, in reference to the improvement of the Colorado River, Tex., I have the honor to say that it appears from information furnished by Judge Mansfield that an important development has taken place near the mouth of this river, and that it is now desired that the improvement should be made simply across the bar at the mouth of the river, so as to afford access to the river; and it is now not deemed essential that the work above the mouth of the river, which also involved the principal part of the cost, should be undertaken.

2. The conditions recommended by the Chief of Engineers in River and Harbor Committee Document No. 3, Sixty-third Congress, first session, apply more particularly to the work above the mouth of the river than at the mouth of the river. It is understood that the condition which involved the construction of a railroad spur to mile 21 has been met by a railroad spur constructed into Matagorda near the mouth of the river. In view of the existing conditions, it does not seem necessary to make the dredging of the channel across the bar subject to the conditions, and it is suggested that the desired improvement could be brought about by amending the item found on page 15, lines 19-21, of the river and harbor bill, as introduced in the House of Representatives, to read substantially as follows:

"Waterway from Galveston to Corpus Christi and channel from Pass Cavallo to Port Lavaca, Tex., for maintenance, \$44,000; for improvement, \$5,000: *Provided*, That the project for this section may be extended at the discretion of the Secretary of War in accordance with so much of the report submitted in River and Harbor Committee Document No. 3, Sixty-third Congress, first session, as recommended the dredging of the channel across the bar at the mouth of the Colorado River; in all, \$49,000."

Very truly, yours,

W. M. BLACK,

Major General, Chief of Engineers,

By H. TAYLOR,

Brigadier General, United States Army.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Red, Black, Ouachita, Tensas, Boeuf, and Saline Rivers, and Bayous Macon, Bartholomew, D'Arbonne, and Corney, Ark. and La.: For maintenance, \$15,000; continuing improvement of Ouachita River in accordance with the report submitted in Rivers and Harbors Committee Document No. 7, Sixty-fifth Congress, second session, \$300,000; in all, \$315,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I desire to speak for a moment on the Ouachita River.

This Government has already appropriated \$4,389,369 for the Ouachita. After deducting the timber and sand that has been floated down the Ouachita we find 28,500 tons carried as actual commerce.

Reading from page 5 of the hearing before the committee on this project, a United States Senator from one of the States traversed by the Ouachita River came before the committee and he said:

Mr. Chairman and gentlemen, it is one of the best river and harbor projects in the United States, and it ought to be carried out in the same good faith with which it was undertaken and the same wise manner with which it was begun in 1902.

Let me state, by the way, that this Senator is at the head of a waterway organization in the United States. The chairman of our Committee on Rivers and Harbors [Mr. SMALL] then said:

Senator, some of these rivers do not seem to have developed the commerce even where a moderate channel was provided. What is the probable effect on Congress if the Ouachita River is developed and the locks and dams completed?

Then the Senator states why there should be commerce, because, he says, there is so much commerce adjacent to both banks of the river. Then the chairman of the Committee on Rivers and Harbors [Mr. SMALL] again says:

That does not always follow. There have been instances where there was a large commerce in the territory contiguous, and yet no water-borne commerce has developed, making it seem evident that the development of water-borne commerce is dependent upon the activities of the people in the sections contiguous.

Now, as I said, bearing in mind that we have already spent over \$4,000,000 during a long period of years on this stream to secure 28,000 tons of commerce, I read from document No. 7, referred to here, which asks for \$360,000 more; but, as I understand it, \$300,000 is contained in the bill. I read from page 2:

The Board of Engineers for Rivers and Harbors believes that the plan proposed is feasible of execution, but that the commerce that could reasonably be expected to use this section of the river, aside from timber that does not require slack water, is not sufficient to justify the cost of the work. It therefore reports that the modified plan is feasible, but not commercially advisable. If, however, Congress decides that it is advisable to continue the improvement and carry slack water up to Camden, the board recommends that the modified plan proposed by the district engineer be adopted rather than the construction of Locks and Dams Nos. 7 and 9.

If then Congress, like the Rivers and Harbors Committee, decides that it is advisable to continue the improvement, the board recommends the adoption of the modified plan. Then the Chief of Engineers says:

After due consideration of the information presented, I concur in the views of the board.

Mr. Chairman, I could present facts in reference to this Ouachita River which it would take an hour to read, but I will simply read from page 4 of House Document 979, a report on a reexamination of the Ouachita River:

The present commerce, consisting largely of timber products, is not extensive, and owing to the character of the adjacent country, which is devoid of large commercial, mining, or manufacturing industries, the river traffic can not reasonably be expected to assume the magnitude considered essential to warrant the construction and maintenance of an expensive system of locks and dams. The question is now complicated, however, by the work already done, and it must be decided to what extent the unexecuted portion of the project should be continued or abandoned.

And the Army engineers all the way through their report suggest the abandonment of the project. They would do it if they could, because, as in the case of the Black Warrior River, you have a case of a very large expenditure with a very insignificant return in the way of commerce. That is one of many similar projects contained in this bill for which we are to pay by the sale of liberty bonds. What excuse can be offered for such expenditures?

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: For maintenance, \$700,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. This is a 200-mile stretch of the Mississippi River on which the Government thus far has spent over \$18,000,000.

Mr. SMALL. How much time does the gentleman desire?

Mr. FREAR. Only five minutes.

Mr. GREEN of Iowa. I should like at least five minutes, and possibly a few minutes more.

Mr. SMALL. Will five minutes be sufficient for the gentleman from Wisconsin?

Mr. FREAR. I can get in on the next item.

Mr. SMALL. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes, the gentleman from Wisconsin to have five minutes, the gentleman from Iowa five minutes—

Mr. GREEN of Iowa. Make it seven minutes.

The CHAIRMAN. The gentleman from Iowa seven minutes and the chairman three minutes. The gentleman from North Carolina asks unanimous consent that debate on the pending paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, after an expenditure of over \$18,000,000, or an appropriation of \$18,466,000, upon this 200-mile stretch of the Mississippi River, we have only a very small amount of traffic, of which I believe the largest item is garbage hauled from the city of St. Louis. This stretch of the river receives, at this rate, \$3,500 a mile.

The next item which you are coming to on the Mississippi River receives \$350 per mile. In other words, this lower part of the river, which is deeper and more navigable, if depth amounts to anything, receives ten times as much per mile as the upper part. Now, what was the purpose of the Army engineers in insisting on this large increase in the appropriation that we have here, after the tremendous expenditure which has already been made? There is in the hands of the Army engineers a balance of \$370,000 available, in addition to this \$700,000 proposed. What are they doing on the river? What have we accomplished there in the nature of traffic? There is a small traffic, but the only place, outside of the lower Mississippi River, where the Government is trying to-day to establish evidence that the Mississippi River is commercially successful is on the upper river, where the committee has given \$350 a mile. The amount given the 200-mile stretch of \$700,000, in addition to the large appropriations in the past, seems beyond reason. Now, what is the proposition you have there? I will read from page 48 of the hearings on inland transportation.

Mr. Goltra, chairman of the Democratic State committee of Missouri, has been receiving contracts, according to his statement, of \$3,600,000; and this is established in the record here in the Engineers' Report, although it does not give his name—for carrying ore on the upper river from St. Paul down to St. Louis to his factory and furnaces. He says he is going to help commerce by taking coal back from the Illinois fields. Here is his proposition to the Government, page 48. He says that the cost per ton per mile for the fleet will be \$1,700,000, that it has cost the Government \$3,360,000, and that that money will cost him 6 per cent per annum on \$283,000. And then he proceeds to determine how he can make it successful at that capitalization. The Government has to pay double that amount—\$3,600,000—and you propose on the upper part of the river to expend \$250,000 and \$700,000 for the stretch from St. Louis down to the mouth.

Mr. GREEN of Iowa. Mr. Chairman, I think it is time that we looked at these projects in a sensible and reasonable light. When we consider the transportation on rivers the first question ought to be whether products can be carried more cheaply than by rail if the improvement is made, and whether this transportation will be desired. If we can answer those questions in reference to the Mississippi River we will solve them in favor of the appropriation.

There is no question in the mind of any engineer but what the Mississippi River could for a reasonable sum be fitted to carry heavy products like coal, iron, and grain at a very reasonable and low rate, probably one-half of what the railroads charge. There is no question but what the products are waiting to be carried and would be offered if the river channel was such that they could be carried by large barges and the boats were there.

What is the trouble? The gentleman from Wisconsin is right in one respect. The trouble is that as soon as we get the river in shape and get boats ready to carry the grain and ore the railroads make a reduced freight rate, so low that the boats are driven off the river. Then we come back to the question why have we no boats? Because no one will construct boats knowing that they will be driven off the river by a lower rate. We have no terminals. Why? People will not construct terminals if terminals are to be made useless by lower freight rates made by the railroads.

Another thing, we do not have suitable control over the railroads so that they are made to connect with water routes. How long is it going to be before the American people will wake up to this state of things? My friend from Wisconsin [Mr. FREAR] thinks this condition is going to last as long as the Nation en-

dures. I do not think it will. I think the people have reached the time when they will stop this practice. The present rail rates are a great burden on business, and there is no prospect that they will be lowered. On the contrary, they are being raised every day.

I remember when a small boy a canal from Chicago to La Salle that did a large business. It was operated at a very low rate, but after the railroad was constructed beside it it carried freight at one-quarter of the rate that it hauled it for the same distance elsewhere. Of course, the people at a distance were made to pay the difference. They were compelled to pay the railroad what it lost on this stretch lying parallel with the canal, and so the canal was driven out of business. It now lies idle, its boats are rotting, its channel out of repair. The people living near by could not ship on it if they would.

Mr. SWITZER. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SWITZER. My recollection is that Mr. Goltra said that give him the fleet that he wanted, and he could carry the ore from Minnesota down to St. Louis in competition with any rates that the railroads might make if sufficient money was appropriated to dredge the upper river, and he said that there was sufficient money appropriated to keep the water in proper condition from St. Louis to St. Paul.

Mr. GREEN of Iowa. I think the gentleman is correct, but I am talking about water transportation in general and the propriety of making use of it in this country. Every gentleman in this House knows that the heavy freight in Europe is carried largely by water. It ought to be carried largely by water in this country; but it is not, for the railroads are permitted to use a system which would ruin anybody who undertakes to compete by water. They can not compete with the rates which the railroads are willing to make. The gentleman from Wisconsin says that if the railroads come back into private control the same system will be kept up. I have no doubt it will be if the railroad managers absolutely control the matter, but I do not believe the American people will longer put up with that situation. They ought not to; there is no reason why they should, and I do not believe they will. In fact it will be our fault if they are compelled to endure it.

Recently, as the gentleman from Pennsylvania [Mr. MOORE] called attention, the Erie Canal was revived, and it was proposed to carry freight at a lower rate than the railroads which paralleled it. For some reason the Director General of Railroads made an order that it should not carry freight at a less rate than the railroads, and thereby limited its capacity and prevented it from carrying any great amount of freight for the reason that the transfer charges would increase the amount necessary to be paid, so that the freight after all was greater than by rail.

Out there in the same State of Illinois we also have another canal called the Hennepin Canal, which has been characterized as one of the greatest failures that ever existed in this country. It was well constructed and is in good condition this day. It was thought that it would do a great business, but it is a failure, so far as commerce upon it is concerned. It cost about \$7,000,000, and it has often been said that this great sum was wasted, because the traffic upon it is insignificant. Yet it runs through one of the most fertile sections of this country and connects the Illinois River with the Mississippi. Paralleling it at a short distance are great trunk lines of railways which have more business offered them than they can properly care for. An immense tonnage of coal, grain, and merchandise passes by the same as if it had never been constructed.

What is the reason? Why does it do no business, passing, as it does, through the most fertile section of the whole United States? The reason is that it has no connection with the railroads at the beginning or end. It practically has no terminals. It was built to connect with the canal I first mentioned, but before completion the railroads had ruined the other, and it was in no condition for traffic. The Hennepin Canal might just as well run from nowhere to nowhere as to be in that situation, because without terminals and without the railroads being compelled to turn over to it the freight on reasonable conditions it could not get the freight.

The CHAIRMAN. The time of the gentleman from Iowa has expired. There are two minutes remaining in control of the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, would the gentleman from Iowa like the remaining two minutes?

Mr. GREEN of Iowa. Yes.

Mr. SMALL. I yield them to the gentleman.

Mr. GREEN of Iowa. At the eastern end of this canal there are located within a very few miles some of the greatest coal mines in the country, and if that coal could be gotten down to

the canal at any reasonable cost—and there is no reason why it should not, except that the railroads would not transport it at any reasonable price, and because there are no terminal facilities to handle it—the canal would do an enormous business in coal alone, provided there were terminals at the other end. In the other direction the world's garden spot—my own State—could furnish millions of bushels of grain to be carried eastward. But there is no way to get grain to the canal, and people hesitate to build terminals under such circumstances. They realize that the railroad would soon take the business away from the canal if the traffic was created. What, then, is the solution of the problem which arises? I answer that if we are to make this water traffic successful, if we are to justify these expenses, we must necessarily follow this legislation with other legislation when the proper time comes, when the question of the railroads going back to private control or the question of their remaining in public control comes before us, and then we must make provisions for the construction of terminals, we must provide that railroads shall not so lower their rates as to drive transportation from the rivers and the canal. In that way we will build up in this country, as we ought to have built up long ago, a great water-borne commerce, by which this heavy freight, the thousands of tons of iron and coal and grain that now clog our railroads and absorb our transportation systems, may be handled at the cheapest and lowest rates every known. [Applause.]

The Clerk read as follows:

Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, \$250,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I can agree, and I presume the House will agree, with practically all that the gentleman from Iowa [Mr. GREEN] has just said. We are all agreed, providing you will utilize these rivers. I might be presumed to be more interested in the upper Mississippi River traffic than any other proposition that can be found, because it goes by my district, but it has no traffic. There is going to be no traffic there unless you do something to occasion it. The gentleman says, let us go on and look after the railroads. We have this same argument made year after year on the floor of the House. We are always going to do something with the railroads. What have we ever done? What proposition has ever come? Now comes the proposition of giving the railroads back to private individuals. Why not make minimum rates so as to prevent localities from having the especial advantages they have now? The favored localities will not stand for that. How are you going to prevent this railroad discrimination which drives traffic from the river? I believe we ought to, and we could do it if we did it like Germany or France, or other countries do, but we gag a little at that proposition. Mr. McAdoo said a few days ago that unless you continue the five-year proposition to control the railroads all of this money that is being put into the waterways is wasted; that is, for these barges and boats that are being built. On page 1158 of the 1918 Engineer's Report we find the statement that in view of the overtaxed condition of railroad transportation and the proposed greater utilization of rivers to relieve the railroads, the board of trustees of the Emergency Fleet Corporation have authorized the expenditure of \$3,600,000 for the construction of 4 river towboats and 24 river barges for carrying iron ore, coal, and oil on the Mississippi River. That is the Goltra contract for his steel concern. That is the statement of the Army engineers. My statement was questioned a moment ago. It does not mention Mr. Goltra, but it mentions him here in the other report. He is going to get this for his private business project. It is not for the public at large, but he gets it for his own use. The gentleman referred to the Minneapolis project, which requires only \$6,000. It appears the Army engineers make this statement on that project, that it is improbable—and I think that is the term, "improbable," they use—that any use of this river can be established for traffic in coal. They were expecting it, of course, for the use of coal alone. Whether Mr. Goltra can make a success of it or not the country does not know, but we are going at this effort only piecemeal, a little here and a little there, in experiments, and we are putting an enormous sum of money into the Mississippi River—\$150,000,000, as I said, in the Mississippi River. Let us control the railroads. Let us say to them, "You can not drive this water traffic off," as they do in other countries. Why not do that? You have never heard such a proposition coming on the floor of this House. I hope it will come, and if all this agitation will result in something like that, so that we will increase the river transportation, it will be time for congratulations.

The gentleman spoke of the Hennepin Canal. We have spent \$7,566,000 for the Hennepin Canal. What is its traffic? About 5,000 tons. That is to be found on page 2729 of the report. I

refer to it immediately because I remember that canal. We have got to do more than talk on the floor of the House. We have got to do something in the form of actual legislation; and the gentleman, I know, feels with me that it is time we do something to cause these rivers to be used or else stop appropriations. That is why I say we are appropriating \$700,000 for the lower reach of the river when it does not need it. It seems to me that the Government is taking the chances in Goltra's case without anything to protect it.

Mr. McKENZIE. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McKENZIE: In line 12, page 17, after the figures "\$250,000," insert the following:
 "Provided, That not to exceed the sum of \$5,000 of said money may be expended in the raising of the wing dam used as a ferry landing at Fulton, Ill., said improvement to be made with the approval and under the supervision of the Chief of Engineers."

Mr. McKENZIE. Mr. Chairman, I do not care to take up the time of the committee to discuss this amendment. I understand that the chairman of the committee and the other members to whom I have submitted it have no objection to it, and therefore I feel that it would be an imposition upon the committee at this time to make a speech. I ask for a vote.

Mr. SMALL. Will the gentleman state the extent to which it has the approval of the Chief of Engineers?

Mr. McKENZIE. Mr. Chairman, I will make this statement, and I presume, in justice to the Chief of Engineers, I ought to make it. This is a matter that came to my attention very recently. The purpose of it is to raise the wing dam that was constructed in the river some years ago for the purpose of controlling the channel and deepening it at that point for a depth of 6 feet. Since that time this wing dam, or rather the river, has filled up to such an extent that the teams can not get out to the end which is the ferry landing at certain seasons of the year—the ferry landing is at this point, as I understand it—when the water is low, and it is necessary to have this raised. It has not been generally customary for the War Department to make these improvements, unless there was some special authorization of Congress, and I submitted this matter only this morning to the Chief of Engineers, Gen. Taylor, and he said that he could not give a written approval as to the project or the amendment, not having had any investigation made, but that if Congress saw fit to do this, of course they would carry out the direction of Congress. I want simply to say this, gentlemen of the committee, that this does not increase the appropriation. It simply provides that out of the sum of \$250,000 for the improvement of this stretch of the Mississippi that not to exceed \$5,000 of it shall be used for the purpose of raising this wing dam, so as to have this saving to the people of the city of Fulton. That is all there is in the amendment.

Mr. SMALL. Mr. Chairman, the committee accepts the amendment.

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

Mr. FESS. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record by printing that address which I delivered in New York on the railroad problem.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Missouri River: For maintenance and continuing improvement with a view to securing a permanent 6-foot channel between Kansas City, Kans., from the upper end of Quindaro Bend, and the mouth of the river, \$400,000; for maintenance between Kansas City and Sioux City, \$10,000; in all, \$410,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I observe that only \$10,000—I have not the item right before me, but I so understood the Clerk to read it—is allowed for the maintenance from Kansas City to Sioux City, a distance of several hundred miles. Is there any unexpended balance there or is that all that is intended to be allowed?

Mr. SMALL. About \$37,000 is on hand. The Chief of Engineers reports that with this appropriation and the available balance the work contemplated can be carried out.

Mr. GREEN of Iowa. Well, I think possibly that is so, but I was not aware of this unexpended balance in that amount. I still think that is pretty small, because you must remember that river takes very quick movement along that stretch of towns and threatens not only existing channels but existing towns in its changes.

Mr. FREAR. Mr. Chairman, I move to strike out the last two words. The stretch of river of which the gentleman from Iowa was just speaking carried last year 6,000 tons 30 miles.

I have forgotten the exact amount we have spent on it, but we have spent on the Missouri River \$22,923,359. This 400-mile project has had \$16,913,000, and we are going to expend \$12,200,000 more in order to complete this project on the river. The commerce—

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FREAR. The gentleman is getting to be very enthusiastic as to rivers this year. It is all right, but I wish to make my statement first, then I will yield. The commerce on this river, after deducting sand, all 1 mile, was 14,436 tons. Think of it? Now, let me read from the report of the Army engineer on this and see what he has to say about it only three years ago. I will read from page 12 of the Engineer's report, from Herbert Deakne, lieutenant colonel, Corps of Engineers. He says:

From the foregoing considerations I am of the opinion that the present and reasonably prospective commerce on the Missouri River between Kansas City and the mouth is not sufficient to warrant the continuance of the present project. I think the snagging should be continued, so that commerce may have the advantage of the natural depth of the river and the river shall not be allowed to become entirely obstructed. Any attempt at partial improvement seems futile, because the draft of boats, and therefore their cargoes, will be determined by the least existing depth. If the river is improved at all, the work should be complete as to protection of banks and control of channel.

He recommends \$40,000 a year. Following that let me read from Col. Townsend, who is the head of the Mississippi River improvement, on page 13, where he says:

Instead of scattering appropriations over the entire western territory, a channel of 8 or 9 feet depth should first be provided from Chicago to New Orleans and the offer of assistance in the construction of a canal along the Des Plaines River from the State of Illinois accepted. An opportunity should then be afforded the American people to determine whether they want highways, not by rhetorical efforts in river conventions, but by a practical utilization of the channel thus afforded.

Listen to this, please. Here is the engineer's report:

An opportunity should then be afforded the American people to determine whether they want waterways, not by rhetorical efforts in river conventions, but by a practical utilization of the channel thus afforded. Until such revival occurs appropriations on the tributaries should be confined to maintaining the existing status.

He recommends \$150,000 for the appropriation for snagging, and, of course, he was overridden. As Gen. Taylor said to the committee, when he went up the river he saw the boat line there, and he said the board decided if those people were willing to make some investment we ought to do something for it. So the board overruled the engineer. Then this boat line was taken off the river.

I now yield to the gentleman from Iowa [Mr. GREEN] for a question, because I imagine what is coming.

Mr. GREEN of Iowa. I do not think the gentleman is as good a mind reader as that. I do not think he should get up here and say that he assumes that I would support a certain project which he mentions, when I was supporting a project from Kansas City to Sioux City. It is for simply maintaining the banks.

Mr. FREAR. We have got 6,000 tons of commerce there after all the years of improvement on the upper part.

Let me say this, that, according to the report, early in the fall the company laid up the boats for the winter, and that is the time that we had the 14,000 tons of commerce. We have spent \$22,000,000 on the Missouri River. This bill carries \$400,000 more.

Mr. WOOD of Indiana. Mr. Chairman, I move to strike out the last word.

Mr. SMALL. If the gentleman will permit me, how much time does the gentleman from Indiana desire?

Mr. WOOD of Indiana. I would like to have 10 minutes.

Mr. SMALL. Can not the gentleman conclude in five?

Mr. WOOD of Indiana. All right. I will extend my remarks.

Mr. SMALL. Mr. Chairman, I wish to move that all debate on this paragraph and amendments thereto close in 10 minutes, 5 minutes to be consumed by the gentleman from Indiana and 5 minutes by the gentleman from Missouri [Mr. BOOHER].

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

Mr. WOOD of Indiana. Mr. Chairman, I desire to call the attention of the gentlemen of the committee to a memorial which I expect every Member of Congress has received. I am prompted to do this by much that has been said in argument here concerning the value of these canals and waterways, and concerning what has been said about their being of no use because the railroads of this country have prevented their being made useful by the controlling of their rates, and so forth.

The State of New York, with considerable vision at the time when the canals of other States were being abandoned, saw to it that their canals were preserved. It took them over. They became a part of the property of the State. The State of New York has expended \$429,000,000 in keeping them up, has made their use absolutely free, not only to the citizens of the State of

New York but also to anyone else that desires to use them. When this war broke out the State of New York, having control of these canals and thinking to do the patriotic thing, tendered them to the Government. The tender was accepted; but instead of their being used as it was intended they should be used, to relieve the congested condition then existing and which has since existed, they were absolutely rendered useless by reason of the fact that the Director General of Railroads prevented their being used for carrying any character of freight, especially to the West. And when a committee from the State of New York came here to ascertain why he had taken that action he said it was because "they would fix any kind of an old rate" in carrying their freight to the West, and it would materially interfere with the receipts that the railroads ought to receive for carrying this freight.

Mr. MOORE of Pennsylvania. If the gentleman will pardon me, in carrying grain to the East.

Mr. WOOD of Indiana. And also in carrying grain to the East.

Now, the result of that has been that these canals are not being used, because the Director General still insists upon controlling them, and he still insists on prohibiting the carrying of freight there. It has resulted, if you please, not only in the people being prevented from getting their freight as they otherwise would have gotten it, and were getting it before, along the line of these canals, resulting in great hardship in many places, but where they are getting it by means of the railroads they are being compelled to pay largely excess rates. And one instance is given where the people along the upper end of some of these canals are being compelled now to pay a dollar a ton more for their coal that is delivered upon the railroad than they would be compelled to pay for it if it were permitted to be delivered by these canals.

This is a very instructive memorial. It is addressed to the Congress of the United States, it is addressed to the Interstate Commerce Commission, and it is addressed, if you please, to the Director General of Railroads himself, and it is praying the Congress of the United States for relief against this condition. It occurs to me, gentlemen, that this is a good time for this to be brought to the consideration of every Member of this Congress, and in order that it may be had in detail and read by the Members in detail I ask to extend my remarks by making this memorial a part of them.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks by printing the memorial referred to. Is there objection? [After a pause.] The Chair hears none.

The following is a copy of the memorial referred to:

NEW YORK'S CANALS.

A statement and memorial addressed to the Congress of the United States, the Interstate Commerce Commission, the United States Railroad Administration, the governor of the State of New York, the Legislature of the State of New York, the Public Service Commission of the second district of New York.

For nearly a century the canals of New York State have contributed in a substantial measure to the prosperity of the whole country.

FAST EXPENDITURES BY NEW YORK.

Since the inception of the Erie Canal in 1810 the State of New York has expended for these canals the sum of \$429,800,000 entirely from its own resources. Of this sum it has expended \$154,800,000 since 1903 in order to rehabilitate the canals as an efficient factor in transportation.

These canals when thus rehabilitated and modernized were officially opened to commerce in the month of May, 1918.

USE OF CANALS FREE.

They were offered by the State free of tolls or any charge whatever for the use of commerce to anyone; any firm or corporation, except the railroads, to operate boats upon them to carry their own property or the property of others. This privilege was made as free to the people, the boats, and the freight of all other States as it was to the people of New York and their freight.

MILLIONS OF TONS OF FREIGHT.

In August, 1917, after the United States entered the war, the governor and the Legislature of the State of New York invited the United States Government to use these canals to relieve the congestion upon the railroads and to transport supplies to the seaboard for the Government and its allies. If preparation had been made by promptly building the necessary boats, millions of tons of freight could have been carried upon these canals during the season of 1918.

The Federal Government made no such preparation, but in May, 1918, took over the operation of navigation upon these canals as a war measure.

KILLED CANAL LINES, THEN REFUSED FREIGHT.

The Railroad Administration having no boats set about to acquire the control of the usable boats which had been operated upon the canals. The boats of transportation lines which had been operating upon these canals for many years were taken and such lines were driven out of business. The freight which had been waiting transportation by these lines, with the exception of one line, was refused, and the boats were sent empty to Buffalo.

CANAL COMPETITION STOPPED.

The Director General's explanation of this procedure to a committee of New York State business men in Washington on the morning of Friday, October 25, 1918, was that the Railroad Administration had made some calculations of the effect that would be produced by taking the freight west in these boats "at any old rate," which meant the lower canal rate, and it had been decided best to send the boats empty, because if the freight was carried by canal the railroad revenues would be reduced.

CANALS WERE TO MAINTAIN COMPETITION.

The purpose of New York in constructing, enlarging, maintaining, and operating these canals was to provide a means of transportation for all kinds of merchandise and other freight, all of which could be carried cheaper and quicker by water than by rail. It was the purpose to give the business interests and industries of the country the benefit of the lower freight rate and the benefits which would be derived from canal competition.

RAILROADS NOT PERMITTED TO OPERATE BOATS.

The State of New York, in order to insure such competition, enacted a law on June 9, 1917, known as the "Interchange of traffic act" (chap. 805 of the Laws of 1917), which prohibited railroads operating boats upon the canals. This law was enacted because it was foreseen that if railroads were permitted to operate boats upon the canals, backed by the capital of the railroads, they would discourage private enterprise and private capital would not venture to build and operate boats upon the canals and measure strength in an unequal battle with the preponderant capital of the trunk lines of railroad when also operating boats on the canal.

RAILROAD CONTROL OF CANALS FEARED.

It was foreseen that if railroads were permitted to operate boats upon these canals the railroads would dominate and drive the smaller independent canal carrier off the canals and control canal rates. It was foreseen, also, that the rates on the canals would then cease to be competitive with rail rates, and the canals, under these circumstances, would be of no real value to this State or other States in fostering their commerce and manufactures, and the vast sums of money expended upon these canals would be wasted.

PANAMA CANAL DENIED TO RAILROAD SHIPS.

This policy of the State of New York in preventing the railroads from operating boats upon the New York canals was previously adopted by the Congress of the United States with respect to the Panama Canal.

When the Panama Canal was nearing completion it was seen that if railroads were permitted to operate steamship lines through the Panama Canal the railroad-owned ships would ultimately drive off all other ships and dominate that canal, and then, being without competition, would make the freight rates thereon so as to nullify all of its advantages as a route of cheap transportation between the Atlantic and Pacific coasts of the country, and the Panama Canal would not then be in any degree a regulator of transcontinental rail rates.

Congress in the Panama Canal act passed August 24, 1912, therefore, prohibited railroad-owned steamships from using the Panama Canal.

CONGRESS FOSTERS WATER LINES.

Moreover, in the same act Congress amended the interstate commerce act and gave the Interstate Commerce Commission full power to compel the interchange of traffic everywhere throughout the country between rail lines and water lines on through shipments, to make through rates via rail and water lines on through bills of lading, to declare the proper division of such rates to which the rail and water carriers would be entitled on such shipments, and to compel the making of physical connections between rail lines and water lines, and to assess the cost of same equitably upon such lines.

POLICY OF CONGRESS NULLIFIED BY RAILROAD ADMINISTRATION.

It was clearly the policy of Congress, as expressed in this law, to encourage transportation by water lines, to insure competition between rail and water lines, and to prevent the railroads from throttling water competition. This act has not been repealed and it is now the law, although wholly nullified by the United States Railroad Administration acting under the power it has assumed to possess over transportation given it as a war measure.

CANALS CONSIGNED TO DISUSE.

The State of New York invited the United States Government to use the canals to their maximum capacity. The United States Railroad Administration assumed the control of navigation upon these canals and then diverted the normal traffic from them to the railroads. The Director General's explanation that to use the canals would reduce railroad revenues does not justify taking them under his control and then adopting a policy consigning them to disuse.

INCREASED THE COST OF COAL.

The New York superintendent of public works recently stated that coal transported to northern New York and Canada during the past season has been carried by railroads paralleling the Champlain Canal at a cost of a dollar per ton more to the consumer than if carried by the canal, where necessary boats were available but consigned to idleness. The tonnage carried on the Erie Canal during the season of 1918 has been smaller than in any year since 1826, when the original canal was opened.

TRANSPORTATION SYSTEMS TO SERVE PUBLIC.

In its report issued December 1, 1918, the Interstate Commerce Commission, in discussing the policy which should be pursued, said: "Whatever line of policy is determined upon, the fundamental aim or purpose should be to secure transportation systems that will be adequate for the Nation's needs even in time of national stress or peril, and that will furnish to the public safe, adequate, and efficient transportation at the lowest cost consistent with that service. To this end there should be provision for * * * development and encouragement of inland waterways and coordination of rail and water transportation systems." In other words, our transportation systems should be operated to serve the public and not primarily to enhance corporate revenues.

CONGRESS APPROVED COMPETITIVE PRINCIPLE.

In a communication to Congress December 5, 1917, the Interstate Commerce Commission also said: "The railroads of the country came into being under the stimulus of competition. From the outset their operation and development have been responsive to a competition which has grown with the growth of population and industry. This competitive influence has been jealously guarded and fostered by State laws

and constitutions as well as by the Federal law. * * * Congress, accepting the competitive principle as salutary, has thrown about it prohibitions against compacts, etc., * * * and, while the original act is but the nucleus of the act we now administer, that prohibition has remained unchanged."

NEW YORK SUPPLEMENTS NATIONAL POLICY.

The purpose of the State of New York in constructing and maintaining her canals, therefore, has been in entire harmony with a long-established national policy and supplemental to such national policy.

CANALS A BOON TO WHOLE COUNTRY.

Many people outside of New York do not yet understand either the motives of New York or the value of these canals to the country at large. They have assumed that the vast expenditures made by New York for her canals were made from purely selfish motives. This is not a correct view; for, while New York, along with the other States, has been greatly benefited by these canals and expects to be benefited by them in the future, New York knows that she has conferred a boon of inestimable value upon the whole country.

INFLUENCE OF NEW YORK'S CANALS.

Relating to the influence of New York's canals, nothing more convincing should be needed than the testimony of Mr. Albert Fink, some time commissioner for the several trunk lines of railroad, and the testimony of Mr. George R. Blanchard, some time vice president of the Erie Railroad Co., the most eminent railroad authorities of their time.

Mr. Blanchard (testimony, p. 2840, New York Assembly Document No. 38, 1880) said:

"The State holds within its grasp the great controller of the freight rate within its borders, to wit, the canal; there is not a town that is not affected more or less within this whole State, from the extreme northeast to the extreme southwest corner of it, by the canal policy and rates of this State. Every rate we make to or from Buffalo in competition with the Erie Canal has more or less influence to every point this side of Buffalo.

"I might use an illustration upon the west end of our line, for instance, Salamanca, upon the Dunkirk division; the rate to that point is limited by the canal rates and the rates upon Lake Erie to Dunkirk, plus the railroad rate back to Salamanca, which is not upon the line of the canal; it is remote from it; it is upon the southern border, but we are limited to the lower of the rates I have cited. Still further, if the canal makes a rate to Buffalo, and if we make the rate to Buffalo to compete with the canal, the rate being only 3 cents per 100 pounds more to stations on our western division by the tariff I have submitted than to Buffalo, the rate immediately falls down to within 3 cents of the Buffalo rate which is made by the canal, and in this way the canal influences our rates where it does not limit them."

REGULATES THE RATES OF THE WHOLE COUNTRY.

Mr. Fink (testimony, p. 530, New York Assembly Doc. No. 38, 1880) said:

"That whenever a reduction is made in the rail rate from Chicago to New York, occasioned by lake and canal competition, that that reduction extends to Louisville, Nashville, and Savannah.

"It extends to every point of the country, I might say; to-day, when they charge 10 cents or 12 cents a hundred from Chicago to New York, the steamship lines from here to Savannah take up that freight and carry it for 15 cents from here to Savannah, making a rate from Chicago to Savannah of 25 cents; the regular rate from Chicago to Savannah by railroads may be at the same time 50, 60, 70, or 80 cents; they have to come down and conform to the water rate; the rate in Savannah determines again the rate in Atlanta; Atlanta is perhaps the most interior of all towns in the country, and generally gets the highest rates on that account; they carry their freight for nothing, from Chicago to New York almost, and then from here by water to Savannah and then carry the short distance from Savannah up to Atlanta themselves—that is 200 miles—and the other rail lines that work from Chicago to Nashville, Louisville, Chattanooga, and Atlanta have simply to conform to the rates that the steamship lines and the rail lines from Chicago and New York make; thus the lake navigation and canal navigation regulate the rates of the whole country, you may say, from Canada down to the Gulf."

2,000 MILES INLAND VIA ERIE CANAL.

It must be borne in mind that the New York canals, extending across the State of New York from the Hudson River to the Great Lakes, complete the link in water transportation extending nearly 2,000 miles inland from the Atlantic Ocean toward the Pacific coast, so that the vast territory of the United States, even west of the Mississippi River, is advantageously affected by the transportation of the Erie Canal.

AN AMAZING FACT.

This may be seen by a single illustration. Lumber from the north-west Pacific coast, under normal conditions, may be carried by ship via the Panama Canal to New York and thence via the Hudson River, Erie Canal, and Great Lakes, and thence via rail points on an average of 500 miles west of the Mississippi River before the cost of such transportation will equal the cost via rail direct from the Pacific coast to the same points.

THE CANALS PARALYZED.

Notwithstanding these inestimable advantages of the New York canals to the whole country we have seen them during the past season paralyzed and rendered almost useless in order that railroad revenues should be increased.

THE FATAL STROKE OF A PEN.

To accomplish this practical destruction of water competition, if it could have been done unaided by the Railroad Administration, would have cost the railroads many millions of dollars by reducing their rates to a destructively competitive basis, or low enough to drive the canals out of business. But this could not have been done without also bankrupting the competing railroads. It has been done without loss to the railroads, and, so to speak, by the stroke of the pen of the Director General of Railroads, when he adopted the policy and signed the order to route all freight by railroad that the rails could carry. It was done when the Director General of Railroads adopted the policy that freight should not be routed via the canal because, as he explains, it would disorganize the railroad tariffs of the country and reduce railroad revenues. The paralysis of the canals was made doubly sure when canal rates were placed upon and maintained at a practical parity with rail rates.

ROUTES ALL FREIGHT VIA RAIL.

It was manifestly an utterly empty assurance which the Director General of Railroads gave to the business men of the State of New York on the 25th of last October, in Washington, that anyone may put

boats upon the canals and operate them with full confidence that the Railroad Administration would not interfere with their operation or their rates, and when he guaranteed that such boats would not be commandeered. It will be seen at once that having the power to route all freight via rail, and exercising that power, there would be no disturbances of rail rates through canal competition and no reduction of railroad revenues, for there would be no freight for canal boats to carry and no boats to carry it.

RAILROAD DOMINATION OF CANALS REALIZED.

It will also be seen how all of the dangers which were foreseen from railroad domination of the canals, hereinbefore referred to, have been realized to their fullest extent by the domination of the canals by the railroads through the arbitrary intervention of the United States Railroad Administration.

COUNTRY-WIDE DEVELOPMENTS BLIGHTED.

The Railroad Administration has thus arbitrarily reversed policies and principles long time established by wisdom, honored by consent, pledged by custom, and confirmed and guaranteed by the laws of the United States and of the separate States, upon the supposed permanence and inviolability of which stupendous industrial investments have been based, made, and progressively enlarged, and from which unparalleled developments have resulted throughout the country, now to be blighted or destroyed.

It is not conceivable that Congress ever intended to confer the power upon the Railroad Administration to so arbitrarily and effectually destroy water competition, or that Congress did ever consent to the paralyzing of one of the chief lines of water transportation in order that railroad revenues should be increased. The Panama Canal act of recent enactment, herein referred to, provided means to perpetuate and insure water competition, and Congress in recent years has been exceedingly generous in the appropriations made for rivers and harbors.

EXCEEDED POWER CONFERRED.

It is clear that the power exercised by the Railroad Administration to route all freight at will was not intended to apply to water lines and to permit the diversion of freight from water lines. It is clear that Congress did not contemplate or intend that the power to route freight should apply to freight intended by the shipper for water lines, or that such power should be so exercised as to prevent a shipper using a water line if he desired to do so. It is not conceivable that Congress intended to sanction the arbitrary routing of coal to northern New York and Canada by railroad at a cost of \$1 per ton more to the consumer than if routed by a paralleling canal when idle boats were available.

CONGRESS INTENDED TO RELIEVE RAILROADS.

The act was passed by Congress at a time when the railroads of the country were badly congested and freight was awaiting transportation, when the industries of the country were being sadly hampered thereby and the supplies for the armies and peoples of our allies were being delayed; and, moreover, it was necessary to prepare the railroads at once to quickly transport our own troops and the supplies intended for them abroad and for the many camps and cantonments in this country. Manifestly, Congress did not intend that, under such conditions, the law it passed should be so construed that freight intended for water lines would be arbitrarily shunted on to these railroads, the congestion of which Congress intended the law to relieve.

ARBITRARY WAR POWERS NO LONGER NECESSARY.

The war is now over, and the exercise of these arbitrary war powers is no longer necessary and should no longer be indulged or permitted by the Railroad Administration whatever its motives or explanations may have been.

WAR POWERS WOULD CONTINUE TO PARALYZE.

The arbitrary power exercised by the Railroad Administration to route freight from the canals to the railroads has paralyzed the canals during the past season and will continue to do so in coming seasons if such exercise of power be permitted to continue. Under these conditions neither private enterprise nor the State will attempt to embark in canal transportation, for the business of the canals would depend wholly upon the caprice of the Railroad Administration.

WHOLE COUNTRY AFFECTED.

Vast interests in many of the States are seriously injured by the paralysis of these canals, while in New England, on the Atlantic coast, on the Pacific coast, all the States contiguous to the Great Lakes, all the States of the central and northwest, and most of the States of the Mississippi Valley, would be greatly benefited by the maximum use of the New York canals, and the entire country would be materially advantaged.

RAILROAD ADMINISTRATION SHOULD RENOUNCE POWER TO ROUTE FREIGHT FROM THE CANALS.

The material welfare of the country demands that the United States Railroad Administration shall at once and publicly renounce all claim to power under the law to route freight from the canals to the railroads, and shall at once make it known that shippers desiring to use the canals in the coming season of navigation of 1919 may prepare to do so, and that persons desiring to enter the transportation business upon the canals may be given time to prepare therefor with the assurance that freight which shippers desire to send by the canals shall be permitted to be so carried.

CONGRESS PETITIONED TO AMEND LAW.

We respectfully but earnestly appeal to and petition the Congress to at once amend the law so that the Railroad Administration shall cease to route freight from the canals, and so that shippers may be permitted to direct their freight by canal and take advantage of the lower water rate.

NEW YORK'S GOVERNOR AND LEGISLATURE PETITIONED TO ACT.

We respectfully petition the governor and the Legislature of the State of New York to take such steps as in their wisdom may be necessary and proper to restore the canals to their former and normal freedom from restraint.

INTERSTATE COMMERCE COMMISSION AND PUBLIC SERVICE COMMISSION PETITIONED TO ACT.

We respectfully petition the Interstate Commerce Commission and the public-service commission of the second district to take such measures as are provided to be taken under the amended interstate-commerce act and the law of this State, respectively, to establish physical connections between rail and water lines and to carry into effect the purpose of such

laws that a free interchange of traffic between rail and water lines shall be established, and through shipments made practicable on through bill of lading to or from points beyond the canal terminals.

Respectfully submitted,

MARCUS H. TRACY, *Chairman*,
FRANK BRAINARD,
FREDERICK R. GILLESPIE,
EDWARD S. WALSH,
Canal Committee, New York Board of Trade and Transportation.
FRANK S. GARDNER, *Secretary*,
293 Broadway.

Approved by:

CHARLES F. MACLEAN,
Chairman Executive Committee,
New York State Barge Canal Conference.

NEW YORK, December 30, 1918.

The CHAIRMAN. The gentleman from Missouri [Mr. BOOHER] is recognized.

Mr. BOOHER. Mr. Chairman, I do not propose now to enter into any extended reply to the statement of my friend from Wisconsin [Mr. FREAR] as to the Missouri River improvement.

The gentleman from Wisconsin said the boat line had been taken off the river from Kansas City to St. Louis. That is true, but he did not tell the House, as I think he ought to have done, that the boat line was taken off because the railroad department commandeered the boats, and all the boats but one were taken over by the Government and taken to the lower Mississippi and put to work there on Government work. But the Secretary of War, before he permitted those boats to be taken off, required an agreement to be made with the boat companies of Kansas City to the effect that the boats would be put back after the war. They made that agreement, and they are acting on it in good faith; and in order that the president of this company and the company itself may be set right before the House and before the country, I ask permission, Mr. Chairman, to print as a part of my remarks the remarks of Mr. Dickey, the president of the Kansas City Boat Co., made before the House Committee on Rivers and Harbors a few days ago. It is a concise and clear statement of the intention of the company to replace their lines whenever they can get the material and whenever the time comes for them to do it.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks by printing the remarks indicated. Is there objection?

There was no objection.

Following is the statement referred to:

STATEMENT OF MR. WALTER S. DICKEY.

It is the intention of the company, when the improvement shall have proceeded (the war emergency is over and normal conditions prevail), to put that capital back into boat construction of a larger and more modern type to utilize the channel of the river. At the present time, since September, we have had no operation on the river. This season, however, because of the low water and ice, we would not be operating in any event. We usually closed about this time of the year—about the 1st of December.

The CHAIRMAN. Will you kindly state a little more fully, Mr. Dickey, the intentions of your company—

Mr. DICKEY. As I say, this matter was—

The CHAIRMAN (continuing). As to building another fleet of boats and resuming traffic.

Mr. DICKEY. Of course, I am not authorized to bind the company in any sense, but at the directors' meeting, when Mr. Sanders approached us about the purchase of these boats, this whole question was reviewed, and those present at the meeting expressed to him the hope, the expectation, and the determination that if he took the craft, as soon as river improvements had continued to such a point as to make it desirable and advantageous to proceed, and after the war, it was the intention of the company to continue to operate and to reengage in freight traffic on the river with new boats.

Mr. KENNEDY. But you have no plans at present for providing a new fleet?

Mr. DICKEY. Oh, yes; we have plans.

Mr. KENNEDY. I mean you have taken no action?

Mr. DICKEY. No; we have let no contracts or anything of that kind. We could not get steel now if we wanted it, or at least we could not get even a promise of it until the last two or three days.

Mr. KENNEDY. As I recall, the manager of the company, who was before the committee last year, stated the line had been a losing proposition; is that correct?

Mr. DICKEY. The line has been a losing proposition; there is no water to make it profitable. When the channel is in that condition on account of lack of water, lack of improvements, we could only load to about one-half of our capacity.

Mr. LEA. Was there an abundance of freight, so far as your boats could handle it?

Mr. DICKEY. We always had full loads upstream; not always downstream. But in seasons when we had no water, on account of the movement of bulky commodities and we had downstream loads, we always did our best, and had the best results.

Mr. LEA. How long would it take to rebuild those boats after the construction is determined upon?

Mr. DICKEY. So far as we are concerned, the construction design is already made. We have had in our employ for several years a naval architect studying those things and making plans, and we have the plans, blue prints, and specifications, and it would take, as Mr. Tomlinson outlined to you a few moments ago, somewhere between 7 and 10 months to get power boats built. I think the time would be lessened now, but any time in the last three or four months that is about the best you could get in the way of a promise from the builders.

Mr. LEA. How did your rates compare with rail rates between the main points?

Mr. DICKEY. For all the time we were in operation, for the eight or nine years, our rates uniformly were 20 per cent less than the rail rates, whatever it might be, and on all classes of commodities and on all quantities, car lots and less than car lots.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair would state to the gentleman from Kansas that the debate is exhausted on this paragraph.

Mr. RAKER. The gentleman can have an opportunity on the next paragraph.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Osage and Gasconade Rivers, Mo., and Kansas River, Kans.: For maintenance, \$2,000.

Mr. FREAR. Mr. Chairman, I understand that what the gentleman from Missouri [Mr. BOOHER] said is correct, but I want to call attention to page 2225 of the Engineer's Report, where it is stated—

Mr. BOOHER. Mr. Chairman, I make the point of order that the gentleman is not in order. That paragraph has been passed.

Mr. FREAR. Oh, the gentleman will surely permit me to supplement his statement. I did not move to strike out the paragraph or anything. I am simply adding to that to explain that.

Mr. BOOHER. I do not think it needs explanation.

Mr. FREAR. I think it does need explanation.

Mr. BOOHER. I make the point of order that the gentleman is not in order.

Mr. FREAR. I am talking about this paragraph right here. This is a Missouri River paragraph, and there is a boat line on the adjoining river.

Mr. BOOHER. The gentleman is talking about the Osage and Gasconade.

Mr. FREAR. The gentleman from Missouri took nearly 10 minutes of my time when I was on the floor, and I yielded to him time after time.

Mr. BOOHER. Wait! Wait! You are going too fast. [Laughter.] I will withdraw the point of order and consent to the gentleman proceeding in a minute, if he will stop.

Mr. FREAR. I quote from page 2225:

Early in the fall the Kansas City (Mo.) Navigation Co. laid up their boats for the winter—

That was before the Government took them over—
and the amount of traffic that year was 4,446 tons—

After you deduct the sand.

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

The Clerk read as follows:

Cumberland River, Tenn. and Ky.: For improvement above Nashville in accordance with the report submitted in Rivers and Harbors Committee Document No. 10, Sixty-third Congress, second session, and subject to the conditions set forth in said document, \$340,000: *Provided*, That assurances satisfactory to the Secretary of War shall be given that local interests will provide sufficient areas of water front and suitable water terminals at all towns or landings adequate for the traffic and which shall be open to the public equally and on terms satisfactory to the Secretary of War.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. SMALL. Mr. Chairman, if the gentleman will permit an interruption, I desire to submit a request for unanimous consent. I ask unanimous consent that debate on this paragraph and amendments thereto close in 10 minutes, 5 to be used by the gentleman from Wisconsin [Mr. FREAR] and 5 by the gentleman from Tennessee [Mr. HULL].

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes, to be used as indicated. Is there objection?

Mr. POWERS. Mr. Chairman, I shall want five minutes.

Mr. SMALL. I will make it 15 minutes.

The CHAIRMAN. The gentleman from North Carolina modifies his request and makes it 15 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, this is an old, familiar subject, and I know that the gentlemen interested in it are very anxious to have it adopted. It has been up before the House a number of times, but I call attention to the fact that it is a new canalization project, reaching the amount of \$4,500,000, and that we have already appropriated for that river over \$7,180,767. The commerce is very small, after deducting the timber and sand. I do not mean alone timber rafted but generally carried on small depths. They say that ought not to be deducted. Possibly not. But it is a limited commerce, and the commerce on the

upper river is very limited when you take out the sand and timber.

Now, the statement I made a short time ago applies to this river, as many others. What have we been investing our money for, and what return have we had from it? I have told the House just exactly what the situation was on the Black Warrior River. When you shall have spent this amount we will have spent all together \$12,000,000, and will not get coal.

Now, I want to read what the Engineer's Report says, with which many Members of the House are familiar. Understand I have not moved to strike it out. It would be useless to do so, and in any event it may be as good a project as some of the projects in the bill. I read from page 4 of the report:

The amount of commerce at present is not extensive when considered in connection with an expensive slackwater improvement, and the amount that may be expected in the future is only conjectural, and it is believed that, measured by the usual standards applied in considering the question of advisability in such cases, it would hardly be sufficient to warrant a favorable recommendation.

This is signed by Col. Black, senior member of the board. He states, however, that the case is exceptional, after stating that it was doubtful if the amount would be used.

Now, on page 3—

The division engineer does not think that the work is justified by the commercial benefits to the general public, but he states that the present inquiry discloses important benefits to the locality that indicate the propriety of requiring local cooperation such as is often obtained from a community where it is furnished an effective transportation line. He is of opinion that the additional work should not be undertaken except on the condition that the States of Kentucky and Tennessee, or the local communities affected, shall contribute one-half of the estimated cost of construction. Otherwise he concurs with the district officer.

That is after an investigation of the project. An expenditure of \$4,500,000 would mean a contribution by the people who are to be directly benefited there of \$2,250,000. Now I read the next paragraph—

In addition to the information contained in the reports of the district officer and in those heretofore submitted, the board has given consideration to statements and arguments made at a hearing given at its office on January 28, 1914—

Which was attended by two United States Senators and eight Representatives, who gave expert testimony; and after that the engineers changed their report, modified it, and leaving all in regard to the uncertainty of the project they struck out all recommendations for a contribution.

Now I desire to say this, Mr. Chairman: I hope that this effort is not entirely lost in bringing these matters before the attention of the House. I have read to you from the reports. I am not drawing my conclusions. I have discussed the other projects, and I have tried to do this fairly as I viewed it. I have discussed about one-half of the projects that I might have discussed on which I had memoranda. But I feel that I have discussed enough to show the general tendency of the bill, with 70 new projects placed there by the chairman of the committee. He brought the 70 new projects to the committee. I believe investigation will disclose that practically all of the dredging by private companies is controlled by them under a gentleman's agreement and that they divide up the work and in effect determine territory. The Government is hamstrung and choked and gagged as a result. Still some gentlemen say, "Let us do this for the purpose of keeping the soldiers employed when they come back." If we want to build highways or anything else, to get any substantial returns, very well; but, for heaven's sake, what result is had in throwing all this money into all these rivers, in addition to what we have put there before?

Now, Mr. Chairman, I do not want to take any unnecessary time. I know what the answer to my arguments will be, and I accept it as such, but I have just read the engineers' report on this project under discussion, in which they state, in effect, that they doubted the advisability of the project and at a time when we are going to raise money by the sale of liberty bonds and by heavy taxation.

Mr. HULL of Tennessee. Mr. Chairman, the gentleman from Wisconsin does serious injustice to himself as well as to the Cumberland River section by the manner in which he has undertaken to criticize it. I never have any disposition to engage in personalities, and have none now. I do wish, however, to protest against the manner in which the gentleman has undertaken to discredit this project. Any gentleman has the most perfect right to take up the facts of a legislative proposition and discuss them and state his conclusions; but the gentleman has persistently, for a day or two, gone out of his way to refer to this river without stating a single fact in support of the derogatory remarks which he has made.

The truth is, Mr. Chairman, that this river is more than 500 miles in its navigable length. Three hundred and twenty-five miles of the lower end of this river have been locked and dammed by the Government. Twenty-five miles of the upper end have

been locked and dammed by the Government. We have now a middle section, comprising 171 miles in length, through a territory from 50 to 120 miles wide, which has no railroad or other transportation, which has no outlet for the commerce of that section except by this river.

The main purpose in adopting the original project, which was done in 1886, and stood here favorably acted on for 20 years, both by Congress and the Engineer Department—the primary purpose in locking and damming the lower river—was to reach the great timber, coal, and other resources of that bottled-up section, which was and is now without transportation facilities.

It is apparent that a railroad completed at both ends, incomplete in the middle, where the main resources which it is to carry are found, will not have a great volume of commerce until it is completed. This is the condition of this river project. My friend did not read the finishing and favorable statement of the Department of Engineers. They said this project should be completed, because it had been largely built, but was incomplete, because this immense stretch of country, larger than Connecticut, was bottled up and comprised the chief resources, which it would afford an outlet for, and because this was the original purpose of the project. The gentleman would indicate that there was only a few tons of commerce on it. I ran down in 1914, while conditions were normal, the details of the commerce. I found that it was valued at about \$8,000,000 on the upper river—314,000 tons. Deduct the sand which my friend from Wisconsin seems to complain about, and there were 213,000 tons, valued at nearly \$8,000,000. This amount chiefly dribbled out of the bottled-up section of this river during the rainy season of the winter and spring.

There are enough losses on account of high water which suddenly comes and washes away freight which is waiting on the river banks for steamboats to pay for the construction of a lock every year in this undeveloped section of the river.

If a waterway more than 500 miles long, which runs 200 miles through the undeveloped timber, coal, and agricultural regions of Kentucky and more than 300 miles through the blue-grass Cumberland basin of Tennessee—if that waterway is not to be utilized I would be inclined to agree with the gentleman from Wisconsin that we should abandon waterway commerce in every respect and depend entirely on the railroads, although they have practically broken themselves down by lowering their rates at waterway points in order to drive off waterway commerce and by having engaged in other acts of that kind. [Applause.]

Mr. POWERS. Mr. Chairman, I believe that the gentleman from Wisconsin [Mr. FREAR] is honest in his convictions. I have no desire to criticize him in any respect. He is just mistaken about the facts in this case. If he were fully cognizant of all the facts, notwithstanding his inherent opposition to all waterway construction, I believe he would support this particular proposition.

The facts are that way back yonder in 1888 the Congress of the United States determined upon the canalization of the Cumberland River from its mouth to the head of navigation. The plan was to construct 28 locks and dams. The matter progressed. Construction went on until now the river is canalized completely below Nashville, Tenn., at an expenditure on the part of the Government of more than \$3,000,000, and above Nashville, Tenn., about \$3,000,000 has been expended. Seven locks and dams have been constructed on the Tennessee side above Nashville, Tenn., and one on the Kentucky side below Burnside, Ky. More than 500 miles of the entire length of the river has already been locked and dammed except the stretch of territory of 171 miles. As the gentleman from Tennessee [Mr. HULL] just said, one of the primary objects Congress had in view when it undertook to canalize the river was to reach the valuable coal and timber lands in the upper Cumberland which lie in that stretch of the river of 171 miles that has not been locked and dammed.

The question is, Is the Congress of the United States, after having expended over \$6,000,000, over two-thirds of the amount of money necessary for the canalization of this river—and there is only a stretch of 171 miles yet to be locked and dammed—is it going to refuse to continue to appropriate money for the canalization of this river and thereby fail to reach the valuable coal and timber lands on the upper section of the Cumberland River?

Besides this, as has been suggested here, there is a stretch of territory there as big as the entire State of Connecticut that has not a foot of railroad within its boundary lines and no means of transportation except upon the Cumberland River. You can not have transportation on the Cumberland River in that stretch of 171 miles except for four or five months out of the year.

Mr. DEMPSEY. Unless this improvement is completed,

Mr. POWERS. Of course, unless the improvement is completed. If the coal veins along that stream were 25 feet thick, if the mountains were absolutely full of it, there is not a coal company in the world that could afford to put up a coal-mining plant on the banks of that stream under present conditions and only get transportation four or five months out of the year. It is complained here that the commerce is not sufficient to justify the expenditure of this money. Why, if the railroad companies, if the coal-mining companies, if the manufacturing interests of the country should take the position that commerce does not justify at present the construction of a railroad to a big mountain full of coal there would never be any railroads constructed and never be any coal produced.

There is no way to have transportation unless you have something to transport, and you can not transport the coal in these mountains, nor the timber on these hills, unless this river is completely locked and dammed. [Applause.]

The Clerk read as follows:

Ohio River: Continuing improvement and for maintenance by open-channel work, \$300,000.

Mr. ROBBINS rose.

Mr. SMALL. Mr. Chairman, if the gentleman will permit, I ask unanimous consent that debate on this paragraph and all amendments thereto shall close in eight minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I was before an inland waterway convention last Tuesday at Pittsburgh, and I was requested to offer an amendment to this paragraph increasing the amount \$5,000,000 for the purpose of completing the improvement of the Ohio River. I do not intend to offer that amendment, because investigation of the condition of this improvement has convinced me—and the members of the Rivers and Harbors Committee so advise me—that although it is progressing very slowly, much more slowly than it ought to progress, there is money enough now available to carry the canalization of the Ohio River through probably to completion. At least, there is all the money now appropriated that can be expended until the next river and harbor bill is brought before the House. The balance yet unexpended from previous appropriations is \$9,711,952.25 for construction of locks and dams and \$372,359 for channel work. This improvement contemplates the erection of 38 dams to improve the river by slack-water navigation to Cincinnati. Twenty-three of those locks and dams have been completed. Six of them have not been begun, and nine of them are in various stages of construction. So that the slack-water navigation on the Ohio River, which the gentleman from Wisconsin [Mr. FREAR] criticizes as being unproductive of freight traffic, is in a condition where it can not transport freight traffic, because it is incomplete, and the greater part of the year, by reason of these gaps caused by the 15 dams that have not been completed, the stage of water will not afford regular and systematic navigation. But what has been the result on the Ohio River even with this handicap, with 15 sections of the river not improved. In 1917, the last available year for which a Government report is given, 1,684,000 tons of coal were floated down that river, although navigable conditions existed but a very small portion of the time. The total tonnage on the river that year was 1,925,000, which included over 60 different articles of commerce, showing that the commerce on the Ohio River after it is completely canalized from Pittsburgh to the south will develop into a mighty traffic and furnish cheap transportation to the coal and other northern products that naturally seek markets in the South.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. ROBBINS. I am coming to what the gentleman so ably discussed a few moments ago, and I trust he will bear with me until I conclude my statement. I have been more than amazed at this continued claiming in the debate on this bill that water transportation is on the decline. That can not be so; but the reason that it has received a setback within the last two or three years is because of the attitude of the Interstate Commerce Commission under the railroad legislation of the country. Especially is this true since the Government has taken control of the railroads and also assumed control of the canals and navigable rivers. The Interstate Commerce Commission had no jurisdiction over water transportation until 1912, and before that time the railroads were endeavoring to get into their haul a link of water transportation, and then the whole haul was taken out from under the jurisdiction of the Interstate Commerce Commission, and by that means river transportation was stifled because the railroads would not make joint rates with the water transportation of the country. Take the single illustration of the transportation between Arkansas City and

Cairo, because that is a point where water transportation existed until recently, when the boats were driven off by unfair competition. There was a rate made by the river boats between those points which was met by the railroad rate, but intermediate points, such as McGehee, Ark., which was on the direct line of the rail haul between Arkansas City and Cairo, was given a much higher rate by rail to Cairo than the water rate to make up for the loss to the railroad, and the same thing happened in the transportation between Pittsburgh and Cincinnati. For over 50 years there existed on that stream what was known as the Pittsburgh & Cincinnati Packet Co., running a line of river packets between those two ports, carrying passengers and freight, but when the Interstate Commerce Commission refused to compel the railroads to make a joint rate so that the freight that was carried from Pittsburgh to Cincinnati could be sent out over the railroads to given points not on the river and the freight carried from Cincinnati north to Pittsburgh could be distributed to other points reached only by rail, the railroads put in force a through rate between Cincinnati and Pittsburgh that the boats could not meet and would not pro rate with the water transportation for destinations beyond the limit of the water transportation, and all of that traffic disappeared. The result was that the Pittsburgh & Cincinnati Packet Co. was compelled to stop operation in a single day. No more conspicuous example of the unfair methods adopted by the railroads can be cited than the effect on the coal traffic at Cincinnati and on the coal traffic from Pittsburgh and upriver points to Cincinnati and the southern ports along the Ohio and Mississippi Rivers by the refusal to make joint rates than this.

The Interstate Commerce Commission refused to enforce this Panama Canal act of April, 1912, and the railroads refused to make joint rates as the result.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to proceed for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the gentleman from Pennsylvania may proceed for five minutes. Is there objection?

Mr. MANN. Reserving the right to object, the time—

Mr. SMALL. How much time does the gentleman wish?

Mr. MANN. I have no objection to the gentleman proceeding, but the time fixed must be extended.

Mr. HUMPHREYS. I include that in my request. It is very interesting and I think the House would like to hear the gentleman.

Mr. ROBBINS. I will only take two minutes.

Mr. SMALL. Will the gentleman ask unanimous consent that the time may be extended two minutes and let the gentleman from Pennsylvania occupy that time?

Mr. HUMPHREYS. The gentleman only wants two minutes, but I would like to make it five. I will ask unanimous consent that the time be extended for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the time be extended for five minutes, the additional five minutes to be used by the gentleman from Pennsylvania [Mr. ROBBINS]. Is there objection? [After a pause.] The Chair hears none.

Mr. ROBBINS. Mr. Chairman, the effect, as I was stating, of the ruling of the Interstate Commerce Commission on section 11 of the Panama Canal act of 1912 was to cause railroads to refuse to establish joint rates with water carriers between Pittsburgh and the South on coal.

After the Chesapeake & Ohio Railroad was built to the coal fields of West Virginia from Cincinnati a condition happened that illustrates exactly the effect of this failure to make joint rates between rail and river traffic.

The Chesapeake & Ohio made a through rate into Cincinnati on coal which it refused to prorate with the river boats, and then refused to make a joint rate for river coal at Cincinnati destined for distribution into the smaller cities and towns around Cincinnati, and the result has been that 19 coal docks at Cincinnati, according to the very latest report, had to go out of business, and all that country in southern Illinois, Tennessee, and Ohio that was formerly getting coal by river had to obtain their supply by transfer on railroads and have it hauled out to points where river transportation did not reach, and they had to pay the additional freight as part of the increased price. Now, gentlemen, I know it is useless to make these statements in discussing a river and harbor bill unless one can suggest some remedy for it. The remedy, however, is very clear to those who have studied the situation. What Congress must do is to amend the interstate-commerce act making mandatory the provision contained in section 11 of the Panama Canal act which was construed by the commission as discretionary only. If we do that

and compel the river and rail systems of transportation to make joint rates, the whole southern country would be given the advantage of cheap coal from the North, and the North would, by reason of cheap freight rates, obtain cotton and farm produce from the South, and we would again bring back our commerce to the rivers which has been driven off by this system of the railroads failing to prorate with water-borne craft.

When a steamboat line on a river is doing a reasonably fair and profitable business, under present conditions it would be bought up by a competing railroad, or they would install a river fleet alongside of it, and by making cheap rates drive it out of business and make up the loss by charging higher rates where water competition does not exist.

Mr. LITTLE. If the gentleman will yield, will the gentleman just state briefly what his remedy is? Some of us are not familiar with the exact terms of the interstate-commerce act.

Mr. ROBBINS. The interstate-commerce act originally did not include water transportation at all, but in the Panama Canal bill, which was passed in 1912, section 11 extended the jurisdiction of the Interstate Commerce Commission over river traffic.

Mr. LITTLE. Yes; now, what does the gentleman desire to do?

Mr. ROBBINS. Just wait. When the Interstate Commerce Commission was brought face to face with the question of the construction of that act by a suit brought by the St. Louis & New Orleans Steamboat Co., operating between St. Louis and New Orleans, in which it filed a rate and demanded the right to join with the competing railroads in making joint rates, the Interstate Commerce Commission construed this provision of the act not as mandatory, but held it to be discretionary with the railroad and refused to enforce it. Now, Congress wants to enact legislation to compel joint rates which will, I believe, restore this river traffic, and this can be done by amending the interstate-commerce act and make its terms obligatory and require joint rates between river and rail traffic.

Mr. MILLER of Washington. And issue through bills of lading?

Mr. ROBBINS. So through bills of lading can be issued from the point of shipment, whether it be for traffic originating by water or by rail and whether the point of destination be on a water route or railroad.

There is another matter that has resulted in discrimination here. Up until this time bankers will not accept bills of lading over water-transportation routes as security for loans; they will, however, accept bills of lading from rail-transportation lines. The result of this unfair discrimination has been that the shippers by water have been compelled to carry their own paper with their own financial resources, whereas a rail shipper, in competition, could take his paper to the bank and on a bill of lading obtain cash or credit; and that is no small matter in a business like the coal business, where long-distance shipments are made, with long-time paper taken in payment, and long-term credit must be extended.

Now, gentlemen, I think this is a very important matter, when we come to study the difficulties under which water-borne commerce on the rivers of the United States is operated. My friend from Wisconsin, Mr. FREAR, is constantly criticizing the declining freight and traffic movement on water. Why, the greatest freight movement in western Pennsylvania is to get up to the Lakes with our coal during the summer season, in order that we may send it to the Northwest by cheap water transportation. And from the 15th of March until the 15th of November every possible effort is made down at the mines to mine coal and ship all the coal possible to the Lakes. Why? Because of the cheap transportation we get by water up to Duluth, Superior, Milwaukee, Racine, Detroit, Chicago, and lake ports. When the lake freezes up we can not ship that coal, by reason of the difference in the cost of the freight by rail and water on the traffic. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. Mr. Chairman, the interesting part of the discussion is that I am always brought into the controversy when I have no opportunity to answer. I have never suggested anything about what the gentleman was referring to, and he replies to what the "gentleman from Wisconsin" says about Lake Erie. I would like to discuss it, as I have in the past, but I have not time.

Mr. Chairman, I ask unanimous consent to insert in the Record a portion of pages 2247 and 2250 of the Engineer's Report, which shows the amount of traffic carried on the Cumberland River in recent years.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The following is the extension referred to:

The following table gives a comparative statement of the commerce for the calendar years indicated below Nashville:

Comparative statement.

Year.	Tonnage as reported in annual reports of Chief of Engineers (total).	Farm products.	Forest products, exclusive of those transported by rafts.	Merchandise, including flour and meal.	Fertilizer.	Sand and gravel.	Miscellaneous, including coal, cement, iron, machinery, etc.	Totals, exclusive of sand, gravel, and rafted products.
1908....	259,734	24,176	217,272	6,300	82	8,520	1,778	249,526
1909....	193,118	27,202	129,468	18,113	82	16,414	177	175,042
1910....	327,757	56,365	168,909	42,513	700	45,000	9,770	277,557
1911....	223,278	23,264	145,331	7,159	700	40,916	2,305	178,762
1912....	176,659	21,431	59,373	10,800	26,780	1,542	93,146	152,978
1913....	165,123	16,123	131,024	3,705	1,100	11,250	1,026	152,978
1914....	153,458	6,151	99,266	4,140	851	38,976	1,337	111,745
1915....	126,949	10,250	92,728	3,904	421	15,237	1,781	109,079
1916....	123,004	15,729	81,383	6,834	601	12,474	1,217	105,794
1917....	131,325	3,803	81,806	2,190	403	39,644	1,361	89,595

The following table gives a comparative statement of the commerce for the calendar years indicated above Nashville:

Comparative statement.

Year.	Tonnage as reported in annual reports of Chief of Engineers (total).	Farm products.	Forest products, exclusive of those transported by rafts.	Merchandise, including flour and meal.	Fertilizer.	Sand and gravel.	Miscellaneous, including coal, cement, iron, machinery, etc.	Totals, exclusive of sand, gravel, and rafted products.
1908....	245,260	14,594	145,228	17,827	509	53,032	1,579	179,224
1909....	225,074	18,019	103,813	29,422	509	68,259	3,070	154,824
1910....	188,067	14,997	65,692	19,263	9,319	57,517	3,431	113,603
1911....	181,021	24,314	37,007	13,217	2,688	75,709	590	77,816
1912....	309,705	22,709	109,588	33,045	2,148	74,651	1,135	165,622
1913....	337,824	16,318	78,774	19,171	4,024	103,203	2,272	120,551
1914....	314,028	16,037	75,619	18,331	4,386	103,925	1,677	116,110
1915....	266,186	17,088	58,023	15,734	3,324	131,707	933	95,902
1916....	263,953	12,332	39,603	13,237	1,778	144,765	1,291	68,191
1917....	267,091	10,077	62,225	15,702	3,664	112,752	3,490	101,158

Total appropriations to date, \$7,108,767.

Mr. SMALL. Mr. Chairman, the gentleman from Pennsylvania [Mr. ROBBINS] has made a very distinct contribution to this debate. He has entered into a phase of traffic upon our interior waterways which must be studied and discussed. No intelligent man denies the lack of traffic upon many of our interior rivers, but that constitutes no reason for their abandonment. As intelligent men it is the duty of the Congress of the United States to find the remedy and apply it. There are reasons, and good reasons, why traffic does not exist and why it has declined. In part those reasons are due to the indifference of localities in not providing boat lines, in not constructing terminals, in not providing for interchange of traffic between the water carriers and the railroads. Then we must have more legislation, not only along the line suggested by the gentleman from Pennsylvania, enforcing interchange of traffic, compelling the fair treatment on the part of the railroads, but perhaps even going so far as to regulate water rates; and whenever an enlightened public sentiment and the Congress shall undertake the solution of this problem along these intelligent, progressive, and aggressive lines, and give water transportation a fair and equal chance, unmolested, so that those who desire to send traffic by water may do so upon equal terms, with every facility which the railroads possess, then you will have a restoration of water traffic. And the Ohio River will be one of the most conspicuous rivers in the country in the volume and value of traffic carried. [Applause.]

The Clerk read as follows:

Grand Marais, Marquette, Marquette Bay, and Ontonagon Harbors, and Keweenaw Waterway, Mich.; Ashland and Port Wing Harbors, Wis.; Duluth-Superior Harbor, Minn. and Wis.; Agate Bay and Grand Marais Harbors, Minn.: For maintenance, \$59,000; completing improvement of Duluth-Superior Harbor in accordance with the report submitted in House Document No. 1018, Sixty-fourth Congress, first session, \$24,000; completing improvement of Keweenaw Waterway at Princess Point in accordance with the report submitted in House Document No. 835, Sixty-third Congress, second session, \$138,000; in all, \$221,000.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Mr. Chairman, we are now nearing the completion of the river and harbor bill, and I certainly do not want to take up unduly any of the time in the House. The bill

has had a rocky road. Many of its provisions have been violently attacked, small as well as great. In fact, this morning we debated for an hour, I believe, a provision involving only \$1,000.

I have in mind a river improvement now in progress in the sunny Southland, in comparison with which any item of this bill is utterly insignificant. It is purely a river improvement. It ought to be carried in this bill if anywhere, and yet the reason why it is not carried in this bill is obvious. It is because the Rivers and Harbors Committee and the Congress would never have approved it. They never have approved it so far. It is part of a plan that has been repeatedly turned down by Congress. And yet it is now going on, is in process of construction, because a way has been found to find the appropriation outside of the river and harbor bill.

Mr. Chairman, I ask the Clerk to read some correspondence that I have had recently with the War Department.

The CHAIRMAN. Without objection, the Clerk will read the correspondence.

The Clerk read as follows:

NOVEMBER 14, 1918.

The honorable the SECRETARY OF WAR,
Washington, D. C.

MY DEAR MR. SECRETARY: I have just read a clipping from the Nashville Tennessean of last Monday, stating that work on the Muscle Shoals Dam has been ordered to be resumed. I should be glad to be advised as to whether this statement is true, and if so, first, how much is it estimated that the entire cost of the dam will be; second, does the estimated cost of the dam include power plant, and if not what is its estimated cost; third, if the total cost of the project shall exceed the amount heretofore appropriated out of the so-called nitrate fund, is it contemplated to draw on some other fund or to ask Congress for an additional appropriation; fourth, how long is it estimated that it will take to complete the project; fifth, is it expected that the power to be furnished by the project will be continuous throughout the year, or is it expected that at certain seasons there will be either no power developed or less than at other seasons; sixth, is it expected that all power so developed shall be used in connection with the nitrate plant recently erected at Muscle Shoals, or is it expected that a portion of it will be used by other plants, and if so, what plants?

Your compliance with the request for the information above indicated will greatly oblige,

Yours, very sincerely,

NICHOLAS LONGWORTH.

WAR DEPARTMENT,
Washington, December 21, 1918.

HON. NICHOLAS LONGWORTH,
House of Representatives.

MY DEAR MR. LONGWORTH: Acknowledging the receipt of your letter of the 14th ultimo requesting certain information regarding the dam at Muscle Shoals, Tennessee River, I have the honor to state that on November 9 information was received from the chairman of the War Industries Board that restrictions could now be withdrawn from this construction, and the district engineer was at once notified to resume work on the project.

Referring to the specific questions propounded in your letter, the following information is submitted:

1. The total cost of the project was estimated in October, 1917, to be \$14,534,000, based upon then prevailing wages and prices of material. On February 23, 1918, because of the lowering of the cost of cement to the Government, the estimate was reduced to \$14,000,000.

2. This estimate includes the dam, locks, and flowage rights, and the power house with hydroelectric machinery capable of generating about 120,000 horsepower. The power-house substructure will be constructed so as to provide for placing additional units in the future, if desired, in order to utilize the noncontinuous or secondary power in connection with steam-generating units already installed at nitrate plant No. 2.

3. If the amount available from the appropriation of section 124 of the national-defense act should prove insufficient to complete the project, it will be supplemented by reimbursing the appropriation for expenditures already made from that fund which might, with equal propriety, have been made from other funds at the disposal of the bureau. Such reimbursement will be deferred until the necessity therefor actually arises.

4. It is estimated that about three years will be required for the completion of the project.

5. Of the power to be furnished by the project, it is estimated that approximately 72,000 horsepower will be continuous throughout the year. In all but the driest years it is to be expected that approximately 100,000 horsepower can be developed continuously.

6. The most economical development of power at Dam No. 2 requires the ultimate installation of generating capacity largely in excess of the requirements of Nitrate Plants Nos. 1 and 2, in order that advantage may be taken of the large amount of secondary power available at the dam. It is probable, however, that the initial installation will not be greater than required for the operation of the nitrate plants and that no surplus power will be available for use by other plants.

Very truly, yours,

BENEDICT CROWELL,
The Assistant Secretary of War.

Mr. LONGWORTH. Mr. Chairman and gentlemen, it is obvious that I could not undertake to discuss this question in this brief time, and I am only calling your attention to some features of it as a preliminary. I intend to discuss this subject at length and in detail at the earliest possible moment.

If you caught the reading of the dates of those two letters, you will note that it took the department five weeks to answer those six simple questions. I have propounded, in addition to those, some 50 other questions in the endeavor to bring out, if possible, this whole nitrate situation, on which up to date has been spent, as nearly as I can figure, considerably more than \$100,000,000,

all of which is waste, for not one ounce of nitrates has yet been produced, and not one ounce of nitrates for war purposes or for governmental purposes will ever be produced.

This is one of the connecting links. It is one of the three dams known as the Muscle Shoals project—a project turned down time after time by Congress. This \$14,000,000 was not taken from any fund designed for the purpose of any sort of water improvement. It was all that was left of the nitrate \$20,000,000 appropriation, an appropriation for the purpose of building nitrate plants, and nitrate plants only.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman permit one question?

Mr. LONGWORTH. Certainly.

Mr. COOPER of Wisconsin. Who directed that expenditure?

Mr. LONGWORTH. The President of the United States.

The history briefly is this: When the nitrate plant known as plant No. 2 was about to be constructed at Muscle Shoals another fund, never designed for the purpose of building nitrate plants, was tapped. It was a provision carried in the national-defense act providing an appropriation for ammunition for field, mountain, and siege cannon of some \$300,000,000. Out of this, as an original expenditure, \$45,000,000 was taken to build a plant at Muscle Shoals. I propose to show at a later date that it was a unanimous recommendation of the commission, formed for the purpose by the Secretary of War—a unanimous recommendation that Muscle Shoals should not be chosen as a site. But it was chosen. How and why, I hope may later be made clear.

There is not an ounce of water power there, and this proposition is to create, at the expense of the people of the United States, water power not now in existence at Muscle Shoals. For what purpose? For the purpose of supplying the power for this plant. And for what purpose will this plant be operated? No nitrates are needed for ammunition. All that this plant can ever be used for is the production of fertilizer; and all that is being done, gentlemen, is to spend \$14,000,000—and it will cost more than that—to furnish water power for a private corporation to produce fertilizer in this plant at Muscle Shoals, which has cost the Government to date, as I am informed, over \$60,000,000.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. I ask permission, Mr. Chairman, to proceed for five minutes, and then I will not ask for any more time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. LONGWORTH. Why, gentlemen, this bill carries \$26,000,000, less than twice the cost of this one dam. It has been described as a "pork-barrel bill." The Ohio River project, part provision for which has been just passed, does not all together involve the expenditure of more than \$60,000,000, and that for the benefit of millions of people in the Ohio and Mississippi Valleys. Do you call that "pork" when we have already expended and are in process of expending more by a third than that at one place on the Tennessee River—to benefit whom? One private corporation.

You will recall that I vigorously opposed this proposition of diverting \$14,000,000 from our nitrate fund to build the dam at Muscle Shoals, and I took the ground that it was not a war expenditure, and gentlemen on the floor defended it as a war expenditure pure and simple, although it was stated at that time, and it is now repeated by the Chief of Engineers, that the completion of this dam would take somewhere about four years. Shortly after the war started my view was apparently upheld by the Secretary of War, who ordered work on the dam discontinued on the ground that it was not an essential. Now, it crops up again to plague us. There was not a single man here who believed that the war was going to last four years. Certainly, the war is over now and we are spending, as I say, far more than the cost of the Ohio River improvement on this one proposition, and that for the benefit of one private corporation.

Mr. MADDEN. Is that private corporation manufacturing hydroelectric energy?

Mr. LONGWORTH. No; they manufacture nitrates for fertilizing purposes.

Mr. MADDEN. Who composes the corporation?

Mr. LONGWORTH. The Air Nitrates Corporation, a corporation with \$1,000 capital, divided into 10 shares, controlled by the president and directors of the American Cyanamid Co., which was formed to relieve the American Cyanamid Co. from any liability on the construction of this plant. They have received \$1,000,000 in cash for supervision. They have not put up a

single cent; they have assumed no liabilities; and now the Government is expending \$14,000,000 to produce power to make fertilizer for this company.

Mr. MADDEN. In addition to the million dollars they are to receive a profit to be derived from the investment of this \$100,000,000.

Mr. LONGWORTH. Their royalties will amount to somewhere about \$2,000,000 a year, and they assume no liability or risk whatever. Now, forsooth, we are going to build for them—the American people are going to build for them—a dam to operate their plant for their own profit. It is stated in the body of the letter just read that the power to be generated at this dam will only be sufficient to supply this one plant. Did you ever hear of a monopoly more complete?

Mr. MADDEN. They must be influential in some quarters of the Government.

Mr. LONGWORTH. I do not care to say now what my private opinion is of this entire transaction. I do not want to make any statement which can not be backed by the authority of the Secretary of War, and I will wait for an answer to my letter before saying more. I have not much hope of a speedy answer, because if it took 5 weeks to answer 6 simple questions Congress may be adjourned before I receive an answer to 50.

Mr. MADDEN. Why does not the gentleman make his request for answers in relays of five?

Mr. LONGWORTH. I hope to be able before long in one discourse to lay before the House fully and frankly and without mincing words the result of my investigation into this whole nitrate proposition. Therefore I do not care now to make any specific answer to the question of the gentleman from Illinois. I will postpone it until I receive full information. I will say that if the information is not forthcoming, specific and accurate, I intend to move that an investigation be had by Congress of this entire nitrate proposition, including the two abandoned Ohio plants as well as this Muscle Shoals monstrosity, its aiders and abettors, and particularly of the activities of the Air Nitrates Corporation. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Manistique Harbor, Mich.; Menominee, Oconto, Green Bay, Algoma, Kewaunee, Two Rivers, Manitowoc, Sheboygan, Port Washington, Milwaukee, Racine, Kenosha, and Waukegan Harbors, Sturgeon Bay & Lake Michigan Ship Canal, and Fox River, Wis.: For maintenance, \$38,000; completing improvement of Sturgeon Bay & Lake Michigan Ship Canal in accordance with the report submitted in House Document No. 1382, Sixty-second Congress, third session, \$33,000; in all, \$71,000.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to ask the chairman of the Committee on Rivers and Harbors a question. I notice that the harbors of Racine and Kenosha, in my district, mentioned in that paragraph, are included with a half dozen or dozen more under one item for maintenance—\$38,000. In the city of Racine there is going on a harbor improvement of great importance—the completion of the south half of the Arrowhead project. This bill contains no appropriation for the completion of that project. I want to know if my information is correct—that there is money enough now on hand to keep the contractor busy during the next year.

Mr. SMALL. I will say as to the particular work and improvement to which the gentleman refers, that there are contracts outstanding involving \$146,000, and in addition to that they have about \$23,000 in cash on hand and available. I will read from page 1439 of the Engineer's Report:

The funds now available are sufficient for completion of harbor entrance and continuing extension of south breakwater, and for maintenance of harbor to June 30, 1920; therefore no estimate is submitted.

Mr. COOPER of Wisconsin. So that the work on the existing contract can proceed during the coming season?

Mr. SMALL. Yes; and the existing work maintained.

Mr. COOPER of Wisconsin. That is a much-needed improvement and one which the city has been looking to for a long time. Now, on page 28, beginning on line 6 of the bill, is this language:

Provided, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made.

In the last river and harbor bill there was a provision for making a survey at Kenosha. I do not know whether the survey has ever been made, but there is in this bill no specific provision for the survey at that harbor. But that survey, if not made under the other bill, could be made under that proviso, could it not?

Mr. SMALL. Yes. The law authorizing it will remain in force until it has actually been submitted to Congress.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words for the purpose of obtaining information. The

item before the committee provides for \$38,000 for maintenance of some 8 or 10 very important harbors on the Great Lakes, among them that of my own city, Milwaukee. Some years ago I called attention to the fact that none of this money was used for maintenance of the inner harbor at Milwaukee, which carries a tonnage of more than 6,000,000 annually. I can not reconcile \$38,000 as adequate in a minor degree for maintenance purposes of harbors such as Milwaukee, Racine, Waukegan, Manistique, Oconto, Green Bay, Two Rivers, Manitowoc, Sheboygan, whose aggregate tonnage is several millions.

Mr. MADDEN. There are 8,000,000 tons at Milwaukee alone.

Mr. STAFFORD. In my home city there are 8,000,000 tons, I am reminded; and I wish to ask in all fairness why the committee discriminates against the Lakes in the appropriations for maintenance, and yet in some projects you provide thousands of dollars even for the removal of snags and floating hyacinths. In all fairness, why does the committee have one policy for the Atlantic seaboard and the Pacific seaboard and the Gulf ports and another for the Great Lakes? I ask the question in all sincerity, because I think it is an unfair discrimination.

Mr. SMALL. Mr. Chairman, at Milwaukee both the inner and the outer harbors are recognized as being under improvement. For the inner harbor there was on hand \$24,366.

Mr. STAFFORD. If the gentleman will permit—

Mr. SMALL. Let me answer the gentleman's question.

Mr. STAFFORD. The gentleman is not directing his reply to the point that I make. I am quite well aware of the condition of the appropriations for the inner harbor and the outer harbor. My inquiry is why you discriminate in the way of maintenance, dredging, and the like against the Great Lakes—why you have one policy for the southern river projects and another for the projects on the Great Lakes?

Mr. Chairman, I wish to say that from the very day that I entered Congress there has been one policy so far as the maintenance of inner harbors on the Great Lakes is concerned, and a different policy for the maintenance of harbors or streams entering the ocean or the Gulf. I called the attention of the Committee on Rivers and Harbors during my first term 16 years ago to that, and I called the attention of the committee to it some 3 or 4 years ago, and had incorporated in the then bill an item providing that the maintenance fund could be utilized for inner-harbor improvements. The gentleman, as chairman of the committee, does himself ill justice, notwithstanding his erudition respecting projects pertaining to the Atlantic seaboard, to say that there are not different policies as to maintenance of rivers on the Great Lakes from those in other parts of the country. He can not show me where there has been \$1,000 expended for dredging on the inner harbor of Milwaukee, and I challenge him to show that; and that was the purpose of my rising, in all good faith, to ask why as to some harbors they provide for maintenance in the inner harbors of the Great Lakes, whereas on others they do not, and he has not answered the question.

Mr. SMALL. Mr. Chairman, I think the gentleman did not make himself clear at first, and I think I know now to what the gentleman refers. In House Document No. 1067, Sixty-first Congress, third session, submitted to Congress December 5, 1910, the Secretary of War submitted a report. By leave of the House I append to my remarks copy of the report of the Chief of Engineers, also the report of the special board, followed by the report of the Board of Engineers for Rivers and Harbors. This report will furnish valuable information.

Mr. GREEN of Iowa. Will the gentleman yield? Was the city so famous for the amber-colored beverage asking anything more for this harbor or claiming that it ought to have anything more expended there?

Mr. SMALL. I do not understand the gentleman from Wisconsin to be asking for more. I did not at first understand the purport of his inquiry. I now do understand it, because that particular report comes to my mind, and it is an interesting report, and I ask leave to extend my remarks in the Record by inserting portions of it, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, July 25, 1910.

SIR: I have the honor to submit herewith, for transmission to Congress, report dated December 18, 1909, by the board of Engineer officers constituted by Special Orders, No. 20, office of the Chief of Engineers, April 30, 1909, in accordance with the following item in the river and harbor act approved March 3, 1909:

"The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establishing uniform rules in making harbor improvements."

After discussing the subject at length, the special board concludes with the following recommendations covering the several questions involved:

"1. That the advisability or inadvisability of the Government's undertaking any work at any harbor be determined in the manner now established by existing law and practice.

"2. That no work of construction or maintenance be undertaken by the Government at any harbor constructed by and operated in the interest of a corporation or private person and adapted to the promotion of such interest only.

"3. That the work of the Government at any harbor be confined to the general part of the harbor, including, as may be necessary, the construction and maintenance of breakwaters, with the general anchorage area protected thereby, of entrance piers and jetties at the mouths of inner channels, and the portion of such channels immediately between them, and also of such long general channels of approach as may be necessary to connect the harbor with outside deep water.

"With regard to the first provision of the law, regarding those harbors in which the whole or part of the harbor is improved at local expense, the board recommends that the improvements so made by local authorities should not be undertaken or maintained by the General Government."

This report has been reviewed by the Board of Engineers for Rivers and Harbors in accordance with the law, and it concurs in the principles and recommendations contained in items 1 and 2 as quoted above. It concurs also in the general principles enunciated in item 3 and in the final paragraph relating to harbors in which the whole or part of the harbor is improved at local expense. It recognizes, however, that there may be instances in which the interests of the general public will not require a rigid application of the principles stated in item 3, and that there may be exceptional cases in which improvements made by local interests will fall within the class of works deemed proper for the General Government to undertake or maintain, or that will so conform to an advantageous project for further improvement of the locality as to merit special consideration.

I concur in the views of the Board of Engineers for Rivers and Harbors.

Very respectfully,

W. H. BIXBY,
Chief of Engineers, United States Army.

The SECRETARY OF WAR.

REPORT OF EXAMINATION OF HARBORS ON THE GREAT LAKES AND ELSEWHERE.

CLEVELAND, OHIO, December 18, 1909.

SIR: The board of Engineer officers constituted by Special Orders, No. 20, Office of the Chief of Engineers, "to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense," has the honor to submit the following report:

The order convening the board is as follows:

"WAR DEPARTMENT,
"OFFICE OF THE CHIEF OF ENGINEERS,
"No. 20, Washington, April 30, 1909.

"By authority of the Secretary of War, a board of officers of the Corps of Engineers, to consist of Col. Daniel W. Lockwood, Col. Dan C. Kingman, Lieut. Col. Curtis McD. Townsend, Lieut. Col. John Millis, Maj. Charles S. Riché, will assemble at Cleveland, Ohio, upon the call of the senior member, not later than May 15, 1909, 'to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense,' and report, as provided in the river and harbor act approved March 3, 1909.

"The board is authorized to visit such points as it deems necessary for the proper performance of its duties.

"Upon the completion of the duties assigned them the members of the board will return to their proper stations.

"The travel directed is necessary in the military service.

"By command of the Chief of Engineers:

FREDERIC V. ABBOT,
Lieut. Col., Corps of Engineers."

By letter of April 24, 1909, addressed to all officers in charge of river and harbor districts in the United States and in the insular possessions, the Chief of Engineers called for reports covering any improvements of the character mentioned in the law within their respective districts, these reports to give the details of each work as regards nature and scope of project, estimated cost, status as to completion, expenditures by the Federal Government and by other interests, respectively, and the character of the other interests. Each officer was also directed to submit such views and recommendations as the work in his district of the kind referred to might suggest, or as he might consider pertinent to the subject and of value to the board. All of the reports received in compliance with the above instructions were referred to the board, and they have been classified and a synopsis of the facts stated by the district officers has been prepared in a shape for convenient comparison and consideration. This synopsis is appended hereto. Many of these reports go into matters pertaining to the relations between Government work and that done at private or local expense on rivers, dredged channels, and other waterways. While these works involve many important questions in connection with the general subject of harbor and waterway improvement, the wording of the law below quoted confines the duties of the board specifically to harbors, and the discussion in this report is limited accordingly.

Under the original orders and subsequent detailed orders and instructions from the Chief of Engineers the board, either as a whole or by committee, has visited and examined the harbors at Duluth, Minn.; Milwaukee, Wis.; Chicago, Ill.; Toledo, Ohio; Lorain, Ohio; Cleveland, Ohio; Ashtabula, Ohio; Conneaut, Ohio; Buffalo, N. Y.; Boston, Mass.; Philadelphia, Pa.; and Baltimore, Md.

The duties of the board are defined in the act of Congress approved March 3, 1909, which provides as follows:

"The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establishing uniform rules in making harbor improvements."

The board is thus called upon to make recommendations in regard to two things: First, whether or not harbor improvements made at local

expense should be undertaken or maintained by the General Government; and, second, as to uniform rules in making harbor improvements.

The first proposition is a special one. The second is general in character, and since in the solution of problems it is always best to make the general solution first and then pass to the special case, the board will take up first in order the second proposition given in the law.

It will be well at the outset to consider harbors in general, in order to ascertain what they are, how they are used, and what they should supply to meet the demands of water-borne commerce. The name "harbor" was originally applied to a shelter for soldiers, hence afterwards to a lodging place or inn, and finally to a portion of a sea or lake or other large body of water, either landlocked or artificially protected so as to be a place of safety for vessels in stormy weather. Such shelters are always desirable in exposed localities along the natural routes of ships, and they are so important that, if not supplied by nature, countries frequently provide them at heavy expense. They ought to furnish a sheltered area of sufficient size for all the vessels likely to take refuge in them. The depth of water should be sufficient to safely float the largest ship and not too great for convenient anchorage. The bottom should be of a character to afford a good holding ground. The shelter against the waves should be complete, and it is desirable also that shelter against the prevailing winds should be afforded. The entrances and exits should be convenient, adequate, and safe at all times.

In law and commercial usage a harbor has come to mean something more than this. It is not only a place of shelter, but it is also a place where vessels are admitted to discharge and receive their cargoes, from whence they depart, and where they finish their voyages. Such harbors, for convenience of loading and unloading vessels, should be equipped with wharves extending into water of sufficient depth to permit the ship to lie alongside; and if the rise and fall of the tide is excessive, it is sometimes necessary to completely inclose large basins in which the water is maintained at a constant level and into which vessels are received and discharged by means of locks.

In harbors of extensive commerce the articles shipped are not produced in the immediate vicinity, nor are the articles received from the vessels consumed locally. The shipments are drawn from a wide extent of country and the receipts are sent back to the same places. Such a harbor becomes to a large extent a place where the mode of transportation is changed from land to water and from water to land. This introduces another set of conditions into the problem; that is to say, the land routes and land approaches.

The land routes may be by streets and roads, and sometimes by rivers and canals, but in our own time and country they consist principally of railroads. Therefore every consideration of economy and facility of transporting freights require that the train should be brought alongside of the ship. It is just as necessary in an important harbor that it should afford abundant rail routes to the territory to be served and convenient access for the trains to the wharves as it is that it should possess corresponding facilities for the vessels. A harbor without proper railway facilities is no better than a harbor without any water in it.

To summarize, then: A good harbor must possess a sheltered water area of adequate dimensions, with one or more convenient channels of approach to the same; it must afford a sufficient anchorage for vessels waiting to be berthed or something to take the place of it; it must have wharves, warehouses, and wharf machinery suited to all the varied commerce that comes to the port; it must have good roads and streets by which these wharves can be reached; and, above all, it must have good and sufficient railroads penetrating all the region to be served, with good yard room and trackage to place the trains alongside the warehouses or the ships. Since most of these things must be supplied artificially, it is evident that the best result would be attained if the whole were under a single direction and control; and the best harbors in the world are to be found among those where this has been possible. In the United States it is not possible. The United States controls its navigable waters, and sometimes it improves them when desirable or necessary. It has the right to build and operate railroads, but it has never done so. This has been left to companies chartered by the States, and it is in accordance with the custom of our people and the spirit of our Government that such things as wharves and warehouses should be provided by individual or corporation effort and roads and streets by the local governments.

How, then, ought a harbor to be secured, improved, or maintained in this country? And what should be the dividing line or lines in the matters of design, control, and cost? Before attempting to answer this it is well to consider the different classes of the commerce of a harbor in reference to its general and local value.

First we have those commodities drawn from a wide extent of country, brought by land routes to the port and sent across the sea. And to this belongs also the return cargoes of the ships which is put upon the cars and scattered over the country for consumption. This class of commerce in our country is of very great value, and has much to do with the general welfare, for it comprises the surplus products of the farms, the forests, and the mines. But it is not of very great local value to the harbor through which it passes, for every consideration of economy and efficiency demands that the transfer between car and ship shall be effected with the least possible expenditure of money and labor. Hence the less money it leaves in the harbor the better it is for the commerce. The wharves and landing places for this class of commerce are frequently placed outside the city limits, so that the trains do not have to pass through the city at all, and some successful harbors of this class are found where there is no city, a small village being quite sufficient to accommodate all of the people that can gain a livelihood from the very limited employment that this business of transfer affords.

Examples are not wanting where the improvement of a harbor of this class, while it has led to a large increase in volume of freight handled, has actually diminished the total amount of money that the traffic left in the port. Obviously such commerce is of national and not local benefit, and if harbors or parts of harbors are specially devoted to this class of commerce alone, they could properly be provided and maintained at the national expense.

The next class of commerce is made up of things brought by vessel for local consumption or for local sale and distribution. This would comprise fuel, building materials, provisions, dry goods, machinery, and manufactured articles. The best results in this business require the wharves to be near the various trade centers, and a much greater number of wharves is needed than for an equal number of tons of specialized transfer freight. This kind of commerce has a much greater value locally than the mere transfer of freight, for it affords employment and profit to a great many more people. It is of general value and interest, too, for it is the marketing of distant products.

The third and last class of commerce is made up of raw material, which, on reaching the harbor either by land or water, as the case may be, is then manufactured or worked up into a higher class, and hence a more valuable product before being sent forward to its destination. It may be that it is wheat which is ground into flour, or corn distilled into alcohol, or timber manufactured into furniture, wagons, etc., or hides tanned into leather and made into shoes and harnesses and other articles, or cotton or wool that is converted into cloth, or the ores of metals that are reduced to the metallic state and afterwards made up into the thousands of articles of use and value for which the metals are employed, and then in the new and vastly more valuable state it is forwarded by the appropriate route to its destination. This kind of commerce is by far the most valuable of all from the local standpoint. It furnishes profit and employment to a great many people, and it is the thing that makes great cities possible. A ton of a certain commodity may leave at the place of manufacture an amount of money ten times or a hundred times greater than its value in the raw state. The general public has an interest in this, too, aside from the mere trade, because it makes for the general welfare that the processes of manufacture should be carried out at the place where the necessity there must be a change in the mode of transportation, since this reduces the number of handlings, and, other things being equal, it reduces also the cost of the finished product.

This is the commerce that is most desired by cities, and it requires for its successful development a very large amount of interior harbor frontage in order to bring the ship alongside the factory at eligible factory sites. It is this that creates the demand for interior basins and canals and for the excavation and development of creeks or little rivers penetrating deep into the heart of a city. The need is a real one, and such improvements are generally not without merit, but the question is by whom should such improvements be planned and by whom should they be executed.

There is another point that ought not to escape consideration, and that is the effect of these interior harbor developments upon real estate values. Land that is inaccessible, that is low and swampy, that borders upon the foul sloughs and creeks, may be transformed into eligible factory sites convenient to deep navigable water, and the whole adjacent territory, before of little value, becomes desirable for building sites for the added population that the new industries will draw, and an enormous increment of value may result from this effort in behalf of commerce. Indeed this increment may be so great as to become, in certain cases, the real motive that inspires the advocates of the harbor improvement. In other words, improved real estate values and not the increased demands of commerce may be the prime incentive. This phase should always be carefully considered. But, however worthy and necessary the proposed development may be, a large increase in riparian values must result from it, and there must be unearned increment for somebody.

In the ordinary improvements made in cities, such as the paving of streets, the laying of sewers, or the opening of parks, the property immediately benefited is made to pay a part at least of the cost of the improvement, and the city can in time recoup itself for the rest by the increased taxes that will follow from the added value of the property. In the improvement of a harbor the United States can not do this, for these things are out of reach of the General Government and can only be dealt with locally.

It follows, therefore, that in the case of harbors or parts of harbors devoted to the class of commerce destined for local consumption or distribution, or for local manufacture or milling in transit, there is a special local interest, advantage, and profit in excess of the general interest and value. There is a gain in which the general public does not and can not share, and there are sources of revenue resulting from such harbor development that are accessible to the local government, but are beyond the reach of the General Government. Therefore in the improvement and maintenance of harbors or parts of harbors where the commerce is of this character, there ought to be a division of cost between the local and the General Governments in a proportion that should bear the same relation that the local and special profit and value of the commerce bears to the general profit and value.

But how is this division of cost to be brought about? The United States can not impose a special tax upon a city or upon individuals who may be specially benefited by the improvements, and it can not compel the city to do it. Something has been accomplished by leaving to local interests the duty of providing wharves and terminals as well as land approaches and land routes. But this is not always enough, and sometimes a sort of division of work and cost has been attempted by the General Government when it has executed and maintained the exterior structures and approaches and left to the locality the duty of developing and caring for the inner harbor.

A fair, uniform, and equitable division applicable to all harbors is difficult to make. Harbors are too unlike in their physical conditions. Some require large and expensive breakwaters, others long channels of approach, costly to excavate and difficult to maintain; others extensive jetties and training walls, and when these exterior difficulties are overcome, little or nothing may be needed for the improvement of the inner harbor. On the other hand, a harbor may require no exterior works, or only such as present little difficulty and involve little expense, while the inner harbor or basin, the thing most indispensable and necessary to commerce, can only be secured and maintained with great difficulty and outlay.

This division of partnership, poor and unsatisfactory as it is, can only be brought about when the locality voluntarily consents to it. If the city fails to do its part, then the whole project of improvement comes to naught, and the money expended by the General Government is lost and wasted. Or if the city does its part in an unwise, imperfect, and inefficient manner, then the whole effort is to a corresponding extent impaired, crippled, and defeated. This is the natural consequence of a divided responsibility and control. It was pointed out at the outset how important it would be if all of the works and appliances that go to make up a complete and satisfactory harbor could be planned and executed under a single direction and control. Nevertheless, in the case of an inner harbor that penetrates the heart of a community or city there are many difficulties that arise that can not be properly handled except by the police power of the city, and that the Government can not suitably control without vexatious friction. Frequent bridges across such part of a harbor may be necessary for the community but detrimental to vessels, especially when the city wishes to keep these bridges closed during certain hours of the day. Again, deposits of sewage and refuse in the harbor cause shoals which the General Government should not be expected to remove, especially when the disposition of such material is of moment to the health of the community. The police power which

the community has and which the General Government has not, makes it highly desirable that all work involving questions of this character be left to the locality to do.

In this connection it must also be borne in mind that there are few harbors whose commerce is not made up in varying proportions of all three of the general classes of commerce above described; also that harbors to-day largely devoted to mere transshipping may and probably will, by the development of additional industries and by the great growth of the country's commerce, soon become engaged to a controlling degree with commerce of great local benefit. Any rules to be of general application for the future must take into account this probability, and also the impracticability of obtaining money from Government sources alone with sufficient rapidity to keep up with the growth of the country's business. Additional harbor facilities of all kinds will be continually needed for many years to come and must be provided if the business of the country is not to suffer. The Government should not and will not neglect the national interest in these matters, and it should incline to the side of liberality, but the localities, corporations, and so forth, concerned should also assist all such needed developments to the extent to which they will profit by them.

It is recognized that there are a number of harbors of the first importance on the seaboard whose commerce is so general in character, whose international importance is so great, and in which the national interest is of such magnitude that rules applicable elsewhere perhaps can not advisedly be applied to them. The further development of such gateways could properly continue along the lines now in force, but harbors of less importance than these, and harbors on the Great Lakes, the bulk of whose commerce is domestic in character, require cooperation in their development if that development is to keep pace with the country's growth, and it is important that the interests which will profit from this development should proportionately aid in securing it.

Before proceeding further, it seems best to submit a brief description of the harbors in various parts of the country and a general statement of the amounts of money that the Government has expended on them.

On the Atlantic coast the physical and climatic conditions that affect harbors and their artificial improvements are, in the northern portions, frequent storms with much fog and thick weather during the winter season, and occasionally during severe winters the formation of ice, so as to interrupt or seriously impede navigation in the extreme northern harbors, though generally open navigation obtains throughout the year. In the southern part of the coast ice difficulties do not exist, and the season of the more violent storms is in the summer, when the tropical cyclones prevail. The tidal oscillation on the Atlantic coast is generally regular and diminishes in amount from the north, where it is considerable, to the southern portions, where tides are small. The number of natural bays, inlets, and river mouths susceptible of development as harbors is unusually large, and the commercial conditions are such as have demanded the utilization of practically all of them, as well as the construction of a few purely artificial harbors for refuge.

The approximate total number of harbors on this coast that have been improved by artificial works is 93, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about \$76,000,000. The works of harbor improvement consist of breakwaters for creating artificial harbors of refuge, as at Sandy Bay, Point Judith, and the Delaware Bay harbor of refuge; of breakwaters to create and protect smaller commercial harbors, of which there are numerous examples on the New England coast; of jetties and contraction or regulating works for increasing the depth of the channel approach, as at Charleston and Savannah; and of dredging and rock excavation for increasing depth and width of channels within or leading to harbors and for increasing available harbor areas. Boston, New York, Philadelphia, Baltimore, and Norfolk are the most important examples of harbors where the artificial improvement has consisted almost entirely of excavations to increase the depths and areas of water available for navigation, and in these as well as in several other harbors on the Atlantic coast the important works are designed to secure and maintain conditions that will accommodate the largest vessels yet built.

In some cases on the Atlantic coast the difficulties that it has been necessary to overcome by works of harbor improvement were inherent in the conditions of nature and in those attending the inauguration and normal development of commerce by vessels, as at Boston, New York, and Charleston, and in case of the harbors of refuge at Cape Ann and Delaware Bay; while for places like Philadelphia, Baltimore, and Jacksonville the need of harbor improvement work is attributable as much to the accidental location and subsequent growth of an important commercial center as to adverse natural conditions and increase in the size of ships.

No important harbor on the Atlantic coast has been improved wholly at local expense. The principal ones where improvements directly affecting navigation have been made partly at local expense are Boston, Philadelphia, Wilmington, Del., and Baltimore, and a number of small harbors in Massachusetts have been improved at the expense of the State. With these exceptions, the improvements on any considerable scale that have so far been made have been at the expense of the United States.

The harbors on the Gulf of Mexico present the general characteristics of shores of low relief consisting largely of sand, deficient natural depths, a small tidal oscillation, freedom from ice, and exposure to sudden and violent tropical storms that frequently produce great variations in the sea level with damaging results. The harbor improvement work consists principally of jetties to increase depths at harbor entrances by natural scour and to maintain depths obtained by dredging, as at Galveston and the mouths of the Mississippi River, and of extensive dredging alone or in connection with protecting jetties and other works, as at Mobile, Pensacola, Sabine Pass, Tampa Bay, and Key West. The depths contemplated by the improvements of the Gulf harbors are generally somewhat less than for the larger harbors of the Atlantic coast. All these improvements have been made at the expense of the United States, except that considerable work at local expense has been done at Galveston, mouth of Brazos River, Aransas Pass, Port Arthur, and Sabine Pass. The improvements at Galveston and New Orleans have been assisted by the respective municipalities, but the other improvement work in the Gulf harbors, other than at Government expense, has been mostly done by private interests and corporations. The work of improvement at New Orleans Harbor proper has consisted entirely in protecting the banks of the river from erosion and caving. This has been done jointly by the United States and the local authorities.

The approximate total number of harbors on the Gulf coast that have been improved by artificial works is 11, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about \$23,500,000.

The Pacific coast possesses comparatively few natural harbors or localities where it is practicable to build artificial ones. The rugged nature of the topography along the coast and the limited resources of most of the adjacent country have limited the demands for the development or creation of numerous harbors. There are no ice difficulties, but the whole coast is more or less exposed to violent storms and heavy seas, and in the northern part fog and thick weather prevail during portions of the year, and difficulties of navigation are increased sometimes by heavy smoke from forest fires. The tidal oscillation is large and very irregular.

The works of harbor improvement present a great variety, including those at San Francisco and Seattle, which are natural harbors requiring little improvement except wharf construction and development of interior slips and channels, the extensive breakwater at San Pedro, the sea jetties at Humboldt Bay, mouth of Columbia River, and Grays Harbor; and large works of dredging, partly in connection with land reclamation, with auxiliary construction at the inner harbors and channels of Oakland, Seattle, and Tacoma. Mention should also be made of the works of improving the channel in San Pablo Bay by dredging, and the works on the lower Willamette and Columbia Rivers to improve the approach to Portland Harbor.

Important works at private expense have been done on an extensive scale at San Pedro Harbor and vicinity and others are projected. A private company is engaged in constructing a separate harbor at Long Beach, near San Pedro inner harbor, on which a shipbuilding plant is in operation. Works of improvement at San Diego Harbor are under contemplation by the State harbor board, and at San Francisco extensive work at local expense has been done and is in progress in the way of developing the wharves and slips.

In the State of Oregon extensive contributions have been made to improving the lower Willamette and Columbia Rivers by the "port of Portland," and action has been taken by the State under which it is expected that funds will be raised by local taxation to assist in improving several other harbors. At Tacoma and Seattle contributions have been made by local interests to improving inner channels. Except as above, most of the Pacific coast harbor improvements have been made by the General Government.

The approximate total number of harbors on the Pacific coast that have been improved by artificial works is 13, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about \$15,000,000. Nearly all the important harbors on this coast are designed to accommodate vessels of the largest type and deepest draft.

In one respect the harbors of the Great Lakes differ from those of the coast, in that they are frozen up for about four months each year, and for this period they serve only as winter quarters or ice harbors for vessels, while on the seacoasts all harbors are open throughout the year with very few exceptions. The Lakes have no sensible daily tidal oscillation, but the available harbor depths are affected by the seasonal variations in water level. The artificial channels of the chain of lakes enforce certain restrictions on the dimensions and build of the vessels which indirectly affect the requirements as to harbors. In length and beam the Lake vessels now approach the largest vessels on the sea, but their draft is less. Ocean-going vessels are naturally more seaworthy than the Lake boats would be under corresponding conditions, but the requirements for harbors of refuge and for protection for vessels at commercial harbors are based on much the same principles as those that obtain in case of harbors on the seacoast. Conditions of weather seriously adverse to navigation for the type of vessel employed often prevail on the Lakes during the season of navigation. These include violent storms and heavy seas, and smoke, fog, and thick weather. When navigation is closed, safe winter harbors for the vessels are required.

The approximate total number of harbors on the American shores of the Great Lakes that have been improved by artificial works is 78, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about \$75,000,000.

From the wording of the law the board feels that its duties have to do primarily with the harbors of the Great Lakes, and a more detailed description of these harbors seems desirable before passing to the consideration of their further improvement.

It is impossible to discuss, in an intelligible way, the improvement of the harbors on the Great Lakes without first giving some consideration to the history of the harbors and the region which they serve, and without offering some reasons why they were originally selected for improvement and why the particular methods and materials which have been used for their betterment were selected.

None of these harbors were originally planned to meet conditions at all comparable with those now existing. In their natural condition the Great Lakes offered very few safe and commodious harbors which were of sufficient depth to be used by any vessel suitable for lake navigation, and none at all which could be used by vessels of the present time. Shelter from storms and waves could be had within the mouths of the tributary streams and sometimes in the bays or indentations of the shore line. These rivers and bays were generally deep enough for the small ships then in use, but their entrances from the lake were almost invariably obstructed or completely closed by bars formed by the joint action of waves and currents at or near the line of the lake shore. During the season when storms were most prevalent on the Lakes the waves washed up the sand and gravel and almost completely closed the mouths of the streams, but during the times of freshets the volume of water discharged by these streams was generally sufficient to cut its way through the bars and to afford and maintain, for a time, channels deep enough to permit the passage of the small craft which were likely to use them.

The bars which separated the bays from the Lakes were generally more permanent in character and higher in relief than those at the mouths of the river, and channels more or less tortuous and uncertain always existed across these bars, through which the water ebbed and flowed as was necessary to maintain the level between the bays and the Lakes. All of these channels were constantly shifting, were of uncertain and varying depth, and liable to be obliterated temporarily by the action of any sudden storm. Such as they were, however, they were of necessity made use of by the first comers.

When the settlement of the region bordering upon the Lakes had advanced so far that the population produced something in excess of its own requirements and found it necessary to transport its product to market by water, the need of better harbors became imperative.

Between 1820 and 1830 the improvement of a large number of harbors on the Lakes was planned, and the actual work of betterment was undertaken at several of them. Where, as was generally the case, the proposed harbor was in the mouth of a river, the effort toward improvement was directed to doing away with the river bar, and this was effected by the construction of jetties extending outward into the lake, so as to prolong the natural banks of the river and to confine its discharge to a channel of moderate width. The result was invariably to secure a better and deeper entrance; and if the material composing the bar was such that the current of the river could move it, the bar was completely washed away and a channel secured and maintained between the jetties as wide and deep as the discharge of the river was capable of producing. In the case of harbors in bays, jetties were also made use of, and these were reinforced by similar structures built along the crest of the bar so as to prevent new channels from cutting through it and to confine the ebb and flow due to other causes than tides to a single, well-defined entrance.

The necessity for rapid construction, for great economy due to small appropriations, and the lack, in a new country, of skilled artificers led to the use of timber for the construction of these jetties and shore arms. The subaqueous portion was built up of separate timber cribs, made of logs flattened upon two sides and notched together in much the same way that the log cabins of the time were built. These cribs were rectangular in form and were of the length of a single log, i. e., 20 to 30 feet. They were strengthened by a longitudinal wall and one or more cross walls, also built of logs. The logs were fastened together with wooden pins. The structures were generally built without bottoms. They were floated into position and sunk upon the natural bottom of the lake and filled with small stone gathered from the shore or from the fields. The superstructure was generally built of sawed timber and was made continuous over a series of cribs. The side and cross walls were generally a foot thick and were carried up so as to give the jetty a height of 6 or 7 feet above the ordinary level of the lake. The superstructure was then filled with small stone and the whole was planked over to form a deck.

This method of construction has generally been continued ever since, but the cribs are now built with sawn timber, are strengthened with corner posts, sheathed with hardwood plank, and driftbolts and screw bolts have taken the place of wooden pins. The cribs are generally sunk upon a prepared foundation, either of riprap or piling. They are made much longer also than was first the case, and, generally, are provided with bottoms sufficiently tight to hold the filling of stone.

An increasing commerce led to the adoption of larger vessels upon the Lakes until finally the vessels attained a size and draft too great to enter the channel between the jetties. Resort was then had to dredging. The harbors were gradually deepened from 10 to 12 to 16 feet, and finally to 21 or 22 feet. Until this maximum depth was sought, the natural depth in the harbors and bays was generally sufficient, and no dredging was necessary inside the natural lake-shore line.

Jetties have now lost their primitive function, which was an active one, viz., to scour out a channel by the force of the natural currents, and have become simply conservative in their nature, their office being simply to protect the artificial channels which have been secured and are now maintained by dredging. In order that the original jetties should be effective, the distance between them necessarily could not greatly exceed the natural width of the stream the entrance to which they were designed to improve. This limited the distance between them from 120 to perhaps 250 feet, and this latter width was seldom exceeded. This narrow entrance was difficult for vessels to make when driven toward the shore by a strong wind, and if a sailing vessel under such circumstances failed to make the harbor it was almost certain to be wrecked upon the beach. This led to the construction of breakwaters out in the lake and generally lying on the most exposed side of the jetty entrance. The breakwater was connected with the land by a shore arm, thus forming an L-shaped structure, the angle of the L turned in the direction of the greatest wind exposure. It was thought that sailing vessels could easily gain the shelter of this structure and there drop anchor and await a favorable time for entering the commercial harbor.

These structures did not prove altogether satisfactory. While they sheltered an area from a certain direction of wind, they left it exposed to winds coming from other directions and made it a place rather dangerous for vessels to lie. This has generally been met by building a similar structure symmetrically disposed on the other side of the jetty entrance, and it has been the belief and the hope of the Government that these sheltered areas would be made use of for commercial purposes; that wharves would be erected along the shore under shelter of the breakwater, and the narrow and unsatisfactory harbor afforded by the river would gain relief in this way. But, contrary to the expectation of the Government, this has not been done, and we find the sheltered areas under the breakwaters at Oswego, Buffalo, Cleveland, Chicago, and Milwaukee comparatively little used. The breakwater affords an anchoring place for yachts, generally shelters the boathouse of the local yacht club, a part of the area is used for abandoned hulks and wrecks, and much of the lake shore is utilized, or an effort is made to utilize it, for park purposes.

Such is the present condition of harbors on the Great Lakes, and it is seen that the first improvements which were necessary were wholly outside of the natural shore line of the lake. There was no occasion for the United States to expend any money in improving the harbor inside of this line. Therefore in almost all of the lake harbors the policy has been followed of limiting appropriations and improvements made by the National Government to work in the lake. When the necessity for greater depth in the river forced itself upon the local community, then this community has generally found the means for deepening the river, and only in a very few instances has the United States come to its relief. Meanwhile the traffic of the Lakes has grown; starting from nothing there has been built up an inland water-borne commerce that has never before been approached in magnitude and value in the world's history. Most of the Lake harbors are congested and physically inadequate for existing traffic, and this traffic is growing and will probably continue to grow for many years. The time has arrived when a definite policy should be adopted for dealing with the harbors that serve this commerce. The problem is too great a one to be dealt with by the General Government alone, and cooperation must be had from the localities and corporations that will profit from this increasing commerce.

It is not for the United States to dictate to communities what measures should be taken, but these communities, having police powers and means of taxation which the United States has not, and being able to recoup themselves through increasing land values and otherwise,

should themselves rise to the situation and, in cooperation with the railroads and other large corporations interested, should put their harbors in shape for the economical handling of the business that is coming. Otherwise they must be prepared to see themselves distanced by rival communities with greater enterprise. In this way, and in this way alone, can the needed development be attained as rapidly as it will be needed. The United States can not well do for one locality what it refuses to do for another, and if it is expected that the United States is to do all of the work that will be required at all localities the expenditure that would be necessary would be manifestly prohibitive. The United States should be as liberal as possible, and so far as practicable its liberality should be somewhat in proportion to the enterprise shown by the localities themselves.

The board, after mature consideration of the many complicated questions involved and with the view of causing harbor facilities to be increased as rapidly as they are going to be needed, recommends the establishing of the following uniform rules in making harbor improvements hereafter:

1. That the advisability or inadvisability of the Government's undertaking any work at any harbor be determined in the manner now established by existing law and practice.

2. That no work of construction or maintenance be undertaken by the Government at any harbor constructed by and operated in the interest of a corporation or private person and adapted to the promotion of such interest only.

3. That the work of the Government at any harbor be confined to the general part of the harbor, including, as may be necessary, the construction and maintenance of breakwaters with the general anchorage area protected thereby, of entrance piers and jetties at the mouths of inner channels, and the portion of such channels immediately between them, and also of such long general channels of approach as may be necessary to connect the harbor with outside deep water.

With regard to the first provision of the law, regarding those harbors in which the whole or part of the harbor is improved at local expense, the board recommends that the improvements so made by local authorities should not be undertaken or maintained by the General Government.

Respectfully submitted.

D. W. LOCKWOOD,
Colonel, United States Army, Retired, Chairman.
DAN C. KINGMAN,
Colonel, Corps of Engineers.
C. MCD. TOWNSEND,
Colonel, Corps of Engineers.
JOHN MILLIS,
Lieutenant Colonel, Corps of Engineers.
C. S. RICKE,
Major, Corps of Engineers.

The CHIEF OF ENGINEERS, UNITED STATES ARMY.

[Second indorsement.]

THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
Washington, May 16, 1919.

Respectfully returned to the Chief of Engineers, United States Army. The Board of Engineers for Rivers and Harbors has reviewed the report of the special board appointed to report upon the following item of law contained in the river and harbor act of March 3, 1909:

"The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establish uniform rules in making harbor improvements."

The report of the special board, after discussing the subject at length, concludes with the following recommendations covering the several questions involved:

"1. That the advisability or inadvisability of the Government's undertaking any work at any harbor be determined in the manner now established by existing laws and practice.

"2. That no work of construction or maintenance be undertaken by the Government at any harbor constructed by and operated in the interest of a corporation or private person and adapted to the promotion of such interest only.

"3. That the work of the Government at any harbor be confined to the general part of the harbor, including, as may be necessary, the construction and maintenance of breakwaters with the general anchorage area protected thereby, of entrance piers and jetties at the mouths of inner channels, and the portion of such channels immediately between them, and also of such long general channels of approach as may be necessary to connect the harbor with outside deep water.

"With regard to the first provision of the law, regarding those harbors in which the whole or part of the harbor is improved at local expense, the board recommends that the improvements so made by local authorities should not be undertaken or maintained by the General Government."

After careful consideration of the report of the special board this board concurs in the principles and recommendations contained in items 1 and 2, quoted above. The board also concurs in the general principles enunciated in item 3 and in the final paragraph relating to harbors, in which the whole or part of the harbor is improved at local expense. It recognizes, however, that there may be instances in which the interests of the general public will not require a rigid application of the principles stated in item 3. It also recognizes that there may be exceptional cases in which improvements made by local interests will fall within the class of works deemed proper for the General Government to undertake or maintain or that will so conform to an advantageous project for further improvement of the locality as to merit special consideration.

For the board:

WM. T. ROSSELL,
Colonel, Corps of Engineers,
Senior Member of the Board.

Mr. STAFFORD. Mr. Chairman, if I may be allowed to say in the gentleman's time, because I do not wish to take up the time of the committee needlessly, as I am in favor of having this bill disposed of in the next hour or so, I would like to say even

during Mr. Burton's time, if the gentleman will inquire minutely into some of the maintenance projects on the Great Lakes, he will find that with some of the smaller harbors they have been maintained by the National Government. What I am saying is that you are not adopting a uniform policy and have discriminated as to maintenance against the many inner harbors on the Great Lakes.

Mr. SMALL. I understand the gentleman, but the gentleman's harbor is one of those that is favored because provision is made.

Mr. STAFFORD. The harbor at Milwaukee is not favored; there has not been one cent expended by the Government on the inner harbor, notwithstanding its great commerce.

Mr. SMALL. Is the gentleman quite sure?

Mr. STAFFORD. I am quite positive.

Mr. SMALL. Well, then, if he is sure, Mr. Chairman, I ask unanimous consent to extend my remarks in the manner indicated.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Chairman, I rise to move to strike out the last word. I simply want to be inserted at this point in the RECORD the fact or the statement confirmatory of the statement made a moment ago by the chairman of the committee, the gentleman from North Carolina, about the funds available for the completion of the Arrowhead project. I had a conversation to-day with Col. Taylor, of the Engineer's Office, War Department, and he informed me substantially as the gentleman from North Carolina that there will be approximately from \$140,000 to \$150,000 on hand in the aggregate there which will suffice for the coming season.

Mr. SMALL. Both under contract and not under contract, part under contract and part not.

The Clerk read as follows:

Chicago and Calumet Harbors, Chicago and Illinois Rivers, Ill.; Calumet River, Ill. and Ind.; and Indiana and Michigan City Harbors, Ind.: For maintenance, \$110,000; completing improvement of Calumet Harbor in accordance with the report submitted in House Document No. 237, Sixty-third Congress, first session, \$38,170; in all, \$148,170. The unexpended balance of appropriations heretofore made for the improvement of Chicago Harbor is hereby made available for improvement in accordance with the report submitted in House Document No. 1303, Sixty-fourth Congress, first session. The unexpended balance of appropriations heretofore made for improvement of Chicago River is hereby made available for improvement and maintenance in accordance with the report submitted in House Document No. 1294, Sixty-fourth Congress, first session. The unexpended balance of appropriations heretofore made for improvement of Indiana Harbor is hereby made available for improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 6, Sixty-fifth Congress, second session.

Mr. BARKLEY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I desire to have read in my time a letter which I received from the president of the West Kentucky Coal Co. in reference to the lack of appropriation for the Ohio River in this bill.

The CHAIRMAN. Without objection, the Clerk will read the letter in the gentleman's time.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

Mr. HENRY T. RAINEY rose.

Mr. SMALL. Does the gentleman desire time?

Mr. HENRY T. RAINEY. Yes.

Mr. SMALL. Does the gentleman care to take it on this or on the next item?

Mr. HENRY T. RAINEY. Either on this or the next item.

Mr. MANN. I would like to have five minutes on this paragraph.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the letter.

The Clerk read as follows:

WEST KENTUCKY COAL CO.,
Sturgis, Ky., January 9, 1919.

HON. A. W. BARKLEY,
Washington, D. C.

DEAR SIR: You no doubt are familiar with the recent rivers and harbors bill, there not being any appropriation made for the improvement of the Ohio River other than the unexpended appropriations which have been tied up under contract for the Ohio River improvement.

The improvements on the Ohio River are of vital importance to all of the people who live on the Ohio and adjacent to it, and inasmuch as about one-sixth of the population of the whole United States live

in the Ohio and Mississippi Valleys it seems to me that the benefits that these citizens can derive from having the Ohio and Mississippi Rivers made navigable continuously during the year are such that our Representatives in Congress should not overlook the importance of making the necessary appropriations to complete the great work that has already been begun in order that the public may have the benefit of these great waterways.

The West Kentucky Coal Co. is especially interested in the improvement of the lower Ohio as well as the Mississippi River, but more especially in the lower Ohio. Under ordinary conditions we transport half a million tons of coal down the Ohio River from our mines located near Caseyville, Ky., and on account of the present river condition we are only permitted to operate approximately seven months in the year, and these operating months are contingent on the flood stages of the water. With the proper improvements we could have continuous operation and could transport one and a half million tons of coal with the same equipment that we now have, and I am sadly disappointed that no appropriation was made in this session of Congress to take care of the necessary improvements on the lower Ohio.

With the present high labor cost on railroads, as well as the congestion of the railroads at various periods of the year, it makes it more necessary that improved river transportation should receive the necessary attention. In periods of car shortage, as well as other transportation facilities, if the Ohio and Mississippi Rivers were put in the condition in which they can be put at a normal cost, then the citizens living along these two great rivers could be served not only with coal but with various other commodities which have been most difficult for them to get transported to the towns and cities bordering these two rivers; and with these increased transportation facilities better car supply, as well as motive power, could be diverted to other localities where they would be needed.

I earnestly request that you use every effort in your power to see that something is done at the next session of Congress, and if possible at the present session, to have the necessary appropriations made for a continuance of the improvements of the lower Ohio River and not have it delayed for two or three generations to come. This country is in need of this improvement, and it should be given immediate attention; and if the necessary appropriations are made, it would help solve the great question of what are we going to do to find work for the returning soldiers.

I am attaching a copy of resolutions which were passed at the Ohio Valley Improvement Association meeting, and while these resolutions are modest in their suggestions they represent the feeling and best judgment of representative men from Pittsburgh to Cairo; and I am sure that the body of men that assembled at Louisville on December 11 and 12, 1918, went there with no selfish motives, but with the idea in view of trying to put before Congress the feeling and best judgment of the entire public who live in the Ohio and Mississippi Valleys.

Trusting that your efforts can be depended upon to see that these resolutions are acted upon, I am,
Yours, very truly,

C. F. RICHARDSON,
President.

Mr. BARKLEY. Mr. Chairman, I ask that a copy of these resolutions of the Ohio Valley Improvement Association be printed in the Record following the letter.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that a copy of the resolutions he referred to be printed in the Record following the letter. Is there objection?

Mr. STAFFORD. I object.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. BARKLEY] has expired.

Mr. MANN. Mr. Chairman, there has been a good deal of discussion at times in the House when the river and harbor bill was under consideration as to the amount of commerce which is obtained on rivers or harbors which are improved. And also a good deal of discussion to the effect that, owing to railroad competition, the improvement of rivers and harbors does not bring water commerce commensurate with the improvement. The paragraph which was just read carries an item for the Calumet Harbor, situated in Chicago. The Calumet River is a little river that runs from Indiana into Illinois and out to Lake Michigan. A few years ago there was no commerce there. There were a number of railroads there and there are a number of railroads there now in south Chicago, comprising railroads like the New York Central, the Pennsylvania, and Baltimore & Ohio, as well as various western roads, and belt lines which connect all the railroads with the Calumet Harbor and River.

Notwithstanding railroad competition, notwithstanding that the water competition is direct with the railroad competition, the commerce there now amounts to over 10,000,000 tons a year, wholly dependent upon the improvement of the Calumet River and Harbor. And if the improvement had not proceeded ahead of the commerce there never could have been any commerce there. Commerce followed the improvement. It followed, I may say, fairly rapidly, notwithstanding the railroad competition.

Gentlemen who believe it is impossible to develop water commerce at any point in competition with the railroads will have a living illustration that it can be accomplished where the conditions demand it. I do not know as to many of the items in this bill or the desirability of endeavoring to obtain water commerce in competition with the railroads at various places, but certainly there are cases, and certainly this is one, where the development has been a wise development; the expenditure has been a wise expenditure by the Government. This water com-

petition from the Calumet Harbor, affecting the grain rates from the West to the East, has not only developed an immense water commerce, but has had the effect of duly reducing railroad rates on grains and other commodities passing from the West to the East around the south end of Lake Michigan, and likewise of coal and other articles going from the East toward the West.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. SWITZER. Mr. Chairman, I would like to have five minutes.

Mr. SMALL. Will the gentleman not take it on another paragraph? Debate on this has been exhausted.

Mr. SWITZER. I would like to have unanimous consent. I was not present, and I would like to say something about the Ohio River situation. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SWITZER. Mr. Chairman, in view of the statement read by the gentleman from Kentucky [Mr. BARKLEY] I think it is due that some reason be stated why there is no appropriation recommended at this time to the pending bill for the Ohio River.

The Chief of Engineers, appearing before the committee, stated the unexpended balance on hand, amounting to something in the neighborhood of \$10,000,000, was ample to do all the work that the Government could do in the next year or a year and a half with the equipment it had on hand or could secure, and that there would be no need for an additional appropriation unless contractors who had heretofore made bids to build dams and partial construction of dams on the Ohio River would evince some disposition to make a reasonable bid. And the Chief of Engineers assured us that when the bill reached the Committee on Commerce of the Senate, if any contractor who had heretofore been doing river-improvement work on the Ohio River would make some reasonable bid, even for partial construction of dams, there would be a recommendation made by the engineers for some million dollars additional appropriation. Certainly there should not be money appropriated unless there could be reasonable assurance given us that the money can be expended in the next year and a half. Conditions have been so abnormal, labor so scarce, material so high, that many contractors on the river have practically failed in doing Government work, and very few men manifest a disposition to make offers to do contract work at this time. And, as I understand it, about the only work that will go on is the work directly under the engineers, with Government equipment.

I desire to say a word at this time in reference to a matter brought to the attention of the committee by my colleague from Ohio [Mr. LONGWORTH]. I do not doubt his statement. While I think probably, and know, there should be some investigation made along the lines mentioned, yet I do not think that should detract from the merits of the Muscle Shoals proposition as a power-producing proposition.

I have visited Muscle Shoals. Of course, my judgment may be erroneous, but I believe that the possibilities are great for the development of water power at Muscle Shoals. I am one of those who believe that where a great water power can be developed in the United States it should be done, even if it is to be done with Government money. I do not believe, merely because Congress in the past has turned down some proposition, that Congress, in the future or now, should turn it down. It seems to me as though gentlemen who in the past have voted against appropriating money to develop water power at Muscle Shoals, when the labor could have been procured cheaply and the work done more cheaply than it can be done now or in the future, will find themselves in a hole when there is an agitation on throughout the country for the development of water power in this country and it must be done at a greatly increased cost. I think it has been a mistake on the part of Congress in the past to turn down this joint proposition to not only improve the navigation of the Tennessee River at Muscle Shoals, but along with it jointly to develop the great possibilities of water power.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. SWITZER. I do.

Mr. KEARNS. I understood the gentleman from Ohio [Mr. LONGWORTH] to say that 8 or 10 men down there invested about \$1,000 in this project.

Mr. SWITZER. I am not defending men who may be grafting on the Government at the present time. What may be true with respect to Muscle Shoals is true practically at every can-

tonment—practically everything that has been done in the last year and a half. But because there are grafters in the country is, to my mind, no reason why the merits of Muscle Shoals should be disparaged. As I understood him, the gentleman from Ohio said this company would receive something like \$2,000,000 in royalties.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SWITZER. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for two minutes more. Is there objection?

Mr. SWITZER. He said this company will receive something like \$2,000,000 royalties. Is that correct?

Mr. LONGWORTH. Substantially.

Mr. KEARNS. Reserving the right to object, Mr. Chairman, if I do not object will the gentleman allow me to ask him a question?

Mr. SWITZER. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SWITZER. As I understand the gentleman from Ohio, he believes that the production of nitrates at Muscle Shoals is going to be a success and is going to make for somebody a large amount of money. It may be that they are going to receive profits in some illegitimate way. I am not disputing that. But if it is true, if there is to be \$2,000,000 of profits in royalties on the nitrate to be produced at Muscle Shoals, then it is evident that nitrates will be produced at Muscle Shoals; and I want to say that I am in favor of producing all the nitrate you can in this country for the purpose of furnishing a cheaper fertilizer. [Applause.] I think that Congress can do nothing better than to pursue every possibility that will tend to cheapen the production of fertilizer and make better fertilizer in this country.

Why, you gentlemen, everyone of you, two or three years ago received letters from a nitrate importing company in New York City, who said that this nitrate proposition would fail; that the Government could not produce nitrate. Yet these importers wanted us to vote down the Muscle Shoals proposition and similar propositions. Why? Because they said it would interfere with their nitrate importation from, and trade with, Chile. I then made up my mind that if Muscle Shoals would be a failure, it would not be a failure so far as the production of nitrate is concerned, because, otherwise, these importers would not be objecting to an attempt to produce nitrate in this country if the proposed proposition would be a failure. While it may be true that some men may receive abnormal profits—I do not know anything about that proposition; it may be that somebody has "got next," and probably is going to make more out of this proposition than he should make—yet I do not think it should disparage Muscle Shoals as a power-producing proposition. I understand it will save the consumption of something like 6,000,000 bushels or 8,000,000 bushels of coal annually in this country. Although I oppose reckless waste of public money, especially in furtherance solely of some private enterprise, still I favor the Muscle Shoals power-development proposition and every proposition that will tend to cheapen the cost of the production of fertilizer in this country. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has again expired. The Clerk will read.

Mr. HENRY T. RAINEY rose.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SMALL. Mr. Chairman, we wish to complete this bill this evening in so far as we can, and it is the desire that gentlemen confine their remarks to the bill. We have all endeavored to be as generous as we could to the membership of the House and made no point of order when gentlemen have discussed subjects not connected with the bill. We did not want to curtail discussion along any line. But I hope from this time on gentlemen will confine their discussion to bona fide amendments to the bill in order that we may make progress and complete the bill to-night.

Mr. DEMPSEY. Let me say to the gentleman that I think it is the feeling of some gentlemen here, or a good many, that while they would be willing to stay and complete the reading of the bill they do not want to vote on the passage of the bill, or on a motion to recommit, until Monday morning.

Mr. GARNER. Why should we not get through with it to-night?

Mr. DEMPSEY. I am making this suggestion on the part of others. As far as I am concerned, I would be willing to complete it.

Mr. SMALL. If we can get the bill completed and report it back to the House we will have made substantial progress.

Mr. TREADWAY. Will the gentleman from North Carolina state whether that is the program, to report it back and adjourn, or does he expect to get a final vote on the passage of the bill to-night?

Mr. SMALL. Does not the gentleman think it would be wise to pass the bill to-night?

Mr. TREADWAY. Suppose the question was brought up that no quorum was present.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 12 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and amendments thereto close in 12 minutes. Is there objection?

Mr. CALDWELL. Reserving the right to object, Mr. Chairman, a great many of us in the House interested in this bill believed when the statement was made the other day that a vote would be taken to-day. We knew that on Monday there would be general debate, and many of us have made arrangements to transact official business outside of the city on Monday. If the bill goes over until Monday it will be a hardship on these Members. I know that some Republican Members have gone away knowing that they left old war horses enough here to put it off until Monday, and they would not be here, but I do not see why when we depended on the statement of the chairman that there would be a vote to-day we should not have it. I am willing to stay here and have a call of the House and send for these Republicans.

Mr. FREAR. Mr. Chairman, I object to such a statement being made on the floor.

Mr. SMALL. I make the point of order, Mr. Chairman, that all this debate is out of order.

The CHAIRMAN. The point is well taken. The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 12 minutes. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, since this bill has been under consideration I have been engaged as one of the conferees on the revenue bill and have not been able for that reason to take part in the discussion. My knowledge of what has occurred is confined to my reading of the Record each day. I have noticed the frequent references of the gentleman from Wisconsin [Mr. FREAR] to the proposed barge line on the Mississippi River. Evidently the gentleman from Wisconsin does not understand the proposition. Therefore I conceive it to be my duty to explain to this House the barge-line proposition on the Mississippi River, which may revolutionize river traffic in the United States. I am unwilling that this important matter should be misrepresented in this debate.

The gentleman from Wisconsin referred in this connection to the alleged fact that the Government has turned over \$3,360,000 to the Hon. Edward F. Goltra, of St. Louis, whom he describes in one place as a Democratic State committeeman and in another place as the chairman of the Democratic national committee and in another place as chairman of the Democratic State committee of Missouri.

Mr. FREAR. Oh, I think the gentleman is mistaken about that; I never said he was chairman of the national committee.

Mr. HENRY T. RAINEY. The gentleman made that statement yesterday, and the report of the debate on page 1229 of the CONGRESSIONAL RECORD shows that he did. But that is immaterial. Mr. Goltra holds none of these positions and never did, and not one cent has been turned over to him in any way. I merely call attention to these statements to show how inaccurate the gentleman is. Mr. Goltra is a member of the Democratic National Committee from the State of Missouri, but this fund is not turned over to him on account of any such consideration as that.

Edward F. Goltra is one of the great iron masters of the United States, and he has conceived a plan which will revolutionize, I believe, not only the manufacture of iron in the United States, but the navigation of our rivers.

The proposition to which the gentleman from Wisconsin [Mr. FREAR] refers so often and about which he understands so little is this: The original proposition was to build 24 barges and 3 steamers. In its modified form it contemplates the building of 19 barges and 3 steamers. Three million three hundred and sixty thousand dollars has been allotted for that purpose by the Shipping Board. The 19 barges are now in process of con-

struction at Dubuque, Pittsburgh, and at two other points on our western rivers. Twelve of them are 65 per cent completed and they will all be completed in the month of April of this year. They are 300 feet long and 48 feet wide. The reason why the number of barges has been decreased from 24 to 19 is to leave a margin of funds for the purpose of constructing along the river at points where they may be needed great steel unloading devices, supplied with 10-ton steel shovels, capable of unloading one of these barges in a few minutes of time. These great steel unloading devices or tracks extend out into the river and the barge is run between the outer supports of the tracks and the bank of the river, and these great traveling 10-ton steel shovels empty the barges in a few movements, depositing along the track the ore or the coal—

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HENRY T. RAINEY. Mr. Chairman, I ask unanimous consent that the time be extended for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time on this paragraph be extended for five minutes. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. The cargo can be deposited by these traveling shovels in railroad cars or in any other way along the banks of the river. The barges draw 4 feet of water, and at low water carry 1,000 tons of coal or of iron ore; that is, at the low water which prevails in the Mississippi River in the latter part of August and the early part of the month of September. During the remaining period of time they carry much larger loads than this.

The steamers, which will soon be in process of construction, to be used in moving these barges are constructed of a type absolutely new in the United States and, so far as I know, new in the world. They are 265 feet long and have a beam of 58 feet, and operate in three feet and a half of water. There are no similar tugboats in use at the present time on any of our rivers. In addition to the ordinary rudder, they are fitted with what are known as monkey rudders or Yukon rudders, which are double rudders operating behind the propelling wheels, and with this steering device it is possible to operate these great steamers in three feet and a half of water and still move successfully six of these loaded barges. The project is to start these steamers out from St. Louis loaded down with coal and drawing four feet and a half of water. They carry enough coal to enable them to make the round trip to Minneapolis and back to St. Louis, and when they get back to St. Louis they will be drawing 3½ feet of water and they will push six of these great steel barges drawing 4 feet of water.

This fleet of barges, propelled by one of these steamers, can carry more ore in one trip by 3,600 tons than can be carried on the largest of the ore-carrying steamers on the Lakes. At a moderate stage of water one of these fleets propelled by one of these steamers on the Mississippi River will carry as much iron ore as can be carried on 300 50-foot freight cars, and will move down the river as fast as any freight train can move. In other words, one of these steamers will bring down the river at one load the equivalent of seven long trainloads of ore. The project is to have no empty barges going back to Minneapolis, but to carry back to Minneapolis the coal from the coal fields of Illinois for the great northwestern section of the United States, and unloading devices are already being arranged at the city of Minneapolis for the purpose of unloading this coal.

The project which Mr. Goltra has conceived contemplates assembling iron ore, coking coal, and manganese at the city of St. Louis, in the State of Missouri, bringing it there by a haul which is almost a complete water haul. We find that we have coking coal in the State of Illinois.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. HENRY T. RAINEY. Mr. Chairman, I ask unanimous consent to proceed for four minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time on the paragraph be extended for four minutes. Is there objection?

Mr. DEMPSEY. Mr. Chairman, before the gentleman starts will he please tell how much more they carry at good water than at low water? The gentleman stated more than 1,000 tons, but did not state how much more.

Mr. SMALL. Reserving the right to object, could the gentleman get along with less?

Mr. HENRY T. RAINEY. Perhaps I will be able to do so; I will do my very best to get through in three minutes.

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

Mr. HENRY T. RAINEY. At an ordinary stage of water each of these barges will carry nearly 2,000 tons of ore; at a flood stage each barge will carry 2,600 tons. The project is to assemble at St. Louis, Mo., manganese and iron ore and coking coal, and by using modern by-product ovens we find that we have coking coal in Franklin County, Ill., a short railroad haul of 50 or 60 miles, and this coal can be brought to Chester, Ill., 60 miles below St. Louis, and loaded on these barges. We propose to bring manganese from Cuba, unload by floating derricks at New Orleans on these river barges, and then bring it on up the river to St. Louis. In the summer time these barges will be occupied in bringing iron ore from the North, and their return cargoes will consist of coal for the great Northwest.

In the wintertime these barges will be operated on the lower Mississippi River carrying coal to New Orleans and will bring manganese from Cuba and coking coal from Franklin County, Ill., to the city of St. Louis. We propose to manufacture iron in the city of St. Louis, by this inexpensive method of assembling the material, cheaper than it can be manufactured in any other section of the United States. It is 650 miles down the river from the point where the iron ore will be loaded on the barges to St. Louis. It is a thousand miles from the Lake Superior points nearest to the iron-ore section of the Northwest to the Lake Erie points nearest to Pittsburgh. It is 850 miles from these points on Lake Superior to Gary, Ind., and in order to load on Lake steamers for Gary or Lake Erie points the railroad haul is something like 150 miles from that section of the Mesaba Range from which they are compelled to get ore. The railroad haul from the ore fields to the point of loading on the Mississippi River is only a hundred miles.

This in brief is the proposition which we who live along the greatest of our rivers and who are studying its problems believe will result in a tremendous economic saving to this country in the matter of iron production and will result in time in revolutionizing the method of navigating the rivers of the United States. The gentleman from Wisconsin before many years, before many days have passed, will see this great fleet of steel barges in operation on the Mississippi River and in successful operation. The competition of the railroads has nothing to do with freight of this kind. Arrangements have already been made for this trade. The blast furnaces are ready and will be in operation in May, and then the gentleman from Wisconsin will be surprised, and equally surprised, I have no doubt, to find soon the river which for 200 miles flows past the boundary of the great State which in part he represents here carrying a tonnage which he seems never to have even dreamed of. [Applause.]

Hon. Edward F. Goltra, with splendid patriotism, has entered upon this project, which will in a few years make the city of St. Louis one of the great iron-producing centers of the continent. This project makes possible the utilization of every mile of the great Mississippi River from the head of navigation to the Gulf of Mexico. It makes possible cheaper coal and more coal for the great city of New Orleans and all its industries; it makes possible cheaper coal and more coal for the great Northwest. In this age of iron it makes possible cheaper iron for the industries of all the States. The rivers are coming into their own again, and the Mississippi River barge line systems may in the very near future be extended to the other great rivers which between our mountain ranges flow down to the sea. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FREAR. Mr. Chairman, if the gentleman from Illinois had been present during the discussion he would have heard everything that I read into the Record from the Engineer's Report to-day, which can not be gainsaid, and in addition to that let me say that Mr. Goltra came to my office, in addition to the hearing before the Rivers and Harbors Committee, and I know his proposition completely, as well as does the gentleman who just spoke. I have understood it completely, and the best opinion of experts with whom I have conferred is that Mr. Goltra is going to be disappointed with his new type of boat for the Mississippi. But that is neither here nor there. I hope he will not be disappointed and that he may be successful. I hope so. Others desired that same opportunity to lease these boats. Mr. Goltra was given the advantage, and he now has it, and he must make good. He expects to buy the boats at one-half the cost of construction, and so states—

Mr. HENRY T. RAINEY. Will the gentleman yield?

Mr. FREAR. I can not unless I can get more time. The gentleman has used 14 minutes and the discussion of this is all in the Record. Read the Record in regard to it.

Mr. HENRY T. RAINEY. The last statement is not true.

Mr. FREAR. That statement is true, and I put it in the RECORD in Mr. Goltra's own words. You will find it in the permanent RECORD.

Mr. HENRY T. RAINEY. Will the gentleman yield?

Mr. FREAR. I can not unless I get the time. I have been held to five minutes, and I want to talk about another subject. If the gentleman will take my statement, he will find that it is absolutely so, and I know as much about it—that is, about the Goltra proposition—I believe I do, as does the gentleman from Illinois.

I believe I do. I hope Mr. Goltra is going to be successful. But that is neither here nor there. The minority leader a few moments ago made a statement that I want to refer to briefly. He said on the Calumet Harbor and River they have about 10,000,000 tons, and that was an evidence of what could be brought about by putting in the improvement before institutions went in to create commerce. That is true; but it would not have been an improvement at that point if it had not been known that those great steel mills were to be constructed at Calumet Harbor. And there is another and a basic reason that the ships on the ocean and large boats that use the ship canals on the Lakes can make a success of transportation, as we know, and can compete with the railroads, and that is the case in Calumet Harbor.

When it comes to the Mississippi River, unless now Mr. Goltra has found the secret of success, the Mississippi River with its \$150,000,000, the Missouri River with its \$22,000,000, and the Tennessee with its \$12,000,000, and this appropriation of over \$12,000,000 just adopted, with past expenditures, for the Cumberland, no commerce is on all these streams, because they are entirely different propositions, small-depth boats and under different conditions. And that is what I have been discussing here in exposing the waste on rivers and canals.

Now, Mr. Chairman, this bill, in my judgment, with the 70 new projects added, is much worse than the bill two years ago, when many gentlemen present voted against it. I can not understand why a man who voted against the bill at that time can come to any other conclusion at this time. Then we had 133 votes, not counting the pairs, against the bill. I say that the same condition that existed two years ago exists to-day. And in regard to that other proposition, you can not show any evidence thus far, so far as has been presented to us, even on the Black Warrior, which was to be the test, of any successful use of the rivers. I hope it will come. I believe in maintaining the rivers all the time, but not in putting in these very expensive projects and new expensive improvements until we can have some justification and some means of utilizing them. And that is what we have failed to do up to this time on all the rivers, except possibly the Monongahela and one or two other small projects.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Ship channel connecting waters of the Great Lakes between Chicago, Duluth, and Buffalo, including St. Marys River, St. Clair River, channels in Lake St. Clair and Detroit River, Mich.: Completing improvement of Grosse Pointe Channel, Lake St. Clair, in accordance with the report submitted in House Document No. 188, Sixty-fifth Congress, first session, \$94,000; for improvement of Livingstone Channel, Detroit River, in accordance with the report submitted in House Document No. 322, Sixty-fifth Congress, first session, \$750,000; in all, \$844,000.

Mr. HENRY T. RAINEY. Mr. Chairman, the arrangement Mr. Goltra has with the Shipping Board is this: At any time within six years he has the privilege of buying these barges and these steamers upon an appraisement to be made in such manner as the Government shall direct. Now, that is an exceedingly different proposition from any agreement to get these barges at one-half their value. He expects to pay for them their full value after that value has been ascertained in the manner I have indicated. The Government required Mr. Goltra, before making this lease to him, to expend \$100,000 of his own money in acquiring wharfage rights at points they designated along the river. And he did it. And in addition to that, Mr. Goltra expended \$35,000 of his own money in experiments made on the river and in developing this plan which is now approaching completion.

I never heard that any other responsible persons wanted to lease these barges. The whole scheme originated with Mr. Goltra. He submitted it to the engineers of this Government, and these barges and these steamers are being built now under their direction, and the steamers will be built in all probability by the Government itself. And in building the steamers they propose to use the machinery, the steam pipes, and the condensers which were purchased for use in our wooden ships—projects which have now been abandoned. And the intention is to salvage a large part of this valuable machinery and find this use for it.

I would like to know of the gentleman what other gentlemen, and I want him to name them, were willing to pay \$100,000 out

of their own pockets in acquiring wharfage space along these rivers, and I want to know who experimented other than Mr. Goltra with this proposition, expending \$35,000 of his own money, in developing this scheme, and I want to know what responsible persons made a better offer to the Government for these barges than the proposition made by Mr. Goltra, which has been accepted by the Government.

Mr. FREAR. Is that the question?

Mr. HENRY T. RAINEY. Yes.

Mr. FREAR. Col. Keller did not name the parties that were trying to get this lease; but he did say that there were a number of them, and the gentleman will find it in the hearings before the River and Harbor Committee. If the gentleman will permit me in rising in opposition to read from page 48, it is as follows:

Mr. SWITZER. You think this traffic will continue?

Mr. GOLTRA. Yes, sir; I have ideas about that matter that will interest you. At first you may disagree with me, but on reflection I think you will agree with me. The cost per ton per mile: If I can eventually purchase this fleet for \$1,700,000 that has cost \$3,360,000, that money will cost me 6 per cent per annum; that is, \$283 a day. I know the number of men that are going on that boat to operate it—I am speaking now of one boat—and I know how much they will cost and how much they will eat; that will cost me just \$36 a day.

Then he goes on to discuss the proposition. He said to me personally it is going to cost the Government twice as much to-day as it would take at any other time, because of the excessive high price of labor; and he said he expected to buy those boats at about half price. That is the statement he made in his office, and that is substantially the same statement that he made in his hearing. His statement differs substantially from the statement which the gentleman from Illinois has just made.

Mr. HENRY T. RAINEY. The gentleman is very clever. Everybody knows that it costs more to build now than it will 10 years from now or 6 years from now.

Mr. FREAR. That is Col. Goltra's statement.

Mr. HENRY T. RAINEY. My statement is the fact, and Col. Goltra has never stated anything to the contrary. It is a contract that he has with the Government, providing that at any time within six years from the present time he has the right to buy these boats from the Government at an appraisement.

Mr. FREAR. Here is Col. Goltra's statement, that he expects to buy them at half price. Let me say that Col. Goltra had a trip on that river last year. An expert who is used to river traffic tells me that the Goltra boat will not be successful. He wasted the money and the time of the Government on the other trip. He wasted his own money. He took a dredge off the Mississippi so as to use it on some project, according to the Engineer's Report. He lost \$10,000 on that trip. He says that the upper river to-day is in perfect condition, and that he can use it to-day. It does not need any improvement for his purposes. That is his own statement in the hearing. The water is there. Col. Goltra does not complain. So, Mr. Chairman, it seems to me I have not made any unfair statement. I did not intend to do so. Unfortunately, the gentleman was not here.

Mr. HENRY T. RAINEY. It is a clever statement, and it is not in accordance with the facts.

Mr. FREAR. It is in accordance with the facts, and the gentleman does not know what the facts are.

Mr. HENRY T. RAINEY. I recited what the facts are.

Mr. FREAR. The gentleman is mistaken, and I have given them as they are.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. If we stay here, while the discussion we have just had has been interesting and valuable—and I have enjoyed hearing both gentlemen—if we stay here, I shall give notice now that I shall make a point of order on any gentleman discussing anything except the paragraphs of the bill from this on until the conclusion of the bill, if we are to be kept here. [Applause.]

Mr. SMALL. I think the intention of the gentleman is entirely justified, in view of the liberality of the committee.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Mackinac, Cheboygan, Rogers City, Alpena, Harbor Beach, and Monroe Harbors, Saginaw, Black, Clinton, and Rouge Rivers, Mich.: Completing improvement of Alpena Harbor in accordance with the report submitted in House Document No. 830, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, \$67,500; *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Mr. HICKS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. HICKS. I do so for the purpose of refuting a statement—

Mr. SMALL. Mr. Chairman, how much time does the gentleman desire?

Mr. HICKS. Only two minutes.

Mr. SMALL. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph and all amendments thereto close in two minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in two minutes. Is there objection?

There was no objection.

Mr. HICKS. Mr. Chairman, I rise to refute a statement made a few moments ago by the gentleman from New York [Mr. CALDWELL], my colleague from the second district, who intimated that the Republicans on this side of the House were not paying their share of attention to the consideration of this bill. At the time he made that statement, by actual count, there were 37 Republicans present and 29 Democrats.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Toledo, Port Clinton, Sandusky, Huron, Vermilion, Lorain, Cleveland, Fairport, Ashtabula, and Conneaut Harbors, Ohio: For maintenance, \$55,000; completing improvement of Sandusky Harbor in accordance with the report submitted in House Document No. 982, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, \$181,000; completing improvement of Huron Harbor in accordance with the report submitted in House Document No. 5, Sixty-third Congress, first session, and subject to the conditions set forth in said document, \$34,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; completing improvement of Fairport Harbor in accordance with the report submitted in House Document No. 206, Sixty-third Congress, first session, \$238,500; completing improvement of Ashtabula Harbor in accordance with the report submitted in House Document No. 997, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, \$83,000; in all, \$592,000.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 21, line 26, after the word "improvement," insert "completing improvement of Lorain Harbor, \$20,000," and on page 22, line 8, strike out the numerals "\$592,000" and insert in lieu thereof "\$612,000."

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

The amendment was agreed to.

Mr. SMALL. Mr. Chairman, I would like to insert in the Record a letter from the Chief of Engineers recommending this amendment.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

Following is the letter referred to:

JANUARY 6, 1919.

HON. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: 1. The river and harbor act of August 8, 1917, adopted a project for the extension of the west breakwater at Lorain Harbor, in accordance with a report submitted in House Document No. 980, Sixty-fourth Congress, first session, and subject to conditions set forth in said document. The object of this improvement is to extend the west breakwater to the shore, so as to prevent shore erosion and consequent fill in the harbor area.

2. On account of the unfavorable conditions during the war, this work has not been undertaken, and the district engineer now states that to complete the work will require \$20,000 in addition to the amount heretofore appropriated.

3. To do part of the work with the funds which are available and await further appropriation for the completion will materially increase the cost of the work, and as it is desirable that it be done as soon as practicable, it is recommended that the further appropriation of \$20,000 be made for the completion of this improvement.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.
By H. TAYLOR,
Brigadier General, United States Army.

The Clerk read as follows:

Colorado River, Ariz.: For maintenance for the Government levee on the Gila River near its junction with the Colorado River at Yuma, \$10,000.

Mr. HUMPHREYS. Mr. Chairman, I make a point of order on the paragraph. This is solely in the interest of the control of floods of the Arizona River, and has no reference to the improvement of navigation.

Mr. SMALL. Mr. Chairman, this item was inserted because it was recommended in the Report of the Chief of Engineers and by the representative of the Chief of Engineers, Gen. Taylor, who was before us. It appears to be quite urgent. I am obliged to concede, if the gentleman insists on the point of order, that it is not for navigation, but for flood control.

Mr. HUMPHREYS. I insist on it, although I have no objection to the merits of it.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

San Francisco, Oakland, Richmond, Monterey, and Humboldt Harbors, Redwood and Petaluma Creeks, Napa River, San Pablo Bay, Mare Island Strait, and Suisun Channel, Cal.: For maintenance, \$124,800; for maintenance of Oakland Harbor in accordance with the report submitted in House Document No. 1131, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, \$12,000; completing improvement of Suisun Channel in accordance with the report submitted in House Document No. 986, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, \$64,500; completing improvement of San Rafael Creek in accordance with the report submitted in House Document No. 801, Sixty-third Congress, second session, and subject to the conditions set forth in said document, \$27,300: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; completing improvement of Petaluma Creek in accordance with the report submitted in House Document No. 849, Sixty-fifth Congress, second session, \$20,000: *Provided*, That no expense shall be incurred by the United States for acquiring any land required for the purpose of this improvement; in all, \$248,600.

Mr. SMALL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 23, line 25, strike out the words "completing improvement of Petaluma Creek" and insert "for improvement of Napa River," and, in line 27, strike out "849, Sixty-fifth" and insert in lieu thereof the following: "795, Sixty-third."

Mr. SMALL. Mr. Chairman, the purpose of this amendment is to correct a clerical error in making up the bill. Petaluma Creek was substituted instead of Napa River. This does not change the appropriation, but carries out the intention of the committee.

The amendment was agreed to.

Mr. SMALL. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Page 24, insert the following paragraph between lines 3 and 4: "Crescent City Harbor, Cal.: The condition in the item in the river and harbor act approved July 18, 1918, requiring assurances that a railroad shall be constructed between Crescent City, Cal., and Grants Pass, Oreg., is hereby waived until an appropriation is made by the United States for the further prosecution of said project."

Mr. SMALL. Mr. Chairman, I may explain the purpose of this amendment. When the project was adopted no appropriation was made, but a local contribution of \$200,000 was made. There were other local conditions, primarily one to the effect that a certain railroad should be constructed, but recent conditions as to the scarcity and high cost of material as well as labor have made it impossible to construct the road. This simply waives the condition while they are spending their own money, so that the local conditions will not become applicable until after Congress makes an appropriation.

The amendment was considered and agreed to.

The Clerk read as follows:

Puget Sound and its tributary waters, Olympia, Seattle, Anacortes, Port Gamble, Tacoma, and Bellingham Harbors, Lake Washington Ship Canal, Snohomish and Skagit Rivers, Swinomish Slough, waterway connecting Port Townsend Bay and Oak Bay, Columbia River between Wenatchee and Kettle Falls, Wash.: For maintenance, \$27,000; for maintenance of east and west waterways, Seattle Harbor, in accordance with the report printed in Senate Document No. 313, Sixty-fifth Congress, third session, and subject to the conditions set forth in said document, \$40,000; completing improvement of Skagit River in accordance with the report printed in House Document No. 935, Sixty-third Congress, second session, \$30,000; completing improvement of Anacortes Harbor in accordance with the report submitted in House Document No. 1117, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, \$56,000; completing improvement of Port Gamble Harbor in accordance with the report submitted in House Document No. 851, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, \$12,000; in all, \$165,000.

Mr. MILLER of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, page 25, line 19, by adding the following next after the semicolon, after the item of \$40,000 in said line:

"For the maintenance of the Duwamish waterway, Seattle Harbor, to a depth of 20 feet and to a width of 150 feet at mean low water as far south as Eighth Avenue, south bridge, \$40,000: *Provided*, That no part of said appropriation shall be available for said purpose until said improvements shall have been completed to project dimensions to said point."

Mr. MILLER of Washington. Mr. Chairman and gentlemen of the committee, after the many days of argument and discussion, I call your attention to an improvement in Seattle Harbor, covered by the amendment I have introduced for an appropriation of \$40,000 for its maintenance. We have expended in Seattle by local interests over \$6,000,000 on harbor improvements, and have never asked the United States Government for a single cent.

The bill carries an appropriation of \$40,000 for the east waterway and the west waterway. Those are waterways dredged out by private interests 1,000 feet wide. The east waterway is a mile and a quarter long and the west waterway is a trifle over a mile long. Continuing this improvement along the Duwamish Valley project under the direction of the Army

engineers, it is 500 feet wide, 150 feet between pierheads. This project has been completed by local interests at the expense of over \$2,000,000. There are large shipbuilding enterprises on this river. The Seattle & North Pacific Shipbuilding Co., situated on this waterway, has contracts with the United States Government for the construction of ten 9,400-ton steamships.

In this project the Duwamish River, covered by the amendment, is 20 feet of water, 150 feet wide between pierheads and 500 feet wide between bulkheads. What we are after is an appropriation for the maintenance simply of this enterprise. Not one dollar are we asking for the building or construction of the enterprise, but simply its maintenance. It could not be included in this bill, because at that time this project was not completed. Technically it is not completed now. My amendment says that none of this appropriation shall be available until this improvement is completed to its project dimensions. In my city of Seattle on the east and west waterways there have been constructed one-seventh of all of the tonnage constructed by the Emergency Fleet Corporation. Over 20,000 men are in the shipyards on the east and west waterways and on this Duwamish River, and nearly 25,000 at the present time in the entire city. Since the Shipping Board or the Fleet Corporation has released private shipyards, so that they can enter into foreign contracts, this improvement will be alive with shipbuilding enterprises, and I am simply asking that in order that this may be maintained to a depth of 20 feet, in order to permit these shipbuilders to launch their ships and put them down this waterway, an appropriation be granted.

Mr. HUMPHREYS. Mr. Chairman, how much does the amendment call for for maintenance?

Mr. MILLER of Washington. Forty thousand dollars.

Mr. HUMPHREYS. Where does the gentleman get that figure? Why do you say \$40,000?

Mr. MILLER of Washington. It is the sum approved by the project and district engineers.

Mr. HUMPHREYS. The United States engineers?

Mr. MILLER of Washington. Yes; in Senate Document 313.

Mr. HUMPHREYS. They recommend it?

Mr. MILLER of Washington. They do recommend it. That is all I have to say.

Mr. SMALL. Mr. Chairman, the gentleman moves this amendment appropriating \$40,000 for the maintenance of the Duwamish River. The city of Seattle is entitled to high praise for its civic enterprise in the improvement of the Duwamish River and the east and west waterways; but, as a matter of fact, the Chief of Engineers has only recommended the United States taking over the maintenance of the east and west waterways.

Mr. MILLER of Washington. That is correct.

Mr. SMALL. And we have provided for maintenance of the east and west waterways in the paragraph under consideration. However advisable it may be, we are not in a position, and the Committee of the Whole is not in a position, to bring it to the House nor could we consent that the House shall make an appropriation for the maintenance of this project for which no recommendation has been made.

Mr. MILLER of Washington. Except by the district engineer and the project engineer.

Mr. SMALL. Yes. I am referring to the Chief of Engineers.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Certainly.

Mr. HUMPHREYS. Was the Chief of Engineers asked about this after he got that original estimate under direction of the War Department to confine his estimates to such projects as were absolutely necessary in the conduct of the war?

Mr. SMALL. The report to which the gentleman from Washington refers is based upon a resolution by the Senate, referring the matter, and in that report the Chief of Engineers uses this language:

The board believes it is advisable for the United States to take over and assume the maintenance of those portions of the east and west waterways for a distance of 6,500 feet and 5,200 feet, respectively, from the pierhead line in Elliott Bay, at an estimated cost of \$40,000.

That is the only recommendation that we have included in the bill. I will say to the gentleman our committee would be glad to pass a resolution, if it seems appropriate, referring this matter to the Board of Engineers for Rivers and Harbors in order to make further investigation and determine whether the United States should assume the maintenance of the Duwamish waterway.

Mr. HUMPHREYS. When was that dated?

Mr. SMALL. This is a quite recent report, dated July 9, 1918.

Mr. HUMPHREYS. What does the chief say about that?

Mr. SMALL. I have just read.

Mr. HUMPHREYS. I thought the gentleman read from the report of the board.

Mr. SMALL. No; I read the Chief of Engineer's report and the conclusions, and it makes no recommendation as to the Duwamish River.

Mr. HUMPHREYS. The board makes no recommendation?

Mr. SMALL. No.

Mr. HUMPHREYS. The Board of Engineers?

Mr. SMALL. I can tell you in a moment.

Mr. MILLER of Washington. Pardon me, but the board recommends it.

Mr. SMALL. I will read you from the concluding paragraph from the Board of Engineers for Rivers and Harbors:

The board therefore recommends that the United States take over and assume the maintenance of the east and west waterways for distances of 6,500 feet and 5,200 feet, respectively, from the pierhead line at Elliott Bay at an annual estimated cost of \$40,000.

The Chief of Engineers substantially adopts the same language, so the gentleman will see it will be a violation of a settled policy of the Committee on Rivers and Harbors as to what they shall recommend on a river and harbor bill, and gentlemen of the Committee of the Whole will see what a dangerous precedent would be set if the committee should adopt this amendment.

Mr. HUMPHREYS. If the gentleman will yield for another question, has the survey been made of this Duwamish waterway?

Mr. SMALL. Yes; this report covers that. The resolution of the Senate says:

To review the report on the survey of the east and west waterways and the Duwamish waterway at Seattle, Wash., printed in House Document No. 54, first session, Sixty-fifth Congress, and to submit such further report and recommendation upon said waterways, or any of them, as may be desirable in view of any change in local condition since the date of its prior report.

So they had full opportunity to recommend the maintenance of the Duwamish River by the United States if they desired to do so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Washington. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for three minutes. Is there objection?

Mr. SMALL. Can not the gentleman get along with less time than that—say two minutes?

Mr. MILLER of Washington. I will try. The report of the project engineer is dated the 31st of last May. The report of the Chief of Engineers is the 9th of July, I believe. Events move swiftly out in that country. That contract for ten 9,400-ton steamships was let near that interval. All of these shipyards along here [illustrating] have multiplied a thousandfold since the report of the local engineer on this project. As I said, events move swiftly out there. All of these great shipyards in here—in there [indicating]—is an improvement where the city has spent \$2,850,000 on terminals, a port commission project involving the very latest mechanics and appliances capable of being utilized in the handling of cargoes. This project here is a part of the industrial improvements of Seattle, and I am simply asking that we have this in order to keep this channel open if necessary, not a dollar to be expended until the improvement is completed according to the project dimensions and under the direction of the United States Board of Engineers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

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

On a division (demanded by Mr. SMALL) there were—ayes 32, noes 31.

Mr. SMALL. I ask for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman demands tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted. Twelve gentlemen have arisen, not a sufficient number.

So the amendment was agreed to.

The Clerk read as follows:

Honolulu, Kahuini, Hilo, and Nawiliwili Harbors, Hawaii: For maintenance, \$10,000; completing improvement of Kahului Harbor, \$94,300; for improvement of Nawiliwili Harbor in accordance with the report submitted in House Document No. 609, Sixty-second Congress, second session, \$250,000: *Provided*, That work on the project herein adopted shall not be commenced until the Secretary of War is satisfied that railroad connections will be made within a reasonable time which will make the harbor of Nawiliwili accessible by land to the entire southern portion of the island: *Provided further*, That the rates on said railroad shall be subject to regulation by the Secretary of War: *And provided further*, That no contract for work herein appropriated for shall be entered into until the county of Kauai, or other agency, shall have deposited to the credit of the Secretary of War, in some bank in the Territory of Hawaii to be designated by him, the sum of \$200,000, which sum shall be expended by the Secretary of War in the further prosecution

tion of said work, in the same manner and in equal amounts as the sum herein appropriated: *And provided further*, That no expense shall be incurred by the United States for acquiring any lands required for the purposes of this improvement; in all, \$354,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. SMALL. Will the gentleman let this committee amendment be adopted, simply correcting—

Mr. MANN. No; I can not allow the committee amendment to go in; I would otherwise.

This proposition, which is quite agreeable to me, provides that the rates on a railroad to be provided for shall be subject to regulation by the Secretary of War. And I have no doubt that that might be a good thing. But the interstate-commerce law provides, or I am under the impression at least that it does, that the rates on railroads in Hawaii, as well as elsewhere in the United States, shall be subject to control by the Interstate Commerce Commission. And I doubt very much the desirability of attempting to repeal the interstate-commerce law by a little sentence in the river and harbor bill.

The Secretary of War, through the district engineer, might be able to regulate rates on a railroad, though of course they have no special knowledge on the subject, but the interstate-commerce law makes a lot of provisions in reference to rates and notices, the posting of rates and the filing of tariffs, and everything of that kind. And while that law is largely in abeyance at present, it is not repealed, and I see no reason, unless the gentleman from North Carolina can give me one, why it should be repealed in part or in whole at this time.

Mr. SMALL. Mr. Chairman, the question was as to where this improvement should be located—

Mr. MANN. I am not saying anything about the improvement or the requirement for the construction of a railroad. I am in favor of the improvement. I do not know, but I think I heard a good deal about this on a trip I made to Hawaii with others at one time, though I do not recollect definitely about it. I have no objection to the improvement. I think it is a deserving one. I think it is perfectly proper, as well as desirable, to require a railroad to be in some way regulated. But has the gentleman any special information as to whether the Interstate Commerce Commission should not still retain jurisdiction over all these railroads out there?

Mr. SMALL. Except it is the usual policy of Congress in imposing any condition, when improvements are authorized, to leave it to the War Department to look after the performance of those conditions.

Mr. MANN. That is not one of the conditions. One of the conditions is the construction of the railroad. That is all right to leave to the Secretary of War. Now, when the railroad is constructed, does the gentleman mean to say then we should remove all the restrictions now contained in the interstate-commerce law? Would not this change those? Here is a requirement in the law in regard to the time when they can make changes—

Mr. SMALL. May I interrupt the gentleman? Is it the opinion of the gentleman as to the railroad connections that the Interstate Commerce Commission, upon complaint, would have the power to regulate and fix the rates there?

Mr. MANN. That was my understanding. In addition to that, however, I had a gentleman telephone to the Interstate Commerce Commission to-day, and was informed by the assistant secretary that the Interstate Commerce Commission had jurisdiction over railroads in Hawaii. I was under that impression, because I had charge of the interstate-commerce bill when it passed the House.

Mr. SMALL. I may say that this particular condition was recommended in the report by the Chief of Engineers, and it seemed wise to the committee that there should be some regulation of the rates there.

Mr. MANN. We all agree to that.

Mr. SMALL. Then Mr. Chairman, I move to strike out the words beginning on line 14 this language:

Provided further, That the rates on said railroad shall be subject to regulation by the Secretary of War.

The last "*And provided further*" should go out, so that the words struck out shall begin with "That the rates on said railroad shall be subject to regulation by the Secretary of War; *And provided further*."

Mr. MANN. Oh, no. "*Provided further*" should remain in there.

Mr. SMALL. "*Provided further*" should remain in.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMALL: Page 26, line 24, after the word "*further*," strike out "That the rates on said railroad shall be subject to regulation by the Secretary of War: *And provided further*."

Mr. SMALL. That is correct.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. SMALL. I have another amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SMALL: Page 26, line 26, strike out "\$354,000," at the end of the line, and insert in lieu thereof "\$354,300."

Mr. SMALL. This only corrects a clerical error in the aggregate.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

San Juan Harbor, Porto Rico: For maintenance, \$10,000.

Mr. SMALL. Mr. Chairman, I move to strike out the last word. I think I ought to make a comment at this time. The Committee of the Whole has just adopted an amendment assuming an obligation on the part of the United States for maintenance of the Duwamish waterway, when there has been no recommendation and no official information before the committee. The gentleman who presented the amendment, Mr. MILLER of Washington, came before the Committee on Rivers and Harbors and urged the maintenance of the east and west waterways, carrying an appropriation of \$40,000, which met with the approval of the committee and is contained in the bill.

I think I ought to absolve the Committee on Rivers and Harbors from having made this error, and to point out to the Committee of the Whole how dangerous it is to make a precedent of this kind. As to whether I shall ask for a separate vote upon this amendment will depend upon the consensus of opinion among the members of the committee.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Boston Harbor, Mass., with a view to the construction of an entrance channel through South Beach, between Winthrop and Revere, connecting Broad Sound with the Charlestown Navy Yard by way of Chelsea River; also with a view to the construction of a connecting ship channel from the proposed new entrance at South Beach to South Boston.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SMALL: Page 28, line 25, strike out the word "South" and insert in lieu thereof the word "Short," and on page 29, line 2, strike out the word "South" and insert in lieu thereof the word "Short."

Mr. SMALL. Mr. Chairman, this is simply to correct a clerical error.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Intracoastal waterway from Beaufort, N. C., to the Cape Fear River.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 30, between lines 7 and 8, insert the following paragraph: "Waccamaw River, N. C. and S. C."

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sabine Lake and Sabine Pass, La. and Tex., with a view to the construction of a dam in the outlet of Sabine Lake, including consideration of any proposition for cooperation on the part of local interests.

Mr. SMALL. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from North Carolina offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 30, between lines 17 and 18, insert the following paragraph: "Intercoastal waterway from Galveston Bay to Pass Cavallo."

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Black Rock Channel, N. Y.

Mr. SMALL. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 31, insert the following paragraph between lines 5 and 6:

"Tonawanda Harbor and Tonawanda Creek, N. Y.; Lake Tahoe, Cal. and Nev."

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Honolulu Harbor, Hawaii.

Mr. WELTY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. WELTY: Page 31, line 14, after the word "Hawaii," insert "to resurvey the Miami & Erie Canal and report as to the feasibility and advisability of improving the same to a depth of 12 feet, with a prism of 100 feet, and to report with detailed plans and an estimate of the cost of such improvement."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that amendment.

Mr. WELTY. Mr. Chairman, I do not think a point of order should be made at this time, when three or four million dollars have been voted for canals in other places. In 1894 the Congress passed a resolution providing for a survey of the canal or waterway connecting the Ohio and the Lakes. In pursuance of that resolution the Board of Engineers made three different surveys of the three canals in Ohio. They recommended one that is mentioned here in this amendment as feasible and proper in order to connect the Ohio with the Great Lakes from Cincinnati to Toledo. The resolution provided that it shall be only 7 feet deep. They made a survey of 10 feet. Nothing was done because no improvements had been made in the Ohio River. Since that time almost \$50,000,000 has been expended in the improvement of the Ohio River and over \$150,000,000 on the Erie Canal, and now it seems that there ought to be a connecting link between the Mississippi River and the Lakes. I ask simply for a resurvey to a depth of 12 feet to be in harmony with the improvements on the Erie Canal. I know the point of order must be sustained if the gentleman from Wisconsin will insist, but I hope the gentleman will withdraw the point of order in view of the fact that millions of dollars have been spent on other canals under the direction of this committee and permit the House to pass upon the merits of the proposed survey.

Mr. STAFFORD. Mr. Chairman, I believe this project is no more worthy than others carried in the bill, but I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

Mr. WELTY. Mr. Speaker, I seek unanimous consent to extend my remarks on the bill just passed.

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

Mr. WELTY. Mr. Chairman, having been granted permission to extend my remarks, I beg to submit the following, which I believe, had it been fully known by the House, the Members present would have permitted the proposed amendment, even in the face of the rule not to allow any amendments on the floor of the House not fully considered by the committee.

On April 20, 1918, I filed a bill (H. R. 11579) "To authorize the appointment of a board of engineers to make a preliminary location, survey, and plans for a canal connecting the waters of Lake Erie and the Ohio River on the line of the Miami & Erie Canal from Toledo to Cincinnati, Ohio, and from a point near Defiance, Ohio, to a point in the southerly end of Lake Michigan, and to estimate the cost thereof." This bill was referred to the Committee on Railways and Canals, because that committee, under the rules of the House, is the only one having jurisdiction of canals.

Full hearings were had on said bill by the committee, and on December 19, 1918, the committee having considered the same, reported it to the House with the recommendation that it pass with certain amendments, which report and amended bill were ordered to be printed for the consideration of this House.

I offered this amendment to the rivers and harbors bill for the reason that I was of the opinion that, because of the congestion of the calendars in both branches of Congress, my bill could not be considered during the short session, and with a hope that a resurvey could be commenced with the opening of spring. I believe that had the membership of the House fully known the facts, the vote would have been different, even though it was late at night when I was permitted to offer my amendment.

I believe that the country should know that Congress is definitely planning in the development of the inland waterways, and for this reason I propose to again offer this amendment when the Commerce Committee considers this bill, with a hope that if the Senate adopts the same the House will then be inclined to accept this amendment. The amendment was lost by only 10 votes, with the solid opposition of the Rivers and Harbors Committee, which to me is sufficient evidence that there are others in the House sharing my views in matters of building up our inland commerce with a view of taking care of the products of the Mississippi Valley and relieving the congestion of transportation.

My bill, in short, provides for the appointment, by the Secretary of War of a board of three engineers skilled in the survey of navigable waterways, to make a preliminary examination, location, survey, and detailed plans for a canal, and an estimated cost thereof, and to make a survey and also to estimate the cost thereof for a canal from the Miami & Erie Canal, near Defiance, Ohio, to the southerly end of Lake Michigan. The bill further provides that the canal should be of a depth not less than 12 nor more than 16 feet, and of sufficient width to permit the passage of vessels as are contemplated to be used on the Erie Canal. Section 3 of this bill provides for an estimate of the costs of the canal, including the cost of dams, reservoirs, locks, surveys, and other matters necessary to its location, construction, operation, and maintenance, water supply, and the probable water power. Section 4 provides that in estimating the cost of such canal the board shall exclude all property whatsoever now owned and controlled by any State or States or political subdivisions, through which the canal may pass. Section 5 provides for the necessary employees to carry out the provisions of this act, and their pay, while section 6 provides for reports.

There is no need of canalizing our rivers and of building these canals unless the Government intends to complete inland navigation, so that barges on our lakes and rivers can go from New Orleans to New York and return without unloading their cargoes. I believe that this Congress should go on record speedily, showing its intention to make these improvements, so that business can adjust itself with that end in view.

Our sphere of influence is no more confined to the geography of our own country. We have finally reached our majority, so to speak, and have become a world commercial power. Our farms and factories produce more than we are able to consume, and they must seek foreign markets for their supplies. If this is true, transportation will of necessity become a mighty factor. We can not locate all of these farms and factories along the seaboard, and in order to give them a chance we must give them cheaper transportation. Their products must be loaded on ocean-going vessels at the least possible expense, to be taken into foreign markets and sold in competition with the products of the world. The time has come when we must quit dreaming and write these visions into law, so as to furnish a chart to the business and manufacturing interests of our country, in order that they will know that it will be only a matter of time until barges will go to New York or New Orleans, and will only be unloaded when they are loaded into ships bound for foreign markets.

Mr. Chairman and gentlemen of the House, permit me only to point out a few facts that are indicative, showing that it will be only a matter of a few years until we will be the foremost commercial power in the world.

First, Congress realized in 1913 that the expansion of our foreign trade would never be aggressive and become a power unless we are permitted to transact all of our business through American banks. In that year Congress passed what is known as the Federal reserve banking act, one section of which provides for taking care of the foreign trade by inaugurating a foreign banking system. Since the passage of said act this country has established in foreign countries 113 banks and agencies, all of which are under Federal control.

Second, in April, 1918, Congress passed an act to promote export trade, which permitted combinations for the purpose of establishing a common sales agency in taking care of our surplus products.

Third. The Committee on Appropriations of the present Congress recommended that \$525,000 be spent for procuring information about foreign trade and stimulating the same.

In addition to these we are bending every effort to build up a merchant marine, so that our products can be transported into foreign markets in ships built and owned by Americans.

Besides this let me mention only a few facts, which will inevitably mean the completion of the canal to connect the Ohio River with the Lakes.

On August 17, 1894, Congress passed an act by which the Secretary of War was "authorized and directed to appoint a board of three engineers of the Army, whose duty it shall be to survey the Miami & Erie Canal, the Ohio Canal, and such branches thereof and such river and stream channels as may in their judgment form available portions of a continuous canal connecting the waters of Lake Erie with the Ohio River, through the State of Ohio, and to report the feasibility and advisability of improving and widening such canal to 70 feet at the water line and deepening the same to 7 feet." This report was submitted to Congress on the 27th day of February, 1896, by the Secretary of War, and stated that:

It would be feasible to construct a canal of the dimensions specified in the act upon any of the three routes described, but a canal of the dimensions and capacity specified by Congress would by inadequate depth in the canal and in the Ohio, requiring a transshipment of freight, be so restricted in its benefits to interstate commerce that the construction of a canal of such dimensions or apart from an adequate improvement of the Ohio River would not, in the opinion of the board, be advisable.

The report also stated that:

The board has not considered it a part of its duty to present any recommendations with regard to a canal of dimensions different from those prescribed in the act of Congress, but it calls attention to the fact that the report of the executive officer of the board covers the question of water supply and cost of construction for a canal having a uniform width of 85 feet and depth of 10 feet, which would admit the passage of vessels that might be considered of about the least practicable size for lake navigation.

In this report the engineers submitted minute details in favor of the western route from Cincinnati to Toledo along the old Miami & Erie Canal because of "its superior water supply, its important terminal points, and the magnitude of its local traffic." In the report they further say:

A consideration of importance in favor of this route arises from its relation to the old Wabash and Erie route, and particularly to the project advanced many years ago, and lately being brought forward again, to connect the west end of Lake Erie with the southern end of Lake Michigan.

Among the direct benefits, the report mentioned the following:

If the inquiry is to be strictly limited to a canal of the dimensions of the present Erie Canal of New York, and without reference to any improvement in the navigable condition of the Ohio River, the question of advisability can be answered in the negative. Such a canal would be restricted to a purely local rôle, and while it might be a proper object of State or private enterprise, it would not be so on the part of the General Government. But the question will be examined on the basis of the broader assumptions already made.

The engineers point out other benefits to the Nation in the event the Erie Canal is completed and the Ohio River connected with the Lakes by a canal which will permit barges to pass over this route without unloading their cargoes.

Among the indirect benefits in said report we find the following:

As is well known, what may be called the indirect benefits of water competition in freight traffic are generally considered as of greater importance than the direct benefits. It is fully recognized that the influence of a capacious and free waterway in controlling and equalizing railroad freight rates, even if only a small proportion of freight actually goes by water, is of great value to the public. The history of the Erie Canal shows, by a comparison of summer and winter rates on lines paralleling it, that it has effected a reduction in railroad freight during the past 25 years of not less than 50 per cent; and it has been estimated that the amount saved in transportation of grain alone through the State of New York by the Erie Canal during the last 30 years is at least \$200,000,000. The influence of the waterway does not cease with the suspension of navigation in the autumn. On all such freight as can be held over until spring the railroads are compelled to make concessions even in wintertime. It is a recognized fact among the best railroad authorities that free water competition, instead of being a detriment to the railroads, is a benefit to them. The classes of freight that can be carried most economically by water are those that are carried with least profit by the railroads. The two systems of transportation are natural complements of each other and make possible a division of traffic which is of advantage to both. That this argument rests on a sound basis is evidenced by the successful contemporaneous development of canals and railroads in France and by the fact that in our own country the most prosperous railroads are those that parallel the great waterways.

As to the future of existing canals, the Chief Engineer further states:

A matter of importance bearing upon the general subject arises from the impending fate of the present Ohio canals. It is highly improbable that the State of Ohio will much longer maintain a system which has

been suffered to deteriorate until it has become a great public burden without any adequate return. If the State abandons its canals, and if the lines are occupied by railroads and the reservoir sites are sold, it will never again be possible to build a canal along any of the proposed routes.

Since the filing of this report the Federal Government has expended millions upon millions for the canalization of rivers and the building of canals. The Ohio River was then unimproved, but since that time almost \$50,000,000 have been expended in the canalization of this stream. The State of New York has expended over one hundred and fifty millions in deepening and widening the old Erie Canal. Canada has proposed an enlargement of the Welland Canal so as to permit ocean-going vessels to unload at the docks of Chicago and Duluth, and the Federal Government is expending \$6,290,000 for the building of barges to care for the commerce of the lower Mississippi and \$3,336,000 for the building of barges for commerce between St. Louis and Minneapolis. This is in addition to the present fleet of 29 barges, each of 500-ton capacity, now on the lower Mississippi. These are acts of men of vision, and no man will gainsay that the system of inland water transportation will be completed until those now spending millions for barges on the Mississippi and the Erie Canal will be permitted to carry their cargoes between the Mississippi and its tributaries to the State of New York.

These barges for the Mississippi now under construction and for use on the upper river are 300 feet long and 48 feet wide and draw only 4 feet of water. They are propelled by steamers which are 265 feet long and have a beam of 58 feet and operate in 3½ feet of water. There are no similar tugs in use at the present time on any of the rivers. There are 19 barges and 3 steamers to be built for use on the upper Mississippi. These barges are to start from St. Louis loaded with coal and return from Minneapolis loaded with ore. One of these steamers can propel six of these great barges. Six of these steel barges propelled by one steamer can carry more ore in one trip by 3,600 tons than can be carried on one of the largest of the ore-carrying steamers on the Lakes. One of these steamers with its six barges will carry as much iron ore or coal as can be carried on three hundred 50-foot freight cars and will move down the river as fast as any freight train can move. In other words, one of these steamers will bring down the river at one load the equivalent of seven long trainloads of ore.

The North and Northwest are calling for coal, and it is estimated that these barges could carry this coal for 90 cents to \$1 per ton cheaper than the railroads. What the saving would be is only conjectural, but when you consider the consummation of coal in the homes, to say nothing of our factories, it will be worth while to think about these matters. In addition to these benefits, the farmers and manufacturers will receive the benefits of cheaper transportation of their products to New York or New Orleans. I know there are those who are skeptical in the matter of this proposed improvement. I know there are those who consider its advocates dreamers, but to these I need only say that those who advocated the Panama Canal were considered dreamers at first, yet the products of the farms and factories of the State of Washington can be transported through this canal to New York for less than the cost of transportation from New York to Ohio, and no one will now advocate the abandoning of the Panama Canal.

All of these matters go to show that we have not only fought and won the world war, but that American commerce will be carried into every country of the globe, and instead of buying goods stamped "Made in Germany" or "Made in Japan" the familiar sign "Made in America" will be found. Commerce is the life of a nation, and I hope that the Nation will continue to have men at its head who are able to appreciate the sacrifice made by our soldiers and preserve this Republic by granting it more life.

The canals in Ohio cost the Federal and State Governments almost \$16,000,000, and yet this property has been permitted to go into disuse because of the neglect of its officers. Would we treat this property thus if it was our private property? Bankruptcy would soon stare us in the face. Then, why should we longer neglect this public property? Is a public office no longer a public trust? Are men elected to the position of these trusts for what they can get out of it? Shall we sit supinely here and fail in our duties, and then have our consciences condemn us the remainder of our lives because we failed to do our full duty? But, gentlemen, we must not forget that we can not deal with ourselves alone while here, but must answer sooner or later to a constituency, having a right to judge us by our acts of commission as well as omission.

These canals, in the first place, were built largely from the sale of Government lands; but the grant carried a proviso that

"the said canals, when completed or used, shall be, and forever remain, public highways for the use of the Government of the United States, free from any toll or charge whatever for any property in the United States, or persons in their service passing along the same." These canals in Ohio have been in disuse for more than a quarter of a century. The survey was made under an act of Congress over 22 years ago, and yet the Federal Government has been acting the part of Rip Van Winkle ever since that time. Is it not time that they should go on record in the matter of the canals of Ohio and relieve their right and title to the land, or develop them for what they are intended? These lands should either be used for agricultural purposes, and permit the farmers to raise corn and potatoes, or they should be properly utilized by the people in the matter of transportation of the products of these farms and the thriving factories along these routes.

I am only asking for a survey and a report as to the feasibility and advisability of such a proposed canal, and I hope that Congress will vote favorably upon the proposed amendment so as to be in a position to pass more intelligently on this matter.

Mr. SMALL. Mr. Chairman, I desire to be heard. This was not presented to the committee. It involves a very important and expensive survey. There are other considerations that ought to have been presented to the committee, and I do not think the Committee of the Whole at this time, when no opportunity has been had by the Committee on Rivers and Harbors to consider it, should give favorable consideration to the adoption of this provision for making this important survey at this time.

Mr. WELTY. In response to what the gentleman says, I would say that the engineers—

Mr. SMALL. And let me say further that the language is informal, and, I think, is incorrect.

Mr. WELTY. If it is informal I want to say that I copied the language from the act of 1894, and it simply provides for a re-survey of that which had been surveyed and reported two years afterwards, in 1896.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. SMALL) there were—ayes 17, noes 27.

So the amendment was rejected.

The Clerk read as follows:

SEC. 4. That no part of the funds herein or hereafter appropriated for works of river and harbor improvement shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant: *Provided*, That in estimating the cost of doing the work by Government plant, including the cost of labor and materials, there shall also be taken into account proper charges for depreciation of plant and all supervising and overhead expenses and interest on the capital invested in the Government plant, but the rate of interest shall not exceed the maximum prevailing rate being paid by the United States on current issues of bonds or other evidences of indebtedness.

Mr. SMALL. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Committee amendment by Mr. SMALL: Add the following new section at the end of the bill:

"SEC. 5. That Little River, from Big Lake, in Mississippi County, to Marked Tree, in Poinsett County, Ark., is hereby declared to be not a navigable waterway of the United States within the meaning of the laws enacted by Congress for the protection of such waterways: *Provided*, That this provision shall be null and void unless expressly approved by an act of the Legislature of the State of Arkansas within two years from the date of approval of this act."

Mr. MANN. Mr. Chairman, I make a point of order on that. The Committee on Rivers and Harbors has no jurisdiction of this matter.

Mr. SMALL. Mr. Chairman, I desire to make this statement: The purport of the amendment is plain upon its face. It is to declare a certain stream within certain limits in the State of Arkansas not navigable within the meaning of the laws of the United States if it shall be approved within two years by the Legislature of the State of Arkansas. I will state that the matter has been considered by the committee, was referred to the Chief of Engineers, and I have before me a letter from the Chief of Engineers recommending it.

Mr. MANN. Mr. Chairman, it seems to me that those matters ought to go always to the committee that has jurisdiction over them, which committee considers all of these propositions. The gentleman endeavors to insert it upon a river and harbor bill. The Committee on Interstate and Foreign Commerce has these bills come before them. Why should they not have this matter go before them? There is no difficulty in getting consideration of bills of this kind by the proper committee.

Mr. SMALL. The Committee on Rivers and Harbors has been assuming jurisdiction of such matters.

Mr. MANN. Oh, no; the Committee on Rivers and Harbors had sometimes offered an amendment like this, but the Rivers and Harbors Committee does not have jurisdiction of such bills. A great many such bills have been in Congress since I have been here, and I have never known them to go anywhere except to the Committee on Interstate and Foreign Commerce. Sometimes, as a matter of river and harbor improvement, the Rivers and Harbors Committee has included an item in the bill, but this has nothing to do with river and harbor improvement. It is entirely foreign to this bill. The Committee on Rivers and Harbors has no jurisdiction of the subject matter, and this has no place on this bill. It is not a part of river and harbor improvement. Doubtless some one, I do not know who, desires to have this legislation; but the mere fact that some very good Member of the House desires legislation is no reason why it should be enacted unless proper methods are pursued. I make the point of order.

Mr. SMALL. Mr. Chairman, I would like to argue the point of order, and yet I do not wish to do so at this time. I will ask the gentleman to withdraw his point of order in order that I may withdraw the amendment.

Mr. MANN. If the gentleman desires to withdraw his amendment, he can do it without my withdrawing the point of order.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to withdraw the amendment. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I simply want to say that I can not concede that the position of the gentleman from Illinois is well taken, that the Committee on Rivers and Harbors has no jurisdiction.

Mr. MANN. The gentleman does not need to concede it, because it is so well settled that it does not make any difference what the gentleman concedes.

Mr. SMALL. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the several amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13462, the river and harbor appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SMALL. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. SMALL. Mr. Speaker, I demand a separate vote upon the amendment proposed by the gentleman from Washington [Mr. MILLER] appropriating \$40,000 for the maintenance of the Duwamish River.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros. The question is on agreeing to the amendments, except the Miller amendment.

The amendments were agreed to.

The SPEAKER. The question now is on agreeing to the Miller amendment.

The question was taken.

Mr. SMALL. Mr. Speaker, I demand a division.

The House again divided; and there were—ayes 44, noes 42.

So the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading.

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

Mr. MANN. Mr. Speaker, I demand the reading of the engrossed bill.

The SPEAKER. The gentleman demands the reading of the engrossed bill.

Mr. MANN. Mr. Speaker, I will not make such a demand on Monday.

Mr. KITCHIN. As I understand it, the gentleman simply desires to have the vote on Monday instead of to-night?

Mr. MANN. Yes.

Mr. KITCHIN. Of course, then under the circumstances we will have to adjourn.

WITHDRAWAL OF PAPERS

By unanimous consent, Mr. SWITZER was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Robert H. Lawson, H. R. 19709, Sixty-third Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. NORTON. Mr. Speaker, I ask leave of absence for five weeks on account of important business.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

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

HOUR OF MEETING ON MONDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock on Monday next.

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

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 32 minutes p. m.) the House adjourned until Monday, January 13, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting tentative draft of items of legislation for the consideration of Congress in reference to pay of men discharged from the Army or Navy (H. Doc. No. 1677); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary R. Greiner, widow of Henry C. Greiner, deceased, against The United States (H. Doc. No. 1678); to the Committee on War Claims and ordered to be printed.

3. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Julius King, brother of Walter B. King, deceased, against The United States (H. Doc. No. 1679); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (S. 3646) granting rights of way over Government lands for dam and reservoir purposes, for the conservation and storage of water to be used by the city of San Diego, Cal., and for other purposes, reported the same with amendment, accompanied by a report (No. 911), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 13084) to validate and confirm certain erroneously allowed entries in the State of Minnesota, reported the same without amendment, accompanied by a report (No. 912), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (S. 68) to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," reported the same without amendment, accompanied by a report (No. 913), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CALDWELL: A bill (H. R. 14091) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 14092) fixing the compensation of United States inspectors of customs; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: A bill (H. R. 14093) providing for the transfer of jurisdiction of and all claims for compensation for death or disability from the Bureau of War Risk Insurance to the Bureau of Pensions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LAGUARDIA: A bill (H. R. 14094) to repeal an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," and the act amendatory thereof; to the Committee on the Judiciary.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 14095) authorizing the Secretary of War to donate to the city of Phillips, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14096) authorizing the Secretary of War to donate to the city of Merrill, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14097) authorizing the Secretary of War to donate to the city of Rhinelander, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14098) authorizing the Secretary of War to donate to the city of Washburn, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14099) authorizing the Secretary of War to donate to the city of Ashland, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14100) authorizing the Secretary of War to donate to the city of Ladysmith, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14101) authorizing the Secretary of War to donate to the city of Superior, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14102) authorizing the Secretary of War to donate to the city of Spooner, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14103) authorizing the Secretary of War to donate to the village of Grantsburg, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14104) authorizing the Secretary of War to donate to the village of Balsam Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRODBECK: A bill (H. R. 14105) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14106) authorizing the Secretary of War to donate to the village of Hicksville, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14107) authorizing the Secretary of War to donate to the village of Riverhead, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14108) authorizing the Secretary of War to donate to the village of Greenlawn, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLANTON: A bill (H. R. 14109) authorizing and directing the Secretary of War to donate to the county of Llano, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14110) authorizing and directing the Secretary of War to donate to the county of Lampasas, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14111) authorizing and directing the Secretary of War to donate to the county of San Saba, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14112) authorizing and directing the Secretary of War to donate to the county of Coleman, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14113) authorizing and directing the Secretary of War to donate to the county of Brown, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14114) authorizing and directing the Secretary of War to donate to the county of Comanche, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14115) authorizing and directing the Secretary of War to donate to the county of McCulloch, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14116) authorizing and directing the Secretary of War to donate to the county of Mills, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14117) authorizing and directing the Secretary of War to donate to the county of Palo Pinto, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14118) authorizing and directing the Secretary of War to donate to the county of Stephens, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14119) authorizing and directing the Secretary of War to donate to the county of Shackelford, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14120) authorizing and directing the Secretary of War to donate to the county of Jones, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14121) authorizing and directing the Secretary of War to donate to the county of Callahan, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14122) authorizing and directing the Secretary of War to donate to the county of Concho, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14123) authorizing and directing the Secretary of War to donate to the county of Eastland, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14124) authorizing and directing the Secretary of War to donate to the county of Runnels, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14125) authorizing and directing the Secretary of War to donate to the county of Taylor, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14126) authorizing and directing the Secretary of War to donate to the county of Nolan, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14127) authorizing and directing the Secretary of War to donate to the county of Burnet, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14128) authorizing and directing the Secretary of War to donate to the county of Tom Green, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KINCHELOE: A bill (H. R. 14129) authorizing the Secretary of War to donate to the city of Henderson, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 14130) donating a captured German cannon or field gun and carriage to the village of East Barnet, Vt., for decorative purposes; to the Committee on Military Affairs.

Mr. FULLER of Illinois: A bill (H. R. 14131) authorizing the Secretary of War to donate to the city of Plano, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14132) authorizing the Secretary of War to donate to the city of Yorkville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14133) authorizing the Secretary of War to donate to the village of Cherry Valley, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14134) authorizing the Secretary of War to donate to the village of Shabbona, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14135) authorizing the Secretary of War to donate to the city of Genoa, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAMLIN: A bill (H. R. 14136) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 14137) authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14138) authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14139) authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DOREMUS: A bill (H. R. 14140) donating a captured German cannon or field gun and carriage to the county of Clare, Mich., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14141) authorizing the Secretary of War to donate to the city of Clare, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HOUSTON: A bill (H. R. 14142) authorizing the Secretary of War to donate to the town of Woodbury, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14143) authorizing the Secretary of War to donate to the town of Smithville, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14144) authorizing the Secretary of War to donate to the town of Manchester, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14145) authorizing the Secretary of War to donate to the Middle Tennessee State Normal School at Murfreesboro, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SEARS: A bill (H. R. 14146) authorizing the Secretary of War to donate to the Board of County Commissioners of St. Johns County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14147) authorizing the Secretary of War to donate to the Board of County Commissioners of Broward County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14148) authorizing the Secretary of War to donate to the Board of County Commissioners of Brevard County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14149) authorizing the Secretary of War to donate to the Board of County Commissioners of St. Lucie County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14150) authorizing the Secretary of War to donate to the Board of County Commissioners of Palm Beach County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14151) authorizing the Secretary of War to donate to the Board of County Commissioners of Duval County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14152) authorizing the Secretary of War to donate to the Board of County Commissioners of Volusia County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14153) authorizing the Secretary of War to donate to the Board of County Commissioners of Flagler County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14154) authorizing the Secretary of War to donate to the Board of County Commissioners of Orange County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14155) authorizing the Secretary of War to donate to the Board of County Commissioners of Seminole County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14156) authorizing the Secretary of War to donate to the Board of County Commissioners of Osceola County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14157) authorizing the Secretary of War to donate to the Board of County Commissioners of Monroe County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14158) authorizing the Secretary of War to donate to the Board of County Commissioners of Okeechobee County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14159) authorizing the Secretary of War to donate to the Board of County Commissioners of Dade County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14160) authorizing the Secretary of War to donate to the Board of County Commissioners of Putnam County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14161) authorizing the Secretary of War to donate to the Board of County Commissioners of Clay County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 14162) to increase the cost of the public building at Durango, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. BURNETT: A bill (H. R. 14163) to prohibit immigration for a period of four years, and to restrict immigration thereafter; to the Committee on Immigration and Naturalization.

By Mr. RAMSEYER: A bill (H. R. 14164) directing the Surgeon General of the Army to make reports in certain cases; to the Committee on Military Affairs.

Also, a bill (H. R. 14165) providing for the honorable discharge of officers or enlisted men in the Army of the United States in certain cases; to the Committee on Military Affairs.

By Mr. CRAGO: A bill (H. R. 14166) providing for the promotion of certain officers of the United States Army; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 14167) to provide a tariff and obtain revenue in connection with the metal contents of zinc ore; to the Committee on Ways and Means.

By Mr. BLAND of Virginia: A bill (H. R. 14168) authorizing the Secretary of War to donate to the town of Belle Haven, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14169) authorizing the Secretary of War to donate to the village of Tangier, on the island of Tangier, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14170) authorizing the Secretary of War to donate to the town of Urbana, county of Middlesex, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COADY: A bill (H. R. 14171) authorizing the Secretary of War to donate to the city of Baltimore, State of Maryland, German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ALMON: A bill (H. R. 14172) authorizing the Secretary of War to donate to the city of Moulton, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14173) authorizing the Secretary of War to donate to the city of Tusculum, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14174) authorizing the Secretary of War to donate to the city of Scottsboro, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14175) authorizing the Secretary of War to donate to the city of Florence, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14176) authorizing the Secretary of War to donate to the city of Athens, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14177) authorizing the Secretary of War to donate to the city of Huntsville, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14178) authorizing the Secretary of War to donate to the city of Decatur, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 14179) authorizing the Secretary of War to donate to the town of Corona, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CONNALLY of Texas: A bill (H. R. 14180) authorizing the Secretary of War to donate to the city of Marlin, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14181) authorizing the Secretary of War to donate to the city of Gatesville, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14182) authorizing the Secretary of War to donate to the city of Waco, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14183) authorizing the Secretary of War to donate to the city of Meridian, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14184) authorizing the Secretary of War to donate to the city of Belton, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 14185) to provide that the United States shall cooperate with the States in promoting the health of the rural population of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. DEWALT: A bill (H. R. 14186) to provide for the incorporation of Federal railroad companies and the regulation thereof, and to establish a system of supervision of railroads in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: A bill (H. R. 14187) to provide for the erection of a public building in the city of Montrose, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. MERRITT: A bill (H. R. 14188) authorizing the Secretary of War to donate to towns in the State of Connecticut German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 14189) authorizing the Secretary of War to donate to the city of Wamego, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RUCKER: A bill (H. R. 14190) authorizing and directing the Secretary of War to make certain donations of cannon and ordnance to designated towns and cities; to the Committee on Military Affairs.

By Mr. VOIGT: A bill (H. R. 14191) authorizing the Secretary of War to donate to the city of Juneau, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14192) authorizing the Secretary of War to donate to the city of West Bend, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14193) authorizing the Secretary of War to donate to the city of Port Washington, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14194) authorizing the Secretary of War to donate to the city of Portage, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14195) authorizing the Secretary of War to donate to the city of Fort Atkinson, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14196) authorizing the Secretary of War to donate to the city of Watertown, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14197) authorizing the Secretary of War to donate to the city of Jefferson, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14198) authorizing the Secretary of War to donate to the city of Plymouth, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14199) authorizing the Secretary of War to donate to the city of Mayville, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14200) authorizing the Secretary of War to donate to the city of Beaver Dam, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14201) authorizing the Secretary of War to donate to the city of Sheboygan, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14202) authorizing the Secretary of War to donate to the city of Hartford, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14203) authorizing the Secretary of War to donate to the city of Waupun, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14204) authorizing the Secretary of War to donate to the city of Columbus, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. EMERSON: Joint resolution (H. J. Res. 383) to discharge all soldiers in the United States whose services are no longer needed, and to eliminate delay in granting such discharges; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 14205) granting an increase of pension to Francis H. Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14206) granting a pension to John I. Amy; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 14207) granting an increase of pension to William C. Stuart; to the Committee on Invalid Pensions.

By Mr. CANDLER of Mississippi: A bill (H. R. 14208) for the relief of Mrs. Mamie Duffer, of Shannon, Miss.; to the Committee on Claims.

By Mr. COPLEY: A bill (H. R. 14200) granting a pension to Drusilla S. Hilliard; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 14210) granting an increase of pension to John E. Beatty; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 14211) granting an increase of pension to General G. Burris; to the Committee on Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 14212) granting an increase of pension to John N. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14213) granting an increase of pension to Peter A. Ruble; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CALDWELL: Petition of sundry citizens of New York, urging legislation to provide for the deportation of enemy aliens; to the Committee on the Judiciary.

By Mr. CARY: Petition of the Standard Aircraft Corporation, urging the extension of the Air Mail Service; to the Committee on the Post Office and Post Roads.

Also, memorial of the presidents of the various cattle-breeding associations, favoring further legislation for the eradication of bovine tuberculosis; to the Committee on Agriculture.

Also, petition of the Chamber of Commerce of Key West, Fla., urging the building of a pipe line from the mainland to that place to supply ships and local government enterprises with fresh water; to the Committee on Naval Affairs.

By Mr. DOOLING: Petition of C. E. Beaubrun, New York City, against the proposed tax on furs; to the Committee on Ways and Means.

By Mr. FREAR: Petition of citizens of Chippewa Falls, Wis., favoring Irish independence; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania: Petition of the International Molders' Union of Pittsburgh, Pa., praying for the passage of the McKellar-Keating retirement bill; to the Committee on Reform in the Civil Service.

By Mr. KETTNER: Petition of N. E. Addy, corresponding secretary of Local No. 551, Amalgamated Sheet Metal Workers' International Alliance, San Bernardino, Cal., in regard to the future of the railroads of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHN M. NELSON: Petition of Henry Helland, of Superior, Wis., favoring the return of railroads and other public utilities to private control, to be operated under charters granted by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Resolutions adopted by the teachers of Sussex County, Del., and by the Delaware Association of College Women, Wilmington, Del., urging the passage of Senate bill 4987, to provide for a national department of education; to the Committee on Education.

By Mr. RAKER: Resolution by the California Redwood Association, to restore to the Interstate Commerce Commission the powers taken away by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBBINS: Petition of the Butler Board of Trade, Butler, Pa., favoring the improvement of highways; to the Committee on Roads.

SENATE.

Monday, January 13, 1919.

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

Almighty God, by every revelation of truth Thou hast made to men Thou dost call them to recognize Thy right to rule, to trust in Thy divine providence, to follow Thy spirit in the discharge of the duties and in the achievements of their life successes. We pray Thee as we come to face the duties of this day that we may be given the spirit of reverence, of submission to the divine will, and that through the day we may keep ever in mind our obligation to the God of heaven, to the God of all the earth. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. KING and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had

agreed to the concurrent resolution of the Senate (S. Con. Res. 28) providing for a joint session of the Senate and House of Representatives on Sunday, February 9, 1919, for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate, and authorizing arrangements therefor and the payment of all expenses incurred.

The message also announced that the Speaker of the House had appointed Mr. KITCHIN, Mr. CANTRILL, Mr. RANDALL, Mr. CALDWELL, Mr. GEORGE W. FAIRCHILD, Mr. TEMPLE, and Mr. SCHALL as the committee on the part of the House to make arrangements for the joint session of Congress on February 9, 1919.

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

H. R. 13274. An act to provide relief where formal contracts have not been made in the manner required by law; and

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

ENROLLED BILLS SIGNED.

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

H. R. 79. An act for the sale of isolated tracts of the public domain in Minnesota;

H. R. 1423. An act for the relief of Alexander F. McCollam;

H. R. 4240. An act for the relief of Alma Harris;

H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill;

H. R. 9865. An act to authorize the sale of certain lands to school district No. 28 of Missoula County, Mont.; and

H. R. 12194. An act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.

MEMORIAL EXERCISES FOR THE LATE PRESIDENT ROOSEVELT.

The VICE PRESIDENT. The Chair announces the following Senate members of the committee under the concurrent resolution providing for memorial exercises in honor of former President Roosevelt on February 9: Senators WADSWORTH, of New York; MARTIN of Virginia; SIMMONS, of North Carolina; SMOOT, of Utah; and CHAMBERLAIN, of Oregon.

SENATOR FROM SOUTH DAKOTA.

Mr. JOHNSON of South Dakota. I present the credentials of Hon. THOMAS STERLING, chosen by the qualified electors of the State of South Dakota a Senator from that State for the term beginning March 4, 1919, which I ask may be read and placed on file.

The credentials were read and ordered to be filed, as follows:

UNITED STATES OF AMERICA, STATE OF NORTH DAKOTA.

This is to certify that on the 5th day of November, 1918, at a general election held throughout said State, THOMAS STERLING was duly chosen by the qualified electors of the State of South Dakota to the office of United States Senator for the term of six years, beginning on the 4th day of March, 1919.

In witness whereof I have hereunto set my hand and caused the seal of said State to be affixed at Pierre, the capital, this 24th day of December, 1918.

PETER NORBECK, Governor.

By the governor:

[SEAL]

Attest:

FRANK M. ROOD,
Secretary of State.

SENATOR FROM WYOMING.

Mr. KENDRICK. I present the credentials of Hon. FRANCIS E. WARREN, chosen by the qualified electors of the State of Wyoming a Senator from that State for the term beginning March 4, 1919, and I ask that they be read and placed on file.

The credentials were read and ordered to be filed, as follows:

THE STATE OF WYOMING, EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, FRANCIS E. WARREN was duly chosen by the qualified electors of the State of Wyoming a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency our acting governor, Frank L. Houx, and our seal hereto affixed at Cheyenne, this 3d day of January, in the year of our Lord 1919.

FRANK L. HOUX,
Acting Governor.

By the acting governor:

[SEAL]

FRANK L. HOUX,
Secretary of State.