

SENATE.

TUESDAY, February 21, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULBISON, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ABANDONMENT OF NAVY YARDS AND NAVAL STATIONS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 25th ultimo, detailed information relative to the number and character of buildings, their original cost, etc., at the navy yards and naval stations at New Orleans, Pensacola, Port Royal, and New London (S. Doc. No. 830), which was referred to the Committee on Naval Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House, by W. J. Browning, its Chief Clerk, announced that the House had passed the following bills and resolutions:

S. 10404. An act to authorize the Secretary of War to grant a right of way through lands of the United States to the Buckhannon & Northern Railroad Co.;

S. 10431. An act to authorize the Argenta Railway Co. to construct a bridge across the Arkansas River, between the cities of Little Rock and Argenta, Ark.;

S. J. Res. 131. Joint resolution authorizing the Secretary of War to receive, for instruction at the Military Academy at West Point, two Chinese subjects to be designated hereafter by the Government of China; and

S. J. Res. 139. Joint resolution authorizing the printing of the message of the President, together with the report of the agent of the United States in the North Atlantic Coast Fisheries Arbitration at The Hague.

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

H. R. 18512. An act for the relief of S. H. Robinson, of Allegheny County, Pa.;

H. R. 31987. An act providing for the releasing of the claim of the United States Government to a tract of land No. 44, in the old city of Pensacola, Fla.; and

H. R. 32767. An act for the allowance of certain claims reported by the Court of Claims under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 26150) to authorize the cities of Boston and Cambridge, Mass., to construct a drawless bridge across the Charles River between the cities of Cambridge and Boston.

ENROLLED BILLS SIGNED.

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

S. 10574. An act to amend an act entitled "An act providing for the withdrawal from public entry of lands needed for town-site purposes in connection with irrigation projects under the reclamation act of June 17, 1902, and for other purposes," approved April 16, 1906; and

S. 10836. An act to authorize the Minnesota River Improvement & Power Co. to construct dams across the Minnesota River.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a concurrent resolution of the Legislature of the State of Oregon, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House concurrent resolution No. 19.

Be it resolved by the house (the senate concurring):

Whereas the United States Government has found it necessary to secure a location for the maneuvers of the Regular Army and National Guards; and

Whereas such maneuvers are necessary for the drill and practice of National and State troops, if they are to excel in military skill; and

Whereas the difficulties in the way of securing a suitable location are of such magnitude as to threaten the efficiency of the Army and militia; and

Whereas there is a vast tract of unoccupied land in Klamath County, Oreg., embraced in the Klamath Indian Reservation and the Crater National Forest, the disposition of which rests with the United States Government: Therefore

Your memorialists do earnestly pray the President and Congress to set aside and appropriate 30,000 acres of land within the Klamath Indian Reservation and the Crater National Forest, for the use of the United States Army and the National Guards of the several States, subject to such rules and regulations as may from time to time be promulgated by the Secretary of War.

Adopted by the house January 26, 1911.

JOHN P. RUSK, Speaker of the House.

Concurred in by the senate February 6, 1911.

BEN SELLING, President of the Senate.

UNITED STATES OF AMERICA,

STATE OF OREGON,

OFFICE OF THE SECRETARY OF STATE.

I. F. W. Benson, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house concurrent resolution No. 19 with the original thereof, which was adopted by the house January 26, 1911, and concurred in by the senate February 6, 1911, and that it is a correct transcript therefrom and of the whole of such original.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 15th day of February, A. D. 1911.

[SEAL.] F. W. BENSON, Secretary of State.

The VICE PRESIDENT presented a memorial of the Legislature of the State of Oregon, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Joint memorial No. 9.

Be it enacted by the Legislative Assembly of the State of Oregon:

Whereas the Persian walnut industry—commonly called the English walnut—of the State of Oregon, is of vast importance to the State and Nation, and inasmuch as there are approximately 250,000 acres of the choicest land in the United States adapted to walnut culture, lying in western Oregon, that can be made to produce from \$6,000,000 to \$10,000,000 worth of the finest walnuts in the world, within 20 years, by well-directed effort; and

Whereas there is urgent need of investigation and experiment relating to the walnut industry of this section, and as McMinnville, in Yamhill County, in this State, is the active center of this industry: Therefore be it

Resolved, That we, the senate and house of representatives of the State of Oregon, respectfully memorialize the Congress of the United States, to establish and maintain at McMinnville, Oreg., an experiment station, devoted to walnut culture investigation, under the direction of the United States Department of Agriculture.

Adopted by the house February 8, 1911.

JOHN P. RUSK, Speaker of the House.

Concurred in by the senate February 10, 1911.

BEN SELLING, President of the Senate.

UNITED STATES OF AMERICA,

STATE OF OREGON,

OFFICE OF THE SECRETARY OF STATE.

I. F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 9 with the original thereof, which was adopted by the house February 8, 1911, and concurred in by the senate February 10, 1911, and that it is a correct transcript therefrom and of the whole of such original.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 15th day of February, A. D. 1911.

[SEAL.] F. W. BENSON, Secretary of State.

The VICE PRESIDENT presented a communication from the secretary of state of the State of Washington, transmitting a copy of house bill 207, passed by the Legislature of that State, which, with the accompanying paper, was ordered to lie on the table and to be printed in the RECORD, as follows:

An act making application to the Congress of the United States of America to call a convention for proposing amendments to the Constitution of the United States of America, as authorized by Article V of the Constitution of the United States of America.

Whereas the present method of electing a United States Senator is expensive, and conducive of unnecessary delay in the passage of useful legislation; and

Whereas the will of the people can best be ascertained by direct vote of the people: Therefore

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That application be, and the same is hereby, made to the Congress of the United States of America to call a convention for proposing amendments to the Constitution of the United States of America as authorized by Article V of the Constitution of the United States of America.

SEC. 2. That a duly certified copy of this act be immediately transmitted to the presiding officer of each legislative body of each of the several States of the United States of America, through the governor of each of the several States, with a request that each of such legislatures pass an act of like import as this act.

Passed the house February 19, 1903.

Passed the senate March 7, 1903.

Approved by the governor March 12, 1903.

THE STATE OF WASHINGTON,

DEPARTMENT OF STATE.

To all to whom these presents shall come:

I. I. M. Howell, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of House bill No. 207, approved March 12, 1903, an act relative to election of United States Senators, the same

being chapter 61 of the Laws of State of Washington of 1903, with the original copy of said law as enrolled, now on file in this office, and find the same to be a full, true, and correct copy of said original, and of the whole thereof, together with all official endorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Washington.

Done at the capitol, at Olympia, this 15th day of February, A. D. 1911.

[SEAL.]

I. M. HOWELL, *Secretary of State.*

Mr. BURNHAM presented memorials of Mountain View Grange, Patrons of Husbandry, of East Conway; of George R. Drake, secretary of the New Hampshire State Grange; of Wesley Adams, overseer of the New Hampshire State Grange; of John Flynn and L. A. Dresser, of Berlin; and of the Berlin Dry Goods Co., all in the State of New Hampshire, remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which were referred to the Committee on Finance.

Mr. GUGGENHEIM presented a memorial of sundry agriculturists of northern Colorado, remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which was referred to the Committee on Finance.

He also presented a petition of the Weld County Farmers' Club, of Colorado, praying for the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

Mr. BURKETT. I present a resolution adopted by the Legislature of the State of Nebraska, which I ask may be printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

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

Whereas there is now pending in our National Congress H. R. 30799, by Mr. KINKAID of Nebraska, providing for graduated payments and a longer time than 10 years in which to repay the construction charges under Government irrigation projects as now provided by law; and

Whereas it appears that the desert lands irrigated by the interstate canal in Nebraska can not be immediately depended upon to provide a living for the settler and his family and make so large a yearly payment as the reclamation act and the regulations of the Interior Department now require; and

Whereas it has been actually demonstrated that these lands will not produce more than one good crop until alfalfa has been grown for two or three years; and

Whereas the abundant productiveness of valuable crops under the other canals have positively proven that it is only a matter of time for development when these lands will fulfill the most sanguine expectations; and

Whereas the season of 1910 has been most unfavorable for agriculture in that territory and that the settlers under said interstate canal are now in distressed circumstances, and there is pressing need for immediate action on the part of Congress to enact into law a more suitable system of payments making the same light during the first years and heavier later when the lands have been developed; and

Whereas we believe the homestead laws should be and were intended for the poor man's benefit, and that under the law returning all payments within 10 years, the poor man is positively barred from completing his payments and gaining title to the lands he may have entered under said reclamation act: Therefore be it

Resolved, That the State Senate of Nebraska in regular session assembled heartily indorse H. R. 30799 and any similar legislation along said lines and ask our Senators and Representatives in the National Congress to give same their active support; and be it further

Resolved, That copies of this resolution be forwarded to our Senators and Representatives in Washington and to the honorable Secretary of the Interior.

Mr. BURKETT presented a memorial of Local Typographical Union No. 190, of Omaha, Nebr., remonstrating against any increase being made in the rate of postage on periodicals and magazines, which was ordered to lie on the table.

He also presented a petition of sundry veterans of the Civil War, of Inman, Nebr., praying for the passage of the so-called old-age pension bill, which was ordered to lie on the table.

Mr. SCOTT presented a memorial of Friendship Grange, No. 26, Patrons of Husbandry, of Monongalia County, W. Va., remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which was referred to the Committee on Finance.

Mr. KEAN presented petitions of W. S. Davis, Lewis D. Sabagh, Abram P. Demarest, W. E. Murphy, Frank Vreeland, Le Roy D. Bogert, R. Van Keuren, A. E. Cooper, R. H. Lozier, J. H. Bennett, C. De Witt Gilbert, Clarence M. Green, Clarence J. Voorhis, H. L. Coburn, Conrad Lachmand, jr., and E. B. Terhune, of Hackensack, all in the State of New Jersey, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented memorials of Mickleton Grange, No. 111; Thoroughfare Grange, No. 59; Medford Grange, No. 36; Swedesboro Grange, No. 5; Woodstown Grange, No. 9; Kingwood Grange, No. 106; Pequest Grange, No. 178, of Tranquillity; and of Cologne Grange, No. 191, of Egg Harbor City, of the Patrons of Husbandry, and of sundry citizens of Rutherford and Dover, all in the State of New Jersey, remonstrating against the ratifi-

cation of the proposed reciprocal agreement between the United States and Canada, which were referred to the Committee on Finance.

He also presented memorials of Rev. N. P. Crouse, of Stanhope; Charles J. Hely, of Newark; and of Henry Schroth, of West Hoboken; and of Typographical Union No. 424, of Orange, all in the State of New Jersey, remonstrating against any change being made in the rate of postage on periodicals and magazines, which were ordered to lie on the table.

He also presented a petition of sundry citizens of New Jersey, praying for the construction of the battleship *New York* in a Government navy yard, which was referred to the Committee on Naval Affairs.

Mr. BURROWS presented petitions of the Woman's Home Missionary Society of Pickford, of sundry citizens of North Adams and Vicksburg, and of the Woman's Christian Temperance Unions of Pickford, Cassopolis, Waldron, Bancroft, Dutton, Ionia, and of Kalamazoo County, all in the State of Michigan, praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors into prohibition districts, which were referred to the Committee on the Judiciary.

He also presented a petition of Local Hive, Ladies of the Modern Maccabees, of Lapeer, Mich., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Liberty Grange, Patrons of Husbandry, of Ithaca, Mich., and a petition of sundry citizens of Sanilac County, Mich., praying for the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Stanton, Mich., remonstrating against the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. DILLINGHAM presented memorials of Riverside Grange, of Wheelock; Caledonia Grange, of East Warwick; Local Grange of Shoreham; and of Walcott Grange, all of the Patrons of Husbandry, in the State of Vermont, remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which were referred to the Committee on Finance.

Mr. CURTIS. I present a telegram in the nature of a memorial from Maurice McAuliffe, president of the State Farmers' Union, of Salina, Kans., which I ask may be printed in the RECORD and referred to the Committee on Finance.

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

SALINA, KANS., February 16, 1911.

Hon. CHARLES CURTIS,
United States Senator, Washington, D. C.

The Farmers' Union of Kansas, an organization representing several thousand farmers, directs me to communicate following to you:

Resolved by the Farmers' Union of Kansas in annual convention assembled here this day, That we believe that the proposed treaty with Canada would be injurious to the agricultural interests of our State. We therefore respectfully request our Senators to vote against the adoption of the proposed treaty.

MAURICE MC'AULIFFE,
President State Farmers' Union.

Mr. GALLINGER presented memorials of Advance Grange, No. 20, of Wilton, of Local Grange, of Strafford; of Local Grange No. 104, of Bartlette, of the State Grange, Patrons of Husbandry, and of sundry citizens of Berlin, all in the State of New Hampshire, remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which were referred to the Committee on Finance.

He also presented a memorial of the Garfield Citizens' Association and sundry citizens of Washington, D. C., remonstrating against any change being made in the present board of education, which was referred to the Committee on the District of Columbia.

Mr. PENROSE presented a petition of Uniontown Council, No. 157, Junior Order United American Mechanics, of Cincinnati, Ohio, praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. STONE presented telegrams in the nature of memorials from George W. Mathews, of Canton; S. W. Durett, secretary of the Real Estate & Commercial Co., of Canton; E. O. Sutton, farmer, of Canton; George W. Vaughn, farmer, of Canton; P. W. Sublett, of Lagrange; John Garnett, farmer, of Canton; and John Ellis, farmer, of Canton, all in the State of Missouri, remonstrating against the ratification of the proposed reciprocal

agreement between the United States and Canada, which were referred to the Committee on Finance.

He also presented telegrams in the nature of petitions from William Rienhoff, of Springfield; T. J. Seehorn, J. E. Guinotte, J. J. Swofford, James Pendergast, R. L. Gregory, Mike Ross, Fred. W. Fleming, of Kansas City; John A. Duncan, William E. Stringfellow, Louis and William Huggins, Brown & Dollman, Walter H. Robinson, and Jamison Machine, of St. Joseph, all in the State of Missouri, praying that an increase be made in the rate of postage on periodicals and magazines, which were ordered to lie on the table.

Mr. WARREN. I present a resolution adopted by the executive committee of the National Association of Wool Manufacturers, recommending that action be not taken by the United States Senate on the Canadian reciprocity agreement until there has been a thorough examination of its details and time for its mature consideration by the American people. I ask that the resolution be printed in the RECORD and referred to the Committee on Finance.

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

NATIONAL ASSOCIATION OF WOOL MANUFACTURERS,
OFFICE, 683 ATLANTIC AVENUE,
Boston, Mass., February 16, 1911.

Resolved by the executive committee of the National Association of Wool Manufacturers. That it is the sense of this committee that no action should be taken by the United States Senate on the Canadian reciprocity agreement until there have been not only a thorough examination of the details of the agreement, but a mature consideration by the American people of the probable effect upon our farming and fishing interests, our commercial relations under treaty with other countries, and the American system of protection.

Mr. WARREN presented a memorial of the American Paper & Pulp Association, remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which was referred to the Committee on Finance.

He also presented a petition of C. H. Manning, of Sheridan, Wyo., praying that an investigation be made of the affairs of all wireless telegraph companies of the country, which was referred to the Committee on Commerce.

He also presented a petition of the American League of Associations for Home Advancement, Town and Village Improvement, and Home Trade Protection and Development, of Chicago, Ill., praying for the passage of the so-called rural parcels-post bill and requesting that a full and complete hearing be given on this matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Lodge No. 89, International Association of Machinists, of Cheyenne, Wyo., praying for the enactment of legislation providing that all United States battleships be built in Government navy yards, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Macmillan Publishing Co., of New York City, N. Y., praying that an increase be made in the rate of postage on periodicals and magazines, which was ordered to lie on the table.

Mr. DICK presented a petition of the National Board of Trade, praying that an appropriation be made providing for irrigation of the forests of the country and the conservation of the national resources, which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of the National Board of Trade, praying for the establishment of a central banking system, which was referred to the Committee on Finance.

He also presented resolutions adopted by the National Board of Trade, favoring a continuance of the present Tariff Board and also for the ratification of the proposed reciprocal agreement between the United States and Canada, which were referred to the Committee on Finance.

He also presented a memorial of the National Board of Trade, remonstrating against the enactment of legislation providing for Federal inspection of grain and the present facilities for marketing agricultural products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the National Board of Trade, praying for the enactment of legislation looking toward the re-creation of the American merchant marine, which was referred to the Committee on Commerce.

He also presented a petition of the National Board of Trade, praying for the establishment of a United States board of patent appeals, which was referred to the Committee on the Judiciary.

He also presented a petition of the National Board of Trade, praying for the adoption of a 1-cent letter postage, etc., which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the National Board of Trade, praying for the establishment of additional stations for im-

migrants at one or more of the South Atlantic or Gulf ports, which was referred to the Committee on Immigration.

He also presented resolutions adopted by the National Board of Trade, indorsing the national pure-food law, which was referred to the Committee on Manufactures.

He also presented a petition of the National Board of Trade, praying for the repeal of the present bankruptcy law, which was ordered to lie on the table.

He also presented a petition of the National Board of Trade, praying for the establishment of a court of arbitral justice and commercial education and for the reorganization of the Diplomatic and Consular Service, which was referred to the Committee on Foreign Relations.

He also presented a petition of the National Board of Trade, praying for the compilation and adoption of a uniform classification of freights, which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the National Board of Trade, favoring certain river and harbor improvements, more adequate dock facilities for the prevention of floods, for the improvement of inland waterways and continuous waterways, for the municipal ownership of terminal facilities, and for the development and regulation of waterways, which were referred to the Committee on Commerce.

Mr. BRISTOW presented a memorial of sundry citizens of Kansas, remonstrating against the passage of the so-called rural parcels-post bill, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Kansas, remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Kansas, praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors into prohibition districts, which was referred to the Committee on the Judiciary.

Mr. BRIGGS presented petitions of Washington Camps Nos. 62, of Woodbury, and 116, of Elberon, of the Patriotic Sons of America; of Local Union No. 121, of Bridgeton, and of Local Union No. 265, of Hackensack, of the United Brotherhood of Carpenters and Joiners of America; and of the Central Labor Union of Camden, all in the State of New Jersey, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented the petitions of Henry H. Croft, of Blue Anchor; of I. D. Lurn, of Madison; of Adam Aberle, of Union; and of A. R. Louden, of Trenton, all in the State of New Jersey, praying for the passage of the so-called old-age pension bill, which were ordered to lie on the table.

He also presented the petition of William D. Sargent, of West Orange, N. J., praying that an appropriation be made for the construction of a Lincoln memorial road from Washington, D. C., to Gettysburg, Pa., which was referred to the Committee on Appropriations.

He also presented the petition of Benjamin F. Whitecar, of Haddonfield, N. J., praying for the enactment of legislation providing for the inspection of egg products by the Government, which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of the Local Granges of Cologne, Medford, and Woodstown; of Pequest Grange, of Tranquillity, of the Patrons of Husbandry; and of the Burlington County Board of Agriculture, all in the State of New Jersey, remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Trenton, N. J., praying for the construction of the United States battleship *New York* in a Government navy yard, which was referred to the Committee on Naval Affairs.

Mr. PAGE presented a petition of Local Council, Junior Order United American Mechanics, of Fairfax, Vt., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. PERKINS presented a memorial of the Merchants' Exchange, of San Francisco, Cal.; and a memorial of the City Club, of Berkeley, Cal., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which were referred to the Committee on Post Offices and Post Roads.

Mr. PILES presented a memorial of Fern Bluff Grange, No. 267, Patrons of Husbandry, of Sultan, Wash., remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which was referred to the Committee on Finance.

He also presented a petition of Local Council No. 2, Junior Order United American Mechanics, of Seattle, Wash., praying

for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. SMITH of South Carolina presented telegrams in the nature of memorials from Rodgers, McCabe & Co., E. P. Grice, of Charleston; Charles Crosland, of Bennettsville; J. W. Dillon, Carpenter, Baggott & Co., Wade Stackhouse, and W. T. Betshea, of Dillon; Joseph Wylie & Co., G. D. Heath, and H. Samuels, of Chester; the Abbeville Cotton Mills & Manufacturing Co., of Abbeville; LeRoy Springs, of Lancaster; T. A. Earle, of Greenville; P. T. Hayne, of Greenville; H. W. Crouch, of Johnston; W. S. Bailey, W. J. Dendy, G. C. Young, John D. Davis, the Clinton Cotton Mill, the Banna Manufacturing Co., of Clinton; and the Laurens Chamber of Commerce, of Laurens, all in the State of South Carolina; of Thomas Barrett, Jr., and A. J. Salinas, of Augusta, Ga., remonstrating against the passage of the so-called Scott anti-option bill relative to dealing in cotton futures, etc., which were ordered to lie on the table.

He also presented petitions of Broad River Council, No. 60, of Cherokee Falls; of Bethany Council, No. 65, of Clover; of Brookland Council, No. 35, of New Brookland; and of Limestone Council, No. 17, of Gaffney, all of the Junior Order United American Mechanics, in the State of South Carolina; and of Washington Camp, No. 1, of Rock Hill; and Washington Camp, No. 2, of Greenwood, Patriotic Order Sons of America, of South Carolina, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. DEPEW presented memorials of Chazy Grange, No. 981; Erie Pomona Grange, of Akron; Schuyler Grange, No. 30; Hamilton Grange, No. 648; Seeber's Lane Grange, No. 1193; Aurelius Grange, No. 1196; Perry Grange, No. 1163; Castle Grange, No. 1017; Montgomery Pomona Grange; Sherwood Grange, No. 1034; Bullville Grange, No. 1002; Olean Grange, No. 791; Hopewell Grange, No. 472; Saratoga Grange, No. 1209; Lake Placid Grange; South Rutland Valley Grange; Battle Hill Grange, No. 861; and Livenia Grange, No. 1180, all of the Patrons of Husbandry; of Stationary Firemen's Local Union No. 17, of Syracuse; of Stationary Firemen's Local Union No. 11, of Buffalo; of the American Paper and Pulp Association; and of sundry citizens of Gouverneur, Niagara Falls, Lima, Ransomville, Kirkgrove, Herkimer, Palmer, Livonia Center, and Canandaigua, all in the State of New York, remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which were referred to the Committee on Finance.

He also presented a petition of Lafayette Post, No. 140, Department of New York, Grand Army of the Republic, of New York City, N. Y., praying for the passage of the so-called old-age pension bill, which was ordered to lie on the table.

He also presented a petition of the Unity Republican Club, of Brooklyn, N. Y., praying that an increase be made in the rate of postage on periodicals and magazines, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Batavia, Medina, Niagara Falls, Buffalo, Auburn, Avon, Syracuse, New York City, Fulton, Lockport, Tonawanda, and North Tonawanda, all in the State of New York, remonstrating against the enactment of legislation providing for the control and regulation of the waters of Niagara Falls, which were referred to the Committee on Foreign Relations.

Mr. OVERMAN presented petitions of Local Council of Winston Salem; Local Council of Altamont; Local Council No. 284, of Highlands; Local Council No. 307, of Trinity; Local Council No. 29, of High Point; Local Union No. 158, of Franklin; and Local Council of Winterville, Junior Order United American Mechanics, all in the State of North Carolina, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented a memorial of sundry citizens of North Carolina, remonstrating against the proposed donation of 300,000 acres of Government land to the Archbishop of Santa Fe, N. Mex., for the establishment of a Roman Catholic training school, which was referred to the Committee on Territories.

Mr. STEPHENSON presented a petition of sundry citizens of Kaukauna, Wis., praying for the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the State Synod of the Presbyterian Church of Wisconsin, praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors into prohibition territory, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Local Grange No. 566, Patrons of Husbandry, of Abrams, Wis., remonstrating against the ratification of the proposed reciprocal agreement between

the United States and Canada, which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of La Crosse, Wis., praying for the ratification of the proposed reciprocal agreement between the United States and Canada, which was referred to the Committee on Finance.

Mr. McCUMBER presented memorials of sundry citizens of Great Bend and St. Thomas, N. Dak., remonstrating against the ratification of the proposed reciprocal agreement between the United States and Canada, which were referred to the Committee on Finance.

Mr. SMITH of South Carolina presented memorials of the Southern Periodical Publishing Association, of Atlanta, Ga.; the Farm Journal, of Philadelphia, Pa.; the Priscilla Publishing Co., of Boston, Mass.; of the Chamber of Commerce of Charleston; and of sundry citizens of Blackstock and Denmark, in the State of South Carolina, remonstrating against any change being made in the rate of postage on periodicals and magazines, which were ordered to lie on the table.

Mr. CLARKE of Arkansas. I present a memorial from the National Society of Colonial Dames of America in Arkansas, which I ask may be printed in the RECORD and referred to the Committee on the District of Columbia.

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

To the honorable Senate of the United States in Congress assembled:

The National Society of Colonial Dames of America in Arkansas memorialize your honorable body, and respectfully and urgently protest against the establishment of a criminal reformatory for the District of Columbia on what is known as the Belvoir or White House tract in Virginia, in the near vicinity of the home and grave of George Washington.

The tract of land thus far chosen for the purpose is 3½ miles from Mount Vernon, and forms a part of the peninsula extending within 2½ miles of Mount Vernon, the whole of which peninsula, this society has been informed, it is contemplated ultimately to acquire for the reformatory. The home of Nellie Custis is within about one-half mile of the Belvoir tract, while the house of George Mason is within about 1 mile or less.

This society submits that there can be neither necessity nor propriety in the location of such an institution in the setting of these historic homes so closely associated with the independence of our country, and especially that it would be a national discredit to place a penal criminal institution in the immediate vicinity of the home and burial place of Washington.

A protest was submitted to the Commissioners of the District of Columbia with promptness, when the matter was first brought to the attention of the regents of the Mount Vernon Association, and we join with that association and appeal to this honorable body, because of the firm conviction that it will arouse the sentimental interest of every patriotic citizen of the United States, and this society submits the matter to the Congress of the United States and invokes its protection.

Respectfully submitted.

Done by the National Society of Colonial Dames of America in Arkansas, at Little Rock, Ark., this 9th day of February, 1911.

FRANCES ASHLEY JOHNSON,

President of the Society in Arkansas.

LAURA LEWIS BUNCH,

Secretary of the Society in Arkansas.

[SEAL.]

Mr. HEYBURN. I present joint memorial No. 6, adopted by the Legislature of the State of Idaho, relative to the abolition of all rules of the Forest Service governing the removal of dead timber by the settlers. I ask that the joint memorial be printed in the RECORD and referred to the Committee on Public Lands.

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

House joint memorial No. 6.

Be it resolved by the house of representatives of the State of Idaho (the senate concurring), That the Congress of the United States be memorialized as follows:

Whereas under the present rules formulated by the national forestry officials governing and controlling the use of the national forests with reference to removing therefrom dead timber, it is very inconvenient and hard for the settlers who desire to use this dead timber to obtain the same, because the procedure necessary to go through is very lengthy, undesirable, and costly to users thereof; and

Whereas said dry timber, by laying in the national forests, exposes the growing timber to the danger of fire and thereby is a menace to the national forest and should be removed: Now therefore be it

Resolved, That the Congress of the United States is hereby requested to abolish all rules of the Forest Service governing the removal of dead timber by the settlers, so as to make it as convenient as possible to remove the same from the national forest for use by the settlers and thereby favor not only the settlers but promote the welfare and protection of the national forest of the United States.

This memorial passed the house of representatives on the 6th day of February, 1911.

CHARLES D. STOREY,

Speaker of the House of Representatives.

This memorial passed the senate on the 15th day of February, 1911.

L. H. SWEETSER,

President of the Senate.

I hereby certify that the within house joint memorial No. 6 originated in the house of representatives of the Legislature of the State of Idaho, during the eleventh session.

JAMES H. WALLIS,

Chief Clerk of the House of Representatives.

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Wilfred L. Gifford, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 6, by Hall and Pincock, relating to the abolishing of all rules of the Forest Service governing the removal of dead timber by the settlers (passed the house Feb. 6, 1911; passed the senate Feb. 15, 1911), which was filed in this office the 17th day of February, A. D. 1911, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State.

Done at Boise City, the capital of Idaho, this 17th day of February, in the year of our Lord one thousand nine hundred and eleven and of the Independence of the United States of America the one hundred and thirty-fifth.

[SEAL.]

WILFRED L. GIFFORD, *Secretary of State.*

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

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

House joint memorial No. 10.

Whereas the Canadian reciprocal agreement proposing the removal of duties upon farm and timber products is now under consideration by Congress; and

Whereas the removal of these existing tariffs upon its products will work inestimable damage to the welfare of the State; and

Whereas by reason of the shipping laws of the United States foreign vessels can not be used between domestic ports, while vessels under any flag can be used between Canadian ports and those of the United States, thereby securing very much lower rates and making the competition more difficult to meet; and

Whereas a tariff commission has been appointed by the President of the United States to examine into and report on the necessity of changes in our present tariffs on all commodities, both raw and manufactured: Therefore be it

Resolved, That the Legislature of the State of Oregon requests its Senators and Representatives in Congress to oppose the ratification or consent of or to said Canadian reciprocal agreement at this time, and until said tariff commission has reported and the country is more fully advised as to the effect such agreement will have upon the industries and development of the United States.

Adopted by the house February 9, 1911.

JOHN P. RUSK, *Speaker of the House.*

Concurred in by the senate February 14, 1911.

BEN SELLING, *President of the Senate.*UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 10 with the original thereof, which was adopted by the house February 9, 1911, and concurred in by the senate February 14, 1911, and that it is a correct transcript therefrom and of the whole of such original.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 16th day of February, A. D. 1911.

[SEAL.]

F. W. BENSON, *Secretary of State.*

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

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

Senate joint memorial No. 8.

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

Your memorialists, the Legislative Assembly of the State of Oregon, would respectfully and earnestly represent to your honorable body that the pension granted to the veterans of the Oregon Indian wars of 1847, 1848, 1855, and 1856, to wit, \$8 per month, is inadequate to the deserts and needs of the few of these old veterans who remain with us as living evidence of the patriotic work performed by them.

That the claims of these men to national recognition and gratitude have been already acknowledged by State and Nation, but in fixing their reward the spirit of economy was largely the controlling influence, and the pensions allowed them are entirely too small.

We therefore urge your honorable body to pass a bill granting to the veterans of the Indian wars above mentioned an increase of pensions, thus placing the veterans of all these wars upon the same footing as the veterans of the Civil War. The number of the survivors of all Indian war veterans is now small; they are old and decrepit, and their ranks are fast becoming depleted, and we feel that their services to State and Nation have been sufficient to warrant the payment to them of a pension equivalent to that paid to the survivors of the Civil War.

It is hereby directed that a copy of this memorial, duly signed by the president of the senate and the speaker of the house, and attested by the chief clerks of the two houses, be forthwith forwarded to each of Oregon's Senators and Representatives in Congress.

Adopted by the Senate February 10, 1911.

BEN SELLING, *President of the Senate.*

Attest:

E. H. FLAGG, *Chief Clerk of the Senate.*

Adopted by the house February 13, 1911.

JOHN P. RUSK, *Speaker of the House.*

Attest:

W. F. DRAGER, *Chief Clerk of the House.*UNITED STATES OF AMERICA,
OFFICE OF THE SECRETARY OF STATE,
STATE OF OREGON.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 8 with the original thereof, which was adopted by the senate February 10, 1911, and adopted by the house February 13, 1911, and that it is a correct transcript therefrom and of the whole of such original.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 16th day of February, A. D. 1911.

F. W. BENSON, *Secretary of State.*

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

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

House joint memorial No. 5.

A memorial to Congress for adoption by the House of Representatives and Senate, now in session, pertaining to protection of manufacturing industries in States in which the interstate-commerce laws at this time render ineffective protection to said manufacturing industries.

Whereas the manufacturers of Oregon and the home industries of this State are made to suffer through the lack of protection afforded on account of the rulings of the courts in reference to the interstate-commerce laws; and

Whereas the State of Oregon is being flooded with goods and with merchandise which, being made in any penitentiary, prison, reformatory, or other like institutions, are proving to be the detriment of the home industries of this State: Therefore be it

Resolved, That the State senate and the house of representatives now assembled do present this, a memorial, to Congress, requesting that Congress do protect the various States' industries by providing a law that all such penitentiary and penal made goods be stamped, labeled, or marked by the institution making such goods with the name of the institution, the date of manufacture, and that such goods or merchandise be so stamped, labeled, or marked before leaving such institution for interstate shipment; and be it further

Resolved, That a copy of these resolutions be forwarded to Oregon's United States Senators and Representatives.

Adopted by the house February 6, 1911.

JOHN P. RUSK, *Speaker of the House.*

Concurred in by the senate February 14, 1911.

BEN SELLING, *President of the Senate.*UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 5 with the original thereof, which was adopted by the house February 6, 1911, and concurred in by the senate February 14, 1911, and that it is a correct transcript therefrom and of the whole of such original.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 16th day of February, A. D. 1911.

F. W. BENSON, *Secretary of State.*

Mr. BOURNE. I present a joint memorial of the Legislature of the State of Oregon, which I ask may lie on the table and be printed in the RECORD.

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

House joint memorial No. 13.

To the honorable Senate and House of Representatives,
Congress of the United States.

GENTLEMEN: Your memorialists, the Legislative Assembly of the State of Oregon, would respectfully and earnestly represent to your honorable body that the pensions now granted under existing laws to the veterans of the Civil War are, by reason of advancing age and increasing infirmities, inadequate to the deserts and needs of these old soldiers who are so rapidly passing away.

We therefore urge upon your honorable body the passage of House bill 29346—the Sulloway bill—granting increased pensions to the survivors of the Civil War commensurate with their increasing age and infirmities.

The number of survivors of the Civil War is rapidly growing smaller and their ranks are fast becoming depleted, and we feel that their services to the Nation have been sufficient to warrant the payment to them of the pension provided for in this bill.

It is hereby directed that a copy of this memorial, duly signed by the president of the senate and the speaker of the house, and attested by the chief clerks of the two houses, be immediately forwarded to each of the Oregon Senators and Representatives in Congress.

Adopted by the house February 13, 1911.

JOHN P. RUSK, *Speaker of the House.*

Attest:

W. F. DRAGER, *Chief Clerk of the House.*

Adopted by the senate February 14, 1911.

BEN SELLING, *President of the Senate.*

Attest:

E. H. FLAGG, *Chief Clerk of the Senate.*UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully

inal thereof, which was adopted by the house February 13, 1911, and compared the annexed copy of house joint memorial No. 18, with the original adopted by the senate February 14, 1911, and that it is a correct transcript therefrom and of the whole of such original.

In testimony whereof, I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 16th day of February, A. D. 1911.

[SEAL.]

F. W. BENSON, *Secretary of State.*

Mr. BOURNE. I present a joint memorial of the Legislature of the State of Oregon, which I ask may lie on the table and be printed in the RECORD.

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

House joint memorial No. 8.

To the Congress of the United States, greeting:

Whereas numerous Volunteer regiments who enlisted for the War with Spain in 1898 that were sent to the Philippine Islands and did valiant service there in suppressing the Philippine insurrection after the treaty of peace with Spain was signed were returned to the United States and mustered out without being paid the customary travel pay allowed soldiers under similar conditions:

Therefore we, your memorialists, the Legislative Assembly of the State of Oregon, earnestly pray your honorable body to enact into law a bill for the purpose of giving travel pay to all Volunteer soldiers who remained in the Philippine Islands doing service after the treaty of peace with Spain was signed and who have not heretofore obtained the same.

Adopted by the house February 6, 1911.

JOHN P. RUSK, *Speaker of the House.*

Concurred in by the senate February 14, 1911.

BEN SELLING, *President of the Senate.*

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 8 with the original thereof, which was adopted by the house February 6, 1911, and concurred in by the senate February 14, 1911, and that it is a correct transcript therefrom and of the whole of such original.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 16th day of February, A. D. 1911.

[SEAL.]

F. W. BENSON, *Secretary of State.*

RECIPROCITY WITH CANADA.

Mr. GRONNA. I have received a letter from R. T. Kingman, of the Kingman Farm, Hillsboro, Trail County, N. Dak., dated February 16, 1911, with reference to reciprocity with Canada. I ask that the letter may be read.

The VICE PRESIDENT. Without objection, the letter presented by the Senator from North Dakota will be read.

The Secretary proceeded to read the letter.

Mr. HEYBURN. Mr. President, a question of privilege. Where did this document come from?

The VICE PRESIDENT. It was presented by the Senator from North Dakota [Mr. GRONNA], who asked unanimous consent that it be read.

Mr. HEYBURN. It is a most unusual thing to read into the RECORD.

Mr. GRONNA. I will say to the Senator from Idaho that I believe after the reading of the remainder of the letter he will be perfectly willing that it shall be printed in the RECORD.

Mr. HEYBURN. Of course I do not arrogate to myself the right to criticize the judgment of another Senator in asking that matter be printed in the RECORD, but—

Mr. LODGE. Is it a petition?

Mr. HEYBURN. No; it is not a petition, I understand.

The VICE PRESIDENT. It is a letter from an individual, the Chair understands.

Mr. HEYBURN. Yes; and it is a most unusual letter, and not at all within the character of letters which we are accustomed to admit into our records.

The VICE PRESIDENT. It is being read by unanimous consent. If there is no objection, the Secretary will proceed with the reading.

Mr. LODGE. How long is it? We have not a great deal of time.

The VICE PRESIDENT. The Secretary informs the Chair that it consists of six typewritten pages. The Secretary will proceed with the reading, if there be no objection.

The Secretary resumed the reading.

Mr. STONE. Mr. President, sufficient of that document has been read for the Senate to understand the argument it contains against the reciprocity agreement. I think I will object to its further reading.

The VICE PRESIDENT. The question is, Will the Senate permit the document to be read? [Putting the question.] The ayes appear to have it. The ayes have it, and the Secretary will continue the reading.

The Secretary resumed the reading.

Mr. STONE. Mr. President, I rise to a parliamentary inquiry.

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

Mr. STONE. I ask whether a further objection can be entertained to the reading of the document?

The VICE PRESIDENT. Whenever the reading of a document is objected to the question is decided by a vote of the Senate, under the rules of the Senate. The Senator from Missouri objected, the Chair put it to a vote, and the Senate voted that the document should be read. The Secretary will proceed with the reading.

The Secretary resumed and concluded the reading of the letter, which is as follows:

THE KINGMAN FARM,
Hillsboro, N. Dak., February 16, 1911.

Hon. A. J. GRONNA,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Knowing from the newspapers your position in reference to this matter of reciprocity with Canada, knowing also that you must be overwhelmed with communications from others on this same subject, it seems useless for me to add my mite; but after reading Mr. Hill's speech delivered in Chicago I am so stirred up I can not help but express my resentment at his tirade and his unjust and unfair statements.

As one of those "ignorant farmers," with no reasoning power of my own, having been imposed upon by those "despicable, scheming demagogues," would like to ask Mr. Hill—

Why is he so ardently interested in the consummation of this agreement? Has he no "selfish axes to grind?"

Why Mr. Hill's visit to Washington at the time when negotiations were pending?

Why, the day after the vote in the House, did Great Northern stock advance on the New York Stock Exchange from \$1.29 $\frac{1}{2}$ to \$1.36 $\frac{1}{2}$?

Why this sudden announcement of his decision to build a \$2,000,000 depot in the city of Winnipeg?

Why all this childish, crazed interest all of a sudden in the welfare of the dear people?

There is a reason. Let any fair-minded man take a Great Northern folder, inspect the map therein, and he will see the reason. He will find 12 separate Great Northern lines, or branches, running to the Canadian boundary line, five of them already penetrating into Canada, each of them merging with the three main lines from Minneapolis and Duluth, all built and in operation, ready to haul 50,000,000 or possibly 100,000,000 bushels of Canadian wheat into the already well-supplied markets of Duluth and Minneapolis—markets that always have been and can always be well supplied from the northwestern farms within the borders of the United States.

Is it a wonder that Mr. Hill is interested, exerting every possible influence within his great power to bring about the consummation of this pact? During the years of 50-cent and 60-cent wheat and those big visibles he urged us to "hold on," telling us that in a few years increased consumption would go abreast of production and that we would then be independent of Liverpool and get fair prices for our wheat. Mr. Hill, with his new purposes, has evidently forgotten this, while now that we are within reach of that goal, with prospect for fair prices for our wheat, the floodgates of Canada are to be opened and the larger portion of her \$200,000,000 wheat crop dumped upon us, and he tells us now that it will be a good thing for us. * * *

Since the agreement was announced on the 26th of January wheat has fallen 11 $\frac{1}{2}$ cents in Duluth and only 4 cents, or, to be exact, 3 $\frac{1}{2}$ cents, at Winnipeg. To be exact:

	Duluth.	Winnipeg.
Jan. 26.....	\$1.05 $\frac{1}{2}$	\$0.94 $\frac{1}{2}$
Feb. 15.....	.94 $\frac{1}{2}$.90 $\frac{1}{2}$
Depreciation.....	.11 $\frac{1}{2}$.04

The commission houses make no bones about the fact that it is a result of this measure, which they all agree must pass.

The membership price on the Minneapolis board has advanced \$750 in the last two weeks. All winter long the Minneapolis and Liverpool markets have been practically at the same level. Did Liverpool make the Minneapolis price?

A neighbor of mine who recently sold his farm just across the line from Portal tells me this morning that early in November, 1910, the elevator price of wheat at Estevan, his Canadian town, was 55 cents, while at Portal, on our side, the elevator price was 75 cents. He also tells me that farm land on our side was selling from \$25 to \$30 per acre, while just across the line the price was from \$15 to \$20. He sold his for \$18. I believe this statement to be true. Jim Hill might explain the difference in the price of wheat between the two towns; he might also explain why, at the same time, the elevator price in the Red River Valley was 95 cents and only 75 cents at Portal, 250 miles west; but of course the Great Northern dividend must be paid.

Take down the bars, flood our country with 100,000,000 bushels of Canadian wheat, or even 50,000,000 bushels, and see the result. Our farm price will then be the Liverpool price less the freight, commissions, and the loss from State dockages and mixing houses on the way.

As I understand it, the President is chiefly interested in lowering the cost of living. I do not know what per cent of the common people in the cities buy their bread of the bakers, but I feel sure it is a very large class. Will the lowering of the price of flour 25 cents, 50 cents, or even \$1 per barrel make any difference in the price of a loaf of bread? Will the lowering of the price of barley make any difference in the cost of a glass of beer? No doubt the big millers, the big commission houses of Minneapolis, Duluth, and Chicago, the railroads, and the big packers will be benefited. If the President is so anxious to lower the cost of living, why retain the duty on flour and the beef products? Do the big millers and the big packers need this protection?

Must the farmer make all the sacrifice? And, in this connection, are the producers of beef, pork, and mutton getting too much for their stuff? Take the Chicago live-stock quotations of February 15 and you will find beeves quoted from \$5 to \$6.80 per hundredweight; western steers, \$4.40 to \$5.60; cows and heifers, \$2.60 to \$5.70; hogs, \$6.75 to \$7.30; sheep ewes and wethers, \$2.75 to \$4.50; lambs, \$4.50 to \$6.25. Deducting from these prices 50 cents to \$1 per hundredweight for freight, shrinkage, and commission to get the net prices the farmer receives, it is a fair statement to say that the average price received by the farmers in the Mississippi Basin would not exceed 5 cents for their beef, 6 cents to 6½ cents for their hogs, and 3½ cents for their mutton. Is this too much? Are the farmers making more than a fair profit at these prices? Even the big packers are making a wholesale price on meats that is fair. From the Breeders' Gazette, of February 1, the last issue of which I have at hand, I find the following market price for beef cuts on the South Water Street Market, Chicago. This includes, mind you, the packers' profit and the South Water Street commission man's profit:

	No. 1.	No. 2.	No. 3.
	Cents.	Cents.	Cents.
Ribs.....	12	11½	8½
Loins.....	14	13	10
Rounds.....	9	8½	8
Chucks.....	8	7½	6½
Plates.....	7	6½	5½

The same periodical tells me that the cold-storage plants are filled with mutton carcasses, which they find hard work to dispose of at from 5 cents to 8 cents dressed. Are these prices too high? No; 'tis the middle man who is causing the present high cost of living, and there you should look for relief. Pass this measure and you will not lower the cost of living to the consumer 10 cents a week. You will rob the farmer of millions, putting into the pocket of the middle man. You will lower the standard of farms, farm methods, and farm life, put one-fourth of our population back 25 years on the road of progress, open an avenue for millions of our accumulations in the development and upbuilding of a field in another land at the expense of our own, and when you are through you will find that one-third of our people have been robbed of their purchase power to buy the manufactured products of our land. But I fear the hand of Democracy is upon us! The Republican Party and its time-honored principles has been betrayed in the house of its friends. It seems incredible to us that 78 Republicans should have voted for this measure in the House. I am glad there are 88 left. I would like to grasp each one by the hand and congratulate him; and, sir, when free trade shall come equally to all of us, we will not complain, and when it does the other fellow may have time to reflect.

Jim Hill's speech in Chicago has stirred our people to the core. In my honest opinion, there is not a legitimate farmer in this State in favor of this measure. Our people appreciate the position you have taken and expect you and Senator McCUMBER to do your utmost in its defeat.

Sincerely yours,

R. T. KINGMAN.

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

REPORTS OF COMMITTEES.

Mr. BROWN, from the Committee on Indian Affairs, to which was referred the bill (H. R. 32264) for the relief of Frances Coburn, Charles Coburn, and the heirs of Mary Morissette, deceased, reported it without amendment and submitted a report (No. 1207) thereon.

Mr. OVERMAN, from the Committee on Claims, to which was referred the bill (S. 10397) for the relief of the Atlantic Coast Line Railroad Co., reported it without amendment and submitted a report (No. 1208) thereon.

Mr. CURTIS, from the Committee on Pensions, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (H. R. 32674) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors (Rept. No. 1209); and

A bill (H. R. 32435) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors (Rept. No. 1210).

Mr. GUGGENHEIM, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 9915) to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of diseases of potatoes known as black scab and wart disease, and for other purposes, reported it without amendment and submitted a report (No. 1211) thereon.

Mr. OLIVER, from the Committee on Claims, to which was referred the bill (H. R. 4107) for the relief of the legal representatives of Samuel Schiffer, reported it without amendment and submitted a report (No. 1212) thereon.

He also, from the same committee, to which was referred the bill (S. 1648) for the relief of Catherine Ratchford, reported it with an amendment and submitted a report (No. 1213) thereon.

Mr. McCUMBER, from the Committee on Pensions, to which was referred the bill (H. R. 29157) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1912, and for other purposes,

reported it with an amendment and submitted a report (No. 1214) thereon.

Mr. WARNER, from the Committee on Military Affairs, to which was referred the bill (S. 4183) to create in the War Department and the Navy Department, respectively, a roll designated as "the Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, reported it with an amendment and submitted a report (No. 1216) thereon.

Mr. BRISTOW, from the Committee on Claims, to which was referred the bill (S. 9669) for the relief of Herbert Thompson, reported it with an amendment and submitted a report (No. 1217) thereon.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the amendment submitted by himself on the 16th instant, relative to the conveyance by the United States to the Government of Porto Rico of all the rights and title to the buildings and grounds of the insane asylum, known as the "Beneficencia Building," and the buildings and grounds known as the "San Juan Military Hospital," in San Juan, P. R., etc., intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed and, with the accompanying papers, referred to the Committee on Appropriations, which was agreed to.

He also, from the same committee, to which was referred the bill (S. 7746) to provide for the erection of a monument on the battle field of Gettysburg to commemorate the services of the United States Signal Corps during the War of the Rebellion, reported it without amendment and submitted a report (No. 1218) thereon.

He also, from the same committee, to which was referred the bill (S. 6479) granting an honorable discharge to Matthew Logan, reported it with amendments and submitted a report (No. 1219) thereon.

GATE OF HEAVEN CHURCH, BOSTON, MASS.

Mr. LODGE. From the Committee on Finance I report back favorably without amendment the bill (S. 9874) to refund to the Gate of Heaven Church, South Boston, Mass., the duty collected on stained-glass windows, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to refund to the Gate of Heaven Church, South Boston, Mass., \$3,832.59, collected as duty on stained-glass windows.

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

Mr. LODGE. I ask that the letter from the Secretary of the Treasury accompanying the report be printed in the RECORD.

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

The letter is as follows:

TREASURY DEPARTMENT,
Washington, February 14, 1911.

CHAIRMAN COMMITTEE ON FINANCE, UNITED STATES SENATE,
Washington, D. C.

SIR: I have the honor to acknowledge the receipt of a letter from your committee, dated the 9th instant, inclosing copies of Senate bill 9874, authorizing the refund to the Gate of Heaven Church, South Boston, Mass., of duty collected on certain stained-glass windows.

The facts in this case, as appear from the records of this department, are as follows:

The windows in question arrived in four consignments and were covered by four different entries, dated March 3, March 30, April 6, and April 12, 1909, respectively. They were described upon the invoices as follows:

"One painted glass window," "portion of a painted glass window," "20 pieces of pictorial glass," and "part of a pictorial glass window," respectively, and were entered as pictorial opalescent glass windows.

The merchandise was consigned to Messrs. Clough & Wardner, and upon the face of each entry there was a statement reading substantially as follows: "Works of art, gift to Gate of Heaven Church, and not suitable for use as windows, and not commercially known as painted or stained-glass windows, and not for use as such."

Upon examination by the appraiser at Boston the merchandise was described either as painted-glass windows or parts thereof, with the advisory classification dutiable at 45 per cent ad valorem under the provisions of paragraph 112 of the tariff act of 1897.

After the windows were placed in position the collector and naval officer at Boston inspected them, and believing that they were entitled to free entry as pictorial paintings on glass under paragraph 703 of the tariff act of 1897, the entries were ordered by the collector to be liquidated free of duty, and they were so liquidated, one on March 30, two on April 13, and one on April 26, 1909, respectively.

Subsequently on further consideration, and in view of the decision of the United States Supreme Court in the case of *United States v. Perry* (146 U. S. 71), the collector, with the concurrence of the naval officer, ordered the reliquidation of the entries, and assessed duty thereon at the rate of 45 per cent ad valorem under paragraph 112 of the tariff act of 1897. This action was approved by the department December 23, 1909. (T. D. 30221.)

Against the reliquidation of the entries the importers filed protests, which protests are now pending before the Board of United States General Appraisers.

The claim for refund of duties is based upon information from the collector of customs at Boston, furnished prior to importation to Mr. Clough, one of the architects of the said church, to the effect that the said windows would be admitted free of duty.

Upon this point the collector of customs at Boston reports as follows: "Early in the year 1909 Mr. Clough, of the firm of Clough & Wardner, architects, called at this office with illustrations of windows and, after the matter had been thoroughly discussed, in view of his statement that said windows were not commercially known as painted or stained-glass windows, and were not intended for use as windows and not suitable for such use, my predecessor, Mr. Lyman, expressed the opinion that such windows should be admitted free of duty under paragraph 703 of the tariff act of July 24, 1897."

In the case of *The United States v. Perry* (146 U. S., 71) the court held that certain painted-glass windows "consisting of pieces of variously colored glass, cut into regular shapes and fastened together by strips of lead, and intended to be used for decorative purposes in churches . . . placed upon the interior of the window frame and backed by an outer window of ordinary white glass," which were executed by artists of superior merit, were imported in fragments, and were commercially known as painted or stained-glass windows, were not entitled to free entry under the provisions of paragraph 757 of the act of 1890, which were identical with those of paragraph 703 of the act of 1897.

To the same effect are the decisions of the Board of United States General Appraisers in Treasury decision 10903 of March 7, 1891; Treasury decision 11711 of August 13, 1891; Treasury decision 13617 of December 9, 1892; and Treasury decision 28690 of January 15, 1908.

If, upon this state of facts, Congress sees fit to grant relief, this department perceives no objection thereto.

Respectfully,

FRANKLIN MACVEAGH, Secretary.

PUBLIC BUILDING AT GILMER, TEX.

Mr. CULBERSON. From the Committee on Public Buildings and Grounds I report back with an amendment the bill (S. 10095) to provide for the acquisition of a site on which to erect a public building at Gilmer, Tex., and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Public Buildings and Grounds with an amendment in line 9, before the word "thousand," to strike out "ten" and insert "six," so as to make the bill read:

Be it enacted, etc. That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site on which to erect a suitable building, including fire-proof vaults, heating and ventilating apparatus, and approaches, complete, for the use and accommodation of the United States post office in Gilmer, Tex., at a cost not to exceed the sum of \$6,000.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment was agreed to.

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

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

MICHAEL B. RYAN.

Mr. OVERMAN. From the Committee on Claims I report favorably without amendment the bill (H. R. 19756) for the relief of Michael B. Ryan, son and administrator de bonis non of John S. Ryan, deceased, and I submit a report (No. 1206) thereon. I call the attention of the senior Senator from South Carolina to the report.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay Michael B. Ryan, son and administrator de bonis non of John S. Ryan, deceased, late of Charleston, S. C., or to his legal representatives, \$14,582.04, to be taken and accepted as a full and final release and discharge of his claim against the United States as found by the Court of Claims under the act approved March 12, 1863.

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

CLEMENT A. LOUNSBERRY.

Mr. DIXON. From the Committee on Military Affairs I report back with an amendment the bill (S. 8047) authorizing and directing the Secretary of War to muster Clement A. Lounsberry as colonel of the Twentieth Regiment Michigan Volunteer Infantry, and I submit a report (No. 1205) thereon.

Mr. BURROWS. I ask unanimous consent for the present consideration of the bill. It simply gives the beneficiary the rank without emoluments.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs, with an amendment to strike out all after the enacting clause and insert:

That the fact that the Twentieth Michigan Volunteer Infantry remained continuously from a date prior to March 11, 1865, to May 30,

1865, below the minimum number fixed by law to entitle it to a colonel, and that a commission of that grade and organization was not issued to Clement A. Lounsberry until June 8, 1865, shall be no bar to the application in the case of said Lounsberry, or of anyone claiming under him, of the provisions of the act of Congress approved February 4, 1897, entitled "An act to provide for the relief of certain officers and enlisted men of the Volunteer forces."

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill for the relief of Clement A. Lounsberry."

JAMES JONES.

Mr. DIXON. From the Committee on Military Affairs I report back favorably without amendment the bill (H. R. 9221) for the relief of James Jones, and I submit a report (No. 1204) thereon. I call the attention of the senior Senator from Pennsylvania to the report.

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

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, James Jones shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company E, Thirty-third Regiment New York Veteran Volunteers, on the 2d day of May, 1863, but no pension shall accrue prior to the passage of this act.

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

DISTRICT TEACHERS' RETIREMENT FUND.

Mr. BURKETT. I am directed by the Committee on the District of Columbia, to which was referred the bill (S. 5912) to establish and disburse a public-school teachers' retirement fund for the District of Columbia, to report it with amendments, and I submit a report (No. 1215) thereon. I wish to state that at the earliest moment—to-morrow, perhaps, if I can get recognition—I shall call up the bill for consideration and passage.

The VICE PRESIDENT. The bill will be placed on the calendar.

AGRICULTURAL APPROPRIATION BILL.

Mr. WARREN. From the Committee on Agriculture and Forestry I report back with amendments the bill (H. R. 31596) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1912, and I submit a report (No. 1220) thereon. I give notice that I shall endeavor to call up the bill to-morrow or at the first opportunity thereafter for consideration.

The VICE PRESIDENT. The bill will be placed on the calendar.

MOBILE RIVER BRIDGE.

Mr. BANKHEAD. Mr. President, a few days ago the Senate passed the bill (H. R. 31538) to authorize the Pensacola, Mobile & New Orleans Railroad Co., a corporation existing under the laws of the State of Alabama, to construct a bridge over and across the Mobile River and its navigable channels on a line opposite the city of Mobile, Ala. The bill was returned to the House of Representatives for the signature of the Speaker; but it was discovered that a serious mistake had been made and that it was necessary to recall it in order that it might be amended. Therefore the votes by which the bill was read the third time and passed by the Senate were reconsidered. The bill is now on the table, and I ask unanimous consent that it be taken up in order that I may offer an amendment to it and that it may be passed.

The VICE PRESIDENT. The votes by which the bill was read the third time and passed have been reconsidered. The Senator from Alabama asks unanimous consent that the bill may be considered. Is there objection?

There being no objection, the Senate resumed the consideration of the bill.

Mr. BANKHEAD. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That the Pensacola, Mobile & New Orleans Railway Co., a corporation existing under the laws of the State of Alabama, be, and is hereby, authorized to construct, operate, and maintain a drawbridge and its

approaches thereto, across the Mobile River, at a point in the county of Mobile suitable to the interests of navigation not farther south than the north bank of the Chickasaw Creek at its mouth; to be approved by the Secretary of War in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the act of Congress approved March 26, 1908, entitled "An act to authorize the Pensacola, Mobile & New Orleans Railway Co., a corporation existing under the laws of the State of Alabama, to construct a bridge over and across the Mobile River and its navigable channels on a line approximately east of the north boundary line of the city of Mobile, Ala.," is hereby repealed.

SEC. 3. That the right to alter, amend, and repeal this act is hereby expressly reserved.

The amendment was agreed to.

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

The bill was read the third time, and passed.

Amend the title so as to read: "An act to authorize the Pensacola, Mobile & New Orleans Railway Co., a corporation existing under the laws of the State of Alabama, to construct a bridge over and across the Mobile River and its navigable channels above the city of Mobile, Ala."

RECIPROCITY WITH CANADA.

Mr. SMOOT. On the 13th instant, the Senator from Delaware [Mr. DU PONT] presented a letter from the Secretary of Agriculture to the legislative committee of the National Grange, of Concord, N. H., relative to the proposed Canadian reciprocal agreement, and the letter was referred to the Committee on Printing for action. I report from that committee the letter and move that it be printed as a Senate document (S. Doc. No. 829).

The motion was agreed to.

Mr. SMOOT. On the 14th instant the Senator from New Hampshire [Mr. GALLINGER] presented a letter signed by ex-Gov. Bachelder, of New Hampshire, and requested that it be printed as a Senate document, and it was referred to the Committee on Printing for action. I report from that committee the letter and move that it be printed as a Senate document (S. Doc. No. 828).

The motion was agreed to.

POLICEMEN AND FIREMEN'S RELIEF FUND.

Mr. GALLINGER. I desire to enter a motion to reconsider the vote by which the Senate ordered to a third reading and passed the bill (S. 288) for the creation of the police and firemen's relief fund, to provide for the retirement of members of the police and fire departments, to establish a method of procedure for such retirement, and for other purposes. I ask that the House of Representatives be requested to return to the Senate the bill.

The VICE PRESIDENT. The motion to reconsider will be entered, and the request for the return of the bill from the House of Representatives will be agreed to, in the absence of objection.

CLAIM OF WILLIAM D. GRAHAM AND OTHERS.

Mr. BURNHAM, from the Committee on Claims, reported the following resolution (S. Res. 361), which was considered by unanimous consent and agreed to:

Resolved, That the claims of William D. Graham (S. 88); the heirs of Harmon Snyder, deceased (S. 98); George A. Davis, administrator of Mrs. Martha N. Davis, deceased (S. 100); George A. Davis, administrator of Patrick Brady, deceased (S. 102); the estate of Joseph Brannon, deceased (S. 1096); George L. Whitmore (S. 1107); the estate of F. C. Blackmer, deceased (S. 1391); Sarah R. Bexley, administratrix of the estate of the late Augustus R. Bexley (S. 1392); the estate of Victor Falsons, deceased (S. 1465); the estate of Frederick Arbour, deceased (S. 1466); Mrs. C. A. Grose (S. 1508); William Hayes (S. 1651); the county court of Owen County, Ky. (S. 2007); Charles E. Currier (S. 2011); the estate of Matthew A. McCain (S. 2473); the estate of Richard White (S. 2474); Julien Semere (S. 2585); the heirs or estate of Louis Vuagnat, deceased (S. 2595); Jacob W. Brower and John M. Brower, heirs of Thomas M. Brower, deceased (S. 2871); the legal representatives of the estate of Thomas A. Hendricks, deceased (S. 2889); K. H. Lewis and W. F. Lewis (S. 2692); the estate of Stephen Herren (S. 2951); the heirs of Amasa Ezell, deceased (S. 3064); the heirs or estate of J. J. Brison, deceased (S. 3074); H. J. Brewer (S. 3076); John T. Spence or his legal representatives (S. 3565); the heirs of Ambrose Hord, deceased (S. 3581); Miss Patti J. Daffan (S. 3585); heirs or estate of Thornton Martin, deceased (S. 3613); heirs or estate of John Sanford, deceased (S. 3683); the heirs of John G. Freeman, deceased (S. 3738); the heirs of John J. Johnson, deceased (S. 3741); the estate of John Diehl, deceased (S. 3742); the heirs of Peter Pope, deceased (S. 3743); the heirs or estate of Andre N. Robin, deceased (S. 4043); heirs or estate of Louis Lalonde, deceased (S. 4045); heirs or estate of Alexandre Carsay, deceased (S. 4061); heirs or estate of Chevalier Thibodeaux, deceased (S. 4070); heirs or estate of Don Louis Thibodeaux, deceased (S. 4072); heirs or estate of Pierre Meaux, deceased (S. 4074); heirs or estates of Sarah E. Wedelstedt and Nimrod Berk, deceased (S. 4345); Kate Oakes Smith (S. 4470); Frederica Kimmerling (S. 4559); Christian Christensen (S. 4688); the heirs of Mrs. C. M. J. Williamson (S. 4944); the heirs of Benjamin Whitehead (S. 4945); the heirs of Nannette Switzer (S. 4953); the heirs of Louis Cato, deceased (S. 4957); W. C. Bradley (S. 5005); Abraham Curran (S. 5120); Capt. William Hill (S. 5380); the heirs of Anderson Couch (S. 5381); the estate of John D. Johnston, deceased

(S. 5392); the estate of August Landry, sr., deceased (S. 5859); Francis M. Price (S. 6358); William W. Hearne (S. 6394); C. B. Kinnett (S. 6396); the estate of Oliver Frazer, deceased (S. 6399); the estate of Thomas K. Ball, deceased (S. 6411); the estate of J. Milton Best, deceased (S. 6413); the estate of Solomon Jones, deceased (S. 6414); the estate of John H. Seebolt, deceased (S. 6416); J. R. Clifford (S. 6426); the heirs of J. H. Peeples (S. 6498); the widow and heirs of David Phillips, deceased (S. 6545); Sergt. James W. Kingon (S. 6625); Thomas J. Lloyd (S. 6714); the heirs of Thomas Jones, deceased, and others (S. 6730); Elizabeth A. Pendleton, administratrix of the estate of William Bailey, deceased (S. 7156); George W. Lackey, surviving partner of the firm of William Lackey & Sons (S. 7237); the heirs or estate of Hypolite Mallet, deceased (S. 7456); the heirs or estate of Adelaide E. Lanclos, deceased (S. 7458); Gabriel Sam (S. 7463); the heirs or estate of John Tullis, deceased (S. 7464); the heirs or estate of Francois Poupon, deceased (S. 7468); the heirs or estate of Alexander Nezat, deceased (S. 7472); the heirs of Sarah Quick, deceased (S. 7889); Columbus Doom and the estate of Ben Doom, deceased (S. 7915); the estate of John McCauley, deceased (S. 8010); the heirs of C. T. Clatterbuck, deceased (S. 8244); heirs or estate of James C. Hoover, deceased (S. 8329); the estate of James M. Alexander, deceased (S. 8537); the estate of George W. Yancey, deceased (S. 8573); the estate of Samuel G. Mason, deceased (S. 8579); the estate of Marcus M. Walker, deceased (S. 8580); William Beans (S. 8614); heirs or estate of Charles Lesseps, deceased (S. 8705); John D. Olivier and the estates of Adelaide and Prosper Olivier, deceased (S. 8708); heirs or estate of Daniel Holliday, deceased (S. 8709); heirs or estate of Paul Pitre, deceased (S. 8711); the International Telephone Co., of Boston, Mass. (S. 8760); the estate of John H. Hanly, deceased (S. 8807); owners of property at Popham Beach, Me., on account of depreciation in value of same by reason of the location of heavy guns at Fort Baldwin and the firing thereof (S. 9158); the estate of Dr. Samuel Jack, deceased (S. 9615); the African Methodist Episcopal Church of Gallipolis, Ohio (S. 9644); William Haycraft and others (S. 9668); A. M. Randolph and the other children and heirs of Robert Lee Randolph, deceased (S. 9757); William Crosby (S. 9907); the estate of the late John W. Clous (S. 9968); James D. Gilman (S. 10033); John E. Hillyard and Ada Walker, formerly Hillyard (S. 10034); Herbert H. Russell (S. 10133); the heirs of David Tuckwiller, deceased (S. 10139); the heirs of James H. Williams, deceased (S. 10153); the heirs of J. W. Porter, deceased (S. 10154); the heirs of Etienne Chappuis, deceased (S. 10169); William Ioder and others (S. 10173); the Associate Reformed Presbyterian Church, near Winnisboro, S. C. (S. 10270); the trustees of Wesley Chapel Methodist Episcopal Church South, of Warren County, Miss. (S. 10294); George T. Read (S. 10449); the First Baptist Church, La Fayette, Ga. (S. 10464); heirs or estate of Samuel Bradford, deceased (S. 10486); the Methodist Episcopal Church South, of Trinity, Ala. (S. 10488); Hyland C. Kirk and others, assignees of Addison C. Fletcher (S. 10502); C. C. Tolson, his heirs or legal representatives (S. 10513); the heirs of Moses Crow (S. 10514); the executors or administrators of Columbus D. Smith, deceased (S. 10532); the heirs at law of Louisa G. Zollcoff, deceased (S. 10534); Elias E. Barnes (S. 10537); J. M. Conners and George D. Wright, for amount expended in building wagon roads and bridges in the United States forest reserve on the North Fork of the Boise River, Idaho (S. 10597); James D. Evans (S. 10604); William F. Norris (S. 10614); the Catholic Church at Dalton, Ga. (S. 10622); the late Harrison S. Weeks (S. 10628); James D. White (S. 10637); the Commercial Pacific Cable Co. (S. 10684); the Sanford & Brooks Co. (S. 10685); Loren B. Sylvester (S. 10704); the heirs or estate of Pierre Cormier, deceased (S. 10737); Theophile Pann (S. 10739); John L. Smith and others (S. 10748); Clara D. Miller (S. 10755); the owners of the steamers Harry Brown and Stella Moren (S. 10802); Christopher H. McNally and certain other Army officers and their heirs or legal representatives (S. 10806); the heirs of Philippe Francois Renaut (S. 10810); the legal representatives of George Neitzey, deceased, surviving partner of Neitzey & Acker (S. 10826); S. and W. Welch and others (S. 10828); the Pawnee Tribe of Indians against the United States (S. 10830); A. M. Williams, jr., administrator of Edward Cleve (S. 10832); Fred Stitzel, surviving partner of the firm of Stitzel Bros. (S. 10834); the estate of William W. Parrish, deceased (S. 10835); John W. Stockett (S. 10838); Frank J. Boudinot (S. 10841); Victor Beaulac and others (S. 10842); John H. Baker and others (S. 10844); the trustees of the Christian Church of Cadiz, Ky. (S. 10848); Daniel Robinson, major, United States Army, retired (S. 10861); and the trustees of Grace Protestant Episcopal Church of Yorktown, Va. (S. 10871), now pending in the Senate, together with all the accompanying papers, be, and the same are hereby referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and commonly known as the Tucker Act. And the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

BILLS INTRODUCED.

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

By Mr. ROOT:

A bill (S. 10862) to alter the regulations respecting the manner of holding elections for Senators; to the Committee on Privileges and Elections.

By Mr. JONES:

A bill (S. 10863) to give the consent of Congress to the building of a bridge by the city of Northport, Wash., over the Columbia River at Northport; to the Committee on Commerce.

By Mr. YOUNG:

A bill (S. 10864) granting an increase of pension to Minnie A. Curtis; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 10865) to transfer the Alaskan Cable & Telegraph System to the Post Office Department; and

A bill (S. 10866) authorizing the sale of lands within the Fort D. A. Russell Military Reservation, State of Wyoming, to the Diocese of Cheyenne, Wyo.; to the Committee on Military Affairs.

By Mr. SMOOT:

A bill (S. 10867) granting an increase of pension to Lewis J. Hinkley (with accompanying paper); to the Committee on Pensions.

By Mr. GUGGENHEIM:

A bill (S. 10868) granting an increase of pension to Ellen C. Welch (with accompanying paper); to the Committee on Pensions.

A bill (S. 10869) for the relief of the White River Utes, the Southern Utes, the Uteompahgre Utes, the Tabeguache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uinta bands of Ute Indians, known also as the Confederated Bands of Ute Indians of Colorado; to the Committee on Indian Affairs.

By Mr. BORAH:

A bill (S. 10870) to establish the United States university; to the Committee on Education and Labor.

By Mr. MARTIN:

A bill (S. 10871) for the relief of the trustees of Grace Protestant Episcopal Church, Yorktown, Va. (with accompanying papers); to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McCUMBER submitted an amendment relative to the rank of petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. CARTER submitted an amendment proposing to appropriate \$462.79 to pay the United States Fidelity & Guaranty Co., of Baltimore, Md., surety on survey, for advances made by that company for completion of survey contract No. 503, Montana, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. PENROSE submitted an amendment authorizing the Secretary of War to convey the outstanding legal title of the United States to certain land in the city of Washington, D. C., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to extend the limit of cost of the immigration station, Philadelphia, Pa., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

RECIPROCITY WITH CANADA.

Mr. CRAWFORD submitted an amendment intended to be proposed by him to the bill (H. R. 32216) to promote reciprocal trade relations with Canada, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

WITHDRAWAL OF PAPERS—ETIENNE CHAPPUIS, DECEASED.

On motion of Mr. BURNHAM, it was

Ordered, That there be withdrawn from the files of the Senate the papers accompanying S. 5553, a bill for the relief of the heirs at law of Etienne Chappuis, deceased, and S. 7616, a bill referring the claim of the owners of the steamers Harry Brown and Stella Moren to the Court of Claims, both of the Sixty-first Congress, no adverse reports having been made thereon.

WITHDRAWAL OF PAPERS—EMMA C. YOUNG.

On motion of Mr. PENROSE, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of Emma C. Young, accompanying Senate bill 8287, Sixty-first Congress, second session, subject to the provision of clause 2 of Rule XXX.

THE THIRD DEGREE.

Mr. BRANDEGEE submitted the following resolution (S. Res. 362), which was considered by unanimous consent and agreed to:

Resolved, That the select committee of the Senate appointed by the Vice President under authority of a resolution of the Senate adopted on April 30, 1910, to inquire into and report to the Senate the facts as to the alleged practice of administering what is known as the "third degree" ordeals by officers or employees of the United States for the purpose of extorting from those charged with crime statements and confessions, and also as to any other practices tending to prevent or impair the fair and impartial administration of the criminal law, is hereby continued after the 4th of March, 1911, and during the next session of Congress, with the same powers and duties as described in said resolution.

ELK IN WYOMING.

Mr. CURTIS. I present an article relative to the condition of the elk in the State of Wyoming. I ask that the article be printed in the RECORD and referred to the Committee on Forest Reservations and the Protection of Game.

There being no objection, the article was referred to the Committee on Forest Reservations and the Protection of Game and ordered to be printed in the RECORD, as follows:

A MILE OF STARVING ELK.

Out of the West there comes from the famous Jacksons Hole country a plain, unvarnished tale of truth told by a plain, unvarnished man of the mountains, in which it is made apparent that all of these things have happened and are happening now in Wyoming. And to back up that story, this man brings the evidence of the camera.

Thirty thousand elk are wintering in the Jacksons Hole country in Wyoming. They are not wary or timorous, these elk. They do not shun the haunts of man. On the contrary, they come up to his doors. For they are starving, and the State of Wyoming is feeding them \$5,000 worth of hay in an effort to keep them alive until the snow is gone and the growths of springtime will furnish them with the natural food which a hard winter has taken from them.

Thirty thousand starving elk!

It sounds like one of the tall stories that westerners reserve for eastern consumption, but it isn't. The camera doesn't lie unless it is tampered with, and Ben Sheffield, of Moran, Wyo., who made the eloquent pictures on this page, did nothing to his instrument that a good photographer should not do. He just went down to Jackson, snuggled himself down in a load of hay, and drove out into the valley around the town.

The elk came trotting around the load. Thousands of them came, until the wagon was the center of an ocean of brown bodies and tossing heads. Then Sheffield turned loose his films, and the pictures are the result. After the picture taking the hay was pitched off to the waiting animals, which struggled and fought for a mouthful much like the ordinary Holstein cows of local fame.

Aside from the deplorable circumstances of inevitable starvation for a large number of the elk, the mere figures which develop in telling the tale of the Jacksons Hole elk are such as to startle the average American in whose ears is constantly dinned the song that all big game is going the way of the buffalo, and that the deer, the moose, the mountain sheep, and the elk, the largest species of American wild game, soon will have vanished from the face of the earth and become, like the buffalo, a subject for lamentation and national shame.

Whatever may have happened to the elk in other portions of the country, it is evident that in Wyoming it is far from the possibility of immediate extinction. A glance at the figures incident to the situation as it exists at present will show that the elk still is with us in numbers to satisfy even the most hoggish sportsman:

Sixty thousand elk are wintering in Jacksons Hole.

Thirty thousand of them are being fed by the State.

Twenty-five thousand of these 30,000 would starve but for this aid from man.

Five thousand of them will starve in spite of it.

Twenty-five thousand of them will be saved by feeding.

Five thousand elk will be alive in Jacksons Hole when the snow leaves.

Unless an epidemic of disease should break out among the herds and carry them away by thousands, Wyoming next fall will continue to be a paradise for the hunter of big game.

The conditions as they exist near Jackson this last winter are without precedent. It is doubtful if the eyes of white men ever beheld as many elk herded together in one locality. Possibly at some long past time, when elk and buffalo roamed the prairie without fear of smokeless powder or telescope sights, Indians may have seen as many or more, but since civilization set up its tepee near Jacksons Lake it is certain that no such numbers ever congregated at a single time for man's inspection.

The elk, unlike the departed buffalo, does not love to live together in countless multitudes. Although, like all members of the deer family, it is possessed of the herding instinct, it prefers to dwell in regiments rather than in great armies. Under normal conditions the elk finds a couple of thousands of its numbers about right for a community, and this number forms a band which picks its feeding ground and lives contentedly by itself. But when a hard winter sets in all bands set forth for the regions where the snow is light and the feed plentiful, and in Wyoming this happens to be in the Jacksons Hole country along Flat Creek.

Jacksons Hole is a valley 60 miles long and 10 miles wide, which lies about 60 miles south of Yellowstone National Park. Completely surrounded by the Teton, Big Horn, and Gros Ventre mountain ranges, it is the one section in that region which is well protected against the killing weather of a Wyoming winter. Particularly is it protected in the southern end along Flat Creek. The temperature is higher there and the snowfall lighter than in any other section of the State. As a result the country has become the natural wintering ground of the elk.

This winter was one of the hardest that Wyoming ever has had, and that is saying much. All over the State the snow lay 4 feet deep, save in the southern end of Jacksons Hole, where a foot or 18 inches was the average. The cold and the snow driving them from their chosen feeding grounds in the mountains to the north and west, the various big bands of elk one by one gave up the fight to remain in their old winter homes and struck out to the southward, toward the protected hay country along Flat Creek.

Over the long, cold trails, breaking through breast-deep snow in the foothills, dying by scores in prairie blizzards, they came by the thousands, all heading for the same destination. Through the snow-choked mountain passes leading into the valley they fought their way, thin, weak, and starving, panting for a sight of the valley below. Nearing the valley their trails converged; one band joined another, which in time drew to it other recruits until in the end there was a continual stream of starving elk pouring over the mountains, hurrying desperately southward to where they would find food and protection.

Then nature played one of those ironical little jokes with which it loves to remind its children, animal or human, of their helplessness and dependence. The snow was light in Jacksons Hole, sure enough. But at the beginning of the winter a few warm days had been followed by a sudden killing spell of cold. The first 6 inches of snow melting under the sun of the warm days, had immediately been frozen by the sudden cold. On top of this fell about a foot of soft, white snow. The starving creatures, rushing on to the feeding ground, where before there always had been food in plenty, scraped through the top snow and struck their sharp hoofs against a 6-inch layer of solid ice.

Beneath the ice there was grass in plenty. It might as well have not been there at all. The elk could not reach it. They pawed vainly at the hard surface, then wandered about, frantically searching for willows or other shrubs or dropping in their tracks according entirely to their condition.

Sixty thousand of them came rushing into the valley. Thirty thousand of them remained scattered in small herds along the northern end and were found along the rivers and in the surrounding mountains. Thirty thousand rushed to the valley's southern end, stripped the willows along Flat Creek to the ground in a few days, and then looked

dumbly around, with starvation for nine-tenths of their number staring them in the face. Majestic antlered bulls bellowed their final pang of hunger and fell helpless into the snow beside the weak cow or calf. The white face of the valley became dotted here and there with little brown heaps. Flat Creek became choked with lumps of similar description.

From far away these lumps looked like rocks; on closer inspection they became dead elk with the bones sticking through the hide. There were hundreds of them within a few days. There would have been thousands in a few weeks. Then the hand of man took a part in the unequal combat against nature.

In the middle of February the settlers in Jacksons Hole became alarmed at the terrible fate awaiting 25,000 of the noblest game animals of the West. It was certain that this number would perish unless they were fed and fed at once. Seven hundred dollars was raised among the settlers for the purchase of hay, and an appeal made to the legislature for help for the starving elk. One week later State Game Warden Nowlan came into the town of Jackson with the news that \$5,000 had been appropriated by the State for the care of the elk during the winter. The legislature had acted promptly, and the elk were saved.

In their semidomestication the animals roam to within easy gunshot of town, and on March 17, the day during which Mr. Sheffield made the pictures, an excited citizen of Jackson came running to the hotel with a demand for the "fellow with the camera."

"Come on with me," he cried when Sheffield appeared. "I'll show you a chance for a picture that will beat them all."

Hurriedly he led the way to the rear of a grocery store. A noble bull elk was nosing around among a pile of tin cans, searching for a stray morsel of canned corn or tomato.

Sheffield set up his camera. Then he took it down without making exposure.

"What's the matter?" queried the guide. "Can't you get him?"

"Yes," said Sheffield, "but if I took that picture and showed it for a wild elk, every man who saw it would call me a liar. So what's the use?"

Thus the world lost a pictorial record of one feature of a condition which never existed before in the wild animal world, and which probably never will exist again. For even Jackson, Wyo., will hardly ever have another 30,000 elk coming to its doors and begging to be fed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. Browning, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

S. 8736. An act providing for the releasing of the claim of the United States Government to a certain lot No. 44, in the old city of Pensacola, Fla.;

S. 10690. An act providing for aids to navigation along the Livingstone Channel, Detroit River, Mich.;

S. 10757. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904; and

S. J. Res. 140. Joint resolution authorizing the Secretary of War to loan certain tents for the use of the Confederate Veterans' Reunion, to be held at Little Rock, Ark., in May, 1911.

ENROLLED BILLS SIGNED.

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

H. R. 21613. An act for the relief of Francis E. Rosier; and

H. R. 23695. An act to provide for sittings of the United States circuit and district courts of the northern district of Mississippi at the city of Clarksdale, in said district.

LAND IN PENSACOLA, FLA.

Mr. FLETCHER. A few days ago the Senate passed a bill providing for the releasing of the claim of the United States Government to a certain lot in the old city of Pensacola, Fla. The House has passed a similar bill and it is now before the Senate. It is the bill (H. R. 31987) providing for the releasing of the claim of the United States Government to a certain lot No. 44, in the old city of Pensacola, Fla. I ask the Chair to lay the bill before the Senate, with a view to its present consideration.

The VICE PRESIDENT. The Chair lays before the Senate the bill indicated, for which the Senator from Florida asks present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

THOMAS SEALS.

Mr. SCOTT. I desire to ask unanimous consent to call up a House bill to correct the record of a soldier, and the reason I ask it at this crowded time is because there is a bill pending in the House, and we have to correct his record here before the bill can be acted on there. It is the bill (H. R. 16268) for the relief of Thomas Seals.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment to add at the end of the bill the following proviso:

Provided, That no pension shall accrue from the date the name of said Thomas Seals was dropped from the pension rolls to the date of the approval of this act.

So as to make the bill read:

Be it enacted, etc., That in the administration of the pension laws Thomas Seals shall hereafter be held and considered to have been honorably discharged from the military service of the United States as private in Company I, Thirteenth Regiment Ohio Volunteer Infantry, on the 6th day of August, 1862: *Provided*, That no pension shall accrue from the date the name of said Thomas Seals was dropped from the pension rolls to the date of the approval of this act.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

EXPENSES OF UNITED STATES JUDGES.

Mr. SUTHERLAND. I ask unanimous consent for the present consideration of the bill (S. 9693) to provide for the payment of the traveling and other expenses of United States circuit and district judges when holding court at places other than where they reside.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the word "their," to strike out "actual and necessary expenses of travel and maintenance" and insert "necessary expenses of travel, and their reasonable expenses, not to exceed \$10 per day, actually incurred for maintenance," so as to read:

That hereafter the circuit and district judges of the United States, and the judges of the district courts of the United States in Alaska, Hawaii, and Porto Rico, shall be allowed and paid their necessary expenses of travel, and their reasonable expenses, not to exceed \$10 per day, actually incurred for maintenance, consequent upon their attending court in pursuance of law at any place other than their official place of residence.

The amendment was agreed to.

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

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

PASSED ASST. PAYMASTER EDWIN M. HACKER.

Mr. TAYLOR. I ask unanimous consent for the present consideration of the bill (S. 10476) for the relief of Passed Asst. Paymaster Edwin M. Hacker.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with an amendment in line 7, after the word "Navy," to strike out the remainder of the bill.

The amendment was agreed to.

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

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

COMPANIES B, C, AND D, TWENTY-FIFTH UNITED STATES INFANTRY.

The VICE PRESIDENT laid before the Senate the resolution (S. Res. 358) submitted by Mr. BULKELEY yesterday, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of War be requested to transmit to the Senate a list of names of soldiers of Companies B, C, and D, of the Twenty-fifth Infantry, recommended as eligible for reenlistment by the "court of inquiry relative to the affray at Brownsville, Tex.," who have applied for reenlistment or have reenlisted under the provisions of the act of Congress approved March 3, 1909, and special orders of the War Department, numbered Special Order 79, April 7, 1909, convening court of inquiry.

SENATOR FROM ILLINOIS.

Mr. BURROWS. I notice on the Calendar of Business that it is agreed by unanimous consent, and upon the request of the Senator from Illinois [Mr. LORIMER], that on Wednesday—

To-morrow—

immediately upon the conclusion of the routine morning business, he may address the Senate upon the question of his election thereto.

I desire to state to the Senate that after that address and the remarks of any other Senator who may desire to address the Senate it is my purpose to call for a vote upon the question involved.

Mr. BEVERIDGE. Before adjournment?

Mr. PENROSE. Before adjournment?

Mr. BEVERIDGE. I am glad to hear that, Mr. President. The Senate resumed the consideration of the report of the Committee on Privileges and Elections relative to certain charges relating to the election of WILLIAM LORIMER, a Senator from the State of Illinois, by the Legislature of that State, made in obedience to Senate resolution 264.

Mr. BEVERIDGE addressed the Senate. After having spoken for some time,

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 134) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Mr. BORAH. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE PRESIDENT. The Senator from Idaho asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none. The Senator from Indiana will proceed.

Mr. BEVERIDGE resumed his speech. After having spoken in all about four hours and a half, with interruptions,

Mr. GALLINGER. Mr. President, I will inquire of the Senator from Indiana whether he feels like continuing this evening. He has been speaking for a long time. I know the Senator must be very much exhausted.

Mr. BEVERIDGE. I feel perfectly strong, but I doubt very much whether at this time of the night, with what I have before me, there having been a good deal of interruption, I can conclude. If satisfactory, I can go on after the unanimous consent to-morrow.

Mr. GALLINGER. What would be the Senator's preference in regard to the matter?

Mr. BEVERIDGE. I think, with the testimony remaining, and the law also, as I have finished with only two witnesses and gotten into a third, and there are many others, it is probably impossible at this late hour to conclude to-night, and I can go on after the unanimous consent to-morrow.

[For Mr. BEVERIDGE's entire speech see Senate proceedings of Friday, February 24.]

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

Mr. BEVERIDGE. I ask the Senator to withhold that motion for a moment. I yield the floor now with the understanding, of course, that I shall conclude my remarks to-morrow after the unanimous consent, of which notice has been given.

Mr. KEAN. I do not understand the Senator. After the morning business?

Mr. GALLINGER. I think it would be better for the Senator from Indiana to conclude after the morning business.

The PRESIDING OFFICER (Mr. BRANDEGE in the chair). Does the Senator from New Hampshire renew his motion?

Mr. GALLINGER. I renew my motion.

The PRESIDING OFFICER. The Senator from New Hampshire moves that the Senate proceed to the consideration of executive business.

Mr. LA FOLLETTE. If the Senator will withhold the motion for a moment—

Mr. GALLINGER. I withhold the motion.

Mr. LA FOLLETTE. I should like to know if unanimous consent has been given to the Senator from Indiana [Mr. BEVERIDGE] to proceed to-morrow after the time consumed under the other unanimous-consent agreement which was made?

The PRESIDING OFFICER. No request for unanimous consent has been placed before the Senate.

Mr. LA FOLLETTE. Then, Mr. President, I will ask unanimous consent, with the acquiescence of the Senator from Indiana, that he be permitted to conclude his remarks to-morrow after the time has been consumed under the unanimous consent previously granted by the Senate.

The PRESIDING OFFICER. Does the Senator from New Hampshire withhold his motion?

Mr. GALLINGER. I will withhold my motion, Mr. President. I will, however, make the suggestion that I do not think it would be quite the fair thing for the Senator from Indiana to close the discussion. I hope that there will be an opportunity after the morning hour for the Senator to conclude. I think we can arrange that.

Mr. BEVERIDGE. The only trouble about it, Mr. President—and that is why I was trying to conclude to-day—is that the very unusual thing was done the other day by the sitting Member of getting unanimous consent to address the Senate immediately after the morning business. As we all know, a unanimous-consent agreement can not be set aside by a subsequent unanimous-consent agreement.

Mr. GALLINGER. No.

Mr. BEVERIDGE. So that if I go on at all to-morrow, I suppose that I can not help going on after one unanimous consent has been exhausted. I regret that, and was surprised at it.

Mr. LA FOLLETTE. Then, Mr. President, I wish to say, if I understood the Senator from New Hampshire correctly with

reference to the suggestion that the sitting Member should close the debate, that I do not understand that that unanimous consent was granted to cover that proposition.

Mr. GALLINGER and Mr. BEVERIDGE. Oh, no.

Mr. LA FOLLETTE. Had it been, I should have certainly objected. I wish to say on that point, Mr. President, that since the sitting Member has not seen fit to offer his testimony in this case as a witness before the investigating committee it seems to me that he ought not to be permitted—and I for one should object to his being permitted—to offer his testimony, as it were, in writing by giving him the opportunity to conclude this debate, without the chance being given to the Senate or to some Member of the Senate of thoroughly reviewing what he may submit.

The PRESIDING OFFICER. The Chair is informed that other Senators desire to speak.

Mr. BEVERIDGE. Mr. President, I will say for the information of the Senator from Wisconsin—who is entirely right in his position—that the request for unanimous consent, of course, did not involve closing the debate or otherwise; but merely that the Senator from Illinois should address the Senate immediately after the routine morning business. That unanimous-consent agreement, like all unanimous-consent agreements, unfortunately, can not be changed, even if we were to try to change it, even by unanimous consent. Thereafter, Mr. President, I have no doubt at least that there are many Senators who will ask that a vote shall be taken before adjournment on that day or at some convenient time. So the only thing that remains for me is to go on to-morrow, after the unanimous consent already given has been exhausted; and it was for that I understood the Senator from Wisconsin asked unanimous consent for me. Then any Senator will have an opportunity, which nobody can cut off, of saying what he pleases.

Mr. GALLINGER. Mr. President, this matter—

The PRESIDING OFFICER. The Senator from Wisconsin has asked unanimous consent that the Senator from Indiana be allowed to proceed to conclude his remarks to-morrow upon the termination of the existing unanimous-consent agreement already entered on the calendar.

Mr. GALLINGER. Mr. President, it seems to me it is unnecessary to give unanimous consent. The Senator from Indiana can do that, and we could not foreclose him if we tried.

Mr. BEVERIDGE. I think that is true; but I was rather surprised at the unanimous consent.

Mr. GALLINGER. I have given notice that I may occupy a few minutes; but I will take my chances to-morrow or on some other day. I will not be in the way of the Senator from Indiana, I will say to him.

Mr. BEVERIDGE. I am sure of that.

Mr. GALLINGER. So, I think, Mr. President, that I will renew my motion.

Mr. BEVERIDGE. Then, I take it for granted, if the Senator will withhold his motion for a moment, that there is no unanimous consent going to be granted, although having been granted to the sitting Member I do not see why it should not be granted to a member of the committee.

Mr. GALLINGER. I might ask it for myself, then.

Mr. BEVERIDGE. That is true. I take it, then, that it is understood, at least there is an agreement among us—a gentlemen's agreement—that after the expiration of the unanimous consent to-morrow—that is, after the address of the sitting Member—I shall be permitted to conclude my remarks.

EXECUTIVE SESSION.

Mr. GALLINGER. Certainly; we can not prevent the Senator from doing that. I renew my motion that the Senate proceed to the consideration of executive business.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. Browning, its Chief Clerk, announced that the House had passed the bill (S. 574) to authorize J. W. Vance, L. L. Allen, C. F. Helwig, and H. V. Worley, of Pierce City, Mo., to construct a dam across the James River in Stone County, Mo., and to divert a portion of its waters through a tunnel into the said river to create electric power, with an amendment, in which it requested the concurrence of the Senate.

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

H. R. 10430. An act to authorize the establishment of a marine biological station on the Gulf coast of the State of Florida;

H. R. 18696. An act to provide for a suitable memorial to the memory of the North American Indian;

H. R. 18893. An act relating to the title of lands inherited by minor heirs of Indian allottees, and sold by order of court, and for other purposes;

H. R. 31651. An act providing for adjustment of conflict between placer and lode locators of phosphate lands;

H. R. 31652. An act to authorize the Central Vermont Railway Co. to construct a bridge across the arm of Lake Champlain between the towns of Alburg and Swanton, Vt.;

H. R. 32170. An act for the protection of game in the Territory of Alaska; and

H. R. 32220. An act to authorize the Board of Supervisors of the town of High Landing, Red Lake County, Minn., to construct a bridge across the Red Lake River.

The message further announced that the House had passed a concurrent resolution requesting the President of the United States to return to the House the bill (H. R. 25081) for the relief of Helen S. Hogan, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution providing for the printing and binding, in the form of eulogies, of 17,100 copies of the proceedings upon the unveiling of the statue of Baron von Steuben in Washington, December 7, 1910, etc., in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

H. R. 26150. An act to authorize the construction of drawless bridges across a certain portion of the Charles River in the State of Massachusetts;

H. J. Res. 146. Joint resolution creating a commission to investigate and report on the advisability of the establishment of permanent maneuvering grounds, camp of inspection, rifle and artillery ranges for troops of the United States at or near the Chickamauga and Chattanooga Military Park, and to likewise report as to certain lands in the State of Tennessee proposed to be donated to the United States for said purposes;

S. 10757. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904;

S. 8736. An act providing for the releasing of the claim of the United States Government to aperent lot No. 44, in the old city of Pensacola, Fla.;

S. 10690. An act providing for aids to navigation along the Livingstone Channel, Detroit River, Mich.;

S. J. Res. 140. Joint resolution authorizing the Secretary of War to loan certain tents for the use of the Confederate Veterans' Reunion, to be held at Little Rock, Ark., in May, 1911;

S. J. Res. 139. Joint resolution authorizing the printing of the message of the President, together with the report of the agent of the United States, in the North Atlantic Coast Fisheries Arbitration at The Hague; and

S. 10431. An act to authorize the Argenta Railway Co. to construct a bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.

HOUSE BILLS REFERRED.

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

H. R. 31652. An act to authorize the Central Vermont Railway Co. to construct a bridge across the arm of Lake Champlain between the towns of Alburg and Swanton, Vt.; and

H. R. 32220. An act to authorize the board of supervisors of the town of High Landing, Red Lake County, Minn., to construct a bridge across the Red Lake River.

H. R. 10430. An act to authorize the establishment of a marine biological station on the Gulf coast of the State of Florida, was read twice by its title and referred to the Committee on Fisheries.

H. R. 18696. An act to provide a suitable memorial to the memory of the North American Indian, was read twice by its title and referred to the Committee on the Library.

H. R. 18893. An act relating to the title of lands inherited by minor heirs of Indian allottees and sold by order of court, and for other purposes, was read twice by its title and referred to the Committee on Indian Affairs.

H. R. 31651. An act providing for adjustment of conflict between placer and lode locators of phosphate lands, was read twice by its title and referred to the Committee on Public Lands.

H. R. 32170. An act for the protection of game in the Territory of Alaska, was read twice by its title and referred to the Committee on Territories.

HELEN S. HOGAN.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (H. Con. Res. 61) of the House of Representatives, which was considered by unanimous consent and agreed to:

Resolved by the House of Representatives (the Senate concurring), That the President of the United States be, and is hereby, requested to return to the House the bill (H. R. 25081) for the relief of Helen S. Hogan.

STATUE OF BARON VON STEUBEN.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (H. Con. Res. 58) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed and bound in the form of eulogies, with accompanying illustrations, 17,100 copies of the proceedings upon the unveiling of the statue of Baron von Steuben in Washington, December 7, 1910, of which 5,000 shall be for the use of the Senate, 10,000 for the use of the House of Representatives, 2,000 to be delivered to the National German-American Alliance for such distribution as said alliance may desire to make, and the remaining 100 copies shall be bound in full morocco and distributed through the Department of State to the descendants of Baron von Steuben and the speakers who took part in said celebration.

DEATH OF REPRESENTATIVE AMOS L. ALLEN.

The PRESIDING OFFICER (Mr. BRANDEGE in the chair). The Chair lays before the Senate resolutions from the House of Representatives, which the Secretary will read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
February 11, 1911.

Resolved, That the House has heard with profound sorrow of the death of Hon. AMOS L. ALLEN, a Representative from the State of Maine.

Resolved, That a committee of eight Members of the House (with such Members of the Senate as may be joined) be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. HALE. Mr. President, I offer the resolutions which I send to the desk, and ask for their immediate consideration.

The PRESIDING OFFICER. The resolutions submitted by the Senator from Maine will be read.

The resolutions (S. Res. 363) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. AMOS L. ALLEN, late a Representative from the State of Maine.

Resolved, That a committee of seven Senators be appointed by the Vice President to join a committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. HALE. Mr. President, as a further mark of respect, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 22, 1911, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 21, 1911.

COLLECTOR OF INTERNAL REVENUE.

Frank L. Gilbert, of Wisconsin, to be collector of internal revenue for the second district of Wisconsin, in place of Frank R. Bentley, resigned; this appointment to take effect not earlier than April 30, 1911.

UNITED STATES DISTRICT JUDGE.

Charles B. Witmer, of Pennsylvania, to be United States district judge, middle district of Pennsylvania, vice Robert W. Archbald, appointed circuit judge.

RECEIVER OF PUBLIC MONEYS.

Maurice M. Kaighn, of Utah, to be receiver of public moneys at Salt Lake City, his term expiring February 25, 1911. (Reappointment.)

REGISTER OF LAND OFFICE.

Ernest D. R. Thompson, of Utah, to be register of the land office at Salt Lake City, his term expiring February 25, 1911. (Reappointment.)

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be major general.

Brig. Gen. Arthur Murray, Chief of Coast Artillery, to be major general, with rank from March 14, 1911, vice Maj. Gen.

Charles L. Hodges, to be retired from active service by operation of law March 13, 1911.

To be brigadier general.

Col. George S. Anderson, Ninth Cavalry, to be brigadier general, with rank from March 20, 1911, vice Brig. Gen. Frederick K. Ward, to be retired from active service by operation of law March 19, 1911.

CHAPLAINS.

Rev. Alexander P. Landry, of New York, to be chaplain, with the rank of first lieutenant, from February 20, 1911, vice Chaplain Neil P. Brennan, Eighth Cavalry, resigned May 1, 1910.

Rev. Edward F. Brophy, of New York, to be chaplain, with the rank of first lieutenant, from February 20, 1911, vice Chaplain John Rivera, Porto Rico Regiment of Infantry, resigned August 31, 1910.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from February 16, 1911.

Charles Adams, of Illinois.
Frank Allport, of Illinois.
Walter H. Allport, of Illinois.
Frank Taylor Andrews, of Illinois.
E. Wyllys Andrews, of Illinois.
Lewis Wine Bremerman, of Illinois.
Edward Vail Lapham Brown, of Illinois.
James Burry, of Illinois.
William Joseph Butler, of Illinois.
Henry T. Byford, of Illinois.
Joseph A. Capps, of Illinois.
Edmund James Doering, of Illinois.
John Milton Dodson, of Illinois.
Emilius Clark Dudley, of Illinois.
Frank B. Earle, of Illinois.
Alexander Hugh Ferguson, of Illinois.
Gustav Alexander Fütterer, of Illinois.
Ludwig Hektoen, of Illinois.
Maximilian Herzog, of Illinois.
Julius Henry Hoelscher, of Illinois.
John Allan Hornsby, of Illinois.
Ephraim Fletcher Ingals, of Illinois.
Frank Seward Johnson, of Illinois.
Albert Belcham Keyes, of Illinois.
Ward J. MacNeal, of Illinois.
George P. Marquis, of Illinois.
Franklin Henry Martin, of Illinois.
Frederick Menge, of Illinois.
Joseph Leggett Miller, of Illinois.
Harold Nicholas Moyer, of Illinois.
John Stephen Nagel, of Illinois.
Thomas James O'Malley, of Illinois.
John Rawson Pennington, of Illinois.
Norval Harvey Pierce, of Illinois.
Samuel C. Plummer, of Illinois.
Robert Bruce Preble, of Illinois.
James Frederick Presnell, of Illinois.
Arthur Rowley Reynolds, of Illinois.
John Edwin Rhoades, of Illinois.
John Ridlon, of Illinois.
Charles Moore Robertson, of Illinois.
John Albert Robison, of Illinois.
Buell Sumner Rogers, of Illinois.
Cassius Clay Rogers, of Illinois.
Daniel Weston Rogers, of Illinois.
Edwin Warner Ryerson, of Illinois.
Louis Earnst Schmidt, of Illinois.
George Elmer Shambaugh, of Illinois.
Arthur Atwell Small, of Illinois.
Heman Spalding, of Illinois.
Daniel A. K. Steele, of Illinois.
George Francis Suker, of Illinois.
Thomas John Sullivan, of Illinois.
Homer Merrick Thomas, of Illinois.
Charles Bruce Walls, of Illinois.
Frank X. Walls, of Illinois.
Thomas James Watkins, of Illinois.
George W. Webster, of Illinois.
Ralph Waldo Webster, of Illinois.
Edward F. Wells, of Illinois.
Cassius D. Wescott, of Illinois.
Clarence Lloyd Wheaton, of Illinois.
William Hamlin Wilder, of Illinois.
Casey Albert Wood, of Illinois.
Thomas Adams Woodruff, of Illinois.
Plumer M. Woodworth, of Illinois.
Frederick Robert Zeit, of Illinois.

PROMOTIONS IN THE NAVY.

The following-named assistant paymasters in the Navy, with the rank of ensign, to be assistant paymasters in the Navy, with the rank of lieutenant (junior grade), from the 30th day of July, 1908:

Ellsworth H. Van Patten,
Joseph E. McDonald,
Everett G. Morsell,
Thomas P. Ballenger,
Frank T. Foxwell, and
Richard H. Johnston.

Naval Constructor John E. Bailey, with the rank of lieutenant, to be a naval constructor in the Navy, with the rank of lieutenant commander, from the 18th day of February, 1911.

Frederic W. Olcott, late a passed assistant surgeon in the Navy of the United States, to be a passed assistant surgeon in the Navy from the 13th day of February, 1911, in accordance with the provisions of an act of Congress approved on that date.

Edward F. Greene, late a lieutenant in the Navy of the United States, to be a lieutenant in the Navy from the 13th day of February, 1911, in accordance with the provisions of an act of Congress approved on that date.

John M. Blankenship to be an ensign in the United States Navy on the retired list from the 13th day of February, 1911, in accordance with the provisions of an act of Congress approved on that date.

POSTMASTERS.

CALIFORNIA.

Richard Stephens to be postmaster at Fillmore, Cal. Office became presidential October 1, 1910.

COLORADO.

Francis M. Tague to be postmaster at Las Animas, Colo., in place of Francis M. Tague. Incumbent's commission expired January 30, 1911.

Jessie L. Thurston to be postmaster at Carbondale, Colo. Office became presidential January 1, 1911.

Robert W. Wren to be postmaster at Seibert, Colo. Office became presidential October 1, 1910.

CONNECTICUT.

Walter B. Cheney to be postmaster at South Manchester, Conn., in place of Walter B. Cheney. Incumbent's commission expires March 2, 1911.

Charles C. Georgia to be postmaster at Unionville, Conn., in place of Charles C. Georgia. Incumbent's commission expires February 28, 1911.

Edward J. Stuart to be postmaster at Lakeville, Conn., in place of Edward J. Stuart. Incumbent's commission expired January 31, 1911.

GEORGIA.

Pet L. Cooke to be postmaster at Doerun, Ga. Office became presidential January 1, 1911.

T. E. Dixon to be postmaster at Pavo, Ga. Office became presidential October 1, 1910.

IDAHO.

Lee J. Snelson to be postmaster at Filer, Idaho. Office became presidential January 1, 1911.

ILLINOIS.

M. Spencer Brown to be postmaster at Brighton, Ill. Office became presidential January 1, 1911.

Frank J. Hooker to be postmaster at Batavia, Ill., in place of Cornell H. Brown, resigned.

George F. Jordan to be postmaster at Carlinville, Ill., in place of George F. Jordan. Incumbent's commission expires February 28, 1911.

Mark L. Kennedy to be postmaster at Mounds, Ill., in place of Mark L. Kennedy. Incumbent's commission expires February 28, 1911.

INDIANA.

John Bennett to be postmaster at Morristown, Ind. Office became presidential April 1, 1910.

Andrew Morrissey to be postmaster at Notre Dame, Ind., in place of Andrew Morrissey. Incumbent's commission expired December 13, 1910.

Effie E. Smith to be postmaster at Centerville, Ind. Office became presidential October 1, 1910.

Stanley S. Tull to be postmaster at Monon, Ind., in place of Stanley S. Tull. Incumbent's commission expired January 10, 1911.

IOWA.

Ross Grier to be postmaster at Deep River, Iowa. Office became presidential January 1, 1911.

KANSAS.

Albert P. Myers to be postmaster at Emporia, Kans., in place of Robert M. Hamer. Incumbent's commission expired June 28, 1910.

Frank E. Shoemaker to be postmaster at Neodesha, Kans., in place of Frank E. Shoemaker. Incumbent's commission expired May 7, 1910.

MASSACHUSETTS.

William S. Curtis to be postmaster at Hanover, Mass. Office became presidential October 1, 1910.

Kate E. Hazen to be postmaster at Shirley, Mass., in place of Kate E. Hazen. Incumbent's commission expired February 7, 1911.

Charles A. Perley to be postmaster at Baldwinsville, Mass., in place of Charles A. Perley. Incumbent's commission expired February 18, 1911.

William H. Twiss to be postmaster at Ashland, Mass., in place of William H. Twiss. Incumbent's commission expires February 28, 1911.

MICHIGAN.

George A. Lacure to be postmaster at Clio, Mich., in place of Roland Franklin, deceased.

MINNESOTA.

Stella M. Owen to be postmaster at Osseo, Minn., in place of Elmer Owen, deceased.

MISSOURI.

Troy L. Crane to be postmaster at Lees Summit, Mo., in place of Troy L. Crane. Incumbent's commission expired February 12, 1911.

George W. Martin to be postmaster at Brookfield, Mo., in place of Jerome W. Jones. Incumbent's commission expired February 12, 1911.

James H. Turner to be postmaster at Weston, Mo., in place of James H. Turner. Incumbent's commission expires March 2, 1911.

NEW JERSEY.

Joseph O. Kirk to be postmaster at Westville, N. J. Office became presidential January 1, 1911.

NORTH DAKOTA.

Joseph F. Christen to be postmaster at Taylor, N. Dak. Office became presidential January 1, 1911.

OHIO.

Edward P. Flynn to be postmaster at South Charleston, Ohio, in place of Edward P. Flynn. Incumbent's commission expired January 29, 1911.

Albert A. White to be postmaster at Middlefield, Ohio, in place of Wesley J. Grant. Incumbent's commission expired February 4, 1911.

OKLAHOMA.

Robert E. L. McLain to be postmaster at Blanchard, Okla. Office became presidential January 1, 1911.

Ulysses S. Markham to be postmaster at Caddo, Okla., in place of Ulysses S. Markham. Incumbent's commission expired June 22, 1910.

Joseph R. Sequichie to be postmaster at Chelsea, Okla., in place of Joseph R. Sequichie. Incumbent's commission expired February 13, 1911.

OREGON.

William B. Curtis to be postmaster at Marshfield, Oreg., in place of William B. Curtis. Incumbent's commission expired February 20, 1911.

PENNSYLVANIA.

George C. Burrows to be postmaster at Montoursville, Pa., in place of Byron A. Weaver, removed.

William H. Emmert to be postmaster at New Oxford, Pa., in place of William H. Emmert. Incumbent's commission expired February 15, 1911.

William R. Flad to be postmaster at Freeland, Pa., in place of William R. Flad. Incumbent's commission expires February 28, 1911.

John H. Mailey to be postmaster at Northumberland, Pa., in place of John H. Mailey. Incumbent's commission expired February 18, 1911.

Alice A. Mullin to be postmaster at Mount Holly Springs, Pa., in place of Harry A. Buttorff. Incumbent's commission expired March 20, 1910.

Frank P. Oberlin to be postmaster at Midland, Pa. Office became presidential January 1, 1911.

Elsie Shrodes to be postmaster at Oakdale, Pa., in place of Elsie Shrodes. Incumbent's commission expired February 18, 1911.

SOUTH DAKOTA.

George C. Lohr to be postmaster at Estelline, S. Dak. Office became presidential January 1, 1911.

John B. Long to be postmaster at Kimball, S. Dak., in place of John B. Long. Incumbent's commission expired February 18, 1911.

TENNESSEE.

William D. Brooks to be postmaster at Mountpleasant, Tenn., in place of Sarah E. Gregory, resigned.

TEXAS.

Henry O. Wilson to be postmaster at Marshall, Tex., in place of Henry O. Wilson. Incumbent's commission expired June 28, 1910.

WISCONSIN.

John F. Shaw to be postmaster at Ellsworth, Wis., in place of Eldon D. Woodworth. Incumbent's commission expires February 28, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 21, 1911.

COLLECTOR OF CUSTOMS.

Floyd Hughes to be collector of customs for the district of Norfolk and Portsmouth, in the State of Virginia.

POSTMASTER.

Thomas A. Ellis to be postmaster at Burlingame, Kans.

WITHDRAWAL.

Executive nomination withdrawn February 21, 1911.

Everett Martin Balcom, of New Hampshire, late second lieutenant in the Coast Artillery Corps, United States Army, to be second lieutenant of Infantry from January 27, 1911, which was submitted to the Senate January 31, 1911.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 21, 1911.

The House met at 10 o'clock a. m.

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

O Thou who has made us and crowned us with glory and honor, filling us with an immortal soul to spring over the abyss of death, and bade it wear the garment of eternal day, we bless Thee for the endearing ties of love and friendship that time nor space can sever, but when death comes and takes from us one of our dear ones the heart is bowed in sorrow and grief. But we bless Thee for the angels of faith and hope which come whispering to the soul—

Be still, sad heart, and cease repining,
For behind the clouds is the sun still shining;
Thy fate is the common fate of all,
Into each life some rain must fall,
Some days must be dark and dreary.

Once more our hearts are touched in the removal yb death of one of the Members of this House, who, though a modest, unobtrusive man, yet with single fidelity to duty he filled acceptably all trusts and has passed on. Bless his colleagues, friends, and those who are bound to him by the ties of kinship, and help them to look forward with faith in the eternal verities in Thy Fatherly love and care. And all praise we will give to Thee. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Friday, February 17, was read and approved.

HELEN S. HOGAN.

Mr. CANTRELL. Mr. Speaker, I ask unanimous consent for the adoption of the resolution (H. Con. Res. 61), which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the United States be and is hereby requested to return to the House the bill (H. R. 25081) for the relief of Helen S. Hogan.

The question was taken and the resolution was agreed to.

EXTENSION OF REMARKS.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

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

TAX UPON WHITE PHOSPHORUS MATCHES, ETC.

Mr. DALZELL. Mr. Speaker, I am instructed by the Committee on Ways and Means to submit a privileged report on the bill H. R. 30022.

The SPEAKER. The gentleman from Pennsylvania submits a privileged report. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (H. R. 30022) to provide for a tax upon white phosphorus matches, and for other purposes.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

The SPEAKER. The Clerk will call the first bill on the Unanimous Consent Calendar.

PROTECTION OF GAME IN ALASKA.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 32170) for the protection of game in the Territory of Alaska.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act it shall be lawful to kill grouse, ptarmigan, shore birds, and waterfowl from September 1 to March 1, both inclusive, anywhere in the Territory of Alaska.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think there should be some amendment to conform to the original enactment pertaining to the time when these grouse and waterfowl can be killed.

Mr. MANN. It does. It is from September 1 to March 1.

Mr. HUMPHREY of Washington. It does.

Mr. STAFFORD. Then I have no objection, Mr. Speaker.

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

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, 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. 21613. An act for the relief of Francis E. Rosier; and

H. R. 23695. An act to provide for sittings of the United States circuit and district courts of the northern district of Mississippi at the city of Clarksdale, in said district.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 10574. An act to amend an act entitled "An act providing for the withdrawal from public entry of lands needed for town-site purposes in connection with irrigation projects under the reclamation act of June 17, 1902, and for other purposes," approved April 16, 1906.

MEMORIAL TO THE NORTH AMERICAN INDIAN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18696) to provide a suitable memorial to the memory of the North American Indian.

The Clerk read as follows:

Be it enacted, etc., That there shall be erected, without expense to the United States Government, by Mr. Rodman Wanamaker, of New York City, and others, on a United States reservation in the harbor of New York, in the State of New York, a suitable memorial to the memory of the North American Indian.

Sec. 2. That for the purpose of carrying out the provisions of this act a commission consisting of the chairman of the Committee on the Library of the United States Senate for the Sixty-first Congress, the chairman of the Committee on the Library of the House of Representatives for the Sixty-first Congress, the Secretary of the Department of State, the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Attorney General of the United States, and Mr. Robert C. Ogden, of the city of New York, shall be created, with full authority to select a site in the harbor of New York, and a suitable design, and to contract for and superintend the construction of the said memorial.

The following committee amendments were read:

Strike out the word "shall," in line 3, section 1 of the bill, and insert, in lieu thereof the word "may."

After the words "harbor of New York, in the State of New York," in line 6 of said section 1 of the bill, insert the words "upon a site to be selected by the Secretary of War and the Secretary of the Navy."

In line 11 of section 2 of the bill strike out the words "for the Sixty-first Congress."

In lines 12 and 13 of section 2 of the bill strike out the words "for the Sixty-first Congress, the Secretary of the Department of State."

In lines 14 and 15 of section 2 of the bill, on page 1, and line 1 on page 2, strike out the words "the Secretary of the Interior, the Attorney General of the United States."

In lines 2 and 3 of section 2 of the bill, page 2, strike out the words "a site in the harbor of New York and," so that the bill as amended will read as follows.

The SPEAKER. Is there objection?

Mr. DWIGHT. Mr. Speaker, reserving the right to object, I would like to ask if that carries an appropriation.

Mr. HAWLEY. It does not.

Mr. GOULDEN. It does not carry any appropriation, and I have a letter from Mr. Wanamaker to the effect that he does not expect it and never will ask it.

The SPEAKER. Is there objection?
There was no objection.

The committee amendments were agreed to.

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

CHINESE STUDENTS AT WEST POINT.

The next business on the Calendar for Unanimous Consent was Senate joint resolution 131, authorizing the Secretary of War to receive for instruction at the Military Academy at West Point two Chinese subjects, to be designated hereafter by the Government of China.

The Clerk read as follows:

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to permit two Chinese subjects, to be designated hereafter by the Government of China, to receive instruction at the Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that the said Chinese subjects shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give their utmost efforts to accomplish the courses in the various departments of instruction: *And provided further*, That in the case of the said Chinese subjects the provisions of sections 1320 and 1321 shall be suspended.

The SPEAKER. Is there objection?

Mr. HULL of Iowa. Mr. Speaker, I ask that the resolution be passed.

Mr. BARTLETT of Georgia. Mr. Speaker, reserving the right to object, I desire just for a minute to make an inquiry in reference to this resolution. I know that it has been usual, since I have been a Member of Congress, in some instances, to grant this privilege to foreign nations, but I have never thought the policy was a good one. We, by our own statutes, limit the number of cadets at our Military Academy which can be educated there. I know many American citizens would be glad of the opportunity to pay for that privilege, as foreign nations are permitted to pay, and it can not be done. The only way it can be done now is by the designation of Senators, or Representatives, or by the President. Now, the Members of this House, and Senators, have not enough appointments at their disposal to satisfy the demands of our people to have their sons educated in this academy. I repeat that I know of men with abundant means who would be glad to have their sons educated there and to pay for it. They are not permitted to do it. Still, I am not disposed to interfere with any policy of the Government on this line. I merely want to call attention to it. As far as I am concerned, I do not agree with that policy which permits a foreign nation to enjoy this right and privilege which is not accorded to our own citizens.

Mr. MACON. Mr. Speaker, I reserve the right to object. The resolution states there shall be no expense incurred by this Government by reason of the admission of these two cadets, but the Government will be called upon to supply quarters; and if we allow every nation of the world to send two cadets to our Military Academy we will have to extend our quarters, and the Government will have to pay the expense of doing that. Hence it looks to me like, indirectly, if not directly, it will necessarily entail an extra expense upon the Government if these cadets are allowed entrance into the academy.

Mr. HULL of Iowa. Mr. Speaker, the gentleman will remember that Congress would always have the right to draw the line whenever it became a burden to the Government to provide quarters. The Secretary of War and the Secretary of State are both exceedingly anxious that this resolution shall pass, for reasons which I am sure the gentleman from Arkansas [Mr. MACON] will appreciate when he stops to think. It does not entail any expense to the Government of the United States.

Mr. MACON. Except in the indirect manner which I have mentioned.

Mr. HULL of Iowa. We have adopted the rule almost always of granting to any nation requesting it, especially the South and Central American Republics, the right to send cadets to West Point to be educated at the expense of their Government, but using the facilities at West Point without in any way interfering with the proper and legitimate operation of that great school to educate officers for the service of the Nation.

It is an act of comity just now, especially in view of our present relation with China. That Government is exceedingly anxious to be accorded this privilege, and the executive departments, especially the Secretary of War and the Secretary of State, believe that this measure should pass at once in order to show our friendship toward that nation. I can see no harm that can come from it. It is an act of friendship to a friendly nation. It is something that has never been denied to any nation up to this time, and to deny it now to China would be virtually a statement or notice of hostility to that nation. It seems to me that when it is considered that they pay all the expense, and that it is a place that we can not fill under our law, there should be no objection. We would have to change our entire law in order to fill up our present facilities there, as sug-

gested, by letting our sons go there at personal expense. At present we have one cadet from each congressional district in the United States and one from each Territory and the District of Columbia, and—

Mr. MONDELL. And one appointed by each Senator.

Mr. HULL of Iowa. Yes; and 40 from the Nation at large, appointed by the President of the United States. I do not see how we could extend the number of cadets beyond what we have at present without giving more to the President. It would not be possible to allow citizens to send their children there to be educated, because it would require buildings of 100 times the capacity we have at the institution now, and of course that would not do. Congress here gives specific authority only when the State Department and the War Department unite in requesting that that be done. I call for a vote, Mr. Speaker.

Mr. MACON. Mr. Speaker, I want it distinctly understood that if I should object it would not be because of any hostile feeling that I have for China, because I have none. It would be purely in the interest of an economic administration of the affairs of this Government to put a limit to matters of this kind. But, under the circumstances, Mr. Speaker, the gentleman thinking it might be considered by China an act of hostility toward her if this Government were to refuse the admittance of these cadets into the academy, I will not object.

The SPEAKER. Is there objection to the consideration of this resolution?

There was no objection.

The resolution was read a third time and passed.

MINOR HEIRS OF INDIAN ALLOTTEES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18893) relating to the title of lands inherited by minor heirs of Indian allottees and sold by order of court, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That in all cases where inherited lands of minor heirs of Indian allottees in Oklahoma have been sold and conveyed at guardian's sale, or by any Indian agent of the United States, assuming to act as guardian of such minor heir, for the proportion of the appraised value required by the laws of the said Territory or State, and such conveyance has been approved by a court of said Territory or State having jurisdiction under the laws thereof to appoint guardians for minors; and the conveyance thereof, in pursuance of such sale, has been approved by the Secretary of the Interior, and payments for said lands, in accordance with the terms of such sale, has been made, such sale and conveyance shall be valid, notwithstanding any defect or irregularity in the court proceedings authorizing, directing, or approving such sale.

The committee amendments were read, as follows:

Insert after the word "allottees," in line 4, the words "of the Cheyenne and Arapahoe and Kiowa Reservations."

Insert after the word "have," in line 4, the word "heretofore."

Strike out in line 5 the words "or by any" and insert in lieu thereof the words "by an Army officer as."

Add at the end of the bill, after the last word, "sale," the following:

"Where such defect or irregularity is due solely to the fact that an Army officer as Indian agent was assuming to act as guardian of the minor heir or heirs."

The bill as amended will read as follows:

"That in all cases where inherited lands of minor heirs of Indian allottees of the Cheyenne and Arapahoe and Kiowa Reservations in Oklahoma have heretofore been sold and conveyed at guardian's sale by an Army officer as Indian agent of the United States, assuming to act as guardian of such minor heir, for the proportion of the appraised value required by the laws of said Territory or State, and such conveyance has been approved by a court of said Territory or State having jurisdiction under the laws thereof to appoint guardians for minors; and the conveyance thereof, in pursuance of such sale, has been approved by the Secretary of the Interior, and payment for said lands, in accordance with the terms of such sale, has been made, such sale and conveyance shall be valid, notwithstanding any defect or irregularity in the court proceedings authorizing, directing, or approving such sale, where such defect or irregularity is due solely to the fact that an Army officer as Indian agent was assuming to act as guardian of the minor heir or heirs."

The SPEAKER. Is there objection?

There was no objection.

The amendments were agreed to.

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

MARINE BIOLOGICAL STATION ON GULF COAST, FLORIDA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10430) to authorize the establishment of a marine biological station on the Gulf coast of the State of Florida.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of Commerce and Labor be, and he is hereby, authorized, empowered, and directed to establish a marine biological station on the Gulf of Mexico at a point on the coast of the State of Florida, to be selected by him in said State: *Provided*, That the State of Florida donates and transfers, free of cost, to the Government of the United States necessary land and water rights upon which may be erected such buildings, wharves, and other structures as may be necessary for the proper equipment of said station, such biological station, buildings, wharves, and other structures not to cost exceeding \$50,000.

Sec. 2. That the professors, instructors, and students of the several land-grant, agricultural, and mechanical colleges of the United States

shall be admitted to said station to pursue such investigation in fish culture and biology as may be practicable, without cost to the Government, under such rules and regulations as may be from time to time prescribed by the Secretary of Commerce and Labor.

The SPEAKER. Is there objection?

There was no objection.

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

REMISSION OF CHINESE INDEMNITY.

The next business on the Calendar for Unanimous Consent was a joint resolution (S. J. Res. 102) to amend the resolution of May 25, 1908, providing for the remission of a portion of the Chinese indemnity.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

MONUMENT ON BATTLEFIELD OF GETTYSBURG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23530) to provide for the erection of a monument on the battlefield of Gettysburg to commemorate the services of the United States Signal Corps during the War of the Rebellion.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

PURCHASE OF OLDRYD COLLECTION OF LINCOLN RELICS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 28985) for the purchase of the Oldroyd collection of Lincoln relics, and for other purposes.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

REAPPRAISEMENT AND SALE OF CERTAIN LANDS AT PORT ANGELES, WASH.

The next business on the Calendar for Unanimous Consent was the bill (S. 8241) providing for the reappraisal and sale of certain lands in the town site of Port Angeles, Wash., and for other purposes.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

PROOF OF DESERT-LAND ENTRIES.

The next business on the Calendar for Unanimous Consent was the bill (S. 10318) authorizing the Commissioner of the General Land Office to grant further extensions of time within which to make proof of desert-land entries.

The SPEAKER. If there be no objection, the Clerk will report the substitute in lieu of the original bill.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior may, in his discretion, grant to the entryman under the desert-land laws in the counties of Benton, Yakima, and Klickitat, in the State of Washington, a further extension of the time within which they are required to make final proof, provided such entryman shall, by his corroborated affidavit, filed in the land office of the district where such land is located, show to the satisfaction of the Secretary that because of unavoidable delay in the construction of irrigation works intended to convey water to the land embraced in his entry, he is, without fault on his part, the time limited therefor; but such extension shall not be granted for a period of more than three years, and this act shall not affect contests initiated for a valid existing reason."

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. I call the attention of the gentleman to the fact that at the bottom of page 2, after the word "part," there is an omission of two lines, and there ought to be inserted the language which is found on lines 8 and 9 on page 2:

Unable to make proof of the reclamation and cultivation of said lands as required by law within.

In printing the bill there was evidently an omission of two lines.

The CHAIRMAN. The Clerk will report the proposed amendment.

The Clerk read as follows:

Insert at the end of line 21 the following:

"Unable to make proof of the reclamation and cultivation of said lands as required by law within."

Mr. MONDELL. There is no objection to that amendment.

The amendment was agreed to.

The substitute as amended was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

Mr. MANN. There should be an amendment to the amended title by adding at the end of the new title the words "in the counties of Benton, Yakima, and Klickitat, Wash."

By unanimous consent, the title was amended so as to read: "An act authorizing the Secretary of the Interior to grant further extensions of time within which to make proof on desert-

land entries in the counties of Benton, Yakima, and Klickitat, Wash."

MILITARY RECORDS OF CERTAIN SOLDIERS AND SAILORS.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 276) modifying certain laws relating to the military records of certain soldiers and sailors.

The joint resolution was read, as follows:

Resolved, etc., That in all laws approved during the year 1910, and having for their object the removal of disabilities accruing from defective records in the military or naval service of the United States, the words "Provided, That, other than as above set forth, no bounty, pay, pension, or other emolument shall accrue prior to or by reason of the passage of this act" shall not prohibit or prevent the granting of a pension on an application made after the approval of this act, and accruing only from the date of said application.

The SPEAKER. Is there objection?

Mr. AUSTIN. I reserve the right to object.

Mr. DOUGLAS. Reserving the right to object, I should like to ask the gentleman in charge of the bill what is the effect of that change.

Mr. STEVENS of Minnesota. That proviso was drafted originally to apply to a land case, where the soldier only wished to prove up a homestead, with no idea of getting a pension.

The Committee on Military Affairs has placed all the restrictions possible about the correction of military records, desiring to give no larger scope or possibility of getting anything out of the Treasury. In certain cases the committee believed that the men were entitled to pensions, but the Pension Office have held that the proviso referred to would prevent a pension being granted. There are only 20 or 30 cases of that sort. They were all carefully considered before the bills became laws, and the committee believe it to be only fair and just that this joint resolution should pass.

The SPEAKER. Is there objection?

There was no objection.

The House joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

BRIDGE ACROSS ARKANSAS RIVER, ARGENTA, ARK.

The next business on the Calendar for Unanimous Consent was the bill (S. 10431) to authorize the Argenta Railway Co. to construct a bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.

The bill was read, as follows:

Be it enacted, etc., That the Argenta Railway Co., a corporation organized under the laws of the State of Arkansas, its successors and assigns, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Arkansas River from a point in the city of Little Rock, Ark., suitable to the interests of navigation, to some point in the city of Argenta, on the north bank of said river, in the county of Pulaski, State of Arkansas, said bridge to be for the purpose of the passage of the street car traffic carried on by said company or under its authority, and also, at the option of said company, its successors and assigns, to be used for the passage of wagons, vehicles, interurban cars, animals, and persons on foot and in vehicles, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, except as to section 3 of said act.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

BRIDGE ACROSS LAKE CHAMPLAIN, ALBURG, VT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 31652) to authorize the Central Vermont Railway Co. to construct a bridge across the arm of Lake Champlain between the towns of Alburg and Swanton, Vt.

The bill was read, as follows:

Be it enacted, etc., That the Central Vermont Railway Co., a corporation organized under the laws of the State of Vermont, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the arm of Lake Champlain between the towns of Alburg and Swanton, in the State of Vermont, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

In line 6 strike out the word "the" and insert in lieu thereof the words "Missiquot Bay, an."

In line 7, after the word "Champlain," insert the words "at a point suitable to the interests of navigation."

Mr. SULZER. Mr. Speaker, just an inquiry for information. I should like to know if this bill has been approved by the War Department.

Mr. MANN. It has been approved by the War Department, and certain amendments inserted which the War Department recommended.

Mr. SULZER. And this does not interfere with navigation in any way?

Mr. MANN. The War Department reports that it will not interfere with navigation.

Mr. COOPER of Wisconsin. Is 1906 the last bridge act?

Mr. MANN. It is the last bridge act.

Mr. COOPER of Wisconsin. There has been no act subsequent to 1906?

Mr. MANN. No.

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

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

DAM ACROSS JAMES RIVER, MO.

The next bill on the Unanimous Consent Calendar was the bill (S. 574) to authorize J. W. Vanee, L. L. Allen, C. F. Helwig, and H. V. Worley, of Pierce City, Mo.; A. B. Durnil, D. H. Kemp, Sig Solomon, J. J. Davis, S. A. Chappell, and W. M. West, of Monett, Mo.; M. L. Coleman, M. T. Davis, Jared R. Woodfill, Jr., J. H. Jarrett, and William H. Standish, of Aurora, Lawrence County, Mo.; and L. S. Meyer, F. S. Heffernan, Robert A. Moore, William H. Johnson, J. P. McCammon, M. W. Colbaugh, and W. H. Schreiber, of Springfield, Greene County, Mo., to construct a dam across the James River, in Stone County, Mo., and to divert a portion of its waters through a tunnel into the said river again to create electric power.

The Clerk read the bill, as follows:

Be it enacted, etc., That J. W. Vance, L. L. Allen, C. F. Helwig, and H. V. Worley, of Pierce City, Mo.; A. B. Durnil, D. H. Kemp, Sig Solomon, J. J. Davis, S. A. Chappell, and W. M. West, of Monett, Mo.; M. L. Coleman, M. T. Davis, Jared R. Woodfill, Jr., J. H. Jarrett, and William H. Standish, of Aurora, Lawrence County, Mo.; and L. S. Meyer, F. S. Heffernan, Robert A. Moore, William H. Johnson, J. P. McCammon, M. W. Colbaugh, and W. H. Schreiber, of Springfield, Greene County, Mo., their heirs or assigns, be, and they are hereby, authorized to construct, maintain, and operate a dam in the Big Bend of the James River, in section 22, township 23 north, range 24 west, in the county of Stone and State of Missouri, across the said James River at said point, and to impound theretofore in what is known as the Lower Narrows of the Big Bend of the said James River the waters of said river, and by canal and tunnel to divert and conduct across said narrows such portion of the water of said river, through said tunnel into said river again, as may be necessary for electric-power purposes. The construction, maintenance, and operation of the dam herein authorized, as well as the determination of the rights and obligations under the permission granted hereby, shall be in all respects in accordance with and subject to the provisions of the act approved June 23, 1910, entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,'" approved June 21, 1906.

SEC. 2. That the right to alter, amend, or repeal this act in whole or in part is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Reserving the right to object, Mr. Speaker, I would like to ask a question. If I heard section 2 aright, it reserved the right to repeal, but I did not hear the Clerk read that it reserved the right to alter or amend.

Mr. MANN. That is in the bill. Section 2 says that the right to alter, amend, or repeal this act in whole or in part is hereby expressly reserved.

Mr. COOPER of Wisconsin. I would like to hear it read.

The Clerk read as follows:

SEC. 2. That the right to alter, amend, or repeal this act in whole or in part is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Reserving the right to object, I would like to have a statement about this bill.

Mr. MANN. Mr. Speaker, a number of local people on James River desire to construct a dam there for power purposes. This bill has been gone over both by the committee of the House and the committee of the Senate and the War Department and materially changed from the way the original bill read when it was introduced. The bill in its present form has the absolute approval of the War Department. In fact, it was practically prepared by the War Department. We are assured that it will absolutely protect the Government, and that the dam and all the work will be constructed under the general dam act. I think the interests of the Government are absolutely protected. Of course, it is limited to 50 years, which is the limit under the general dam act.

Mr. COOPER of Wisconsin. I would like to ask if the Government should alter, amend, or repeal would it be obliged to pay any expenses that it would be put to.

Mr. MANN. No; under the provisions of the general dam act the right to alter, amend, or repeal is reserved to the Government without any liability on the part of the Government for making or requiring any changes to be made in reference to the dam. There would be no liability on the part of the Government if it required the dam to be removed.

Mr. COOPER of Wisconsin. Who would pay the expense?

Mr. MANN. The parties interested, and if they did not the Government is authorized to do it and compel them to pay it.

Mr. COOPER of Wisconsin. They might not be financially responsible. It occurs to me that there will not be a place in the United States where a dam could be erected and water

power furnished for electrical energy which will not be covered by legislation at this session of Congress.

Mr. MANN. I will say to the gentleman that we have not reported near all of the dam bills presented to us.

The SPEAKER. Is there objection?

There was no objection.

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

PLACER LODE LOCATORS OF PHOSPHATE LANDS.

The next bill on the Unanimous Consent Calendar was the bill (H. R. 31651) providing for adjustment of conflict between placer and lode locators of phosphate lands.

The Clerk read the bill, as follows:

Be it enacted, etc., That in case of any conflict between locators under the placer laws and the mineral-lode laws on locations heretofore made of lands containing valuable deposits of phosphate or phosphate rock the respective claims of the locators shall be determined as though location of said lands under either of the above laws was valid at the time said locations were made.

The SPEAKER. Is there objection?

Mr. MICHAEL E. DRISCOLL. Reserving the right to object, I would like some explanation of this.

Mr. MONDELL. This is for the purpose of adjusting conflicts that may arise between placer and lode locators of phosphate lands. Most of the locations of phosphate lands were made under the placer laws. Later locations were made under the lode law, and this bill provides that the original locator, whether he be a lode or a placer locator, shall be held as having made a legal location. The department is somewhat embarrassed in that if they hold that the placer location is the proper location they are urged to hold that nothing but placer locations can be made; but this provides that whether the first location is a placer location or a lode location, if it is in every other way regular, it shall be held to be a legal location.

Mr. DOUGLAS. I would like to ask the gentleman a question. Is not this a matter that relates to mining entirely?

Mr. MONDELL. No; it is a matter that relates entirely to the acquisition of public lands.

Mr. DOUGLAS. Why so?

Mr. MONDELL. Because it provides for the disposition of public lands.

Mr. DOUGLAS. It is reported by the Public Lands Committee, but my opinion is that it ought to have gone to the Committee on Mines and Mining.

Mr. MONDELL. It is undoubtedly within the jurisdiction of the Public Lands Committee.

The SPEAKER. Is there objection?

There was no objection.

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

FISH-CULTURAL STATION IN WYOMING.

The next business was the bill H. R. 28623, to establish a fish-cultural station in the State of Wyoming.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. FOSTER of Illinois. Mr. Speaker, I object.

Mr. MONDELL. Mr. Speaker, we have 100,000 square miles of trout streams in the State of Wyoming. We have just established a hatchery in Florida, and I hope the gentleman will not object.

Mr. FOSTER of Illinois. I object, Mr. Speaker.

COMPENSATION OF SUPERINTENDENT, ARLINGTON NATIONAL CEMETERY.

The next business was the bill H. R. 24212, to amend section 4875 of the Revised Statutes to provide a compensation of \$100 per month with fuel and quarters for the superintendent of the Arlington (Va.) National Cemetery.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4875 of the Revised Statutes, which is now as follows: "The superintendent of the national cemeteries shall receive for their compensation from \$60 to \$75 a month each, according to the extent and importance of the cemeteries to which they may be respectively assigned, to be determined by the Secretary of War, and they shall also be furnished with quarters and fuel at the several cemeteries," be amended to read as follows:

"SEC. 4875. The superintendents of the national cemeteries shall receive for their compensation from \$60 to \$75 a month each, according to the extent and importance of the cemeteries to which they may be respectively assigned, to be determined by the Secretary of War, except the superintendent of the Arlington (Va.) Cemetery, whose compensation may be \$100 per month, at the discretion of the Secretary of War; and they shall also be furnished with quarters and fuel at the several cemeteries."

With the following amendment:

Strike out all after the word "statutes," in line 4, down to and including the word "cemetery," in line 10.

The SPEAKER. Is there objection?

Mr. MACON. Mr. Speaker, reserving the right to object, I would like to know the reason for the passage of so important a bill as this on the Unanimous Consent Calendar. It seems to carry a right sharp appropriation.

Mr. GOULDEN. Mr. Speaker, in answer to my distinguished friend from Arkansas, I will state that in 1864, when there were but 200 acres in the national cemetery at Arlington, the compensation of the superintendent was fixed at \$75 per month. Since then there have been added to it, so that to-day there are in the inclosure 408 acres and outside of the inclosure 48 acres, making a total of 456 acres which are now under his direct supervision. He is responsible for the payment of about \$30,000 in wages yearly. There are a number of men under him, upward of 100, who receive from \$50 to \$75 per month. Then he has 600 interments yearly to look after. All in all, this gives him only \$100 per month, an increase of \$25. It is a meritorious case, and should become a law.

Mr. MACON. Is that the only increase in the bill?

Mr. GOULDEN. That is the only increase, from \$75 to \$100.

Mr. MACON. Is that the only change?

Mr. GOULDEN. The only change. The superintendent, Mr. Magoon, now in charge, is a first-class man in every particular.

Mr. MACON. Then I withdraw the objection.

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

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

BRIDGE ACROSS RED LAKE RIVER, MINN.

The next business was the bill (H. R. 32220) to authorize the board of supervisors of the town of High Landing, Red Lake County, Minn., to construct a bridge across the Red Lake River.

The Clerk read the bill, as follows:

Be it enacted, etc., That the board of supervisors of the town of High Landing, Red Lake County, Minn., be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Red Lake River at a point suitable to the interests of navigation, at or near section line between sections 28 and 29, township 153 north, range 40 west, in the county of Red Lake, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on engrossing and the third reading of the bill.

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

NATURALIZATION OF WIVES AND CHILDREN OF INSANE ALIENS.

The next business was the bill (S. 9443) providing for the naturalization of the wife and minor children of insane aliens making homestead entries under the land laws of the United States.

The Clerk read the bill, as follows:

Be it enacted, etc., That when any alien, who has declared his intention to become a citizen of the United States, becomes insane before he is actually naturalized, and his wife shall thereafter make a homestead entry under the land laws of the United States, she and their minor children may, by complying with the provisions of the naturalization laws be naturalized without making any declaration of intention.

With the following amendment:

Line 8, before the word "provisions," insert the word "other."

The SPEAKER. Is there objection?

There was no objection.

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

RAILROAD AND COUNTY-ROAD RIGHTS OF WAY, FORT RUSSELL MILITARY RESERVATION, WYO.

The next business was the bill (S. 9904) granting certain rights of way on the Fort D. A. Russell Military Reservation, at Cheyenne, Wyo., for railroad and county-road purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Colorado Railroad Co., a corporation created by and organized under the laws of the State of Colorado, and authorized to do business in the States of Colorado and Wyoming, is hereby authorized to build its line of railroad on the following-described portion of the Fort D. A. Russell Military Reservation, to wit:

Beginning at a point on the east boundary line of the military reservation, said point being the northeast corner of the northwest quarter of section 1, township 13 north, range 67 west; thence south along the east boundary line of military reservation 2,390 feet to a point; thence north 9 degrees, 21 minutes west, 344.3 feet to a point which is 56 feet west of the east line of said military reservation; thence north 1 degree, 4 minutes east, 2,055 feet to the place of beginning.

Sec. 2. That a right of way for a county road for use of the public is hereby granted to the county of Laramie, a municipal corporation of the State of Wyoming, upon the following portion of the Fort D. A. Russell

Military Reservation at Cheyenne, Wyo., more particularly described as follows:

Commencing at a point on the east line of said military reservation, said point being the northeast corner of the northwest quarter of section 1, township 13 north, range 67 west of the sixth principal meridian; thence south along the said east line of said military reservation to the southeast corner thereof; thence northwesterly on the southwesterly boundary line of said military reservation to a point which is 150 feet west of the east line of said reservation when measured at right angles thereto; thence north on a line 150 feet west of and parallel with the easterly boundary line of said reservation to the north line of the northwest quarter of said section 1; thence east 150 feet along the north line of said section 1, to the place of beginning, said strip of land being 150 feet in width on the east side of that portion of said reservation situated in section 1, township 13 north, range 67 west, as aforesaid; saving and excepting therefrom that portion of said strip of land hereinabove, in section 1 of this act, described as granted to the Colorado Railroad Co. for the purpose of its railroad.

With the following amendment:

Line 10, page 3, after the word "railroad," insert "Provided, That it shall be in the power of the Secretary of War at any time to revoke the license granted in this act."

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Mr. Speaker, reserving the right to object, I desire to call attention to some of the language of the bill and to ask for an explanation. First, on page 1, line 6, I observe that the railroad company is "authorized to build its line," and that by the proviso on page 3, at the end of the bill, the Secretary of War is to have the power "at any time to revoke the license granted in this act." Thus it appears that, according to the proviso, the bill is to be construed as simply conferring a license.

But the bill would do far more than confer a license. I call attention to the fact that by section 2, pages 2 and 3—

A right of way for a county road for use of the public is hereby granted to the county of Laramie, * * * said strip of land being 150 feet in width.

That is not a license to the county. A right of way is granted.

I call attention also to the very significant language on page 3, beginning with line 7:

Saving and excepting therefrom that portion of said strip of land hereinbefore, in section 1 of this act, described as granted to the Colorado Railroad Co. for the purposes of its railroad.

Thus, by this language, the very bill itself declares not that it confers a license but that it makes a grant to the railroad company. Therefore the proviso authorizing the Secretary of War to "revoke the license," and so forth, is not applicable to anything in the bill, because there is no license about it.

There is a grant to the county of Laramie and another grant to the railroad company.

Mr. MONDELL. Mr. Speaker, I have no objection to an amendment striking out the word "license" and inserting the word "right," but it seems to me that the right to revoke whatever we grant here is very clear. It seems to me there is not much difference whether we grant or license, but whether it be a grant or license it is revocable under the terms of the amendment made by the Committee on Military Affairs.

Mr. COOPER of Wisconsin. Mr. Speaker, I shall object to the bill in its present form.

Mr. HULL of Iowa. I suggest to the gentleman if there is any reasonable amendment he desires to offer we would like to hear it. The bill has been recommended by the War Department and work has been stopped that the people there are very much interested in. It only conveys to the railroad company less than 1 acre altogether.

Mr. COOPER of Wisconsin. If this is simply conferring a license upon a railroad company to use certain land belonging to a military reservation, there ought to be reserved the right to amend, alter, or repeal.

Mr. HULL of Iowa. The committee would be willing to accept the amendment in lieu of the present one, but I think, in justice to the people there, this question ought to be settled.

Mr. COOPER of Wisconsin. I propose an amendment by adding at the end of the bill that the right to amend, alter, or repeal is hereby expressly reserved.

Mr. HULL of Iowa. I am willing to accept that. We simply took the amendment of the War Department.

Mr. COOPER of Wisconsin. I move an amendment to add a third section by inserting the words "the right is hereby expressly reserved to alter, amend, or repeal this act."

Mr. MONDELL. Mr. Speaker, I accept that amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Insert as a third section:

"The right to alter, amend, or repeal is hereby expressly reserved."

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

The bill as amended was ordered to be read a third time, was read the third time, and passed.

FORT MACKENZIE MILITARY RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (S. 9903) to authorize the Sheridan Railway & Light Co. to construct and operate railway, telegraph, telephone, electric power, and trolley lines through the Fort Mackenzie Military Reservation, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That the Sheridan Railway & Light Co., a corporation created under and by virtue of the laws of the State of Wyoming, be, and the same is hereby, empowered to survey, locate, construct, maintain, and operate railway, telegraph, telephone, electric power, and trolley lines through the Fort Mackenzie Military Reservation, in Sheridan County, State of Wyoming, upon such terms and in such location as may be determined and approved by the Secretary of War.

SEC. 2. That said corporation is authorized to occupy and use for all purposes of railway, telegraph, telephone, electric power, and trolley lines, and for no other purpose, a right of way 50 feet in width through said Fort Mackenzie Military Reservation, with the right to use such additional ground where cuts and fills may be necessary for the construction and maintenance of the roadbed, not exceeding 100 feet in width, or as much thereof as may be included in said cut or fill: *Provided*, That no part of the land herein authorized to be occupied shall be used except in such manner and for such purposes as shall be necessary for the construction and convenient operation of said railway, telegraph, telephone, electric power, and trolley lines; and when any portion thereof shall cease to be so used such portion shall revert to the United States: *Provided further*, That before the said railway company shall be permitted to enter upon any part of said military reservation a description by metes and bounds of the land herein authorized to be occupied or used shall be approved by the Secretary of War: *Provided further*, That the said railway company shall comply with such other regulations and conditions in the maintenance and operation of said road as may from time to time be prescribed by the Secretary of War.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I move to amend by adding—

Sec. 3. The right to amend, alter, or repeal this act is hereby expressly reserved.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Add as section 3:

"The right to alter, amend, or repeal this act is hereby expressly reserved."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

CONSOLIDATING CERTAIN FOREST LANDS IN THE KANSAS NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 32571) to consolidate certain forest lands in the Kansas National Forest.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior, for the purpose of consolidating the forest lands belonging to the United States within the Kansas National Forest, be, and he hereby is, authorized and empowered, upon the recommendation of the Secretary of Agriculture, to exchange lands belonging to the United States which are part of the Kansas National Forest for privately owned lands lying within the exterior limits of the said national forest: *Provided*, That the lands so exchanged shall be equal in area and substantially equal in value: *And provided further*, That upon the consummation of such exchange the land dedicated to the United States thereunder shall forthwith become, and thereafter continue to be, national forest lands to all intents and purposes, as if such land had been duly withdrawn by the proclamation which placed the contiguous land under the jurisdiction of the Secretary of Agriculture for forest purposes.

The committee amendment was read as follows:

Page 2, line 3, after the word "shall," strike out the rest of the bill and insert the words "become a part of the Kansas National Forest."

The SPEAKER. Is there objection?

Mr. HAMLIN. Mr. Speaker, reserving the right to object, I would like to inquire what is the necessity of making this exchange of land.

Mr. MADISON. Mr. Speaker, I want to say to the gentleman it is in order to block up the lands that are owned by the Government in this forest. Privately owned lands are scattered throughout the Government lands, and parties who own these lands scattered through the Government lands have lands on the outskirts of the Government lands, and the Government wants to acquire the land that is scattered through its lands by exchanging other land for it contiguous to ranches or farms owned by private parties.

Mr. HAMLIN. Suppose some of these private owners refuse to make an exchange; then the purpose would not be accomplished.

Mr. MADISON. Then it can not be made.

Mr. HAMLIN. There is no provision to compel them in any way by condemnation?

Mr. MADISON. Oh, not at all; this is simply a matter of exchange where the Government and the parties who own privately owned land find it to their mutual advantage.

Mr. FOSTER of Illinois. Does it let them go into other States, or is it confined to the State of Kansas?

Mr. MADISON. Absolutely.

Mr. HAMLIN. Mr. Speaker, I do not object.

Mr. JOHNSON of South Carolina. Mr. Speaker, I was trying to ask a question about the bill. I notice that the language of the bill is that the Government exchange lands of "substantially" the same value. Why not leave out the word "substantially" and have it "of equal value?"

Mr. MADISON. Well, because it would probably be impossible to find two tracts of land that would be of exactly the same value. Now, if the gentleman will read the bill he will see that it provides that no exchange shall be made except it be made by the Secretary of the Interior upon the recommendation of the Secretary of the Department of Agriculture, so that these two officials must concur in the exchange. They must both believe that the exchange that is being made by the Government is an absolutely fair one and one that protects the rights and interests of the Government; and an actual examination is required before any exchange can be made.

The SPEAKER. Is there objection?

There was no objection.

The amendment was agreed to.

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

BRONZE CANNON FOR UNITED SPANISH WAR VETERANS.

The next business on the Calendar for Unanimous Consent was Senate joint resolution 132, authorizing the delivery to the commander in chief of the United Spanish War Veterans of one or two dismounted bronze cannon.

The Clerk read as follows:

Resolved, etc., That the Secretary of War is hereby authorized to deliver to the order of the commander in chief of the United Spanish War Veterans one or two dismounted bronze cannon captured during the late War with Spain or during the Philippine insurrection, to be used by the said United Spanish War Veterans for the purpose of furnishing official badges of the order: *Provided*, That no expense shall be caused to the United States through the delivery of said cannon.

The SPEAKER. Is there objection?

Mr. MICHAEL E. DRISCOLL. Mr. Speaker, reserving the right to object, I shall object to it unless the gentleman in charge of the bill is willing to strike out in the sixth and seventh lines the words "or during the Philippine insurrection."

Mr. HULL of Iowa. I hope the gentleman will not raise that objection, for the reason that there were cannon that the Spanish Government left there during the Philippine insurrection.

Mr. MANN. Either accept the amendment or let it go.

Mr. HULL of Iowa. I do not care anything about it. I hope, however, the gentleman will not raise it.

Mr. MICHAEL E. DRISCOLL. I do not think there is any sentiment in the Spanish War veterans getting any old bronze cannon from the Philippine War and melting them into badges. I object unless the gentleman accepts that amendment.

Mr. HULL of Iowa. I accept the amendment.

Mr. MICHAEL E. DRISCOLL. Mr. Speaker, then I move to strike out of lines 6 and 7 the following words:

Or during the Philippine insurrection.

The SPEAKER. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out, in lines 6 and 7, "or during the Philippine insurrection."

The SPEAKER. Is there objection?

There was no objection.

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read a third time, and passed.

PROCEEDINGS AT UNVEILING OF THE STEUBEN STATUE.

The next business on the Calendar for Unanimous Consent was House concurrent resolution 58.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed and bound in the form of eulogies, with accompanying illustrations, 17,100 copies of the proceedings upon the unveiling of the statue of Baron von Steuben in Washington, December 7, 1910, of which 5,000 shall be for the use of the Senate, 10,000 for the use of the House of Representatives, 2,000 to be delivered to the National German-American Alliance for such distribution as said alliance may desire to make, and the remaining 100 copies shall be bound in full morocco and distributed through the Department of State to the descendants of Baron von Steuben and the speakers who took part in said celebration.

The SPEAKER. Is there objection?

Mr. COX of Indiana. Mr. Speaker, reserving the right to object, I would like to ask if these reports will be put through the folding room.

Mr. BARTHOLDT. Yes, sir.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

EXCHANGE OF DESERT AND NATIONAL FOREST LANDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 30280) authorizing the Secretary of the Interior to exchange certain desert lands for lands within national forests in Oregon.

The Clerk read as follows:

Be it enacted, etc., That the State of Oregon is hereby authorized to relinquish its selection heretofore made under the terms of the act of August 18, 1884 (28 Stats. p. 372), and acts amendatory and supplemental thereto of the following lands:

Sec. 3: E. $\frac{1}{4}$ E. $\frac{1}{4}$ of W. $\frac{1}{4}$ SW. $\frac{1}{4}$ of SW. $\frac{1}{4}$ of sec. 4; SW. $\frac{1}{4}$ W. $\frac{1}{4}$ of SE. $\frac{1}{4}$ SE. $\frac{1}{4}$ of SE. $\frac{1}{4}$ of sec. 5; S. $\frac{1}{4}$ of sec. 6; all of secs. 7, 8, 9, 10, 15, 17, 18, 19, 20, 21, and 22 of T. 24 S., R. 33 E., Willamette meridian, containing 8,793.47 acres; and the Secretary of the Interior, upon recommendation of the Secretary of Agriculture, may issue patent to said lands in exchange for and upon reconveyance to the United States of the following lands within national forests in the State of Oregon:

All of fractional sec. 36, T. 21 S., R. 12 E.; all of sec. 16, T. 21 S., R. 12 E.; the SE. $\frac{1}{4}$ of sec. 36, T. 20 S., R. 14 E.; all of sec. 16, T. 23 S., R. 16 E.; the S. $\frac{1}{4}$ of NW. $\frac{1}{4}$, the NW. $\frac{1}{4}$ of NW. $\frac{1}{4}$, the NE. $\frac{1}{4}$ of NE. $\frac{1}{4}$, the S. $\frac{1}{4}$ of sec. 16, T. 28 S., R. 10 E.; S. $\frac{1}{4}$ of N. $\frac{1}{4}$ of sec. 16, T. 15 S., R. 31 E.; NW. $\frac{1}{4}$ of NW. $\frac{1}{4}$ of sec. 16, T. 17 S., R. 32 E.; all of sec. 36, T. 3 S., R. 47 E.; all of sec. 16, T. 19 S., R. 31 E.; SE. $\frac{1}{4}$ of SE. $\frac{1}{4}$ of sec. 16, E. $\frac{1}{4}$ of NE. $\frac{1}{4}$, W. $\frac{1}{4}$ of NW. $\frac{1}{4}$ of sec. 36, T. 20 S., R. 33 E.; all of sec. 16, T. 3 S., R. 31 E.; S. $\frac{1}{4}$ and NW. $\frac{1}{4}$ of sec. 36, T. 19 S., R. 32 E.; N. $\frac{1}{4}$ of sec. 16, T. 14 S., R. 33 E.; all of secs. 16 and 36, T. 7 S., R. 34 E.; sec. 16, T. 8 S., R. 32 E.; all of sec. 36, T. 14 S., R. 35 E.; all of sec. 36, T. 2 S., R. 40 E., Willamette meridian.

Provided, That the timber or undergrowth shall not have been removed from said forest lands.

Also the following committee amendments were read:

On line 5, page 1, strike out the word "eighty" and insert in lieu thereof the word "ninety."

On line 1, page 3, strike out the word "thirty" and insert in lieu thereof the word "forty."

At the end of the bill add the following: "Provided further, That upon reconveyance to the United States the lands shall become parts of the national forests in which they are situated."

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Mr. Speaker, reserving the right to object, I would like to have the gentleman from Oregon state the character of this bill. It seems to be an exchange of a great amount of land.

Mr. MONDELL. The gentleman from Oregon [Mr. ELLIS], who introduced the bill, is not here. I will make a brief statement if the gentleman desires. As the House will note from the report, it is proposed that the Government shall grant 8,793 acres of desert land for 9,401 acres of land within a forest reserve. The exchange of land gives the Government some 601 acres more than it surrenders, and it gives the Government the ownership of that amount of land within the boundaries of a reserve which has forests on it. These lands which are to be exchanged are desert in character, and can only be made habitable by irrigation.

Mr. COOPER of Wisconsin. What particular value has this desert land that the State of Oregon should be willing to give forest land in exchange for it?

Mr. MONDELL. The parties who desire to irrigate are the owners of the land in the forest reserve. They desire to make the exchange, and the Secretary of the Interior and the Secretary of Agriculture think the exchange would be a most excellent one for the Government.

Mr. COX of Indiana. What is the character of the timber?

Mr. MONDELL. It is not heavily timbered land, but there is some timber on it, and it is in a reserve. The Secretary of Agriculture says the land has some value for timber.

Mr. COOPER of Wisconsin. Mr. Speaker, I observe that in his letter the Secretary of the Interior, Mr. Ballinger, says:

The bill under consideration does not name the present owner of the school sections, nor whether they are to be conveyed by the State or some private corporation or individual claiming through or under the State. Neither does it name the proposed patentee of the lands to be received in exchange, whether the State, a private corporation, or individual. It is presumed, however, that the Portland Co. is the beneficiary of the bill; that it proposes to reconvey the school sections to the United States and will take title to the lands received in lieu thereof.

Mr. MONDELL. There is no question about that, Mr. Speaker. The committee was fully informed on that subject, and it is so stated in the report. The company that proposes to irrigate the desert lands are the owners of the lands in the forest reserve, and in order to enable them to irrigate that land we are proposing to give them the opportunity to exchange.

Mr. COX of Indiana. Is this corporation a corporation or a company composed of private individuals?

Mr. MONDELL. I believe it is a corporation organized for the purpose of irrigating these lands.

Mr. COOPER of Wisconsin. I object.

HOMESTEAD ENTRIES IN SILETZ INDIAN RESERVATION, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 27298) relating to homestead entries in the former Siletz Indian Reservation in the State of Oregon.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all pending homestead entries heretofore made within the former Siletz Indian Reservation in Oregon upon which proofs were made prior to December 31, 1906, shall be passed to patent in all cases where it shall appear to the satisfaction of the Secretary of the Interior that the entry was made for the exclusive use and benefit of the entryman, and that the entryman built a house on the land entered and otherwise improved the same, and actually entered into the occupation thereof and cultivated a portion of said land for the period required by law, and that no part of the land entered has been sold or conveyed, or contracted to be sold or conveyed, by the entryman, and where no contest or other adverse proceeding was commenced against the entry and notice thereof served upon the entryman prior to the date of submission of proof thereon, or within two years thereafter, and where any such entry has heretofore been canceled the same may be reinstated upon application filed within six months from the passage of this act where at the date of the filing of such application for reinstatement no other entry is of record covering such land: *Provided*, That nothing herein contained shall prevent or forestall any adverse proceedings against any entry upon any charge of fraud: *And provided further*, That any entryman who may make application for patent under the provisions of this act shall, as an additional condition precedent to the issuance of such patent, be required to pay to the United States the sum of \$2.50 per acre for the land so applied for; and the Secretary of the Interior is hereby authorized to issue such regulations as may be necessary for carrying this act into effect.

The SPEAKER. Is there objection?

There was no objection.

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

FISH HATCHERY AT PARIS, TEX.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2130) for the establishment of a fish hatchery at Paris, Tex.

The SPEAKER. Is there objection?

Mr. MANN. I object to that, as well as to all these other fish-cultural bills.

AN ACT PROVIDING FOR THE RETIREMENT OF CERTAIN MEDICAL OFFICERS OF THE ARMY.

The next business on the Calendar for Unanimous Consent was the bill (S. 9351) to amend an act entitled "An act providing for the retirement of certain medical officers of the Army," approved June 22, 1910.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. STEVENS of Minnesota. Mr. Speaker, I hope the gentleman will withhold his objection for a moment.

Mr. MANN. Does the gentleman from Minnesota think this bill should pass?

Mr. STEVENS of Minnesota. I do.

Mr. MANN. Then, Mr. Speaker, I withdraw my objection.

The Clerk read as follows:

Be it enacted, etc., That the act approved June 22, 1910, entitled "An act providing for the retirement of certain medical officers of the Army," be, and the same is hereby, amended as follows:

Strike out the words "in the War of the Rebellion," following the words "enlisted man," in said act, so that the act as amended will read:

Be it enacted, etc., That any officer of the Medical Reserve Corps who shall have reached the age of 70 years, and whose total active service in the Army of the United States, Regular or Volunteer, as such officer, and as contract or acting assistant surgeon, and as an enlisted man, shall equal 40 years, may thereupon, in the discretion of the President, be placed upon the retired list of the Army with the rank, pay, and allowances of a first lieutenant.

The SPEAKER. Is there objection?

Mr. SISSON. I object.

ESTABLISHMENT OF FISH-CULTURAL STATION, UTAH.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3661) to establish a fish-cultural station in the State of Utah.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The Clerk will report the next bill.

Mr. HOWELL of Utah. Mr. Speaker, I would call the attention of the gentleman to the fact that this matter of the production of food fish is of such importance that the Government has already established 36 fish-cultural stations in various other parts of the Union.

Mr. FOSTER of Illinois. Mr. Speaker, I object.

RESTORATION OF CERTAIN PUBLIC LANDS IN MILLARD COUNTY, UTAH.

The next business on the Calendar for Unanimous Consent was the bill (S. 8457) to restore to the public domain certain lands withdrawn for reservoir purposes in Millard County, Utah.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to restore to the public domain, subject to entry under the public-land laws of the United States, such portions of the lands withdrawn under the act of October 2, 1888, for a United States reservoir site, in Millard County, Utah, not necessary for reservoir purposes, as he may designate.

The Clerk read the committee amendment, as follows:

Strike out all after the enacting clause down to the word "restore," in line 4, page 1, and insert in lieu thereof "That the President may, in his discretion."

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Mr. Speaker, I reserve the right to object.

Mr. HOWELL of Utah. Mr. Speaker, in 1894, under the act of October 2, 1888, certain lands were withdrawn for reservoir purposes in the county of Millard, Utah. Nothing has been done since that time with this tract and there is no Government irrigation system now in contemplation. This withdrawal stands in the way of a Carey Act project to reclaim this land. This bill simply authorizes the President, in his discretion, to restore these lands to the public domain. Under the existing law the President has the right to restore the land, but without this act the land would be subject to entry only under the homestead law. The purpose of the bill is to restore the lands to the precise status that they were in when they were withdrawn, so that they will be subject to the Carey Act proposition or acquisition under general public-land laws.

Mr. FOSTER of Illinois. Is there anyone living on this land?

Mr. HOWELL of Utah. No; it is vacant land.

Mr. COX of Indiana. How much land is involved in this?

Mr. HOWELL of Utah. Four or five thousand acres.

Mr. COX of Indiana. How much is it worth?

Mr. HOWELL of Utah. It is not worth anything. It is as much a desert as Sahara.

Mr. COOPER of Wisconsin. I observe that it was withdrawn 23 years ago, in 1888.

Mr. HOWELL of Utah. It was withdrawn under the act of 1888; but it was withdrawn in 1894.

Mr. COOPER of Wisconsin. Seventeen years ago.

Mr. HOWELL of Utah. Seventeen years ago, and this act puts it wholly within the discretion of the President.

Mr. COOPER of Wisconsin. But the President will not go out there to look at the land. He will rely upon the judgment of other people, and there will be tremendous pressure on him one way or the other. I would like to know what it was reserved for.

Mr. MONDELL. This is one of the old reservations under the law of 1888. The President on application could restore these lands now, but if they were restored under existing law they could only be restored for homestead entry. These people want to enter them under the Carey Act, another form of homestead. They desire to have them irrigated under the Carey Act. This gives the President discretion to restore them under any of the land laws.

Mr. COOPER of Wisconsin. They were reserved for the purposes of a reservoir, for the storage of water, were they not?

Mr. MONDELL. The original withdrawals covered vast areas, which from time to time have been reduced by presidential proclamation, as it is found that the lands are not needed for reservoir purposes.

Mr. COOPER of Wisconsin. I only want to get at the facts. The original reservation was for the purpose of storing water.

Mr. MONDELL. Yes.

Mr. COOPER of Wisconsin. And that water was supposed to be used for irrigation purposes.

Mr. MONDELL. The reservations were made very large, including vast areas that were not needed for reservoir purposes in many cases, and this is one of them.

Mr. MANN. The original reservation was to permit the Government to use the land for reservoir purposes, and the purpose of this is to permit the State to do it under the Carey Act.

Mr. MONDELL. No; this land is now subject to the right-of-way act. A private individual could use this land now for a reservoir.

Mr. MANN. I understand.

Mr. MONDELL. But that is not what is wanted. They want to irrigate the land.

Mr. MANN. That is what I say.

Mr. MONDELL. They want to reclaim it. The President can restore the land, but he can not restore it to any entry except homestead entry under the present law.

Mr. COOPER of Wisconsin. Will the gentleman permit a suggestion right there?

Mr. MONDELL. Certainly.

Mr. COOPER of Wisconsin. This land was reserved for reservoir purposes, and now it is proposed to irrigate the very land which was to be submerged.

Mr. MONDELL. The gentleman knows that sometimes more land was reserved than was actually needed for the reservoir site.

Mr. COOPER of Wisconsin. Where are they going to get the water to irrigate this?

Mr. HOWELL of Utah. I will say in answer to that that when this land was withdrawn it was a kind of blanket withdrawal, and the lands now desired to be restored to the public domain do not include the site of the depression in which the water could be stored. These are simply lands that can not be used for reservoir purposes at all.

Mr. COOPER of Wisconsin. Has there been a report on this from any Government official?

Mr. HOWELL of Utah. Oh, yes; the Secretary of the Interior has no objection to it—he recommends it.

Mr. COOPER of Wisconsin. He has no objection to it, but does he know anything about it?

Mr. HOWELL of Utah. Only as he has been advised by his subordinates. There is no possible harm in this bill.

Mr. COOPER of Wisconsin. I shall not object to the bill, but I want to say just one word. A law has been passed—I do not know how or when—which permits the printing of only 100 private bills at a time. We put private bills through under suspension of the rules, and only 100 copies of a private bill are printed for a membership of 391 in this House. Why such a law as that was ever passed I can not understand. We ought to have a bill, or two bills if necessary, with the report, for each Member.

Mr. HOWELL of Utah. This is not a private bill; this is a public bill.

Mr. COOPER of Wisconsin. I do not object.

The SPEAKER. Is there objection?

There was no objection.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

RIGHT OF WAY TO THE BUCKHANNON & NORTHERN RAILROAD CO.

The next bill on the Unanimous Consent Calendar was the bill (S. 10404) to authorize the Secretary of War to grant a right of way through lands of the United States to the Buckhannon & Northern Railroad Co.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby authorized, in his discretion, to grant the Buckhannon & Northern Railroad Co. right of way through lands of the United States, on the western bank of the Monongahela River, in the State of West Virginia, adjacent to Locks Nos. 10, 11, 12, 13, and 14, at such price, and on such terms and conditions, as he may consider just, equitable, and expedient.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

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

BRIDGE ACROSS THE MISSISSIPPI RIVER, MINN.

The next business on the Unanimous Consent Calendar was the bill (H. R. 32341) to authorize the St. Paul Railway Promotion Co., a corporation, to construct a bridge across the Mississippi River near Nininger, Minn.

The Clerk read the bill, as follows:

Be it enacted, etc., That the St. Paul Railway Promotion Co., a corporation organized under the laws of Minnesota, its successors and assigns, are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Nininger, in the county of Dakota, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

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

BRIDGE ACROSS THE PISCATAQUA RIVER, N. H.

The next business on the Unanimous Consent Calendar was the bill (H. R. 32213) to authorize the city of Portsmouth, N. H., to construct a bridge across the Piscataqua River.

The Clerk read the bill, as follows:

Be it enacted, etc., That authority is hereby given the city of Portsmouth, N. H., or its assigns, a corporation organized under the laws of the State of New Hampshire, to construct, maintain, and operate a bridge and approaches thereto across the Piscataqua River at a point suitable to the interests of navigation, at or near Portsmouth, in

the county of Rockingham, in the State of New Hampshire, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

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

HOT SPRINGS MOUNTAIN RESERVATION.

The next business on the Unanimous Consent Calendar was the bill (H. R. 31806) to amend an act entitled "An act conferring jurisdiction upon United States commissioners over offenses committed on a portion of the permanent Hot Springs Mountain Reservation," approved April 20, 1904.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act approved March 2, 1907 (34 Stat., 1218), is amended so as to read as follows:

"That any United States commissioner duly appointed by the United States district court for the eastern district of Arkansas, and residing in said district, shall have power and jurisdiction to hear and act upon all complaints made of any and all violations of said act of Congress approved April 20, 1904."

Amend the title so as to read: "A bill to amend section 1 of the act approved March 2, 1907, being an act to amend an act entitled 'An act conferring jurisdiction upon United States commissioners over offenses committed on a portion of the permanent Hot Springs Mountain Reservation, Ark.'"

The SPEAKER. Is there objection?

There was no objection.

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

ORGANIZED MILITIA.

The next bill on the Unanimous Consent Calendar was the bill (H. R. 28436) to further increase the efficiency of the Organized Militia, and for other purposes.

The Clerk read the title to the bill.

Mr. MANN. Mr. Speaker, I think this bill is too important to be taken up under unanimous consent, and I object.

MESSAGE AND REPORT OF NORTH ATLANTIC COAST FISHERIES ARBITRATION AT THE HAGUE.

The next bill on the Unanimous Consent Calendar was the Senate joint resolution 139, authorizing the printing of the message of the President, together with the report of the agent of the United States in the North Atlantic Coast Fisheries Arbitration at The Hague.

The Clerk read the resolution, as follows:

Resolved, etc., That the President's message of February 1, 1911, together with the report of the agent of the United States in the North Atlantic Coast Fisheries Arbitration at The Hague, transmitted therewith, and the appendices to the report, be printed as a public document, together with an additional 500 copies for the Department of State, the cost thereof to be defrayed out of the appropriation for printing and binding for Congress.

The SPEAKER. Is there objection?

There was no objection.

The resolution was ordered to be read a third time, was read the third time, and passed.

INVESTIGATION OF EXPLOSION AT COMMUNIPAW, N. J.

The next bill on the Unanimous Consent Calendar was House joint resolution 282, to investigate the causes of the explosion at Communipaw, N. J., and to report the results of such investigation with recommendations regarding such legislation as will tend to prevent a recurrence of same.

The Clerk read the title to the resolution.

Mr. FITZGERALD. Mr. Speaker, I object.

LIGHT AND FOG-SIGNAL STATION, SAN PEDRO BREAKWATER, CAL.

The next business was the bill (S. 10011) for establishing a light and fog-signal station on the San Pedro Breakwater, Cal.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of Commerce and Labor be, and he is hereby authorized to establish a light and fog-signal station on the San Pedro Breakwater, Cal., at a cost not to exceed \$36,000."

The SPEAKER. Is there objection?

There was no objection.

The amendment was agreed to, and the bill as amended was ordered to be read a third time, was read the third time, and passed.

LIGHT AND FOG SIGNAL, LINCOLN ROCK, ALASKA.

The next business was the bill (S. 10015) for rebuilding and improving the present light and fog signal at Lincoln Rock, Alaska, or for building another light and fog-signal station upon a different site near by.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of Commerce and Labor be, and he is hereby authorized to rebuild and improve the present light and fog signal at Lincoln Rock, Alaska, or establish a light and fog-signal station upon a different site near by, at a cost not to exceed \$25,000."

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, I understand that this present light is on a rock in a channel in Alaska, and the new head of the Lighthouse Service stated that he wanted to replace that light or place it on a new sight near by.

Mr. MANN. The present lighthouse, owing to too severe storms, is ready to fall down, and there has been a question as to whether it would be more economical to put underpinning under it or to reconstruct it or build a new light near to it.

Mr. FITZGERALD. How near does the gentleman from Illinois believe the department contemplates building the light, if it builds it near by the site, which is now a submerged rock in the channel?

Mr. MANN. I do not know how near by, but I suppose right adjoining.

Mr. FITZGERALD. But the gentleman is mistaken.

Mr. MANN. That may be.

Mr. FITZGERALD. The head of the department stated some place within 5 miles. I think I shall object to this, Mr. Speaker.

Mr. MANN. Oh, I think the gentleman will make a mistake if he does. This light is necessary, and it is liable to fall down. I will say to the gentleman we have a great many requests for new lights—

Mr. FITZGERALD. If it is necessary at this point, it should be built nearer than 5 miles from it.

Mr. MANN. But a light even within 5 miles might be sufficient. Lights are not very common in that locality.

Mr. FITZGERALD. No; but this is on a submerged rock in the channel, placed there to mark that channel and to prevent ships striking the rock. How valuable it would be 5 miles away is difficult to tell.

Mr. MANN. It might be very valuable 4 or 5 miles away.

Mr. HUMPHREY of Washington. Mr. Speaker, I have seen that rock. The lighthouse is not placed there for the purpose of preventing vessels running on that rock. That rock is itself out of the water a great portion of the time. It is not under the water all of the time. I have seen it when not under the water.

Mr. FITZGERALD. If it be not a submerged rock, I shall not object.

Mr. MANN. The gentleman is mistaken about his facts. I trust he will not object.

Mr. FITZGERALD. I am not mistaken about the facts. I state what the head of the Lighthouse Service has testified to.

Mr. MANN. The gentleman understands that the appropriation is left to the Committee on Appropriations.

Mr. FITZGERALD. If the gentleman thinks this is very important, I shall not object.

The SPEAKER. The Chair hears no objection. The question is on agreeing to the amendment.

The amendment was agreed to, and the bill as amended was ordered to be read a third time, was read the third time, and passed.

ADDITIONAL AID TO NAVIGATION.

The next business was the bill (S. 10177) to authorize additional aids to navigation in the Lighthouse Establishment, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc. That the Secretary of Commerce and Labor be, and he is hereby, authorized to establish and provide the following additional aids to navigation in the Lighthouse Establishment, under the Lighthouse Service, in accordance with the respective limits of cost respectively set forth, which shall in no case be exceeded:

To construct a power house and foundry and complete the equipment, wiring, etc., of the power plant at the general lighthouse depot, Staten Island, N. Y., at a cost not to exceed \$30,000.

To rebuild and improve the present light and fog-signal station, or construct a new light and fog-signal station, at Brandywine Shoal, Delaware Bay, Del., at a cost not to exceed \$75,000.

To rebuild and improve the Buffalo Breakwater North End Light Station, N. Y., at a cost not to exceed \$60,000.

To complete the lighting of the breakwater and piers at Superior Entry, Wis., at a cost not to exceed \$25,000.

To establish a lighthouse depot on the site belonging to the War Department on Governors Island, Boston Harbor, Mass., or on the site belonging to the Marine-Hospital Service, Treasury Department, on Chelsea Creek, Boston Harbor, Mass., and authority is hereby granted for the transfer of the site authorized from the proper department to the Department of Commerce and Labor—

With the following amendments:

Page 2, line 12, strike out the word "Governors" and insert the word "Castle."

Line 17, page 2, after the word "labor," insert:

"And when the Department of Commerce and Labor shall have acquired such site, as herein authorized, the lighthouse depot now located on Lovells Island shall be moved to the site thus acquired."

The SPEAKER. Is there objection?

Mr. MORSE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois how it is that the title of this site is in the War Department, and is then to be transferred to the Department of Commerce and Labor. Why is not the title in the General Government?

Mr. MANN. Well, the title to property of this sort is in different departments.

Mr. MORSE. Is that true with lighthouse sites?

Mr. MANN. Yes; it is true of lighthouse sites; also true of military reservations, and with those reservations it is in the War Department. There is one title in the War Department, one in the Treasury Department, and we want permission to put title in the Department of Commerce and Labor.

Mr. MACON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman in charge of the bill the necessity for the passage of a bill carrying so many dollars in this way by unanimous consent. We ought to understand something about a bill carrying \$204,000.

Mr. MANN. I will say to the gentleman in reference to that, each one of the items in this bill has been gone over very carefully. The bill was prepared at the request of the Department of Commerce and Labor on letters, both here and in the Senate, from the new commissioner after considerable investigation showing that there is an absolute actual necessity for the authorization carried in this bill. We have requests for many authorizations which have not been carried.

Now, in regard to the power house, the Comptroller of the Treasury has decided that under the authorization heretofore made they can not construct the power house. The Brandywine Shoal light is in a bad condition; the Buffalo Breakwater Shoal is in the same condition; and at Superior Entry, Wis., the Government has extended its breakwater and piers out so that it is absolutely necessary to put a light there; and the lighthouse depot in Boston Harbor it is necessary to change in order to get access to it and for economical administration. Of course, that involves the extra expense.

Mr. MOORE of Pennsylvania. Mr. Speaker, in the estimates presented by the department there are—

Mr. MANN. I will say to the gentleman I will not consent to any amendment inserting any other item.

Mr. MOORE of Pennsylvania. I do not seek to insert any other item at this time, but I think the gentleman might give me some information as to other items which are found under the head of "Special work," as urged by the Department of Commerce and Labor.

Mr. MANN. I hope the gentleman appreciates we are occupying time by courtesy of the Committee on Naval Affairs.

Mr. MOORE of Pennsylvania. I realize that, but I hoped the gentleman would extend me the courtesy of answering a question or two.

Mr. MANN. I would if nobody would object, but I am afraid somebody will object on account of our occupying the time.

Mr. MOORE of Pennsylvania. If this is the conclusion of legislation that is to come from the Committee on Interstate and Foreign Commerce regarding aids to navigation, that would settle the question; but I am hopeful there may be some information in regard to recommendations from the department, on which up to this time apparently Congress has not acted.

Mr. MANN. I would say to the gentleman who introduced a bill in reference to aids to navigation, part of which was already provided for—

Mr. MOORE of Pennsylvania. I did that with the idea of bringing the entire matter to the attention of the committee, so that they would understand what we needed along the Delaware.

Mr. MANN. We have covered in these bills on the calendar every one which in the opinion of the commissioner of lighthouses, after a thorough explanation, are absolutely necessary, and I think there will be no other bills reported from the committee.

Mr. MOORE of Pennsylvania. In view of that statement, will the gentleman tell us something about the condition of the lighthouse station at Edgemore, on the Delaware River? As a matter of fact, it is tumbling down and is unfit for the purpose for which it was intended.

Mr. MANN. We made some provision for Edgemore in the last omnibus bill, and the commissioner informs us they have all the authority they need.

Mr. MOORE of Pennsylvania. I think the gentleman will bear me out that the authority given in the last bill has not

been exercised and the condition has grown worse than it was last year.

Mr. MANN. It has not been exercised; but so far as my committee is concerned, it has been exercised, and it now rests with the Committee on Appropriations.

Mr. MOORE of Pennsylvania. Then the gentleman is not to be held accountable for the fact that the lighthouse station at Edgemoor is tumbling down.

Mr. MANN. Not at all. That rests with the Committee on Appropriations.

Mr. KELIHER. I would like to ask the gentleman why Castle Island, in Boston Harbor, rather than Governors Island, has been selected for the placing of this light.

Mr. MANN. Last year in the bill we authorized the provision as to Governors Island. The Lighthouse Board desires Castle Island. If there is no objection, I propose to offer an amendment, which will be in the language of the Senate bill, so as to throw that whole matter into conference.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I offer the following amendment, which is the language printed in the bill, to strike out lines 11 to 21, in the last paragraph, so as to throw that whole paragraph into conference.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by striking out on page 2, lines 11 to 21, both inclusive, and inserting in lieu thereof the following:

"To establish a lighthouse depot on the site belonging to the War Department on Castle Island, Boston Harbor, Mass., or on the site belonging to the Marine-Hospital Service, Treasury Department, or Chelsea Creek, Boston Harbor, Mass., and authority is hereby granted for the transfer of the site authorized from the Treasury Department to the Department of Commerce and Labor; and when the Department of Commerce and Labor shall have acquired such site as herein authorized the lighthouse depot now located on Lovells Island shall be moved to the site thus acquired."

Mr. COOPER of Wisconsin. I would like to ask the gentleman from Illinois [Mr. MANN] a question. The information developed by my colleague [Mr. MORSE] was very interesting to me. I confess my ignorance. I did not know that the Marine-Hospital Service owned the site to a lighthouse depot.

Mr. MANN. The Marine Hospital Service is part of the Treasury Department, and the Treasury Department owns the site.

Mr. COOPER of Wisconsin. The bill says "on the site belonging to the Marine-Hospital Service," which means the Marine-Hospital Service of the Treasury Department. Now, then, does the gentleman say that the fees to these sites, the real estate upon which these lighthouse depots are located, are in the respective Government departments?

Mr. MANN. They are in the United States, but the department can not permit the use by any other department except by authorization.

Mr. COOPER of Wisconsin. Then they do belong to the Government?

Mr. MANN. It belongs to the Government.

Mr. COOPER of Wisconsin. Is it then technically an accurate use of language to speak of real estate which is Government real estate as belonging to a department of the Government?

Mr. MANN. The site belongs to that department.

Mr. COOPER of Wisconsin. If the site is in fee in the department, then it is subject—

Mr. MANN. It may not be the most accurate language. I do not undertake to say.

Mr. COOPER of Wisconsin. The most accurate? It is not accurate at all.

Mr. MANN. We did not undertake the review of the language of the Senate, although this item was prepared by the department.

Mr. COOPER of Wisconsin. It may have been prepared by the department, but this does not—

Mr. MANN. We frequently transfer sites from one department to another.

Mr. COOPER of Wisconsin. The gentleman has a deservedly excellent reputation as a lawyer, and does he want to approve in the legislation of the United States a palpable misstatement of the law to the effect that the title to real estate is in a department of the Government when it is not in a department at all?

Mr. MANN. The title is in the Government, but I think the site does belong to the Marine-Hospital Service.

Mr. DALZELL. Will the gentleman allow me to suggest right there? I got an appropriation for the marine hospital out at Pittsburgh, and the parties who went out to inspect sites finally decided that the best site for the hospital would be a

portion of the arsenal property not being used. I had to have an act passed to authorize the Secretary of War to make a deed to the Secretary of the Treasury for that marine-hospital site.

Mr. COOPER of Wisconsin. He makes it to the Secretary of the Treasury for the United States Government. He does not give Franklin MacVeagh a deed to this land?

Mr. MANN. No.

Mr. DALZELL. Certainly not.

Mr. COOPER of Wisconsin. The fee is in the Government.

Mr. MANN. The fee is in the Government.

Mr. COOPER of Wisconsin. He gives it to him as United States Treasurer, but it does not belong to the Treasury Department.

Mr. HULL of Iowa. The control of it does.

Mr. MANN. The title of course is in the Government.

Mr. DALZELL. The real title is in the Government, of course.

Mr. COOPER of Wisconsin. Then, the land belongs to the Government; but this bill speaks of a site belonging to the War Department.

Mr. MANN. I have offered an amendment to throw this entire paragraph into conference, so that anything of that sort will be corrected. That is the purpose of it.

Mr. COOPER of Wisconsin. I hope it will be corrected. As it stands it is not a correct statement of the law.

Mr. MOORE of Pennsylvania. Mr. Speaker, I reserve the right of amendment.

The SPEAKER. The question of consideration has been waived, and the question now is on the amendment.

Mr. MOORE of Pennsylvania. May I have an opportunity to refer to the amendment? I understood the gentleman from Massachusetts [Mr. KELIHER] offered an amendment as to a change of site.

Mr. MANN. No; I offered the amendment.

Mr. MOORE of Pennsylvania. Then I withdraw my objection.

The SPEAKER. The question is on the amendment. Is there objection?

There was no objection, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

AIDS TO NAVIGATION, DETROIT RIVER, MICH.

The next business on the Calendar for Unanimous Consent was the bill (S. 10690) providing for aids to navigation along the Livingstone Channel, Detroit River, Mich.

The SPEAKER. Is there objection?

Mr. MACON. Mr. Speaker, I object to that bill.

Mr. MANN. I hope the gentleman will reserve his objection for just a moment.

Mr. MACON. I will reserve it, of course.

Mr. MANN. Mr. Speaker, the Government is now constructing the Livingstone Channel in the Detroit River, where all the commerce of the Detroit River will pass. There is now a coffer-dam there, so that this work is in the dry. This channel will probably be opened next year, the year 1912. That is what the Army engineers now report. The channel can not be utilized without lights along the channel, and we are informed that if we put in the foundation for these lights in the dry, in the coffer-dam, they will be far less expensive than they would be if we put them in the wet, after the cofferdam is removed and the water is in the channel. The channel has cost the Government probably \$5,000,000 or \$6,000,000.

Mr. MACON. How did the Government happen to dig the channel?

Mr. MANN. It is part of the river and harbor improvement. It is the Detroit River, and all that commerce in the Detroit River will pass through this channel when completed.

Mr. MACON. That, of course, passes the traffic from one lake to the other?

Mr. MANN. Yes.

Mr. MACON. Then I realize the importance of it.

Mr. SISSON. Mr. Speaker, I object.

Mr. MANN. Will the gentleman reserve his objection?

Mr. SISSON. I withdraw the objection.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of Commerce and Labor be, and he is hereby authorized to establish and provide such lights and buoys as may, in his judgment, be necessary to properly mark the Livingstone Channel in the Detroit River, Mich., at an expense not to exceed \$210,000.

The SPEAKER. Is there objection?

There was no objection.

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

BRIDGE ACROSS THE DELAWARE RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 32400) to authorize the North Pennsylvania Railroad Co. and the Delaware & Bound Brook Railroad Co. to construct a bridge across the Delaware River from Lower Makefield Township, Bucks County, Pa., to Ewing Township, Mercer County, N. J.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the North Pennsylvania Railroad Co. and the Delaware & Bound Brook Railroad Co., their lessees, successors, and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto, across the Delaware River at a point suitable to the interests of navigation, from the township of Lower Makefield, county of Bucks, State of Pennsylvania, at or near the southeastern boundary of the borough of Yardley to a point at or near 10 feet south of the existing bridge in the township of Ewing, in the county of Mercer, in the State of New Jersey, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

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

BRIDGE ACROSS SOUTH BRANCH OF THE MISSISSIPPI RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 32440) authorizing the Moline, East Moline & Watertown Railway Co. to construct, maintain, and operate a bridge and approaches thereto across the south branch of the Mississippi River from a point in the village of Watertown, Rock Island County, Ill., to the island known as Campbells Island.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Moline, East Moline & Watertown Railway Co., a corporation organized under the laws of the State of Illinois, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the south branch of the Mississippi River from a point in the village of Watertown, in the county of Rock Island and State of Illinois, to the island known as Campbells Island, in said county of Rock Island, said bridge to be a wagon and street railway bridge, whose use is to be free to the public, the same to be built in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The Clerk also read the amendment, as follows:

In line 7, page 1, after the word "point," insert the words "suitable to the interests of navigation."

The SPEAKER. Is there objection to the amendment?

The amendment was agreed to.

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

DAM ACROSS OUTLET OF NAMAKAN LAKE AT KETTLE FALLS, MINN.

The next business on the Calendar for Unanimous Consent was the bill (S. 10596) to authorize the Rainy River Improvement Co. to construct a dam across the outlet of Namakan Lake at Kettle Falls, in St. Louis County, Minn.

The bill was read, as follows:

Be it enacted, etc., That the Rainy River Improvement Co., a corporation organized under the laws of the State of Minnesota, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a dam across the outlet of Lake Namakan at Kettle Falls, in St. Louis County, Minn., in accordance with the provisions of the act approved June 23, 1910, entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,'" approved June 21, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

In line 8, after the word "Minnesota," insert the words "at a point suitable to the interests of navigation."

The SPEAKER. Is there objection?

Mr. POINDEXTER. I object.

Subsequently,

Mr. MILLER of Minnesota. Mr. Speaker, I move to suspend the rules and pass the bill (S. 10596) to authorize the Rainy River Improvement Co. to construct a dam across the outlet of Namakan Lake at Kettle Falls, in St. Louis County, Minn.

The SPEAKER. The Chair is informed by the gentleman from Minnesota [Mr. MILLER] that the gentleman from Washington [Mr. POINDEXTER] withdraws his objection to this bill.

Mr. POINDEXTER. That is correct, Mr. Speaker. In view of the explanation made by the gentleman from Minnesota, I withdraw the objection.

Mr. COOPER of Wisconsin. I will inquire if that is not in violation of the rule.

The SPEAKER. Well, the Chair supposes it is; but still, under these conditions, if there is no objection to it, by unanimous consent all rules can be suspended and this bill passed, as this is suspension day. That would avoid the technical trouble.

Mr. COOPER of Wisconsin. Yes; but there are many Members who will have bills objected to who can not move to suspend the rules.

Mr. MANN. We have done this several times.

Mr. COOPER of Wisconsin. I do not object.

The SPEAKER. If there be no objection, the rules will be suspended and the bill, with the amendment, will be passed.

There was no objection.

Accordingly the rules were suspended, and the bill as amended was passed.

DAM ACROSS MISSISSIPPI RIVER, SAUK RAPIDS, MINN.

The next business on the Unanimous Consent Calendar was the bill (S. 10757) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904.

The bill was read, as follows:

Be it enacted, etc., That section 3 of an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904, be, and the same is hereby, amended so as to read as follows:

"SEC. 3. That this act shall be null and void and all rights acquired under the same forfeited unless the construction of the dam herein authorized be commenced on or before the 1st day of July, A. D. 1911, and such construction continued with and the dam completed within two years from the date last mentioned."

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Reserving the right to object, I wish to ask the gentleman from Minnesota a question. The bill provides—

That section 3 of an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904, be, and the same is hereby, amended so as to read as follows:

"SEC. 3. That this act shall be null and void and all rights acquired under the same forfeited unless the construction of the dam herein authorized be commenced on or before the 1st day of July, A. D. 1911, and such construction continued with and the dam completed within two years from the date last mentioned."

That is all of it. There is no statement of the old law of 1904, nor any statement as to how the old law is to be changed by the amendment proposed in this bill.

Now, I take it from the phraseology of the bill that the rights of these parties under the original law—the law of February 26, 1904—have expired. Is that so?

Mr. STEVENS of Minnesota. Yes. The construction was required to be begun within one year and finished within three years from the date of the passage of the original act. The concern spent some money there, the exact amount of which I do not know, but which can be stated by my colleague [Mr. LINDBERGH].

Mr. LINDBERGH. About \$2,500.

Mr. STEVENS of Minnesota. But the work was not completed within that time. So we passed an act providing that construction should commence on or before the 1st day of July, 1910. That was withdrawn and changed to 1911, and this makes the change. The company have gone ahead in good faith and spent their money, and this is a legitimate enterprise.

Mr. MANN. If the gentleman will permit, we reported a bill a short time ago from our committee which was just like this. Meanwhile a bill came over from the Senate providing for the 1st of July, 1910, instead of the 1st of July, 1911. I informed the Speaker that it was like a substantially similar bill on the House Calendar which we had reported, the only distinction being between 1910 and 1911. I admit my error. I did not catch the difference. That bill passed. Now, it ought to be passed in this form, because this is the only way in which it will do any good.

Mr. COOPER of Wisconsin. There is a suggestion concerning the form of this bill which occurs to me and which I desire briefly to present. The proposed amendment to the law of 1904 is not itself specifically set forth. The bill simply provides that a single section of a law enacted in 1904, about which we do not remember anything and which we have not here to read, shall "be amended so as to read as follows," and then proceeds to set forth only the proposed new amended section. From this bill we can not tell just what change is to be made in the old law. This ought not to be so.

Some legislatures require that an amendment to a law shall first be set forth in full in connection with the particular provision of the old law which it is proposed to amend and then

followed by that provision as it will appear when amended. Only in that way is it possible from a mere reading of a bill to understand what would be the effect of a proposed amendment to a law. Congress ought by law to make such a requirement as to all proposed amendments to Federal statutes.

Mr. MANN. I can tell the gentleman about that. In the form in which we report these bills we have invariably provided the time when work should be commenced and the time within which it must be completed. This simply amends that section, changing the time.

Mr. COOPER of Wisconsin. I withdraw the objection.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

DAM ACROSS ST. CROIX RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25502) to authorize James D. Markham and Chauncey A. Kelsey and others to construct a dam across the St. Croix River between Minnesota and Wisconsin.

The Clerk read the title of the bill.

Mr. LENROOT. Mr. Speaker, I object.

CONFEDERATE VETERANS' REUNION, LITTLE ROCK, ARK.

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 140) authorizing the Secretary of War to loan certain tents for the use of the Confederate Veterans' Reunion, to be held at Little Rock, Ark., in May, 1911.

The joint resolution was read, as follows:

Resolved, etc., That the Secretary of War be, and is hereby, authorized to loan, at his discretion, to the executive committee of the Confederate Veterans' Reunion, to be held at Little Rock, Ark., in the month of May, 1911, such tents, with necessary poles, ridges, and pins, as may be required at said reunion: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered to said committee designated at such time prior to the holding of said reunion as may be agreed upon by the Secretary of War and William M. Kavanaugh, general chairman of said executive committee: *And provided further*, That the Secretary of War shall, before delivering such property, take from said William M. Kavanaugh a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to a third reading, and was accordingly read the third time and passed.

Mr. MONDELL rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. MONDELL. To make a motion to suspend the rules and pass the bill (H. R. 28623) to establish a fish hatchery in the State of Wyoming.

ARPENT LOT, PENSACOLA, FLA.

The SPEAKER. The gentleman from Illinois.

Mr. MANN. Mr. Speaker, yesterday the House passed a House bill, H. R. 31987, providing that "the United States hereby remises, releases, and quitclaims under the heirs of Charles J. Heinberg, deceased, and Bertha Heinberg, his widow, and their assigns, all of arpent lot No. 44, in the old city of Pensacola, Fla.," but there was a Senate bill on the calendar to the same effect which should have been passed, and I ask unanimous consent to reconsider the vote by which the House bill was passed and substitute the Senate bill for the House bill.

The SPEAKER. The gentleman from Illinois asks that the bill S. 8736, in precisely the same language as the bill referred to, which was passed by the House, be substituted for the House bill, and that the House bill lie on the table. Is there objection?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The bill H. R. 31987 was ordered to lie on the table.

WITHDRAWAL OF PAPERS.

Mr. WILSON of Illinois asked leave to withdraw the report to establish a fish hatchery in Tennessee.

Mr. PADGETT. Mr. Speaker, I reserve the right to object, and would like to hear from the gentleman from Illinois.

The SPEAKER. The gentleman from Illinois [Mr. WILSON] saw the Speaker about it and said there was some mistake in the report and wished to withdraw it. The Chair knows nothing about it, but suggested that he leave the request on the Speaker's table.

Mr. PADGETT. I ask that that be postponed until I can see the gentleman from Illinois [Mr. WILSON].

NAVAL APPROPRIATION BILL.

Mr. FOSS. 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 naval appropriation bill (H. R. 32212).

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CURRIER in the chair.

Mr. FOSS. Mr. Chairman, I desire to turn back to a few matters which were passed yesterday without prejudice. The first is on page 50, in relation to the appropriation for the crypt for John Paul Jones. That was passed without prejudice, and I think a point of order was pending against it.

Mr. MANN. I understand that the gentleman will offer an amendment, and I make a point of order to the paragraph, so that they may offer it.

The CHAIRMAN. Does the Chair understand the gentleman from Illinois to make the point of order?

Mr. MANN. If they have the right to offer an amendment, I will make the point of order.

Mr. LOUD. I move to strike out the paragraph and insert—

Mr. MANN. I will withdraw the point of order so that the gentleman may offer his amendment.

Mr. MACON. Mr. Chairman, I make the point of order. The paragraph can go out, and then the gentleman can offer his amendment.

The CHAIRMAN. The gentleman from Arkansas makes the point of order.

Mr. MACON. I will withdraw the point of order.

Mr. LOUD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 50 substitute for the paragraph beginning on line 3 and ending on line 15 the following:

"The Secretary of the Navy shall have plans and specifications and estimates prepared for the cost of the completion of the crypt at the United States Naval Academy, Annapolis, Md., as a permanent resting place for the body of John Paul Jones, and shall report the same to the next session of Congress."

Mr. BARTLETT of Georgia. Mr. Chairman, I understand the motion is to strike out the paragraph and insert that which has been offered.

The CHAIRMAN. That is the understanding of the Chair.

Mr. LOUD. I submit this as a part of my remarks:

[House report No. 2114, Sixty-first Congress, third session.]

JOHN PAUL JONES.

Mr. LOUD, from the Committee on Naval Affairs, submitted the following report, to accompany S. 8868:

The Committee on Naval Affairs, to whom was referred the bill (S. 8868) providing for a permanent resting place for the body of John Paul Jones, having had the same under consideration, report thereon with the recommendation that it pass with the following amendment:

Section 2, line 13, strike out the words "one hundred and thirty-five" and insert in lieu thereof "seventy-five."

This bill has the approval of the President of the United States, as will appear by the following extract from his annual message at the opening of the present session of Congress, in which he states:

"I unite with the Secretary (of the Navy) in the recommendation that an appropriation be made to construct a suitable crypt at Annapolis for the custody of the remains of John Paul Jones."

This bill has the approval of the Navy Department, as will appear from the following extract from the annual report of the Secretary of the Navy:

"The department renews its recommendations that \$135,000 be appropriated to provide an appropriate resting place for the remains of John Paul Jones."

Similar legislation has been recommended by previous Secretaries of the Navy, as will appear from the following letters:

NAVY DEPARTMENT,
Washington, April 26, 1906.

SIR: The crypt of the chapel at the Naval Academy, Annapolis, having been selected as the place of final deposit of the body of John Paul Jones, I have the honor to recommend that suitable provision be made for finishing this part of the building in a manner appropriate to such purpose.

Under existing contracts the crypt of the chapel will be left in the rough, with exposed concrete and brickwork. The department has been in correspondence with the architect of the building, Mr. Ernest Flagg, and has received from him an estimate and tentative plans for the finishing of the crypt. A copy of the letter of the architect is inclosed for the information of the committee. It will be seen that Mr. Flagg's suggestions are based upon a substantial, though not the more costly, style of finish and decoration.

Inasmuch as the appropriations heretofore made for the erection of buildings at the Naval Academy are not sufficient to cover the finishing of the crypt in the manner herein suggested, even if such action could appropriately be taken without the special sanction of Congress, the draft of a measure authorizing the work and providing an appropriation of \$135,000 therefor is inclosed.

Learning that, in the preliminary steps connected with this matter before it was taken up by the Government, Gen. Horace Porter, ambassador of the United States at Paris, had expended from his private purse the sum of \$35,000, this department was prepared to recommend that he be reimbursed therefor; but he has most generously and patriotically declined to accept such reimbursement, suggesting that, instead, the sum originally proposed for the finishing of the crypt, \$100,000, and

which, it was feared, would be inadequate to do so appropriately, be increased by the amount of any reimbursement to which he might be supposed to be entitled. In view of this public-spirited suggestion by Gen. Porter, the sum named in the estimate for the finishing and decoration of the crypt is made \$135,000. This sum, it is believed, is barely sufficient to complete the work in a simple but suitable and substantial manner.

Very respectfully,

CHARLES J. BONAPARTE, *Secretary.*

HON. EUGENE HALE,

Chairman Committee on Naval Affairs, United States Senate.

NAVY DEPARTMENT,
Washington, January 11, 1908.

SIR: Under date of April 26, 1906, my predecessor addressed a letter to you, inviting attention to the crude and unfinished condition of the crypt of the chapel at the Naval Academy, which had been selected as the place of final deposit of the body of John Paul Jones, and recommending that suitable provision be made for completing this part of the building in an appropriate manner.

Under existing contracts the crypt of the chapel has been left in the rough, with exposed concrete and brick, and appropriations heretofore made for buildings at the Naval Academy are not sufficient to cover the finishing of the crypt in the manner desired, even if such action could properly be taken without the special sanction of Congress.

Before submitting its letter above mentioned the department obtained an estimate and tentative plan for the completing of the crypt in a substantial, though not expensive, style of finish and decoration, at a proposed cost of \$135,000.

Believing that from all considerations the crypt of the chapel at the Naval Academy should not be left in its present condition, I have the honor to submit a draft of a bill making provision for its proper completion, concurring in and renewing the recommendation made by my predecessor that the matter receive your favorable consideration and that of the committee. The amount to be appropriated for this purpose is, in the draft submitted, left blank.

Very respectfully,

V. H. METCALF, *Secretary.*

HON. EUGENE HALE,

Chairman Committee on Naval Affairs, United States Senate.

NAVY DEPARTMENT,
Washington, December 4, 1908.

SIR: The department has the honor to inform the chairman of the Committee on Naval Affairs, House of Representatives, that the crypt of the chapel at the United States Naval Academy, selected as a permanent resting place for the body of John Paul Jones, has been left with only the foundation prepared. Appropriations heretofore made for buildings at the Naval Academy are not available for further preparing this crypt.

In the search for the body of John Paul Jones, Gen. Horace Porter, ambassador of the United States to France, expended from his private purse the sum of \$35,000, and patriotically declined reimbursement for the same, generously suggesting that the amount be added to the sum of \$100,000 originally proposed for the crypt, but thought to be inadequate.

In view of this public-spirited suggestion by Gen. Porter, the department recommends that there be inserted in the estimates for naval appropriation for the fiscal year ending June 30, 1910, an item of \$135,000 for completing and finishing in every respect the crypt of the chapel of the United States Naval Academy in accordance with plans obtained by the department.

Very respectfully,

TRUMAN H. NEWBERRY, *Secretary.*

CHAIRMAN OF THE COMMITTEE ON NAVAL AFFAIRS,

House of Representatives, Washington, D. C.

The following letter was received from Gen. Horace Porter, through whose patriotic efforts the body of John Paul Jones was returned to the United States for proper interment:

277 MADISON AVENUE,
New York, December 3, 1910.

DEAR SIR: The inclosed printed reports will show that this appropriation of \$135,000 passed the Senate without opposition in 1908 and was favorably reported by the Naval Committee of the House in 1909, but has never been presented to the House for its action. It has been urged by your predecessor, by Secretaries Bonaparte, Metcalf, Newberry, and Meyer, by The Navy League, Paul Jones clubs, patriotic societies, the press, and hosts of public-spirited citizens.

All appeals to Congress thus far, however, have been without avail. For 113 years the body of this great central figure in our naval history was allowed to lie neglected in a sort of dumping ground in a distant land, and when brought back to the country he so eminently served it has lain for five years equally neglected, stowed away like old lumber in a building at Annapolis with every effort defeated to have it put at least in consecrated ground.

The body was taken by the Government to Annapolis, believing that the memories it would awake would be an inspiration to the midshipmen at the academy. Instead of that it remains only as a reminder of a nation's humiliating neglect of its historic defenders and is a sad example to young men about to enter the naval service.

The question is not the erection of a monument to a hero's memory or the conferring of any title or distinction, but the poor privilege of providing for his remains a decent burial in consecrated ground.

If England were guilty of dishonoring the body and memory of Nelson in such a manner she would justly incur the contempt of every civilized nation.

A number of patriotic gentlemen are willing to provide the means for taking the body for burial, if permitted, to a lot in a city cemetery, if this session of Congress refuses it a sepulcher, so that the remains may rest at least in consecrated ground; but when it is remembered that Paul Jones was buried in Paris by charity, the expenses having been borne by a humble commissary of police, it would constitute a further national disgrace to leave his remains to be buried in his own country again by the cold hand of charity.

President Taft is very earnest in this matter and you will find in his message to Congress recommendation of an appropriation.

Senators DEPEW and ROOT will interest themselves in the Senate, and among those in the House who are in favor of the appropriation are OLCOTT, OLMFSTED, DWIGHT, RAINIER, and, I think, Speaker CANNON, who has a letter from me on the subject.

Your well-drawn bill seems to cover all the points. Perhaps it might facilitate progress if you introduced the bill identical with the bill that passed the Senate and was approved by the Naval Committee and the House, copy of which is inclosed.

Nineteen patriotic societies of the country and all patriotic people will all deeply appreciate the effort you are to make with this Congress. If the appropriation is not secured this session it will probably never be secured.

Yours, very sincerely,

HON. GEORGE A. LOUD,
Member of Congress, Washington, D. C.

In another letter, under date of May 28, 1910, Gen. Horace Porter states, in part, as follows:

Many promises were made by the Government that the body of Paul Jones should be given a decent sepulcher, but notwithstanding the urging of our Presidents, Secretaries of the Navy, 19 patriotic societies, Paul Jones clubs, and public press, etc., there has been no step taken even to place it in some consecrated place. It still lies on a few trestles, stowed away like old lumber in one of the Annapolis buildings. His poor body was probably better off during the 113 years of neglect in Paris, for there at least it reposed in consecrated ground.

The promise was to have the crypt of the chapel at Annapolis fixed so as to serve as a mausoleum for the remains of this illustrious patriot, but all efforts for an appropriation to carry this out have entirely failed.

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

MR. ROBERTS. Mr. Chairman, I ask unanimous consent to return to page 25 of the bill, lines 11 to 13, against which a point of order was made yesterday.

THE CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to return to page 25, to that part of the paragraph which relates to the 150-ton floating crane.

MR. COX OF INDIANA. Mr. Chairman, I made the point of order on that paragraph yesterday because I was not convinced at the time that it was an absolute necessity, but since the convening of the session this morning I have become convinced that in all human probability that crane will be a necessity for proper work in that yard. I therefore withdraw the point of order.

MR. STAFFORD. Mr. Chairman, I renew the point of order to ascertain some information. Will the gentleman from Massachusetts inform the committee as to the need of this crane at this yard? Is there any crane of like capacity existing there at the present time?

MR. ROBERTS. Mr. Chairman, I will say for the information of the gentleman that there is no crane of this size anywhere in the world. There is no floating crane at the Boston yard of any sort at present, with the possible exception of one which was sunk, a small crane, last summer. The need of the Navy to-day is for cranes of at least 150 tons capacity. There is urgent need for such a crane at the Boston yard.

MR. STAFFORD. Do I understand the gentleman to say there is no existing crane at the Boston Navy Yard?

MR. ROBERTS. There is a smaller crane, which sunk last summer, and has not yet been put into condition for use, a crane of about 50 tons.

MR. STAFFORD. Is this for a floating crane or a stationary crane?

MR. ROBERTS. I am speaking of floating cranes entirely.

MR. STAFFORD. What yards in the country are now equipped with floating cranes?

MR. ROBERTS. The New York yard has a floating crane under process of construction, possibly about completed, of 100 or 110 tons capacity. There is a crane at Puget Sound yard under process of construction of about 110 tons. There is a crane authorized for Pearl Harbor. The authorization last year was for 110 tons, and this bill has changed that authorization to 150 tons.

MR. STAFFORD. Those are the three instances that have floating cranes?

MR. ROBERTS. Yes.

MR. STAFFORD. Is there any provision made for a floating crane at the League Island yard, Philadelphia?

MR. ROBERTS. Not at present, but it is the intention of the department to ask for these cranes at all of the important yards, because of the necessity for such a piece of apparatus to handle the heavy weights that are now called upon to be handled by these cranes.

MR. STAFFORD. I recall the discussion a year ago when this subject was under consideration. At that time I did not think the discussion satisfied me clearly that there was need of having a floating crane at every yard. I can see where at New York, Puget Sound, and Pearl Harbor there might be need of having a floating crane, but to equip every yard with a floating crane for temporary use might not be necessary.

MR. ROBERTS. All of the important yards of the country now have assigned to them a definite number of battleships for repairs, instead of sending a great number of battleships into one yard. The fleet is thus divided and four or five battleships are assigned to each of the important yards, so that the repairs may go on simultaneously on the fleet in all these yards, and not only go on at once but be expeditiously done. For that reason it is necessary that we have the apparatus in the yards to handle these weights.

Mr. STAFFORD. Can the gentleman inform us how much of the time of the year one of these floating cranes would be utilized in such a yard as the Boston yard, considering the work that yard has had in the past several years?

Mr. ROBERTS. That would be impossible to accurately determine.

Mr. STAFFORD. Well, approximately.

Mr. ROBERTS. It would depend entirely on the nature of the repairs that were required. For instance, if anything is needed about the guns or the turrets, the crane is indispensable. If anything is needed in the way of installation of new boilers, the crane is indispensable. It is impossible to say when a particular ship will require those repairs to the turrets, to the guns, or the boilers. That may come at any time. An explosion in the boilers may necessitate the taking out of the boilers and the putting in of new ones. It is then absolutely necessary even in time of peace to have a machine that can do that work, and in time of war it would be suicide almost not to have such machines.

Mr. STAFFORD. The gentleman has not answered my question as to the approximate time they will be engaged in a year.

Mr. ROBERTS. It is impossible to answer that question.

Mr. STAFFORD. There is no use of appropriating \$350,000 for a floating crane that may be used for only one month in a year.

Mr. ROBERTS. It is impossible to answer the gentleman's question just as much as it is to tell the gentleman how much of the year a dry dock is occupied. It is not that it should be continuously occupied, but that we should have it there when needed.

Mr. STAFFORD. If there is another floating crane at New York to perform that work, there is no necessity for having one at Boston.

Mr. ROBERTS. These cranes under the law can not be removed without legislation from one yard to the other.

Mr. STAFFORD. If the gentleman can not give any more definite information as to the need of it I will feel compelled to make the point of order.

Mr. ROBERTS. The crane at New York is not large enough to do the work that is required of it, either in the New York yard or elsewhere. That is the point of it.

Mr. STAFFORD. Mr. Chairman, I make the point of order.

The CHAIRMAN. Does the Chair understand that the gentleman makes the point of order?

Mr. STAFFORD. I make the point of order.

The CHAIRMAN. The gentleman does not need to make the point of order since the provision is not in the bill.

Mr. FOSS. Mr. Chairman, on page 26, "Navy yard, Washington," we passed over an amendment, to which a point of order has been made, and the point of order was made, I think, by the gentleman from Tennessee.

Mr. SIMS. It was reserved by the gentleman from Indiana [Mr. Cox].

Mr. FOSS. I would ask the gentleman from Indiana [Mr. Cox] whether he intends to insist on his point of order.

Mr. COX of Indiana. Mr. Chairman, I reserved the point of order on this proposition last night more for the purpose of getting information than anything else. It contains so much legislation, and I am very much afraid if it becomes a part of this bill that it will tend to delay and postpone the proceedings instead of expediting them. If the gentleman has any information on that line, I would like to hear it. In other words, is it absolutely necessary now that legislation of this or similar kinds become law before the Government can do the business it contemplates doing?

Mr. FOSS. The department has so advised us in the letter which I inserted in the RECORD, on page 3021. This whole matter has been submitted to the Attorney General, and he says that under the law he is unable to secure a clear title for right of way upon which to build this track into the Washington Navy Yard. And if the gentleman will note that letter he will see it is stated—

The Department of Justice finds no provision of law under which the necessary legal proceedings can now be taken to clear the Government's title to the lands in question.

Mr. COX of Indiana. On which page is the gentleman reading?

Mr. FOSS. On page 3021 of yesterday's RECORD.

Mr. SIMS. Mr. Chairman—

The CHAIRMAN. Will the gentleman yield to the gentleman from Tennessee?

Mr. FOSS. Yes; although I am yielding in the time of the gentleman from Indiana [Mr. Cox].

Mr. COX of Indiana. I want to call the chairman's attention to this language in the bill and see what he thinks of it:

That it shall be the duty of the Attorney General of the United States at the request of the Secretary of the Navy, etc.

What do you leave the discretion there in the Secretary of the Navy for—to give him the right to request the Attorney General to begin these proceedings if it is absolutely necessary on the part of the Government that it have legislation of this kind? Why not make it immediately mandatory upon the Attorney General that he shall begin these proceedings?

Mr. FOSS. I have no objection to it so far as that is concerned, only the Attorney General will move upon the request of the Secretary of the Navy, because the Secretary of the Navy has charge of all of these things. It is under his department. As far as that is concerned there is no disposition on the part of the department to delay this matter one day.

Mr. COX of Indiana. Now, as I recollect, we passed some legislation relating to this some time ago.

Mr. FOSS. We did, and we got a very satisfactory solution of the whole difficulty.

Mr. COX of Indiana. Under that law, passed last year, is it not up to the Attorney General or the Government to move in this matter at once?

Mr. FOSS. I thought we would have the right to move at once. I was surprised when this proposition came to the committee. It seems that, under the decision of the Attorney General, he does not feel that he can go ahead. Now, I say, let us give him the legislation.

Mr. SIMS. That is what I wanted to ask the gentleman.

Mr. COX of Indiana. Is that because of the fact now that it requires, first, the request of the Secretary of the Navy before the Attorney General can act?

Mr. FOSS. No; the Secretary has already requested the Attorney General.

Mr. SIMS. In other words, the construction of the law, as it now exists, by the Attorney General, is that it does not authorize him to proceed.

Mr. FOSS. I am willing to strike out those words:

At the request of the Secretary of the Navy.

Mr. SIMS. I am trying to get at the gentleman's contention in the matter, whether or not the law as it now exists authorizes the Attorney General to proceed, or whether it must be supplemented by additional legislation.

Does the Attorney General claim that, under the provisions of the act passed in 1910, which expressly authorized condemnation proceedings, he can not move condemnation proceedings to acquire the land? The act includes condemnation and the law of condemnation in this District is very clear and specific, and here is an amendment proposing to change the whole law of condemnation and to have a lawsuit to settle the title of every claimant, whether in good faith or not, and give the United States and every claimant an appeal to the Supreme Court and delay the matter perhaps for 20 years and allow these tracts to remain on K and Canal Streets. Now, does the Attorney General of the United States claim, and is the gentleman warranted in saying, that under that act we have not authorized him to proceed by condemnation? Why do we have to acquire title before we can condemn? You can always condemn and let the parties litigate over the proceeds where there is any question about the title to any specific piece of land.

Mr. FOSS. I will state to the gentleman that I am just as anxious to see the construction of this track into that yard as the gentleman is. Last year, as I said a moment ago, we arrived at a very satisfactory solution of this question with the railroad company, and we passed a law giving the Attorney General the right to institute condemnation proceedings to acquire title to this property on which to build the tracks. Now, that law that we passed last year was submitted to the Attorney General, and he says that he has not sufficient authority under it to institute the necessary legal proceedings that will enable the Government to acquire clear title to that property, and in this letter that the Secretary of the Navy sends here he says that the Department of Justice has drafted a provision that would give the Attorney General the necessary authority in the premises.

Mr. SIMS. To do what? Not to condemn.

Mr. FOSS. To clear the Government title to the land in question.

Mr. SIMS. Before commencing condemnation proceedings? Now, why should that be the case?

Mr. PADGETT. We simply have this statement before us: The Department of Justice finds no provision of law under which the necessary legal proceedings can now be taken to clear the Government title to the land in question.

Mr. SIMS. Oh, yes; to clear the Government title. But you can condemn when there is any question about the title. Are you going to have condemnation proceedings instituted to clear the title before the Government starts to institute that improvement? You do not have to have a clear title to institute the proceedings.

Mr. PADGETT. Where the Government claims to own the land itself, and there is a dispute as to its title, why, it would be a queer thing for the Government to condemn its own title.

Mr. SIMS. It could condemn the land on this right of way. The Government can condemn, and the right to the proceeds, as well as the land itself out of which the proceeds arise, may be determined by subsequent litigation.

Mr. PADGETT. The Department of Justice says that it can not proceed and wants further authority. The Navy Department has submitted a provision, asking us to put it in the bill to expedite the matter.

Mr. SIMS. To clear the title?

Mr. PADGETT. We are trying to comply with the request of the Department of Justice and expedite the matter. We leave it to the House. If you block it, we can not help it.

Mr. SIMS. The object and purpose of this is interminable delay. This railroad company has occupied public property here for 40 years without compensation, and it is to be the beneficiary in this case.

Mr. PADGETT. The Department of Justice has acted in good faith and has submitted to us a proposition to the effect that they can not proceed without this legislation. We are trying to get the legislation, so that the department will have no further excuse for delay.

Mr. SIMS. A year ago, when I offered an amendment here to have the United States Government acquire this land and build this track, the railroad company was powerful enough to throttle the amendment and keep its tracks on K and Canal Streets, and thus serve private interests without even paying taxes on the roadbed.

Mr. PADGETT. I know nothing about the railroad company, and I care nothing about it.

Mr. SIMS. I can offer an amendment here now authorizing the Government to construct, own, and operate this road, but a point of order will be promptly made against it.

Mr. PADGETT. Last year, when we authorized the railroad company to pay a portion of this expense, we directed the department to proceed in condemnation proceedings. Now the Department of Justice says that under the provision as enacted it is incapable of proceeding and needs further legislation. In this we are simply trying to comply with the request of the Department of Justice.

Mr. SIMS. There is not a line in the letter of the Secretary of the Navy to the effect that they have not the power of condemnation now as the law stands.

Mr. PADGETT. The Secretary of the Navy says that the Department of Justice finds no provision of law under which the necessary legal proceedings can be had.

Mr. SIMS. For what?

Mr. PADGETT. The necessary legal proceedings to be taken to clear the Government title to the land in question. Now, Congress provided last year that this road should be placed on the Government land, and if the Department of Justice is powerless to proceed, I am in favor of giving it all necessary power to proceed, in order that the Department of Justice may have no further excuse or justification for delay.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. COX of Indiana. Did your committee have the Attorney General before them?

Mr. PADGETT. We did not.

Mr. COX of Indiana. Did you have any of his decisions?

Mr. PADGETT. We did not have anything before us. This is a matter that has come up since we reported the bill, and has been sent to us, and we are introducing it here by way of amendment. We have had no hearings whatever.

Mr. COX of Indiana. Is this the only information which the gentleman's committee has, coming from the Secretary of the Navy in the shape of this letter?

Mr. PADGETT. That is all I have.

Mr. COX of Indiana (continuing). In which the Secretary of the Navy states the opinion of the department?

Mr. PADGETT. That is all I have.

Mr. COX of Indiana. It looks to me as though this Committee of the Whole ought to have some more information than that.

Mr. PADGETT. I have given the gentleman all I have, and I have said that our purpose was to expedite the matter and to remove any possible excuse for further delay.

Mr. COX of Indiana. That is what I had reference to.

Mr. PADGETT. And this legislation will accomplish it.

Mr. SIMS. I will cut this short by making the point of order and letting it be ruled on.

Mr. FOSS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. FOSS. Now, Mr. Chairman, I should like to return to page 22, Bureau of Equipment.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to return to page 22.

Mr. SIMS. Let me offer this amendment in lieu of the portion stricken out.

Mr. FOSS. I shall make a point of order against it.

Mr. SIMS. The gentleman of course can do that.

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

The Clerk read as follows:

From and after the passage of this act the Philadelphia, Baltimore & Washington Railroad Co. shall not carry nor deliver freight or passengers to any point, except to the Washington Navy Yard, over its present tracks on K and Canal Streets SE, being the navy-yard connection.

Mr. FOSS. I make a point of order against that. This does not relieve the situation at all.

Mr. SIMS. It would relieve the situation if the gentleman would let it go in. Why does the gentleman want this company to deliver to private individuals?

The CHAIRMAN. The point of order is sustained.

Mr. FOSS. I ask to return to page 22, Bureau of Equipment. The gentleman from New York [Mr. FITZGERALD] reserved a point of order upon that.

Mr. FITZGERALD. Mr. Chairman, it had been my intention to insist upon this point of order, but as the Secretary of the Navy has the power to distribute the duties of the different bureaus among other bureaus, and as the purpose of this is merely to permit the utilization of the appropriations for one year in accordance with his desire to distribute these duties, I shall not at this time insist on the point of order; but I wish to say to the gentleman from Illinois that if he is in favor of this so-called Meyer's system he need not be encouraged in the hope that this will aid in having it permanently fixed upon the service. I withdraw this point of order in the hope that in the next Congress a reorganization will be effected which will put these naval establishments in control of men fitted to conduct great industrial enterprises and take them from under the control of men who are educated and prepared to fight and to handle great ships but who are not fitted to conduct industrial operations. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. FOSS. Now I desire to return to page 21, "Coal and transportation." That paragraph was passed over yesterday at the request of the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, I desire to offer an amendment.

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

The Clerk read as follows:

Insert on page 21, line 10, after the word "dollars," the following: "Provided, That no part of this appropriation shall be used to transport coal from the Atlantic to the Pacific Ocean."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. HUMPHREY of Washington. I do not think it is subject to a point of order.

Mr. MADDEN. Does the gentleman want to develop the Alaskan coal fields?

Mr. HUMPHREY of Washington. Mr. Chairman, I want to say for the benefit of the committee that I did not offer this amendment as a matter of form. It is an amendment to prevent the Navy from taking coal from the Atlantic to the Pacific Ocean. This question came up before the committee last year, and it was defeated by only one vote. At that time I did not urge it, because I was afraid it might embarrass the department if it was done without notice to them. But during the year, notwithstanding the fact that the committee refused that amendment by only one vote, the Navy Department has not made any particular effort to investigate as to the coal on the Pacific coast until recently. This report could easily have been ready now for Congress.

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

Mr. HUMPHREY of Washington. Yes.

Mr. FOSS. Is not the gentleman aware of the fact that to-day we are using or testing out the Washington coal on the Maryland and also on the West Virginia?

Mr. HUMPHREY of Washington. I am well aware of the fact, and I am aware that they did not test it until it was too late to get a report to the committee when this bill was up for consideration. I have an unofficial report of the test, and it shows that the *Maryland* with Pacific coast coal maintained a sustained speed of 15 knots for 24 hours, and during that 24 hours she consumed only 215 tons of coal. I doubt whether that record has ever been surpassed even by Pocahontas coal, that we now send around to the Pacific coast. I want to call the attention of the House to the fact that the Navy Department always used this coal until 1904.

Mr. MADDEN. What is the relative price of the coal from the East and the Washington coal?

Mr. HUMPHREY of Washington. It costs about one-half as much for the Pacific coast coal as it does to take around the Atlantic coal to the Pacific, and the difference between the two coals in efficiency is about 6 per cent. In some respects, perhaps more, but in other particulars less.

Mr. MADDEN. The gentleman means that the eastern coal is 6 per cent more efficient than the western coal?

Mr. HUMPHREY of Washington. Yes; and it costs from two to three times as much. I want to call attention to the fact that the *Oregon* when it made its famous trip from the Atlantic to the Pacific Ocean made its best record of that entire trip when it was using Pacific coast coal, the very coal that the Navy now refuses to use in time of peace.

Mr. MADDEN. What eastern coal is the gentleman comparing the western coal to?

Mr. HUMPHREY of Washington. I am comparing the western coal with the Pocahontas coal, the only coal that the Navy uses, so far as I know, on our coast.

Mr. MADDEN. That is the best steam coal in the United States.

Mr. HUMPHREY of Washington. Yes; probably.

Mr. KITCHIN. And the gentleman says the eastern coal costs three times as much?

Mr. HUMPHREY of Washington. Well, it costs 50 to 100 per cent more. I received a statement from a coal man yesterday, who said it cost three or four times as much, but I think he is in error. I think the price of the Atlantic coal is \$7.50 delivered at the navy yard, and the Washington coal is about \$3.50 delivered at the navy yard.

Mr. MADDEN. Suppose the gentleman's amendment should be enacted into law, would the people who own the coal mines in Washington raise the price when there was no competition?

Mr. HUMPHREY of Washington. I am not informed what they are going to do, and I can not anticipate what they are going to do. If the Washington coal dealers should undertake to do that, the Government could go into British Columbia and get the coal there, which is equal, practically, to Pocahontas coal, and they could get it for what the freight would be to take Pocahontas coal to the Pacific.

Mr. MADDEN. Does the gentleman approve of reciprocity?

Mr. HUMPHREY of Washington. I do to that extent. A reciprocity that would never be tried.

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

By unanimous consent the time of Mr. HUMPHREY of Washington was extended five minutes.

Mr. HUMPHREY of Washington. I wish to call the committee's attention to this fact, that while I am not advocating the use of British Columbia coal, it is admitted that that coal is equal to the Pocahontas coal.

Mr. PEARRE. Mr. Chairman, I make the point of order against this gentleman's amendment.

Mr. HUMPHREY of Washington. It is clearly in order. This same amendment was offered a year ago to the same paragraph in the same identical language, and the point of order was overruled.

The CHAIRMAN (Mr. DIEKEMA). The Chair is ready to rule. The amendment offered by the gentleman from Washington is, in the opinion of the Chair, clearly a limitation, and not new legislation. The point of order is overruled.

Mr. HUMPHREY of Washington. I hope that this discussion on the point of order will not be taken out of my time.

The CHAIRMAN. It will not. The gentleman's time has been extended for five minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, I want the committee to know the fact that this means a saving of almost \$1,000,000 a year to the Navy Department, and it is a question we ought not to pass by lightly. As I started to say, when interrupted, I am not in favor of using British Columbia coal, but I would rather see British Columbia coal used by the navy yard on the Pacific coast, when it costs not more than half as much as Pocahontas coal, and is equally as good, than to

send Pocahontas coal around to the Pacific coast in foreign ships, operated by Chinese coolies, when you can get the coal from British Columbia and lay it down in the yards upon the Pacific coast for the same money that you pay the foreign ships to carry this Pocahontas coal to the Pacific coast.

Mr. KITCHIN. After paying the tariff upon it?

Mr. HUMPHREY of Washington. Yes.

Mr. STAFFORD. Will the gentleman explain the incentive or inducement for the Navy Department to follow that practice if it is to the benefit of the Government to purchase Pacific coast coal at a much lower price? The department must have some reason for transporting the Atlantic coast coal to the Pacific coast.

Mr. HUMPHREY of Washington. I will be mighty glad to answer that question.

Mr. STAFFORD. Can we not trust the Navy Department officials in this matter to determine what is the best thing to do, or does the gentleman's argument lead the conviction that they are purposely purchasing a much higher priced article?

Mr. HAMER. They never made a test of the coal until lately, and how could they know?

Mr. STAFFORD. If they never made a test, now that it has been made why can not the Secretary of the Navy purchase the cheaper priced coal, if it is as efficient?

Mr. HUMPHREY of Washington. I want to answer the gentleman's question by calling his attention to a fact that occurred while I was insisting on having this coal tested. Last September I insisted that the test be made, as I had been insisting ever since the committee, by one vote, refused to insert this amendment a year ago. I got a dispatch from Washington City, when I asked that the proper grates be inserted so that the test might be fair. Here is the dispatch:

Cost herringbone grate bars of boiler, *Maryland*, \$2,800; one-half boilers, \$1,550. Not recommended.

That was from the commandant down at the Mare Island Navy Yard. Here was an item of a million dollars a year involved, and yet he refused to put in a proper grate to make the test because it would cost \$2,800. I say that it was not only absurd, it was worse than that; it was stupid incompetence.

As I said to the department at that time, I say it absolutely demonstrated that the commandant at the Mare Island Navy Yard and the men who had this matter in charge did not want to make a fair test. This action so demonstrated conclusively. Let me say that since that time they have made the test and that the coal has been found to be efficient, even without proper grates. The *Oregon*, as I have said, used this coal when she made the best portion of her record, and when the French fleet came into the port of Seattle they used this coal, and they found it efficient. Our Navy used it until 1904, and they found it efficient; the Revenue-Cutter Service uses it and finds it efficient, and all the merchant vessels use it and find it efficient. The Navy Department alone objects to it. Their great objection is that it makes so much smoke. But who is going to see the smoke in time of peace? What difference does it make then?

Mr. KITCHIN. Do the marine vessels on the coast use this western coal?

Mr. HUMPHREY of Washington. They not only use it, but foreign naval vessels upon that coast use it.

Mr. KITCHIN. Do the vessels engaged in foreign commerce use this coal?

Mr. HUMPHREY of Washington. They do. The highest and best class of vessels we have on the Pacific use it. And, another thing, I want to call the attention of the committee to this fact, that in case of war we would be compelled to use this coal. Now, why should we continue to spend a million dollars a year for Atlantic coal to use in time of peace when we would have to use Pacific coast coal in time of war?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STANLEY. I ask that his time be extended.

Mr. FOSS. Mr. Chairman, I desire to limit the debate upon this proposition.

Mr. UNDERWOOD. I hope the gentleman from Illinois [Mr. Foss] will not attempt to limit this debate right now.

Mr. HUMPHREY of Washington. I think the gentleman will not save any time by insisting on closing this debate now.

Mr. FOSS. Not at this time.

Mr. HUMPHREY of Washington. I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? There was no objection.

Mr. PEARRE. Do I understand the purpose of the gentleman's amendment to be for the United States to use the coal that is found in the State of Washington?

Mr. HUMPHREY of Washington. No, sir; it is not. Mr. PEARRE. What is the purpose?

Mr. HUMPHREY of Washington. The purpose of my amendment is to keep the Navy Department from taking coal from the Atlantic to the Pacific Ocean for naval purposes.

Mr. PEARRE. And thereby compelling the Navy Department to use the coal of the Pacific coast?

Mr. HUMPHREY of Washington. If the gentleman wants to know, I want to prohibit the Navy Department from sending around to the Pacific coast the Pocahontas or any other Atlantic coals. They do not use any other coal from the Atlantic coast, however, so far as I know.

Mr. PEARRE. Does not the gentleman think it is better to leave that in the discretion of the officials of the Navy?

Mr. HUMPHREY of Washington. We have left it in the discretion of the Navy for years, and we have not been able even to get an efficient test. They have not yet made a report on this coal; the only report I have is an unofficial report. When are they going to do it? How long are we going to wait? We have waited for years. They have had since the last naval bill was passed until now, and they have given us no information.

Mr. PEARRE. Then the gentleman practically admits the purpose of the amendment is to compel the use of the Pacific coast coal and to prevent the transportation across the continent of any of the eastern coal?

Mr. HUMPHREY of Washington. Yes, sir.

Mr. COX of Indiana. Will the gentleman yield?

Mr. HUMPHREY of Washington. I yield.

Mr. COX of Indiana. Have you any data to show how much it would save the Government in case the Navy was compelled to buy western slope coal?

Mr. HUMPHREY of Washington. It would save between \$900,000 and \$1,000,000 annually. It would be more if they would send more vessels around there. They have all the vessels on this side, and never permit one on the Pacific to go any higher than San Francisco.

Mr. KAHN. I would suggest that the battleship fleet is in the Atlantic and the cruiser fleet is in the Pacific.

Mr. HUMPHREY of Washington. The cruiser fleet and all the naval vessels are now down in the Southern Pacific. I have a statement here now from the Secretary of the Navy, and there is but one vessel to-day in active commission north of San Francisco.

Mr. COOPER of Wisconsin. I would like to ask this question—it seems to be a matter of importance: What reason has been given, as the result of these tests, and there have been reasons given after tests, for not using that coal? What do the naval officers say?

Mr. HUMPHREY of Washington. I will say to the gentleman that they have said it was not efficient, but have made no tests. We have never been able to get a test until the one they are making now. I served notice on them, and the action of this committee was sufficient notice to them a year ago, that Congress was not going longer to permit the use of Atlantic coal on the Pacific unless they would by test demonstrate the necessity for so doing.

Mr. COOPER of Wisconsin. Is the excessive amount of smoke the only objection?

Mr. HUMPHREY of Washington. That is not the only objection, but the main objection. I have here, as I say, an unofficial report, which was sent to me in confidence. I am not going to give the name of the man who sent it to me. I have not been able to get the official report, although I hoped I would by this time.

He says in this report, which I have here, that practically the only objection the naval officers made to him was the smoke. That statement comes not from the Navy Department but from the gentleman who wrote me.

Mr. STANLEY. May I ask the gentleman, Do your western coal people belong to the Coal Trust?

Mr. HUMPHREY of Washington. I am not in the coal business, nor the trust business, and I do not know.

Mr. STANLEY. I presume, from the hard time they have, that they are not in it.

Mr. HUMPHREY of Washington. I do not think they are.

Mr. STANLEY. There is a close system of interlocking directors between the eastern coal fields—a great many of them—and the United States Steel Corporation, and it seems they are kissing each other. [Laughter.]

Mr. HUMPHREY of Washington. I can not yield further. I want to make just one more statement, and then I shall be through. I want to show to the House a photograph that demonstrates another result of carrying this coal around the Pacific coast—the result not on the cost to the Navy but on the merchant marine.

I hold in my hand a photograph showing 17 merchant vessels rotting at anchor, placed in that position by foreign vessels which our Government permits to violate the coastwise laws of the country. That is only incidental to this naval question; but here are the pictures to show what they are doing along that line.

Mr. PEARRE. Then I understand that the gentleman's charge is that there is collusion practically between the Navy Department and the eastern coal operators.

Mr. HUMPHREY of Washington. I do not say who is responsible, but I am just giving the facts. I say there is no excuse for the action of the Navy in spending from \$900,000 to \$1,000,000 a year in bringing coal around from the Atlantic coast to the Pacific coast for the use of the Navy in time of peace. I assert that it is worse than a waste of public funds, for, in addition to wasting it, it does incalculable harm to American shipping.

Mr. KITCHIN. The gentleman means to imply that in time of war they would have to use the western coal?

Mr. HUMPHREY of Washington. Yes; in case of war on the Pacific. So if this coal is to be used in war, it seems to me of highest importance that they become accustomed to its use in time of peace.

Mr. UNDERWOOD. Mr. Chairman, I agree thoroughly with the proposition advanced by the gentleman from Washington. The closest corporation in this country is the combination between the Pocahontas coal people and the Navy Department, and it has been so for 20 years. I know that during the Spanish-American War, when Alabama coals that were perfectly good for steaming purposes were offered to the Navy Department for \$3.25 a ton over the ship's rail at Mobile, only a night's sail from Tampa, the Navy Department bought Pocahontas coal and shipped it by rail to Tampa at an expense of \$9.60, and that proposition has been kept up ever since.

Now, what control these particular people have over the Navy Department I do not know. But I do know this, that there is no other coal field in America that can sell coal to the Navy Department. The supply of the Navy is confined to this one field only.

Mr. CARY. Is it not a fact that the railroads and the coal companies are one and the same, and is not that the reason for the long hauls?

Mr. UNDERWOOD. I do not know about that. But I know this, that they have drawn millions of dollars out of the Federal Treasury on this coal question. There is no reason in time of peace why these Pacific coals could not be used for our Navy. They are absolutely as good steaming coals as the Pocahontas coal. They are the same class of coals as the Alabama grades of coal, and 20 years ago, when Mr. Herbert was Secretary of the Navy, he sent out the battleships *Montgomery* and *Mobile* to test the Alabama coals, and the only difference between them and the Pocahontas coal was not that they did not produce as much steam power or that they did not have as great a steaming radius per ton per mile as the Pocahontas coal, but that they produced a little more smoke and clogged the flues a little sooner, a few hours sooner in a 40-hour trial. Now, what have these men got to do but clean the flues?

Why should the Government of the United States spend millions of dollars in time of peace to relieve a captain and crew from the necessity of cleaning flues one or two hours less in 40 hours' time?

Mr. COX of Indiana. Will the gentleman permit a question?

Mr. UNDERWOOD. Certainly.

Mr. COX of Indiana. Was there anything found in that experiment as to the relative effect of the use of the coal on the life of ships? In other words, would a ship using Alabama coal last just as long as if its fires were kept up with the other coal?

Mr. UNDERWOOD. I do not think there was anything said in that report on the subject. The whole proposition is this: California coals and Alabama coals have a little more volatile matter in them and a little less fixed carbon than the Pocahontas coal. That is the only difference. They produce just as much steam power, and some of them produce more steam power, than the Pocahontas coal. They do produce more smoke and more dirt; but why should we ship coal at an immense expense around the Horn and across the continent to enable a few captains and ships' crews to do a little less work in handling their fuel? More than that, it is an injustice to the people. This business of making the Navy Department a close corporation, bound in here between the Allegheny Mountains and the Potomac River, has got to stop, or you will raise a prejudice against the Navy in this country that will bring more injury to it than anything else you can do. You want to build all your battleships on the eastern coast line. You want to buy

all your supplies on the eastern coast line. You want all the navy yards there. You do not want the people of the United States to have any share in this Navy except in a few States. You might as well make up your minds, if you want a big navy and a navy that will be popular with the people of the United States, you have got to stop this, and you had better stop it right now by voting for the amendment of the gentleman from Washington.

Mr. HOBSON, Mr. SULZER, and several other Members rose.

The CHAIRMAN. The Chair will first recognize the gentleman from Alabama [Mr. HOBSON], a member of the committee, as he was first on his feet.

Mr. FOSS. Mr. Chairman, I desire to move to close debate on this proposition in 15 minutes.

The CHAIRMAN. The Chair will then recognize the chairman of the committee, the gentleman from Illinois [Mr. Foss], who moves that all debate on this paragraph and all amendments thereto close in 15 minutes.

Mr. MONDELL. I move to amend by making it 30 minutes.

The CHAIRMAN. The gentleman from Wyoming moves to amend by making it 30 minutes. The question is on the amendment.

The amendment was agreed to.

The motion of Mr. Foss, as amended, was agreed to.

Mr. HOBSON. Mr. Chairman, I do not expect to take my full five minutes. It is not necessary in order to make the short statement I wish to make.

It is true that while in the testing of coal the Navy Department has found the Pocahontas coal always the superior coal of those tested, yet it is also true—

Mr. STANLEY. Will the gentleman permit an interruption for information, because I know he is informed about this subject?

Mr. HOBSON. Certainly.

Mr. STANLEY. Does the gentleman know whether or not the Navy Department has made any tests of the Alaskan coal?

Mr. HOBSON. I am just about to bring up that point and various other points. I wish to register here a complaint that the Navy Department is not encouraging the development of appliances so that it can use the other coals. When it found, for instance, that the coal in Alabama approximated to the needs of the Navy it would have been in the line of economy and the best interests of the Government to have undertaken to develop smoke-consuming devices and other devices, so that the department could then use Alabama coal.

The same applies to the Pacific coast coal, not only that mined on the mainland but that in Alaska, and the Navy Department has not shown great interest in developing additional sources of supply that would prove of great, if not vital, importance in time of war, and we are put to millions of dollars of expense, perhaps, unnecessarily. I will not say unnecessarily, but perhaps.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. COOPER of Wisconsin. What bureau buys this coal?

Mr. HOBSON. The Bureau of Supplies and Accounts, formerly the Bureau of Equipment.

Mr. COOPER of Wisconsin. What does the gentleman think of the remedy of changing the officials of this bureau more often than they are changed?

Mr. HOBSON. That is a difficult question to answer, but I do think that the Navy Department itself, when it can see a possible inducement to save the Government a great deal of money to give it new supplies of coal, ought to encourage experiments instead of discouraging them.

The statement of the gentleman from California as to the reason they declined to take up further experiments with coal on the Pacific coast is in line with the reasons for not making experiments in general for improving the matériel of the Navy, the adverse report of an officer sufficing to cut off experiment. It would have cost \$1,500 to change the grate bars! Therefore the officer there, who perhaps did not wish his own account to be made higher and wishing to make a record for economy, disapproved, and the Navy Department accepted his disapproval as final.

Mr. HUMPHREY of Washington. If the gentleman will allow me, I want to say that the test that I referred to was made with the old grate bars. According to the testimony of experts, if it had been made with changed grate bars it would have been more effective, but notwithstanding that it comes within 6 per cent of the efficiency of eastern coal.

Mr. HOBSON. I remember the instance. They used the old grate bars; they did not go into it with the earnest purpose of trying to find out the full value of the coal to see if

they could not improve or adopt the grate bars and other burning appliances so that the Pacific coast coal could be generally used. I wish to point out at this time the steadfast inertia and impediment of the Navy Department in the general development of matériel in the Navy, to, these many years. We can not hope for better things from the department unless Congress takes an interest in improvements and developments. I hope the amendment will be adopted.

Mr. STANLEY rose.

The CHAIRMAN. The Chair will recognize some one who is opposed to the amendment.

Mr. PEARRE. Mr. Chairman, I am opposed to the amendment, because I think it is very bad and an entirely mistaken policy to put a limitation on this provision which practically amounts to a prohibition upon the Navy Department of the United States to transport coal from the Atlantic to the Pacific, no matter what the conditions or circumstances may be.

It seems to me, Mr. Chairman, that this is not the part of cautious statesmanship to put such a prohibition upon any great department of the Government of the United States. Now, Mr. Chairman, the gentleman from Alabama, my distinguished friend, Mr. UNDERWOOD, is a little franker than the distinguished gentleman from Washington, because the gentleman from Alabama does make practically an open accusation against the Navy Department as to its conduct with reference to the selection of the coal which it uses or should use in the battleships and ships of the Navy.

Mr. Chairman, I agree with the gentleman from Alabama [Mr. HOBSON], who has just taken his seat, that it should be the purpose of the Navy Department—and in the absence of any proof to the contrary I think it is the business of the Congress of the United States to assume that it is the honest purpose of the Navy Department—to so administer the affairs of that great department as that the natural resources of the United States should be utilized for all governmental purposes whenever they can be, and whenever it is in the interest of economy, and therefore to the interest of the Government of the United States that they should be.

I furthermore agree with the gentleman from Alabama, who has had a distinguished naval career and who is thoroughly familiar with matters connected with the Navy and therefore speaks with more authority than a great many others in the House, that the Navy Department should so adjust its appliances and machinery and look after new appliances that the Navy is to use, not only the coal of the Pocahontas region but the coal of the Pacific coast and the coal of Alabama.

Mr. Chairman, I am not informed whether there is collusion, as has been said here, between the Secretary of the Navy or the Navy Department in any of its officials and the operators of the West Virginia coal region.

If gentlemen undertake to insinuate that, and that has been seriously insinuated here, then it is a matter which should be investigated by the Congress of the United States. Mr. Chairman, I think we are all compelled to assume, in the absence of any proof to the contrary, that the Navy Department is being administered honestly and fairly. I hold no brief for the West Virginia coals. On the contrary, I may say that the best steaming coal in the world comes from a section of the country in which I live and whose people I have the honor to represent in this Hall—the Georges Creek coal of Maryland—the coal par excellence, the best steaming coal in the world. [Applause.]

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

Mr. PEARRE. For a question.

Mr. WILSON of Pennsylvania. Mr. Chairman, I pretty thoroughly agree with the gentleman, that the Cumberland coal is one of the best, if not the best, steaming coal in the world, and yet Cumberland has been practically excluded by the Navy Department and Pocahontas coal has superseded it. Now, why? Not because Pocahontas coal is a better steaming coal than Cumberland. Why the change?

Mr. PEARRE. Mr. Chairman, I entirely agree with the gentleman, who is familiar with coal, and I am glad to have his confirmation of my statement that the Georges Creek coal is one of the best steaming coals in the world. As I said before, I hold no brief for the Pocahontas coal, and I say and reiterate that the Navy Department should be so administered as to open these contracts for coal to bids upon the part of all operators in all sections of the country. But that will not justify the gentleman from Washington in passing a law here which will practically create a monopoly, as far as the Pacific coast coals are concerned, to the extent that it will prohibit the use of any part of this appropriation for the transportation of

coal from the Atlantic to the Pacific coast. I oppose the amendment, therefore.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, perhaps the best steaming coal in the world is the coal that comes from the regions in West Virginia and Maryland known locally as the Georges Creek, Clear Creek, New River, and Pocahontas fields, and that being the case, the Navy Department can find a sort of excuse for declining to use other coals, because the highest test of the very best of the coals of that region is higher than the best test of the best coals found anywhere else, just a trifle, in British thermal units. It runs, I think, less than a hundred above that of the best Pacific coast coal. It is a little lower in ash, a little higher in fixed carbon, by some two or three points lower in moisture; and so if you are selecting absolutely the best steaming coal on earth, the best of the coal of the region we have referred to is that best coal. But the difference between those coals and the coals of the Pacific coast is so small, is so immaterial, that there is no excuse for excluding these western coals, at least in time of peace. In time of war it may be best that we have the greatest efficiency in British thermal units in our battleships, when they are cargoed with coal; but in time of peace there is no such argument, and in the matter of economy, at least \$1,000,000 a year could, I am told, have been saved the past three or four years by the use of those coals.

Furthermore, beyond the fact that we produce some 5,000,000 tons of coal on that coast, we produce some 47,000,000 barrels of oil per year, equivalent to some 14,000,000 tons of coal.

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

Mr. MONDELL. I have only five minutes and I can not yield. The entire fleet on the Pacific could be readily equipped with oil burners, and a number of the vessels of the Navy have been so equipped, so that oil, the best and cheapest fuel on the Pacific coast, could be used. Yet, in spite of that fact, in spite of the fact that the difference in British thermal units, in moisture, in fixed carbon, in ash, between the two coals is trifling; in spite of the fact that California oil is the cheapest and best fuel for ships in the world, they are sending eastern coal clear around the Horn. Another thing, Mr. Chairman, as good steaming coal as there is in the world, and not barring the West Virginia and Maryland coals, is to be found in Alaska.

There is a bill on the calendar of this House proposing to open those Alaskan coal fields. There is coal just as good as the best of the Georges Creek coal and the best of the Pocahontas coal entirely tied up, and if we were to have a war to-day our Navy would be useless on the Pacific, because there is not enough fuel there for the use of the Navy, and it would take from six to seven weeks to bring cargoes around the Horn to supply the Navy. So this amendment, I hope, would have two effects—first, it would compel the Navy to use those western coals, and I hope it would have some effect in helping to open the great coal fields of Alaska. There are coals there in plenty, and no additional appliances in the way of grates are necessary to burn them. Some one somewhere in the navy yard may have imagined a different grate was necessary to burn western coals, but no change of grates is needed to burn the bituminous coal of the Pacific coast. If they attempted to use the lignites of Utah and Wyoming, and they can be used for naval purposes, it would perhaps require a different grate, but no different grate is needed, and no different grate would be used in the burning of the Pacific coast bituminous coal than is necessary in the use of the coals on the Atlantic coast.

The CHAIRMAN. The gentleman's time has expired. The gentleman from New York [Mr. SULZER] is recognized.

Mr. SULZER. Mr. Chairman, with all that has been said relating to this coal proposition I want to make this commentary: There is more coal and better coal on the Pacific belonging to the United States than there is on the Atlantic. Then why, I ask, should the Government spend hundreds of thousands of dollars, aye, millions of dollars, every year to transport coal in foreign bottoms, under foreign flags, from the Atlantic to the Pacific in order to coal our fleet? It seems to me to be an absurdity. Not only that, but it is poor governmental economy and bad business administration of public affairs.

Here is an opportunity to save the taxpayers of the country several millions of dollars every year, and all the Government has to do is to utilize its own coal product. All that the gentleman from Wyoming has said about the coal fields of Alaska is absolutely true. The Government is in possession of reports regarding these coal fields which prove conclusively that the Pacific coast coal is better for steam purposes than the Atlantic coal, and hence I can not understand why every year we are compelled to discuss this question and submit to the imposition.

For the past 10 years, whenever this proposition has been before the House, I have stated the facts. All the Government has to do is to mine and produce its own coal on the Pacific coast and save the taxpayers of the country annually millions of dollars. Why is it not done? There is a reason, and the people are thinking about it, and they want to know. It is about time for us, the representatives of the people, to finally vote right on this question, and for that reason I shall vote again, as in the past, for the amendment offered by the gentleman from Washington [Mr. HUMPHREY].

Mr. PRINCE. Will the gentleman yield?

Mr. SULZER. Certainly.

Mr. PRINCE. The gentleman says the people are thinking and want to know the reason. Will he state the reason why they do not do this?

Mr. SULZER. If I had the time I could give all the facts.

Mr. PRINCE. In two or three words.

Mr. SULZER. If I had time I could give the reason, but the gentleman is a very intelligent man and knows the reason just as well as I do. [Laughter.]

Mr. PRINCE. I am frank to say to my colleague I do not.

Mr. SULZER. Then, if the gentleman does not, it is about time he studied the proposition, and found out. [Laughter.]

Mr. PRINCE. I wanted to get the information from one who knew.

Mr. SULZER. Yes; I know, and everybody here knows, or ought to know. It has been strongly intimated by several of the speakers who have preceded me. It is about time the Government stopped transporting ship coal for its fleet from the Atlantic to the Pacific.

Mr. ANTHONY. Will the gentleman permit an interruption?

Mr. SULZER. Yes.

Mr. ANTHONY. There are a lot of us here who really do not know about that. If the gentleman knows it, he owes it to the House to elaborate it a little for our information. What is the reason assigned by the gentleman for the fact that the Navy does not use the Pacific coast coal?

Mr. SULZER. The gentleman who asks this inquiry, I may say, is a distinguished editor, and sometimes I get a copy of his paper, read it, and some of the editorials, doubtless written by the gentleman, have given me some of the information I possess regarding this coal imposition on the Government. [Laughter.]

Now, Mr. Chairman, as I was saying, the greatest coal fields that have ever been discovered are in Alaska and belong to the Government; and the Government can get all the coal it needs for the cost of production and transportation. Why should the Government stand in its own way? Why should the Government stand in its own light and deprive itself of millions of dollars' worth of coal every year, but also deprive the patriotic people of the Pacific coast of this great boon? It is beyond my ken and I say it should cease. I trust the amendment will prevail.

Mr. FOSS. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 10 minutes remaining.

Mr. FOSS. Now, Mr. Chairman, I would like to be recognized.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois.

Mr. FOSS. Now, Mr. Chairman, that we have transformed ourselves here in the committee into a body of coal experts, I want to say that we, too, produce coal out in the State of Illinois [laughter], and I think an amendment ought to be offered here providing that the Navy shall use coal from every coal-producing State in this country. [Laughter.]

It would be a very sensible proposition to provide such an amendment as that, and not leave it to the American Navy and its officers to say what kind of coal shall be used by our ships. It is a very important question that we have before us. We appropriate here \$10,000,000 or \$12,000,000 for a great battleship, and the proper coal is one of the great essential elements in the running of that great ship. There is no more important duty imposed upon our steam engineering department in connection with the Navy than the duty of selecting coal of the greatest efficiency, so that our ships may always be kept in a proper condition, ready in time of war.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. FOSS. Yes.

Mr. HUMPHREY of Washington. I would like to remind the gentleman that there are no battleships on the Pacific to use this coal.

Mr. FOSS. That is all right. There were a good many of them there not long ago. We had the whole fleet out there. I

suppose the gentleman would like to have the whole American Navy in Puget Sound 12 months in every year. [Laughter.] I do not doubt it. We have officers in the Navy who have made this question a life study. Are we going to accept their statements, or are we going to make ourselves experts on this floor and say what coal shall be used? We are using western coal to-day in our navy yards to run our power plants, and the reason why they are not using the Washington coals on the ships is because the Washington coals are 25 per cent less efficient than the coal we are using.

Mr. HUMPHREY of Washington. What coal are you using?

Mr. FOSS. We use three kinds; not from one State alone in the American Union, but from three States. We use Pocahontas coal, Georges Creek coal, and New River coal. The idea that anybody should stand upon this floor and make insinuations against the Navy Department or denounce it because it uses these three different kinds of coal from three different States in the Union, for no other purpose than to try to get their own coal into the bins and bunkers of our battleships, is ridiculous and absurd. Have there been tests of this coal and Alaska coal? Yes; any number of tests.

All previous tests and examinations of coals mined in the States bordering the Pacific Ocean indicate that the western coals were not suitable for use in the Navy.

That is the statement of the department.

In the fall of 1909 arrangements were made with the Director of the Geological Survey to send to the Pacific coast a number of expert mine investigators to make a thorough and exhaustive investigation of every known mine of importance, particularly in Washington and British Columbia, the facilities of each mine, quantity and quality of output, etc., so that more definite and reliable data could be obtained.

The statement shows that the British Columbia coals are somewhat better than the State of Washington coals, but neither equal the straight run of mine of Pocahontas or New River coals obtained in the Eastern States. The volatile matter and ash are excessively high and the fixed carbon and heating values excessively low.

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

Mr. FOSS. I ask two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOSS. The Navy Department are as desirous of using these coals, if they are proper, as any coal mined anywhere in the country, and in the hope that some Pacific coast coal may be found which will avoid the necessity of shipping eastern coal to coal depots in the Pacific the department has arranged for an exhaustive test under actual steaming conditions of a number of the State of Washington coals—

and for this purpose has designated one of the large armored cruisers of the Pacific Fleet—the U. S. S. *Maryland*—to make the tests. That vessel will use the Pacific coast coals, and at the same time the U. S. S. *West Virginia* will use the eastern coals in order that a direct comparison as to the relative value of the two coals can be obtained.

Mr. Chairman, that is the situation.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. FOSS. I do not want to consume all the time, because I want the gentleman from West Virginia and other gentlemen to have an opportunity to be heard.

Mr. COX of Indiana. I want to ask the gentleman a question in regard to the argument made—

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. FOSS. How much time is there remaining?

The CHAIRMAN. Three minutes and a half.

Mr. FOSS. I can not yield.

Mr. BUTLER, Mr. BURKE of Pennsylvania, and Mr. PEARRE rose.

The CHAIRMAN. The Chair will recognize the gentleman from Pennsylvania [Mr. BUTLER], who is a member of the committee.

Mr. BUTLER. Mr. Chairman, perhaps it is not so important for us to determine here at this time the character of coal that should be used in these great ships of war as it is to determine whether there is any combination between the Navy Department and these coal sellers. Let me give you here a bit of my own personal experience.

I wandered away from the fields of Pennsylvania to go to Virginia and West Virginia in search of gold in a coal mine. With an honorable end in view, I bought a very small and insignificant bit of stock in a coal company doing business in West Virginia, in the New River field, where coal is found good enough to eat for dessert on the finest table in the land. I made an inquiry of the Navy Department concerning the price the Government was paying for New River coal. I knew very well that I could not be interested in a contract with the Government and did not intend to sell, but I was desirous of obtaining the information; and I discovered that the coal mined

in this district of West Virginia, where men crawl upon their bellies to get it, we could sell anywhere, to even a poor man, for 50 cents a ton more on the average than the Navy Department would give for it. We ought to be fair toward these men, honorable in their administration of the affairs of our Government, not one of whom can stand here to defend himself.

Mr. PEARRE. Will the gentleman please state how this coal is purchased by the Government, whether by bids?

Mr. BUTLER. By bids.

Mr. PEARRE. Open to any bidder?

Mr. BUTLER. Open bids, and there are often, I understand, ten or a dozen bidders.

Mr. HUMPHREY of Washington. The gentleman does not mean to say that the Pacific coast has an opportunity to submit bids?

Mr. BUTLER. I know nothing about that. I do not know where the department buys its coal.

Mr. POINDEXTER. Will the gentleman yield?

Mr. BUTLER. One minute. I have a great desire that justice shall not be done to these officials, who, I know, are endeavoring to save the money of the Government.

Mr. SULZER. The gentleman has no objection to injustice being done the taxpayer.

Mr. BUTLER. Oh, yes; I want to look out for the taxpayer, too. Now I will yield to the gentleman from Washington.

Mr. POINDEXTER. I understand the gentleman from Pennsylvania to say that the Pocahontas coal operators sell their coal to the Government for 50 cents a ton less than they can get for it from private parties.

Mr. BUTLER. I am giving the gentleman my own experience in a little mine in West Virginia in which I was and am interested, from which we could always sell the coal for 30, 50, or 60 cents more a ton, on the average, than we could have obtained from the Government.

Mr. POINDEXTER. The coal operators, then, are great public philanthropists.

The CHAIRMAN. The time of the gentleman has expired. All time has expired, and the question is on the amendment offered by the gentleman from Washington.

Mr. PADGETT. Mr. Chairman, I desire to offer an amendment to the amendment.

Mr. HUMPHREY of Washington. Is it not too late to offer an amendment, Mr. Chairman?

The CHAIRMAN. No; amendment is in order. The Clerk will report the amendment.

The Clerk read as follows:

Add to the amendment of the gentleman from Washington the words: "And provided further, That in the event of the coal companies on the Pacific coast improperly and unduly raising the price of coal the Secretary of the Navy is authorized to purchase coal from British Columbia, or such other place where a proper price can be obtained."

Mr. BURKE of Pennsylvania. Mr. Chairman, I desire to speak in opposition to the amendment.

The CHAIRMAN. No debate on the paragraph or amendments is in order. The question is on the amendment offered by the gentleman from Tennessee to the amendment offered by the gentleman from Washington.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington as amended.

The question was taken; and on a division (demanded by Mr. Foss) there were 72 ayes and 28 noes.

So the amendment as amended was agreed to.

Mr. PADGETT. Mr. Chairman, I want to ask unanimous consent for 15 minutes to make some remarks on the naval bill.

Mr. HOBSON. Before the gentleman does that, will he permit me to ask unanimous consent to return to page 15, that we went over yesterday?

Mr. PADGETT. I will withhold my request.

Mr. HOBSON. Then, Mr. Chairman, I ask unanimous consent to return to page 15 in connection with an amendment that I will offer.

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I would like to hear what the gentleman's amendment is before I grant consent.

Mr. HOBSON. I wish to recur for the purpose of adding an amendment to the end of the paragraph.

Mr. STAFFORD. Was not this same subject under consideration yesterday, and did not the gentleman propose an amendment to which the gentleman from Illinois [Mr. MANN] objected?

Mr. HOBSON. He made a point of order against the amendment I then proposed, but this that I am going to offer is a different proposition.

Mr. STAFFORD. The gentleman from Illinois is temporarily absent from the Chamber, and therefore I object.

Mr. HOBSON. I did not intend to raise it while the gentleman from Illinois was absent, and I will withdraw my request.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for 15 minutes. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Chairman, when the Secretary of the Navy submitted his annual report, I found in it the statement:

The Navy Department estimates for the expense of the naval establishment for the next fiscal year shows a saving of about \$5,000,000 compared with the amount appropriated last year.

I also found this statement:

The inauguration of the steaming competition awakes a lively interest in the engineering matters throughout the service. This interest has brought about increased efficiency and economy of expenditure. During the fiscal year ending June 30, 1910, the horsepower of the machinery of the fleet has been increased 15 per cent and the average cruising speed has been increased about 15 per cent, yet the total cost of fuel used on vessels in the Navy has decreased over \$2,000,000.

Noticing that, I was impressed with it, and when the hearings came on Admiral Cone was before the committee, and I asked the admiral about the matter.

Admiral Cone, on page 262 of the hearings before the Naval Committee, stated:

The decrease in cost of fuel used in vessels of the Navy has amounted to \$2,000,000 during the past year. About \$750,000 of this amount is due to increased efficiency, the balance to decreased cruising.

That raised an interesting question. The opinion gathered from the statement of the Secretary of the Navy was that efficiency and economy had saved \$2,000,000, and when we come to analyze this we found that the Chief of the Bureau of Steam Engineering stated that of the supposed \$2,000,000 only \$750,000 was due to the increased efficiency and that \$1,250,000 was due to reduced cruising. I got a little more interested in the matter and began to investigate further, and I have here a statement, which I will insert in the Record, showing the distance steamed by the United States battleships during the fiscal years 1908, 1909, and 1910, giving the steaming distance of each ship for each year separately. I shall give only the total now.

The total distance steamed in 1908 was 286,820 miles, the total distance steamed in 1909 was 568,229 miles, and the total distance steamed in 1910 was 108,213 miles. The number of battleships engaged in the cruising in 1908 was 22, in 1909 was 22, and in 1910, 21. The average per ship—and that gives the test of the matter—in 1908 was 13,037.3 miles; in 1909 the average for each ship was 24,828 miles, and in 1910 it was 5,153 miles. So that the cruising per battleship in 1909 was substantially five times as much as the cruising per battleship in 1910. It will be seen, therefore, that we have to take the statement of the Secretary with reference to the saving of \$2,000,000 on account of increased efficiency with reference to the foregoing facts.

I wish also to call attention to another matter. It was stated in the first part of the report that there had been a saving of \$5,000,000 in the estimates submitted for the next fiscal year, as compared with the amounts appropriated for the last year. I wish to call attention to the fact that while the amount carried in this bill is \$5,929,314.14 less than the appropriations of last year, there is one fact that I wish to emphasize, and in doing that I want to call attention to the statement of Admiral Mason on page 60 of the hearing:

Mr. PADGETT. May I ask this question? I saw a statement in the paper the other day that there had been a saving of \$5,000,000, comparing the estimates of this year and the appropriations of last year. One million eight hundred thousand dollars of it is made up of this amount that you have cut out of your estimate there because of the fact that you have not let the contracts for the ships, is it not, Admiral?

Admiral MASON. I don't know on what that report of saving was based. This \$1,800,000 is not a saving; it is a delayed payment.

The CHAIRMAN. That really is not a saving, is it? That is to say, it simply means postponing the day of judgment?

Admiral MASON. Well, I have not reported any savings.

In other words, because the contract for the building of the battleship *New York* is held up in New York Navy Yard and has not been awarded, they have withheld submitting in the estimates \$1,800,000 that would have been submitted if that contract had been let. So that whenever the building of the ship *New York* is begun this will have to be appropriated, and it is merely a postponement and not an economy.

I wish to call attention to a further fact. The total appropriations carried for increase of the Navy in the present bill this year are \$25,755,547.67, and the sum total for the increase of the Navy in last year's appropriation was \$33,770,346, or a difference of \$8,014,798.33 omitted from the present bill under the item increase of the Navy. Therefore, if you add to that the \$1,800,000 deferred on account of the battleship *New York*, you have \$8,814,798.33, and then if you deduct from that the

difference between the present year bill and these amounts, the \$5,929,314.14, you have an excess or an increase this year of \$3,885,482.92. In other words, last year we appropriated to meet the authorization, and because the authorizations of last year have not been fully carried out in contract, and because of the accumulations, as shown by the testimony of the contractor, there is an unexpended balance of about \$6,000,000 they are withholding, and not asking for and submitting estimates to come into the present bill and which must come in the next year's bill or in the succeeding year's bill.

I do not wish the House to be misled by these estimates and provisions in the bill. There is no reduction. The fact is that the naval program for the increase of the Navy is larger in this bill than it was in last year's bill. Yet last year they asked appropriations and received appropriations of \$33,000,000, and this year they are only asking for \$25,000,000. It is simply, if you please, postponing—

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

Mr. PADGETT. Yes, sir.

Mr. ROBERTS. The report of the Secretary of the Navy and his comparison of the amount to be called for in this year's bill, with the amount appropriated last year, was based on his recommendation for increase, was it not, and the figures that the gentleman is giving are based on what the committee actually voted for increase, which was six or seven million dollars more than the Secretary recommended? So that all his comparisons go for naught when you take into consideration the changed condition from the time the Secretary made his estimates and the conditions as they exist at this moment.

Mr. PADGETT. I have given both, and I have called attention to the fact that while last year for a smaller program we appropriated \$33,000,000, this year, for a larger program, we are only appropriating \$25,000,000. So that there must of necessity be carried to future appropriations a larger amount in the years to come.

The CHAIRMAN (Mr. BENNET of New York). The gentleman's time has expired.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROBERTS. Let me ask a further question. In the authorization for increase last year there were included moneys not only for the vessels authorized that year, but payments on vessels prior to that time?

Mr. PADGETT. And the same the present year.

Mr. ROBERTS. And the increase last year was due to the rapid advance of the work authorized before last year, which has not taken place in the current or last fiscal year, and that amount of increase will fluctuate from year to year in proportion as the contracts are let and the contractors rapidly or slowly execute the contracts and call for payments under those contracts?

Mr. PADGETT. Well, I was simply calling attention to the difference in the actual appropriations of this year and the actual appropriations last year, showing that the department has not asked for the usual and ordinary appropriations this year. And that is shown by the testimony of Admiral Watf, as it appears on page 221, where he shows that, having unexpended balances of \$6,000,000, he is proposing to use that continuing appropriation instead of asking for the appropriations this year.

I find, Mr. Chairman, that my voice is in such condition that it is practically impossible for me to proceed. I have here a statement, which I shall insert as a part of my remarks in the Record, that takes up in detail the different statements submitted by the bureaus and analyzes them, and they show that instead of being decreases in the administration there have been increases, and that this apparent decrease is due not to an actual reduction, but simply to a postponement and deferring to future years of appropriations for works that are called for in the present bill. Let us not deceive ourselves. If we carry out this program, the money must be appropriated in the bills to come next year.

Following is the statement referred to:

MEMORANDUM ON ECONOMIES.

On page 325 of the hearings before the committee, paragraph 4, of the statement by Paymaster General Cowie, the following is found:

"In 1909 the improvements, renewals, maintenance, costs of yards (navy), including amounts paid for leave, holidays, and disabilities, were \$23,610,887.59, and in 1910 these expenditures are but \$22,688,377.28."

In order to ascertain whether or not there is really a decrease in the maintenance of yards and stations, it is necessary to compare the figures given for maintenance in 1909 and 1910. The cost of main-

tenance of the following principal items for 1909 will be found in Statement B, Table 8, Paymaster General's Report, 1909, as follows:

Buildings	\$583, 202. 66
Yard appliances	198, 870. 08
Yard craft	589, 803. 45
Machinery plant	555, 951. 07
Office force	1, 498, 917. 34
Heat, light, fuel, water	771, 685. 31
Hand tools and repairs of same	353, 252. 96
Handling stores	929, 875. 66
Power plant	366, 260. 03

Total 5, 847, 624. 56

The maintenance for the same items for 1910 are found in Statement B, Table 8, following page 73, Paymaster General's Report, 1910, as follows:

Buildings	\$250, 071. 07
Yard appliances	50, 388. 34
Yard craft	297, 426. 21
Machinery plant	185, 401. 06
Office force	474, 442. 30
Heat, light, fuel, water	247, 855. 51
Hand tools and repairs of same	25, 355. 44
Handling stores	277, 316. 56
Power plant	102, 021. 99

Total 1, 910, 278. 58

A comparison of these items shows such striking differences that it must be conceded that such a saving in one year in maintenance alone is impossible, and the differences must be accounted for in some other way than by a saving.

It must be remembered that 1910 was the first year in which there were any indirect charges made that were worth taking into account, and most, if not all, of the above differences would be absorbed in the cost of work as a part of the indirect charges, and would not appear in any table from which these figures were taken. This is strikingly indicated by a comparison of the two items for "Office force" and "Power plant."

A comparison of the figures for maintenance for 1909 and 1910, as shown in the Paymaster General's report, "Statement B," page 81, 1909, and "Statement B," page 73, 1910, shows a difference between \$10,408,729.54 in 1909, and \$5,434,325.24 in 1910, although these charges were apparently for identical items. It therefore is apparent that the indirect charges amounting to \$3,692,777.59 have not been included, although as much of the maintenance charges of yards and stations as any other item. The amount of indirect charges for 1910 are found in the Paymaster General's report, "Statement B," page 14, being the sum of \$3,012,252.47, plus \$680,525.12; total, \$3,692,777.59.

The sum of \$10,408,729.54 for 1909 includes military expenditures of yards, while in 1910 they were kept separately; and in the total of \$5,434,325.24 these military charges, amounting to \$4,848,676.05, have not been included and for purposes of comparison, at least, should properly be added. These military charges are shown in the Paymaster General's report, "Statement B," page 84, 1910, being totals for pay and allowances of officers at shore stations entitled "S," "T," and "R."

Therefore to the total of \$5,434,325.24 should be added the indirect charges of \$3,692,777.59 and the military charges of \$4,848,676.05, making a total of \$13,975,778.88.

It therefore seems apparent that instead of being a reduction in maintenance charges on shore for 1910 over 1909, as claimed by a comparison of the two tables, there has been an actual increase of \$3,567,049.34.

Continuing in the same paragraph of Paymaster General Cowie's statement, the following is found:

"These figures include the pay of all officers and enlisted men at shore stations as well as all military costs incident to the management of the navy yard. The latter expenses are not separated, however, from the general or industrial costs of navy yards operating in 1909, whereas in 1910 the military expenditures amounted to \$4,848,676.05, which were separated, but which are included in the \$22,688,377.28 above. The decrease in the cost of maintenance appears to have been due to reduced expenditures for power plant, machinery plant, handling stores, heat, fuel, and light, whereas many expenditures on account of permanent improvements were increased because of the cost of quay walls and piers, dry-docks, yard appliances, and fire apparatus."

Paragraph 5 of the same statement is as follows:

"In considering navy yards as industrial plants, it is assumed, for comparison only, that the costs of yard maintenance are the gross costs, both civil and military, and that the productive work is limited to that done for the fleet and for other departments of the Government. Upon this hypothesis the productive work at navy yards was as follows:

	1909	1910
New construction (labor and material)	\$3,743,743.42	\$4,466,019.27
Repairs to hull and machinery	7,140,399.24	8,203,841.52
Repairs to equipage	216,349.19	277,908.43
Labor on manufactured articles	4,408,361.34	4,379,061.01
Work for outside parties	58,382.29	52,178.34
Work for other departments of the Government	577,435.73	299,929.03
	16,144,671.21	17,678,937.60
Gross yard improvements, renewals, and maintenance charges (see par. 4)	23,610,887.50	22,688,377.28

Paragraph 6 is as follows:

"If there had been no improvements in the economy of navy-yard administration and operation in 1910, i. e., if these gross charges had borne the same ratio to the productive work in 1910 as in 1909, then the gross charges would have been \$25,854,684.54, indicating a decrease in cost of operating navy yards amounting to \$3,166,307.26."

Since it is evident that the indirect charges have been omitted from the total of \$22,688,377.28 for 1910, that total should be increased by \$3,692,777.59, making a total of \$26,381,154.87 as the cost of the maintenance of the navy yards and stations, while the same expense for 1909 amounted to \$23,610,887.59, a difference of \$2,770,267.28. It will be seen, therefore, that these final figures are far from indicating that improvements in administration methods have resulted in decreased expenditures. The contrary seems to represent the facts, and the cost of the upkeep of the yards and stations was \$2,770,267.28 more in 1910 than in 1909.

Paragraphs 7 and 8 of Paymaster General Cowie's statement are as follows:

"7. In the reports of the Paymaster General for the fiscal years 1909 and 1910 there appear for 1909, 196 vessels in commission and for 1910, 212 vessels, an increase of about 8 per cent in the number of vessels in commission during the latter year. When consideration is given to the fact that a number of vessels were not in commission throughout the entire year, the increase of 1910 over 1909 is estimated at 11 per cent. Therefore in comparing the costs of commission of naval vessels it is only fair to consider that the average fleet in being was about 11 per cent greater in 1910 than in 1909.

"8. Exclusive of the costs of repairs effected at navy yards, which costs have been included in comparing the efficiency of shore plants, the total costs of commission for the two years was as follows: 1909, \$37,744,126.10; 1910, \$37,783,658.27."

This calculation is made by treating every vessel as a unit. The number of months in commission and the class of vessels are ignored. As a matter of fact, eight of the increase of 16 were submarines. There were 23 battleships in commission in 1909 and 28 during 1910, but all of the 1909 battleships were in commission for a year except one, and that for one month only; but in 1910 only 16 battleships were in commission for 12 months, and the remaining 12 were in commission varying from one to six months, the total number of months of commission for the 12 being only 34 months. In 1910, *Alabama*, one month; *Delaware*, three months; *Illinois*, one month; *Iowa*, two months; *Kearsarge*, two months; *Kentucky*, two months; *Maine*, two months; *Massachusetts*, two months; *Michigan*, six months; *North Dakota*, three months; *Ohio*, three months; *South Carolina*, four months.

The calculation ignores the charges for repairs to hull, machinery, and equipage, which are just as much a part of the cost of the fleet as is the coal that is consumed, although the repairs in 1910 were \$990,230.34 more than in 1909. This is deducted from the Paymaster General's reports 1909, page 101, and in 1910, page 103.

Cost of repairs to hull, machinery, and equipage.

1909	\$6,040,527.37
1910	7,030,757.71

Excess in 1910 990, 230. 34

The fact that a comparison shows the cost of commission of the fleet for 1909 and 1910, not including repairs, to be nearly the same leads to incorrect deductions, because an examination of the Paymaster General's reports for these two years shows that reductions have been made in some expenditures and increases in others. The pay of officers and men in 1910 was nearly \$900,000 more than in 1909, while the cost of the steam engineering department was about one and one-half millions less, but the fleet steamed a great many more miles in 1909 than in 1910. The pay of marine officers afloat in 1909 was \$654,000 and in 1910 \$705,000, but the marines were not serving on board ship during the entire year of 1909. Target practice cost very much more in 1910 than in 1909, as the ordnance expenditures were \$800,000 less in the latter year. It cost \$100,000 more to feed the fleet in 1910 than in 1909 and nearly \$1,000,000 more to repair it, and although there were more vessels of all kinds in commission in 1910, they were, in many cases, in commission for shorter periods, as heretofore noted.

The more accurate way to arrive at a comparison would be to take the cost of maintenance of the 12 battleships in the Atlantic Fleet that have been continuously in commission since July 1, 1908—that is, for the two fiscal years 1909 and 1910—using the vessels that performed the same duty during all that period. The costs of the upkeep of the following 12 battleships, including repairs, for 1909 and 1910 are found in the Paymaster General's reports for 1909 and 1910, page 95, as follows:

	1909	1910
Connecticut	\$988,674.82	\$1,101,981.89
Georgia	821,620.22	837,418.88
Idaho	549,160.12	708,241.53
Kansas	804,907.53	838,416.80
Louisiana	845,060.60	920,026.99
Minnesota	813,349.48	880,108.86
Mississippi	567,018.69	741,520.93
Nebraska	826,350.26	864,685.25
New Hampshire	671,555.15	883,287.54
Rhode Island	878,928.50	875,423.21
Vermont	895,210.40	911,925.51
Virginia	846,780.85	854,556.17
Total	9,509,516.71	10,417,493.86

A comparison of these two totals, which include repairs (a proper item for consideration in these figures), shows that the maintenance of these ships cost over \$990,000 more in 1910 than in 1909, and the same vessels, not including repairs, cost nearly a half million dollars more in 1910 than in 1909.

It has been stated that there were 23 battleships in commission in 1909 and 28 in 1910, but the Paymaster General's report for 1909, page 95, shows that the total number of months of battleship commission was 265 and only 226 months for 1910. If the total months of battleship commission is divided by the cost of upkeep, as shown by the Paymaster General's report, a true comparison of the cost may be arrived at. Such a calculation shows that the average cost per month to maintain one battleship, not including repairs, in 1909 was \$49,187.76, and the same, including repairs, was \$52,112.43; while in 1910 the cost, not including repairs, was \$58,844.97, and, including repairs, was \$65,639.98. These figures show that the average cost per month of a battleship was \$3,000 a month more in 1910 than in 1909, not including repairs, and \$6,800 more per month, including repairs, in 1910.

The same comparison might be made for the 12 armored cruisers under the same conditions, and it will be found that the cost of maintenance for 1910 was within \$2,500 of a million more than in 1909.

Distance steamed by United States battleships, as shown by reports of the Bureau of Navigation.

Name of ship.	Fiscal years.		
	1908	1909	1910
Knots.	Knots.	Knots.	
Alabama	15,900	13,109	
Connecticut	18,072	30,541	4,677
Georgia	20,080	56,967	2,451
Idaho	5,250	7,238	4,891
Illinois	14,712	30,539	
Indiana	247		3,910
Iowa			6,386
Kansas	16,046	30,470	5,787
Kearsarge	15,493	28,996	
Kentucky	19,794	28,077	
Louisiana	16,251	29,680	7,473
Maine	15,000	25,340	123
Massachusetts			3,785
Minnesota	17,696	29,299	5,880
Michigan			6,323
Mississippi	2,735	13,489	9,987
Missouri	15,574	26,182	6,144
Nebraska	9,208	29,129	4,967
New Hampshire	2,257	11,610	5,864
New Jersey	17,582	30,825	4,977
Ohio	14,217	30,132	1,024
Rhode Island	16,578	28,784	5,563
South Carolina			6,330
Texas		410	
Vermont	16,260	30,455	7,531
Virginia	15,425	28,764	4,190
Wisconsin	2,434	28,193	
Total distance steamed	286,820	568,229	108,213
Number of battleships	22	22	21
Average per ship	13,037.3	24,828	5,153

The Clerk read as follows:

INCREASE OF THE NAVY.

That, for the purpose of further increasing the Naval Establishment of the United States, the President is hereby authorized to have constructed two first-class battleships, each carrying as heavy armor and as powerful armament as any known vessel of its class, to have the highest practicable speed and the greatest practicable radius of action, and to cost, exclusive of armor and armament, not to exceed \$6,000,000 each.

Mr. SULZER, Mr. PADGETT, and Mr. FOSS rose.

The CHAIRMAN. The gentleman from Illinois [Mr. Foss], the chairman of the committee, is recognized.

Mr. PADGETT. Mr. Chairman, I wish to offer an amendment.

Mr. SULZER. Mr. Chairman, I have an amendment which I offer.

The CHAIRMAN. The gentleman from Tennessee [Mr. PADGETT] is a member of the committee. The gentleman from Tennessee offers an amendment, which the Clerk will report.

Mr. PADGETT. I wish to amend, on page 59, line 23, by striking out the word "two" and inserting the word "one," and strike off the letter "s" at the end of "battleships," so that it will read:

To have constructed one first-class battleship.

Mr. HUGHES of New Jersey. Now, Mr. Chairman—

Mr. SULZER. Mr. Chairman, I offer the following amendment.

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

The Clerk read as follows:

Page 59, line 23, strike out the word "two" and insert the word "one," and also strike out the final "s" in the word "battleships," so that it will read "one first-class battleship."

Mr. PADGETT. Also, in line 24, strike out the word "each."

The Clerk read as follows:

Line 24, strike out the word "each."

Mr. HUGHES of New Jersey. A parliamentary inquiry, Mr. Chairman.

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

Mr. HUGHES of New Jersey. I simply want to inquire if all this language does not constitute one paragraph, because it is quite evident that the language at the bottom, starting with line 15, and commencing with the words "Secretary of the Navy," is intended to apply to all of the succeeding sections. I wondered if that could not all be considered as one paragraph.

The CHAIRMAN. Does the gentleman from New Jersey inquire where the paragraph closes?

Mr. HUGHES of New Jersey. Yes, sir.

The CHAIRMAN. The paragraph closes on line 3 of page 60.

Mr. PADGETT. Strike out the word "each," in line 3, page 60.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

On page 60, line 3, strike out the word "each."

Mr. PARKER. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. PARKER. Mr. Chairman, the amendment now proposed relates to the number of battleships. The amendment which I propose, and of which I gave notice last night, relates to the speed of battleships, and the suggestion I make, whether by point of order or by suggestion to the member of the committee, is that it is advisable first to determine what sort of battleship is wanted before settling their number, just as you would decide what kind of cloth you want before you determine the number of yards. I would like very much, therefore, to offer my own amendment first as a matter of parliamentary order, the amendment being simply to insert, after the word "speed," the words "at least equal to that of any known battleship." I ask that as a matter of parliamentary privilege, though I believe Members who are not on the committee do come last.

The CHAIRMAN. Amendments are not now in order.

Mr. HOBSON. Mr. Chairman, I wish to give notice that in due time I shall offer a substitute for the amendment offered by the gentleman from Tennessee [Mr. PADGETT].

Mr. PARKER. Is it in order, Mr. Chairman, for me to offer my amendment now, or should I wait until the amendment offered by the gentleman is disposed of?

The CHAIRMAN. The Chair thinks the gentleman from New Jersey should wait until this amendment is disposed of.

Mr. FOSS. Mr. Chairman, I would suggest that all amendments relating to the number of battleships be submitted now, and then I will ask unanimous consent that we shall have a debate for a short period of time on the battleship provision, and then take a vote. And I would suggest that the gentleman from Alabama [Mr. HOBSON] offer his amendment at this time, if he has one relating to the number of ships.

The CHAIRMAN. The amendment of the gentleman from Alabama can be read for the information of the House.

Mr. HOBSON. The amendment will be in the nature of a substitute for the amendment offered by the gentleman from Tennessee [Mr. PADGETT] striking out the word "one" in his amendment and inserting the word "three," and restoring the letter "s" where the plural occurs.

The CHAIRMAN. The substitute of the gentleman from Alabama can be offered now.

Mr. HOBSON. I offer it now, Mr. Chairman. Strike out the word "one" in the amendment offered by the gentleman from Tennessee and insert in lieu thereof the word "three," and restore the letter "s" where the plural occurs.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Is a request for unanimous consent now pending?

The CHAIRMAN. Yes. This is simply carrying out the purpose that was sought to be attained by unanimous consent. The Chair will state that question of unanimous consent as soon as the substitute offered by the gentleman from Alabama is reported.

Mr. RUCKER of Colorado. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, I desire to know whether I shall lose my right to move an amendment by acceding to the request of the gentleman from Illinois.

Mr. RUCKER of Colorado. Mr. Chairman, I desire at the proper time to ask the Chair when it will be in order to strike out all amendments that may be offered to this paragraph, as well as the paragraph itself.

The CHAIRMAN. On a point of order?

Mr. RUCKER of Colorado. As an amendment.

The CHAIRMAN. The gentleman can make that motion later. It can not be acted upon until the paragraph is perfected.

Mr. SULZER. Now, Mr. Chairman, I ask to have my amendment reported.

The CHAIRMAN. In a moment, as soon as the substitute is reported. The Clerk will report the substitute of the gentleman from Alabama [Mr. HOBSON].

The Clerk read as follows:

On page 59, line 23, strike out "two" and insert "three."

The CHAIRMAN. Now, the gentleman from Illinois [Mr. Foss] asks unanimous consent that all amendments relating to the number of battleships be now offered and read for the information of the House.

Mr. FOSS. No; not read for information, but to be considered as pending.

The CHAIRMAN. To be considered as pending.

Mr. MOORE of Pennsylvania. Reserving the right to object, that does not prejudice the offering of other amendments to the paragraph?

The CHAIRMAN. Not at all. Does the gentleman from Illinois desire to make a motion as to closing debate?

Mr. PADGETT. Let us agree on it.

Mr. FOSS. I suggest that we have one hour's debate, 30 minutes on a side, to be controlled by the gentleman from Tennessee [Mr. PADGETT] on his side and the chairman of the committee on this side.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that debate on this paragraph and all amendments thereto be limited to one hour—

Mr. PARKER. Debate on the paragraph and amendments relating to number of battleships. I have another amendment here, of which I gave notice last night, as to speed.

The CHAIRMAN. Does the gentleman modify his request?

Mr. FOSS. Yes; relating to the number.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that debate on the paragraph and all amendments relating to the number of battleships be limited to one hour, one-half to be controlled by himself and one-half by the gentleman from Tennessee [Mr. PADGETT].

Mr. PARKER. Mr. Chairman, does that agreement relate to all amendments?

The CHAIRMAN. Amendments relating to the number of battleships. Is there objection?

Mr. MOORE of Pennsylvania. Relating to the number of battleships only, without prejudice to the right to offer other amendments.

Mr. FOSS. That is what I mean.

Mr. MANN. That is what the gentleman said.

Mr. BENNET of New York. I wish to know if the gentleman from Illinois [Mr. Foss] and the gentleman from Tennessee are on different sides of that question.

Mr. PADGETT. We are on very different sides.

Mr. FOSS. We are in open hostility on that question.

The CHAIRMAN. The gentleman from New York [Mr. SULZER] asks unanimous consent that the amendment proposed by him may be read for the information of the committee. Is there objection?

Mr. MOORE of Pennsylvania. There is objection, unless I can have my amendment offered, too.

The CHAIRMAN. Is there objection?

Mr. MOORE of Pennsylvania. I reserve the right to object, and I offer my amendment to be read also.

The CHAIRMAN. Is there objection to the reading of the amendment offered by the gentleman from New York [Mr. SULZER] and the amendment offered by the gentleman from Pennsylvania [Mr. MOORE] for information?

Mr. ROBERTS. I reserve points of order on all amendments that are read.

Mr. MANN. They are only read for information.

The CHAIRMAN. They are only to be read for information. If there be no objection, the amendments will be read. The amendment offered by the gentleman from New York [Mr. SULZER] will first be read.

The Clerk read as follows:

At the end of line 3, on page 60, amend as follows:

"Provided always, That one of the battleships herein authorized shall be constructed in one of the navy yards."

The CHAIRMAN. The amendment of the gentleman from Pennsylvania [Mr. MOORE] will be read.

The Clerk read as follows:

Line 3, page 60, at the end of the paragraph, insert:

"Provided, The draft of such battleship shall not exceed 30 feet."

The CHAIRMAN. Now, the gentleman from New Jersey [Mr. PARKER] asks unanimous consent to have his amendment read for the information of the House.

The Clerk read as follows:

Insert in the first line of page 60, after the word "speed," the words "at least equal to that of any known battleship."

Mr. MANN. Has an agreement been reached as to time?

The CHAIRMAN. The time has been agreed upon.

Mr. PADGETT. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Chairman, I shall vote, as I have consistently done during the last three or four Congresses, for

one new battleship to take the place of the one which, according to naval experts, goes out of commission annually. I shall vote, therefore, for the maintenance of the Navy at its present strength, which, in the judgment of all reasonable American citizens, is amply adequate for purposes of defense.

As was again demonstrated by the speech of the gentleman from Alabama on yesterday, the present system of armaments requires for its maintenance or enlargement the constant precipitation of war scares. The advocates of these unnecessary increases of the war machinery in this and other countries, in other words, are compelled to constantly play upon the fears of the people, that same human weakness from which results this whole unfortunate rivalry of the nations in the exhaustion of their resources for new battleships and armaments.

We have it from the State Department and from the higher authority of the President of the United States that there is absolutely no cause for alarm, and that there is no danger from any quarter, either on the Atlantic or the Pacific side, threatening the peace and tranquillity of the United States. In the light of these assurances, it seems to me, there would be ample justification in characterizing the alarmist as an enemy of the peace of his country, and in providing by law against the precipitators of such needless alarms; but, fortunately, such a measure is unnecessary, because the good common sense of the people usually forms the stone wall against which the efforts of the war monger, the jingo, and the alarmist are vainly spent.

I wonder, Mr. Chairman, if we fully realize all the conditions to be considered in determining the question of still further enlarging our Navy. Surely these conditions are not what they were 10, or five, or even three years ago. There are some things which all will understand the moment they occur. When, for instance, the war drum is beaten there is immediate excitement, and when victory is proclaimed there is a paroxysm of joy. Events such as these appeal to the senses, not to say the animal instincts, of man. But there are other occurrences the real significance of which is considerably slower in dawning upon the people's minds, for the reason that they can be absorbed only through the intellect. Bearing on the question of peace, which we all wish to see maintained, one side by force and the other by law, a revelation of totally changed conditions has come to the people only within the last few years. [Applause.] The world is only now beginning to realize what has really been accomplished at The Hague, namely, that a court has been established to settle all disputes between nations; not only questions specified in treaties, but all questions which governments see fit to submit. From this the simplest mind will readily infer that a general use of that court will soon result in relegating the battleships to the scrap heap, except such as may be needed to police the oceans. Furthermore, it is only a short time since that the people generally have grasped the full meaning of President Roosevelt's mediation in the Russian-Japanese war, namely, that that war, with all its atrocities and horrors, might have been wholly averted by the same method by which it was ended. The people also perceive, to their great surprise, that the rulers of Europe, though armed to their teeth, are suddenly showing an aversion to hostilities and war, so that controversies which formerly would have fairly bathed that continent in blood have been peacefully adjusted, and that with an eagerness fairly startling to the observer.

Certainly these are new conditions. But that is not all, Mr. Chairman. In place of the former independence of the several nations we find a growing commercial and economic interdependence, and, by the way, this is, more even than the losses by wars, the true sanction of international arbitration. To-day, whatever steps are taken, whatever measures are considered by the cabinets and legislative bodies, our own included, it is done, not with an eye solely to the effect at home, but with anxious regard for the opinion of the world. In other words, we notice the governments to be no longer exclusively controlled in important matters by merely local or national influences, but to be largely swayed by international considerations.

Who will deny that these revelations have wrought a most decided change of public opinion with regard to the necessity of more battleships? Are we to respect that growing sentiment which from these considerations regards all further naval expansion as a waste of money?

Mr. Chairman, I am not dreaming the chimerical dream of the idealist who sees in The Hague court an agency for the immediate attainment of universal peace. But neither will I be driven by or take counsel of fear. The United States has less cause for fear than any other country on earth, and this is due, not to our 33 ironclads, but to our own greatness and to the good sense of other nations. [Applause.] What nation would be willing to commit suicide by attacking us? All need our breadstuffs, our

oil, and our cotton; and remember, also, that the will of the rulers is no longer as arbitrary as it once has been, because it is now circumscribed by the public conscience, the same enlightened sentiment which has prevented a European war for more than a generation and compelled the rulers in every more recent case of trouble to seek a peaceable solution.

As I have said before, America now has the opportunity to lead the world to either peace or war. It depends upon our vote to-day. Arrest armaments and the whole civilized world will heave a sigh of relief. It will be the beginning of the end of what has rightfully been called the "folly of nations." If we stop, the others will stop, or will be forced to stop by their suffering people. Sweet words and good resolutions will not do; it is the deed, the actual example of our Nation, which alone can afford the relief the world is longing for. And there is not a nation on God's footstool which is in a better position to set that example than is the United States. Do you realize that we have an interest far beyond our own military burdens in the exhaustion and despair of the millions elsewhere? Are they not our customers, and therefore is not a rise or decline of their purchasing power a matter of vital concern to us? Militarism is now consuming, aye devouring, the natural resources of the earth at the rate of \$2,000,000,000 a year; hence is impoverishing the people. America suffers under these burdens with the rest, the same as a relief from them would benefit her with the rest. But there is a higher reason which should impel us to lead in this holy cause. We should do the good for the sake of the good, and remain true to America's mission as the champion of liberty, justice, and peace, and true to the motto, "Above all the nations is humanity." [Loud applause.]

Mr. FOSS. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. OLcott].

Mr. OLcott. Mr. Chairman, I have no desire to make any extended speech or to repeat what has been said pro and con on this subject ever since I have been here, but I do wish to state that I am in entire accord with the report of the majority of this committee, and believe that we should have two battleships. No one wishes for universal peace more than I do, but I do not believe that the way to obtain universal peace is for us to delude ourselves with the idea that we are immune against attack.

Some years ago we started to build two battleships every year, and, in spite of what the gentleman from Missouri has said, that is the only way that we can keep up the efficiency of our present Navy, and the present Navy has certainly no more than is needed to protect this great country of ours. Sometimes I have thought that we should have two fleets as large as the one we have now—one on the Atlantic and the other on the Pacific—but in view of the fact that the Panama Canal is soon to be completed I am inclined to think that we can get along with a fleet as efficient as that we now have.

The life of a battleship is not long. Not many years pass after its construction before it becomes inadequate, and we can not safely do with less than the number of ships we have now, and we can not maintain the number of ships we have at their best point of efficiency without building two of these great ships a year.

The gentleman spoke of President Roosevelt's interposition to stop the war between Russia and Japan and spoke of the great example set the entire world, and yet he will remember that notwithstanding that President Roosevelt will probably go down to history with his greatest reputation as a peacemaker, yet he never hesitated to insist that we should maintain the Navy so that its efficiency would be commensurate with the size and dignity of our country.

This question of disarmament is immensely attractive. We hear every year the amount of expenditure that we make for future wars and for past wars, but nevertheless do not let us begin to disarm until our trade competitors go hand in hand with us. The greatest security to peace is to be prepared for war. We might just as well take the locks off our doors and to trust to the honesty that the great majority of people have not to rob us as to say that we will fail to fortify our shores and fail to build battleships, because there is little probability of some of the nations of the world attacking us and will not come and seek to capture any of our possessions. There might at some time be one nation that would seek to imperil our safety and would give us trouble and difficulty unless we are prepared. Therefore let us uphold our Navy and keep it in at least its present state of efficiency. I hope that this House will adopt the report of the naval program. I have not time to talk about the auxiliary vessels. They are of equal importance, and I believe that we have got down to the bedrock of our necessities

when we present the entirely modest program that appears in this bill. [Applause.]

Mr. PADGETT. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Chairman, I have listened with great interest to the edifying remarks of the gentleman from Missouri [Mr. BARTHOLDT], who always speaks with great interest when the question of international peace is up. It is true he used words like "war mongers" and "alarmists," and so on; but I do not believe any offense should be taken to such terms. I frequently, on my part, use the words "peace dreamers," and no one should take offense. I know that the gentleman from Missouri, however, is too true a patriot to wish at this juncture to leave the vital interests of his country to hang upon international arbitration, because I know that the gentleman knows that the best arbitration treaty ever yet negotiated between any two nations specifically eliminates all vital questions from those that are to be treated by arbitration.

He also is aware, I dare say, of the fact that, even though America is the greatest peace Nation in the world and the chief exponent of the resort to arbitration, our own country, when the Republic of Colombia asked us to refer the seizure of the Panama strip to arbitration, and agreed to eliminate every question involving honor, we refused to resort to The Hague tribunal or to arbitrate at all.

It is well to do all we can to extend the scope of The Hague tribunal, but no patriot at this juncture, at the present development or lack of development of arbitration, ought to try to develop it at the expense of the vital interests of the country. And, least of all, should America do it. It is the utmost folly to say that if we began to put a limit upon armament the other nations would follow us. The other nations have never followed us. We have always been behind them. They have gone ahead farther and farther, and to-day they are building twice as fast as we are; three times as fast as we are. It is idleness to say that if we slow down they would slow down.

Now, then, the gentleman from Tennessee [Mr. PADGETT], who offered the original amendment, is a most careful, conscientious, painstaking, and wise Member of this House and the ranking minority member of the Committee on Naval Affairs. Each year it comes to me as a great surprise that the gentleman can make an amendment providing for only one battleship. It shows that the gentleman has not worked out any policy at all. You take the Democratic platform and it specifically provides substantially as follows:

We believe that the clause in the Constitution that authorizes Congress to provide and maintain a Navy "means an adequate Navy."

It proceeds to develop what is the simplest form of an adequate navy, namely, one sufficient to protect both our coasts; and they are so far apart that, even with the Panama Canal, a fleet in one ocean can not give protection in the other. That means a two-ocean basis for our Navy. And, further, that platform adds:

And the interests of our citizens wherever exposed.

That means that if the question of our tranquillity became involved under the Monroe doctrine and its operation in South America, the Navy ought to be adequate to maintain that doctrine. That means on the question of an open-door policy in Manchuria and for the trade of China, a question vital to the interests of our citizens in the future, that our Navy should be adequate to guarantee us our rights there, so that when protests are made, as they have been made from time to time, they would be duly respected.

To show concretely what this means to adopt a one-battleship-a-year program, I will give the members of this committee a statement of what position that will leave us in from year to year. The question of the size of our Navy is largely a relative one. If we did not find great armaments in Europe, we would not have to have many battleships in the Atlantic. If we did not find great armaments in Asia, we would not have to have many battleships in the Pacific. But we do find those great standing armies, those modern engines that must be met either by similar engines or else by controlling the arm of the sea over which they may not pass. That is the condition in which we find ourselves.

What will a one-battleship-a-year program lead us to? I will give you the statement of the Bureau of Naval Intelligence, dated January 19, 1911, a table giving the strength of the fleets in the first line of the United States, Germany, and Japan on July 1 of each year from 1911 to 1920.

First, take the result of a two-battleship program. The program for Japan does not go further than 1914. The program for Germany goes through; and then on the assumption

that we have a two-battleships-a-year program, as provided for in this bill, the following will be the status—Dreadnoughts are the backbone of the fleets and I read the number of Dreadnoughts; while we still keep the older battleships in the first line of battle, because the fleets have not sufficient Dreadnoughts and other nations are doing the same, yet the first line of battle is really founded on the Dreadnoughts and will soon comprise only Dreadnoughts: In 1911, on July 1, the United States will have 6 Dreadnoughts, Germany will have 8 Dreadnoughts, Japan will have 4 Dreadnoughts. In the year 1912, on the two-battleships-a-year program, the United States will have 8 Dreadnoughts, Germany will have 13 Dreadnoughts, Japan will have 6 Dreadnoughts. In the year 1913 the United States will have 10 Dreadnoughts, Germany will have 17 Dreadnoughts, and Japan will have 7 Dreadnoughts. In the year 1914 the United States will have 12 Dreadnoughts, Germany will have 21 Dreadnoughts, Japan will have 9 Dreadnoughts. Thus, on a two-ocean basis, we find ourselves, even with the two-battleships-a-year program, in the year 1914, which is not far off, with 12 Dreadnoughts compared with 21 that Germany will have in the Atlantic, and not a single Dreadnought against Japan's 9 Dreadnoughts in the Pacific.

Mr. Chairman, even the two-battleships-a-year program is so inadequate we can not look upon it as establishing any real naval policy adequate for the purposes for which a navy exists. What can we say, then, of a program of one battleship a year, as advocated by the gentleman from Tennessee? Let us see where it will lead us. In 1913 America will have 9, Germany will have 17 and Japan 7 Dreadnoughts. In 1914 America will have 10, less than half the strength of Germany, which will have 21, and scarcely more than Japan, which will have 9, and so it goes down the list. We simply drop out of the class of nations that undertake to maintain a naval policy; and with no standing army in our midst, that is the only policy upon which we can defend our Nation. The truth is we ought not to be satisfied with simply a balance of power in an ocean when there is a standing army on the other side, because if we should lose the battle, that great standing army could strike our mainland; and if they should lose the sea battle we could not strike them. We ought to have a safe margin of superiority.

Mr. BURKE of Pennsylvania. Will the gentleman yield?

The CHAIRMAN (Mr. KENDALL). Does the gentleman from Alabama yield to the gentleman from Pennsylvania?

Mr. HOBSON. For a question.

Mr. BURKE of Pennsylvania. How would the gentleman get the Atlantic Fleet to the Pacific Ocean under the amendment he voted for here within the past hour? I ask that in good faith as a practical question, and I would like to know.

Mr. HOBSON. How would he get it?

Mr. BURKE of Pennsylvania. Yes; how would the gentleman get the Atlantic Fleet to the Pacific Ocean in case of emergency, under the amendment adopted here this morning, which forbids the Navy Department to pay for coal going from the Atlantic to the Pacific?

Mr. HOBSON. Mr. Chairman, I do not propose to open up that question when I am discussing in 10 minutes a naval policy of the United States—the question of the shipment of coal across the continent.

The CHAIRMAN. The gentleman declines to yield, and the gentleman's time has expired.

Mr. HOBSON. I am sorry, but I can not yield any longer.

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

Mr. HOBSON. I will ask the gentleman from Illinois to grant me a little more time.

Mr. FOSS. I am very sorry, but my time is already promised, I will say to my colleague. Otherwise I would be willing to yield to him.

Mr. KITCHIN. Yield to him for one minute, that I may ask him a question.

Mr. FOSS. I am sorry that I can not do it. I yield five minutes to the gentleman from Pennsylvania [Mr. BURKE].

Mr. BURKE of Pennsylvania. Mr. Chairman, I do not care to occupy the time.

Mr. FOSS. Then I yield to the gentleman from Alabama three minutes.

Mr. HOBSON. Mr. Chairman—

Mr. BURKE of Pennsylvania rose.

Mr. HOBSON. Was it yielded to me for the purpose of answering a question?

Mr. FOSS. No; the gentleman may use it as he sees fit.

Mr. HOBSON. I am sorry that with so little time I can not answer the gentleman's question. Thus far I have dealt with the question of an adequate naval policy, when considered from a relative standpoint.

Now, from an absolute standpoint, we can not with only two battleships a year maintain one fleet. It will not make up the rot that occurs every year, and even under the two-battleships-a-year program, including all of the older battleships now in the first battle line, our total fleet will go down from 21 in number, where it is to-day, to 17 in number in the year 1916.

The smallest complete fleet you can have now is 21 battleships, one for the flagship and five for each of four squadrons, the fifth vessel being off for repairs while the four are on the battle line. We can not maintain even one fleet on the two-battleships-a-year program, much less with a one-battleship-a-year program. With two a year we get down in the year 1916 to a position where the total number is only 17 ships. In the year 1914, in spite of the program, the number falls three, and in 1915 it falls to 17. It is simply ridiculous to attempt to establish a policy on any such program. I hope gentlemen will undertake to look into the question of what kind of a policy will be the outcome if we should cut down the increase to only one a year. We might as well give up. By 1920 we should have but half of one fleet, less than a third of the strength of the fleets of Europe, with nothing for the fleets of Asia.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. BURKE].

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BURKE] is recognized for three minutes.

Mr. BURKE of Pennsylvania. Mr. Chairman, in view of the unwillingness of the world's greatest naval expert to answer a single question regarding a matter of interest, and one affecting this discussion, I am compelled to direct attention to the fact that in his enthusiasm, but not in his wisdom, he has just voted, under a rule shutting off debate, for a measure that, if it were signed by the President, would hopelessly cripple our Navy and has already put this House in a ridiculous position before the world.

The last item we passed, appropriating \$4,000,000 for the purchase, transportation, and storage of coal for the use of our Navy, was amended by a gentleman from the Pacific slope as follows:

Provided, That no part of this sum shall be used for the transportation of any coal from the Atlantic to the Pacific.

Think of such an amendment, fathered by one from the Pacific slope and supported by the naval enthusiast from Alabama, and all in prejudice of Atlantic-coast coal!

In the first place, the coal companies can evade this amendment by shipping by rail direct from the mine to the Pacific without ever touching the Atlantic Ocean. But think of the ridiculous result if war were to break out to-morrow, or for any reason the Navy Department wished to transport the Atlantic fleet to the Pacific! Coal would have to be shipped in colliers and probably in hired vessels to accompany our fleet on its 16,000-mile journey. The moment they landed at Cape Horn they must halt, because the department is forbidden to pay a single dollar to transport that coal into or over Pacific waters. Therefore the fleet must wait until other colliers come from Puget Sound or elsewhere in the Northwest to feed our fleet with fuel on its journey to the Golden Gate.

In the first place, the additional colliers could not be secured, and, in the second place, if they could they would be blown from the seas before they reached the fleet; and, in addition, the Pacific coast would be at the mercy of any enemy, while our great American Navy rested at anchor in the dismal distant district of Cape Horn.

It seems to me more thought and less enthusiasm in these matters would yield profitable fruit to the American people.

Mr. MANN. Under the same amendment the battleships would have to stop there as well as the colliers?

Mr. BURKE of Pennsylvania. Yes; they will all have to stop under the prohibition.

Mr. MANN. Then, I think it is a good amendment.

Mr. FOSS. I yield to the gentleman from Ohio [Mr. COLE] three minutes.

Mr. COLE. Mr. Chairman, I am a man of peace. I am opposed to war. I have listened to the story of conflict and carnage from the lips of men who have endured the baptism of fire, and, furthermore, I am a major in the National Guard of Ohio. [Applause.] If the United States were to engage in a war, I would be compelled to go and fight. I might be killed. You gentlemen would sit here in the Halls of Congress making appropriations to buy bullets and munitions of war with which the rest of us would slay one another. Mr. Chairman, if this Congress wants to adopt a remedy that will effectually prevent war, let it provide that every Member of Congress must enlist as a private and go out first on the firing line. [Laughter.]

Mr. MANN. Some of them are going out all right.

Mr. COLE. But not on the firing line.

Mr. HUGHES of New Jersey. On the bread line. [Laughter.]

Mr. COLE. Mr. Chairman, I am in favor of the two-battleship policy. Ever since the young gentleman from Alabama came to this Congress he has been electrifying not only this body but the entire Nation with his eloquence. I remember that history records an ancient Roman who every time he rose to address the Roman Senate would exclaim, "Cathago delenda est!" (Carthage must be destroyed). When the young gentleman from Alabama, who so frequently charms this body with his eloquence, tells us with repeated regularity that war is imminent, I am inclined to think he, like the Roman Senator of old, is a sentinel on the mountain top, and has wider vision than we who dwell in the shadows of the valley. His vast experience in naval affairs has qualified him for counsel. He is destined to live in our history as one of the great sea captains, of the centuries. [Applause.]

My friends, the cause of war on the Atlantic Ocean has been removed. From time immemorial the great cause of international conflicts has been disputed territory. Every particle of territory on the Atlantic has been removed from the realms of controversy; but yonder in the Pacific, there is where the dispute will arise in the coming century. The light of civilization has encircled the globe until it illuminates the land of its birth, and upon the waters of the Pacific are destined to occur the great international events of the future. The new civilization has met the old; a conflict is inevitable. I trust it may not be a contest of arms, but rivalry in peace. But whatever it may be, let America take her stand, be prepared to meet all comers, and be master of the Pacific. [Applause.]

Mr. FOSS. I suggest to the gentleman from Tennessee that he use his time.

Mr. PADGETT. How much time have I?

The CHAIRMAN. The gentleman from Tennessee has 10 minutes remaining.

Mr. FOSS. How much have I?

The CHAIRMAN. The gentleman has 16 minutes.

Mr. FOSS. I intended to yield five minutes to the gentleman from Tennessee for the gentleman from Alabama [Mr. HOBSON].

The CHAIRMAN. Then the gentleman from Tennessee has 15 minutes remaining, and the gentleman from Illinois 11 minutes.

Mr. PADGETT. I yield five minutes to the gentleman from Colorado [Mr. RUCKER].

Mr. RUCKER of Colorado. Mr. Chairman, we have heard here the prediction that war is imminent; in other words, it means that a nation of 6,000,000 people, occupying an area scarcely larger than the State of Colorado, from which I come, and having only 12 per cent of its land under cultivation, the soil of the balance having long since gone to the sea, is coming to this country to conquer, subdue, and enslave a people of 90,000,000, representing the highest state of civilization the world has ever known. Yesterday I sought to get the attention of the dean of the House, the reader of the palms of the mailed fists of the great god of war. I wished to call his attention to the fact that but a few weeks ago there was laid upon the Speaker's table a confidential letter from the Secretary of War. I wondered if the gentleman who predicted that without any doubt a war with Japan would occur within 10 months had seen the inside of that document. I wondered if he had listened to the address made by the Major General of the Army on the 1st day of this month before the National Press Club, when he said there was not a speck or a cloud on the horizon in the world to-day that indicated war with any power. I wondered if he remembered what the Secretary of the Navy said in New York but a few days ago, that after the Panama Canal was completed the whole of the Navy of the Atlantic would rest upon the bosom of the Pacific; and I wondered why that could not be done now; for with the expenditure of less than \$1,000,000 for dry-docks upon the Pacific, with what dry-docks we have now there, we could make there a base of supplies such as the gentleman from Alabama said this country would need there if we had to go around the Horn. I call his attention to the fact that we would be within three days of our base of supplies by means of our great trans-Atlantic railroads if our fleet was in the Pacific, whereas through the Panama Canal we would be 10 or 12 days away.

Why, Mr. Chairman, it occurs to me that a nation that it costs its citizens 57 cents upon every gross dollar they make to pay their war debt, and whose creditor nation is our kinsman, England, that if there is to be a war with Japan it must be that England is its ally, and therefore we must fight on the Atlantic as well as on the Pacific a common enemy.

I say, Mr. Chairman, out upon this nonsense that comes around yearly when we are asking to build two battleships! I recorded myself with 17 others of this Assembly at the last session in voting against either, and I propose at the proper time to ask, however this may be amended, whether it be one, two, or three battleships, to strike out the entire provision, so that there shall be no more of these battleships saddled upon the overburdened taxpaying people of this country. [Applause.] Mr. Chairman, I yield back the balance of my time.

Mr. PADGETT. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Chairman, I did not intend when I came on the floor from the committee room to say anything on the question that is now pending before the committee. But the gentleman from Alabama made a very remarkable statement, a statement that should challenge the attention of the House as well as of the entire country, when he said to us that to pursue the policy of two battleships a year will in six years leave us with a less efficient Navy than we now have. If this is true, then I submit that it is time for us to pause and consider where we are going in the expenditure of the people's money in building what he and other militarists claim would be an efficient Navy, or, as I claim, in spending their money only for the purpose of competing with the nations of the world in this mad, international armament race. At the present cost of construction of a single Dreadnought, we will have to spend \$40,000,000 a year for new ships alone in order to maintain the policy of building and equipping two battleships each year.

And yet we are told by the high priest of war on the floor of this House, that after spending that sum each year for six years more, we will have then a less efficient Navy than we have at the present time.

Men talk about the necessity of this expenditure out of fear of Japan. Why, \$40,000,000 spent a year in this country is as much as Japan proposes to expend in the next six years on her navy. In a recent speech the premier of Japan, Mr. Katsura, outlined the policy of his Government with respect to naval expenditures. From his remarks it will be seen that the annual expenditure which it is proposed to undertake during the coming six years is only sufficient to replace such vessels in her navy as become worthless from usage. This is a conclusive answer to the arguments of the jingoes of this country, who contend that we should greatly increase the size and number of our own battleships in order to keep up the pace being set by Japan and other great nations of the world. Mr. Katsura said:

In order to meet the national expenditure, which had greatly swollen during and after the late war, the public debts of the country at that time also rapidly increased to an enormous amount, while increase upon increase had to be made in the national taxes.

The result of this was the growth of a feeling of uncertainty about the financial stability of the country, which condition of things in its turn led to a depreciation of our public bonds both in the markets at home and abroad, affecting domestic economic circles generally.

This turn of affairs taking place concomitantly with the upheavals then overtaking the economic world at home and abroad was additionally far-reaching in its effect. It was a time when our economic world was beset with troubles and difficulties.

For my part, in view of the present condition of the Empire, and that of its late warlike experiences, I feel especially deeply the *need of preserving peace*, and since my return to office I have given my best attention to the development of *all peaceful measures*, thereby to promote the general welfare of the nation.

This country feels no necessity for any sudden increment in its naval strength, the condition of things surrounding being such as it is; but in order to keep up the strength of our navy to such a point as is necessary for the defense of the country, it has been deemed unavoidable to introduce some adequate changes in the building of warships to follow suit in the changes adopted by other powers.

And we have resolved on spending 80,000,000 yen (\$40,000,000) spread over six years; the outlay being met by funds out of the ordinary revenue, within the limit of maintaining harmony between the plans of national defense and those of national finances. The amount will be added to the naval estimates.

Those who are constantly seeking to compel this Government to continue its extravagant expenditures on account of the Navy have endeavored to make it appear that public sentiment in Japan is anti-American and that every citizen of Nippon would welcome the opportunity to try his steel against so formidable an adversary as the United States. They draw their conclusions in this regard from the belligerent utterances of the yellow journals, which unfortunately have their influence in that country as in this. It is therefore interesting to note the opinion of one of the most trustworthy writers on Japanese affairs, the editor of the Japan Mail, who was formerly a captain in the British Army and who has been a resident of Japan for about 40 years. He is also the accredited correspondent of the London Times and the author of one of the most extensive and valuable historical works on Japan that has yet been published. These are his words:

If one were deliberately to set oneself to the task of finding some evidence of Japanese designs against the Philippines, one would cer-

tainly arrive at the conclusion that there is a total absence of any testimony of the kind.

We believe, for our own part, that if the Philippines were offered to Japan as a free gift to-morrow, she would hesitate to accept them, and if they were offered to her at the cost of American friendship she would treat the notion as absolutely ridiculous.

Japan's resources are already sufficiently taxed in developing Saghalien, Chosen, Formosa, and Kwantung, and it is not always remembered that these additions to the Empire or to her sphere of influence necessitate a corresponding dispersal of her forces. This is especially true of the Philippines. Their inclusion in the Japanese Empire would greatly increase the latter's responsibility without any corresponding access of wealth.

The fact is that a more unsubstantial bugbear has never occupied the attention of intelligent people than this Philippine specter and its California audience. But, unhappily, reality can be created out of fiction.

If the anti-Japanese agitators of California din their fears into their own ears with sufficient persistence they will become, in the end, persuaded of their reality and they will also succeed in creating in Japan an exaggerated estimate of the anti-Japanese sentiment in the United States.

In confirmation of this opinion I will quote the words of Count Okuma, the founder and head of the Liberal Party in Japan:

All future expansion must be of a peaceful kind. Seizure of territory belonging to other countries, on whatever pretext it may be done, is condemned by public opinion and is calculated to arouse hostility throughout the civilized world.

In writing on the subject of the "American-Japanese Relations," a writer in *The Far Eastern Review* says:

The greatest intrigue of the last decade seems to have for its purpose the undermining of the friendship existing between Japan and America. This propaganda is given publicity in the yellow press of the United States and Japan, and is egged on by a few irresponsible European writers. Little by little there has been created the impression that the interests of Japan and America were bound to clash. Now, there is hardly a European writer who takes it upon himself to solve all the troubles that the Far East is heir to who does not declare that it will all end by conflict between Japan and America. While we are reading how France, England, and Russia love Japan and are united together to preserve the world's peace, we find a few public men in each of these peace-loving nations declaring how unfortunate it is that America and Japan must proceed to destroy each other. Japan's pride is hurt by misquotations from speeches of prominent Americans, and America's pride is touched by lying reports from the yellow press of Japan.

Japan must not permit herself to be misled, and if we are not mistaken the leaders of thought of the Empire are not so obtuse. It would be well if the citizens of America would seek the motive behind all this vicious and lying propaganda. It may serve the yellow press of America with a sensation once in a while, but it could not serve so continuously unless there were a purpose behind it. We do not believe that the lying reports of the speeches could have been made unless those who transmitted them were either by nature vicious or of that low order of creatures who so lack principle that they will lend themselves to the services of an organized campaign on the part of interests outside of the United States and Japan to precipitate troubles.

It behoves the intelligent among the citizens of both nations to maintain great reserve in the reception of reports that serve to create a feeling of antagonism between the two peoples. It is certain that neither Tokyo nor Washington desire a conflict, and, so far as we can see, there is no motive for any change in that attitude.

I am informed that the International Press Association, which includes every representative in Tokyo of American and European journals, at a meeting held in that city recently, adopted a resolution declaring that newspaper men in Japan are unable to discover any basis in the circumstances or sentiment in Japan warranting the disquieting speeches now being made in this country in regard to the alleged warlike attitude of Japan. These newspaper men may be regarded as having voiced the feeling of the general Japanese public. Moreover, Count Komura, the Japanese minister of foreign affairs, has expressed the opinion that war with the United States is inconceivable, and that "it would be a crime without excuse or palliation."

In view of the statements which have been made concerning the activity of Japan in building and maintaining a great navy, it is interesting to note the conditions of financial distress which prevail in that country. The recent loss of property through floods has been estimated at from fifty to seventy-five millions, and it will cost many millions to construct embankments which are necessary to prevent a repetition of this disaster. One of Japan's leading statesmen, Mr. Matsuda, recently said:

The people are groaning under the heavy burden of taxation, and the slightest addition will be enough to crush them. The Government's first duty is to lessen the burden.

While one of the Tokyo papers, in commenting recently on the causes of dullness in business, said:

It is the heavy taxation borne by the people during and since the war that is robbing the people of their purchasing power, and producing depression in the commerce and industries of the country.

Mr. Chairman, there are a great many people in this country who have had the fear of war with Japan dinged into their ears year after year for the past 10 years until they rarely ever sleep at night without their slumbers being disturbed by a Japanese nightmare. [Laughter.] It is astounding when we stop to think of the extent to which we have gone in preparing to defend ourselves against imaginary enemies.

I remember, as does the gentleman from Alabama, that it was only five years ago that the world first heard the word Dreadnought. That was in November, 1906, when England launched her first Dreadnought. At that time the estimate of the Navy Department for the increase of the Navy had been submitted to the Secretary of the Treasury for transmission to Congress. It did not include an estimate for a Dreadnought, but at that session of Congress, in order to compete with Great Britain, an attempt was made in this House to authorize the construction of a Dreadnought. The authorization was not secured, however, until the succeeding Congress. Since then we have been constructing two of these great battleships each year. I trust, Mr. Chairman, that the amendment of the gentleman from Tennessee, providing that but one Dreadnought be authorized, will prevail. [Applause.]

Mr. Chairman, as my time is very limited and I am, therefore, unable to express myself as fully as the importance of this question would otherwise prompt me to do, I will print with my remarks an address which I delivered in Cooper Union, New York, on the 13th of January last. I will also print an article written by Col. William Hoynes, dean of the law department of the University of Notre Dame, Notre Dame, Ind., entitled "War Preparations as Price of Peace," in which he refutes the contentions of the militarists that we are unprepared for war. This article is the more interesting and instructive when it is known that Col. Hoynes served with distinction in a regiment of Wisconsin Volunteers during the Civil War, and that he was under fire many times and was severely wounded in battle.

THE COST OF ARMED PEACE, UNNECESSARY AND PROHIBITIVE.

The Governments of the world are slowly coming to realize the difference between the modern nation and the ancient empire. Owing to the invention of printing and of the telegraph and telephone, far-distant nations have become near and familiar; and they understand each other to-day almost as thoroughly as they understand themselves. The steel rails and connecting steamship lines that gird and unite both hemispheres afford the opportunity for that vast international travel and create that fine cosmopolitanism that to-day characterizes all the great nations of the earth. So that we feel ourselves citizens of many nations and of the whole world as never before in the history of mankind. Different nations realize to-day that their life is one life and that their more important problems are identical; that all must suffer from the ignorance and inefficiency of each and of all, and that all are benefited by that which promotes the material interests and welfare of each nation.

Owing to the vast extension of the activities of modern commerce, industry, and finance, industrial and commercial empires more comprehensive in their scope than any nation have sprung up, as it were, in the night. These newly created world spheres know no international boundaries and are rapidly combining peoples and nations together with chains of gold that render belligerency between governments suicidal. In breaking the peace of the world the modern nation inevitably declares war on herself. She attacks her own economic and social interests. She plunges a knife into the hearts of her own people.

Silently, and in obedience to laws that are more fundamental and far more in keeping with the needs of modern civilization than many parliamentary enactments, these great institutions have followed the railroad and the steamship to the ends of the earth. They have extended their boundaries until, from an industrial and an economic point of view, the world is almost like a single nation.

American reapers harvest the golden grain of India and Australia; American locomotives climb the Andes and thread the mountain passes of Africa and Asia; American machinery launders the clothes of the Chinaman and brews the beer of the German. Our large manufacturing establishments and commercial houses have offices and agents in every great center of trade in the world. You can buy American shoes and meats in the stores of Bombay and Moscow, and I need only remind you of the labels on hundreds of articles of merchandise in our own stores to prove that we prize many things "made in Germany," "made in England," "made in Japan," or "made in Persia." The furniture, the clothing, many of the personal belongings, and even part of the food in the home of almost every well-to-do American prove that not only the great nations, but even the islands of the seven seas contribute to the comfort and well-being of American citizens.

Economically the problems of all nations are the same. Socially we are coming more and more to live a common life, and industrially we are bound by a vast confederation of interests which render war between nations not only wholly improbable, but prohibitive.

There was a time, not more than a century and a half ago, when it was commonly believed that there could be but one great nation in the world at one time, and that a nation could become great only by conquering the wealth and enslaving the peoples of other nations. Then nations went to war for slight cause, and in some cases, without any cause whatever, except for territorial acquisition or the personal aggrandizement of kings and princes. The greatness of nations rested then upon conquered wealth and the bent backs of enslaved peoples; hence no nation could hope to remain in the ascendant or keep its place of supremacy for any great length of time. Foreign foes and internal decay soon threatened it and as a rule its dominance soon came to an end. Think of the long line of ancient thrones that have one after the other ruled the world—Babylon, Nineveh, then Babylon again, Persia, Greece, Macedonia, and Rome.

How all this has changed! At the opening of the twentieth century there is no reason inherent in the relations of nations to each other why any great nation must fall. On the contrary, there is every reason found in the existing relations between the nations of the world why all great nations should endure and grow greater side by side. The world knows now that the greatness of a nation does not depend upon war and conquest, but rather upon the thrift, the industry, the courage, and the culture of its citizens. The real wealth and strength of a nation lies not in fleets and armies, but in the bone and brain of its men, in the resources of its soil, and in the pure red blood of its mothers.

The main reasons for the existence of different nations are geographical, climatic, and ethnical. It is entirely possible that all international disputes as to boundaries, as to trade and commerce, or spheres of influence, can be settled by an arbitral court of justice such as that recommended by The Hague conference, in the creation of which our Government is now endeavoring to secure assistance from other nations, or by utilizing existing international agencies for that purpose. Consequently, my friends, there is but one cause that may provoke war between great nations, and that is irrational impulse or frenzied passion, excited by sudden insult or accident, betraying whole peoples into a mob condition which is not responsive to considerations of prudence or humanity.

It will be well for the advocates of armed peace to consider that the operation of this crowd passion or mob spirit in causing war is wonderfully favored and facilitated by the existence of large armies and navies. The possession of irresponsible power is always a temptation to its irresponsible use. Individual citizens are not permitted in times of peace to go armed among their fellowmen because of the temptation to use arms for slight cause in such moments of passion and excitement as every man is liable to in the course of his daily experience. It is with nations as with individuals; there is always the possibility that if nations know themselves to be dangerously armed and fully equipped, they will be more apt to declare war on slight provocation than they otherwise would be.

Instead of being a guaranty of peace, therefore, great armaments are a continual menace to peace. They tend to hasten the event which it is claimed elaborate preparation for war is intended to prevent. Great and costly armaments should not be relied upon to preserve peace for at least three principal reasons: First, they are a continual temptation to war; second, they are wholly unnecessary in our day, because the great preventive of war is the common life which the nations of the world live together and make possible for each other. The world has shrunk, as it were, into a neighborhood in which each nation is in constant touch with all. The world's annual commerce exceeds \$28,000,000,000. All civilized nations are therefore interested in preventing any two nations from disturbing the world's peace. A strong and sane public opinion, the real executive power of all Governments, is against war; and powerful interests all over the world are ready to oppose it whenever it may be necessary to do so. And, third, armaments can not be relied upon to prevent war or maintain international peace, for the reason that their cost is rapidly becoming prohibitive, and would now be prohibitive if the policy of an armed peace was consistently carried out by the principal nations of the world.

At the present time, in our own country, we are confronted with the appalling fact that about 71 per cent of our total national revenue is being expended annually on account of wars past and to prevent future wars, or, to maintain armed peace. It is true that 32 per cent of these revenues is expended on account of past wars, but this is as much a war expenditure as is the 39 per cent expended annually in preparation for war. It should be stated, however, that this is exclusive of our postal receipts, because our postal receipts and expenditures are so nearly equal that they are treated by the Treasury Department as a balanced account.

But when we say that the annual cost of our policy of preparing for war to the end that we may have peace equals 39 per cent of all our Federal revenue it does not convey to the average mind any idea of the magnitude of that expenditure. When stated in dollars and cents we find that, including the current fiscal year, we have appropriated and expended during the last 10 years on account of preparation for war alone \$2,192,036,585.20! These figures denote a sum so vast that the average mind can not grasp it. The bonded debt of the United States on August 31, 1865, at the close of the Civil War, was \$2,674,815.856.76. Our expenditure in preparation for war the last 10 years was, therefore, only \$482,770,271.56 less than the bonded debt incurred by our Government in carrying on our four years' war to preserve the Union.

Some idea of the magnitude of this vast sum expended during the past decade on account of preparation for war may also be obtained by contrasting the aggregate of that expenditure with the aggregate loss of property sustained by the people of the United States and Canada on account of fire between the years 1820 and 1905. According to the official report of the underwriters' association, the losses sustained in consequence of all the great fires, such as the Chicago fire in 1871, Jacksonville in 1901, and Baltimore in 1904, between the years mentioned, or in 85 years, were \$539,850,000. This is only little more than one-fourth of the amount expended from our Federal Treasury in the last 10 years on account of preparation for war, or to maintain the policy of armed peace. This vast sum expended in preparation for war, which, as I have said, is almost equal to the bonded cost of the Civil War, was expended, too, in a time of profound peace.

But lest these comparisons fail to impress our people with the magnitude of our expenditures in preparation for war, let me add that with the two billion dollars spent for this purpose during the past 10 years, we could have built more than five Panama Canals at the highest estimated cost of the completion of that great enterprise—the greatest undertaking any nation in the history of the world has ever embarked upon.

If this expenditure approximately measured the cost of maintaining this policy, or if its expenditure had placed us as a nation in a condition to successfully resist the force of any other nation, then the cost of armed peace might not be prohibitive, for the American people, so long as their present prosperity continues, can maintain their present Military Establishment without jeopardizing their national credit or weakening their financial resources. But according to the judgment of our enthusiastic militarists, this vast expenditure during the past 10 years finds us in a deplorable condition from the standpoint of our national defense.

We are told in official reports that after spending two and a quarter billion dollars in preparation for war in 10 years, almost any European or Oriental power could cross either of the two oceans which separate us from the rest of the world and successfully invade continental United States, destroy our railroads, blow up our mountain passes, paralyze our industry, and reduce to ashes the magnificent cities that sit queen-like on our Atlantic and Pacific coasts. These advocates of armed peace maintain that in order to put our Nation in a state of preparedness for war it is necessary for us to have a standing army of 400,000 men and also to fortify every place on our 7,000 miles of coast line where it would be possible for an enemy to anchor a vessel and land an army. To carry out their theories would necessitate an enormous increase in our war expenditures. This, then, would be the logical end of the policy of maintaining our country on a peace basis by being prepared at all times to meet the most remote contingencies which might arise in the event that we should go to war with the strongest nation.

If the expenditure of two and a quarter billions in 10 years for the purpose of providing for our national defense finds us in the helpless condition the advocates of militarism would have us believe, then what would be the sum total of our expenditures for this purpose, or for the purpose of deterring any nation from declaring war against us or provoking such a declaration from us against any other nation, if we were to adopt and carry out their theories? If, as we are now told, the expenditure of so vast a sum is not even perceptible, can anyone estimate the amount which would be necessary? Can anyone comprehend that sum?

My friends, the total cost of such an undertaking would amount to figures which would baffle the imagination. Think of the vast internal improvements which could be effected with the expenditure of half the amount we expend annually in preparation for war! Think of the vast and varied interests of our 92,000,000 people which could be materially advanced by the expenditure of one-third of our present annual expenditure in preparation for war! In the year 1908 the United States, England, Germany, and France spent upon their armies and navies, or in preparation for war, more than one thousand million dollars! Let anyone try to comprehend this vast sum and then tell me that the cost of armed peace is not prohibitive.

One of the saddest phases of our extravagant war expenditure is the fact that millions of people are indifferent to the effect of the wasteful policy of modern nations in constructing and maintaining expensive armaments. They feel that governmental extravagance in this and other directions, even when it subserves no other good, is a benefit to the industrial world. I wish I might bring home to the hearts of all who hear me, and of this entire country, the fact that such policies exhaust the real wealth of the Nation, dissipate our most precious economic resources, and deprive us of the productive energy of thousands of able-bodied men.

There is another phase of this question that deserves the sober thought of all men throughout the world who are charged with the responsibility of government.

These vast armaments tend to promote a spirit of rivalry among nations to excel each other. This tendency has grown for the last decade so rapidly that it now amounts to an international race for supremacy in war preparation; and that, too, at a time when there is no cloud on the international horizon to threaten the existing peaceful relations between all nations of the world.

I think perhaps our Nation was the last of the great nations to join in this mad international armament race. It was in November, 1906, that England launched her first *Dreadnought*. The estimates for the increase of our Navy were then in the hands of the Secretary of the Treasury for transmission to Congress. They did not include an estimate for a Dreadnought, or a "scared-at-nothing" battleship, as Congressman Williams, of Mississippi, then said. But when it was heralded all over the world that England had launched a battleship of 18,000 tons displacement, some 3,000 tons in excess of our largest battleships, it was deemed advisable to submit to Congress a supplemental estimate for a 20,000-ton battleship, and as a conclusive argument in support of the authorization of such a ship our Chief Executive at that time said to me, "I want to be able to say, when I go out of this office, that I have authorized the construction of the biggest battleship the world has ever seen."

Although Congress at that session did nothing more than authorize the preparation of plans for a battleship of that size, at its next session, under pressure of a manufactured Japanese war scare, it authorized two 20,000-ton battleships. But before the adjournment of Congress on March 4, 1909, England had laid the keel of two Dreadnoughts of 23,000 tons displacement, and in order to gratify a personal and national ambition to excel England, as well as all other nations of the earth, in the construction of great battleships, Congress authorized the construction of two battleships of 26,000 tons displacement.

Thus we see how the policy of an armed peace leads to unnecessary and extravagant war expenditures. If we can insure international peace only by the comparative size and extent of our armaments, then the same is true of all other nations, and each must ultimately exhaust its resources and those of its people in order to insure itself against successful attack by any other power. For this reason I maintain that the cost of an armed peace is so great and the effect upon national credit so disastrous that international peace can not be maintained, and the cost is therefore prohibitive.

The truth is, my friends, that the social and economic organization of the world has advanced beyond its political organization. Industrially, commercially, and educationally we dwell in a new world—the world of the twentieth century. Politically we cling to the institutions of the eighteenth century. Armies and navies will always be necessary for the discharge of the police functions of government, but elaborate armaments, built at enormous cost for the purpose of insuring international peace, are rapidly becoming, if they have not already become, an anachronism in the world.

In view of the fact that within the last six years at least 80 treaties of obligatory arbitration have been concluded between the nations, our own Nation being a party to 23 of them, the world may confidently hope that ere long the dream of the poet will be realized of a time

When the war drums beat no longer,
And the battle flags are furled
In the parliament of Nations,
The federation of the world.

A SORRY SCARECROW—WAR PREPARATIONS AS PRICE OF PEACE—ASSUMPTIONS OF IGNORANCE REGARDING THE SOLDIERY OF THE CIVIL WAR.

[By Col. William Hoynes, Notre Dame, Ind.]

Some one named Gen. Homer Lea has of late been busier with the pen than he ever was or is likely to be with the sword. His book entitled "The Valor of Ignorance" has been industriously circulated and persistently brought to the notice of the press.

The comments it has elicited betray in some places a sense of alarm and in others a feeling akin to terror at our alleged unpreparedness for war. He maintains with Hobson-like sensationalism and garrulity that any of the great nations could with comparative impunity bombard our seaport cities, land armies, defeat us in battle, and obtain a victory which might place us for years under the domination of a foreign foe. All these evils are predicated on our not having a bigger Navy and larger standing Army.

This lugubrious jeremiad is not, however, an original fancy of Gen. Homer Lea. It is old and stale, although again exploited without reference to its triteness. It has served for ages as a means of adding war vessels to the navies and new levies to the armies of empires and kingdoms. There is hardly any limit to it, except an empty exchequer, to which it inevitably leads.

RUNG ON ALL THE CHANCES.

In our own country this doleful tune has been intermittently piped for more than half a century. It has been rung on all the changes of defenseless coasts, inadequate standing army, unserviceable militia, unfitness for war, and national humiliation in our alleged military and naval inferiority.

The less danger the more ominous appears to be the screeching of the ill-omened owls that see foreign fleets in the clouds and hostile armies in the storms that sweep the sky.

This valiant knight of peace, who seeks fame through his goose quill, is evidently an authority on "ignorance" if not on "valor," and may fittingly appropriate the word in the title of his book. The evident sensationalism and dogmatism characterizing it awaken surprise in some degree and challenge controversy.

Nevertheless, it might pass without comment or mention on my part, at least, were it not for the ignorance it betrays in referring to the citizen soldiery of the Civil War. The statement that there were 200,000 desertions from the Army during that momentous struggle is so unfair and gratuitous that it becomes hardly less than a duty to squelch it as a venomous copperhead in the grass. To avoid digression, however, this phase of the matter may be deferred.

The cry of alarm in regard to the alleged weakness of our Army and Navy is almost an echo of what one hears in England, Germany, France, Russia, Italy, and other nations—nations that by reason of geographical situation, environments, and conflicting interests are keenly vigilant and distrustful of one another, as indicated by their rigorous conscription laws and intensive maintenance on a war footing. The admonitions and appeals in the same line which have recently become so common in our own country seem mainly to originate among the war-seeking and promotion-aspiring elements of the military and naval service.

A FORMAL AND SIGNIFICANT REPORT.

But to show how decrepit and senile is the theme let me quote from an authority at hand. It is the report of Commissioner Richard Delafield, major of engineers, to Jefferson Davis, then Secretary of War, and later president of the Confederate States—the Southern Confederacy.

The commission comprised Maj. Delafield, Maj. A. Mordecai, and Capt. George B. McClellan. It was authorized by the Government to go abroad and study the art of war in the Crimean campaign and Europe generally. Its observations covered the years 1854, 1855, and 1856, the period reminsently and longingly referred to by ship-subsidy people and others as that in which our argosies of commerce covered all the seas and the ubiquity of our flag bore undeniable evidence to the diffusion of American trade throughout the world. And it may be as well to remark in passing that ship subsidies had not even been suggested at that time, although the navigation laws were more liberal and consonant with common sense. But to quote from the report, which is dated at West Point, May 7, 1858:

"We possess a nucleus of military knowledge in the country, barely sufficient for the wants of our Army in time of peace. * * * The auxiliary branches are not provided for. Our seacoast defenses are not conducted with as much energy as an individual bestows in building a residence for his family.

"It is undeniable that of the number of guns needed for the defense of our seacoast the Nation does not contain, including the whole standing Army, men enough that know how to fire hot and hollow shot to provide a single man for a sixth part of the guns. In this unprecedeted state on our part several of the powers of Europe have steam transports and munitions, with fleets superior to our own, ready at any moment to throw on our coasts disciplined armies that could land in six hours after anchoring.

"Yet, with blind indifference, professing at the same time to be all powerful, our people neglect the many calls and statements of those they appoint to study this subject, leaving us at the mercy in the first years of conflict of either of the naval and military powers of the old world."

UNFOUNDED THEORY IN FACE OF FACTS.

In perusing these alarming excerpts from the official report, published over half a century ago, one might abstractedly fancy himself deep in the labyrinths of Gen. Homer Lea or in the familiar and fear-inspiring messages of a former occupant of the White House. Oh, for a greater Army and a bigger Navy and more battleships and new cruisers and improved torpedo boats and generous ship subsidies and additional fortifications on our home and insular coasts to protect our alleged merchant shipping!

Notwithstanding that terrifying report the people did not become frightened. On the contrary, it made no impression, and they continued to move forward in the customary tenor of daily routine. They remained steadfast and unapprehensive until the tocsin was sounded and the War of the Rebellion broke out and became flagrant in the land. This was the most sanguinary and fiercely contested war of modern times, and the participants were composed almost entirely of volunteers. Men and boys from the farm, the workshop, the office, and the schoolroom comprised the rank and file of both armies. And no armies in the world, no matter how carefully trained or skilled in warfare, ever fought with greater courage and fortitude.

According to the report of Maj. Delafield and his associate commissioners, the country was unprepared for war and practically defenseless as against foreign powers, and yet the Union Army courageously met a most formidable foe. It fought gallantly and despaired not in temporary reverses and defeats. With fortitude it stood at bay, and returned to battle with the dash and enthusiasm of victory. At the same time it defied both England and France in their machinations in behalf of the South. It was well known that their pronounced sympathy was with that section and that they had made tentative movements toward active cooperation with it, but the apparent indifference and defiant attitude of "the boys in blue" frightened them into a professed neutrality.

According to the report either of them could have come over alone and made a successful attack on the entire country, undivided as it was before the war. According to the fact both of them were defied and taught the folly of intervention by the North alone while engaged in a desperate struggle with fearless foemen—the valiant armies of the Confederacy.

Moreover, when the bloody contest was closing and troops began to march toward the Rio Grande, France saw fit to withdraw her army from Mexico. And later, when the carnage ceased and the war was ended, a message to England suggested the advisability of her paying the claims arising from the depredations of the Confederate cruiser *Alabama*, and with many a protest and grimace she handed over through arbitration nearly \$15,000,000.

The citizen soldiery of that most sanguinary war returned to the peaceful pursuits of life as quietly as they had flocked to the "colors" when called on by President Lincoln to save the Union. They afforded a patriotic illustration of what freemen can do and what a just sense of duty prompts them to do in defense of their country.

THE WELCOME IN STORE FOR INVADING ARMIES.

An invading army on our shores would invite the fate of the British veterans at New Orleans, where their losses were in the approximate ratio of 150 to each one of the militia and hastily recruited citizen soldiery that Jackson led into the fray.

Even if a hostile army should succeed in landing at any point on our coast it could not move beyond the cannon range of its war vessels. Nor could it long remain even there. In a few weeks it would be pushed back to the water's edge, crushed in the tightening lines around it, compelled to surrender, or forced to reembark under the guns of its fleet.

Moreover, there is no occasion, save in the assumption of ignorance, for apprehending danger of seacoast attacks by hostile navies.

The siege of Vicksburg offers a suggestive and practical object lesson in that respect. The heaviest battering by siege guns and mortars, and all kinds of ordnance and implements of war that ever took place on this continent was at Vicksburg. It lasted from about the middle of May until the 3d of July, 1863, the hour that the battle of Gettysburg was decided by the repulse of Pickett's charge. Vicksburg became ours by surrender that evening, and we entered it on the 4th. Pemberton and his staff, with an army exceeding 30,000 men, met us with friendly salutations. Tons of iron and lead had been thrown into the city during the siege, and the ground was literally covered with the débris of war. Yet Vicksburg stood almost intact. Only four buildings near the landing place on the river appeared to have been irreparably damaged. Even the courthouse cupola and clock, which had been a favorite target for aspiring artillerists throughout the siege, still stood out bold and defiant.

All the hostile fleets of the world could hardly have delivered a fire so terrific, continuous, and well directed. It was maintained almost incessantly for weeks, and yet the physical evidences of the damage appeared to be comparatively unimportant. It seemed to me that the visible damage could be repaired in a month or two by a few hundred carpenters and masons.

Now was Petersburg much damaged by its memorable siege, which lasted for several months. It must be admitted, however, that there the fire from the siege guns and mortars was directed in the main toward the railroad station and boat-landing on the Appomattox, and was not so searching, constant, and heavy in volume as at Vicksburg.

How insignificant must seem a temporary and sporadic attack of war vessels, with aim as unsteady as that of mounted cavalrymen, in comparison with the steady and concentrated fire of siege guns, mortars, artillery, and rifles! And yet a yellow streak develops and timidly becomes manifest in some quarters on mentioning the alleged danger of attacks by foreign fleets on our pretendedly defenseless, but in reality exceptionally well-fortified, seaport cities.

From this point of view one can afford to make light of the puerile cry of alarm heard now, as well as heretofore, in reference to the inferiority of our military establishment, the weakness of our Navy, the defenselessness of our coasts, the unavailability of our Militia, the unreliability of a civilian soldiery, our helplessness in apprehended war, and our low martial standing in the estimation of world powers. There is an air about all this that suggests the obsolete "hot shot," referred to in Maj. Delafield's report. The author's shake might serve as a coehorn for its discharge.

VINDICATION OF THE VOLUNTEERS OF THE CIVIL WAR.

But little heed, however, is bestowed upon such vapor. What I specially resent is the unfair and misleading reference to the Union Army in the Civil War. There is an imputation of cowardice and commercialism, rather than patriotism, in the irrelevant, if not irrational, accusation that there were 200,000 desertions from it during that gloomy period of the Nation's stress and peril. This seems hardly less than a desecration to one who faced the varying phases of the war. It argues stupidity, bumptiousness, crass ignorance, or malicious vindictiveness in the accuser.

It was my own fate at the time to be numbered among the volunteers or civilian soldiers thus inferentially misrepresented and aspersed. I was with them in the days of their youthful vigor, buoyant hopefulness, undaunted courage, and devoted patriotism. With them on the march, in the bivouac, and in battle—with the dead and wounded on the field, in the ambulance, in the hospital—it was my privilege to know thoroughly and intimately the men and the class of men composing the Union Army. I know them to have been the best and bravest in the land. They were the pride of Columbia, the hope of the Nation, the saviors of the Union.

A NEW LIGHT ON DESERTIONS.

As to desertions from the Army, I call to mind but one or two instances of the kind, and these took place toward the close of the war. It is undoubtedly true that when the war closed many left for their homes without waiting to be formally and regularly discharged. They had not seen their homes, nor spoken with relatives, nor been at the interment of their dead, nor attended personally to their business affairs, nor been able to respond to urgent calls affecting their interests at home for three or four years, and it is not so very surprising that some of these hastened back informally and prematurely when the war ended. Of course they were charged with desertion, and technically they did wrong and were deserters. But as they held out to the end and did not leave in the face of the enemy they hardly deserved to be condemned for desertion. In view of the extenuating circumstances a milder term would be more applicable to their offense.

It must be admitted, however, that in the larger cities many lawless adventurers, actuated by pecuniary enticements, made a business of enlisting and deserting. Some of them did so scores and scores of times. Familiar with the disguises of criminals, they passed from place to place, going under false names, and repeatedly enlisting and deserting.

Wretches of that class, needless to state, were hardly ever seen at the front. Never in any proper sense did they become soldiers. What well-informed and fair-minded man could indiscriminately charge the volunteer soldiers of the Union with the craven conduct and criminal deeds of those contemptible scoundrels?

In dealing further with this subject let it be remembered that there was hardly a notable battle during the war that did not have its quota of unidentified dead. This was especially the case where different commands passed under fire successively over the same ground, or where the enemy prevailed and held the field, possibly covered with dead and wounded.

Moreover, in many instances the dead of the victorious army can not be recognized even by their comrades. With features changed in death agonies; faces blanched and shrunken or black and swollen; a strange, wild and unnatural expression substituted for that of life; limbs and forms strained and rigid in unusual poses or bloated and offensive in premature decay, they often pass without identification, unless their names appear on letters or cards found on their persons.

Thousands of these nameless heroes were disinterred from the battle-field trenches and decently buried in the national cemeteries. "Unknown" is chiseled on the little headstones that mark their graves. In some places, as at Fredericksburg, the remains of five or six of them are often interred in the same tomb. It is not unusual to find wording such as this on the grave markers: "John Smith, Co. A, 2d Wis., and five unknown."

There is no doubt that hundreds or thousands of these "unknown" are still carried on the Army rolls as deserters.

And who can tell how many hundreds and thousands of brave fellows died nameless, so far as we know, in southern prisons? Captured in battle, lost suddenly to the view of their comrades, sent to Andersonville or other Confederate prisons and held there until death relieved them from their sufferings, the records of their names, companies, regiments, and when they died often failed to reach us, and sometimes were not preserved or even written out for use by the enemy. We can better imagine how numerous these must have been and how many thousands of them may still be carried on the Army rolls as deserters when we recall the fact that as many as 30,000 prisoners were at one time confined in the stockade at Andersonville.

HOW TO MAINTAIN PEACE.

If Gen. Homer Lee had in fairness taken account of facts such as these, he would hardly have betrayed the ignorance or mental obliquity he exhibits in referring to desertions from the Army during the Civil War, nor would he have ventured to equivocate in respect to the intrepidity and fighting qualities of our citizen soldiery. He seems to think that a militia or volunteer army counts for little in the national defense, and that the safety of the Nation lies in an immense standing army and sea-covering navy.

The truth is that the safety of the Nation consists in minding its own business and not interfering wantonly or braggartly with the affairs of other countries. As a self-respecting nation, adhering to lines of gentlemanly deportment, we might go on till doomsday without a foreign war, and so though our standing army were no greater than that of Switzerland, Luxemburg, or San Marino.

Mr. FOSS. Mr. Chairman, I yield six minutes to the gentleman from Massachusetts [Mr. WEEKS].

Mr. WEEKS. Mr. Chairman, I doubt if there is a Member of this House who is any more solicitous than I am that we should provide for a sufficient and efficient Navy, and while we have war specialists and peace theorists in this House, as well as in the country at large, it has seemed to me in the past that the policy which the department has recommended and the Naval Committee has adopted of building two battleships a year would substantially keep us in the same relative position in regard to other navies of the world that we are in to-day. If we are going to have a Navy at all, we should have a Navy sufficiently powerful to cope with any nation with which we may be brought in contact, and I have believed, and I still believe, that the Navy which we have is sufficient for that purpose and that if we maintain—

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

Mr. WEEKS. I yield for a question.

Mr. HOBSON. Merely whether the gentleman is conversant with the program of Germany that is now a law, under which four Dreadnoughts are built every year and will continue to be built?

Mr. WEEKS. I am familiar with the figures that have been submitted to the public by various naval authorities and by the Secretary of the Navy in his report, and I still think I am right in the conclusion to which I have come. Therefore, if we maintain substantially our present policy as to building battleships, it is my opinion we will retain our relative position among the nations of the earth.

But I should not take the time of the House to say this if I did not wish also to call to the attention of the House the necessity which we have for a homogeneous naval force, and for that I believe we are not providing. We must not only have battleships, but we must have officers and men, and sufficient auxiliaries to make the battleship fleet effective. We have provided by increasing the number of appointments to the Naval Academy for sufficient officers eventually for our present fleet, but we have a limitation of 45,000 men for all purposes, including manning the fleet, while if we engaged in war it would require something like 60,000 men to man the fleet which we actually have in commission or could put in commission at this time—15,000 more men than we have. The only possible place where we can get these men is by picking up such men as have served in the Navy recently and to make available the 6,500 men in the Naval Militia, not enough under any circumstances to provide sufficient men to man our fleet. But in the lack of auxiliaries we are in even a worse plight than in the case of officers and men. We must have additional auxiliaries or it is folly for us to continue to build battleships, and I want to say now that unless Congress in its wisdom provides through the upbuilding of the merchant marine or by naval appropriations for additional auxiliaries for our fleet it is my purpose hereafter to vote against even the modest policy which has obtained

in the past for the building of battleships. Let us consider our condition as it is. Assuming we have 32 battleships, 10 armored cruisers, 13 scouts, 4 cruisers of the third class, 20 destroyers, and 28 torpedo boats, it would be necessary in order to furnish auxiliaries for a fleet of that size to provide 19 additional scouts, 4 additional repair ships, 6 additional supply ships, 4 hospital ships, 2 tenders for destroyers, 3 tenders for submarines, 2 transports, and 19 colliers, and that would only supply sufficient colliers to provide coal for our fleet if the fleet were operating 2,000 miles or less from its base.

If the fleet were operating 3,000 miles from its base, instead of requiring 29 colliers it would be necessary to have 41, and if operating 4,000 miles from its base we would have to have 55 colliers instead of 29, and if operating 5,000 miles from its base it would be necessary for us to have 74 colliers to properly supply the fleet from its base, to say nothing of the colliers that would be necessary to supply the base with coal, unless we have previously provided coal at our coaling stations throughout the world.

This is a condition that will make our fleet absolutely helpless in time of need. We all know when the battleship fleet went around the world we had to use foreign bottoms to provide the fleet with coal. We would have to do it to-day; we will have to do it a year from to-day, or two years from to-day, unless we make proper provisions to supply this absolute necessity; and I submit to this House it is futile for us to go ahead and provide additional battleships unless we are going to provide the means for making them effective.

Mr. PADGETT. Mr. Chairman, I have been contending all the while that our Navy is top-heavy in battleships and deficient in auxiliaries. It has been my contention and my policy to supply the auxiliaries and to cut down the overheavy battleships.

In 1905 the Secretary of the Navy and President Roosevelt stated in their official reports to Congress that one battleship a year was all that was needed. That recommendation was renewed in 1906. It is hardly necessary for me to say that Mr. Roosevelt was an enthusiast on the Navy. And yet the policy has been changed. And to show how we are drifting, President Taft announced not long since that we should continue the two-battleship-a-year program until 1915, when the Panama Canal should be completed; and yet, in the present year, the Secretary of the Navy says that it is necessary to continue indefinitely with two battleships a year in order to maintain and support the private navy shipbuilding yards of the country. How we are progressing! President Roosevelt and his Secretary said that one a year was sufficient, and President Taft has said two a year.

Mr. HOBSON. Will the gentleman yield?

Mr. PADGETT. No; I can not. I have given the gentleman 50 minutes of my time and have taken 6 myself.

President Taft said when we complete the canal we could end the two-ship-a-year program, and yet the following is solemnly proclaimed to us in this report of the Secretary for the present year:

In addition to this, however, it is important to lay special emphasis upon the effect of any break in this policy upon the shipyards of the country. The Navy must be to a certain extent dependent for its material and to some extent for its repair facilities in war time on these establishments. Their preservation and continuance in business are necessary to the national safety. It is in this light that the need of the regular system of naval appropriation becomes of additional importance. Two battleships a year, with minor construction, is about as little as will suffice to obtain the result.

Now, that is as strong as it could be printed; and then, further on in his report, he says that even after 1912 we must enlarge the program to more than two battleships a year.

Now, I want to call the attention of the House to another thing. We have adopted a policy in the last two years. We never heard of it before two years ago. Now they say we must have a first line and a second line. Heretofore it has always been proclaimed that a battleship was good for not less than 20 years, but in order to stimulate this big process—

The CHAIRMAN. The gentleman's time has expired.

Mr. PADGETT. May I have one minute more?

Mr. FOSS. I yield the gentleman one minute more.

Mr. PADGETT. In order to stimulate this building they are dividing up and creating this artificial condition of a first line of 10 years and a second line of 20 years.

I want to call attention to this: I have here a statement of the expenditures of the last fiscal year for different nations. Great Britain expended \$193,333,982, the United States expended \$133,005,552, Germany expended \$103,202,537, and Japan expended \$36,889,158.

Now, then, we are having every year, alternately, threats of impending war. Last year we had the threat of an impending horror of Germany. This year it is Japan. The year before

last it was Japan, and the year before that it was Germany. These are used every year to try to frighten the American people. Let us stand on our manhood and on our honor and refuse to be frightened by any such bugbears, and stand for a sensible policy of one battleship. [Applause.]

Mr. FOSS. Mr. Chairman, how much time have I remaining? The CHAIRMAN. Four minutes.

Mr. FOSS. Mr. Chairman, I desire the attention of the committee briefly for a moment, and in the first place I desire to say that the committee has not been moved by threats of war or by the popular sentiment or agitation of the hour in the recommendation of this program or in the recommendation of previous programs in naval appropriation acts. The policy of the Committee on Naval Affairs, ever since I have had the honor of being chairman, and that has been for 11 years, has been to present to this House a consistent course and plan for increasing the American Navy, and it made no difference whether Executive pressure came swiftly and pressed heavily on us or not, the Naval Committee, through it all, maintained a consistent position and recommended what it believed to be a reasonable program.

I well remember a few years ago when the President of the United States desired four battleships. Notwithstanding the President's desire, the Naval Committee brought in the old program of two battleships, and it was carried through the House.

Now, the general board, consisting of some of our ablest officers, has recommended four battleships this year, but we recommend only two in this bill. We are not engaged in rivalry with any nation on the face of the globe. England is building five great Dreadnoughts this year; Germany, as has been stated, is building four. But these things do not influence us. We come here with the same consistent, reasonable program that we have always maintained for a number of years. [Applause.]

Now, Mr. Chairman, gentlemen say we are at peace to-day. We are, thank God! I hope we will always be at peace with every nation on the face of the globe. But you know and I know that there has not been a great nation anywhere that has not been at war with somebody during the last 12 years—Russia, England, France, Japan, China, ourselves even, 12 years ago in the Spanish-American War. Gentlemen may talk peace on this floor, but when war comes you must have a navy. Can you build it then? No; because it takes three years to build your battleships. Where are your men then? It takes three years to train them. Your Navy must be ready, and popular indignation from every part of the country would fall upon the American Navy and upon the Government unless we were prepared when that great emergency came upon us. Let us never forget that.

And, then, Mr. Chairman, there are other considerations. We have great interests to protect, defending the lives of the people and the property of the United States. We are building a great Panama Canal; we are extending the coast line of our country; we are bringing the two great oceans into everlasting fellowship by cutting the narrow Isthmus of Panama, and we will need a navy to defend that canal some day. [Applause.]

The CHAIRMAN. The gentleman's time has expired. All the time has expired. The question is on agreeing to the amendment of the gentleman from Alabama [Mr. HOBSON] to the amendment of the gentleman from Tennessee [Mr. PADGETT].

Mr. FOSS. Mr. Chairman, I call for the reading of that amendment first.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Tennessee [Mr. PADGETT] will be reported, as will also the amendment to that amendment offered by the gentleman from Alabama [Mr. HOBSON]. The Clerk will read.

The Clerk read the amendment offered by Mr. PADGETT, as follows:

On page 59, line 23, strike out "two" and insert "one." Also strike out the letter "s" in the word "battleships." Also strike out, in line 24, the word "each." Also strike out, in line 3, page 60, the word "each."

The Clerk read the substitute offered by Mr. HOBSON, as follows:

On page 59, line 23, strike out "two" and insert "three."

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

The question was taken; and on a division (demanded by Mr. HOBSON) there were—ayes 9, noes 116.

So the substitute was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee [Mr. PADGETT].

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. PADGETT and Mr. BARTHOLDT demanded a division. The committee divided; and there were—ayes 105, noes 116. Mr. PADGETT, Mr. BARTHOLDT, and Mr. MACON demanded tellers.

Tellers were ordered, and the Chairman appointed Mr. Foss and Mr. PADGETT.

The committee again divided; and the tellers reported—ayes 114, noes 139.

Accordingly the amendment was rejected.

The announcement of the result of the vote was received with applause.

Mr. PARKER. Mr. Chairman, I call for the reading of my amendment, which has already been read for information.

The CHAIRMAN. The gentleman from New Jersey offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 60, in line 1, after the word "speed," insert "at least equal to that of any known battleship."

Mr. FOSS. I have no objection to that amendment, Mr. Chairman.

The question being taken, the amendment was agreed to.

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

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

The Clerk read as follows:

On page 60, after line 3, add a new paragraph—

Mr. FITZGERALD. Amendments to the paragraph are in order before new paragraphs.

The CHAIRMAN. The Chair did not understand. Is the gentleman's amendment a new paragraph?

Mr. HOBSON. Yes.

The CHAIRMAN. The Chair will first recognize amendments to perfect the paragraph.

Mr. SULZER. I now offer my amendment.

The CHAIRMAN. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

At the end of line 3, page 60, amend as follows:

"Provided always. That one of the battleships herein authorized shall be constructed in one of the navy yards."

Mr. FOSS. Mr. Chairman, I make the point of order against that. In the first place, it is not germane to this paragraph. In the second place, it is new legislation.

Mr. SULZER. I take issue with my friend on that.

Mr. FITZGERALD. I submit that the amendment is germane.

The CHAIRMAN. The Chair thinks it is not germane to this particular paragraph, at least. The Chair would be glad to hear from the gentleman from New York.

Mr. FITZGERALD. I do not care to discuss it. The paragraph authorizes the construction of battleships. So far as the germaneness of this amendment is concerned, I can not see any room for doubt.

Mr. FOSS. I hope I have made my point of order clear, that it is not germane, and also that it is new legislation.

Mr. SULZER. Mr. Chairman, I am content to take a ruling now.

The CHAIRMAN. The gentleman from Illinois makes the point of order against this paragraph, and in accordance with the precedent established when this bill was under consideration in the last Congress.

Mr. FITZGERALD. I submit to the Chair that a decision made on another occasion does not necessarily determine this question.

The CHAIRMAN. The Chair will follow the precedent made in recent years, and will sustain the point of order.

Mr. MOORE of Pennsylvania. I call for the reading of the amendment which I have offered.

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

The Clerk read as follows:

Line 3, page 60, at the end of the paragraph, add:

"Provided, That the draft of such battleships shall not exceed 30 feet."

Mr. FOSS. I make a point of order against that.

Mr. MOORE of Pennsylvania. Will the gentleman reserve the point of order?

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. MOORE of Pennsylvania. Mr. Chairman, the paragraph proposes to construct battleships, and the amendment proposes to limit the draft of the battleships so constructed. It seems to me it is entirely germane to the paragraph.

The CHAIRMAN. The Chair would be glad to hear the gentleman from Illinois on the point of order.

Mr. FOSS. This provision simply treats of battleships.

The CHAIRMAN. But it relates to speed and radius of action.

Mr. FOSS. Yes; it says the highest practicable speed. This is a limitation on the discretion of the Secretary.

The CHAIRMAN. It seems to the Chair that an amendment which appeals to speed, radius of action, and so forth, might be amended by an amendment that related to draft, and the Chair overrules the point of order. The question is on agreeing to the amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, there is involved here a serious question; one that some day must be taken up by other nations as well as our own. It is a question of limiting the depth of the artificial harbors of the world, along with the draft of vessels using them. The country is making a vast expenditure through its river and harbor appropriations for the dredging of channels to accommodate not only naval vessels but great commercial vessels constructed in foreign shipyards, and which some of our rivers and harbors are unable to accommodate. Many of the nations of the Old World that assume to be naval powers are necessarily considering a limitation upon the size of vessels to be constructed.

I have before me a brief list of the drafts which hold with regard to naval vessels constructed by some of the leading maritime powers. We have gone as far as any of them in the construction of our battleships with the single exception of Great Britain, which has now attained to a draft for battleships of 31 feet. Germany is limited in the construction of battleships to a draft of less than 27½ feet because of the Kiel Canal. There is no vessel in the German Navy, so far as I am informed, with a draft of more than 27 feet. Japan, the naval power to which reference has been made this afternoon, has vessels that do not draw in excess of 28 feet. Austro-Hungary and Russia are in exactly the same position. England is said to be reducing the draft of her battleships.

Mr. Chairman, some time ago I introduced into this House, and it is now before the Committee on Foreign Affairs, a joint resolution which proposed that the maritime nations of the world should be invited to an international conference to consider a limitation of the depths of artificial channels. This would be of great importance to this country, and to all others, in the matter of revenue. It would help to standardize the construction of war vessels and merchantmen, so that we could keep them within limits that might be agreed upon, and by a limitation of the depth of channels save expense the different nations now incur in maintaining artificial channels.

It seems to be a matter of much consequence to this Nation that we should be called upon year after year to make increased appropriations for deeper harbors along the seacoast, either on the Pacific or the Atlantic, for the accommodation of one or two great Leviathans of the ocean, constructed on the other side of the water. The Cunard Line proposes to build a vessel that draws 30 feet or upward, and then the Congress of the United States is expected to make an expenditure for deepening a harbor or harbors to accommodate that single foreign-built vessel. As a matter of eternal economy we will eventually have to draw the line somewhere.

We have by the Panama Canal limited the depth of international commerce to 45 feet; that is the limit which may be used by vessels that propose to go through that canal, and it is to be hoped we shall never reach that limit. Germany, even in the matter of war vessels, is not so favored, since she is limited by the depth of the Kiel Canal, which is substantially 27½ feet. If gentlemen want to improve the peace relations of the world and extend the commercial relations of the world and save money to their Governments, they will not hesitate to bring about an international agreement that will mean standardization of the draft of vessels throughout the world. [Applause.]

Mr. FOSS. Mr. Chairman, I call for a vote.

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

The question was taken, and the amendment was rejected.

Mr. RUCKER of Colorado. Mr. Chairman, I have an amendment, which I wish to offer to the paragraph.

The CHAIRMAN. The Chair will recognize the gentleman from Colorado to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Page 59, beginning with line 21, strike out the remainder of the page, and lines 1, 2, and 3 on page 60.

Mr. RUCKER of Colorado. Mr. Chairman, I only desire to say that at the last Congress this amendment was offered, and I was one among 17 who voted for it. I propose at the end of the tenth month to ascertain how many Congressmen I can en-

list in a company armed with an old double-barrel shotgun to meet the enemy upon the Pacific coast.

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

The question was taken; and on a division (demanded by Mr. RUCKER of Colorado) there were—aye 10, noes 55.

So the amendment was rejected.

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

The Clerk read as follows:

On page 60, after line 3, add a new paragraph:

“One first-class armored cruiser of as high speed as any known vessel of its class, carrying as heavy armor and as powerful armament and having as great a radius of action as practicable, and to cost not to exceed \$7,000,000, exclusive of armor and armament.”

Mr. HOBSON. Mr. Chairman, this amendment is for the purpose of beginning to make our Navy homogeneous. The gentlemen who have spoken before, including the gentleman from Tennessee [Mr. PADGETT], have many of them expressed a desire to make the Navy homogeneous. If they will look at the table of vessels of modern construction, they will find that the other nations are building what may be termed Dreadnought cruisers, or battleship cruisers, or plain armored cruisers, of a new type. In the official records and reports they are termed armored cruisers of the Invincible type; that is, an armored cruiser that will carry the same caliber of guns as the battleship, an armored cruiser that will have about 3, 4, and now even 5 and 6 knots superior speed to the battleships, and will carry armor that will give them reasonable protection within moderate and short ranges, and give them good protection beyond the range of the penetrating power of the armor-piercing projectile.

Using high-explosive projectiles, they will then be on an equal fighting basis with the Dreadnoughts themselves, and with their superior speed, as in the olden days, will be able to cap the Dreadnought fleet and rake it, and be subject only to the bow guns of one battleship and not the broadside of the fleet. In the British navy they are going at the rate I should say roughly of a little less than three Dreadnoughts to one of those cruisers. They now are building five such cruisers and have built three, making eight altogether. Germany is building three such cruisers, and one is already in commission. Japan is building three such cruisers. America has none. This means that when our fleet goes out to meet a foreign fleet, even though the battleships proper be equal in number, they would not have what they call the “fast wings.” These fast battleships or cruisers, that can go out and scout and even harass the other fleet, even a battleship fleet, by capping it, and getting it where they could do great damage and receive very little in return. It becomes a very serious practical factor in battle.

Again, until war and disaster open our eyes we are doomed to have no fleet in one ocean, because we have but one fleet for two oceans. The enemy, having the choice of time, will bring on war when the fleet is in the other ocean. There will be nothing there to prevent the opposing power from launching its great army to strike us. But if we have only two such Dreadnought cruisers in the deserted ocean, which could not be captured by the battleships of the enemy, then the enemy would not dare to embark his troops and start over sea with his great standing army. Two such Dreadnought cruisers could well postpone the invasion of our territory, and even gain time enough for our fleet to arrive and change the very issue of the war.

I have pointed out again and again that America is confronted with this situation, that across the Atlantic and across the Pacific there are great standing armies that we must protect ourselves against because we have no standing armies of our own. We ought to put ships between us and those armies; we ought to have great battleship fleets constantly in both oceans. But we do not have them, and the two-battleship-a-year program is going to confine us to one fleet, and a decreasing fleet, relatively, until it will go down from 23 to 17 ships in the first line of battle. The least we can do to give some protection in the other ocean is to be able to turn loose there at least two of these great Dreadnought cruisers. I hope I shall be sustained in this effort, irrespective of the naval policy Members may individually approve. We have established our policy. This amendment is to increase the homogeneity and efficiency of the fleet. [Cries of “Vote!”]

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

The question was taken, and the amendment was rejected.

Mr. MONDELL. I offer the following amendment as a new paragraph.

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

The Clerk read as follows:

Insert as a new paragraph:

"Two transports of not less than 21 knots trial speed, and to cost not more than \$2,000,000 each."

Mr. MANN. I make the point of order on the amendment.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MONDELL] make the point of order?

Mr. MANN. I make the point of order.

The CHAIRMAN. What is the gentleman's point of order?

Mr. MANN. That it is not authorized, and the transports do not come within the rule.

The CHAIRMAN. The Chair will hear the gentleman from Wyoming [Mr. MONDELL] on the matter.

Mr. MONDELL. Mr. Chairman, this is the naval bill, and this is the paragraph in the bill providing for naval vessels, and I am proposing two naval transports. Transports are just as important a part of a navy as a line of battleships. In fact, just at this time we are informed that our Navy is lacking in efficiency, or would be in time of war, because we have not and would not obtain the necessary transports.

Mr. MANN. Mr. Chairman, while I appreciate the anxiety of the gentleman from Wyoming [Mr. MONDELL] to have transports to get troops and supplies sent from Wyoming across the Rocky Mountains, still I think he will have to cross a mountain to get his amendment in.

Mr. MONDELL. I may be different from the gentleman from Illinois in this, that I do not always think of Wyoming as he may think of Illinois when I offer an amendment to the bill.

Mr. MANN. I always think of Illinois at all times, no matter what I am doing.

Mr. BUTLER. I trust this will not take up much time. I am afraid to go home in the dark. [Laughter.]

Mr. MANN. The rule is well settled. It only relates to the fleet of war vessels.

The CHAIRMAN. The Chair is looking for a ruling of that character.

Mr. MANN. If the Chair should happen to have at hand the rulings on the last two or three naval bills he will find a number to that effect.

The CHAIRMAN. May the Chair ask the gentleman from Wyoming [Mr. MONDELL] whether the transports are to be used in transporting men of the Army—soldiers?

Mr. MONDELL. They are to be used for transporting supplies in the Navy, as provided in the naval appropriation bill, and are necessarily naval transports.

Mr. HOBSON. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Alabama.

Mr. HOBSON. The gentleman from Wyoming [Mr. MONDELL], in my judgment, is clearly correct. We have used transports in the Navy practically since the Navy was founded. In the time of the Spanish War we had transports carrying the marines from the mainland to insular possessions. We have had transports in the Navy for the service of the marines continually. They have been recommended in programs year after year. I can not understand how the idea could ever enter a Member's mind that the Navy may not have transports as well as the Army, because they must have a transportation of supplies and of men. It is clearly a naval vessel, if it was put in the amendment, and I do not believe the point of order should lie.

The CHAIRMAN. Does the Chair understand the gentleman from Alabama to say that there are naval transports now, so far as the naval establishment is concerned?

Mr. HOBSON. Yes, sir.

The CHAIRMAN. When the naval bill was under consideration in the last Congress an amendment was offered providing for five torpedo-boat destroyers, and so forth. The gentleman from Wisconsin [Mr. STAFFORD] made a point of order against that on the ground that the appropriation was not authorized by law. The gentleman from Illinois [Mr. MANN], the Chairman of the committee, held:

The amendment offered by the gentleman from Alabama is for the construction of additional vessels of a type now in use in the Navy—war vessels.

As the Chair understands, the pending amendment is in order, and the Chair overrules the point of order. The question is on agreeing to the amendment.

Mr. MONDELL. Mr. Chairman, the gentleman from Alabama offered an amendment which he believed would increase the efficiency of the Navy. I am rather inclined to agree with him, but I offer an amendment which, in my opinion, would

increase the efficiency of our Navy more than anything else that we can do. It is a fact that if war were to be declared to-day or to-morrow, or at any time in the future, without some opportunity for the purchase of ships, it would be utterly impossible for us to supply our Navy, wherever located, with the necessary munitions of war. We have not enough merchant ships flying the American flag, if we could buy them all, to supply munitions of war and furnish supplies for our Navy if it were located in the Pacific, and I doubt if we could do so if the seat of war were in the Atlantic. Certainly not if it were in the western ocean.

We have failed to provide legislation to build up the American merchant marine. So long as we decline to do that we must supply these troopships, these supply ships, these transports. It is utterly useless to go on building these Leviathans of war and launching them and sending them abroad when we have not and can not possibly obtain the ships necessary to furnish them with supplies and munitions of war, and can not furnish them with the men necessary to take care of our Navy in time of war. Even if we had a month of preparation before the outbreak of a war, it would be difficult for us to purchase ships carrying the American flag in sufficient numbers to supply the needs of our Navy. But if war were declared without any warning—and that is the way war ordinarily comes upon us—it would be impossible for us to buy ships carrying neutral flags, and we would be compelled to depend upon the few ships which now carry the American flag—clearly not enough to supply the needs of our Navy. And we would have the spectacle of the finest Navy in the world in a condition absolutely helpless, because we could not furnish the necessary supplies.

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

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Two fleet colliers, of 14 knots trial speed when carrying not less than 12,500 tons of cargo and bunker coal, to cost not to exceed \$1,000,000 each.

Mr. SULZER. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read as follows:

Insert so as to read "five fleet colliers, to have the highest practicable speed when carrying not less than 12,500 tons of cargo and bunker coal, to cost not to exceed \$1,000,000 each."

Mr. SULZER. Mr. Chairman, just a word. We are building two battleships a year. What is needed are more colliers. The spectacle presented to the world when the battleship fleet went around the seas was something most deplorable and enough to make every American blush for shame. The fleet had to be convoyed by foreign colliers. In case of a war, during that period, those battleships would have been as helpless and as idle as "painted ships upon a painted ocean." They could not have relied upon those foreign colliers. The whole thing demonstrated the absurdity of our present naval policy. More colliers should be the order of the day. More swift transport steamers should be built, so that we will not have to charter foreign ships to carry the coal, the food, and the supplies for our battleships wherever they go.

Hence, it seems to me, as a matter of common sense, that if we really desire to do something for the efficiency of the Navy we should begin to increase the number of colliers to keep pace with the increase in the number of battleships. To do otherwise is ridiculous in view of past experience. We have very few colliers. It will do no harm and much good, in my judgment, to have at least three more provided for in this bill, and I hope the amendment will be adopted.

Mr. HOBSON. What is the gentleman's amendment?

Mr. SULZER. My amendment will increase the number of colliers herein authorized from two to five. It should be adopted. We should have more colliers, at least two for every battleship and cruiser. Common sense dictates it.

Mr. FOSS. Mr. Chairman, I hope this proposition will be voted down. We have already three colliers authorized by Congress which we are not able to build at the present time by reason of the legislative restrictions which have been placed upon them.

Two years ago we provided that a collier should be built in the Mare Island Navy Yard, and put a limit of cost upon it of \$1,000,000. The estimates for the building of that collier were \$1,400,000, or \$500,000 more than we are paying for the building of a similar collier by the Maryland Steel Co. to-day. This House insisted that we should build this collier in that navy yard, when it would cost 50 per cent more than to build it in a private yard. Not only that, but last year we authorized the

building of two fleet colliers, and we put in a provision requiring that they should be built under the eight-hour law, which means an increase of cost in the building of each collier of at least \$250,000, and for the two colliers it means \$500,000. So if this House would remove the legislative restrictions which have been put upon these three colliers which we are unable to build to-day we would save \$1,000,000, which would be the cost of a collier built in a private shipyard. I call for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SULZER].

The question being taken, the amendment was rejected.

The Clerk read as follows:

Four submarine torpedo boats, in an amount not exceeding in the aggregate \$2,000,000, and the sum of \$800,000 is hereby appropriated for said purpose.

Mr. HUMPHREY of Washington. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

In line 11, page 60, strike out the word "four" and insert the word "six," so as to read "six submarine torpedo boats."

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

The question being taken, the amendment was rejected.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. I wanted to have an opportunity to talk on that amendment.

The CHAIRMAN. The gentleman is too late. The gentleman from New Jersey [Mr. HUGHES] offers an amendment, which the Clerk will report.

The Clerk read as follows:

After the word "purpose," in line 14, strike out the period and insert a semicolon, and add:

"Provided, That no part of this appropriation shall be expended for the construction of any boat by any person, firm, or corporation which has not at the time of the commencement and construction of said vessel established an eight-hour workday for all employees, laborers, and mechanics engaged or to be engaged in the construction of the vessels named herein."

Mr. FOSS. I make the point of order against that.

The CHAIRMAN. The Chair will hear the gentleman from New Jersey.

Mr. HUGHES of New Jersey. Mr. Chairman, this is an attempt to limit an appropriation. I call the attention of the Chair to the fact that the attempt is here made to appropriate this money. My purpose is to limit that appropriation so that no part of it can be paid except to persons, firms, or corporations having certain qualifications. I do not think the Chair will have any difficulty in determining that the amendment is in order.

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

Mr. HUGHES of New Jersey. Yes.

Mr. ROBERTS. Is it the purpose of the gentleman's amendment to apply only to the four submarine torpedo boats, or to all the craft that have been authorized in the paragraph?

Mr. HUGHES of New Jersey. Just at present to the four submarines.

Mr. MANN. Oh, no.

Mr. HUGHES of New Jersey. Oh, yes.

Mr. MANN. I heard the amendment read.

Mr. HUGHES of New Jersey. The reason I offer that at this time, and attempt to apply it to this particular item, is because the attempt is made in this item to appropriate the money right at this place. It has been held frequently, and I can cite the Chair to a number of decisions that it is possible in this manner to limit appropriations. I call the Chair's attention to this precedent, volume 4, page 261, of Hinds' Precedents, section 3926:

On March 24, 1904, the post-office appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when the Clerk read:

"For compensation to 25 rural agents, at \$1,600 each; 15 rural agents, at \$1,500 each; 15 rural agents, at \$1,400 each; 63 rural agents, at \$1,200 each; and 10 rural agents, at \$1,000 each, \$196,200."

To this Mr. WILLIAM W. KITCHIN of North Carolina, offered the following as an amendment:

"Insert, in line 18, page 24, after the word 'dollars,' 'Provided, That no part of this appropriation shall be paid to any rural agent, who after the 1st day of July, 1904, shall make a recommendation against the establishment of any route on account of the condition of the road over which said route extends or is proposed to extend.'

Mr. Overstreet, of Indiana, made a point of order against the amendment.

After debate, the Chairman held:

"The Chair has not been referred to any law prescribing the duties of these agents or to any law directing the Postmaster General to designate the duties of these agents so employed. The Chair can only consider the general law conferring upon the Postmaster General the power to distribute the duties of his department where these duties are not distributed by law, and this amendment *** although vague in its terms and although it might seem to contain provisions which in the mind of the Chair would be difficult of enforcement, still, as the Chair understands those questions they should be submitted to the discretion of the committee, the Chair can not see that this amend-

ment is anything else but an appropriation for certain agents, omitting others, a discrimination which Congress has of course the right to make, and the Chair, therefore, is constrained to overrule the point of order."

Mr. Chairman, if this amendment goes on the bill the effect it will have will be to so arrange matters that no part of this money can be expended with a person, firm, or corporation which is not doing business in a certain way. The Government spending its own money has a right to say, and we have a right to say, what qualifications the persons or corporations with whom we spend this money shall have.

It would be perfectly legitimate for us to say that this money should not be expended for work to be done in any establishment which had not proper sanitary arrangements, where they were overcrowded, or where it was unsafe or dangerous for them to carry on their employment. As there is quite a distinct line of demarcation existing now between plants as to the number of hours they work, these plants would fall into a natural classification right on the point of the number of hours work. This simply means that the Government shall spend this money with the manufacturers having eight-hour plants.

The CHAIRMAN. Did the gentleman from New Jersey call the attention of the Chair to the ruling on an amendment identical with this?

Mr. HUGHES of New Jersey. No, sir. There was an erroneous ruling at one time on an amendment which the Chair might think was similar to this.

The CHAIRMAN. Can the gentleman tell the Chair when that ruling was made?

Mr. HUGHES of New Jersey. I could not do that, as much as I would like to help the Chair. [Laughter.]

Mr. FITZGERALD. Mr. Chairman, it seems clear that this amendment is in order. I call the attention of the Chair to paragraph 3940, volume 4, where an amendment was held to be a limitation, which read as follows:

No part of any money appropriated by this act for charities or charitable institutions shall be paid to any institution named in this act until the charter or articles of incorporation thereof shall be so amended as to accord to the Commissioners of the District of Columbia, or to their designated agents, authority to visit and inspect such institutions, and to control and supervise the expenditure therein of all public funds paid out of appropriations made by Congress.

That ruling is clearly analogous to the ruling which should be made here.

Here was a provision withholding appropriations from institutions which did not change their charters so as to confer certain powers upon the Commissioners of the District of Columbia. The proposed amendment is that no money shall be paid to any person, firm, or corporation which has not established an eight-hour day for its employees and mechanics. It imposes certain limitations and obligations upon the parties who are to be the recipients of the money, and the two cases are identical. The Chair, in making that decision, held:

This amendment simply provides that "no part of any money appropriated by this act for charities or charitable institutions shall be paid to any institution named in this act until the charter or articles of incorporation thereof shall be so amended," and so forth. It does not purport to amend any charter, but simply provides that the money here appropriated shall not be paid to any institution until its charter is amended as specified here. The amendment is simply a limitation upon the appropriation. The Chair overrules the point of order.

In paragraph 3941 of volume 4 is contained the well-known limitation regarding so-called sectarian schools:

On February 24, 1896, the Committee of the Whole House on the state of the Union was considering a paragraph of the Indian appropriation bill, providing for the support of Indian schools, when Mr. William S. Linton, of Michigan, offered this amendment:

"And it is hereby declared that it is the intention of this act that no money herein appropriated shall be paid for education in sectarian schools; and the Secretary of the Interior is hereby charged with the duty of so using and administering this appropriation as to carry out said object; and he is hereby authorized and required to make all needful rules and regulations necessary to prevent the use of any of said fund for education in sectarian schools."

The Chair held such an amendment declaring the policy of Congress regarding the expenditure of an appropriation to be clearly a limitation upon the appropriation. What does the amendment offered by the gentleman from New Jersey propose that is different from that proposed by Mr. Linton, of Michigan? It is impossible to differentiate these amendments. Suppose the amendment of the gentleman from New Jersey read—

It is hereby declared to be the intention of this act that no money herein appropriated shall be paid for work upon these vessels in establishments where a workday longer than eight hours prevails, and the Secretary of the Navy is hereby charged with the duty of so using and administering said appropriation as to carry out that object, and he is hereby authorized and required to make all needful rules and regulations necessary to prevent the use of any part of the said fund for work done in establishments having a workday of more than eight hours.

It would be identical with the decision just cited.

The pending amendment is clearly within the rulings heretofore made in the House as to what constitutes a limitation.

In paragraph 3942, of volume 4, an amendment, as follows, was offered:

Provided, That no part of the appropriation shall be available for the Agricultural College of Utah until the Secretary of Agriculture shall be satisfied and shall so certify to the Secretary of the Treasury that no trustee, officer, instructor, or employee of said college is engaged in the practice of polygamy or polygamous relations.

That amendment was held to be in order, because it was a limitation. It is incredible, Mr. Chairman, that it is possible under the rules of this House to withhold payments of money to persons who do not possess qualifications of the most varying character, unless it should be some qualification which affects the right of men to work, and the opportunities to give them a reasonable workday in their avocations. I have some other decisions, but they are all so much of the same tenor and so clearly control the amendment offered by the gentleman from New Jersey that I shall not read them unless the Chair desires.

Mr. FOSS. Mr. Chairman, I think this same point was decided last year and the decision rendered by the Chair at that time.

The CHAIRMAN. When the naval bill was under consideration a year ago, April 18, 1910, this precise question was raised, and under precisely the same circumstances. The amendment is offered to the paragraph relating to the construction of torpedo boats. When that paragraph was read last year this same amendment was then offered to this same paragraph.

Mr. HUGHES of New Jersey. Not the same.

The CHAIRMAN. The Chair would like to know in what respect it differs.

Mr. HUGHES of New Jersey. It differs quite materially.

The CHAIRMAN. In only two or three words at the end, which in no way controls the meaning, it seems to the Chair. The Chair will cause to be read the amendment offered by the gentleman from New Jersey, and the amendment which he offered last year.

The Clerk read as follows:

After the word "purpose," in line 14, strike out the period and insert a semicolon, and add:

Provided, That no part of the appropriation shall be expended for the construction of any boat by any person, firm, or corporation which has not at the time of the commencement and construction of said vessels established an eight-hour workday for all employees, laborers, and mechanics engaged or to be engaged in the construction of the vessels named herein."

The CHAIRMAN. The Clerk will now read the amendment offered last year.

The Clerk read as follows:

Provided, That no part of the money shall be paid to any person, firm, or corporation which has not at the commencement of and during the construction of the work for which this appropriation is made, established an eight-hour workday for all employees, laborers, and mechanics engaged in doing the work for which this money is appropriated. Nothing herein shall affect any existing contract.

The CHAIRMAN. The occupant of the chair at that time was one of the ablest parliamentarians in public life, the gentleman from Illinois [Mr. MANN], and at that time he sustained the point of order, and the Chair follows that precedent and sustains the point of order now.

Mr. HUGHES of New Jersey. Mr. Chairman, I desire to appeal from the decision of the Chair, and I would like to state the reason for so doing.

The CHAIRMAN. After the Chair states the question the Chair will recognize the gentleman. The gentleman from New Jersey [Mr. HUGHES] appeals from the decision of the Chair, and the question is, Shall the decision of the Chair stand as the judgment of the committee? The gentleman from New Jersey [Mr. HUGHES] is recognized.

Mr. HUGHES of New Jersey. Mr. Chairman, of course I want it definitely understood that I have the highest respect for the ability of the present Chairman, as I have for the gentleman upon whose decision the Chair is now relying, but I want to carry the Members back to this time last year and have them remember the circumstances under which this ruling was made.

There had been put into the naval bill the eight-hour provision that the proponents of that measure desired, and other legislation which they favored had been written into the measure before any effort was made to apply the provision of the eight-hour law by way of limitation. The hour was late; the House was, if I am any judge, a little bit out of temper. Everybody was anxious to get home, and the gentlemen who were with me and my friend from New York in that fight regarded it as over for that occasion, believing that we had obtained everything that we wanted.

I offered the amendment at that time, because I expected to get a favorable ruling upon it. It was not argued. It was simply offered, and, at that, the gentleman from Illinois [Mr. MANN] took five or six minutes considering it before he, in what I regarded as a very doubtful manner, decided it was legislation and not a limitation.

Now, Hinds' Precedents are simply alive with limitations of that character. Limitations have been put on appropriation bills of every known and conceivable kind. The House has availed itself of this method of controlling the money that it spends, and there has grown up a line of legislation of this character which has been very effective and very useful to Members of the House. Oftentimes bills are introduced and go to committees; Members have no way of getting them out, no way, sometimes in the press of business, in the turmoil of the closing hours of a session, of even getting a hearing, but sometimes, when the money is being appropriated for the objects with which the legislation in which the Member is interested deals, an opportunity is presented in a sort of a way to test the temper of the House and to see how far it is willing to go along that particular line. This has happened over and over again in the memory of every man in the House now.

As I say, the books are simply full of precedents and of language of this kind which has been held over and over again to be merely a limitation.

Now, after all, what does this amendment propose to do? It simply says that persons, firms, or corporations lacking certain qualifications shall not be considered when this money is to be spent.

There is no direction to the Secretary of the Navy telling him to go to some person, firm, or corporation having certain qualifications; no attempt to control his discretion in any way affirmatively; it simply says what we have said a hundred times upon a hundred other propositions, namely, that this money shall not be spent with any person, firm, or corporation lacking certain qualifications. And in this case we say this money shall not be spent with a corporation, a firm, or person who has not established an eight-hour day at his yard for the purpose of doing this work. There is no attempt to control him any further than that. It is for these reasons, and in the belief that this is a limitation, that it is not legislation, and in the hope that I can prevent this House from taking the stand that they will be liberal in the matter of limitations, so far as the countless subjects with which this House deals is concerned, but shall only narrow their consideration when it comes to dealing with the laboring men of this country who have been denied that which the statute law of this country has been supposed to give them—it is in the hope that I may be able to prevent that that I most respectfully appeal from the decision of the Chair.

Mr. MANN. I was in the chair when the ruling was made last year on which the present occupant of the chair relies. I think no one will charge the occupant of the chair at that time with having ruled unfairly upon the proposition submitted by the gentleman from New Jersey [Mr. HUGHES] relating to eight-hour labor, because the parts of the proposition which he presented which were in order were held to be in order. What is the proposition now? It is so plain that the gentleman from New Jersey himself, when he gets away from the prejudices of the moment, will admit that the ruling last year and the present ruling are correct.

What is the proposition? Here is a provision for the construction of four submarine torpedo boats. If that appropriation be made in the way proposed, the Secretary of the Navy may invite proposals for the construction of those vessels, but under existing law he has no authority to say that no one can bid that has not eight-hour labor in his yard. He has no authority under the existing law to limit the bidders to those yards only which employ eight-hour labor.

What is the proposition that the gentleman from New Jersey proposes? Under the guise of a limitation he proposes that the Secretary of the Navy can not spend this money unless the bids be limited to those yards which have eight-hour labor.

What is the result? Either that the money can not be expended or that the Secretary of the Navy construes this as a change of existing law; and when he finds this provision is in the law he can not say that Congress has written in the law that which means nothing, that they had given an appropriation and forbade its expenditure, and hence he must hold that the so-called limitation is a change of law. And whereas now he can not confine bidders to those employing eight-hour labor, if this provision goes in, the law has been changed by legislation, so that he must confine the bidders to those employing eight-hour labor.

Mr. FITZGERALD. Will the gentleman yield?

Mr. MANN. Yes.

Mr. FITZGERALD. The gentleman remembers the amendment which was offered to the sundry civil bill providing that no part of the appropriation should be apportioned to any National Home for Disabled Volunteer Soldiers which maintained a canteen. If the reasoning of the gentleman now is correct, the official who administered that law had reason to withhold the appropriation entirely because of the existence of the

canteen at all of these homes, or else to construe it as a change of law which permitted at that time the maintenance of the canteen.

Mr. MANN. Not at all.

Mr. FITZGERALD. How does the gentleman differentiate between the two?

Mr. MANN. The difference is so plain that the gentleman from New York perfectly appreciates it.

Mr. FITZGERALD. I do not. I have never been able to appreciate the peculiar logic of the gentleman from Illinois since he made that ruling, and I have discussed it with him frequently. Let the gentleman show how the ruling referred to in connection with the canteen in the National Homes for Disabled Volunteer Soldiers differs in character or effect from the present amendment of the gentleman from New Jersey.

Mr. MANN. I do not object to arguing on either of those rulings. The canteen proposition was that you might or might not, under the existing law, maintain a canteen. There was no law requiring the maintenance of a canteen. The Secretary could maintain a canteen or not, as he chose, and when we made the limitation we said he must exercise the discretion he had—not to maintain the canteen if he wished to use the money. But here you change the law. He must construe it as a change of law or else he can not expend the money.

Mr. HUGHES of New Jersey. I just want to call the attention of the gentleman to the fact that the Secretary of the Navy may or may not have this work done in an eight-hour yard under the law now.

Mr. MANN. The Secretary of the Navy may say that Congress has made an appropriation and in the appropriation has forbade him to expend it; but if he does, he will say that Congress is a dunce, and the Secretary of the Navy has no right to say that of Congress.

Mr. JAMES. Why not? [Laughter.]

Mr. MANN. It may be the fact, but he has no right to say it. He must construe the provision in the law as meaning something, and this means nothing unless it means a change of legislation.

Mr. DOUGLAS. Mr. Chairman, what is the limit of the debate on this question?

The CHAIRMAN. No limit has been fixed.

Mr. KENDALL. Mr. Chairman, I think all the membership of this House agree that the present occupant of the Chair is always just and fair in his rulings; but we are confronted here this afternoon by a situation in which we can not be influenced by any consideration except our own conviction of duty. This bill provides for the construction of four submarine torpedo boats. The amendment proposed by the gentleman from New Jersey [Mr. HUGHES] undertakes to limit that construction to persons, firms, or corporations who have recognized the principle of the eight-hour day in their operations. Now, we who believe that that is a proper limitation upon this appropriation bill are restricted to one of two alternatives to be pursued. Either we must vote to sustain the Chair, who has bottomed his opinion upon a precedent established last year, or we must vote to overrule the Chair, and thus afford the House the opportunity to record its own opinion upon the policy of an eight-hour day in the construction of Government ships.

I know there is no man on this side of the House who entertains a more sincere affection for the present occupant of the chair than I do, but I am not to be controlled in my vote here by my esteem for him. I read in the message sent to this Congress by President Taft last December these words as respects the eight-hour day:

Since 1868 it has been the declared purpose of this Government to favor the movement for an eight-hour day by a provision of law that none of the employees employed by or on behalf of the Government should work longer than eight hours in every 24.

Then he discusses somewhat the provisions of that law and says further:

Thereafter, in 1892, the present eight-hour law was passed, which provides that the services and employment of all laborers and mechanics who are now, or may hereafter be, employed by the Government of the United States, by the District of Columbia, or by any contractor or subcontractor on any of the public works of the United States and of the said District of Columbia is hereby restricted to eight hours in any one calendar day. This law has been construed to limit the application of the requirement to those who are directly employed by the Government, or to those who are employed upon public works situate upon land owned by the United States. This construction prevented its application to Government battleships and other vessels built in private shipyards, and to heavy guns and armor plate contracted for and made at private establishments.

The proposed act provides that no laborer or mechanic doing any part of the work contemplated by a contract with the United States, in the employ of the contractor or any subcontractor, shall be required or permitted to work more than eight hours a day in any one calendar day.

This message relates to an act which is referred to in it. The President continues:

It seems to me from the past history that the Government has been committed to a policy of encouraging the limitation of the day's work to eight hours in all works of construction initiated by itself, and it seems to me illogical to maintain a difference between Government work done on Government soil and Government work done in a private establishment, when the work is of such large dimensions and involves the expenditure of much labor for a considerable period, so that the private manufacturer may adjust himself and his establishment to the special terms of employment that he must make with his workmen for this particular job.

Then the President disavows any intention of extending this provision to include small contracts, which would be difficult. He says:

I recommend that instead of enacting the proposed bill, the meaning of which is not clear and definite and might be given a construction embarrassing to the public interest, the present act be enlarged by providing that public works shall be construed to include not only buildings and work upon public grounds, but also ships, armor, and large guns manufactured in private yards or factories.

There we have the authority of the President of the United States earnestly insisting to this Congress in its legislative capacity that the eight-hour day ought to be recognized and enforced in the construction of battleships in private institutions in this country. The recommendations of the Chief Executive are only in harmony with the universal movement which is advancing everywhere for a reduction of the hours of toil for those who are performing the manual labor of the world. The eight-hour day is a fixed principle in our social economy. Private enterprise has largely adopted it, and it ought to be applied by the Government wherever possible. The departure always has justified itself in its results. The shorter workday secures leisure for culture, for enlightenment, for improvement. It makes for a higher standard of living and for a more intelligent citizenship. It has always been accompanied by an increased measure of contentment and happiness. We can not at this moment establish the principle generally, but we can reassert our allegiance to it by supporting the pending amendment. Therefore, much as I regret to disagree with the parliamentary conclusions of the Chair, because of the persuasive reasons I have suggested, I shall vote without hesitation to overrule its decision in this instance.

Mr. FITZGERALD. Mr. Chairman, I wish to call the attention of the House to some statements made at another time. I asked the gentleman from Illinois [Mr. MANN] whether he could differentiate the amendment offered limiting the expenditure of money in national homes for disabled soldiers from the amendment now under consideration offered by the gentleman from New Jersey. He said the difference was as clear as day, and that I could see it as well as himself.

The canteen amendment was offered February 23, 1907. The gentleman from Missouri [Mr. BARTHOLDT] made a point of order against it. The gentleman from Illinois spoke in support of the point of order and practically made a speech identical with the one which he makes in support of the point of order upon this amendment, and apparently he stated everything possible that could be stated in favor of that point of order, because it has been printed in Hinds' Precedents, so that the House might see the reasons urged in support of the point of order and the action taken by the Chair. This is what the gentleman from Illinois [Mr. MANN] said in the course of the debate:

Here is a situation now proposed where Congress by law is creating soldiers' homes. It has by law provided for the government of soldiers' homes. At soldiers' homes it has vested the government in a board of managers in accordance with the provisions of the statute. It is also true that the Chair has frequently ruled that Congress can not, against a point of order, by limitation change the organic law. Here is a provision that, although Congress has created these soldiers' homes by an organic law, although it has provided for the government of the soldiers' homes by a board of managers, a proposition through the form of a limitation to take away the control of the board of managers and by affirmative legislation in the guise of a limitation to change the statute upon that subject. While limitations are usually favored by the Chair, properly, still it is true that the Chair might well rule, it seems to me, that a limitation in this guise, changing the law, giving the board of managers the discretion over the management of the homes, is positive, affirmative legislation, as it undoubtedly would be construed by the Comptroller of the Treasury, and therefore subject to a point of order. It is perfectly manifest that an item of this kind in the bill is construed by the Comptroller of the Treasury as positive legislation, although it be in the form of a limitation.

Now, the amendment under consideration at that time was as follows:

Provided further, That no part of this appropriation shall be apportioned to any National Home for Disabled Volunteers that contains a bar or canteen where intoxicating liquors are sold.

Without quoting the opinion of the Chair at that time—but I will do so, if the gentleman from Illinois thinks I have done him an injustice—

Mr. MANN. No; I think the gentleman has added materially to the value of his speech by quoting thus far.

Mr. FITZGERALD. The Chair overruled the point of order. I call the attention of the Chair to another decision.

A provision in the District appropriation bill was under consideration for the repair of the Anacostia Bridge under the direction of the Commissioners of the District of Columbia, \$100,000, and authorized the commissioners to enter into a contract or contracts for the repair of the bridge.

With this proviso:

That before any part of this sum shall be used, the Anacostia & Potomac River Railroad Co. shall pay to the collector of taxes of the District of Columbia, the entire cost of the pavement lying between the exterior rails of the tracks and for a distance of 2 feet from the said exterior rails of said tracks on each side thereof and the entire floor system supporting said pavement, and said collector shall deposit one-half of same in the United States Treasury to the credit of the District of Columbia and one-half to the credit of the United States, nor shall said appropriation be available until said railroad company shall agree to assume one-half the cost of maintenance and repair of said new bridge, to be collected in the same manner as the cost of laying pavements between the rails and tracks of street railways, as provided for in section 5 of "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878: *Provided further*, That this appropriation shall not be available until the Anacostia & Potomac River Railroad Co. shall agree that any other railroad company now or hereafter authorized by Congress to use said bridge shall have the right to use the tracks of the Anacostia & Potomac River Railroad Co. thereon upon such reciprocal trackage and such compensation as may be mutually agreed upon, and in case of failure to reach such an agreement that the supreme court of the District of Columbia shall, upon petition filed by either party, fix and determine the same.

The point of order was made on the proviso, and the Chair, in delivering his opinion, said:

The amendment provides that the appropriation shall be withheld unless certain conditions are complied with. All the provisos are distinct limitations upon this appropriation. The Chair will overrule the point of order.

It seems to me, in view of the long line of decisions about which there never has been any controversy, that the amendment of the gentleman from New Jersey clearly comes within the rule. I recall the time the gentleman from Illinois [Mr. MANN] was in the chair in the last session and made the ruling cited by the Chair. It was after a day of very strenuous debate and discussion that the amendment was offered and the decision was made hurriedly and without any discussion. I have never yet agreed that the gentleman from Illinois did not at that time make a mistake, because I am convinced if he had examined the precedents at the time he would not have ruled in the way in which he did.

Mr. COOPER of Wisconsin. Can the gentleman from New York tell us what distinction has been made in conversation with the gentleman from Illinois between those two precedents which the gentleman has just cited?

Mr. FITZGERALD. I will be very frank. I have discussed the ruling with the gentleman from Illinois on several occasions, and he has made the statement that he made to-day on the floor that there was a clear distinction between the two propositions.

Mr. COOPER of Wisconsin. What is it?

Mr. FITZGERALD. I have never been able to see the distinction. The gentleman from Illinois and myself have never been able to reconcile our views on that question, and it seems to me—

Mr. MANN. Mr. Chairman, I have no recollection of ever having discussed this with the gentleman, and I do not think it is a very safe thing to undertake to narrate private conversations.

Mr. FITZGERALD. I have not said anything to the discredit of the gentleman.

Mr. MANN. I am not criticizing anything that the gentleman has said.

Mr. FITZGERALD. I would not do so. I simply made this statement, that I had discussed this ruling with the gentleman on several occasions, and I have advanced my theories and he has with consistency and a good deal of power argued that the position he took at that time was correct. He may not recall the discussions—

Mr. MANN. I would not question what the gentleman said.

Mr. FITZGERALD. I have not said anything in any way to impugn his action in making the ruling, or to indicate that he has ruled in any manner that he did not believe to be correct. Indeed, I believe that he ruled conscientiously and as he believed to be the proper ruling. I have simply stated that I have never been able to see the distinction which the gentleman from Illinois claims to exist. It seems to me that the rulings have been uniformly one way and that we have the power under the rules to withhold expenditures of money to persons or corporations, unless they comply with certain conditions, or unless certain conditions exist surrounding them at the time the money is to be paid.

Mr. POINDEXTER. Mr. Chairman, I would like to call the attention of the Chair to the precedent made to-day by the present occupant of the chair which, it seems to me, is directly in point. When the appropriation of \$500,000 to purchase coal for the Navy was proposed to be amended by the gentleman from Washington [Mr. HUMPHREY] by an amendment which forbade the Secretary of the Navy from carrying coal for that purpose from the Atlantic coast to the Pacific coast, the point of order was made against that amendment, and after a careful consideration the present distinguished occupant of the chair overruled the point of order. I submit to the Chair that there is no possible distinction in principle between that parliamentary question and the one which is now before the committee. The chairman of the Committee on Naval Affairs called attention to another precedent a few moments ago in regard to colliers, when a limitation was placed by way of amendment regarding one of the colliers for which appropriations were made last year, to be constructed in the Mare Island Navy Yard in California.

That was a limitation upon the so-called discretion of the Secretary of the Navy, exactly similar to the limitation which is proposed here. Also the limitation was adopted by the House at the last session of Congress in regard to battleships, requiring that one of the battleships should be constructed in a Government navy yard, and is a precedent which is directly applicable in principle to the one which is now before the committee.

Now, as I understand it, Mr. Chairman, the proposition upon which this point of order is made and urged is that it limits the authority of the Secretary of the Navy.

Now, I submit to the committee that the Secretary of the Navy has no authority to limit in regard to the construction of these torpedo boats, except such authority as is given to him in this bill. If the situation were such that under the general law the Secretary of the Navy had authority to construct a certain number of battleships each year, a certain number of torpedo boats each year, and it was entirely in his discretion as to the terms upon which he should secure their construction, then there would be some logic in the statement that this limitation would be on the authority of the Secretary of the Navy. But he has no such power, no authority to construct any one of these torpedo boats, unless it is given to him by this act.

Now, I submit that when the House is creating this authority and is conferring it upon some official of the Government, it is within the power of Congress not only to limit the discretion of the Secretary of the Navy but to refuse to give him any discretion in the matter. The Congress, if it sees fit, could put the supervision of the construction of these torpedo boats in the hands of a commission entirely separate and distinct from the Secretary of the Navy, like putting it in the hands of a board of admirals or putting it in the hands of a special commission created for that purpose. That would be, according to the argument that is made against this amendment, a limitation upon the discretion of the Secretary of the Navy. Yet I apprehend no one would dispute when Congress is appropriating money, as this section is appropriating money, to construct torpedo boats, that Congress has the power to specify under whose direction and whose authority they shall be constructed. So I say the Secretary has no discretion, and not having any discretion it can not be limited. When an appropriation is made it is perfectly germane and proper and not unfair to say how many torpedo boats shall be constructed, at what price they shall be constructed, in what navy yard they shall be constructed, and under what conditions the work shall be pursued in those navy yards.

Now, a precedent is presented here that was made last year. I apprehend that when the question was before the House that the House was actuated, in part at least, in its ruling upon the point of order, by its opinion on the merits of the question. It is always so.

The CHAIRMAN. The time of the gentleman has expired. The Chair wishes to state that the Chair has no pride of opinion about this matter, and does not care to take part in the discussion further than to say that the gentleman from Washington [Mr. POINDEXTER] is mistaken when he says that the ruling of the Chair in the early part of the afternoon in reference to the coal proposition was similar to this. That limitation was purely negative in its character. The present proposition is an affirmative direction to executive officers.

The gentleman is mistaken further in suggesting that the ruling last year with reference to building colliers or battleships in navy yards presents this precise question. Those amendments were offered to a very different sort of a paragraph, and they are not precedents at all on this particular question.

The gentleman from Illinois [Mr. Foss] is recognized.

Mr. FOSS. Mr. Chairman, I move to close debate on this question.

The CHAIRMAN. The gentleman from Illinois [Mr. Foss] moves that all debate be now closed on the point of order.

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

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

The question was taken, and the Chairman announced that the Chair was in doubt.

Mr. HUGHES of New Jersey. Tellers, Mr. Chairman.

Tellers were ordered.

Mr. Foss and Mr. HUGHES of New Jersey were appointed to act as tellers.

The committee again divided; and the tellers reported—ayes 96, noes 111.

So the decision of the Chair was overruled.

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of the Navy may build any or all of the vessels authorized in this act in such navy yards as he may designate, and shall build any of the vessels herein authorized in such navy yards as he may designate, should it reasonably appear that the persons, firms, or corporations, or the agents thereof, bidding for the construction of any of said vessels, have entered into any combination, agreement, or understanding, the effect, object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said vessels.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

Mr. SULZER. Mr. Chairman, I offer the following amendment.

Mr. MANN. My point of order is that it is new legislation.

The CHAIRMAN. The point of order is sustained.

Mr. FITZGERALD. Mr. Chairman, I offer an amendment to the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert as a new paragraph the following:

"And the contract for the construction of such vessels shall be awarded by the Secretary of the Navy to the lowest and best responsible bidder, having in view the best results and the most expeditious delivery; and in the construction of all said vessels the provisions of the act of August 3, 1886, entitled 'An act to increase the Naval Establishment,' as to the materials for said vessels, their engines, boilers, and machinery, the contracts under which they are built, the notice of any proposals for the same; the plans, drawings, and specifications therefor, and the methods of executing such contracts shall be observed and followed and subject to the provisions of this act; all said vessels shall be built in compliance with the terms of said act, and in all their parts shall be of domestic manufacture; and the steel material shall be of domestic manufacture and of the quality and characteristics best adapted to the various purposes for which it may be used, in accordance with specifications approved by the Secretary of the Navy, provided contracts for furnishing the same in a reasonable time, at a reasonable price, and of the required quality can be made with responsible parties."

Mr. MANN. I make the point of order, Mr. Chairman, against the amendment that it is legislation.

Mr. FITZGERALD. Will the gentleman allow me to explain what it is? This is offered in good faith.

Mr. MANN. I will reserve the point of order.

Mr. FITZGERALD. By the act of August 3, 1886, the first two vessels of the new Navy were authorized. That act contained the only law upon the question of the control of the Secretary of the Navy in the letting of contracts for naval vessels. It requires certain provisions for plans and specifications and provisions for the materials and the character of materials and the limitations upon the power of the Secretary of the Navy to make the contracts for the vessels. Ever since 1886 the provision which I submit as an amendment has been carried in every appropriation bill whenever a new ship has been authorized. At the time this act of 1886 was prepared with the utmost care, in order that there might be adopted fitting regulations to control the action of the Secretary of the Navy in the letting of the contracts. If this amendment be not adopted there is nothing to control the action of the Secretary.

The act of 1886 contained a paragraph requiring certain of the vessels to be built in navy yards. This amendment does not contain that provision. It follows the act of 1886 only in so far as it applies to the materials to be used in the construction of the vessel and the other requirements heretofore deemed imperative. Without this provision the Secretary of the Navy, if he invites bids for armor and armor plate, or for the construction of these vessels, has no authority to reject bids which may be submitted by foreign bidders. The act of 1886 is the only one which has ever limited the power of the Secretary of the Navy to domestic materials or materials of domestic manufacture. It seems to me that, in the absence of other provisions

or regulations, this bill should carry the provision which has been carried since 1886 regulating the making of the contracts for materials to enter into these ships.

No explanation has been given by the Naval Committee for its failure to incorporate this provision or for its failure to insert some other provision in the place of it. It seems to me the committee should have these facts, so that they may act intelligently upon them.

The provision is clearly subject to the point of order, but because of the peculiar condition affecting the naval appropriation bill and the necessity for some legislation with each batch of ships authorized the point of order has never been made against this provision in the 25 years in which it has been carried in the naval appropriation act.

Mr. KENDALL. It is difficult for us here to gather the full significance of the amendment, but I want to inquire of the gentleman if it is substantially the provision that appeared in the bill last year, on page 26 of that bill.

Mr. FITZGERALD. No; it is not the same as appeared in the bill of last year. It is the same as appeared in the bill every year up to last year.

Mr. KENDALL. I mean the amendment of the gentleman.

Mr. FITZGERALD. I offered the amendment without the provision that I thought, perhaps, might be held to be an obnoxious one.

Mr. MANN. I make a point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SULZER. I offer the following amendment.

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

Mr. SULZER. To be inserted as a new paragraph.

The Clerk read as follows:

Insert as a new paragraph the following:

"The Secretary of the Navy shall build one of the first-class battleships authorized in this act in such navy yard as he may designate, and may build any of the vessels herein authorized in such navy yards as he shall designate, should it reasonably appear that the persons, firms, or corporations, or the agents thereof, bidding for the construction of any of said vessels have entered into any combination, agreement, or understanding, the effect, object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said vessels."

Mr. FOSS. I make a point of order against the amendment.

Mr. SULZER. Just a word.

The CHAIRMAN. Does the gentleman from Illinois reserve the point of order?

Mr. FOSS. I make it.

The CHAIRMAN. The Chair will hear the gentleman from New York on the point of order.

Mr. SULZER. Mr. Chairman, of course I realize that this new paragraph offered by me is subject to a point of order—

The CHAIRMAN. The Chair can not hear the gentleman further, then. The point of order is made, and the merits can not be discussed.

Mr. SULZER. But I want to say that, in my judgment, if this is allowed to go into the bill it will materially help the gentleman to pass the bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following new paragraph.

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

The Clerk read as follows:

Insert as a new paragraph:

"That no battleship shall hereafter be constructed in any navy yard until at least two navy yards are fully equipped to enter upon and complete such construction."

Mr. SULZER. I make the point of order against that.

Mr. FOSS. I make the point of order against that amendment.

Mr. CHAIRMAN. The Chair sustains the point of order.

Mr. MOORE of Pennsylvania. May I say a word on the point of order?

The CHAIRMAN. There is nothing before the committee. The Clerk will read.

The Clerk read as follows:

Construction and machinery: On account of hulls and outfitts of vessels and steam machinery of vessels heretofore and herein authorized, \$13,531,785.79: Provided, That no part of the above appropriation shall be used for the payment of the construction of any collier the total cost of which shall exceed \$1,000,000.

Mr. CLARK of Florida. Mr. Chairman, I move to strike out the last word. I make that motion simply to reply to the distinguished gentleman from Missouri [Mr. BARTHOLDT] and other gentlemen who have deprecated the idea that there may be a war. Admiral Hobson predicts war. My friend from Missouri and others belittle the prediction. Let them beware. Admiral Noah some years ago made a prediction in reference to certain

things, and I want to call the attention of the House to some lines in reference to that prediction:

"Dar's gwine to be a'overflow," said Noah, lookin' solemn—
Fur Noah tuk the Herald, an' he read de ribber column;
An' so he set his hands to wuk a-cl'arin' timber patches,
An' towed he's gwine to build a boat to beat the steamah *Natchez*.
Ol' Noah kep' a-nailin' an' a-chippin' an' a-sawin',
An' all de wicked neighbors kep' a-laughin' an' a-pshawin';
But Noah didn't min' 'em, knowin' whut wuz gwine to happen,
An' 40 days an' 40 nights de rain it kep' a-drappin'.

[Laughter.]

Mr. KNOWLAND. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, on page 61, line 7, by striking out all after the word "which" and add the following: "exclusive of indirect labor, shall exceed \$1,000,000."

Mr. FOSS. Mr. Chairman, I make a point of order against that amendment.

The CHAIRMAN. The Chair overrules the point of order. The question is on agreeing to the amendment.

Mr. KNOWLAND. Mr. Chairman, in explanation of the amendment I have just offered will state that it does not increase the million-dollar limitation but adds to the proviso the words "exclusive of indirect labor," so that, as amended, it reads:

Provided, That no part of the appropriation shall be used for the payment of the construction of any collier the total cost of which, exclusive of indirect labor, shall exceed \$1,000,000.

In connection with this amendment I want to call the attention of the House to certain facts relating to the collier which Congress authorized to be built at the Mare Island Navy Yard. These facts are important to the House and should be fully and frankly stated. The naval appropriation bill of 1908 provided for the construction of two fleet colliers with a speed of 14 knots and with a carrying capacity of 12,500 tons of cargo and bunker coal, and the limit of cost on each was \$1,800,000. In other words, when it was thought that these colliers were to be constructed in private yards the limit of cost on each was fixed at \$1,800,000. No voice was raised on this floor in protest against the cost; no member of the Naval Committee was heard in opposition to the price of \$1,800,000 for each of these colliers. But an amendment was offered on the floor of the House providing that one of these colliers should be constructed in a navy yard on the Pacific coast. The Secretary of the Navy refused to carry out the will of Congress. Immediately after Congress adjourned the private ship firms evidently got together and submitted bids, and the lowest was \$822,500. These bids were nearly all alike, and while I do not charge that there was collusion between the bidders the fact remains that the bids were practically identical, and I have them on my desk at the present moment. In view of the low private bids the Secretary of the Navy did not begin at Mare Island Navy Yard the construction of the collier authorized. One of the colliers was let to a private firm. It was evidently taken at a loss and the loss shared by others.

Bear this fact in mind, that prior to this contract the price fixed for colliers to be constructed at private yards was \$1,800,000 apiece. In the naval appropriation bill the next year an amendment was inserted providing that the Secretary of the Navy could take the collier from the navy yard and give it to a private shipbuilding firm. I made a point of order against that paragraph and it went out. Then what do we find? The next limitation placed in the bill for colliers was \$900,000. Private contractors, after they thought they had deprived the navy yard of the work, raised their bids. The next year it was increased to \$1,000,000, and this year the limitation is again \$1,000,000. The Navy Department received but a single bid from private contractors last year for these colliers, and that bid was for \$1,596,500, \$128,000 more than the price at which the collier can be constructed at the Mare Island Navy Yard. I have before me a letter from the Secretary of the Navy in which he states that to build a collier at the Mare Island Navy Yard will cost a little over \$1,400,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. I ask unanimous consent that he may be permitted to continue for three minutes.

There was no objection.

Mr. KNOWLAND. Mr. Chairman, in the letter of the Secretary of the Navy he states that of the \$800,000 charged for labor, 50 per cent of that is for indirect labor, that is, labor expenses that would go on just the same, regardless of whether the collier was constructed at the Mare Island Navy Yard or not, and eliminating that 50 per cent for indirect labor it would bring the price of the collier down to practically \$1,000,000. My amendment provides that in estimating these charges that indirect labor shall not be charged against the collier.

Mr. FOSS. Mr. Chairman, as I understand this amendment, it provides that there shall be no indirect charge made against this collier in the course of its construction. That is to say, the light, heat, and power plants of the navy yard may be used for the construction of this collier without one penny being charged up against the collier. That was true of the old system of organization in the navy yards, and the estimate which the navy yard made some years ago for building this collier was \$1,400,000, and that excluded all indirect charges of every kind. Now, the gentleman proposes in this amendment to exclude those indirect charges. I do not see how he can build his collier for \$1,000,000, even though the indirect charges be excluded.

Mr. KNOWLAND. According to the Secretary's letter and the estimate, it could be done.

Mr. FOSS. I doubt very much whether it can be done.

Mr. KNOWLAND. I have the blueprint estimate here.

Mr. FOSS. In any event it seems to me proper, if we are ever going to get these navy yards upon a basis where we can compare Government work with work outside in commercial concerns, that we should not adopt this amendment which provides that indirect charges, which are properly charged against the work constructed in the navy yards, shall not be charged against this, and that is all that means. It simply means to upset any method of cost accounting in our navy yards to-day.

Mr. PADGETT. Will the gentleman permit a suggestion?

Mr. FOSS. Yes.

Mr. PADGETT. The effect of it is to increase the limit of cost from \$1,000,000 as provided to \$1,400,000 for all these colliers, and there being five of them that means \$2,000,000 increase.

Mr. KNOWLAND. But only one is to be constructed in the navy yard.

Mr. FOSS. When the gentleman says that this labor will be employed there if we did not construct the collier, that is not true, and when the gentleman goes further, as gentlemen sometimes do, and says that we have the labor there and we can just as well build the battleship and therefore we ought to employ that labor, that is not true. Whenever we build a collier we add a large number of laborers to the yards, and whenever we build a battleship we add a larger number to the employed force of the yard, and these indirect charges would be a great deal less if we did not build this collier, and the maintenance of the yard would be a great deal less if we did not build the collier or a battleship.

Mr. COOPER of Wisconsin. If we continue the navy yards and construct battleships and colliers, it may be true that we would hire some additional help occasionally when the ship was under construction; but is it not nevertheless true that we would constantly retain in the navy yard the great body of skilled mechanics? Is not that the only way the Government can maintain in its employ skilled mechanics in the navy yards to do some of this construction?

Mr. PADGETT. I want to say to the gentleman at that point that it developed in the hearings that it necessitated the keeping of these high-skilled mechanics all of the time to do job work that in private yards was given to unskilled labor and cheap labor, and the cost of the navy yard was thereby increased 58 per cent over outside contract work.

Mr. COOPER of Wisconsin. I have no doubt that the illustration given by the gentleman from California [Mr. KNOWLAND] furnishes the most potent argument for building some of these vessels in the navy yards that can possibly be given. He said there never was a less sum suggested than about a million seven or eight hundred thousand dollars for a collier, and then the Secretary of the Navy asked that they be built by private contract.

And then he says a lot of private contractors submitted substantially the same bid. He did not want to charge collusion, but it is most remarkable that they should have run down the price several hundred thousand dollars and put in substantially the same bid.

Mr. FOSS. That was on a different basis. That was on the basis of the eight-hour provision which was put in the bill last year—

The CHAIRMAN. The gentleman's time has expired.

Mr. FOSS (continuing). Which had been built by the Maryland Steel Co. and by Cramps, and were less than \$900,000. Those were built without any restriction whatever.

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

Mr. FOSS. I would like a couple of minutes more.

The CHAIRMAN. Without objection, the gentleman will be recognized for two minutes more.

There was no objection.

Mr. FOSS. All that this does is simply to add to the cost of this collier. If you took out the indirect charges you would simply add to the cost of it. The collier will cost just as much. We insist that when we are spending so much money here upon the Navy that we should appropriate it in a way where every dollar will go the furthest, and if gentlemen insist upon building ships in the navy yards it means in the case of a collier 50 per cent more.

Mr. MOORE of Pennsylvania. Will the gentleman permit me to ask him one question?

Mr. FOSS. Yes.

Mr. MOORE of Pennsylvania. Is there any navy yard in this country, save one, equipped to build a battleship?

Mr. FOSS. Only one, and that is New York.

Mr. MOORE of Pennsylvania. The only one in which this work must concentrate.

Mr. FOSS. Now, it is not necessary for us to build ships to keep the working force in our yards. We have enough work from the repairs of ships to keep up the working force in the yards, and when you build a ship in a navy yard and draw hundreds of men into that yard to build that ship, and when you are through the ship they go out, because we do not need them, you are doing an injustice, by building ships in a navy yard, to the laboring people of the country, unless you propose to continue the policy of building ships right along in the navy yards of the country. The repairs upon our ships are sufficient to keep our laboring men employed in all these yards, and it is not necessary to build even a little ship, a gunboat, or torpedo boat in order to do it.

Mr. HOBSON. Mr. Chairman, the amendment ought to be clearly understood. If the amendment is defeated, the collier is taken away from Mare Island, where a certain amount of expense has already been incurred. If the amendment prevails, Mare Island will try to build the collier at what will be a very reduced price for a navy yard.

I believe that the amendment ought to prevail. For the Mare Island Navy Yard a collier is as large a piece of work as the battleship is for the navy yard at New York. I am strongly in favor of maintaining our navy yards on a substantial basis, where they could meet the requirements of expansion when war comes. If we simply carry them on on the basis of repairs in time of peace, neither the equipment nor the personnel will be prepared or trained to meet the expanded requirements for ships damaged in time of war. Of course, the question of the cost should be taken into careful account. Mare Island ought not to be allowed to build a collier at \$1,800,000, but I do believe that at this juncture, when the question of overhead charges is not settled, when the question of cost accounting is still in the air and unfixed, that we ought not to permit the heavy overhead charges to be put on this particular collier and cut out the building of it at Mare Island.

The Navy Department, I am informed by the gentleman from California, approves the proposition. Leaving off the overhead charges will simply be following the custom that has prevailed heretofore. It is but a fair and reasonable proposition. It is to be regretted that this collier has been held up all these years. Mare Island ought to be allowed to go on and build it. From time to time we ought to authorize the navy yard at Norfolk, the one at Mare Island, and all the navy yards that are to be given serious work in time of war to build a collier or other auxiliary, provided they can do it within a reasonable increase of cost.

The chairman of the Naval Committee has been maintaining that the cost of work in navy yards is greater than in private yards, and so it is. He ought not, therefore, to find objection when they are willing to try to build it at Mare Island with only the difference of the overhead charges.

The adoption of this amendment will fulfill the requirements of economy and promote the general efficiency of the navy yard at Mare Island, and is in line with sound policy for the Navy. [Cries of "Vote!"]

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

The question was taken; and on a division (demanded by Mr. Foss) there were—ayes 79, noes 37.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. HUGHES of New Jersey. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read the amendment, as follows:

After the word "dollars," in line 8, page 61, insert the following: "Provided, That no part of this appropriation shall be expended for the construction of any boat by any person, firm, or corporation which has not at the time of the commencement and during the construction of said vessels established an eight-hour workday for all employees, laborers, and mechanics engaged, or to be engaged, in the construction of the vessels named herein."

The CHAIRMAN. The Chair understands that the amendment which the gentleman from New Jersey [Mr. HUGHES] has sent up has already been agreed to.

Mr. HUGHES of New Jersey. It is in the next paragraph.

The Clerk again read the amendment.

Mr. FOSS. Mr. Chairman, I make a point of order against it. Mr. HUGHES of New Jersey. Mr. Chairman, I want that to go in after line 5, after the word "cents," on page 61.

Mr. FOSS. We have passed that, Mr. Chairman.

The CHAIRMAN. The gentleman from New Jersey [Mr. HUGHES] now offers his amendment in line 5 instead of line 8. It is the same amendment?

Mr. HUGHES of New Jersey. It is the same amendment with an addition, which makes it structurally the same as the last amendment.

The CHAIRMAN. Is this in lieu of the first amendment or in addition to it?

Mr. HUGHES of New Jersey. It is in addition to it.

The CHAIRMAN. The Clerk will read it.

The Clerk read the amendment, modified, as follows:

After the word "cents," in line 5, page 61, insert the following: "Provided, That no part of this appropriation shall be expended for the construction of any boat by any person, firm, or corporation which has not at the time of the commencement and during the construction of said vessels established an eight-hour workday for all employees, laborers, and mechanics engaged, or to be engaged, in the construction of the vessels named herein."

"Provided, That this limitation shall not apply to payments to be made under contracts made prior to the approval of this act."

Mr. FOSS. Mr. Chairman, I make the point of order against that. It is a change of law.

The CHAIRMAN. This seems to be to the Chair very similar to the amendment that the House has just voted on, to which a point of order was made and upon which the decision of the Chair was overruled; and in accordance with that decision of the House, the Chair overrules the point of order against this amendment.

Mr. ADAMSON. Mr. Chairman, the gentleman from Alabama [Mr. HOBSON] has kept me so perturbed and nervous with his annual direful prognostications of invasion and destruction by Japan that I have been unable to compose my mind and feelings sufficiently to prepare a speech on this bill. It is my opinion, however, entertained constantly during the 11 months each year when he does not try to keep us scared to death, that Japan can not whip the United States, that she knows she can not, and that she will never try. If that island empire should ever be misled by the hysterical statements of the gentleman from Alabama into making war upon us under the delusion that she stood any chance of success, it would be hard on the gentleman from Alabama, after we had thrashed her to a finish. Her frazzled and dismembered remains would reprove the gentleman from Alabama all his days for deceiving and deluding her into the belief that she could stand any show in a war against us. It is generally recognized by everybody except the gentleman from Alabama that when the Southern Confederacy, after having put up the most stubborn war the world ever saw, with more actual fighting than the world had seen in a thousand years or will see in the next thousand years, had failed to vanquish the United States, there was no use for any other nation to try conclusions with her. That contest, unexampled in history, leaving the United States the victor, also established her as preeminent and invincible among all the nations, and all the nations know it.

No nation will levy war against her unless driven into it by our own misconduct and unfair treatment, and then only in the last resort. We ought to follow the advice of our forefathers—behave ourselves, treat other nations fairly, cultivate peace and commerce with all countries, not failing to devote all periods of peace and prosperity to developing greater strength and prestige, which we can easily and rapidly mobilize and utilize when necessity arises. I shall not consent to the demands of the gentleman from Alabama as to the rapid increase of our Navy. If I believed what he claims, I would admit that we need 300 battleships instead of 3, but if devastating war is to come in nine months we could not possibly finish any of them in time for our defense, for the keels of three will hardly be laid in nine months. If red-handed war does come, we will have to trust under Providence in our devices, ingenuity, courage, and patriotism, which have never yet failed and which will put to ruin any nation which dares arouse us to resentment. The ancient tale of Archimedes sustaining the prolonged defense of Syracuse against the Roman legions for so long a time is not more wonderful than the genius and inventive and creative power displayed by the Americans on both sides during the Civil War, which presented instances and spectacles not only of invention and development, but also of skill, daring, generalship, and statesmanship unequalled in the an-

nals of history and not likely to be surpassed until time shall be no more.

I am opposed to building battleships fast enough to take the entire output of the Steel Trust. I would rather leave some margin for competition to play on in the hope of some slight reduction in cost. In fact, I religiously believe that the Steel Trust is a much more powerful and a much more dangerous enemy to the American people than is Japan.

Reverting again to my suggestion about trade and friendship with all mankind, I am reminded that of late a great deal has been said here and elsewhere, wise and otherwise, about a tariff commission and a reciprocity treaty with Canada. As the subjects are kindred and the latitude of general debate liberal, I wish to submit a few observations about them.

I voted against the tariff commission. The Republican Party for 50 years has robbed the people of the United States, set a bad example to the balance of the world, and restricted the general circulation of trade currents by what they call the protective tariff. The terms of the treaty with Panama permitting the Government to bring in free of duty materials for construction afforded an object lesson of the difference in cost to the consumer made by the duty upon imports. The Democrats had argued the facts to the people ever since the Republicans had come into power, but the people of the Middle West and the North and East were deluded by the contention that Democratic sources were not reliable, and they had continued to believe and support the Republican Party, but the Panama object lesson could not be disregarded.

It opened their eyes. It was unfolded by a Republican President and Secretary of War. Its effects upon the debates pending the Payne-Aldrich-Smoot tariff bill were far-reaching. When the truth was told by Dolliver and CUMMINS and LA FOLLETTE and many other lifelong Republicans it was accepted by long-time Republican communities, the revolution of 1910 followed, the Republican Party was discredited and overturned. That party had never admitted any lack of information on the tariff question. They had professed omniscience, and had passed protective bill after protective bill, never seeking any information except to call in the representatives of the favored interests to state on so-called hearings whether they had sufficient protection, and whether any changes in their business or new inventions or devices demanded protection. After their defeat, however, when the people had instructed Congress, by unmistakable orders, to revise the tariff downward the standpatters, who had never before desired a tariff commission, at once concluded to prolong their control of the subject, if possible, by securing during the life of the present Republican Congress a Republican tariff board which would project their doctrines into future legislation. That was contrary to the wishes of the people, a palpable effort to defeat the results of the election; in my judgment an insult to the intelligence of the American people. Having been conceived for that purpose, of course it was so planned as to suggest nothing but information to support a protective tariff. No provision nor word in it looks to securing information bearing upon the only kind of a tariff which Congress has the right to levy.

The people have now instructed Congress to revise the tariff downward in the direction of a tariff for revenue only—the only one countenanced and recognized by the Constitution. I believe the Democrats are now prepared to frame legislation on that line. If they needed information, the inquiries should be only two, neither of which is in the act providing for a tariff commission, to wit:

First. What is the best or approximately best revenue-raising rate on any article of import?

Second. Will the expenditures of the Government render it necessary to impose on each item the full rate that would raise the most revenue?

The inquiry in making a Democratic constitutional tariff for revenue is limited in range from that rate which would raise the most revenue down to nothing. The doctrine of the Democrats is the constitutional doctrine, that any rate above the best revenue-raising rate would curtail imports while reducing the revenue, lessen competition, increase domestic prices, and enable domestic manufacturers and producers to rob their neighbors. The doctrine is plain that within the range defined we should begin by taxing luxuries at the highest rate imposed, making the rates lower for necessities, and if the state of the revenues will permit remit the tax entirely and place upon the free list articles of general use and prime necessity. Having made provision to collect sufficient revenue from articles of luxury and other articles not of such general use and prime necessity, the Treasury could spare the revenue on the last-named articles. For the reason just stated, I am proud to say that I voted against the creation of a tariff board, and I hope it will yet be defeated. There is no danger of that de-

feat verifying the bluff and bugaboo of an extra session, for an extra session of the next Congress would certainly not consent to that sort of a tariff board.

The other matter, Canadian reciprocity, I did vote for, not because it was ideal, nor what Democrats would have drafted. It was a Republican trick, worked up by a Republican President, I confess, in the hope of forestalling and discounting Democratic action by the next Congress and with the hope of claiming for the dying Republican Party some credit for effort in a direction which this country has long desired to travel. In my judgment, our relations with Canada ought to be considered on a different basis and entirely apart from general tariff legislation. Canada is our neighbor, as compactly associated and joined with us geographically as the States are joined one to another. Our States and Territories, enjoying free intercourse and liberal trade relations, have developed the prosperity, education, and happiness of our people beyond all the balance of the world, giving us more educated citizens than any other country ever had, making us the richest country the world ever saw, and making our domestic trade many times greater than the commerce of all the balance of the world, and all this in spite of the wall of protection erected all around us to exclude the balance of the world from competition and enabling favored classes to ravage the fields and levy tribute on the earnings of the masses. The extension of those conditions to embrace Canada would enlarge our sphere of trade and usefulness, to the mutual benefit of both countries, and in time cultivate, cement, and perfect indissoluble friendship between the two countries. It is not necessary to have annexation.

We need not have both countries under the same government. That is simply a theory and a dream, cultivated by some and dreaded by others. It ought not to have any effect on the question. It is not necessary for so many people and such large stretches of territory to enjoy one single government. It is hoped that government is improving throughout the world and that some glad day many good countries throughout the earth will enjoy good government in separate and independent autonomy. We should have a treaty arrangement with Canada by which a common system of tariff rates applicable to the balance of the world should be adopted by both countries, and then remove all duties on products of either country entering the other. The exceptional situation of the two countries would justify that and remove all difficulty about the favored-nation doctrine. There is some similarity in the condition of the countries to the south of us as related to the United States, but not in all particulars, and they may not yet be ripe for the consummation of such a relationship. But there is a way to treat them so fairly in our tariff laws as to invite their trade and friendship and bring them gradually to a relationship more or less like that existing between us and Canada.

The treaty recently adopted by the House was drawn by protectionists and intended to benefit the protected interests of this country, which, true to their doctrine, want to buy cheaply what they need and sell under high protection what they produce. The free trade provided for in that bill is in accordance with the free-trade device of the protectionist, who always uses the free list to help build up protection. The same remark is true about reciprocity. Reciprocity in its general signification means mutual fair treatment, but reciprocity in the technical sense held by the protectionist means that reservation of mind and law which permits a variation to be made wherever lowering particular duties on particular articles from particular countries will inure to the benefit of the protected industries in this country. Neither of these statements can be denied. Every instance in which protective tariff legislation has resorted to or provided for either reciprocity or a free list proves the truth of these statements. But I voted for that treaty because it was a step in the direction of an understanding with Canada, and can be improved by subsequent negotiations and legislation. I also voted for it because the Republican Party has for 40 years deceived the farmers of the country, falsely pretending to be their friends and insisting that they were benefited by protection. When the President submitted that treaty to Congress he either admitted the sham and falsity of that pretense or ruthlessly betrayed the interest of the farmer by negotiating away the only protective duties that it was ever pretended operated in favor of the farmer.

The fact that all the high priests of protection so bitterly fought that treaty was also a pretty good argument in its favor. If it had not possessed some good they would not have fought it so bitterly. In their dying throes they pretended to desire to place, by amendment, on the free list articles which they themselves had protected in the last and all tariff bills, knowing that if amended the treaty could not become a law at this session. They could at any time have introduced bills putting all those articles on the free list and secured every Democratic

vote in this House. Their trick was too transparent to deceive the people. Whether the reciprocity treaty will finally be adopted or not I do not know, but the bluff of the President that he will call an extra session of Congress unless it is done is too silly to fool anybody. We Democrats were willing to vote for that treaty at this session, because it came up at this session. We did not feel called upon to press it nor champion it, but it was the best we could do at this session—to take advantage of the opportunity to make a starter by voting for that—but the President certainly has intelligence enough to know that a Democratic House would not fritter away time trifling with that production. When the Sixty-second Congress meets it will be prepared to go ahead on proper lines, and if during the next two years it can not induce a Republican President to negotiate a better and more desirable treaty with Canada we can at least proceed to reduce the tariff duties on products coming in from Canada, and no man need doubt that Canada would sooner or later reciprocate most heartily in response to such friendly legislation.

There is one observation, however, that I feel constrained to make. Neither our press nor our statesmen have called the attention of the public to the fact that the Democrats have not yet secured full control of the Government. The Republicans will have the Senate and the President for two more years. The people should not be led to expect immediate and full relief. Yet the subject has been discussed as though we were expected to repeal at once all the iniquitous legislation of the Republican Party, and restore the people to the paths of peace, equality, and prosperity. That will be impossible. The Democratic House of Representatives may pass an ideal revenue tariff bill, but it would be defeated or mutilated in the other House, and if it passed in any form and contained any good at all, a Republican President would be liable to veto it. Of course, it would operate to our political advantage in the next campaign by showing that we did our part but were blocked and our purposes defeated by Republicans elsewhere. It may be possible to accomplish some practical good in one way only. There are two bands of Republicans in the other body, who, while all professing to believe in the iniquity of protection, yet differ in detail as the interest of themselves and their sections seem to differ.

If we can discover what articles of consumption among the people can command for a reduction of duties on them the support of a sufficient number of Republicans in the other House to afford sufficient help to enable the Democrats to pass those bills we could draw and pass in this House bills for that purpose, and we might pass some which the President would approve, but we would as well look the truth in the face and let the people know it now, that our only hope of securing any relief by tariff legislation in the Sixty-second Congress is to find patriots enough in the other House professing allegiance to the Republican Party to help the Democrats there pass such measures of relief as may go through the House with the further condition that the President signs the bills.

In closing, I wish to call attention to the figures given to the House a few minutes ago by the gentleman from Massachusetts [Mr. ROBERTS], showing that our Government is now buying steel plate cheaper than any other government. If those figures prove anything, it is that the Steel Trust needs no further protection. The day will come with greater enlightenment and greater distance in point of time from the passions and prejudices of the cruel war, which alone enabled the Republican Party to foist the protective system on us, when all our people will denounce the protective system as unnecessary and dishonest, and all will recognize that the incidental protection afforded to domestic industries by a tariff for revenue only affords as much advantage over his neighbor as any honest man could ask.

Mr. HUGHES of New Jersey. Mr. Chairman—

The CHAIRMAN. The gentleman from New Jersey is recognized to discuss the proposition.

Mr. HUGHES of New Jersey. Mr. Chairman, this is a proposition similar to the one advanced on the last paragraph. This is intended to apply the provisions of the eight-hour law to the work appropriated for in this paragraph. It proposes to do what everybody supposed the eight-hour law of 1892 would compel to be done. It is the same proposition to which this House agreed last year, and the same proposition to which this House has agreed every time it has had an opportunity since I have been here and at many times before I had the good fortune to arrive.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. CALDER. Mr. Chairman, I desire to offer the following amendment:

At the end of the paragraph strike out the period and insert a semicolon—that is, in the paragraph just finished—that is, after the word "dollars."

The CHAIRMAN. The Clerk will read the amendment: The Clerk read the amendment, as follows:

On page 61, line 8, after the word "dollars," strike out the period and insert a semicolon, and then insert the following:

"And the limit of cost, exclusive of armor and armament, of the battleship authorized and directed by the naval appropriation act, approved June 24, 1910, to be constructed in one of the navy yards, is hereby increased to \$6,310,000, on the basis of the actual cost of labor and materials."

Mr. PADGETT. I make a point of order against that. It is legislation, and changes the provision in the bill of last year.

The CHAIRMAN. The gentleman from Tennessee makes a point of order against the amendment, and the Chair sustains the point of order.

The Clerk read as follows:

Increase of the Navy; torpedo boats: On account of submarine torpedo boats and subsurface destroyers, heretofore authorized, \$890,833.88.

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

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

The Clerk read as follows:

Provided, That the unexpended balance of the sum of \$445,000 appropriated on account of torpedo boats whose vitals are located below the normal load water line by the naval appropriation act approved June 24, 1910, is hereby reappropriated and made available for the construction of five torpedo boats of said type, about 65 feet in length, to have a speed exceeding 24 knots, for which the Secretary of the Navy is hereby authorized to contract in the usual way.

Mr. ROBERTS. A point of order against that amendment.

Mr. STAFFORD. A point of order.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard on the point of order?

Mr. HOBSON. Yes.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HOBSON. The Chairman will notice that this is merely a question of reappropriation.

Mr. ROBERTS. It is purely legislation.

Mr. HOBSON. It is a reappropriation of an appropriation already made under existing law. The subsurface boats have been authorized, and last year Congress in the appropriation bill authorized a reappropriation of the money in order to permit the utilization of the money for vessels which will have improvements. This amendment makes the same money, already appropriated, available to improve the type still further, and this is merely a reappropriation of the same amount, to run through the coming year, permitting an additional improvement of type. So that it is not a question of new legislation.

The CHAIRMAN. The Chair overrules the point of order. The question is on agreeing to the amendment.

Mr. HOBSON. I do not wish to discuss this at length. I believe we are prepared to vote on it.

The question being taken, the Chairman announced that the ayes appear to have it, that the ayes have it, and that the amendment is agreed to.

Mr. PADGETT. Division, Mr. Chairman, division.

Mr. HUGHES of New Jersey. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

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

The Clerk began the reading of the amendment.

Mr. ROBERTS. Mr. Chairman, a point of order. A division was demanded on that last vote.

The CHAIRMAN. The Chair did not hear any gentleman call for a division.

Mr. ROBERTS. The gentleman from Tennessee was on his feet demanding recognition.

Mr. HOBSON. I insist that it is too late.

The CHAIRMAN. Was any gentleman on his feet demanding recognition?

Mr. PADGETT. I was not only on my feet, but I was shouting as loudly as I could.

The CHAIRMAN. If the gentleman from Tennessee rose to his feet to demand a division, the Chair will have a division taken. The question is on agreeing to the amendment offered by the gentleman from Alabama [Mr. HOBSON], on which a division is called for.

Mr. HOBSON. It is the same amount that we appropriated before.

Mr. ROBERTS. A point of order. It is not in order to debate while a vote is being taken.

The committee divided; and there were—ayes 39, noes 70.

Accordingly the amendment was rejected.

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

The Clerk read as follows:

After the word "cents," in line 12, page 61, strike out the period and insert a semicolon and add:

Provided, That no part of this appropriation shall be expended for the construction of any boat by any person, firm, or corporation which has not at the time of the commencement and during the construction of said vessels established an eight-hour workday for all employees, laborers, and mechanics engaged in doing the work for which this appropriation is made: *Provided*, That this limitation shall not apply to payments to be made upon contracts made prior to the approval of this act."

Mr. ROBERTS. Mr. Chairman, I make a point of order on that amendment.

The CHAIRMAN. The Chair overrules the point of order.

Mr. ROBERTS. If the Chair will pardon me, this is entirely different. The paragraph that this relates to is for vessels heretofore authorized, not herein authorized. It is a violation of the contracts already made and clearly unconstitutional.

Mr. FITZGERALD. It excludes contracts already made.

Mr. ROBERTS. Then it has no relation to the paragraph under the language of the paragraph.

Mr. HUGHES of New Jersey. Well, it can not do any hurt.

Mr. ROBERTS. Then it is not germane.

Mr. FITZGERALD. Mr. Chairman, it depends upon whether contracts have been made for these vessels.

Mr. MANN. And then the contracts might be broken and new contracts made.

Mr. FITZGERALD. Yes; some of these shipbuilding firms may bust up on these contracts, as they have in the past when they have not been sufficiently remunerated.

The CHAIRMAN. The simple authorization has no reference whatever to contract, and the Chair, in view of the recent decision by the committee on a similar question, overrules the point of order. The question is on agreeing to the amendment.

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

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, a few moments ago an amendment was adopted prohibiting the transportation of coal from the Atlantic to the Pacific Ocean, a very wise provision. There is now on the Union Calendar a bill (H. R. 32080) providing for the leasing of coal lands in Alaska, which, if it becomes a law, will, it is hoped and believed, provide for the early opening of mines in Alaska and the production of a very high grade of coal, which can be used for naval purposes, and in that bill is the following very important provision from the standpoint of the Navy:

Said leases shall also be upon the condition that the United States shall at all times have a preference right to take, wherever found, so much of the product of any mine or mines opened upon the leased land as may be necessary for the use of the Army or Navy or Revenue-Cutter Service, and pay such reasonable and remunerative price therefor as may be fixed by the President, but the owner of any coal so taken who may be dissatisfied with the price thus fixed shall have the right to prosecute suits against the United States in the United States district court for division No. 1, District of Alaska, for the recovery of any additional sum or sums claimed to be justly due upon the coal so taken.

Mr. Chairman, some of the coal of southwestern Alaska is a very high grade coal, as fine as any bituminous coal found in the country, and suitable for naval purposes. This provision will make it possible for the Government to obtain the coal from the mines opened on these lands at a price to be fixed by the President, at a reasonable price, and will prevent any combination in coal in that region. I hope this bill will be enacted into law, and, together with the amendment already adopted, it will give us cheap naval coal on the Pacific.

The Clerk read as follows:

Armor and armament: Toward the armor and armament of domestic manufacture for vessels authorized, \$10,532,928: *Provided*, That no part of this appropriation shall be expended for armor for vessels except upon contracts for such armor when awarded by the Secretary of the Navy to the lowest responsible bidders, having in view the best results and most expeditious delivery.

Mr. STANLEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 61, after line 20, insert the following:

Provided further, That no part of this appropriation shall be expended for the purchase of armor or armament from any persons, firms, or corporations that have entered into any combination, agreement, conspiracy, or understanding the effect, object, or purpose of which is to deprive the Government of a fair, open, and unrestricted competition in letting contracts for the furnishing of any of said armor and armament, and no purchase of armor or armament shall be made at a price in excess of 100 per cent above the actual cost of manufacture."

Mr. STANLEY. Mr. Chairman, it is a fact that this Government has been for 20 years and is now fostering and maintaining a hungry lawless monopoly in the manufacture of its armor plate and armament. It is absolutely absurd that we should drag one trust into the courts of justice and then build and maintain and

support another whose guilt is universally admitted. In 1896 a resolution was offered in the House and the Senate to investigate this very question as to whether or not a combination in restraint of trade, a trust and monopoly, existed in the furnishing of armor plate to the United States. In that investigation it was shown both by the findings of the committee and by the report of Secretary Herbert that armor for which we were paying \$600 a ton could be manufactured for half that sum. I will insert in the RECORD the statements of armor experts and other experts, who, having no interest in the matter, investigated and filed different reports, all of them agreeing that this armor could be made for less than \$300 a ton.

The Secretary sets forth at great length the methods and results of his investigation, which was conducted by himself personally, with Capt. W. T. Sampson, Chief of the Bureau of Ordnance, and Chief Constructor Philip Hichborn, Chief of the Bureau of Construction and Repair, as advisers. Immediately after the passage of the act the Secretary called on the two contracting companies, the Bethlehem Iron Co., of South Bethlehem, Pa., and the Carnegie Steel Co. (Ltd.), of Pittsburgh, Pa., requesting them to aid him with the necessary information to enable him to perform the duties imposed upon him by the Congress. The two companies declined to give information upon the ground that it was very unusual for Congress to inquire into the business of private corporations. They, however, in October, made statements as to the cost of their plants, and furnished suggestions to the Secretary as to the methods which should be adopted by him in estimating the cost of armor and of their investments in the armor plants.

The Secretary called together a board composed of Lieuts. Karl Rohrer, Kossuth Niles, and A. A. Ackerman, two of whom had been inspectors of armor at the Bethlehem Co.'s iron works. The other, Lieut. Ackerman, had been connected with the manufacture and use of steel in its different forms for a number of years, and had been on duty in the Bureau of Ordnance, during which time he had spent several months at both the Bethlehem and Carnegie works. These gentlemen made an exhaustive report upon the cost of labor and material entering into a ton of armor, showing in detail every little item, beginning with the cost of the several ingredients charged into the furnace for casting the ingot preparatory to the forging process and ending with the work on the finished plate. The result of their calculations was that the cost of the labor and material in a ton of single-forged harveyized nickel-steel armor, the Government supplying the nickel, was \$167.30.

Lieut. Commander Rodgers, who had been an inspector at the Bethlehem Iron Works, was also called upon to make an estimate of the cost of manufacturing armor, and his report, based upon observations in the manufacture of armor, makes the cost of labor and material in a ton of single-forged harveyized nickel-steel armor \$178.59.

The inspector of ordnance at the Carnegie Steel Co., Ensign C. B. McVay, was also called upon for an estimate, and his report, though made separately without consultation with the other officers, is that the labor and material in a ton of single-forged harveyized nickel armor is \$161.54.

Adding 10 per cent to each of these estimates for loss due to rejection makes the estimate of the board \$184, the estimate of Lieut. Commander Rodgers \$196.45, and of Ensign McVay \$177.69. For reforged nickel-steel harveyized armor the estimate of Lieut. Commander Rodgers is \$208.85, and of Ensign McVay \$190.09.

The Secretary, in making his calculations, says, in order "to be just to both the manufacturers and the Government," he took an average of the estimates, which is \$185.38 for single forged and \$197.78 for reforged armor, in making the calculations contained in the report.

As a result of that investigation these various concerns immediately dropped the price on a ton of armor plate in the United States about \$200.

Prior to the congressional and departmental investigation of the Armor Trust in 1896 and 1897 the price of armor plate ranged from the lowest price, \$547.96, to \$671 per ton. After the investigation the price of armor plate has ranged from \$345 to \$453 per ton. The Carnegie Co. has since sold 49,516 tons to the United States Government, which, at an average of \$200 per ton less than the price paid prior to this congressional and departmental investigation, amounts to \$9,903.200; the Bethlehem Co. has since sold 53,326 tons, amounting to \$10,663.200; the Midvale Co. has since sold 20,055 tons, amounting to \$4,011,000; total saved since previous investigation, \$24,579,400. (S. Doc. No. 666, Navy Yearbook, pp. 729, 730, 731.)

At the very time, in 1895, that the Bethlehem Steel Co. and the Carnegie Steel Co. were selling armor to the United States at between \$500 and \$600 a ton they were selling that same

armor to the Russian Government for \$249 a ton, according to the report of Secretary Herbert. (Report Secretary Herbert, Jan. 5, 1897, H. Doc. No. 48, p. 21.)

In 1895 Russia was in the market for harveyized nickel armor. The Bethlehem and Carnegie companies, in the United States, were then both well established, and neither had sufficient orders from this Government to employ its plant continuously. There was sharp competition for the order from Russia, and the Bethlehem Co. secured the contract for manufacturing armor for one ship at the very low price of \$249 per ton, this armor to be both nickelized and harveyized and to be delivered in Russia, the company agreeing at the same time to manufacture the armor for two other ships, if required, at the same price. The Russian Government afterwards did require for the other two ships, and taken altogether the armor for the three amounted to about 1,400 tons.

In addition to that, Mr. Chairman, 11 years afterwards, on the floor of this House, the chairman of this committee [Mr. Foss] admitted that they were still buying armor plate from manufacturers in a known combination, and that they were still receiving "fixed" bids. On March 2, 1905, Mr. Vandiver, in discussing this very combination which, notwithstanding its exposure in 1896, was still fleecing the Government in the same old way, said:

I say that we ought to know the truth about it. Every Secretary of the Navy for the last 10 years, who has been questioned about it, has conceded that there was an evident combination. Secretary Herbert, in his last report, said the combination was not denied; Secretary Long admitted it; Secretary Moody openly asserted that it appeared to be so, and now Secretary Morton has conceded it.

Secretary Morton, in his hearings before our committee, on the 26th of January (I read from page 564 of the hearings), stated if the Bethlehem bids for the bolts and nuts should be added to the Carnegie bids the two bids would be identical.

Now, Mr. Speaker, we have had the same experience for years: One company will underbid the other on one-half of the contract and the other on the other half, and so we have the combination here which seeks to control the price of armor plate to the Government, and has done so for years.

* * * * * Mr. VANDIVER. Can the gentleman explain it in any other way than by the fact that there is a combination?

Mr. Foss. I do not know. So far as that is concerned, I do not know whether there is a combination at all, but all the indications point that way. I will say to the gentleman. (Ex. "C," vol. 39, part 4, pp. 3880-3881.)

It is here established by every Secretary of the Navy for 20 years, by Secretaries Herbert and Long, Moody and Morton, that this illicit, illegal combination existed.

Is there any evidence that this trust is not doing business at the same old stand? Has there been anything in the conduct of the United States Steel Corporation or of the various combinations that sell armor and armament to the United States to indicate that they are more obedient to the law or more patriotic than they were at the time of Secretary Herbert's investigation, or at the time of the admission of the chairman of this committee that we were purchasing armor or armament from a combination and a trust? Since these investigations competition has not only ceased between makers of armor plate, builders of guns, and other munitions of war, but it has ceased altogether. We not only have one trust selling armor, another trust selling beams and bolts and girders, but we have one huge combination throttling competition, not only between the makers of similar materials, but among all manufacturers of iron in every shape, form, and fashion in the United States.

Mr. Chairman, we have improved the methods of the manufacture of armor plate. We have cheapened the processes. These royalties about which they talk so much, many of them have expired. There is no reason to-day why armor plate should not be purchased at from \$280 to \$300 a ton, and yet the price of armor plate to-day to the Government is four hundred and twenty-odd dollars a ton, according to the last report of the Navy Yearbook.

The greatest danger to this Government, Mr. Chairman, is not from foreign foes. It is from internal combinations, and it is absurd, it is a travesty on justice to have this Government drag the Oil Trust and the Tobacco Trust into one end of the Capitol while we feed another trust out of our hands in the other end, and it is time this Government, who can make its own armor plate and who should make it, if necessary, shall say that it will not become not only the principal purchaser, but the maintainer of an illicit, illegal, and lawless combination in restraint of trade. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PRINCE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the

Senate had passed without amendment bills of the following titles:

H. R. 19756. An act for the relief of Michael B. Ryan, son and administrator de bonis non of John S. Ryan, deceased; and H. R. 9221. An act for the relief of James Jones.

The message also announced that the Senate had passed the following resolutions:

Senate resolution 300.

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. SAMUEL DOUGLAS McENERY, late a Senator from the State of Louisiana.

Resolved, That as a mark of respect to the memory of the deceased Senator the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of Mr. McENERY and Mr. DANIEL the Senate do now adjourn.

Senate resolution 359.

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. JOHN WARWICK DANIEL, late a Senator from the State of Virginia.

Resolved, That as a mark of respect to the memory of the deceased Senator the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of Mr. DANIEL and Mr. McENERY the Senate do now adjourn.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 10476. An act for the relief of Passed Asst. Paymaster Edwin M. Hacker.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 288) for the creation of the police and firemen's relief fund, to provide for the retirement of members of the police and fire departments, to establish a method of procedure for such retirement, and for other purposes.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

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

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

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

The Clerk read as follows:

Line 14, page 61, strike out the words "of domestic manufacture."

Mr. RAINY. Mr. Chairman, I have offered an amendment to strike out of this paragraph the words "of domestic manufacture." The effect of this paragraph, if the amendment I make is adopted, will be this: The Secretary will be required to submit for competitive bidding all propositions for armor and armament. My amendment will take down the bars, and armor and armament can be purchased in the cheapest market in the world, either at home or abroad. We will get better armor and armament, I believe; at any rate we will get cheaper armor and armament; and I desire now to discuss at some length the amendment I propose.

WORLD-WIDE PREPARATION FOR WAR.

In all the nations of the world earnest men and women are at work preaching the doctrine of peace—trying to put an end to the awful arbitrament of the sword. But the preparations for war go on here and throughout the world with unprecedented vigor. The burdens of navies and great standing armies weigh heavier now upon the real wealth producers of the great nations of the world than ever before in all the centuries of recorded history. England, Germany, and Japan all are engaged in a bitter contest to see which nation can squander the most money in the shortest time on armies and navies. Great armadas are being created this year which in less than five years will be out of date and useless. Great warships, costing millions of dollars, have been built in recent years which were out of date and useless before they were launched.

OUR ISOLATED POSITION OUR BEST DEFENSE.

In this country the strange, inexplicable fever of preparation for war prevails to the same degree as in the great nations of the Old World. The position we take on this question, in the light of the experience of history, is almost inexplicable. We occupy an isolated territory, separated by great oceans from any possible enemy. The territory of continental United States lies within the grandest, the most perfect natural boundaries any nation ever had in all the history of the world. No nation

was ever able to send armies and navies across 2,000 miles of ocean and to carry on a successful war for conquest, even against an inferior enemy. No nation ever fought successfully for any considerable period of time 2,000 miles from its base of supplies.

England has been compelled repeatedly to withdraw splendidly equipped armies from the interior of Africa where they were engaged in fighting native tribes armed principally with spears and bows and arrows; but England was fighting 1,000 miles from her base of supplies. Our splendid isolation is our best defense. Our extensive preparations for war are as absurd, as foolish, and as criminal as was the children's crusade for the recovery of the Holy Land.

OUR EVER-INCREASING WAR EXPENDITURES.

This bill carries \$125,000,000. Last year it carried \$130,000,000. Our war expenditures of the past fade into insignificance when compared with the enormous sums we expend now. During the eight years of Washington's administration we expended on our Army and Navy \$11,000,000. We expend that much now for a single battleship. Three hundred and fifty-nine thousand men were killed or died from diseases in the Northern Armies alone during the Civil War, but when the war was over the Gray Armies and the Blue Armies marched home and were disbanded and we retained only a skeleton Army of less than 25,000 men. During the 10 years which preceded the Spanish-American War the expenses of our Army and Navy together amounted to \$507,000,000. During that war the number killed in action amounted to only 218, but as the result of this insignificant struggle, in some inexplicable way, a war spirit was developed in this country, and for the 10 years immediately following the Spanish War, in a time of profound peace, the expense of maintaining the Army and Navy was \$1,626,000,000, over a thousand million dollars more than in the previous 10 years, an amount sufficient to have paid the entire public debt and to have contributed something to the building of the Panama Canal. Our program for the future contemplates still larger expenditures of money.

On this side of the sea those men who are loudest in proclaiming an intense desire for peace are also beating the war drums and sending broadcast wild alarms. In this country a great steel magnate professes a willingness to contribute millions for the purpose of ending wars, and at the same time, louder than anyone else, he proclaims his desire that millions of dollars be expended for guns to be mounted on the Isthmus of Panama. Weird stories of Japanese spies here and in our island possessions, and discoveries of secret Japanese wireless stations in the Philippines, are industriously circulated about the time each year when the Army and Navy bills are being prepared. After both these bills safely pass and the burden is fixed for that year at two hundred or two hundred and fifty million dollars, the war scares subside and people are permitted to pay some attention to peaceful avocations. But when the time for the preparation and passage of these bills comes around again a new batch of war stories finds its way into the news columns of our metropolitan papers.

BUSINESS OF PREPARATION FOR WAR PROFITABLE TO STEEL COMPANIES.

As a matter of fact the business of preparation for war is immensely profitable to the steel companies of the country, and if it were possible to trace these war alarms to their real source we would find the steel companies and their agents and advertisers responsible for most of them. They promote the business of preparation for war in order that they may, at their own price, furnish the implements of war. Inasmuch as Andrew Carnegie is at the present time the world's most prominent advocate of international peace and is also at the present time the most prominent supporter of the scheme to expend millions for guns to be mounted on the Isthmus of Panama in preparation for war, he is entitled to some consideration here to-day.

ANDREW CARNEGIE'S IDEA OF DUTY.

On the 7th day of last month Andrew Carnegie addressed the Republican Club in New York City. Whenever this distinguished philanthropist addresses any political organization it is sure to be an organization which exists for the purpose of perpetuating Republican theories. The Republican Party has been a source of tremendous profit to Andrew Carnegie and to all those gentlemen who have accumulated millions out of steel. In this particular address Mr. Carnegie expounded his idea of civic duty in connection with the manufacture of steel.

I was coaching in Scotland—

He said—

when I got a cablegram from Secretary Tracy, saying in effect, "the President says he understands it to be your duty to enter into the manufacture of armor and save the ships from waiting on the stocks for want of it."

Mr. Carnegie proceeded then to say:

That telegram settled it, for whenever the public calls on me for anything I can do, unless I fall dead, it is my glory to respond.

He then proceeded to relate a story of tremendous activity in assembling tools and creating an armor plant, and concluded the discussion by saying:

That is what I did, because the President asked me to do it, and if the President thinks it is my duty to do anything or to go anywhere for my country, I consider it the voice of God.

Newspaper reporters writing up this part of Mr. Carnegie's speech described vividly his pathos of voice and the intensity of his feeling when he uttered this splendid sentiment. At a later date, on the 10th day of the present month, Andrew Carnegie addressed some working girls in New York City, and with considerable pride, according to the newspapers, advised them that in his steel operations he had succeeded in creating 42 or 43 millionaires as a sort of by-product. Not long ago Mr. Carnegie admitted that his profits from his steel investments alone exceeded each year the sum of \$16,000,000.

We are driven to the conclusion from the evidence Mr. Carnegie himself has furnished that his operations in steel have been profitable; in fact, his success in accumulating money has never been equaled by any other man in the field of industry. In his address to the members of the Republican Club in New York last month he told a story of wonderful activity on his part. In response to the request of the President of the United States he assembled tools in Europe, employed skilled workmen, created at his plant in Pennsylvania the greatest and most powerful factory for the manufacture of armor plate the world had ever seen. He told the same story years ago before the investigating committee of the House of Representatives.

DID MR. CARNEGIE RESPOND TO THE "VOICE OF GOD?"

In order to determine whether Mr. Carnegie's conclusion that he responded to the "voice of God" on that occasion is correct or not, I want to examine briefly the history of armor-plate making in this country. In 1887 the Bethlehem Iron Co. was awarded a contract for armor plate at from \$510 to \$600 per ton. On November 30, 1890, after Mr. Carnegie heard the "voice of God" in such a startling manner, his firm, the firm of Carnegie, Phipps & Co. (now the Carnegie Steel Co.) entered into a contract for furnishing 6,000 tons of armor at exactly the same prices made by the Bethlehem Co. Mr. Carnegie's contention always has been that the manufacture of armor plate was not particularly profitable. An investigation made by a committee of the House of Representatives showed conclusively that in 1894, when both the Carnegie Co. and the Bethlehem Co. were making the various grades of armor plate for this Government, and were being paid from \$517 to \$725 per ton for making the same, the Bethlehem Co. made a contract with the Russian Government to furnish to that Government at least 1,500 tons of armor plate of the same character as the plate then being made by them for the United States Government for \$249 per ton.

We may assume that the Bethlehem Co. did not lose anything on their contract with the Russian Government. In this country very recently a board of competent engineers reached the conclusion that class A armor plate could be manufactured by this Government at \$295.89 per ton and that class B armor plate could be manufactured by the Government at \$273.38 per ton. The available evidence therefore shows that upon the first contract made by Mr. Carnegie with this Government for 6,000 tons immediately after he responded to the "voice of God," in addition to what ought to have been a reasonable profit, he made for his company considerably more than \$2,000,000. His contracts with this Government immediately afterwards were for still larger amounts per ton. As a result of the publicity given the Russian contract, and also on account of charges affecting the honesty with which Mr. Carnegie executed his contracts with the Government, there was an investigation into the price of armor plate in this country and there was also an investigation into the charges of fraud made in connection with the operations of Mr. Carnegie's company. The Carnegie Co., as well as the Bethlehem and the Midvale companies, all engaged at that time in making armor plate for this Government, refused to furnish the board making the investigation with the slightest information as to the cost of armor production. The board, however, reached the conclusion that a Government factory for the manufacture of armor plate would cost \$3,747,972. This report was made by the armor factory board appointed by the Secretary for the purpose of making this investigation. We can not help wondering whether Mr. Carnegie was still listening to the "voice of God" when he declined to permit his company to give out any information as to the cost of making armor plate.

COLLUSION IN BIDDING.

In 1906, by a remarkable coincidence, the Carnegie, Bethlehem, and Midvale companies submitted competitive bids for the manufacture of armor plate. The Bethlehem Co. bid 6 cents per ton more than the Midvale Co. and the Carnegie Co. bid 11 cents per ton more than the Bethlehem Co. I would not care to insinuate that the distinguished patriots controlling the affairs of these companies were in collusion when these bids were submitted. It is, however, remarkable that competitive bids involving millions of dollars should be submitted and they should differ only by a few cents. This remarkable difference is perhaps due to the fact that Andrew Carnegie was still listening, when these bids were made, to what he now believes to have been the "voice of God."

In 1897, in response to a limitation fixed in the appropriation bill for that year, the department was compelled to issue a circular calling for bids for the delivery of 8,000 tons of nickel steel face-hardened armor at not more than \$300 per ton. At that time the Carnegie and the Bethlehem companies, who were alone equipped to manufacture armor plate, declined to submit any bid. The Illinois Steel Co., however, submitted to the department a proposition—not in the form of a bid—to supply the 8,000 tons called for at \$300 per ton. Their proposition, however, was conditioned upon Congress awarding to that company a contract for the wants of the Government for 20 years for all armor plate at an average price of \$240 per ton, the Government to guarantee that the average tonnage every year of armor plate would not be less than 6,000 nor more than 12,000 tons. The department, however, did not consider itself authorized to consider this proposition, but referred it to Congress. This was in 1897, after the real supremacy of the Republican Party commenced, and no action has ever been taken by this body. At that time the Illinois Steel Co. was not connected with the other steel companies, but was believed to be a competing company.

The price they made may be considered to be at that time a fair price for armor plate in this country. It has never been intimated, however, that in making this price of \$240 per ton the Illinois Steel Co. listened to the "voice of God." They simply figured up in a practical way the price they could make to the Government for armor plate, and the price they made at that time probably left them with an ample profit.

By a singular coincidence in August, 1900, the Carnegie Co. and the Bethlehem Co. submitted bids for the various classes of armor, and the bids were identical. The contract was divided between them, and in 1906, at the prices I have mentioned, the contract was divided between the three companies equipped for the manufacture of armor plate. In 1894 we had an investigation into the frauds perpetrated upon this Government by Mr. Carnegie's company while Mr. Carnegie was operating under his high ideals of duty to this Government. I do not propose to go into a discussion of the evidence produced on that occasion. I think, however, I might with propriety call attention to the admissions made by Mr. Carnegie's superintendents. I can not be charged with unfairness if I simply call attention to those frauds perpetrated by Mr. Carnegie's company, which were admitted by his representatives, some of whom are now among the 43 Carnegie-made millionaires. The document which contains all this evidence is easily accessible. It is House of Representatives Report No. 1468, Fifty-third Congress, second session.

FRAUDS PERPETRATED BY MR. CARNEGIE'S COMPANY.

The investigation was commenced in 1894. At the same time a similar investigation was made by a Senate committee. C. M. Schwab, who was at that time a stockholder in the Carnegie Co., and who was the superintendent of the company, and who is now the president of the Bethlehem Steel Co., admitted that armor plates manufactured by the Carnegie Co. did not receive the "uniform" treatment required by the contract of the company with the Government.

Another one of Mr. Carnegie's superintendents, Mr. W. A. Cline, admitted that almost invariably after the day's work was over he changed the figures so that false reports of the treatment of the plates were systematically made to the Government inspectors. This superintendent also admitted that he discharged workmen in the Carnegie factory for the reason that they told the truth about the fraudulent work done in this plant. Supt. Corey, of the Carnegie Co., also admitted that specimens which were taken from the plates to ascertain the tensile strength of the plates were stretched so as to increase their apparent tensile strength without the knowledge of the Government inspectors. Upon the stand Mr. Schwab admitted that he knew of this fraudulent method of stretching the specimens. Mr. Corey admitted that he knew that false specimens taken from good plates were substituted

for specimens selected by the Government inspectors from plates of doubtful character, so that in reality the inspectors were not testing the plates they thought they were testing. Mr. Corey, however, testified that he considered this to be a matter of small importance. The evidence disclosed that specimens taken for physical tests were re-treated without the knowledge of the Government inspectors and before the Government inspectors made the tests required by the contracts. Supt. Corey admitted that plates selected by the Government inspector for the ballistic tests were re-treated before the tests were made by the company without the knowledge of the inspector. Supts. Corey and Schwab both admitted that large blowholes or shrinking cavities were plugged by the contractors in order that these defects might be concealed from the Government inspectors.

I have so far called attention to the admissions of Mr. Carnegie's executive officers. The testimony, however, of employees was particularly damaging. T. F. Farley testified that he had seen blowholes large enough for a person to run three fingers in plugged by taking cuttings from the same plate, which were driven into the blowholes with hammers; he also testified that he himself had run flexible wires into blowholes to the depth of 18 inches. These blowholes were afterwards plugged up on the surface. The blowholes might, according to his testimony, have extended into the plates a much greater distance than this. These blowholes, it appears from the testimony, follow a sinuous course so as to make it difficult to ascertain the extent of them, even by inserting flexible wires. J. W. Kountz, another employee, testified that he had known holes from 4 to 6 inches in diameter plugged in order to deceive Government inspectors. Samuel Sheriff, another employee, testified that the plugging and doctoring of plates was done at night when no inspectors were about, but he testified that he had seen one fixed up at noon. T. F. Farley also testified that the plates were frequently imperfect, full of blowholes and defects. He also testified that they were frequently taken off the planer and hidden until night so that they could not be seen by the inspectors. They were then worked upon at night when the inspectors were gone.

In discussing this matter I have kept well within the record and have been conservative. I have principally called attention only to the admissions of fraud brazenly made by Mr. Carnegie's executive officers. It is only fair to them to say, however, that the admissions were made in the face of overpowering evidence as to the truth of all these charges. Many things were proven by the evidence more damaging than I have called attention to, which, however, were not admitted by Mr. Carnegie's superintendents.

The wonderful executive ability and attention to details on the part of Mr. Carnegie, which he himself with great pride described the other night in New York and on other occasions, and which enabled him in such a remarkably short space of time to equip the greatest armor-plate factory in the world, absolutely compels us to believe that Mr. Carnegie knew of these frauds committed by his company. In all the years which have passed since then he has never on any occasion denied that he himself had full knowledge of the frauds perpetrated upon the Government by his company. Under the admitted facts I think therefore we may safely conclude that Mr. Carnegie was mistaken in 1890 when he thought he heard the "voice of God" commanding him to manufacture armor plate for his Government. I am inclined to the opinion that any fair-minded man who cares to resurrect the evidence taken in the nineties will be compelled to believe that Mr. Carnegie did not respond at that time to the demands of patriotism but rather responded to those inclinations, prompted by avarice and greed, which enabled him out of these contracts to accumulate a part of his millions. He does not seem to have been prompted at that time to any considerable degree by the desire to honestly serve his Government.

WHY WAS THE MATTER PERMITTED TO DROP OUT OF SIGHT?

If any Member of this House or if any patriotic citizen should now read again the evidence in these investigations, the query will at once present itself to him, Why was the matter permitted to drop by Congress? Is it possible that these fraudulent methods still prevail at these factories? The explanation is easy. These investigations were concluded about the time the new issues of 1896 were presented to the country; about the time when great questions affecting our circulating medium occupied the attention of the public mind. These investigations were hardly completed when the interests in this country commenced to contribute to a campaign fund which astounded the world.

Sugar trust thieves, steel magnates, and dishonest life insurance officials who robbed policy holders, all united in contribut-

ing to a Republican campaign fund of \$20,000,000 with which the electorate was corrupted, with which the real supremacy of the Republican Party was purchased. From sea to sea men were intimidated and bribed. The result was the stifling for a time of the public conscience of the country; the result was that supremacy of the Republican Party in national affairs, which continued until the elections last November. During all that period of Republican supremacy, through all the years that have passed since 1896 until now, no action has been taken on account of the disclosures in the steel investigations conducted by both Houses of the Congress. Since that time, under the fostering care of the party in power, the steel companies have been permitted to consolidate and to grow stronger and stronger. By Executive usurpation unparalleled in the history of this Government the civil and the criminal laws of the country were suspended, and competing steel corporations were permitted to merge, until now in absolute harmony these great companies proceed under one control. The evidence is indisputable that they are still perpetrating the old frauds with absolute impunity on perhaps a larger scale than ever.

THESE FRAUDS CONTINUED TO PRESENT TIME.

The fact of the continuance of these frauds is evidenced by the frequency with which guns explode on our battleships and on land killing and maiming men, by the frequency with which boilers on our ships blow up with such awful results to human life.

Guns, while being tested by other great nations of the world, do not explode with disastrous results. We do not read in the papers that boilers frequently explode on the war vessels of England or Germany or any other nation. The very large number of these accidents in our own Navy and in tests made by our Army officers leads to the irresistible conclusion that there are defects in the castings of the guns, and in the castings for the steel tubes and boilers furnished by our steel companies. Castings for guns are not made by the Government. They are made at Bethlehem, at Midvale, at the plant of the Carnegie Co., and some of the smaller castings are made by companies not so large as the companies I have mentioned. In our Government arsenals here at Washington and up at Watervliet we simply assemble these castings. I desire to insert here in my speech a chronological record of the more important accidents of this character as recorded in the news items of our metropolitan papers.

DISASTERS CAUSED BY EXPLOSIONS, BURSTING GUNS, FAULTY BREECH-BLOCKS, ETC.

1902, February 2. Battleship *Kearsarge*, West Indian waters; gun burst, killing 5.

1903, January 17. Battleship *Massachusetts*; gun explosion off Culebra Island; 6 killed.

1903, April 9. Battleship *Iowa*; explosion of gun; 3 killed, 5 wounded.

1904, April 13. Battleship *Missouri*, off Pensacola, Fla.; explosion; 32 killed.

1904, December 14. Battleship *Massachusetts*, at Philadelphia; explosion in firerooms; 3 killed, 4 scalped.

1905, July 21. Gunboat *Bennington*, San Diego, Cal.; boiler explosion; 34 killed, 66 injured.

1906, January 10. Battleship *Massachusetts*; gun explosion; 9 killed.

1906, April 13. Battleship *Kearsarge*, in Caribbean Sea; explosion; 6 killed.

1907, July 15. Battleship *Georgia*, Massachusetts Bay; explosion; 6 killed, 15 injured.

1908, June 5. In California waters, cruiser *Tennessee*; bursting of boiler tube; 6 killed.

—. Torpedo-boat destroyer *Hopkins*, California waters; exploding boiler; 1 killed, 5 wounded.

1910, March 28. Cruiser *Charleston*, in Philippine waters; gun explosion, alleged faulty breech block; 8 killed, 7 or 8 wounded.

1910, July 21. Explosion of gun, Fort Monroe; 12 killed.

1910, September 9. Battleship *North Dakota*; explosion, Hampton Roads; 3 killed.

1910, November 19. Explosion of gun, Indianhead; 4 killed.

1911, January 13. Cruiser *Washington*; cylinder head blown out. Also about this time 3 similar accidents to vessels in Admiral Schroeder's fleet; no one killed.

1911, January 17. Battleship *Delaware*; boilers exploded; 9 killed; just outside Hampton Roads.

Total killed in nine years, 147.

Total maimed in nine years, 102.

As a result of the accidents I have enumerated, and there have been others, in nine years 147 men have been killed and 102 maimed for life. In other words, by these accidents, in nine years of profound peace, we have killed or maimed for life more

of our men than were killed in action in the Spanish-American War.

Recently a great ocean liner made a record-breaking trip across the Atlantic, and without allowing any time for repairs or for even oiling up the machinery returned again across the Atlantic in record-breaking time. There were no explosions of boiler tubes, no cylinder heads were blown out, the machinery did not break, and yet the machinery of this great ship was subjected to a more severe test than the machinery of any of our battleships or cruisers has been subjected to since the Spanish-American War. This record-breaking trip across the Atlantic and back again, with all its accompanying terrific strain on machinery, did not result in this great ship being laid up a day for repairs.

THE VOYAGE OF THE BATTLESHIP FLEET INDICATES DEFECTIVE MATERIAL FURNISHED BY STEEL COMPANIES.

In December, 1907, by Executive order, 16 of our great battleships were ordered to make a useless voyage around the world. They proceeded leisurely. It was not a trip around the world in 80 days. It took 14 months to make it; and finally, on February 22, 1909, when these vessels reached again our ports, according to the figures issued by the department, this trip around the world had cost \$13,460,512. This was not the entire cost to the Government connected with this useless voyage. Since the return of the ships, on account of failing machinery, due to this leisurely journey around the world, Congress has appropriated for repairs on the—

New Jersey	\$810,000.00
Rhode Island	810,000.00
Ohio	125,426.00
Illinois	592,391.00
Kearsarge	602,812.46
Kentucky	598,718.00
Ajax, one of the four auxiliary vessels which made the entire trip	66,476.00

Total 3,605,823.46

The bill we are now considering authorizes the following repairs on the—

Georgia	\$500,000
Virginia	500,000
Arethusa	125,000

Total 1,125,000

The *Arethusa* was also one of the four auxiliary vessels which made the entire trip around the world. The situation, therefore, is this: When this bill has passed both Houses of Congress, as it will pass, we will have authorized repairs on eight of these battleships, just one-half of the battleship fleet which went around the world, to the amount of \$4,539,347.46. We will have authorized repairs on two of the four auxiliary vessels which made the entire trip around the world to the amount of \$191,476, making in all a grand total of \$4,730,823.46 to be expended upon half the fleet which went around the world in order to repair the damages occasioned by this particularly leisurely tour. If a leisurely sea voyage, with no strain on machinery, brings with it such appalling results, there are many of us who wonder what effect actual warfare and rapid steaming would have upon the machinery and equipment furnished by the steel companies to this Government.

The naval bill last year, in addition to these provisions, carried an item for the completion and repair of boilers to the amount of \$4,250,000. How much of this sum went for the purpose of repairing boilers on the vessels which went around the world on this excursion it is not possible for me to say.

A year ago we had 349 vessels in our Navy and 80 of them at that time were out of commission, tied up at our wharves, and on them we were making repairs to the amount of nearly \$7,000,000. The enormous repair bills for the vessels which went around the world and the other war vessels can be accounted for only upon the theory that defective work, criminally defective work, is still being done by these steel companies for this Government on a larger scale than ever.

We are absolutely helpless in matters of this kind so long as the officials of our Government authorized to place contracts for armor and for armament of various kinds and for castings for guns are in partnership with the steel companies doing work for the Government.

OUR OFFICIALS IN PARTNERSHIP WITH STEEL COMPANIES.

Commander Folger, while Chief of the Bureau of Ordnance, negotiated a contract in his official capacity with Mr. Harvey, of the Harvey Steel Co., by which Harvey was paid by this Government for the use of his process in hardening steel a royalty of \$50 per ton, and after negotiating a contract contemplating the payment of tremendous sums of money to Mr. Harvey by this Government, Commander Folger became an employee of the Harvey Steel Co.

Millions of dollars were expended by the Government on the Buffington-Crozier disappearing gun carriage while Buffington was Chief of Ordnance and while Crozier was a member of the Board of Ordnance. These officers, as a result of experimenting with Government money, were finally enabled to take out a patent on the disappearing gun carriage now in use in this country. The patent was taken out at the suggestion of the Bethlehem Iron Co., as Mr. Crozier admitted. These two officers sold all the rights to the Bethlehem Iron Co., as Mr. Crozier also admitted, for \$10,000, and the Bethlehem Iron Co. agreed to pay to Gen. Buffington and to Gen. Crozier, in addition to that amount, royalties on each carriage built for Governments other than the United States until on this account there had been paid to these officers in royalties the sum of \$50,000.

A MAN CAN NOT SERVE TWO MASTERS.

These officers, therefore, charged with protecting the contracts, made by this Government with the steel companies, against fraud on the part of the steel companies, charged also with placing orders for armor plate and for castings for guns with steel companies, entered into this partnership with the Bethlehem Steel Co. "A man can not serve two masters," and the inferior character of work done for the Government by these companies, as evidenced by accidents to machinery and explosions of guns, followed as a matter of course.

While an officer of the department, Gen. Crozier invented, as a result of his experiments with money contributed by the Government, a wire-wound gun and took out a patent on it. This was invented at a time when the nations of the world were adopting wire-wound guns. Evidently having in mind the invention of Gen. Crozier while occupying this official position, Gen. Buffington, interested with him in the Crozier-Buffington disappearing gun carriage, recommended, while Chief of Ordnance, in the estimates of the War Department for the fiscal year 1903, an expenditure of a sum of money less than \$998,000 for the purchase of material for steel-wire seacoast guns. The act of March 1, 1901, as a result of the efforts of these officers, provided that a sum of money less than \$76,000 could be used in the discretion of the Secretary of War—which meant, of course, in the discretion of these officers—for this purpose.

Prior to that time there was but one gun in this country competing with the Crozier steel wire-wound gun, to wit, the Brown segmental wire-tube gun. In 1894 this gun was turned over to a board, of which Capt. William Crozier was a member. It was tested by that board and found to be deficient by the board, and Capt. Crozier was one of the two members of the board who signed the report of the test of the Brown segmental wire-tube gun, and who in their report killed the only competitor to the Crozier gun had.

A few months later the same board, Capt. Crozier still being one of its members, tested his own invention, and a favorable report was made. The report of the Chief of Ordnance, made in 1896, on page 321 of that report, contains the following note:

By authority of the Chief of Ordnance Capt. Crozier was, at his own request, relieved from duty in joining in the above report.

He was not, however, relieved from duty in testing his own gun, but was relieved from duty in signing the report which followed. I might call attention also to other officials charged with the duty of protecting the interests of this country, who were interested in inventions made by them as the result of information gathered while experimenting with Government money and while accepting salaries from the Government, and who have been financially interested in the inventions they themselves have compelled this Government to purchase. The answer may be made that the patent taken out on the Buffington-Crozier disappearing gun carriage provides that no royalties are to be paid for carriages of this character made for the United States Government. However, the principle remains the same; the royalties are to be paid to these inventors by the Bethlehem Steel Co. on the carriages made for other governments, and the Bethlehem Steel Co. has taken out patents on this carriage in England and perhaps in other places. These officers were instrumental in bringing about the sale of disappearing gun carriages of this type to this Government, and I understand each one of them costs about \$150,000; and this Government has already officially recommended to the world this particular carriage, and Gen. Crozier, on account of the official position he now holds, can in this way promote the sale of his invention abroad and reap thereby large financial gains. Up to the present time, however, no sales of this gun carriage have been made by the Bethlehem company to foreign governments. But attempts are being made to sell it abroad, and when sales are made Gen. Crozier's connection with the Bethlehem company will become profitable. Gen. Crozier is now Chief

of the Bureau of Ordnance of the Army, and under the rules his duties are as follows:

The Chief of Ordnance commands the Ordnance Department, the duties of which consist in providing, preserving, distributing, and accounting for every description of artillery, small arms, and all the munitions of war which may be required for the fortresses of the country, the armies in the field, and for the whole body of the militia of the Union. In these duties are comprised that of determining the general principles of construction and of prescribing in detail the models and forms of all military weapons employed in war. They comprise also the duty of prescribing the regulations for the proof and inspection of all these weapons, for maintaining uniformity and economy in their fabrication, for insuring their good quality, and for their preservation and distribution.

Under these conditions—and I might continue the discussion along these lines at much greater length—is it any wonder that inferior work is being done in the factories furnishing these castings for the use of the Government? In this connection I desire now to read some affidavits made by employees of the Bethlehem Steel Co. as to the methods employed in doing work at the present time for the Government by that company.

There is no longer any competition in this country, as the gentleman from Kentucky [Mr. STANLEY] has so well stated, in the manufacture of armor or armament for vessels.

In the old investigation practically only the superintendents of the Carnegie Co. were called upon to testify. In order to show that the frauds continue to this day, I have original affidavits, made within the last few months up here at Bethlehem, and I send them to the Clerk's desk and ask that they be read now in my time.

Mr. CAMPBELL. Will the gentleman from Illinois [Mr. RAINHEY] yield to a question?

Mr. RAINHEY. After they get through reading I will, if possible.

The Clerk proceeded with the reading of the affidavits.

During the reading of the affidavits the following colloquy occurred:

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAINHEY. Mr. Chairman, I ask for three minutes more in which to read the affidavits.

The CHAIRMAN. Is there objection?

A MEMBER. I object.

Mr. JAMES. Mr. Chairman, I make the point of order that no gentleman arose from his seat and objected. Some gentleman sat back and did so. Let him rise.

The CHAIRMAN. The Chairman saw one gentleman rise in his place and object.

Mr. RAINHEY. Who made the objection, Mr. Chairman?

The CHAIRMAN. The gentleman from Massachusetts [Mr. ROBERTS].

Mr. ROBERTS. Oh, no, Mr. Chairman; I did not make the objection.

Mr. RAINHEY. Mr. Chairman, I renew my request for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. [Applause on the Democratic side.]

The Clerk resumed the reading of the affidavits.

During the reading,

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAINHEY. Mr. Chairman, I ask for three minutes more.

Mr. FOSS. I object.

Mr. RAINHEY. We are practically through with this bill, Mr. Chairman. I hope my colleague will not object to this.

Mr. FOSS. I have no objection to having the affidavits printed in the RECORD.

Mr. STAFFORD. Regular order!

Mr. RAINHEY. We are practically through with the bill now, and it will not take two minutes to read the balance of the affidavits.

Mr. FOSS. There are practically two pages left.

Mr. RAINHEY. There is not over a page and a half left. Mr. Chairman, I ask unanimous consent that the Clerk may finish the reading of the affidavits.

Mr. FOSS. How long will it take to finish the reading?

Mr. RAINHEY. Not over two minutes.

Mr. BUTLER. Mr. Chairman, I object.

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

The CHAIRMAN. Is there objection? [After a pause.] There is no objection. [Applause on the Democratic side.]

The following are the affidavits referred to:

SOUTH BETHLEHEM, PA., April 26, 1910.
I, the undersigned, do hereby certify that the following information is an absolute fact, as I have been an employee of the Bethlehem Steel Co. in the treatment department for a period of one and one-half years.

After official tests on 12-inch liners, tubes, and long propeller shafts for U. S. S. *Florida* there was a heat treatment given above forgings while the inspectors were at home at night; for instance, if a tube,

liner, or shaft passes test to-day, instead of shipping same forging into the machine shop for machining, they put forging into a wood furnace and heat it at 860°, which is equal to 1,000° or more in oil furnace, thereby softening the forging, and the following morning have same piece ready for machine shop after straightening (which should have been done before official test bars were taken). This was not, of course, done with all tubes, liners, and shafts, but it was done in cases where the company needed any individual forging to complete a set of gun forgings in order to get out a certain amount of work to reach their tonnage basis, so as to make their annual bonus. One of the most prominent features of the superintendents and overseers of the company is to produce as much tonnage as possible, regardless of whether or not work is accomplished in a manner which gave the Government an inferior product.

The United States Government specifications require all treatment reports to be forwarded to the Army and Navy office at works were work is being done, but this rule was not lived up to on the part of the company, as I myself was instructed by the superintendent to withhold the report of tubes, liners, and shafts from the Army and Navy office; therefore the inspectors never knew about the treatment that was given after the official test.

I also wish to state that during the month of December, 1909, there was more of this defective work done than any month previous, to the best of my knowledge.

The records that were supposed to be open for public inspection were always so fixed that they would not show the fraudulent treatments that were given forgings, and the reports that I got about treatments on tubes, liners, and shafts were withheld from the public records that were supposed to be open for scrutiny of Army and Navy inspectors.

WILLIAM JULIAN.

Sworn and subscribed to before me this 26th day of April, 1910.
[SEAL.] JOSEPH H. McGEE,
Justice of the Peace.

My commission expires first Monday in May, 1912.

SOUTH BETHLEHEM, PA., April 29, 1910.

This is to certify that I know there was work done in No. 2 machine shop for the United States Government that was not up to specifications. I myself have deceived the inspector many a time.

On the last lot of 5-inch mounts that were made here a number of patches were placed on the brackets, to cover up a mistake in machining. These were put on in such a way so that under ordinary inspection they could not be detected.

I know of a slide for a 12-inch gun that was being machined when a blowhole was discovered. The yoke was taken off the machine and at night the hole was filled up with metal and the yoke put back on the machine, the inspector not discovering the trick. I know of a track for a 12-inch turret which, while being machined, was found to be cracked.

I closed the crack by hammering the crack shut and finished machining it.

FRANCIS J. GILLESPIE.
COUNTY OF NORTHAMPTON, State of Pennsylvania, ss:

Francis J. Gillespie, the subscriber, being duly sworn according to law, deposes and says that the foregoing statement is true and correct as he verily believes.

Sworn and subscribed to before me this 29th day of April, 1910.
[SEAL.] JOSEPH H. McGEE,
Justice of the Peace.

My commission expires first Monday in May, 1912.

SOUTH BETHLEHEM, April 29, 1910.

In a brief submitted to President Taft on April 6 by the committee of striking employees of the Bethlehem Steel Co. we charged that during the night, when Government inspectors were not present, workmen were compelled to treat, patch, and weld inferior work so that work could be forced to be accepted by the Government.

In a letter from Mr. G. V. L. Meyer, Secretary of the Navy, to the President, under date of April 21, 1910, of which I have a copy, he states that our charge has been investigated. In his letter he states that "it appears that no evidence in support of this can be obtained, and the inspectors claim that should defective work be treated in this manner it would subsequently be detected on inspection and test, and reports indicate that the Government is fully safeguarded by the daily routine inspection."

He also states: "In general, it is believed that the character of the work accepted upon inspection by the Government fully meets the requirements of the Government, and through the system of inspection now in vogue the interests of the Government are well protected."

Regardless of this report, work was treated at night, and men were not allowed to tell the inspector, and after the work was treated if there was any chance of the inspector being deceived into accepting the work as being up to specifications, it was submitted to him. I know that on an order of 5-inch sights for the Navy, about three years ago, that some of these sights were found out of alignment during the company shop test, and that the steel castings were hammered with a sledge to bend them so they would line up. The recoil of the guns, when these sights were used, must have sprung these castings back to their old shape, and thereby made it impossible for our sailors to shoot straight. I offer as witnesses Horace Klinesmith and Robert Johnson, former employees of No. 4 machine shop.

During the building of the 12-inch ammunition hoists for the battleships *North Dakota* and *Delaware* a number of buffers, to be used as cushions to take the weight of the lower cars, were found to be not strong enough. The inspector (J. C. Farrall) refused to accept them on the ground that the springs were not firm enough. The foreman (Harry Lynn) promised to put new springs in. The real trouble was that the bore was out of round in the bottom of the castings, and when inspector was home to dinner these buffers were taken apart and filled with thick vaseline, which stopped up the leak and made it appear as though new springs had been put in, and were accepted by the inspector.

I was working as assistant to the inspector, and know this to be a fact. On the same job there were several levers welded by electricity to fill up dirt holes, and were in bad shape, and I put the inspectors next to it, and was asked by Foreman George Meyer, of the second floor: "Who the hell told him that?" These levers were thrown out by Inspector Farrall. At the present time there are under construction twenty-four 6-inch howitzer gun carriages and twenty-four 6-inch how-

itzer limbers upon which much inferior work was done, and up to the time of strike was hid from the inspector. Parts have been broken in flanging, and welded with acetylene gas; axles have been machined wrong, and patched; other parts machined wrong, and doctored up to make it pass inspection. In fact, the idea in the shop is to make the work "appear" as though it is up to specifications, or, in other words, get it past the inspector by fair or foul means. I offer as witnesses Horace Klinesmith, George Stegmair, George Miller, Robert Johnson, Ralph Otto, John Wendling, Henry Doyle, and William Everett. Also, on shells for the Navy, if the center has been drilled too deep, leaving a hole in the nose of the shell instead of a point, the hole is drilled deeper and a pointed plug put in. As this was done when inspector was home, I am sure it was not allowed by inspector. This shell job was kept very secret in shop, and should be thoroughly investigated, as there was a large bonus paid for getting these shells out in a certain time, which acted as an incentive for the men to deceive the inspector. In fact, in No. 4 machine shop the practice of treating inferior workmanship was so common that nothing was thought of it. An investigation where men could be placed on oath would bring to light a great many things which I haven't mentioned. I do not blame the inspectors for this, as it would be impossible for an inspector to detect some of these operations. When it is known that Mr. Everett, a skilled jeweler, is used on some of this work, the impossibility of detecting these things by ordinary inspection is apparent.

DAVID WILLIAMS.

COUNTY OF NORTHAMPTON, State of Pennsylvania, ss:

Personally appeared before me, a justice of the peace in and for the aforesaid county, David Williams, who, being duly sworn, deposes and says that the foregoing statements are true and correct, as he verily believes.

Sworn to before me this 29th day of April, A. D. 1910.

[SEAL.] JOSEPH H. McGEE.
Justice of the Peace.

My commission expires first Monday in May, 1912.

Mr. RAINY. I do not desire to comment on these affidavits at this time. They speak for themselves. The Bethlehem Co. has been specially favored with Government contracts, receiving in recent years more than its share of these contracts. I think, however, I might mention that George R. Sheldon, treasurer of the national Republican central committee, is a director in this company, and an investigation may show among the stockholders other names more prominent at the present time in national affairs than that of Mr. Sheldon.

I understand that the resolution presented by my friend from Kentucky [Mr. STANLEY] for the investigation of the Steel Trust in this country will not be pressed by him during the present session. Only a few more days remain of Republican supremacy in this House. Attempts to investigate frauds against this Government perpetrated by Sugar Trust thieves and by steel companies have not met with enthusiastic support on the other side of this House, but when the Sixty-second Congress convenes it will convene with a Democratic majority of 64, with a Democratic Speaker presiding over it, with the majority of all the committees composed of Democrats, and I promise at that time to ask my friend from Kentucky [Mr. STANLEY] to make his resolution for the investigation of the Steel Trust broad enough to include a searching investigation into the question of frauds perpetrated by the steel companies upon this Government. I have every reason to believe that under a Democratic House there will be other investigations which will lead two years from now to a more complete and thorough and overwhelming repudiation of the Republican Party at the polls than the repudiation of November last. [Applause.]

The question was taken; and on a division (demanded by Mr. RAINY) there were—ayes 90, nays 69.

So the amendment was agreed to.

Mr. ROBERTS. Mr. Chairman, the impression has been given that the United States Government is paying an exorbitant price for its armor, and the gentleman from Illinois [Mr. RAINY], who has just taken his seat, holds out the hope that by throwing open the doors we may get cheaper armor from abroad.

Mr. RAINY. And better armor.

Mr. ROBERTS. And now, as an answer to both of those statements, I want to give to the committee the prices that foreign Governments are paying for armor as compared with the prices we pay. The first figures I shall read are for the average of all armor and the second figures the price paid for Krupp armor in each of the countries named.

These are the latest prices paid by naval powers, as given in the Navy Year Book of 1910. Japan pays \$400 per ton on an average for all armor and \$400 for Krupp armor, Austria pays \$440 for all and \$557 for Krupp, Italy pays \$521 for all and \$550 for Krupp, Germany pays \$450 for all and \$450 for Krupp, France pays \$569 for all and \$572 for Krupp, England pays \$525 for all and \$525 for Krupp.

Now, gentlemen will note the extravagant price paid by the United States for its armor! The average of all armor purchased by the United States is \$430 a ton. The lowest price paid by any nation for Krupp armor is \$400 a ton, and that nation is Japan. Only one nation, only one maritime power, is getting armor cheaper than the United States. [Applause.]

Mr. RAINY. Mr. Chairman, may I interrupt the gentleman? [Cries of "Vote!" "Vote!"]

The CHAIRMAN (Mr. THOMAS of Ohio). The question is on the amendment of the gentleman from Illinois [Mr. RAINY].

Mr. HARDY. Mr. Chairman, I wish to make just one or two observations with reference to this amendment. What I wish to say is simply this: If the gentleman who last addressed the House is correct, and our steel manufacturers give us the cheapest steel armor in the world, then it can do no harm to give the United States the right to get cheaper armor if it is possible. In fact, if this argument shows that it can not be gotten cheaper elsewhere, why do gentlemen desire to put in a restriction there that would prevent us from getting it cheaper in case it could be gotten cheaper abroad? It may be that the Steel Trust has the exclusive privilege of making that profit out of the United States Government. If we can get the armor cheaper elsewhere it will do no harm to let us try. If we can get it cheaper elsewhere, the friends of the Government ought to insist that we should get it.

The amendment offered by the gentleman from Illinois is one of the most important amendments offered during the consideration of this bill. The question is whether we shall be left bound in the meshes of the United States Steel Trust in such a position that it can say, "Here is the victim; take what you will," or whether we shall be allowed to buy more cheaply our needed supplies of armor. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. RAINY].

The question was taken; and on a division (demanded by Mr. RAINY) there were—ayes 90, noes 69.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The limit of cost, exclusive of armor and armament, of the battleship Florida, authorized by the naval appropriation act approved May 13, 1908, to be built in a Government navy yard, is hereby increased from \$6,000,000 to \$6,400,000.

Mr. MANN. Mr. Chairman, I make the point of order on the paragraph.

Mr. CALDER. Mr. Chairman, I offer an amendment to that paragraph.

The CHAIRMAN. The gentleman from Illinois makes the point of order on the paragraph, so that an amendment is not now in order.

Mr. MANN. The Chair will notice that there is a limit of cost fixed upon this, and this paragraph proposes to increase the limit, which is new legislation.

The CHAIRMAN. The limit of cost was fixed in the last appropriation bill at \$6,000,000?

Mr. FOSS. It was.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

That part of the naval appropriation act approved June 24, 1910, under "Increase of the Navy," which reads as follows: "and the contract for the construction of said vessels shall contain a provision requiring said vessels to be built in accordance with the provisions of an act entitled 'An act relating to the limitation of hours for daily service of laborers and mechanics employed on public works for the United States and the District of Columbia, approved August 1, 1892,'" is hereby repealed.

Mr. FITZGERALD. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

That part of the naval appropriation act of June 24, 1910, under "Increase of the Navy," which reads as follows: "Provided, always, That one of the battleships herein authorized shall be constructed in one of the navy yards," is hereby repealed.

Mr. FITZGERALD. Mr. Chairman, I make a point of order on that paragraph.

Mr. CALDER. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] was on his feet to make the point of order before the gentleman from New York [Mr. CALDER] rose, so the Chair recognizes the gentleman from New York [Mr. FITZGERALD].

Mr. FOSS. I admit the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will report the next paragraph of the bill.

The Clerk read as follows:

That part of the naval appropriation act of June 24, 1910, under "Increase of the Navy," which reads as follows: "Provided, That not more than one of the battleships provided for in this act shall be built by the same contracting party," is hereby repealed.

Mr. CALDER. Mr. Chairman, I make a point of order against that paragraph.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Provided, That the Secretary of the Navy is hereby authorized to cause to be constructed by private contract at a cost not to exceed \$1,000,000 the one fleet collier authorized by the naval appropriation act approved May 13, 1908, designated to be built in such Government yard on the Pacific coast as the Secretary of the Navy shall direct.

Mr. KNOWLAND. Mr. Chairman, I make a point of order against that paragraph.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk completed the reading of the bill.

Mr. FOSS. Mr. Chairman, I move—

Mr. HOBSON. I desire to offer an amendment.

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

Mr. HOBSON. To come in at the end as a new paragraph.

The Clerk read as follows:

On page 63, after line 19, add a new paragraph, as follows: "No part of any sum appropriated by this act shall be used for the purchase of projectiles until \$350,000 of the amount available for the purchase of projectiles is used for the purchase or manufacture of shell of such proven design as will carry under tested gun pressures of not less than 30,000 pounds per square inch explosive charges of not less than 150 pounds weight, of either the explosives now in use, in the naval service, or of explosive gelatin."

Mr. MANN. Mr. Chairman, I make a point of order on that amendment.

The CHAIRMAN. The amendment seems to direct the Secretary of the Navy to make a specific expenditure of money for a certain purpose. The Chair thinks it is legislation and sustains the point of order.

Mr. HOBSON. Mr. Chairman, I wish to offer an amendment.

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

The Clerk read as follows:

On page 63, after line 19, add a new paragraph, as follows: "High-explosive shell, capable of carrying explosive gelatin under usual gun pressure, in charges of not less than 150 pounds, \$350,000."

Mr. STAFFORD. I make a point of order against that amendment.

Mr. HOBSON. I wish to discuss that point of order.

The CHAIRMAN. What is the point of order that the gentleman makes?

Mr. STAFFORD. The point of order is that it is not germane to this part of the bill. There is a provision of the bill that has already been passed relating to projectiles, and it is out of order in this portion of the bill. If any member of the committee has the privilege of offering additional amendments at the close of the bill to that which has been covered in prior parts of the bill, there will be no limit at all to the consideration of appropriation bills.

Mr. HOBSON. Mr. Chairman, if the gentleman will look at the bill he will see that at various places in it there are provisions relating to the question of armor and ammunition, and there are various appropriations at various places for the same bureau. This simply, at the end of the bill, makes an appropriation for high-explosive projectiles, that is all; just like smokeless powder, or anything of that kind.

Mr. STAFFORD. I direct the attention of the Chair to page 15, to the provision for ordnance and ordnance stores.

Mr. MANN. Under the head of Bureau of Ordnance.

Mr. HOBSON. If the gentleman will look at page 17 he will find another provision there. He will find further on, in various parts of the bill, appropriations for various materials and works under each particular bureau.

Mr. MANN. Mr. Chairman, the Chair will see by an examination of the bill that from line 5, page 15, down to line 6 on page 19 are the provisions under the Bureau of Ordnance which cover all the ordnance material, and the only place where this amendment would have been in order is under the head of Bureau of Ordnance covering various provisions in relation to the ordnance experiments with ordnance and the equipment of the naval militia.

The CHAIRMAN. The Chair asks the gentleman from Illinois if he thinks this amendment could have been offered to paragraph on page 61, armor and armament.

Mr. MANN. I think not; this is ordnance.

Mr. HOBSON. So is armor and armament. The armor must meet certain ordnance tests.

Mr. MANN. So must a battleship; but it does not make a battleship ordnance.

The CHAIRMAN. The Chair will hear the gentleman from Alabama.

Mr. MANN. The funnel of a battleship has to meet certain requirements, but it is not ordnance.

Mr. HOBSON. Mr. Chairman, we are now authorizing for new construction in the Navy ships of various types. In the building of these ships we require various material—armor

and armament, equipment, ammunition, and other things. We have appropriations for armor and armament, and it is perfectly germane to make appropriation there for the high-explosive projectiles comprised in the ammunition. I do not say that it is usual. I intended and, in fact, I did introduce the amendment in another form on page 15. I recognize that. But it was ruled out on a point of order.

Now, then, I have offered it where I do not think it would be subject to a point of order, and I put it in in connection with the new construction, because it will be used with the new construction. It will be part of the ammunition that goes on the ships which are provided for in the increase of the Navy. I do not maintain that it is usual to put it on at this time, but I maintain that it is germane. There is no reason under the practice or the rules of the House why it may not be put on at this place, because it will be used just as much as the armor and armament here provided will be used on these new ships.

The CHAIRMAN. The gentleman from Alabama is familiar with the rule that an amendment inserted as an additional clause or paragraph must be germane to the portion of the bill which it is offered.

Mr. HOBSON. Will the Chair hear me? I do not think the Chairman heard the last part of my discussion.

The CHAIRMAN. The Chair thinks that the amendment which has been offered to the provision, beginning on page 15, is not germane, and the Chair sustains the point of order.

Mr. STANLEY. Mr. Chairman, I offer an amendment, to follow line 15.

The CHAIRMAN. Line 15, page 63, has been passed, and unless the gentleman obtains unanimous consent the amendment can not be offered.

Mr. STANLEY. I understood that that paragraph had just been read.

The CHAIRMAN. The last paragraph has been read.

Mr. STANLEY. Then I will offer the amendment after line 19.

The Clerk read as follows:

After line 19, page 63, insert:

"Provided, That no part of any sum herein appropriated shall be expended for the purchase of structural steel, ship plates, armor, armament, or machinery from any persons, firms, or corporations who have combined or conspired to monopolize the interstate or foreign commerce of the United States, or the commerce between the States and any Territory, or the District of Columbia, in any of the articles aforesaid, and no purchase of structural steel, ship plates, or machinery shall be made at a price in excess of a reasonable profit above the actual cost of manufacture; and no purchase of armor or armament shall be made at a price in excess of 100 per cent above the actual cost of manufacture."

Mr. FOSS. Mr. Chairman, I make a point of order against that.

Mr. STANLEY. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Kentucky on the point of order.

Mr. STANLEY. Mr. Chairman, this is plainly a limitation upon the sum provided to be expended in this bill, and is germane to the paragraph beginning on line 16—

That no part of any sum appropriated by this act shall be used for any expense of the Navy Department at Washington unless specific authority is given by law for such expenditure.

This matter has been repeatedly ruled on before. Will the Chair kindly indicate what part of that amendment he thinks is not germane, and I shall direct my remarks to that.

The CHAIRMAN. The Chair would say that it seems to the Chair that this affects existing contracts and everything of that kind as drawn.

Mr. STANLEY. Then I will ask unanimous consent to amend the amendment so as to provide against that. I will amend the amendment, if I may be permitted to do so, in that respect.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to amend his amendment in the manner indicated, which the Clerk will read.

The Clerk read as follows:

Add at the end of the amendment: "But the limitation shall in no case apply to any existing contract," so that it will read:

After line 19, page 63, insert:

"Provided, That no part of any sum herein appropriated shall be expended for the purchase of structural steel, ship plates, armor, armament, or machinery from any persons, firms, or corporations who have combined or conspired to monopolize the interstate or foreign commerce of the United States, or the commerce between the States and any Territory or the District of Columbia, in any of the articles aforesaid, and no purchase of structural steel, ship plates, or machinery shall be made at a price in excess of a reasonable profit above the actual cost of manufacture. And no purchase of armor or armament shall be made at a price in excess of 100 per cent above the actual cost of manufacture. But this limitation shall in no case apply to any existing contract."

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The Chair overrules the point of order. The question is on agreeing to the amendment.

The question was taken and the amendment was agreed to.

Mr. STANLEY. Mr. Chairman, I offer the following amendment to go in at the end of the bill, which I send to the desk and ask to have read.

The Clerk proceeded to read the amendment.

Mr. MANN (interrupting the reading). Mr. Chairman, I make the point of order on the amendment. It has been read far enough to indicate what it is.

The CHAIRMAN. The Chair sustains the point of order.

Mr. STANLEY. Mr. Chairman, I ask unanimous consent to have the amendment printed in the RECORD and to extend my remarks upon it.

The CHAIRMAN. Is there objection?

There was no objection.

The amendment is as follows:

After the last paragraph, on page 63, add the following:

"That a joint committee is hereby created, to be called the 'Committee on Iron and Steel Combinations and Monopolies,' to be composed of nine Members of the House of Representatives and nine Members of the Senate of the United States, five members from the majority and four members from the minority of each House, and to be elected by ballot of each House.

"That it shall be the duty of said committee, and it is hereby directed, to make an investigation and inquiry of the Secretary of the Navy, the Secretary of Commerce and Labor, the Attorney General, and any other persons for the purpose of ascertaining whether, since the year of 1897, there have occurred violations of the antitrust act of July 2, 1890, the various interstate-commerce acts, by individuals or corporations engaged in the iron and steel business, which violations have not been prosecuted, dealt with, or lawfully disposed of by the executive officers of the Government; and if any such violations are disclosed, said committee is directed to report the facts and circumstances to the House, with bills requiring appropriate action to be taken by such executive officers; and said committee shall also report any further legislation which it may consider advisable for reenforcing the acts of Congress aforesaid and more effectually punishing future violations thereof. Said committee is hereby specially directed to investigate the United States Steel Corporation, its organization and operations, and if in connection therewith violations of law as aforesaid are disclosed, to report the same and a bill requiring action to be taken thereon.

"Said committee shall inquire whether said Steel Corporation has had any relations or affiliations tending toward violations of law with the Pennsylvania Steel Co., the Cambria Steel Co., the Lackawanna Steel Co., or any other iron or steel company nominally independent, and whether through any such agencies said Steel Corporation is engaged under contract in furnishing to the Government armor for vessels of the Navy, and if so, to what extent, and whether the prices paid have been fixed under any competition, and whether the prices are fair and reasonable or are exorbitant.

"The committee is authorized to sit during the sessions or recess of Congress, at such times and places as they may deem desirable, to send for persons and papers, to administer oaths, to summons and compel the attendance of witnesses, and to employ a disbursing officer and such secretaries, experts, stenographers, messengers, and other assistants as shall be necessary to carry out the purposes for which said committee was created. The committee shall have the power, through subcommittee or otherwise, to examine witnesses and to make such investigations and examinations, in this or other countries, of the subjects committed to their charge as they shall deem necessary, and shall report to the first session of the Sixty-second Congress at the earliest date practicable.

"That a sum sufficient to carry out the purposes of this amendment and to pay the necessary expenses of the committee and its members is hereby appropriated out of any money in the Treasury not otherwise appropriated. Said appropriation shall be immediately available and shall be paid out on the audit and order of the chairman or acting chairman of said committee, which audit and order shall be conclusive and binding upon all departments as to the correctness of the accounts of such committee."

Mr. PADGETT. Mr. Chairman, I desire now, if I may be permitted, to express the thought that by reason of the action taken this afternoon on the various amendments it is my opinion that the effect will be to cause an additional appropriation next year of between eight and nine millions of dollars to carry out the program of the past year and of this present bill. I want simply to make that statement, in order that additional appropriations shall not be charged up to the next Congress.

Mr. MANN. Why not? It is charged up to the Members of the next Congress on the Democratic side.

Mr. FOSS. Mr. Chairman, I wish to add to the statement which has just been made by the gentleman from Tennessee by saying that in my judgment the Committee of the Whole House, in perfecting the legislation recommended to this committee by the Naval Committee has added between eight and ten millions of dollars to the construction of ships, authorized in this bill and heretofore authorized.

Mr. Chairman, I move that the committee do now rise and report the bill and amendments with a favorable recommendation.

The motion was agreed to.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. CURRIER, 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. 32212, the naval appropriation bill, and had directed him to report the same back with sundry amendments, with the recommendation

that the amendments be agreed to, and that the bill as amended do pass.

Mr. FOSS. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote asked on any amendment? [After a pause.] The Chair hears no request.

Mr. FOSS. Mr. Speaker, I move that the House do now adjourn.

Mr. UNDERWOOD. Mr. Speaker, I ask that the gentleman withhold his motion.

Mr. FOSS. The gentleman from Tennessee [Mr. PADGETT] and myself desire that we should not take a vote upon the bill this evening.

The SPEAKER. Will the gentleman withhold his motion for a moment?

Mr. FOSS. I will.

BIRMINGHAM, ALA., AS SUBPORT OF ENTRY.

Mr. UNDERWOOD, from the Committee on Ways and Means, submitted a privileged report (No. 2211) from the Committee on Ways and Means on the bill (H. R. 29708) to constitute Birmingham, in the State of Alabama, a subport of entry, which was referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

LEAVE OF ABSENCE.

Mr. SMALL, by unanimous consent, was granted leave of absence for an indefinite period on account of sickness in family.

DAM ACROSS NAMAKAN LAKE AT KETTLE FALLS, MINN.

The bill (H. R. 32340) to authorize the Rainy River Improvement Co. to construct a dam across the outlet of Namakan Lake at Kettle Falls, St. Louis County, Minn., by unanimous consent was ordered laid on the table.

REQUEST FROM THE SENATE.

The SPEAKER. The Chair lays before the House the following request from the Senate:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 288) for the creation of police and firemen's relief fund, to provide for the retirement of members of the police and fire department, to establish a method of procedure for such retirement, and for other purposes.

The SPEAKER. Without objection, the request is granted. There was no objection.

SPECIAL REPORT ON THE DISEASES OF THE HORSE.

Mr. COOPER of Pennsylvania. Mr. Speaker, I report back House joint resolution 286, from the Committee on Printing.

The SPEAKER. The Clerk will report the resolution (H. Rept. No. 2212).

The Clerk read as follows:

Resolved, etc., That there be printed and bound in cloth 100,000 copies of the Special Report on the Diseases of the Horse, the same to be first revised and brought to date under the supervision of the Secretary of Agriculture; 70,000 copies for use of the House of Representatives, 30,000 copies for use of the Senate.

The SPEAKER. The question is on engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 26150. An act to authorize the construction of drawless bridges across a certain portion of the Charles River in the State of Massachusetts; and

H. J. Res. 146. Joint resolution creating a commission to investigate and report on the advisability of the establishment of permanent maneuvering grounds, camp of inspection, rifle and artillery ranges for troops of the United States at or near the Chickamauga and Chattanooga Military Park, and to likewise report as to certain lands in the State of Tennessee proposed to be donated to the United States for said purpose.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. 10757. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904;

S. 8736. An act providing for the releasing of the claim of the United States Government to Arpent lot No. 44, in the old city of Pensacola, Fla.;

S. 10690. An act providing for aids to navigation along the Livingstone Channel, Detroit River, Mich.;

S. J. Res. 140. Joint resolution authorizing the Secretary of War to loan certain tents for the use of the Confederate Veterans' Reunion, to be held at Little Rock, Ark., in May, 1911;

S. J. Res. 139. Joint resolution authorizing the printing of the message of the President, together with the report of the agent of the United States, in the North Atlantic Coast Fisheries Arbitration at The Hague; and

S. 10431. An act to authorize the Argenta Railway Co. to construct a bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 10476. An act for the relief of Passed Asst. Paymaster Edwin M. Hacker; to the Committee on Naval Affairs.

SPECIAL REPORT ON DISEASES OF CATTLE.

Mr. COOPER of Pennsylvania. Mr. Speaker, I also report back House joint resolution 287 from the Committee on Printing.

The SPEAKER. The Clerk will report the resolution (H. Rept. No. 2213).

The Clerk read as follows:

Resolved, etc., That there be printed and bound in cloth 100,000 copies of the Special Report on the Diseases of Cattle, the same to be first revised and brought to date, under the supervision of the Secretary of Agriculture, 70,000 copies for use of the House of Representatives and 30,000 copies for use of the Senate.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

EXTENSION OF REMARKS.

Mr. FOSS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. Foss] that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 50 minutes p. m.) the House adjourned until 11 o'clock a. m., Wednesday, February 22, 1911.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for post office and courthouse at Dayton, Ohio (H. Doc. No. 1396); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of Agriculture, transmitting a report of documents received and distributed during the year 1910 (H. Doc. No. 1398); to the Committee on Printing and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a copy of an act approved February 13, 1911, for relief of Charles F. Atwood and Ziba H. Nickerson, with a communication as to its phraseology (H. Doc. No. 1397); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of War, transmitting the sixth annual report of the American National Red Cross (H. Doc. No. 1399); to the Committee on Foreign Affairs 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. DALZELL, from the Committee on Ways and Means, to which was referred House bills 26540, 29469, and 30022, reported in lieu thereof the resolution (H. J. Res. 290) to provide for a tax upon white-phosphorus matches, and for other purposes, reported the same without amendment, accompanied by a report (No. 2202), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON of Illinois, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 30794) to establish a fish-cultural station in the State of Pennsylvania, reported the same without amendment, accompanied by a report (No. 2203), which said bill and

report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 8875) to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon, reported the same without amendment, accompanied by a report (No. 2206), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MCGUIRE of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 32348) supplementary to and amendatory of the act entitled "An act for the division of the lands and funds of the Osage Nation of Indians in Oklahoma," approved June 28, 1906, and for other purposes, reported the same with amendment, accompanied by a report (No. 2209), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SULZER, from the Committee on Military Affairs, to which was referred the resolution of the House (H. Res. 955) directing the Board of Managers for the National Home for Disabled Volunteer Soldiers, to furnish to the House of Representatives a report of receipt and disbursement of certain moneys, reported the same without amendment, accompanied by a report (No. 2210), which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BUTLER, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 30940) for the relief of Passed Asst. Paymaster Edwin M. Hacker, reported the same with amendment, accompanied by a report (No. 2204), which said bill and report were referred to the Private Calendar.

Mr. KENDALL, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 32251) authorizing the sale of the allotments of Nek-quel-e-kin, or Wapato, John, and Que-til-qua-soon, or Peter, Moses agreement allottees, reported the same with amendment, accompanied by a report (No. 2208), which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred sundry bills of the Senate, reported in lieu thereof the bill (S. 10818) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, accompanied by a report (No. 2205), which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred sundry bills of the Senate, reported in lieu thereof the bill (S. 10817) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors, accompanied by a report (No. 2207), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TALBOTT: A bill (H. R. 32881) to amend existing laws and equalize pay for mail service on railroad lines; to the Committee on the Post Office and Post Roads.

By Mr. MARTIN of Colorado: A bill (H. R. 32882) for the relief of the White River Utes, the Southern Utes, the Uncompahgre Utes, the Tabeguache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uinta Bands of Ute Indians, known also as the Confederated Bands of Ute Indians of Colorado; to the Committee on Indian Affairs.

By Mr. GARNER of Texas: A bill (H. R. 32883) to extend the time for the completion of a bridge across the Morris and Cummings Channel at a point near Aransas Pass, Tex., by the Aransas Harbor Terminal Railway Co.; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLIS: Memorial of the Legislature of Oregon, asking that the veterans of the Indian wars be placed upon the same footing as veterans of the Civil War in the matter of pensions; to the Committee on Pensions.

Also, memorial of the Oregon Legislature, asking for the passage of the Federal law requiring penal-made goods to be stamped as such before being admitted to interstate shipment; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Oregon Legislative Assembly, opposing the Canadian reciprocity treaty until after the Tariff Commission has reported; to the Committee on Ways and Means.

Also, memorial of the Oregon Legislative Assembly, in favor of the passage of the Sulloway pension bill; to the Committee on Invalid Pensions.

Also, memorial of the Oregon Legislative Assembly, in favor of a law giving travel pay to all volunteer soldiers who remained in the Philippines and performed service after the treaty with Spain; 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. ANDERSON: A bill (H. R. 32884) granting an increase of pension to William N. England; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32885) granting an increase of pension to Napoleon B. Peterman; to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 32886) granting a pension to Augustus Ranco; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32887) granting an increase of pension to Charles Thurston; to the Committee on Invalid Pensions.

By Mr. HAMER: A bill (H. R. 32888) granting a pension to John F. Keeton; to the Committee on Invalid Pensions.

By Mr. HAMIL: A bill (H. R. 32889) granting a pension to Euna Wells Sears; to the Committee on Invalid Pensions.

By Mr. OLCOTT: A bill (H. R. 32890) granting an increase of pension to Laura Shelby Converse; to the Committee on Pensions.

By Mr. RAUCH: A bill (H. R. 32891) granting an increase of pension to James W. Curtis; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 32892) granting a pension to Henry Mink; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON: Petition of St. Louis Advertising Men's League, against increase of postal rates; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of Trades and Labor Assembly of Coshocton, Ohio, protesting decisions of Federal judges relative to organized labor; to the Committee on Labor.

Also, petition of the American Pulp and Paper Association, against increase in postage rates on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of the White Co., of Cleveland, Ohio, favoring the passage of House bill 32570; to the Committee on Interstate and Foreign Commerce.

By Mr. BORLAND: Petition of Kansas City Branch of American Women's League, against increase of postage on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. BURKE of Pennsylvania: Petition of United Brotherhood of Carpenters and Joiners of America, Local 890, located at Pittsburgh, for House bill 15413; to the Committee on Immigration and Naturalization.

Also, petition of citizens of Pennsylvania, for the construction of the battleship *New York* in a Government navy yard; to the Committee on Naval Affairs.

By Mr. BURLEIGH: Petition of Sebasticook Grange, No. 90; Somerset Pomona Grange; and Northern Light Grange, of Wintertown, Me., against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. BUTLER: Petition of Coatesville Council, Junior Order United American Mechanics, for restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of Rogersford and Spruce City Trades Council, for repeal of the tax on oleomargarine; to the Committee on Agriculture.

By Mr. CARY: Petition of citizens of Tombstone, Ariz., protesting against the proposed change of the county seat from Tombstone; to the Committee on the Territories.

Also, memorial of American Paper and Pulp Association, against the proposed increase of postal rates on magazines; to the Committee on the Post Office and Post Roads.

By Mr. COOPER of Wisconsin: Petition of Charles Bisno, of Kenosha, Wis., against a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. COX of Ohio: Petition of house of representatives of the Assembly of the State of Ohio, favoring choice of Senators by direct vote of the people; to the Committee on the Judiciary.

Also, petition of the Hamilton Retail Grocers and Butchers' Association, of Hamilton, Ohio, favoring reciprocity; to the Committee on Ways and Means.

By Mr. DALZELL: Petitions of Council No. 148, Freeport; Hildale Council, No. 235, North Side Pittsburgh; Crystal Council, No. 300, Jeannette; Spring City Council, No. 900, Spring City; Aliquippa Council, No. 567, Aliquippa; Newtown Council; Local Council No. 602, Edinboro; Local Council No. 907, Nicolay; Justice Council, Glenlyon; America's Pride Council, Export; Council No. 542, Tidal; and Coatesville Council, Junior Order United American Mechanics, all in the State of Pennsylvania, and H. H. Kern, president of the Pittsburg Council; also Washington Camp No. 73, Cressona; Carlisle Camp; Mount Nebo Camp; Council No. 651, Philadelphia; Local Council No. 731, Tunkhannock; Washington Camp No. 82, Glen Riddle, Patriotic Order Sons of America, all in the State of Pennsylvania; and Council No. 406, Brotherhood of Carpenters and Joiners, Bethlehem, Pa., for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. DIEKEMA: Petition of Charles Marting and others, insisting that the battleship *New York* be built in a Government navy yard, in compliance with the law of 1910, and for eight-hour clause of naval appropriation bill; to the Committee on Naval Affairs.

By Mr. DODDS: Petition of County Line Farmers' Club, favoring a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. ELLIS: Petition of Society of Friends of Newberg, Oreg., for neutralization of the canal; to the Committee on Military Affairs.

Also, petition of C. M. Young and 12 others, of Portland, Oreg., against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of Astoria Lodge, No. 180, B. P. O. E., for Senate bill 5629; to the Committee on the Public Lands.

By Mr. ESCH: Petition of American Paper and Pulp Association of New York, against increase in postage on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. FORNES: Petition of the Art Color Printing Co., against increase of postage on magazines; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of Milk Producers' Association of Illinois, against Canadian reciprocity treaty; to the Committee on Ways and Means.

Also, petition of Chicago Examiner, against increase of postage on magazines; to the Committee on the Post Office and Post Roads.

Also, petition of Ed. Lacher, of Peru, Ill., concerning claim of E. G. Lewis; to the Committee on Claims.

By Mr. GILL of Maryland: Petition of 41 members of the Society of Friends, Baltimore, Md., against the expenditure of public funds for warlike preparations, and especially against fortifying the Panama Canal; to the Committee on Military Affairs.

By Mr. GRIEST: Petition of Huntzberger-Winters Co., Elizabethtown, Pa., against a parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of the Cigar Makers' Local Union No. 301, Akron, Pa., against repeal of the act for printing notes, checks, and bonds of the United States by hand presses; to the Committee on Printing.

By Mr. HAMER: Papers to accompany House bill granting a pension to John F. Keeton; to the Committee on Invalid Pensions.

By Mr. HAMILL: Petition of Valdez, Marshall Pass & Northern Railway, in Alaska, for House bill 32318 and Senate bill 10436; to the Committee on the Territories.

Also, petition of National Wholesale Dry Goods Association, for a permanent tariff commission; to the Committee on Ways and Means.

By Mr. HANNA: Petition of citizens on rural delivery routes in North Dakota, for increase of salaries of rural deliverers; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of North Dakota, against a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. HAWLEY: Memorial of Oregon Legislature, for appropriation of 30,000 acres of land for use of the United States Army within the Klamath Indian Reservation; to the Committee on the Public Lands.

Also, memorial of Oregon Legislature, to establish at McMinnville an experiment station for walnut culture; to the Committee on Agriculture.

Also, memorial of the Legislative Assembly of the State of Oregon, for legislation beneficial to those interested in desert claims of land within Government irrigation projects; to the Committee on the Public Lands.

Also, petition of the Newberg Quarterly Meeting of Friends, against fortifying the canal; to the Committee on Military Affairs.

By Mr. HIGGINS: Petition of Norwich (Conn.) Grange, Patrons of Husbandry, in relation to the parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. HOLLINGSWORTH: Petition of Oliver G. Cape and 38 others, members of the Society of Friends, of Cadiz, Ohio, against the expenditure of public funds to fortify the canal and in warlike preparations; to the Committee on Military Affairs.

By Mr. KINKEAD of New Jersey: Petition of citizens of New Jersey, protesting against the proposed measure to have battleships built by private contractors; to the Committee on Naval Affairs.

Also, petition of Camden Central Labor Union and Washington Camp No. 36, Patriotic Order Sons of America, South Amboy, for House bill 15413; to the Committee on Immigration and Naturalization.

Also, petition of the Allied Printing Trades Council, against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. LATTA: Petitions of William Corlidge and others, of Rosalie; Diers Bros. and others, of Madison; C. G. Bowen and others, of Orchard; E. Rohde and others, of Decatur; Joseph P. Kuehn and others, of Crafton; Adolph Tillipi and others, of Clarkson; S. A. Brannan and others, of Jackson; S. C. Hagen and others, of Concord; N. K. Harmon and others, of Loretto; Calvin B. Ney and others, of Plainview; R. G. Rohrke, F. S. Bensen, and others, of Hoskins; T. Koester and others, of Battle Creek; Werner H. Burbach and others, of Hartington; O. J. Goldsmith and others, of Orchard; F. Opocensky and others, of Niobrara; E. M. Spear and others, of Genoa; Phil Stine and others, of Plainview; Charles McWilliams and others, of Monroe, all in the State of Nebraska, against a parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. LONGWORTH: Petition of Liberty Bell Council, Junior Order United American Mechanics, of Cincinnati, Ohio, favoring legislation for the restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. McCREDIE: Petition of Journeymen Barbers' International Union of America, Local 158, against printing Government notes, checks, and bonds by machine presses; to the Committee on Printing.

Also, senate joint memorial of Washington, for an appropriation in behalf of Rainier National Park; to the Committee on the Public Lands.

Also, petition of Columbia Pomona Grange, against Canadian reciprocity; to the Committee on Ways and Means.

Also, petition of Spokane Council, No. 17, Junior Order United American Mechanics, for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. McMORRAN: Petition of Hirshfield & Rosenberg and 6 other business firms of Owendale, Mich., against the establishment of a parcels post; to the Committee on the Post Office and Post Roads.

By Mr. McDERMOTT: Petition of Boot and Shoe Workers' Union, No. 133, of Chicago, Ill., insisting that the battleship *New York* be built in a Government navy yard in compliance with the law of 1910; to the Committee on Naval Affairs.

By Mr. McHENRY: Memorial of Shamokin Commandery, No. 13, Patriotic Order Sons of America, of Shamokin, Pa., urging the passage of House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. MOORE of Pennsylvania: Petition of Washington Camps, Nos. 469, 187, 114, 423, 615, and 334, Patriotic Order Sons of America, urging enactment of the illiteracy test; to the Committee on Immigration and Naturalization.

Also, petition of St. Louis Advertising Men's League and National Association of Merchant Tailors of America, against increase of postage on magazines; to the Committee on the Post Office and Post Roads.

Also, petition of Fred S. Hall and others, for a children's roads bureau; to the Committee on Interstate and Foreign Commerce.

By Mr. NYE: Petition of Minneapolis Plumbers' Union, No. 15, for building of battleship *New York* in a Government navy yard; to the Committee on Naval Affairs.

By Mr. A. MITCHELL PALMER: Memorials of Justice Council, Junior Order United American Mechanics, of Glen-lyon, Pa., and Local Union No. 2034, United Mine Workers of America, in favor of House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. SHEFFIELD: Petition of Thomas P. Pickham and 42 other citizens, of Rhode Island, for a children's Federal bureau; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: Petition of the Cherokee Nation of Indians, against the claim of the heirs of John W. West; to the Committee on Indian Affairs.

By Mr. SULZER: Petition of National Association of Merchant Tailors in America, against reduction of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of the American Paper and Pulp Association of New York, against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of St. Louis Advertising Men's League, the Christian Herald, Irving Kessler, the American Exporter, the Allied Printing Trades Council of the United States, the J. H. Simmons Publishing Co., and the Central Federated Union of Greater New York and vicinity, against increase of postage on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. TILSON: Petition of Mattabesett Grange, No. 42, Middleton, Conn.; Unity Grange, No. 9; Norwich Grange, No. 172; Chester Grange, No. 2; Hallenbeck Grange; and Mystic Grange, for a general parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. VOLSTEAD: Petition of citizens of Minnesota, against reduction of duty on barley; to the Committee on Ways and Means.

Also, petition of citizens of Elbow Lake and vicinity; citizens of Redwood County; residents of Redwood, Yellow Medicine, and Renville Counties; Alfred Frost and others, of Dawson; citizens of Wendell; Valentine Kelzer and others, against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. WANGER: Resolutions of Royersford and Spring City (Pa.) Trades Council, respecting tax on oleomargarine; to the Committee on Agriculture.

Also, protest of the Wrightstown Farmers' Club, of Bucks County, Pa., against the passage of the Canadian reciprocity bill; to the Committee on Ways and Means.

Also, protest of the American National Live Stock Association, against the Canadian reciprocity bill; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, February 22, 1911.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

O Thou who art the God of our fathers, we rejoice in the return of this day, sacred to the memory of him who, in Thy providence, was the father of our country. Through the labors and the pains, through the hopes and the fears of the elder days, Thou hast brought us to this year of grace, bestowing upon us on the way blessings unnumbered and undeserved. Other men have labored, and we have entered into their labors. The little one has become a thousand and the small one a strong Nation, even an exceeding excellence and a joy of many generations. And for this great good whom shall we thank, in Thy name, but him who has become to us a model of public virtue and an example of private character? As again his words speak to us through the centuries, grant unto us attentive ears and obedient hearts.

We pray Thee, our Father, to bless our country. May peace be within her walls and prosperity within her palaces. For brethren and for companions' sakes, we now say, Peace be within thee, O blessed land! May they prosper who love thee!

Defend us, we pray Thee, against all violence from without and from all discord within. Write Thy commandments upon the hearts of this people, and teach us to love Thy law. So may we go from strength to strength, and ever be that happy Nation whose God is the Lord.

And as Thou wast with our sires, so be Thou with their sons and with our children, now and forever more. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Baown, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. In accordance with a resolution adopted by the Senate many years ago, Washington's Farewell Address will now be read to the Senate. It will be read by the junior Senator from Iowa [Mr. YOUNG], whom the Chair has heretofore designated for that purpose.

Mr. YOUNG read the address, as follows:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this previous to the last election had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence impelled me to abandon the idea. I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have, with good intentions, contributed toward the organization and administration of the Government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my political life my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me, and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals that under circumstances in which the passions, agitated in every direction, were liable to mislead; amidst appearances sometimes dubious; vicissitudes of fortune often discouraging; in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guaranty of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution which is the work of your hands may be sacredly maintained; that its administration in every department may be stamped with wisdom and